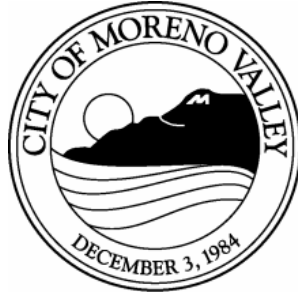

PLANNING COMMISSIONERS

BRIAN LOWELL
Chair

JEFFREY BARNES
Vice-Chair

RAY L. BAKER
Commissioner



JEFFREY SIMS
Commissioner

CARLOS RAMIREZ
Commissioner

PATRICIA KORZEC
Commissioner

MELI VAN NATTA
Commissioner

PLANNING COMMISSION

Regular Meeting

Agenda

Thursday, August 25, 2016 at 7:00 PM
City Hall Council Chamber – 14177 Frederick Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Approval of Agenda

CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no discussion of these items unless Members of the Planning Commission request specific items be removed from the Consent Calendar for separate action.

APPROVAL OF MINUTES

Planning Commission - Regular Meeting - Jul 28, 2016 7:00 PM

Approved as submitted.

PUBLIC COMMENTS PROCEDURE

Any person wishing to address the Commission on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, member of the public may be limited to three minutes per person, except for the applicant for entitlement. The Commission may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience.

NON-PUBLIC HEARING ITEMS

None

PUBLIC HEARING ITEMS

1. Case: PA14-0027 (Plot Plan)
Applicant: Design Concepts
Owner: Titak Chopra
Representative: Design Concepts (Architect Shiv Talwar)
Location: 23778 and 23798 Hemlock Avenue

Case Planner: Claudia Manrique
Council District: 5

Proposal: Plot Plan (PA14-0027) for a new 39 unit Apartment Complex

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2016-19, and thereby:

1. **CERTIFY** that this item is 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; and
 2. **APPROVE** Plot Plan PA14-0027 based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.
-
2. Case: PA16-0013 Tentative Parcel Map
Applicant: LGS Engineering, Inc.
Owner: Catherine Kormos
Representative: Loren Sandberg

Location: Northeast corner of Jeranella Court and Alessandro Boulevard

Case Planner: Gabriel Diaz

Council District: 3

Proposal: PA16-0013 Tentative Parcel Map 37104

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2016-20, and thereby:

1. **CERTIFY** that PA16-0013 Tentative Parcel Map 37104 qualifies as an exemption in accordance with the California Environmental Quality Act Guidelines, Section 15315 (Minor Land Divisions); and
2. **APPROVE** PA16-0013 Tentative Parcel Map 37104 subject to the Conditions of Approval included as Exhibit A to Resolution No. 2016-20

OTHER COMMISSION BUSINESS

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Next Meeting: Planning Commission Regular Meeting, September 8, 2016 at 7:00 P.M., City of Moreno Valley, City Hall Council Chambers, 14177 Frederick Street, Moreno Valley, CA 92552

1 **CITY OF MORENO VALLEY PLANNING COMMISSION**
2 **REGULAR MEETING**
3 **CITY HALL COUNCIL CHAMBER – 14177 FREDERICK STREET**
4

5 **Thursday, July 28th, 2016 at 7:00 PM**

6
7
8 **CALL TO ORDER**
9

10 **CHAIR LOWELL** – Good evening ladies and gentlemen. I would like to call to
11 order this Regular Meeting of the Planning Commission. Today is Thursday, July
12 28th, 2016. The time is just after 7:00. I believe it is 7:02 PM. The meeting is
13 now in order. Could we have roll call please?
14

15
16 **ROLL CALL**
17

18 Commissioners Present:

- 19 Commissioner Ramirez
- 20 Commissioner Korzec
- 21 Commissioner Van Natta
- 22 Commissioner Baker
- 23 Commissioner Gonzalez
- 24 Vice Chair Barnes
- 25 Chair Lowell
- 26 Alternate Commissioner Nickel
- 27 Commissioner Sims - Excused Absent

28
29
30 Staff Present:

- 31 Rick Sandzimier, Planning Official
- 32 Erica Tadeo, Administrative Assistant
- 33 Allen Brock, Community Development Director
- 34 Jennifer Mizrahi, Assistant City Attorney
- 35 Mark Gross, Senior Planner
- 36 Claudia Manrique, Associate Planner

37
38
39 Speakers:

- 40 Rafael Brugueras
- 41 Tom Jerele, Sr.
- 42 Sandra Murphy
- 43 Santiago Hernandez
- 44 Leonardo Gonzalez

1
2
3 **PLEDGE OF ALLEGIANCE**

4
5 **CHAIR LOWELL** – Thank you very much. I believe Frank Wright would like to
6 lead us in the pledge of Allegiance tonight; if you could step up to the
7 microphone.

8
9 **FRANK WRIGHT** – Everyone please stand, place your hand over your heart,
10 and repeat after me.

11
12
13 **APPROVAL OF THE AGENDA**

14
15 **CHAIR LOWELL** – Thank you very much. I would like to motion to approve
16 tonight’s Agenda. Would anybody like to second my motion to approve tonight’s
17 Agenda?

18
19 **COMMISSIONER BAKER** – I’ll second it.

20
21 **CHAIR LOWELL** – Perfect. So, all in favor, say aye.

22
23 **COMMISSIONER RAMIREZ** – Aye.

24
25 **COMMISSIONER KORZEC** – Aye.

26
27 **COMMISSIONER VAN NATTA** – Aye.

28
29 **COMMISSIONER BAKER** – Aye.

30
31 **COMMISSIONER GONZALEZ** – Aye.

32
33 **CHAIR LOWELL** – Aye.

34
35 **VICE CHAIR BARNES** – Aye.

36
37 **CHAIR LOWELL** – All opposed, say nay. No nay, so the motion passes 7-0.
38 Tonight’s Agenda is approved.

39
40
41 Opposed – 0

42
43
44 **Motion carries 7 – 0**

45
46

1 **CONSENT CALENDAR**

2
3 *All matters listed under Consent Calendar are considered to be routine and all*
4 *will be enacted by one rollcall vote. There will be no discussion of these items*
5 *unless Members of the Planning Commission request specific items be removed*
6 *from the Consent Calendar for separate action.*
7

8
9 **CHAIR LOWELL** – Let’s move onto the Consent Calendar, which I don’t believe
10 we have any items tonight.

11
12 **PLANNING OFFICIAL RICK SANDZIMIER** – We technically have the approval
13 of the Minutes, which is under the Consent Calendar.

14
15 **CHAIR LOWELL** – Ah, there we go. Yes we do.

16
17
18 **APPROVAL OF MINUTES**

19
20 Planning Commission - Regular Meeting - June 23rd, 2016 at 7:00 PM

21
22 Approve as submitted.

23
24
25 **CHAIR LOWELL** – So tonight we have approval of Minutes from the Regular
26 Meeting of June 23rd, 2016. Do we have any questions or comments? I don’t
27 see anybody raising their hands. Do we want to approve as submitted?
28

29 **COMMISSIONER BAKER** – I so approve.

30
31 **CHAIR LOWELL** – Do we need a second?

32
33 **COMMISSIONER KORZEC** – I’ll second.

34
35 **CHAIR LOWELL** – Perfect. All in favor, say aye.

36
37 **COMMISSIONER RAMIREZ** – Aye.

38
39 **COMMISSIONER KORZEC** – Aye.

40
41 **COMMISSIONER VAN NATTA** – Aye.

42
43 **COMMISSIONER BAKER** – Aye.

44
45 **CHAIR LOWELL** – Aye.
46

1 **VICE CHAIR BARNES** – Aye.

2
3 **CHAIR LOWELL** – All opposed, say nay. We have six ayes and one abstain.
4 The motion passes. The Minutes are approved.

5
6
7 Opposed – 0

8
9
10 **Motion carries 6 – 0 – 1, with one Abstain**

11
12
13 **SPECIAL PRESENTATION**

14
15 Recognition and appreciation for dedicated service for Commissioner Van
16 Natta

17
18
19 **CHAIR LOWELL** – That moves us onto our special presentation, recognition,
20 and appreciation for dedicated service for Commissioner Mrs. Meli Van Natta.

21
22 **PLANNING OFFICIAL RICK SANDZIMIER** – If I could just take a quick minute
23 and identify this is a recognition of one of our outgoing Commissioners who this
24 is her last meeting with us, but I'd also like to ask Councilmember Giba to lead us
25 in this particular presentation first. After Councilmember Giba does what he is
26 going to do, we will also follow up with a few words.

27
28 **COUNCILMEMBER GIBA** – You made it sound like I was going to dance or
29 something Ricky. I mean, I know I'm strange but well I'm so excited for Meli
30 because you see the smile on her face. It's not because she's leaving here but
31 because she is going to be going home to her husband. They have been
32 separated for what a month or two now?

33
34 **COMMISSIONER VAN NATTA** – Yeah. He's in Texas already waiting for me.

35
36 **COUNCILMEMBER GIBA** – He's in Texas waiting. Most of you probably don't
37 know that when I was on the Planning Commission back in 2011 we
38 affectionately called Meli mom, and she was the Chair two years in a row. Then
39 we tried to make her Chair for the third year. The rules didn't allow us to do it.
40 So, by default, I ended up being the Chair. So we have a long relationship and
41 we're losing one heck of a person in the City who served this community for
42 many, many years as a Planning Commissioner, has served the community on
43 the chamber with the Chamber of Commerce. She has been a business owner
44 here for many, many years and so we're not just losing a Planning
45 Commissioner, we're losing a wonderful resident in the City of Moreno Valley and
46 I think deserves for us to spend a few minutes in shall we say celebration on her

1 behalf but in sadness from ours. And I have a certificate put together for you,
2 Meli, so if you'd like to come down here because I'm not going up there. I did my
3 three plus years so and a couple extra things, but I'm not going to give them to
4 you. This is a Certificate of Recognition on behalf of the City Council of the City
5 of Moreno Valley. Mary E. (Meli) Van Natta is awarded this Certificate of
6 Recognition for your unparalleled performance and exemplary dedication as a
7 Planning Commissioner of the City of Moreno Valley for the period of 03/08/2011
8 to 07/28/2016 signed by me and, very rarely do I say this, Mayor Pro Tem Jeffrey
9 Giba. And then I asked for all the other Commissioners to sign too so that you
10 have a good record of who you sat with up here. And I'd also like to ask Rafael,
11 where are you, Rafael and Tom Jerele to come up and give you a special
12 presentation.

13

14 **COMMISSIONER VAN NATTA** – Okay.

15

16 **COUNCILMEMBER GIBA** – So hang tight. Don't leave.

17

18 **COMMISSIONER VAN NATTA** – Oh goodness.

19

20 **SPEAKER RAFAEL BRUGUERAS** – I'm going to wait for Tom to come up a
21 little bit.

22

23 **COMMISSIONER VAN NATTA** – Okay.

24

25 **SPEAKER RAFAEL BRUGUERAS** – On behalf of the City of Moreno Valley,
26 we honestly we thank you for all you've done and, when you leave, you leave a
27 lot of memories because we're going to look at all the things that were built in the
28 City of Moreno Valley for the last several years as our reminder of your decision
29 to help our city to grow.

30

31 **COMMISSIONER VAN NATTA** – Thank you.

32

33 **SPEAKER TOM JERELE SR.** – Meli, you can thank Mayor Pro Tem Giba for all
34 this beautiful acknowledgement. It's well deserved. It is an honor to be a small
35 part. I'm going to wait to do my other comments. I have my notes over there
36 when we take speakers, but I thank you for your service to not only the
37 Commission but the community and just the great citizens.

38

39 **COMMISSIONER VAN NATTA** – Thank you. Thank you very much.

40

41 **COUNCILMEMBER GIBA** – By the way, Meli, the champagne is for when you
42 get home to your husband.

43

44 **SPEAKER RAFAEL BRUGUERAS** – There you go.

45

46 **COMMISSIONER VAN NATTA** – Thank you.

1
2 **SPEAKER RAFAEL BRUGUERAS** – Thank you so much.

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – Stay down, Meli, if you can.

5
6 **COUNCILMEMBER GIBA** – She’s got to put her stuff away. She’s got so much
7 of it. We just wanted to show her how much we love her and we’re going to miss
8 her. And I know, Carlos, you’ve sat with her for almost the entire time that she
9 was here and most of the other Commissioners. Ray has sat with her all this
10 time too.

11
12 **COMMISSIONER BAKER** – Yeah, you bet.

13
14 **COUNCILMEMBER GIBA** – So I know that myself and Carlos and Ray and Meli
15 have all been together for quite some time. I’m going to turn it over now to the
16 Planning Official, Mr. Rick Sandzimier for the rest of this presentation.

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – Thank you Councilmember Giba,
19 always a nice introduction. I prepared some notes because I know that I won’t
20 be able to remember everything that I’ve written down here but I did want.....the
21 cat is out of the bag. This is Meli’s last night with us, and we are trying to
22 recognize her for her committed service to the City of Moreno Valley. It is my
23 honor as the Planning Official to present this plaque to Commissioner Van Natta
24 and the plaque reads: City of Moreno Valley is pleased to honor Meli Van Natta
25 in recognition and appreciation for your five years of dedicated service. Your
26 commitment contributed greatly to the successful growth and development of the
27 City of Moreno Valley Planning Commission 03/08/2011 to 07/28/2016. You’ve
28 had the opportunity to be recognized by Councilmember Giba, members of our
29 community. We’ll probably hear some words later from your Commission, but I
30 as the Planning Official and the Staff in the Planning Department have had a
31 wonderful time working with you for many years. I’ve had the pleasure for two.
32 Many of my Staff had it for much, much longer and I know that they recognize the
33 service that you have provided to our department/our division, and so I put
34 together a few notes. You know, what influence can a Commissioner have over
35 a five year period? Well, we did a little checking and with a little help from Erica
36 to look through some of the records, and I would like to highlight some of the
37 contributions that Meli has made. This is for the benefit of all those in the
38 audience that came out tonight. But I know that our meetings are televised so
39 some people that were not able to make it tonight may be watching from home,
40 and this is the indication that you do reach out to a lot of members of the
41 community being a very high profile Commission. Meli has been a respected
42 Member of the Commission and particularly recognized for her persistent,
43 thoughtful, and thorough attention to the details of each project and other matters
44 that have come before her. Over the five plus years, she has worked side-by-
45 side and effectively with 11 other Commissioners. She has earned the respect of
46 her fellow Commissioners and was elected to serve as the Chairman of the

1 Commission twice serving in that capacity for 23 months and, as mentioned by
2 Councilmember Giba, would have probably gone another year if we would have
3 been able to allow you to do so. Last year, she collaborated with the
4 Commission on updating the Rules and Procedures of the Commission and
5 subsequently worked on updates to the Rules and Procedures to bring in the
6 addition of alternate Commissioners, which took place just last year. During her
7 five years, we counted 181 items and projects that were considered enacted on
8 by this Commission. These projects will continue to shape the City for many
9 years to come. To highlight some of those unique projects back in 2011 when
10 you first started, I don't know if you remember this one or not, but there was a
11 Dark Sky Ordinance that was brought before this Commission. It was an effort to
12 try and minimize light pollution throughout the city. After that, in 2011, they
13 approved a 139 unit residential assisted living facility, a memory care facility now
14 know as Renaissance Village, which is a very nice facility in our community that
15 has been built since that time. You participated in approving the Climate Action
16 Plan for the City in 2012. You were instrumental in helping us adopt two housing
17 elements, one in 2011 and another that was adopted in 2014. You worked on
18 the Alessandro Boulevard Corridor Study, which introduced R30 zoning, which is
19 a higher density residential zoning along Alessandro and also introduced the idea
20 of mixed use overlays, which is a significant contribution that still has not yet
21 been fully realized and there's things that we look at when we do our planning
22 today. You participated in the SR60 Corridor Study. You participated....that
23 was in 2014. You participated in the Nason Street Corridor Study just last year,
24 and you just recently brought a Comprehensive Development Code update to the
25 Commission. Residential projects that you have participated in: Continental
26 East had a Planned Unit Development at Krameria and Lasselle. There is
27 current activity on that. We expect that maybe they will be breaking ground in
28 the next year or so. It is 93 units. CV Communities, a developer in our City, got
29 entitlement for 159 homes along the Quincy Channel and another 115 homes
30 around Manzanita and Perris. Those took place in 2013/2014, and we expect
31 that those will be nice developments when they come along as well. Oak Park
32 Partners, in 2014/2015, processed the General Plan Amendment, a Zone
33 Change, and Plot Plans for 266 multi-family dwelling units off of Box Springs and
34 Clark Street. There is activity on that project that Julia continues to work on, and
35 so we will see that one come to fruition probably in the near future as well. Nova
36 Homes, my Staff (Claudia) is here, processed that one as 121 units at the corner
37 of Cactus and Perris. Beazer Homes, my other staff member here (Mark Gross)
38 participated in this one. This is 272 residential units at Eucalyptus right across
39 the street from the Stone Ridge Shopping Center. Industrial development: We
40 give a lot of credit and recognition for the industrial development that is going on
41 in the city. There is a lot of it, but I just wanted to highlight that we also did have
42 residential and other projects as well. On the industrial side: March Business
43 Center, 1.8 million square feet approved in 2012 and still under development.
44 Today there are actually buildings that will be occupied soon. The Saint
45 Christopher Church Master Plan in 2013; the Prologis development, about 1.5
46 million square feet adjacent to the Auto Mall; the First Nandina Project in the

1 south area of the City, 1.4 million square feet of industrial development; Moreno
2 Valley Modular Logistics facility also on the south end of town, 1.1 million square
3 feet of industrial development; the World Logistics Center General Plan
4 Amendment, Zone Change, Specific Plan, Development Agreement (a very
5 extensive project that will result, hopefully in the near future to 40.6 million
6 square feet in this development. And we will see that being developed over a 20
7 to 30 year period of time) so from your legacy and involvement in that project
8 alone we'll continue to remember your contributions. Many wireless cell towers
9 that are popping up around the city, which help communication and connectivity
10 for all the residents/the businesses, you had a substantial review of a lot of those
11 projects. The county opened up a new office building (54,000 square feet
12 approximately) off of Heacock. If you drive down Heacock near the 60 Freeway,
13 you will see that that one just recently opened. We approved a renovation for the
14 Time Warner substation off of Fir Street. That was one where we came up with
15 some unique architecture for the building to try and take a utility and make it look
16 kind of like a residential home.

17
18 **COMMISSIONER VAN NATTA** – Um-hum.

19
20 **PLANNING OFFICIAL RICK SANDZIMIER** – We appreciated the input that the
21 Commission and yourself had on that project. The Walmart at Perris and
22 Gentian that you approved last year, and we hope to see that one come in for
23 development real soon and the Les Schwab Tires, which was approved under
24 your watch. It also has moved through the development phase and is open now
25 on Perris Boulevard. That was another contribution. Those are just things that
26 we wanted to mention. Those are things that we think leave a lasting impression,
27 indelible mark on our community. I want to wish you well in your future. As the
28 Planning Official, it has been my pleasure for at least two years and everybody
29 else up here has had the pleasure for a little bit longer, but I want to thank you
30 very much.

31
32 **COMMISSIONER VAN NATTA** – Thank you.

33
34 **PLANNING OFFICIAL RICK SANDZIMIER** – Thank you. I want to give you the
35 floor also to say something.

36
37 **COMMISSIONER VAN NATTA** – Thank you.

38
39 **CHAIR LOWELL** – Hey Meli, I might limit you to three minutes though.

40
41 **COMMISSIONER VAN NATTA** – Go ahead and set the timer. I don't have any
42 prepared comments, so it will be fairly short. And Rick I have to say, when we
43 interviewed you, I knew you'd make a great Official and I'm glad you joined us.
44 And I just want to say thank you to everybody who came out tonight and all the
45 comments that were made and this lovely plaque. I will find a nice place to put it
46 where I can look at it and remember everything that has gone on. Sometimes

1 being a Planning Commissioner isn't always....doesn't always make you the
2 most popular person because there are people who disagree with what you say
3 and what you do, but we try to do the best job that we can and knowing that
4 some of the things that we have voted on and some of the things that we have
5 approved won't see the light of day for many, many years does not lessen our
6 interest or our dedication to making sure that the right things are approved. So I
7 appreciated the City Council for giving me this opportunity and everybody who
8 has participated in the process and all of you that are here tonight to tell me
9 goodbye. Thank you very much.

10
11 **CHAIR LOWELL** – Well I do know that we're all going to miss you terribly up
12 here. Moving onto Public Comments.

13
14
15 **PUBLIC COMMENTS PROCEDURE**

16
17 *Any person wishing to address the Commission on any matter, either under*
18 *Public Comments section of the Agenda or scheduled items or public hearings,*
19 *must fill out a "Request to Speak" form available at the door. The completed*
20 *form must be submitted to the Secretary prior to the Agenda item being called by*
21 *the Chairperson. In speaking to the Commission, member of the public may be*
22 *limited to three minutes per person, except for the applicant for entitlement. The*
23 *Commission may establish an overall time limit for comments on a particular*
24 *Agenda item. Members of the public must direct their questions to the*
25 *Chairperson of the Commission and not to other members of the Commission,*
26 *the applicant, the Staff, or the audience. Additionally, there is an ADA note.*
27 *Upon request, this Agenda will be made available in appropriate alternative*
28 *formats to persons with disabilities in compliance with the Americans with*
29 *Disabilities Act of 1990. Any person with a disability who requires a modification*
30 *or accommodation in order to participate in a meeting should direct their request*
31 *to Guy Pagan, our ADA Coordinator, at (951) 413-3120 at least 48 hours prior to*
32 *the meeting. The 48-hour notification will enable the City to make reasonable*
33 *arrangements to ensure accessibility to this meeting.*

34
35
36 **CHAIR LOWELL** – We have a Non-Public Hearing Item tonight. How does that
37 work with the Public Comments portion of the Non-Public Hearing Items?
38 Actually, we don't have any. Moving on, never mind.

39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – We actually have some Public
41 Comments. People wanted to speak, I believe, on Commissioner Van Natta.

42
43 **CHAIR LOWELL** – Okay, so let's invite them up. So the first one up is Mr.
44 Rafael Brugueras followed by Mr. Tom Jerele Sr., then Sandra Murphy, and then
45 Santiago Hernandez.

1 **SPEAKER RAFAEL BRUGUERAS** – Good evening Planning Commissioners,
2 Staff, residents, and our guests. You know, the bible teaches me but it teaches
3 all of us, how do we measure a person? Tonight Rick just measured her for what
4 she has done for us in the City of Moreno Valley. By that measurement, we have
5 seen things being done already, and we know that our future will have other
6 things that are going to be built as the process goes on and that is how we are
7 going to remember you as we see our City grow more and more and more. But I
8 also want to thank the rest of the Planning Commissioners because it takes a
9 team to vote yes seven times. Sometimes it is an odd number, but that’s okay
10 because it also tells us that we can’t always have everything. But I’m glad
11 because I didn’t know how important it is to come to this meeting and to see
12 talent work for the City of Moreno Valley. I’ve been here since 1992, and I just
13 started to come here last year. So where was I? Hiding somewhere in a garage
14 working hard minding my business, and that shouldn’t be. If you live in the City
15 of Moreno Valley, you should be involved because being involved gets things
16 done. And I know there was a big issue with the big project, but I’m deeply
17 grateful for that to come to pass maybe one day and it will because there’s a
18 process to everything. But I’m very happy today because when I see the East
19 Side and I go to the West Side or head towards the freeway and Cactus, I see
20 growth. That will always remind me of what all the Planning Commissioners,
21 including her, have done for the City of Moreno Valley. And I always will
22 remember you. Never forget us because we’ll never forget you. Thank you.

23

24 **CHAIR LOWELL** – Mr. Tom Jerele.

25

26 **SPEAKER TOM JERELE SR.** – Tom Jerele speaking on behalf of myself and a
27 little bit for the Sundance Center where I spent a little bit of time. Chair Lowell,
28 Vice Chair Barnes, Commissioners, members of Staff, and the public both here
29 in the chambers and watching at home: First of all, it was really nice when Mayor
30 Pro Tem Giba asked if I was going to be here. I said yeah. He said, do you think
31 some of the regulars will be there? And I said, well probably, just for sure me
32 and Rafael. He said, well I need some help. But there are almost 30 people
33 here tonight, and they are here for a single purpose to thank you for your service.
34 So I want to acknowledge Commissioner Van Natta and a couple of observations
35 I have had on her work here at the Commission and so a few words to describe
36 her work (1) prepared, (2) very focused, (3) attentive, (4) engaged, (5) courteous,
37 (6) receptive, (7) respectful, (8) patient, (9) plain spoken and clear, (10) wise, and
38 (11) professional. So I thank you for those good characteristics, and I think those
39 are good attributes for any person who wants to serve their local community at
40 any level. I thank you greatly. A couple people couldn’t be here tonight. Dave
41 Slosson couldn’t be here. He has a weekly church function with his family, but I
42 know he appreciates your service greatly and expressed his sentiments to me.
43 Also, Debra Craig and Roy Bleckert very much wanted to be here, but they are
44 out doing something. They are doing some dirty work tonight. They are cleaning
45 up a vacant lot at Perris and Brodiaea as we speak, so they are probably getting
46 good and dusty right now, but they very much wanted me to express their

1 sentiments so we thank you. And I thank you not only on behalf of myself but the
2 community for your years of good work and doing some good things in a good
3 way. Thank you.

4
5 **CHAIR LOWELL** – Ms. Sandra Murphy.

6
7 **SPEAKER SANDRA MURPHY** – Good evening. I am just here just to represent
8 myself to say thank you. For five years, probably it would be too much for some
9 people (181 projects) but it will take someone who really wants to do something
10 for the future and make sure that the next generation will have better chances,
11 and that is what I saw in you. I didn't see it too many times because I was not
12 involved with nothing with the community because I commute a lot, but one of the
13 moments that I crossed a word with you when we were in the process with a
14 project for the World Logistics, I knew that you are a person who is honest,
15 sincere, and you care. And that I can tell you from the bottom of my heart. God
16 gives us the opportunity in some positions to help others, but it's the way we help
17 and they way we conduct ourselves that makes a big difference. It's not about
18 the numbers. It's by the way that you show that you care, and you show us that
19 you care for this city even though not everybody thinks that Planning
20 Commission is very important in our city because that's our future whatever it
21 comes that it's going to change the lives of others and make it better. It comes
22 from you. You have to review and approve those projects. You have to be the
23 person who rejects those projects because it's not going to be good for the city,
24 so you play a big roll in the future of this city and for many years we will
25 remember you. Even though it was five years but, if you multiply it by 181, it will
26 say a ton. Thank you very much.

27
28 **CHAIR LOWELL** – Thank you. Santiago Hernandez.

29
30 **SPEAKER SANTIAGO HERNANDEZ** – I just want to say thank you to this lady
31 who is going to Texas. She is a great lady that I just know a year ago. She has
32 great knowledge of the city and great knowledge of the area that she lived. I
33 want to say thanks and God bless you, Meli. Thank you.

34
35 **CHAIR LOWELL** – I saw one of the Speakers Slips being handed to you during
36 that. Were there any other speakers?

37
38 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – No.

39
40 **CHAIR LOWELL** – Perfect. Thank you very much.

41
42
43 **NON-PUBLIC HEARING ITEMS**

44
45 **None**

1
2 **CHAIR LOWELL** – So that moves us onto the Public Hearing Items, which is
3 Case PA16-0025 (Smoke Shop Regulations). The Case Planner is Mr. Mark
4 Gross.

5
6
7 **PUBLIC HEARING ITEMS**

- 8
9 1. Case: PA16-0025 (Smoke Shop Regulations)
10
11 Applicant: City of Moreno Valley
12
13 Owner: N/A
14
15 Representative: N/A
16
17 Location: City-wide
18
19 Case Planner: Mark Gross
20
21 Council District: All
22
23 Proposal: Municipal Code Amendment pertaining to the
24 regulation of Smoke Shop uses city-wide.
25

26
27 **STAFF RECOMMENDATION**

28
29 Staff recommends that the Planning Commission APPROVE Resolution No.
30 2016-18, and thereby:

- 31
32 1. **CERTIFY** that the proposed Ordinance (amendment to the Municipal
33 Code PA16-0025) qualifies as an exception in accordance with Section
34 15061 of the California Environmental Quality Act (CEQA) Guidelines,
35 and
36
37 2. **RECOMMENDS APPROVAL** of PA16-0025 to the City Council for the
38 amendment of the City of Moreno Valley Municipal Code to modify
39 Titles 5 and 9, including modification in the Permitted Uses Table
40 attached as Exhibit A, related to the city-wide regulation of Smoke
41 Shop uses.
42

43
44 **SENIOR PLANNER MARK GROSS** – Good evening Chair Lowell and members
45 of the Planning Commission: Mark Gross, Senior Planner, here to provide a brief
46 report on the proposed Code Amendment for Smoke Shop uses. The primary

1 purpose of the Municipal Code Amendment before you this evening is to regulate
2 and enforce Smoke Shop uses city-wide. I want to talk a little bit about the
3 background of how we've got to this point and why we are actually looking at
4 providing an Ordinance such as this. Now the City Council originally requested
5 that the Public Safety Subcommittee provide input regarding how the City can
6 limit Smoke Shops that sell drug paraphernalia and other illegal substances. The
7 concern is that, without appropriate local control, such uses may have negative
8 effects on both health, safety, and welfare for city residents. And, although the
9 sale and regulation of drug paraphernalia is primarily regulated by State Law and
10 that would be specifically Section 11364 (the Health and Safety Code), there are
11 ways in which the City can combat negative secondary effects of these uses and
12 we're going to try to show you how that is going to be done tonight with this
13 Ordinance Amendment. Now there are approximately 28 Smoke Shop uses that
14 are included in the City of Moreno Valley and right there I just want to point to
15 that particular map and we'll go through those maps as we go through the
16 presentation, but it pretty much shows on those little circles of where the Smoke
17 Shop uses are located. And, if you were to count the number of circles that are
18 up there, you will probably count 27. And that is because there is actually almost
19 a duplicate one use, actually two uses in the mall. I believe maybe one at the
20 top, maybe 1st floor and 2nd floor and so that is why....that's how we actually get
21 to the 28. You will count 27, but again there are two in the mall. Now there were
22 several local Smoke Shop Ordinances that were reviewed in the process of
23 revising the Municipal Code. We've looked at a number of different cities and
24 that would include the cities of Anaheim, Victorville, Covina, and El Cajon. We
25 took a look at their Ordinances to see how a local entity can actually regulate this
26 type of a use. The Amendment to regulate Smoke Shops that we're proposing
27 this evening is really consistent to what the cities of Covina or El Cajon enacted.
28 Actually, there were a couple of things that they looked at. One was including
29 Smoke Shops that would be provided as a conditionally permitted use within a
30 Community Commercial Zone, and that was one of the items. The other item
31 was providing distance requirements from Smoke Shop uses to other more
32 sensitive land uses. Now there were a total of three meetings that were held with
33 the Public Safety Subcommittee to discuss Smoke Shops and how they can be
34 regulated from more of a local perspective. From these meetings, there were
35 two primary approaches that were agreed upon by the Safety Subcommittee to
36 be carried forward. One of those items is to amend the Municipal Code to
37 include drug paraphernalia offenses as grounds for business and tobacco retailer
38 license revocation. In this case, the City is proposing language in Title 5 that
39 would allow the City to revoke a business and/or a tobacco license if violations of
40 drug paraphernalia are found. A second item that was carried forward from the
41 Public Safety Subcommittee Meeting was the adoption of an Ordinance adding
42 new zoning regulations for Smoke Shops. And, in this case, a new section in
43 Title 9 of the Municipal Code is being proposed to be created to regulate these
44 types of uses. A Smoke Shop in this case will be defined as a site devoting 30%
45 or more of floor space for Smoke Shop uses or tobacco products. Now this
46 particular Ordinance is going to look at both new Smoke Shop uses, as well as

1 existing, and I am going to go over how this Ordinance will be looking at each.
2 First of all, starting out with new uses, the proposed amendment will only allow
3 new Smoke Shops to be located in the Community Commercial Zone District.
4 And, in addition, all new Smoke Shops will require a Conditional Use Permit.
5 Now we talked a little bit about location and distance requirements and how
6 some of the other cities looked at that. Again, we are carrying that forward in this
7 Municipal Code Amendment and, in this case, location and distance
8 requirements have been added to minimize impact of Smoke Shops on adjacent
9 more sensitive land uses. And I want to now turn your attention over to the maps
10 that we do have up because these are some of the requirements that we are
11 carrying forward for new uses with or for uses that will have these buffer
12 requirements. This first map actually includes a 500 foot buffer, so with this
13 particular Ordinance there would be provisions to include a distance requirement
14 of 500 feet between Smoke Shop uses and land uses such as residential uses,
15 churches, arcades, amusement facilities, and parks. This next slide is actually a
16 requirement that shows again how these circles kind of bubble out a little bit as
17 you get, of course, the larger distance requirement. And the requirement also is
18 going to include, in this Ordinance, a 750 foot distancing requirement from
19 existing newly created Smoke Shop uses and between Smoke Shop uses and
20 childcare/daycare facilities, colleges, vocational schools, and governmental uses.
21 And then finally you have this 1000 foot Buffer Map that is including and showing
22 the distance requirement between Smoke Shop uses and uses such as adult
23 businesses, emergency shelters, large daycare centers, rehabilitation centers,
24 residential care facilities that are operating as sober living facilities, and public or
25 private schools. So we talked a little bit mainly about the new uses, and I want to
26 talk more now about the existing uses and how this Ordinance will be looking at
27 existing uses. Now existing uses that are not located in the Community
28 Commercial or CC Zoning District or not meeting distancing requirements from
29 Smoke Shop uses or other more sensitive land uses, as we've discussed just
30 previously, can remain at the site where they are located if operating legally
31 under their current ownership. These uses would be considered legal
32 nonconforming pursuant to Municipal Code Section 9.02180 and that would be
33 legal nonconforming uses, improvements, and parcels. So that pretty much
34 summarizes the items, and I want to also talk a little bit about some of the
35 environmental and the noticing. The Smoke Shop Amendment is exempt from
36 the California Environmental Quality Act (CEQA) pursuant to Section 15061 of
37 the CEQA Guidelines in that there is no possibility that the proposed activity may
38 have a potential for a significant impact upon the environment. Noticing was
39 provided for the city-wide amendment, and it was done by way of a one-eighth
40 page display ad that was located in the newspaper on July 15th. The City also
41 provided notice to all Smoke Shop owners and property owners where these
42 uses are located. Now Staff did receive two calls in response to the noticing.
43 General questions were raised one by a Smoke Shop owner and another by a
44 property owner on how this Ordinance and this effort will affect their business or
45 property. Now Staff did go through some of things such as we've gone through
46 tonight with the business owners and the property owners, and they did not have

1 any specific concerns once we explained all of the nuances or the requirements
2 of the Ordinance. Therefore, I do want to mention and just read into the record
3 that Staff recommends that the Planning Commission certify that the proposed
4 Ordinance Amendment to the Municipal Code PA16-0025 qualifies as an
5 exemption in accordance with Section 15061 of the California Environmental
6 Quality Act (CEQA) Guidelines and (2) to approve Planning Commission
7 Resolution 2016-18 recommending that the City Council approve the proposed
8 amendment to the Moreno Valley Municipal Code amending Sections 502270(a),
9 suspension or revocation; 504090(a) revocation of license; 902020 permitted
10 uses; 915030, definitions; 902180(d), legal nonconforming uses, improvements
11 and parcels; and adding Section 909280, Smoke Shops, all pertaining to the city-
12 wide regulation of Smoke Shop uses. Now, before concluding my report, I want
13 to make note of a minor modification to the Planning Commission Resolution on
14 page 35 of your Planning Commission packet. Now, for your information, we did
15 get copies of I believe this is the memo that was provided to all of the
16 Commissioners at their dais, as well as I think we have some of these available
17 for the public there on the far table. But I do want to just read in the last
18 sentence because this is the last sentence of Section 9.02.280(d) which shall be
19 modified to remove any previous language included in the underlying format and
20 provide with the following new language, and it would include and read as this:
21 Not withstanding Smoke Shops currently operating legally with all proper
22 applicable licenses, permits, and entitlements shall be deemed to be legal
23 nonconforming under their current ownership. That concludes the report on the
24 item. Staff from both the Planning Division and the City Attorney's office is here
25 and will be happy to answer any questions or concerns that the Commission may
26 have.

27
28 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may just elaborate a little bit on
29 that Staff Report. This is a very sensitive Land Use Regulation and also changes
30 Title 5. I want to make sure that the Commission is fully aware that this has been
31 a collaborative effort between both the Planning Staff and our City Attorney's
32 office. Jennifer Mizrahi is sitting to my left. You don't see Paul Early here
33 tonight, but Jennifer Mizrahi is from our City Attorney's office and she has been
34 working very diligently on this particular item. The language before you that Mark
35 has just pointed out is something that Jennifer, myself, and Mark discussed
36 earlier after looking through the proposed text amendments. Jennifer has done
37 some research on some Case Law, State Law, and other stuff just to make sure
38 that we've got it covered and so we apologize for the shortness of getting this out
39 to you, but it was just a change that was made earlier today. Staff again is
40 available here to answer any questions. We appreciate any consideration or
41 comments that you have.

42
43 **CHAIR LOWELL** – Before we move onto our Commissioner Discussion, do we
44 have any people wishing to speak on this item?

45
46 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Yes, we have two.

1
2 **CHAIR LOWELL** – Since we normally go City, Applicant, Public Comments, I
3 think we should open up the Public Comments and then go into our
4 Commissioner Discussion.

5
6 **PLANNING OFFICIAL RICK SANDZIMIER** – That’s fine. The order would be, if
7 the Commission has any comments for clarification from the Staff Report, we
8 would do those first. But, if you have no questions on the Staff Report, then it’s
9 appropriate to go to Public Comments.

10
11 **CHAIR LOWELL** – I’m leery of opening up to our discussion because I know
12 we’ll just jump right into our discussion. So, if we have any specific comments or
13 questions regarding clarification of what we just heard, now would be the time. If
14 not, I’d like to open up Public Comments. Commissioner Korzec.

15
16 **COMMISSIONER KORZEC** – I wanted to ask the reasoning behind the parks
17 only having a 500 foot buffer versus schools having the 1000 foot because so
18 many children go to parks and it would seem to me that might be the same
19 consideration as a school or a large daycare center, so I just wanted to know why
20 parks would have just a shorter distance?

21
22 **PLANNING OFFICIAL RICK SANDZIMIER** – You’re right. There’s some
23 subjectivity that was applied in terms of trying to judge what the sensitivity of the
24 uses are. You’re absolutely right that there are children that do frequent our
25 parks, but parks are more of a community benefit and we don’t want to.....we
26 didn’t want to penalize, or I didn’t want to penalize businesses that are located
27 next to a park, so I chose the smaller distance. That was simply my judgment
28 call.

29
30 **CHAIR LOWELL** – Any other questions or clarifications before we move onto
31 Public Comments? I don’t see any hands going up. Okay, I’d like to open up the
32 Public Comments portion. Do we have any speakers waiting in the wings?

33
34 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – Yeah, Rafael Brugueras and
35 then Leonardo Gonzalez.

36
37 **SPEAKER RAFAEL BRUGUERAS** – Good evening Commissioners, Staff and
38 residents. One of the hardest things for me is to always tell someone why I
39 disapproved this, but I approve it now because I understand what he is saying
40 about Ordinance and rules and regulations. But I have to review it myself
41 because I am once an addict. I know what it’s like to buy stuff like that when I
42 was young, these stores. I didn’t hear anything about 21 and over. I didn’t hear
43 anything where these bongs and everything should be in the back of the room
44 behind a curtain or on the wall 21 and over permitted. I didn’t hear any of that
45 where someone can walk in and just look at all the stuff. You know why I don’t
46 walk into a Smoke Shop? One, I don’t smoke. Two, for what they sell. It tempts

1 me. I'm 60 years old, and it still tempts me how easy it is now to buy something
2 to smoke from. We have gone backwards in this country because we always
3 want to be politically correct but this town we cannot be politically correct when it
4 comes to young people because we know that there's always going to be
5 somebody to send somebody in a store to buy something from there. There is
6 always going to be somebody to do that, to harm our kids. It doesn't matter.
7 One thing about narcotics, it doesn't pick color or gender. I used to be firm mind
8 over matter until I became an addict and then the matter became over the mind.
9 It hurt me but thank God for love and the love of my parents and people that
10 trusted me to get out of it, and I got out of it. I have to reveal myself so I can help
11 someone else. You're going to make a decision tonight again, a very important
12 decision, to help somebody. I don't know if anybody in your family has ever been
13 through a situation, but I know you know somebody who has been through a
14 situation but I'm asking you to make the rules hard. If they don't want to do
15 business in Moreno Valley, send them over to another city. Let somebody drive.
16 I remember when I had to go to another city to buy stuff for myself I was always
17 afraid to get caught. Let them have that fear because it may help them to get out
18 of a situation they might be getting themselves into. I'm asking you to help our
19 City. I'm asking you to help our children, and I'm also asking you to help existing
20 addicts or those that are still recovering for 30 years or more. This is why I do
21 not walk into a shop. I see how easy it is to go back to something that can harm
22 me. If it can harm me, I know it can harm someone else. So think about what
23 you're going to do tonight. Improve the rules. Make them better. She mentioned
24 500 feet. It should be 1000. Treat it like alcohol. Make it hard for young people
25 to get and to sell in the stores.

26
27 **CHAIR LOWELL** – Thank you very much. I believe we have Leo, Leo
28 Gonzalez.

29
30 **SPEAKER LEONARDO GONZALEZ** – I think I turned in the wrong color slip, so
31 it's not her fault, but I didn't want to leave without saying my piece. I actually do
32 agree with him as far as that matter, so we'll touch on that a little bit. It's hard for
33 people to quit. I think it's even harder or for people....it's easy to go back. It's
34 hard to quit as far as that goes. I know that from personal experience. But, Ms.
35 Van Natta, I don't want to leave here without saying my piece. Believe it or not,
36 you were one of the first people whose name came up when I moved to this town
37 because we're both in the real estate circles, and when I knew that you were on
38 the Planning Commission I started to pay a lot of attention to you. And you've
39 kind of somewhat become a silent mentor to me believe it or not. When I found
40 out that you were leaving to Texas through just people talking, and then I found
41 out everything that you did, and you embody the quote that I live by. "Live your
42 life so that the work of your life outlives your life." And everything you've done
43 and everything Mr. Sandzimier talked about, that's exactly what you did. A lot of
44 the stuff you're doing for, you've done for us, and a lot of the Planning
45 Commission you've done for our generation. So I want to speak on behalf of all
46 the growing families in Moreno Valley. We thank you. We honor your vision, and

1 hopefully we can honor your commitment to the City as we get older. So thank
2 you so much for your five years of service.

3
4 **CHAIR LOWELL** – Thank you very much, Leo. Do we have any other Speaker
5 Slips?

6
7 **ADMINISTRATIVE ASSISTANT ERICA TADEO** – No, we do not.

8
9 **CHAIR LOWELL** – Okay, I would like to open up the Commissioner Discussion.
10 I have a whole slew of questions, but I am going to defer to the second half.
11 Commissioner Gonzalez.

12
13 **COMMISSIONER GONZALEZ** – I just have a lot of questions as well. One of
14 the things that pops out is, out of the 28 Smoke Shops, none will be conforming.
15 Is that correct?

16
17 **SENIOR PLANNER MARK GROSS** – Yes that actually is correct. All of the
18 uses, the 28 uses, are either not included in a Community Commercial Zoning
19 District or they are probably not meeting distance requirements either from
20 Smoke Shop use to Smoke Shop use or from Smoke Shop use to other of the
21 more sensitive land uses that we've talked about. Primarily, if you look back at
22 the, I don't know if you can go back to some of the....I guess we can't. But, on
23 the maps that we showed, primarily what is providing this is as a legal
24 nonconforming use.....there we go. Thank you. It pretty much shows that most
25 of these uses, if we go back to maybe the 500 foot buffer, again most of these
26 actually are adjacent or touching residential uses. So, in that case, that's
27 probably one of the reasons why they are becoming nonconforming. They are
28 legal nonconforming, but there are situations in some instances where we have
29 Smoke Shop uses that are very close to one another, and thus they are not
30 meeting the 750 buffer.

31
32 **COMMISSIONER GONZALEZ** – So in an ideal situation, I mean, is it feasible
33 for a Smoke Shop to (if we were to opt these rules as is) come into the City and
34 establish themselves or would it be very difficult?

35
36 **SENIOR PLANNER MARK GROSS** – Well I think that in trying to answer that
37 question, it's going to be definitely more difficult as far as to establish, although
38 there are still some areas in the city where a new Smoke Shop could be provided
39 but very few. But if you look at areas, in fact one of the areas that I'll mention I
40 guess or a couple of the areas, is right immediately to the south of the 60
41 Freeway and over by Moreno Beach Drive. There are a couple of shopping
42 centers in there. I don't know if you noticed the big red on the side. There are
43 not any Smoke Shops in that particular area. There are some areas that are
44 adjacent to the freeway that may allow for those uses and then some other of the
45 Community Commercial Zoning areas that are not established yet. It would be
46 definitely more difficult; much more difficult to provide a Smoke Shop use.

1
2 **COMMISSIONER GONZALEZ** – Thank you.

3
4 **VICE CHAIR BARNES** – During your presentation, you indicated that smoke
5 shops and I think the quote was “may have negative impacts.” Has there been
6 an identification of negative impacts that we are specifically trying to solve or is
7 this just an opinion of Staff or the Public Safety Commission that this is
8 something that should be done? What’s driving this?
9

10 **PLANNING OFFICIAL RICK SANDZIMIER** – There was no identified trend or
11 significant problem. There is a perception or a concern that was raised by
12 members of our City Council, and that’s why they asked the Public Safety
13 Committee to consider this item. In addition to the Planning Staff working with
14 the City Attorney’s Office, we also have consulted with the police department on
15 this and had them review it. I have no data that suggests that there is, like I said,
16 a trend. Our attorney probably could describe why we’re doing this. She
17 describes it more in a legal sense or in an appropriate sense.
18

19 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – It’s pretty much what Mr.
20 Sandzimier said. It’s pretty much a prophylactic measure that kind of came from
21 the top down and, in looking at the Municipal Code, we noticed that Smoke
22 Shops were just a permitted use. And, when we took a harder look, I said well
23 do we really want to have this as just a permitted use or do we want to make it a
24 little bit more difficult because it is more sensitive use and have it kind of, you
25 know, bring it forth to the Planning Commission on a case-by-case basis as a
26 Conditional Use and actually get some buffering. You know, the buffering that
27 we have been talking about, but it is definitely a prophylactic measure.
28

29 **VICE CHAIR BARNES** – Okay, so we’ve got 28 uses but there’s not been any
30 statistical identification of issues with any of these facilities?
31

32 **PLANNING OFFICIAL RICK SANDZIMIER** – The other thing I want to mention
33 is there was principle concern with the display, or the sale, or the inappropriate
34 use of drug paraphernalia. That was one of the major concerns. That’s a
35 change that’s being made to Title 5, which is not a title in the Municipal Code that
36 the Planning Commission typically works with, but it does provide the provisions
37 now for the City to revoke business licenses and tobacco retailer licenses. That
38 was really the initial concern. When we looked at it deeper the concern about,
39 well what about the land use regulations, that’s when the changes to Title 9
40 became apparent and we recommended for consideration as well.
41

42 **VICE CHAIR BARNES** – So that modification to allow the revocation of the
43 license, based on the information that you had provided from I guess the State
44 Health, that provision already exists. Is that correct?
45

1 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – There’s currently some
2 State Law....well there is State Law specifically with respect to drug
3 paraphernalia sales. And, for the most part, it’s pretty much the State’s to deal
4 with. The City really can’t do much about it except for this one provision, which is
5 if a business sells or violates State Law with respect to drug paraphernalia sales,
6 what the State recognized was it said okay cities if this is an issue you’re having,
7 and I’m not saying that is, what you can do is you can amend your Ordinance
8 and actually include it as grounds for revocation of the business license or frankly
9 any kind of license is what the State says. And so that was kind of the first focus.
10 It was okay what can we do, and that’s what we could do. So there is grounds of
11 revocation of the business license if somebody has some kind of drug
12 paraphernalia offense. So that’s kind of a warm portion of the Ordinance. That’s
13 at Title 5. And then in looking at it and kind of delving deeper, we started looking
14 at okay well Smoke Shops in general they are just kind of permitted as a matter
15 of right and do we want that and that’s how the other Title 9 kind of came into
16 play.

17
18 **VICE CHAIR BARNES** – Okay so the State basically is giving us the right to
19 revoke the license, but unless we put it in our Ordinance we don’t have the ability
20 to do that?

21
22 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – That is correct.

23
24 **VICE CHAIR BARNES** – Okay.

25
26 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Yes.

27
28 **VICE CHAIR BARNES** – Alright. I have others but let’s move on. I’ll be back.

29
30 **CHAIR LOWELL** – One of the questions that I have pertains to the phrase drug
31 paraphernalia. It is a very vague term, and I asked a couple days ago about the
32 State Safety Code. And it says, as used in this section, drug paraphernalia
33 means all equipment, products, and material of any kind which are intended for
34 the use or designated for use in planting, propagating, cultivating, growing,
35 harvesting, manufacturing, compounding, converting, producing, processing,
36 preparing, testing, analyzing, packaging, repackaging, sorting, containing,
37 concealing, injecting, ingesting, inhaling or otherwise introducing into the human
38 body a controlled substance. Drug paraphernalia includes but is not limited to all
39 of the following: kits intended for the use or designated for use in planting,
40 propagating, cultivating, growing, or harvesting of any species of plant which is a
41 controlled substance for which a controlled substance can be derived. And they
42 have a whole bunch of other stuff. I mean, it’s just pages and pages and pages
43 and pages. I’m wondering if this is getting us too much into a gray area. The
44 reason why I say that is what about an outdoor nursery where all they do is they
45 promote the propagation of plants in general? What about a hydroponic
46 company where all they do is say hey let’s grow stuff indoors? Well they are

1 intending you to grow and harvest any plant, but you could use that for nefarious
2 purposes. What if there is a company out there that they only want to sell
3 spoons? Well any Hollywood Movie shows you using heroin and a spoon. Well
4 they are going to be selling spoons. Well, technically, they are selling drug
5 paraphernalia. It's just such a big gray area, how do we know what we're trying
6 to make an Ordinance against?

7
8 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – The only thing that I could
9 say to that is currently what you read from is the State Law. That's currently the
10 State Law, and how I have it written in the Ordinance is that drug paraphernalia it
11 goes to that definition. And, what I would say to that is, obviously your police
12 department knows what drug paraphernalia is. They deal with it all the time. I
13 personally don't know as much as they do about drug paraphernalia, but these
14 people deal with this all the time. They deal with the definition. They understand
15 it and so what the Ordinance does is it connects back to the State Law because I
16 wasn't about to make up a definition for drug paraphernalia.

17
18 **CHAIR LOWELL** – So what it kind of seems like is that we're making an
19 Ordinance that is subjective, which is kind of frustrating and I don't agree with.

20
21 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – I don't know if it's.....

22
23 **CHAIR LOWELL** – I like the intent, but it just needs to be more solidified.

24
25 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – In terms of the subjectivity,
26 and I could just kind of talk a little bit about that. It specifically relates back to the
27 Health and Safety Code definition, and that's the definition frankly that we would
28 need to use because we cannot as a City make up our own definition of drug
29 paraphernalia. It is State Law.

30
31 **CHAIR LOWELL** – Correct.

32
33 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – And they don't give us,
34 meaning the City, a lot of wiggle room to kind of regulate in that area. So that's
35 what I would say to that but I understand your concern, which the definition is
36 difficult.

37
38 **CHAIR LOWELL** – Well I kind of enjoy watching the show called Locked Up on
39 MSNBC and, if criminals are anything, they are ingenuitive. So Lowes could be a
40 company that is dedicated 100% to drug paraphernalia. So I would hate to make
41 a law that is so broad for outreaching that you could misinterpret it or interpret it
42 poorly to get people that are 100% innocent and maybe naive in trouble.

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – Well if I may just add a little. The
45 protection from being applied too broadly is that it does tie back to Smoke Shops.
46 So, if you had a nursery that was selling stuff or if you had Target.....

1
2 **CHAIR LOWELL** – Yeah, it says 30% designation. So, if they designate 30% of
3 their building towards Tobacco or Drug Shops, whatever, or Smoke Shops. But
4 that’s what I was saying. What if a nursery or a hydroponics store or something
5 that sells products that aren’t intended for that use could be misused.....

6
7 **PLANNING OFFICIAL RICK SANDZIMIER** – Well it’s my understanding.....

8
9 **CHAIR LOWELL** – Two things is to fine tune the definition of drug paraphernalia
10 and also widen this out to companies that aren’t permitted Smoke Shops but also
11 kind of skirt the legal definition of a Smoke Shop.

12
13 **PLANNING OFFICIAL RICK SANDZIMIER** – The intent here is again to
14 regulate that sale happening within a place that’s been defined as a Smoke
15 Shop. So they’ve got a business license established as a Smoke Shop or they
16 have a Tobacco Retailer License, and then if those drug shops are selling
17 flatware and they don’t normally sell flatware and all of a sudden they are selling
18 a lot of spoons, then there might be a connection made that okay there is
19 something amiss here. It provides some teeth from an enforcement standpoint.
20 Could it be? You’re right that the criminal mind is clever. They come up with
21 different ways to work around this. But, as we put this together, the intention was
22 focused on the 28 Smoke Shops that we have and the other Smoke Shops that
23 may want to come in here. It wasn’t intended to try and regulate this use as a
24 component of some other business, but we can give that some additional
25 thought.

26
27 **CHAIR LOWELL** – Alright, and I just....this is totally just drilling down that some
28 point a little bit harder, but CNN has this thing that says 90% of US currency
29 carries traces of cocaine so technically a dollar that I have in my pocket could be
30 drug paraphernalia. So if I owned a business and I dedicated.....if I owned a
31 Smoke Shop, and I had absolutely no water bongs or vaporizers or hookahs or
32 anything, I just strictly have a humidor. That’s all I have just high-end cigars. I
33 have dollar bills in my cash register that have cocaine on them, per this study, I
34 could get in trouble and lose my license even though I’m 100% innocent so
35 it’s.....I like the intent, I’m just having a hard time grasping it.

36
37 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Mr. Chair and members of
38 the Commission, I completely understand. I understand. I mean, it is a broad
39 definition. Unfortunately, it’s not something that we can really mess with. It
40 comes directly from State Law. I agree. It’s definitely broad, and I definitely
41 understand your point. The only problem is that we’re stuck with it if we want to
42 go this route. If the Planning Commission kind of wants to go this route and have
43 drug paraphernalia offenses be grounds for license revocation, we’re kind of
44 stuck with the State Law defining drug paraphernalia, and I definitely understand.

45
46 **CHAIR LOWELL** – I like the intent.

1
2 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Yeah.

3
4 **CHAIR LOWELL** – But my fear is that this would be misinterpreted and applied
5 to drive a business out of the city when they were 100% innocent.

6
7 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Understood, understood.

8
9 **CHAIR LOWELL** – Could we also expand this to apply to other stores that have
10 less than 30%. So, if they have a Smoke Shop or if they have 25% of the
11 building is dedicated to Smoke Shop stuff, could we include them also that way
12 we can weed out some riffraff.

13
14 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Correct. That’s exactly
15 what we....so there are two amendments to Title 5. There is one under 5.02,
16 and then there is one under 5.04. And I believe the one under 5.04.....wait did I
17 get that right? One of them is related to general businesses. So if any general
18 business sells drug paraphernalia, it could be a grounds of revocation.

19
20 **CHAIR LOWELL** – Okay, I didn’t pick up on that. Okay.

21
22 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – I may have gotten the two
23 code sections.

24
25 **CHAIR LOWELL** – One of the comments that I didn’t think of that Mr. Rafael
26 Brugueras brought up is what about adding age restrictions to the entrance of the
27 buildings, age restrictions? So, if we have a building that is dedicated to Smoke
28 Shop or 100% dedicated to liquor, can we add an age restriction to prevent little
29 kids from being exposed to it too early?

30
31 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Yeah that’s all actually
32 defined by State Law and the State pretty much has that kind of control. The City
33 does not have control over the age restrictions but something that was brought
34 up, which is not in the Ordinance, is maybe placement. You know, placement of
35 the products. You know, placement of a hookah pipe or something like that.
36 That’s not in the current Ordinance, but that is something like a land use kind of
37 regulation that we could regulate.

38
39 **CHAIR LOWELL** – And I know this Ordinance is kind of a last ditch effort to
40 prevent this stuff from getting into our City and exposing kids to it, but the TV and
41 video games do far worse. One last little thing that I had was....actually I have
42 two things. So say we have a legal nonconforming business, or say we have a
43 new business that comes in that is legal and conforming, it is in the right zoning,
44 right location, right setbacks, and what if another business comes in and wants to
45 set up shop right next to it? Are there reverse restrictions where you can’t put
46 that next to it?

1
2 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – We did not set up the
3 Ordinance that way. We pretty much set up the Ordinance where the Smoke
4 Shop itself is being regulated and so, to answer your question, the answer is that
5 person could come in and what it would do is it would make the Smoke Shop
6 legal nonconforming. So that’s how it would actually, you know, place out.
7

8 **CHAIR LOWELL** – Can we put some sort of senior rights into this Ordinance
9 where the Smoke Shop was there first and then a child care for neonatal
10 intensive care unit moved in right next door, which we can’t have because it
11 would be horrible to have it right next door, but I don’t want the new guy in town
12 pushing out the old business because they were there forever.
13

14 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – It wouldn’t push it out per
15 say. They would become legal nonconforming.
16

17 **CHAIR LOWELL** – Correct, but according to legal nonconforming, if they go out
18 of business or want to do renovations for longer than 12 months then their shop
19 they lose their license and they can’t go back in. So that’s what I was saying if
20 we could have some sort of a senior rights like they were established first. This
21 guy came in after the fact and said well I’m coming in here so you can’t have
22 your business anymore if something should happen, if there is a catastrophic fire
23 and you’re down for a while. And I know that the Ordinance said that Planning
24 Official and Planning Staff can extend the expiration date of that permit, but I still
25 like the idea of having some sort of senior rights saying these guys were in town
26 first.
27

28 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – My initial reaction is
29 probably yes, but I’d like to actually look into that a little bit but I think we could
30 probably do something and make something work where if we have a good legal
31 Smoke Shop and if a daycare wants to come and move in next door maybe there
32 is a way to draft some language. I just can’t think of anything right now off the
33 top of my head, but I’ll have to look at it. My gut reaction would be yes.
34

35 **CHAIR LOWELL** – And then the last question I have, I promise this is my last
36 question. What about home occupations businesses? Can you have a home
37 occupation business that would be legal noncompliant with a Smoke Shop?
38

39 **PLANNING OFFICIAL RICK SANDZIMIER** – The challenge there, it’s
40 automatically a home occupation would be in a residential district so we would
41 not want to establish a Smoke Shop as a home occupation.
42

43 **CHAIR LOWELL** – Okay I was just curious because we talked about home
44 occupation a while ago and it just kind of came to my mind. Okay, I’ll relinquish
45 the microphone. Mr. Sims is not here so who piped in for Mr. Sims?
46

1 **COMMISSIONER VAN NATTA** – I put in next in line to speak. Am I there?

2
3 **CHAIR LOWELL** – You piped in as Mr. Sims I think.

4
5 **COMMISSIONER VAN NATTA** – Well I don't know why. I didn't sign in as Mr.
6 Sims.

7
8 **CHAIR LOWELL** – You're already out of the system.

9
10 **COMMISSIONER VAN NATTA** – They kicked me out already. Do I still get to
11 talk?

12
13 **CHAIR LOWELL** – I do want to note, I do want to note that when the meeting
14 first started there were 40+ people here and now we have two so they were here
15 just for you.

16
17 **COMMISSIONER VAN NATTA** – Thank you. I realized that.

18
19 **CHAIR LOWELL** – Commissioner Van Natta.

20
21 **COMMISSIONER VAN NATTA** – Okay just one comment first and then onto my
22 question. The idea of the police will know it's drug paraphernalia when they see
23 it is kind of like I'll recognize pornography when I see it. I can't describe it to you,
24 but I'll know what it is when I see it kind of that sort of thing. And I do kind of
25 question, if it is already illegal to sell drug paraphernalia, then why can't we just
26 pursue that on the legal basis? Send the cops in there to charge them with
27 selling drug paraphernalia.

28
29 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – We definitely could and that
30 would be probably a criminal investigation. What this does is it gives us kind of
31 one more quiver in our, whatever it is called, arrow in our quiver where we would
32 actually be able to revoke the business license in addition to of course the
33 criminal.....

34
35 **COMMISSIONER VAN NATTA** – Well, if someone is convicted of criminal
36 activity and running a business in the City, isn't there already some way of
37 revoking their business license without making it specific?

38
39 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – I would have to go back to
40 the business license revocation section. If I recall correctly, I don't remember
41 seeing it but that doesn't necessarily mean it's not there. I'd have to go back.

42
43 **COMMISSIONER VAN NATTA** – Well I mean, if you send the cops in there
44 every day because they've got drug paraphernalia, pretty soon they are going to
45 lose business and they will close down anyway.

46

1 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Correct, yeah.

2
3 **COMMISSIONER VAN NATTA** – The other question I had is where you have
4 this change where it says they shall be deemed to be legal nonconforming under
5 the current ownership. Does that mean that, if a Smoke Shop decides to sell to
6 someone else and they are now not conforming because the daycare moved in
7 next door, would that mean that they could not sell?

8
9 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Nonconforming, the answer
10 is that the City would have to give the Smoke Shop owner the benefit of its
11 bargain meaning that we couldn't just immediately take away their use. That
12 would be a taking. So, if that was the case, the City would actually have to make
13 a judgment and say you haven't been there long enough, maybe they've only
14 been there a year or so. But, if you have been there a much longer period like 10
15 or 11 years, then all of a sudden you've got the benefit of your bargain.
16 Nonconforming use law is kind of our cane, so I don't know if I completely
17 answered the question. You have to look at whether or not the Smoke Shop has
18 actually received the benefit of its use.

19
20 **COMMISSIONER VAN NATTA** – Okay what I'm looking at is you have a
21 business and the business has moved in there and they've established
22 themselves as a Smoke Shop and they've built up a business and so forth and
23 that person wants to retire and sell this working business that is making a lot of
24 good money for \$100,000 to someone else and retire to Texas.

25
26 **CHAIR LOWELL** – That's what I was going to say.

27
28 **COMMISSIONER VAN NATTA** – Okay then by adding this on here under their
29 current ownership that basically gives the City the right to say no you can't sell
30 that to someone else and saying the benefit of the bargain and this and that and
31 making it all subjective and how long is too long and everything like that to me is
32 just a little bit too vague.

33
34 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Right.

35
36 **COMMISSIONER VAN NATTA** – I think removing that thing that says under
37 their current ownership would make this a lot more palatable because then that
38 way that person part of the benefit of owning a business is the ability to sell it.
39 And, if you can't sell it, then you've lost the value that you've built up in that
40 business.

41
42 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Correct and as a matter of
43 fact, we actually had this discussion this morning thinking maybe it would be best
44 actually to remove that portion of it, which no objection I don't think from Staff or
45 myself at all. It would probably be a little bit cleaner to remove that. So if that is
46 something that the Planning Commission wanted to do and just have the period

1 go right after nonconforming that might actually clean up that language as well. I
2 don't know if Rick has something to say about that.

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – I do. The only amendment to
5 paragraph D is the addition of that language. So, if we don't want to make the
6 changes, there would be no changes to paragraph D. So it would just....we
7 would just remove the entire proposal and not make any changes to D. But
8 everything that you see on the handout that is not bolded is going to remain in
9 our Code and so Smoke Shops would just be treated like any other
10 nonconforming use. They follow the same rules and regulations.

11
12 **COMMISSIONER VAN NATTA** – And then it stops at welfare period?

13
14 **PLANNING OFFICIAL RICK SANDZIMIER** – Correct.

15
16 **COMMISSIONER VAN NATTA** – Okay that was my big question there. Being a
17 business person who has just sold a business, it would have upset me very much
18 to not be able to sell it. There still seems to be some issue though when there is
19 a Smoke Shop if someone else puts a business in, daycare whatever else it is
20 within that 1000 feet or the 750 feet or the 500 feet depending on the use to the
21 Smoke Shop. Why should they be allowed to do that if the Smoke Shop is
22 already there?

23
24 **PLANNING OFFICIAL RICK SANDZIMIER** – If I could try and address that.
25 That was actually something that we did spend a lot of time on. I mean, we were
26 very concerned about the rest of the project. It kind of goes both back and forth.
27 But on the exhibit that Mr. Gross put up there, even if you have the most
28 restrictive one (the 500 foot dimension), what we have is most of the shops are
29 already next to residential development. A lot of that land is still vacant and so
30 someone wanted to come in with a residential development, which we do want to
31 see some residential development, we could be limiting a lot of residential growth
32 in our community. So that alone was one of the reasons that we said that we
33 don't want reciprocal. We want this to be and that's why we talked with the City
34 Attorney's office and the language that we just talked about was intended to be
35 helping to put some teeth in there so that was one way. We appreciate the
36 comments and we anticipated that this would be an interesting discussion
37 tonight, but we just don't want to keep childcare or residential development or a
38 gas station or some other type of use from coming in. A gas station is not a
39 sensitive use but I meant to throw one of the sensitive uses out there like a
40 private school or.....

41
42 **COMMISSIONER VAN NATTA** – Which brings me to the other side of that
43 question because I can see keeping it away from daycare and schools and
44 everything else like that, but why would you not want to have a Smoke Shop
45 located within 1000 feet of an adult business? It seems like they would like to
46 occupy the same.....

1
2 **PLANNING OFFICIAL RICK SANDZIMIER** – This is along the lines of I think
3 the speaker earlier who spoke about the temptation, and when we talked about
4 this as Staff. There are certain uses that already have sort of a potential
5 secondary effect associated with them. An adult business was one of them. So
6 we felt that, if these uses are closer together, you're increasing the potential for
7 negative secondary effects. That was the reasoning.

8
9 **COMMISSIONER VAN NATTA** – The concentration of all those in one area
10 might negatively affect that area?

11
12 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes, exactly.

13
14 **COMMISSIONER VAN NATTA** – Alright that makes sense, and I would approve
15 of it without that change to paragraph D.

16
17 **CHAIR LOWELL** – Commissioner Gonzalez.

18
19 **COMMISSIONER GONZALEZ** – If we were to compare it with alcohol and the
20 sale of alcohol, would this be more restrictive or less restrictive than alcohol?
21 You know, people that sell in establishments for liquor stores or whatnot.

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – It would be, just off the cuff and
24 just my initial reaction, it would be more restrictive. ABC licenses you can get.
25 You can have an overconcentration of liquor licenses in a certain area. There
26 are findings that can be made that allow for a business to continue to operate
27 and petition for an alcoholic beverage license so that seems more flexible. This
28 is pretty specific in terms of the grounds for revocation and it was, without the
29 change to paragraph D, intended to be very restrictive in terms of change of
30 ownership of a business and then it is also pretty restrictive with regard to setting
31 the buffers of 500 to 750 and the 1000 are very specific development
32 requirements that we would be looking at. That's my off the cuff reaction.

33
34 **CHAIR LOWELL** – Commissioner Barnes.

35
36 **VICE CHAIR BARNES** – I guess going back to the question that I asked earlier,
37 we're spending a fair amount of effort overregulating a business that no one has
38 identified any problems with, and I'm not a fan of drug use but it seems like we
39 are singling these businesses out with no basis in fact. That's just an
40 observation. The other question just escaped me. Darn it.

41
42 **COMMISSIONER VAN NATTA** – Can I comment and come back to you?

43
44 **VICE CHAIR BARNES** – What's that?
45

1 **COMMISSIONER VAN NATTA** – I said, while you’re thinking about it, I could
2

3
4 **VICE CHAIR BARNES** – Well it came back to me. The way this is presented,
5 this is an all or nothing approval or recommendation. Is that correct?
6

7 **PLANNING OFFICIAL RICK SANDZIMIER** – Not exactly.
8

9 **VICE CHAIR BARNES** – Sections?
10

11 **PLANNING OFFICIAL RICK SANDZIMIER** – I want to try and answer that and
12 in your first observation or statement.
13

14 **VICE CHAIR BARNES** – Okay.
15

16 **PLANNING OFFICIAL RICK SANDZIMIER** – The concern was raised, like we
17 said at the beginning of the presentation, by other interested parties. They asked
18 for it to go through the Public Safety Committee, and the Public Safety
19 Committee made some recommendations. But in order to change a code, in
20 order to change Title 9 in particular, we need to come before the Planning
21 Commission and you serve an advisory capacity. So they are looking, before the
22 change is made, the ultimate change, so it’s not an all or nothing because we’re
23 asking you tonight is to provide recommendations to go forward to the City
24 Council. We can still take a Staff recommendation based on what the Public
25 Safety Subcommittee asked us to do and we would present that in light of what
26 the Planning Commission has offered. You know, if the Planning Commission
27 tonight offered something different then what the Public Safety Committee was
28 asking us to try and take forward, we would present that to the City Council and
29 the City Council could render their final decision. Hopefully, that didn’t make it
30 more money. But that’s where.....your role tonight is not the final decision
31 maker. You’re more of an advisory capacity, and we will take all of your input
32 that way.
33

34 **VICE CHAIR BARNES** – Perfect. That cleared that up.
35

36 **CHAIR LOWELL** – Mr. Sims. I mean, Commissioner Van Natta.
37

38 **COMMISSIONER VAN NATTA** – Okay so just kind of an off the wall question.
39 Is the reason for regulating Smoke Shops at this time in anticipation of the
40 possibility that marijuana might get legalized in the future, and we need to have
41 some boundaries set up before these Smoke Shops are allowed to sell
42 marijuana?
43

44 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – That’s an interesting
45 observation. It never came up during the Public Safety Subcommittee Meeting,

1 so the answer is not to my knowledge at all. I don't know if anybody else has a
2 different answer, but that's my understanding.

3
4 **PLANNING OFFICIAL RICK SANDZIMIER** – That was never presented as a
5 reason to any of us here in Planning.

6
7 **COMMISSIONER VAN NATTA** – It just makes it more interesting.

8
9 **CHAIR LOWELL** – So my big concern is with the legal nonconforming. If this
10 goes through, all 28 of our Smoke Shops are going to be legal nonconforming.
11 Have we looked or given any kind of consideration to what would be the
12 maximum requirements or maximum restrictions we could put where some of the
13 Smoke Shops would be legal and conforming as far as setbacks go and kind of
14 tailor towards that? Like, if one of the minimum setbacks is 500 feet, well what if
15 this is 400 feet and would make like half of them legal conforming? I know that is
16 a very specific question at the last minute.

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – I'll ask Mark and Claudia. They
19 did some research. I'm not sure if they went any further, any tighter.

20
21 **CHAIR LOWELL** – The intent that I'm going for is maybe the 500 foot setback
22 might be too restrictive. If we bring it back a little bit, some of the shops would be
23 not violating or not nonconforming.

24
25 **SENIOR PLANNER MARK GROSS** – I believe a lot of the cities that we looked
26 at, especially like with the residential and some of the other uses were the 500, is
27 what was looked at. So yeah it could be looked at as if we reduce it a little bit it
28 could, you know, we could look at that. There are situations where, as I
29 mentioned, there are situations where new Smoke Shops could come in. There
30 are situations where right now Smoke Shops that are located within 750 feet of
31 one another, if one moves out, then that use could become legal. The
32 nonconforming tag would be taken away.

33
34 **CHAIR LOWELL** – Was that the situation with the Moreno Valley Mall? What
35 makes those two Smoke Shops nonconforming?

36
37 **SENIOR PLANNER MARK GROSS** – Because of the location, the distance
38 requirement, which would be the 750.

39
40 **CHAIR LOWELL** – So they are vertical. But you could have two in the same
41 mall that's more than 750 feet away? I mean, I'm looking on here.

42
43 **SENIOR PLANNER MARK GROSS** – There's a requirement that you would
44 measure from the closest structural wall of a Smoke Shop to the property line.
45 But, if it's in the mall, then of course that is still going to be within the 750 feet I
46 believe.

1
2 **CHAIR LOWELL** – That’s what I was trying to figure out. On the map, it just
3 shows one dot, but there are two stores.

4
5 **SENIOR PLANNER MARK GROSS** – Right, yeah.
6

7 **CHAIR LOWELL** – So is there any situation where those two would be legal and
8 conforming?
9

10 **PLANNING OFFICIAL RICK SANDZIMIER** – Physically, it is possible but you’d
11 have to have the lease arrangements and everything would have to kind of fall in
12 place where you’re far enough apart in the mall. At opposite ends of the mall,
13 you may be more than the 750 foot.
14

15 **CHAIR LOWELL** – Well what I’m looking at is that, if two businesses decided to
16 set up shop here in the mall, the mall is the best place to put those because
17 there’s no schools around. I mean, it’s indoors. You have to make an effort to
18 go there. You can’t see it as you drive by. So that fact that there’s two shops in
19 the mall and they are legal nonconforming because of this new regulation, I’m
20 trying to figure out if there’s some way we can massage the regulation to make
21 those two shops in the mall on the same property legal and conforming. And I
22 was wondering if it was the 500 foot radius because, if you look at the circle, it
23 looks like it is self-contained within the mall. But, when you go to the 1000 foot,
24 then it looks like it is outstretched into the apartments so.
25

26 **PLANNING OFFICIAL RICK SANDZIMIER** – One thing I could suggest would
27 be, if you’re in the community commercial zoning designation, that the distance
28 requirement could be shrunk to a smaller. But then we end up having more
29 concentration of that use possibly, so that would be it. If you, as Mr. Gross
30 indicated, if one of the shops was to close then the other one becomes a legal, I
31 mean a conforming use.
32

33 **CHAIR LOWELL** – Oh, correct. If you look at the mall, you have Sears on one
34 end. You have Macys on the other end and that’s a pretty big mall. If you have a
35 shop on one side and a shop on the other side and say they are even more than
36 1000 feet apart, it’s still legal nonconforming. So I just.....
37

38 **PLANNING OFFICIAL RICK SANDZIMIER** – It would not be legal
39 nonconforming. They would no longer have the legal nonconforming status if
40 they were separated by more than 750 feet and they were within a Community
41 Commercial District. And, if they were a future new shop, they would have a
42 CUP that would be processed and approved by this Commission before that use.
43 And so as long as they were in good standing with their Conditional Use Permit
44 and so long as they weren’t violating any of the provisions of that or going into
45 Title 5, they would be actually conforming use if they have met all the standards.
46

1 **CHAIR LOWELL** – Just to give a little better example of this picture, we have
2 two Smoke Shops and they are in the same spot in the mall all on the same side
3 touching each other. They were fine to begin with but now they are legal
4 nonconforming, so these two are legal nonconforming. Say a third shop wanted
5 to go in at the far end of the shop, could they get a CUP? They are further away
6 then the other two shops. I’m just trying to wrap my head around it.

7
8 **PLANNING OFFICIAL RICK SANDZIMIER** – If the new one came in and it was
9 more than I think it’s the 750 feet and it processed the CUP, it could become a
10 conforming use. It would be an appropriate use. The other two would stay legal
11 nonconforming.

12
13 **CHAIR LOWELL** – Okay.

14
15 **PLANNING OFFICIAL RICK SANDZIMIER** – And in the Stoneridge Shopping
16 Center, it is another large commercial area where you might be able to have the
17 same kind of situation. But the other thing is you start stretching out to the ends
18 of a mall, the 500 foot, the 700 foot, and the 1000 foot radius starts to look at.....

19
20 **CHAIR LOWELL** – If somebody wanted a monopoly in the mall, they’d just set
21 up right in the middle.

22
23 **PLANNING OFFICIAL RICK SANDZIMIER** – But then the circle that you draw
24 on the perimeters of the mall, you have to look at one of the adjacent uses so if
25 you have a school site or a park site or a residential site those are the other
26 things. So you’d have to find that sweet spot in the mall so to speak.

27
28 **CHAIR LOWELL** – Now would this also work with gas stations? I know we’ve
29 had a long talk about whether or not to have one gas station or two gas stations
30 or the food for those gas stations and they have a little tiny kiosk and it says 30%
31 of the total floor space. I’m assuming that includes bathrooms too? Okay so it
32 includes bathrooms too. So you have one bathroom, two bathrooms, and a kiosk
33 and the kiosk is inundated with stuff for sale and you have the cigarettes over
34 your head. You have all sorts of paraphernalia on the sides. I know it’s a gas
35 station but because 30% of the floor space could be dedicated to cigarettes
36 would it also have to get a Smoke Shop Permit, a CUP?

37
38 **PLANNING OFFICIAL RICK SANDZIMIER** – I’m hearing yes.

39
40 **CHAIR LOWELL** – Because the intent is to sell gasoline and the cigarettes as a
41 byproduct. I mean, you can’t even walk in the store in some of these little kiosks
42 and they are like 10 feet by 10 feet.

43
44 **PLANNING OFFICIAL RICK SANDZIMIER** – I don’t know for certain. I could
45 check with our business licensing folks but if you are a gas station and you sell

1 cigarette products, I don't know if you have to have a tobacco retailer's license.
2 I'm not sure.

3
4 **CHAIR LOWELL** – Well on Perris there is Food 4 Less and they just put in a
5 gas station there, which is a great gas station with cheap prices, and they have a
6 little retail kiosk. You can't walk in, but they have a bathroom on site so the
7 bathroom is over there so they have this little tiny kiosk and theoretically you
8 have a 10 x 10 square foot thing and you could have 20/30 feet designated to
9 cigarettes that are just hanging up on the wall. They would need a CUP to sell
10 cigarettes at the gas station. It's just this is such a big thing with so much vague
11 ambiguity that I'm trying to wrap my head around it and the more I think about it
12 the more it just seems like it's a good idea but there's just too much wiggle room.

13
14 **VICE CHAIR BARNES** – Isn't there a difference between a tobacco retailer and
15 a Smoke Shop? They are not the same because what you're saying is that
16 everybody that sells a cigarette is a Smoke Shop if they hit the 30% rule.

17
18 **CHAIR LOWELL** – That's what it says.

19
20 **VICE CHAIR BARNES** – But some of this text in here references a tobacco
21 retailer's license. Is that a separate item?

22
23 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – The Tobacco Retailer
24 License, the City many years ago established Chapter 5.04 to specifically
25 regulate tobacco retailers but that specifically only has to do with tobacco. It
26 doesn't have to do with Head Shops and Hookah Bars and things like that so
27 those are the kinds of things that we were trying to kind of close the gap on. But
28 I do see Chair Lowell's question. It's a really good question, and I personally
29 don't know the answer to it sitting right here.

30
31 **CHAIR LOWELL** – Yeah it says Smoke Shops shall mean any retail
32 establishment known as a Smoking Shop, Smoking Lounge, Vapor Shop,
33 Hookah Bar, Cigar Bar, Cigar Shop, Head Shop or any other retail establishment
34 that devotes 30% or more of it's total floor space to the products intended or
35 designated for the use of ingesting, inhaling, or otherwise introducing tobacco
36 into the human body but not limited to tobacco products, cigarettes, E-cigarettes,
37 yadda, yadda, yadda. So I mean 30% I know it's a pretty definitive number and
38 we have to have something that is tangible you can calculate to see if it's
39 enforceable. I mean, some of the gas stations we've approved they are going to
40 have to fall under this or get a new CUP. I don't know.

41
42 **VICE CHAIR BARNES** – Be legal nonconforming.

43
44 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Something that the
45 Commission could consider, you know, we use 30% but of course it is up to the
46 Commission. The Commission could maybe say 50% or something a little bit

1 different, a little bit more palatable. The reason why we.....correct, we had to
2 pick some kind of number though, because if not, how are you going to calculate
3 it? But, again, the Commission could maybe make a recommendation of a
4 different kind of figure as well.

5
6 **CHAIR LOWELL** – Do you have to get a permit to sell tobacco?
7

8 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Yeah currently in the city
9 you need a Tobacco Retailers License, I believe, under 5.04. I don't know too,
10 too much about that retailer permit because it wasn't my focus at the time.
11

12 **CHAIR LOWELL** – But there is some sort of City regulation governing on how
13 you can sell tobacco?
14

15 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Correct.
16

17 **CHAIR LOWELL** – So that would be something we could look at on the tobacco
18 permit side of things. I'm comfortable with that. Commissioner Barnes, do you
19 have a question?
20

21 **VICE CHAIR BARNES** – Item 1, which is 5.02270(a4), that applies to the ability
22 to revoke a license from any business that breaks the drug paraphernalia
23 regulation? Okay. So that closes a loophole for any business that? Yeah,
24 separate from Smoke Shops. Okay.
25

26 **CHAIR LOWELL** – Even a Horticulture Shop, a Hydroponics Shop, Lowes, a
27 store that sells nothing but spoons?
28

29 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – Yes.
30

31 **CHAIR LOWELL** – And the intent of drug paraphernalia is the intent of the
32 object not the object itself? So if you have a bunch of spoons but you're just a
33 really big spoon lover, like those little souvenir spoons you get at Niagara Falls.
34

35 **VICE CHAIR BARNES** – What's with you and the.....
36

37 **CHAIR LOWELL** – It's something that's so ambiguous that everybody has that
38 you can get in trouble for having.
39

40 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – You're absolutely correct. I
41 wish I could make up a definition for drug paraphernalia. I can't, but I do
42 understand the point. I really do.
43

44 **CHAIR LOWELL** – That, that, that.....I did find mine. I printed up what is drug
45 paraphernalia and anything under the sun. I'm just having a hard time grasping
46 that. Commissioner Gonzalez, sorry.

1
2 **COMMISSIONER GONZALEZ** – I.....the component of the.....right now, the
3 only component that I feel I can support is the drug paraphernalia component. I
4 mean, I just feel we're singling out a specific business. That's just my opinion. I
5 think that, like the Chairman says, the intentions are good but you know also
6 there is a difference between a Smoke Shop and a Smoke Shop and Hookah
7 Bars and Cigar Bars and there are a different demographic, different quality,
8 different types of them so I don't know. It's just not an easy decision to blanket
9 these types of businesses, pigeon hole them.

10
11 **CHAIR LOWELL** – I know you guys said you sent out notification to everyone of
12 the Smoke Shop owners. Did you receive any response at all from them? I
13 didn't see that in here.

14
15 **SENIOR PLANNER MARK GROSS** – We did not receive any written response
16 from them. We had two telephone calls that came in with regards to the notices.

17
18 **CHAIR LOWELL** – What were the nature of those calls?

19
20 **SENIOR PLANNER MARK GROSS** – They were pretty much general in nature
21 just asking how the Ordinance would affect their business. Actually, one was the
22 Smoke Shop owner and the other was actually a property manager that was
23 representing an owner. So, again, once we kind of explained some of the
24 requirements, there were no further comments or concerns. But it was just the
25 two calls that we received.

26
27 **CHAIR LOWELL** – I still have you active Erlan or Mr. Gonzalez. Are you still
28 good to go?

29
30 **COMMISSIONER GONZALEZ** – No.

31
32 **CHAIR LOWELL** – Okay, Commissioner Barnes and then Commissioner
33 Korzec.

34
35 **VICE CHAIR BARNES** – It seems like the teeth of this regulation of Smoke
36 Shops is the distance setback and the CUP. Can we apply the distance setback
37 criteria without the CUP? It seems like an awful lot of work to open a Smoke
38 Shop. Is there some compromise that would allow us to regulate the location as
39 we choose without going through a full blown CUP?

40
41 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes.

42
43 **VICE CHAIR BARNES** – Okay. That sounds like a really good idea.

44
45 **CHAIR LOWELL** – I know we've been beating this up like crazy. If a store has
46 less than 30% of their floor space dedicated to tobacco products, they do not

1 have to get a CUP but they still have to get the tobacco license from the state.
2 That's one loophole is that you just shrink down how much your retail space is
3 and your immune to the CUP.
4

5 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – I also think they need a
6 license from the City.
7

8 **CHAIR LOWELL** – But the teeth of this wouldn't be in as effect if you had less
9 than 30% dedicated to tobacco.
10

11 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – In terms of the CUP
12 distance requirements, yes, that's correct.
13

14 **CHAIR LOWELL** – Sorry that was kind of a vague statement. Thank you. Okay
15 Commissioner Korzec.
16

17 **COMMISSIONER KORZEC** – Well I'm thinking more of the big picture here. I'm
18 thinking of the type of community we want to live in and often Moreno Valley has
19 gotten a bad shake over the years that we have drug addicts that were gang
20 related, and we have been fighting for years to get over that. I look at it this way.
21 Smoking things are cancer causing. We know that. I look at drugs. We know
22 how people become addicted. I know these are bad things, and so how many
23 Smoke Shops do we really want to encourage to come here? It seems to me by
24 looking at those maps, there are plenty of places already. And I really personally
25 don't think we should make it easy for people to do these things. You can go
26 anywhere and get every paraphernalia you want. Keep it legal and then it's
27 okay. But I would rather look at the big picture and keep the city safe and be
28 proactive in bringing things here that will create a better community for us and
29 especially for the children that we are going to leave it to.
30

31 **CHAIR LOWELL** – I think that was a nice clap. And one of the other items on
32 page 2, it says adopting a moratorium prohibiting any new Head Smoke Shops
33 and Hookah Bars pending further study.
34

35 **DEPUTY CITY ATTORNEY JENNIFER MIZRAHI** – That was one of the
36 recommendations that we gave to the subcommittee and that was not something
37 that they decided to go with, so we didn't do that.
38

39 **CHAIR LOWELL** – I read that, but I didn't see it in here so okay. I see we have
40 Commissioner Sims wants to speak again. Commissioner Van Natta.
41

42 **COMMISSIONER VAN NATTA** – I'm just going to say there are certain things
43 that you can legislate and certain things that you can control and you can
44 certainly say well we don't need more Smoke Shops in the town because it's bad
45 for your health and everything like that. Well, if you're going to worry about
46 health, let's get rid of all the fast-food restaurants too because eating that stuff is

1 going to raise your cholesterol and kill you. But I think when we get down to it,
2 it's a certain amount of fairness too. Yes, we have to have some control so that
3 we're not overrun with businesses that we don't feel enhance the image of our
4 City. But, at the same time, we can't come out so militantly against a certain type
5 of business that we restricted out of the city entirely if it's a legal business. So
6 they can follow the legal rules and get rid of the drug paraphernalia. However,
7 we need to do it, but don't restrict somebody's ability to open a Smoke Shop if
8 that's what they want to do and there's customers for it and it's a legal purpose.
9 It's not illegal to smoke, so there's already laws restricting minors from buying
10 tobacco products and I think once we remove this thing about the change of
11 ownership I'm okay with the rest of the Ordinance.

12
13 **CHAIR LOWELL** – Do you guys happen to know what the demand is for putting
14 in Smoke Shops? Do you know if there have been permits pulled in the last year
15 or what the timeframe was between the last 10 or so have been built or
16 occupied?

17
18 **PLANNING OFFICIAL RICK SANDZIMIER** – I don't have that information at the
19 tip of my fingers. I don't recall many coming in in the couple of years that I've
20 been here.

21
22 **CHAIR LOWELL** – I'm trying to figure out if there's been a massive flood in the
23 last four or five years where all of a sudden we have all of these Smoke Shops.

24
25 **PLANNING OFFICIAL RICK SANDZIMIER** – Hold on one second. Claudia
26 might have some input on this.

27
28 **ASSOCIATE PLANNER CLAUDIA MANRIQUE** – I don't have an exact
29 number, it probably for 2015, maybe three. The most popular right now is the
30 Vape Shop and a lot of them are just strictly vape not also Smoke Shop so that's
31 the trend that we've noticed at the Planning Counter.

32
33 **CHAIR LOWELL** – And is the Vape Shop included in the Smoke Shop?

34
35 **PLANNING OFFICIAL RICK SANDZIMIER** – Yes.

36
37 **CHAIR LOWELL** – That's what I read also.

38
39 **PLANNING OFFICIAL RICK SANDZIMIER** – And if I could, I'll just add on to
40 what Claudia Manrique said, is I think I've only signed one Certificate of
41 Occupancy for a Hookah Bar since I've been here so.

42
43 **CHAIR LOWELL** – So, in other words, there is not a high demand. So people
44 aren't chomping at the bit to pull business permits and occupational permits.

45
46 **COMMISSIONER GONZALEZ** – There's 28 of them. That's why they.....

1
2 **CHAIR LOWELL** – But they are around. I’m just trying to figure out if they were
3 here for a long time or if they are a flash in the pan. Any other questions or
4 comments before we make a motion? Commissioner Barnes.

5
6 **VICE CHAIR BARNES** – Yeah I guess I’m moving towards making a suggestion
7 not a motion. I’m in favor of the licensure revocation. That seems something
8 that’s important that we clean up the City Ordinance to allow that activity to take
9 place. Apparently, it is not in there now. The other stuff, I find overly restrictive
10 generally and I don’t disagree with the opposition to drugs and smoking and all of
11 that stuff. But, as Commissioner Van Natta said, it is legal and so I would lean
12 towards being much more cautious about the rest of the components of this. I
13 wouldn’t necessarily disagree with some distance setback requirements, and I
14 probably would be in favor of maybe some more restrictive permitted uses
15 designations. I don’t know how many other zones it is legal in, and I should’ve
16 been more informed on that. But I don’t think a CUP is appropriate for this type
17 of use so I’d like to dial this back quite a bit, but parts of it I am definitely in favor
18 of.

19
20 **CHAIR LOWELL** – So it seems like we’re all mixed. Commissioner Gonzalez.

21
22 **COMMISSIONER GONZALEZ** – I would agree. It would have been, you know,
23 Staff did a great amount of work just maybe different options/different scenarios
24 like a different menu. I think that would be something that we can maybe look at
25 and discuss a little bit further. It’s just, you know, maybe it’s the libertarian in me
26 but it just seems a little bit over far-reaching so.

27
28 **PLANNING OFFICIAL RICK SANDZIMIER** – If I may also offer one other
29 alternative. When we went to the Public Safety Subcommittee, there was no
30 urgency or time associated with this. We brought it before the Planning
31 Commission right now because the City Council was to be on a recess, so we
32 didn’t expect to take it back to the City Council until September. So, if the
33 Commission tonight wanted to continue it for us to come back with some
34 additional information, I’m just throwing it out there we could still come back and
35 present it to you in August or maybe early September and then go to the Council
36 afterwards. So that’s a fair option as well.

37
38 **CHAIR LOWELL** – Commissioner Barnes.

39
40 **VICE CHAIR BARNES** – Yeah I think that’s a great idea and my
41 recommendation would to maybe provide some more information as to the
42 permitted uses, what zones it is currently permitted in, and if we want to restrict
43 that maybe you reduce the number of zones to something that’s more
44 appropriate or maybe meets the intent of those higher up who are asking for this.
45 The distance setbacks it doesn’t seem that this should be any worse than alcohol
46 so, as a general statement, I think we could comply with the alcohol standards

1 and I'm definitely opposed to the CUP process for a small Smoke Shop. And
2 then the other recommendation is the change of ownership, you know, getting rid
3 of that. I totally agree with making that change. So that's my suggestions that
4 we get something that is along those lines.

5
6 **COMMISSIONER VAN NATTA** – I concur.

7
8 **CHAIR LOWELL** – I agree also.

9
10 **COMMISSIONER GONZALEZ** – I agree.

11
12 **CHAIR LOWELL** – I would also like to see something about some sort of senior
13 rights that, if you have a Smoke Shop that is legal and conforming and somebody
14 moves in that makes them legal nonconforming, then they need to have some
15 sort of a grandfathering where they are kind of immune to being nonconforming.
16 Any other questions or comments?

17
18 **COMMISSIONER BAKER** – I've got one question.

19
20 **CHAIR LOWELL** – Mr. Baker.

21
22 **COMMISSIONER BAKER** – This may be a different deal but out of these 28
23 Smoke Shops, how many of their licenses are paid up because I've heard there's
24 a lot of City licenses that don't get paid timely. Is there a problem on that or the
25 tobacco license?

26
27 **PLANNING OFFICIAL RICK SANDZIMIER** – I don't have the answer tonight,
28 but we can add that to the list. When we come back to you, we can have that
29 answer. One other statement that was made earlier was, including those
30 recommendations, was looking at some different distance requirements if we
31 could tighten it down to some 200 feet or 250 feet or somewhere.....

32
33 **VICE CHAIR BARNES** – To basically fall inline with the alcohol
34 restrictions/regulations.

35
36 **COMMISSIONER BAKER** – One other question I've got, you know, we
37 approved a bar over here off of Frederick and.....

38
39 **CHAIR LOWELL** – Status Bar.

40
41 **COMMISSIONER BAKER** – Right around the corner, right, just maybe a year
42 ago. Is that correct?

43
44 **CHAIR LOWELL** – Status.

45
46 **COMMISSIONER BAKER** – Huh?

1
2 **CHAIR LOWELL** – Status is the name of the bar. Status.

3
4 **COMMISSIONER BAKER** – Okay got it. Is that the only one that you know of
5 that we've done recently?

6
7 **CHAIR LOWELL** – Yeah, they are titled with having the largest bar table, bar
8 counter in the state.

9
10 **COMMISSIONER BAKER** – Oh. It was existing and we just expanded it, right?
11 Okay. You know, why did we bring that one in? Because they were going to go
12 more space or?

13
14 **CHAIR LOWELL** – No. They were ground up construction. They were moving
15 into the strip mall.

16
17 **COMMISSIONER BAKER** – Oh, okay. And, Commissioner Barnes, why are
18 you against the CUP issue? You just don't think it's that big a potato to fry or?

19
20 **VICE CHAIR BARNES** – Yeah. A CUP is a lot of work.

21
22 **COMMISSIONER BAKER** – Okay.

23
24 **VICE CHAIR BARNES** – And a Smoke Shop is a pretty specific well-defined
25 use. It doesn't seem like we need the rigorous examination that a CUP requires
26 for somebody to find a space to rent and open a Smoke Shop.

27
28 **COMMISSIONER BAKER** – They'll know that when they go into the City to apply,
29 right?

30
31 **VICE CHAIR BARNES** – Yeah.

32
33 **COMMISSIONER BAKER** – I mean, well know, okay.

34
35 **VICE CHAIR BARNES** – It seems like Staff can easily, you know, monitor that.

36
37 **COMMISSIONER BAKER** – What was the reason for the CPU? Why did you
38 put that in there out of curiosity?

39
40 **PLANNING OFFICIAL RICK SANDZIMIER** – By nature, a conditionally
41 permitted use is a use that is defined as having the potential incompatibility or
42 sensitivity, and so we process a CPU with....it allows for additional discretion as
43 far as legal.

44
45 **CHAIR LOWELL** – Well would a alcohol store, a liquor shop have to get a CUP?
46

1 **COMMISSIONER BAKER** – We’ve done that before too.

2
3 **COMMISSIONER VAN NATTA** – But for other reasons.

4
5 **CHAIR LOWELL** – Because if they have to get a CUP, then the Smoke Shop
6 should fall in the same line.

7
8 **PLANNING OFFICIAL RICK SANDZIMIER** – I believe our retail stores that sell
9 alcohol that are within 300 feet of a Residential District do have to get a CUP.
10 Claudia or Mark is that.....

11
12 **CHAIR LOWELL** – I remember approving one off of Pigeon Pass.

13
14 **COMMISSIONER VAN NATTA** – That’s if they are within the 300 feet. But, if
15 they are outside of the 300 feet, they don’t have to?

16
17 **PLANNING OFFICIAL RICK SANDZIMIER** – If they are outside of the 300 feet
18 and they are within a neighborhood commercial zone or a community commercial
19 zone, they are a permitted use.

20
21 **COMMISSIONER VAN NATTA** – So, if they meet all the requirements, they
22 don’t have to have the CUP and the only time they need a CUP is if they are
23 looking for a Variance on one of the rules.

24
25 **VICE CHAIR BARNES** – And that’s totally reasonable.

26
27 **COMMISSIONER VAN NATTA** – Yeah, I think so and that would be the same
28 thing.

29
30 **COMMISSIONER GONZALEZ** – It’s more restrictive this proposal than alcohol.

31
32 **CHAIR LOWELL** – If all new shops have to have a CUP, do the 28 existing
33 shops have to get a CUP also? Can it be grandfathered into a CUP?

34
35 **VICE CHAIR BARNES** – Legal nonconforming.

36
37 **PLANNING OFFICIAL RICK SANDZIMIER** – They are just grandfathered.

38
39 **CHAIR LOWELL** – So they are just....they are good to go. I agree with the
40 other Commissioners where we’re kind of tailoring it towards the alcohol
41 requirements is a good direction to go in.

42
43 **COMMISSIONER GONZALEZ** – I have one more comment too. Fellow
44 Commissioners, do you see any difference in the type of Smoke Shop or do you
45 guys every.....

46

1 **COMMISSIONER VAN NATTA** – I don't go to any of them anyways so.

2
3 **VICE CHAIR BARNES** – Yeah.

4
5 **COMMISSIONER GONZALEZ** – Just wondering.

6
7 **VICE CHAIR BARNES** – Until our operation shows one type to be different and
8 needs special treatment, I'd say no.

9
10 **COMMISSIONER GONZALEZ** – Okay.

11
12 **COMMISSIONER VAN NATTA** – Shall we.

13
14 **CHAIR LOWELL** – I think we've beaten this horse enough.

15
16 **COMMISSIONER VAN NATTA** – Yeah.

17
18 **CHAIR LOWELL** – Alright.

19
20 **VICE CHAIR BARNES** – So do we need any special motion?

21
22 **CHAIR LOWELL** – Mr. Sandzimier.

23
24 **PLANNING OFFICIAL RICK SANDZIMIER** – If you go into to continue the Item,
25 I just wanted to bring to your attention our next scheduled Planning Commission
26 Hearing is August 25th, but we are working with another Applicant to have a
27 meeting on September 8th. So I would ask, if we're going to continue this, to
28 continue to September 8th to give us enough time to kind of vet it. If we try and
29 get it to August 25th, things kind of get pretty tight so I would just be asking for it
30 to continue to September 8th.

31
32 **COMMISSIONER VAN NATTA** – That's fine with me.

33
34 **CHAIR LOWELL** – Okay then I'd like to motion to continue this Item to the next
35 meeting.....I'd like to continue this Item to the September 8th meeting,
36 09/08/2016 meeting.

37
38 **VICE CHAIR BARNES** – With the recommendation that Staff come back with
39 something focused alone.

40
41 **CHAIR LOWELL** – Do we have a second?

42
43 **COMMISSIONER BAKER** – I'll second that.

44
45 **CHAIR LOWELL** – Okay. Do we need to vote or can we just do roll call? We
46 don't have the voting option available. We have a motion and a second. There

1 we go. I'll move. Hit the second button. Technology. Okay, so motion by me
2 and second by Commissioner Baker. Please cast your votes to continue the
3 Item to September 8th. We're still waiting for you.

4
5 **COMMISSIONER VAN NATTA** – Are you? I already hit it.

6
7 **CHAIR LOWELL** – But it says waiting.

8
9 **COMMISSIONER VAN NATTA** – I don't have the button that says yes on it. It's
10 not allowing me to vote yes.

11
12 **VICE CHAIR BARNES** – Because you seconded it.

13
14 **COMMISSIONER VAN NATTA** – Well he didn't say I seconded it.

15
16 **VICE CHAIR BARNES** – He misspoke.

17
18 **CHAIR LOWELL** – It says we're waiting for Meli to vote. Let's just do a roll call
19 vote. I think we're good to go, but I think a roll call vote would be better. So I
20 motioned and Baker seconds. Could we do a roll call just because she's signed
21 in as Commissioner Sims.

22
23 **COMMISSIONER VAN NATTA** – I did not.

24
25 **COMMISSIONER RAMIREZ** – Aye.

26
27 **COMMISSIONER KORZEC** – Yes.

28
29 **COMMISSIONER VAN NATTA** – Yes.

30
31 **COMMISSIONER BAKER** – Yes.

32
33 **COMMISSIONER GONZALEZ** – Yes.

34
35 **VICE CHAIR BARNES** – Yes.

36
37 **CHAIR LOWELL** – Yes.

38
39
40 Opposed – 0

41
42
43 **Motion carries 7 – 0**

44
45

1 **CHAIR LOWELL** – Thank you. We have another speaker up here, Rafael
2 Brugueras, which I don't know what's up. Okay, that moves us onto Other
3 Business. Rafael, what were you looking to speak on? Just to be on the safe
4 side. I have you up here for some reason.

5
6 **SPEAKER RAFAEL BRUGUERAS** – I'm just deeply grateful that we are going
7 to take it back and break it down and dissect it to make sure, like the
8 Commissioner mentioned, to protect the children in the city from being harmed.
9 And finally, like he mentioned, criminals I can tell you they will find a way to get
10 around the law so we have to protect our City and there are plenty of other cities
11 that can do what they want but Moreno Valley wants to have a family-oriented
12 city. That's what I'm talking about, and thank you so much Staff for taking
13 everything in and we're going to come back with much better thoughts. Thank
14 you.

15
16 **CHAIR LOWELL** – Thank you, Rafael.

17
18
19 **OTHER COMMISSION BUSINESS**

20
21 **CHAIR LOWELL** – That moves us onto Other Business, which we don't have
22 any.

23
24
25 **STAFF COMMENTS**

26
27
28 **CHAIR LOWELL** – On to Staff Comments. Do we have any wrap-up
29 comments?

30
31 **PLANNING OFFICIAL RICK SANDZIMIER** – I don't have any Staff Comments,
32 but I will be pleased to go back and talk to Michael Lloyd and Vincent Giron and
33 say that the Commission had plenty to talk about not grilling us on engineering
34 things. The last few meetings you guys have been real specific on engineering-
35 related stuff, so it's refreshing. Thank you.

36
37 **CHAIR LOWELL** – Thanks.

38
39
40 **PLANNING COMMISSIONER COMMENTS**

41
42 **CHAIR LOWELL** – That moves us onto Commissioner Comments. Do we have
43 any Commissioner Comments before we adjourn?

44
45 **VICE CHAIR BARNES** – Yeah. I would like to make a comment. I'd like to
46 thank Commissioner Van Natta for her patience and assistance when I was new

1 Commissioner and didn't know my backside from a hot rock. She was very
2 helpful and you will be missed and thank you for your service. It has been a
3 pleasure to serve with you.

4
5 **COMMISSIONER VAN NATTA** – Thank you.

6
7 **CHAIR LOWELL** – Commissioner Ramirez.

8
9 **COMMISSIONER RAMIREZ** – Yes, Commissioner Van Natta and I came in
10 around the same time. I've learned a lot from you, Meli, and it has been an
11 honor and a pleasure to serve on the Planning Commission with you. I wish you
12 the best. Enjoy your grandkids.

13
14 **COMMISSIONER VAN NATTA** – Thank you.

15
16 **CHAIR LOWELL** – Commissioner Gonzalez.

17
18 **COMMISSIONER GONZALEZ** – Meli, I just want to say it was a pleasure
19 working with you. It was short lived. I appreciate your good comments and also
20 that we're alternates and we're here with everyone. I'm sure I speak for Lori as
21 well so congratulations. I think, you know, you're going to go back to where you
22 want to be and thank you.

23
24 **CHAIR LOWELL** – Commissioner Baker.

25
26 **COMMISSIONER BAKER** – Meli, I want to thank you for taking over the baton
27 when I was Chairman. We kind of went through a traumatic experience there but
28 you did a great job, and I appreciate all your work on it. And I've worked with you
29 on other things in the City too so good job and we're going to miss you.
30 Congratulations.

31
32 **COMMISSIONER VAN NATTA** – Thank you.

33
34 **COMMISSIONER BAKER** – You bet. I mean that.

35
36 **CHAIR LOWELL** – Commissioner Nickel's. Do you have anything you'd like to
37 say too while you're back there?

38
39 **ALTERNATE COMMISSIONER NICKEL** – It has been a pleasure working with
40 you and I felt that you addressed some of my health concerns along the way at
41 different hearings when I couldn't be up there and speaking. Thank you.

42
43 **CHAIR LOWELL** – Commissioner Van Natta, Chairwoman Van Natta, I learned
44 everything I know about being Chair from you, watching you. But I'm sure you
45 haven't taught me everything you know about being Chair. You have been an
46 absolute blessing to be around, a treasure. You're a true friend. You're a great

1 Commissioner. You are a stalwart member of this community from your realtor
2 business, Chamber of Commerce, Planning Commission, you have some big
3 shoes and you're going to leave a big hole to fill.

4
5 **COMMISSIONER VAN NATTA** – Thank you.

6
7 **CHAIR LOWELL** – I really appreciate it. It has been a pleasure. I wish you the
8 best.

9
10 **COMMISSIONER VAN NATTA** – Thank you. When everybody else is done, I
11 will say something.

12
13 **CHAIR LOWELL** – Sorry I skipped Commissioner Korzec.

14
15 **COMMISSIONER KORZEC** – I just want to say you've done so much for the
16 community, not just here, we know each other from the Chamber and other
17 places so good luck to you, and I hope you will be involved in your new
18 community and be a positive influence there also.

19
20 **COMMISSIONER VAN NATTA** – Thank you, and I just wanted to say thank you
21 to everyone. You've all made this a wonderful experience, and I've really
22 enjoyed it. Keep in touch. Texas isn't that far away.

23
24 **CHAIR LOWELL** – What I know about Texas.....

25
26 **COMMISSIONER VAN NATTA** – It's a whole other country.

27
28 **CHAIR LOWELL** – What I know about Texas, it takes a day to drive to Texas. It
29 takes a day to drive across Texas. It's the.....

30
31 **COMMISSIONER VAN NATTA** – At least, yeah.

32
33
34 **ADJOURNMENT**

35
36 **CHAIR LOWELL** – With that said, I would like to adjourn tonight's meeting to the
37 next Regular-Scheduled Meeting of the Planning Commission on August 25th,
38 2016, here in the City Council Chamber at 7:00 p.m. Thank you very much and
39 have a good night.

40
41
42 **NEXT MEETING**

43 *Next Meeting: Planning Commission Regular Meeting, August 25th, 2016 at 7:00*
44 *PM, City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street,*
45 *Moreno Valley, CA 92553.*

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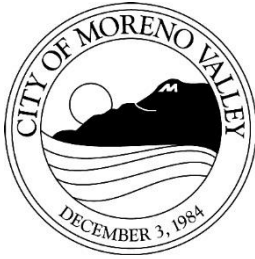
Richard J. Sandzimier
Planning Official
Approved

Date

Brian R. Lowell
Chair

Date

Minutes Acceptance: Minutes of Jul 28, 2016 7:00 PM (APPROVAL OF MINUTES)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: August 25, 2016

PLOT PLAN (PA14-0027) FOR A NEW 39 UNIT APARTMENT COMPLEX

Case: PA14-0027 (Plot Plan)
Applicant: Design Concepts
Owner: Titak Chopra
Representative: Design Concepts (Architect Shiv Talwar)
Location: 23778 and 23798 Hemlock Avenue
Case Planner: Claudia Manrique
Council District: 5

SUMMARY

The proposed project (PA14-0027) is a Plot Plan for development of a new 39 unit apartment complex on a 2.6 acre site along Hemlock Avenue (Attachment 1). The applicant is Design Concepts. The project proposes seven two-story buildings with 18 two bedroom and 21 three bedroom units with covered parking to include carports and garages. The project site is located within a Residential 15 (R15) zoning district.

PROJECT DESCRIPTION

Project

The proposed Plot Plan (PA14-0027) includes a main recreation/office building with an on-site manager apartment and rental office, as well as 6 separate two-story multi-unit buildings. The unit mix total between all buildings calls for 18 two bedroom units and 21 three bedroom units for a total of 39 dwelling units in the seven buildings (Attachment

2). The project amenities include a small gym facility and reception space within the recreation/office building as well as private open space for each residential unit, and a mix of surface parking, carport parking and single-car garages.

The private open space provided ranges from 150 square feet to approximately 225 square feet per downstairs unit, and 100 square feet to approximately 150 square feet per upstairs unit. The private open space provided for each dwelling unit meets or exceeds the Municipal Code requirement of least one hundred and fifty (150) square feet of private open space per downstairs unit and a minimum of one hundred (100) square feet of private open space per upstairs unit. Private open space consists of a mix of fenced yards, patios, and balconies. The architecture of the carports and garages is designed to be complementary to the architecture of the residential buildings.

The project is located within the Residential 15 (R15) zoning district (Attachment 3). The calculated residential density for the project is 15 dwelling units per acre which is consistent with the maximum density allowed in the R15 zone.

Site/Surrounding Area

The project site is located at 23778 and 23798 Hemlock Avenue, west of Heacock Street and east of Swagles Lane. The project site includes two vacant rectangular shaped parcels and one long narrow parcel with an existing single-family structure. The existing single-family structure is vacant and will be removed in order to accommodate the proposed project (Assessor's Parcel Numbers (APNs): 292-211-001, 292-181-001 & 292-181-002).

Adjacent developments to the project site include single-family homes and multiple-family units. The immediately adjacent properties along the north and south sides of Hemlock Avenue are zoned Residential 15 (R15). East of the project site towards the intersection of Heacock Street and Hemlock Avenue, some properties are zoned Residential 5 (R5) and Community Commercial. The parcels north of the project site are zoned R5. The proposed project has been found to be consistent with the city General Plan and Zoning Code, and is compatible with the surrounding land uses.

On November 30, 2006, the Planning Commission previously approved an 18 unit multifamily condominium development (Plot Plan (PA05-0095) and Tentative Condominium Map 33607 (PA05-0096)) for a portion of the project site. It is staff understanding that approved multiple-family condominium complex was not developed due to unfavorable market conditions. The prior approval has since expired in November 2013.

Access/Parking

Access to the proposed condominium complex will be from a single driveway off of Hemlock Avenue. The private driveway will direct traffic north through the project with an internal loop near the northern project limit to allow for convenient maneuvering back through the site and out to Hemlock Avenue.

The project as designed provides a total of 109 parking spaces, including 70 carports and 8 single-car garages for a total of 78 covered parking spaces, and 31 open spaces. As designed, the parking exceeds the City's parking requirements by one space. Municipal Code Section 9.11 requires a total of 108 parking spaces including 78 covered spaces and 20 non-covered spaces for the residents, and 10 guest parking spaces. The required guest parking is calculated at .25 spaces per unit.

Design/Landscaping

The applicant is proposing to combine the three parcels through a lot line adjustment (LLA) in order to accommodate the project (Land Development Condition of Approval LD 40). Site improvements such as paving and landscaping are associated with the project. The site layout consists of a 25 foot wide front yard setback with landscaping, including required street trees. There are two landscaped public open space areas in the southern half of the project between Buildings B and D and north of Building C. These open spaces provide for recreational activities. All side setbacks will be landscaped as well. A central drive aisle transects the center of the property leading to residential and guest parking and accommodates Fire Department emergency vehicle turnaround requirements. The project site design includes a ten foot wide landscaped area at the rear of the property, which is considerate of and provides a buffer to the neighboring single-family residences.

The proposed architecture is a contemporary design with hip roof treatments, stucco walls, and stone veneer accents along the lower levels of the elevations (Attachments 4-8). The buildings will exhibit a rectangular shape in both horizontal and vertical elevations. Architectural relief will be provided by small indentations, recessed doors and pop outs combined with use of various building materials, including stucco foam trim, window shutters, concrete tile roofing and decorative painted metal railings along the balconies, staircases and second level walkways. The color scheme for the buildings is characterized by neutral brown earth tones (Attachments 9 -10).

Details of each proposed building is summarized below:

- Building A and Building B are located along the western side of the project. Both structures include four residential units sized at 1,140 square feet each (three bedrooms) and two units sized at 855 square feet (two bedrooms).
- Building C is located in the southeastern corner of the site. The structure includes four residential units sized at 1,140 square feet (three bedrooms), and two units sized at 855 square feet (two bedrooms).
- Building D is located at the center of the southern portion of the project and includes five townhome style residences, each with three bedrooms. Each unit is sized at 1,360 square feet and includes a one car garage.

- Building E is located center of the northern portion of the project and includes three townhome style residences, each with three bedrooms. Each unit is sized at 1,360 square feet and includes a one car garage.
- Building F is directly north of Building E. The structure includes four residential units sized at 1,140 square feet each (three bedrooms) and six units sized at 855 square feet (two bedrooms).
- The recreation/office building is located at the southern center of the property and will contain the rental office, gym facilities, reception space, and the on-site manager unit. The manager unit is a 998 square foot three bedroom unit.

REVIEW PROCESS

The project was submitted in May 2014 as a 22 unit apartment complex on two parcels (1.48 acres) and reviewed at the June 25, 2014 Project Review Staff Committee (PRSC) meeting. The proposed site plan included two rectangular shaped parcels (one approximately 350 feet longer than the other). The northerly half of the proposed project was only seventy-seven feet wide. The narrow parcel width posed challenges to satisfy City Code requirements, including setbacks, required emergency vehicle turnaround, and parking.

Staff suggested increasing the size of the proposed site by combining it with an adjacent parcel. The applicant was able to acquire the adjacent one acre parcel to the east for the project, which has resulted in opportunity for a much improved and efficient site design.

The applicant resubmitted the redesigned project and a second PRSC meeting was held on March 25, 2015. The redesigned project increased the overall size of the project to 2.6 acres, and the width of the northerly half of the site increased from 77 feet to 154 feet. The larger site allowed the project size to increase from 22 to 39 units.

The site plan was revised and elevations were enhanced to address comments raised through multiple plan review phases. The applicant has successfully resolved final design details to ensure consistency with the City's design standards. The required Preliminary Water Quality Management Plan (PWQMP) was submitted in January 2016 after the site plan layout was finalized, and has been approved in June 2016. All previous outstanding issues with the project have been addressed.

ENVIRONMENTAL

Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines. Since this project is proposed on less than five acres (2.6 acres total) and is in compliance with the City's General

Plan and zoning designation, staff evaluated whether CEQA Guidelines Section 15332 (In-fill Development) would apply to the project. After review, staff determined that the project qualifies for an exemption under the provisions of the CEQA as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 (In-Fill Development), based on consistency with the following requirements for the exemption:

- The project is consistent with the applicable General Plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as a habitat for endangered, rare, or threatened species.
- Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

NOTIFICATION

In accordance with Section 9.02.200 of the Municipal Code, public notification was sent to all property owners of record within 300' of the proposed project site on August 12, 2016 (Attachment 11). In addition, the public hearing notice for this project was posted on the project site on August 12, 2016, and published in the Press Enterprise newspaper on August 13, 2016.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2016-19, and thereby:

1. **CERTIFY** that this item is 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; and
2. **APPROVE** Plot Plan PA14-0027 based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.

Prepared by:
Claudia Manrique
Associate Planner

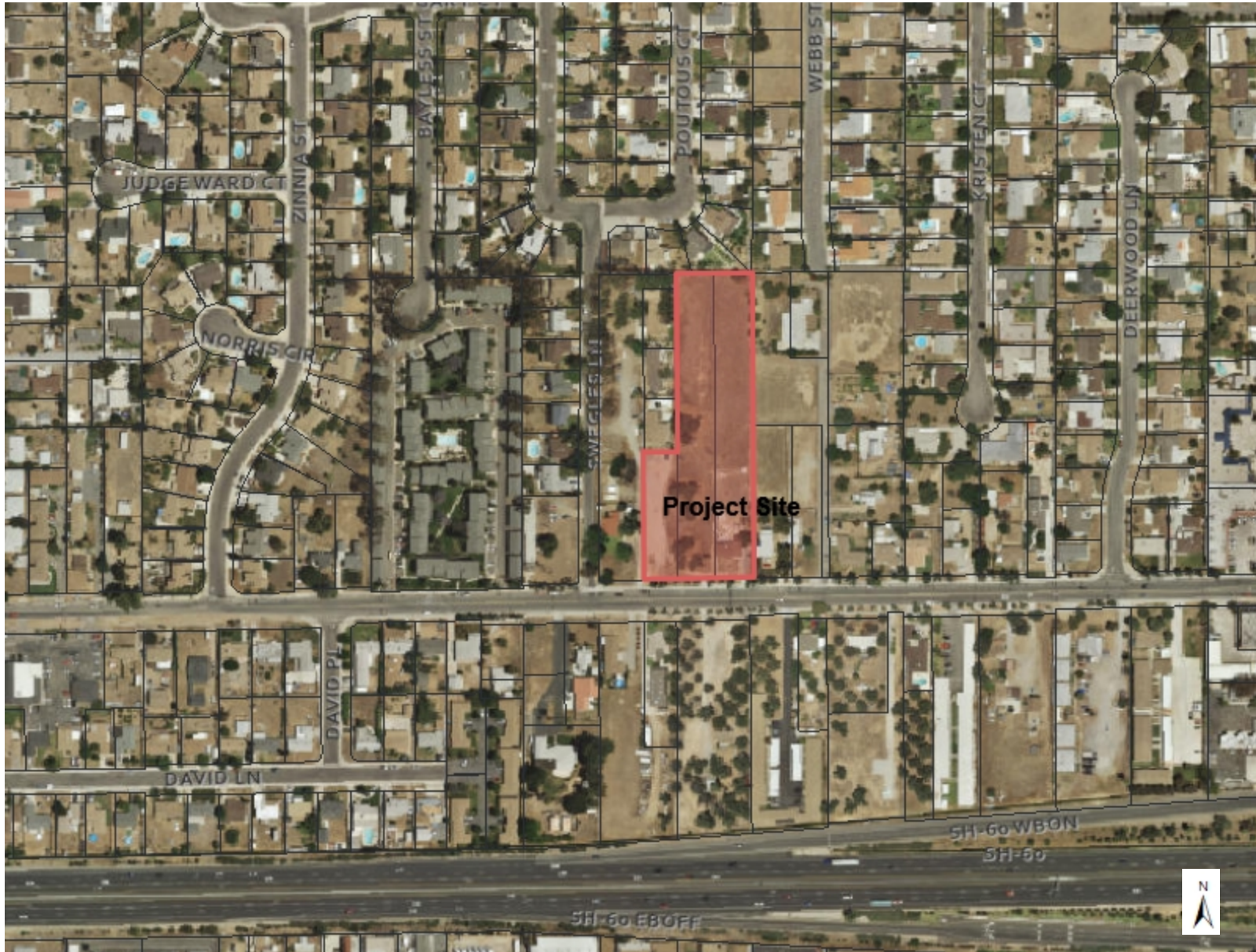
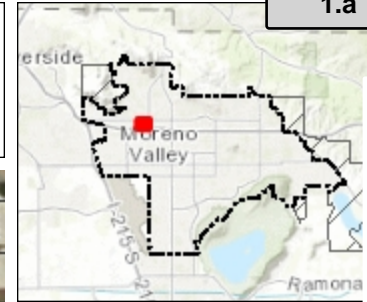
Approved by:
Allen Brock
Community Development Director

ATTACHMENTS

1. Aerial Photograph

2. Site Plan
3. Zoning Map
4. Buildings A & B
5. Building C
6. Building D
7. Building E
8. Building F
9. Recreation & Service Building
10. Colored Elevations of Buildings A & B
11. Colored Elevation of Recreation & Service Building
12. Public Notice
13. Resolution 2016-19
14. Exhibit A to the Resolution: Conditions of Approval

Aerial Photograph PA14-0027



Legend

- Parcels

Notes

616.0 0 308.02 616.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 7/25/2016

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County 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.



PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR: HEMLOCK GARDEN 23778 HEMLOCK AVE. MORENO VALLEY, CA

CODE ANALYSIS

APPLICABLE CODES	TYPE OF CONSTRUCTION: TYPE V-B (FULLY SPRINKLERED)
2013 CALIFORNIA BUILDING CODE (CBC)	NUMBER OF STORY: 2
2013 CALIFORNIA MECHANICAL CODE (CMC)	OCCUPANCY: R-2 (APARTMENT HOUSES) SEC. 310.1
2013 CALIFORNIA PLUMBING CODE (CPC)	S-2 (OPEN PARKING GARAGES) SEC. 311.3
2013 CALIFORNIA ELECTRICAL CODE (CEC)	Aa (ALLOWABLE AREA)= 42,000 SF PER TABLE 503
2013 CALIFORNIA GREEN BUILDING CODE (CGBC)	PROPOSED AREA= 36,736 SF-42,000 SF
2013 TITLE 24 ENERGY REGULATIONS	OCCUPANCY LOAD: BUILDING A: (6398+6398)/200=64
2013 UNIFORM FIRE CODE (UFC)	BUILDING B: (6398+6398)/200=64
2013 CALIFORNIA FIRE CODE (CFC)	BUILDING C: (5572+5572)/200=55
	ONE EXIT REQUIRED, ONE EXIT PROVIDED

- ### SITE PLAN KEYNOTES
- LANDSCAPE AREA - SEE LANDSCAPE PLANS
 - 6'-0" HIGH DECORATIVE CMU FENCE (SPLIT-FACE) W/FINISH TO MATCH W/ COLOR & TEXTURE OF BUILDING EXTERIOR FINISH.
 - 3'-0" H. DECORATIVE W.I. FENCE
 - EXISTING DRIVEWAY TO BE REMOVED & REPLACE W/ NEW LANDSCAPE. ALL CONCRETE DRIVEWAYS & PARKING SURFACES ARE TO BE CONCRETE W/ DECORATIVE PAVING - PER CITY STANDARDS.
 - ALL DRIVEWAYS & PARKING SURFACES ARE TO BE CONCRETE WITH DECORATIVE PAVING.
 - EXISTING POWER POLE
 - 3'-0" HIGH DECORATIVE BLOCK WALL FENCE (SPLIT-FACE). FINISH TO MATCH W/ COLOR & TEXTURE OF BUILDING EXTERIOR FINISH.
 - NEW SIDEWALK PER CITY STANDARD.
 - COVERED TRASH ENCLOSURE SHALL MEET WITH CITY PLANNING DEPT. STANDARDS OF WASTE MANAGEMENT SERVICE PROVIDER. STANDARDS UNDER SEPARATE PERMIT.
 - NEW PROPERTY LINE - SEE CIVIL PLANS.
 - EXISTING PROPERTY LINE - SEE CIVIL PLANS.
 - 6'-0" HIGH PRE-FABRICATED POLY VINYL PATIO FENCE.
 - CLUSTER TYPE COMMON MAIL BOXES (2 B GLOBAL, FORTRESS SERIES S8), DECORATIVE ARCHITECTURAL COVER TO MATCH W/ BUILDING EXTERIOR. SEE DETAIL 2/A0-06
 - EXISTING FIRE HYDRANT ACROSS THE STREET. SEE CIVIL PLANS
 - NEW FIRE HYDRANT
 - TRELLIS
 - MONUMENT SIGN TO MATCH W/ BUILDING ARCHITECTURAL & PER CITY SIGN ORDINANCE & STANDARD UNDER SEPARATE PERMIT. (SEE DETAIL 4/A0-07)
 - SET BACK LINE
 - 4" ROOF DRAIN
 - PROPOSED CARPORT. SEE SHEET AD-05
 - FDC - FIRE DEPARTMENT CONNECTION
 - POLE LIGHT
 - GRASS CONCRETE LANDSCAPE PAVIS-FIRE DEPARTMENT ACCESS SEE LANDSCAPE PLANS.

PROJECT SUMMARY

SITE DATA

ADDRESS: 23778 HEMLOCK AVENUE, MORENO VALLEY CA
 APN: LOT A: 292-181-001-4, LOT B: 292-211-002-5, LOT C: 292-181-002-7, LOT A: 47,740 SF, LOT B: 17,916 SF, LOT C: 47,740 SF
 TOATAL SITE AREA: 113,396 SF (2.6032 ACRES)
 ZONING: R-15 (MULTI FAMILY RESIDENTIAL)
 DENSITY: 15 UNITS/ACRE
 MAXIUM UNITS ALLOWED: 39.04
 NUMBER OF UNITS PROPOSED: 39
 MAXIMUM LOT COVERAGE: 45%
 PROPOSED LOT COVERAGE: 30.2% < 45%

LEGEND

(E) EXISTING
 (N) NEW
 PROPERTY LINE
 ACCESSIBLE PATH OF TRAVEL

FEMA ZONE

FEMA FLOOD ZONE DESIGNATION: X

BUILDING / PARKING & RECREATIONAL AREA SUMMARY

TOTAL NO. OF 2 BEDROOM UNITS:	18
TOTAL NO. OF 3 BEDROOM UNITS:	21
TOTAL NO. OF UNITS:	39
TOTAL NO. OF RESIDENT PARKING REQUIRED: 39 X 2.5 = 98	
TOTAL NO. OF GUEST PARKING REQUIRED: 39 X 0.25 = 10	
TOTAL NO. OF PARKING REQUIRED:	108
COVERED PARKING SPACES REQUIRED:	39
COVERED PARKING SPACES PROVIDED:	78
OPEN PARKING SPACES PROVIDED:	31
TOTAL NO. OF PARKING SPACES PROVIDED:	109
TYP. PARKING STALL SIZE 9' X 18'	

DRAWING INDEX

ARCHITECTURAL:
 T-1 TITLE SHEET AND SITE PLAN
 A0-05 CARPORT DETAILS
 A0-06 GAZEBO & MAILBOX DETAILS
 A0-07 TRASH DETAILS & MONUMENT SIGN
 AA-10 FIRST FLOOR PLAN (BLDG A&B)
 AA-11 SECOND FLOOR PLAN (BLDG A&B)
 AA-12 ROOF PLAN (BLDG A&B)
 AC-10 FIRST FLOOR PLAN (BLDG C)
 AC-11 SECOND FLOOR PLAN (BLDG C)
 AC-12 ROOF PLAN (BLDG C)
 AD-10 FIRST FLOOR PLAN (BLDG D)
 AD-11 SECOND FLOOR PLAN (BLDG D)
 AD-12 ROOF PLAN (BLDG D)
 AE-10 FIRST FLOOR PLAN (BLDG E)
 AE-11 SECOND FLOOR PLAN (BLDG E)
 AE-12 ROOF PLAN (BLDG E)
 AF-10 FIRST FLOOR PLAN (BLDG F)

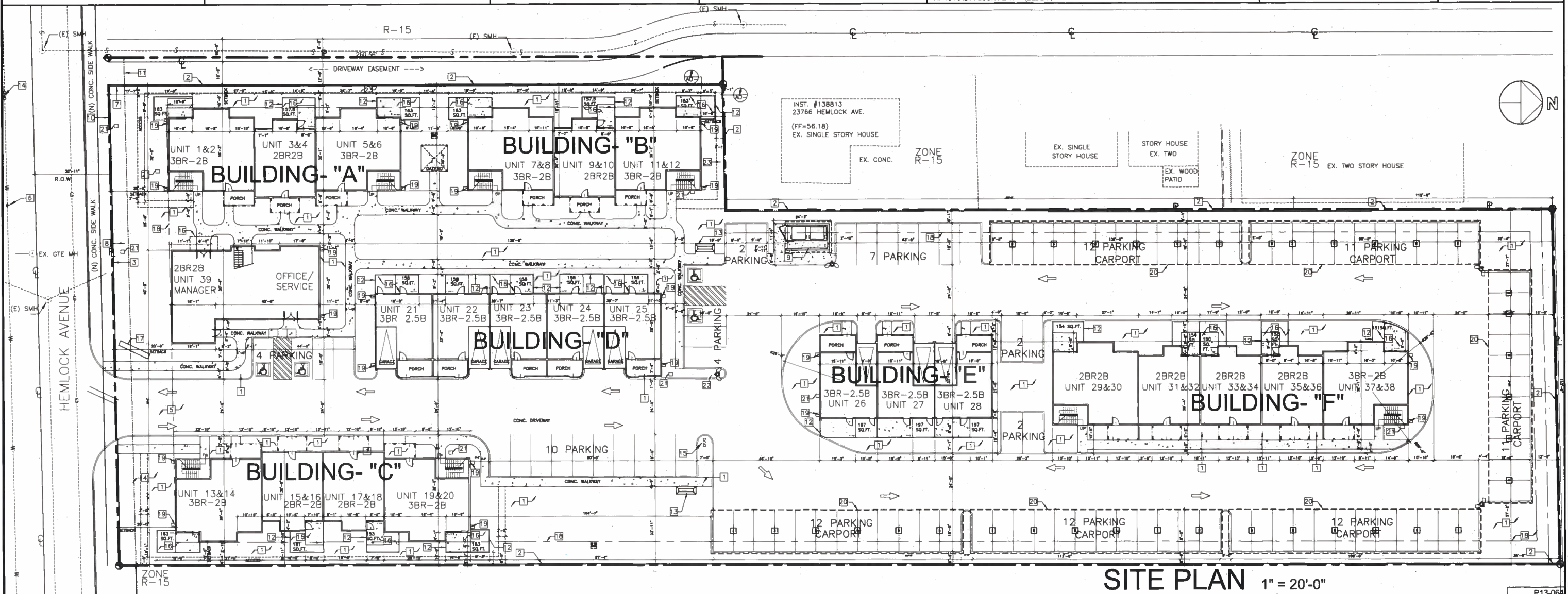
LOT COVERAGE

BUILDING A	= 3,670 SQ. FT.
BUILDING B	= 3,670 SQ. FT.
BUILDING C	= 4,815 SQ. FT.
BUILDING D	= 4,425 SQ. FT.
BUILDING E	= 2,660 SQ. FT.
BUILDING F	= 5,500 SQ. FT.
OFFICE/REC	= 2,285 SQ. FT.
CARPORT: 70(9X18)	= 11,340 SQ. FT.
TOTAL	= 38,165 SQ. FT.
38,165 / 113,396 = 33.7% < 45%	

DESIGN TEAM

OWNER: 2230 W. LINCOLN LLC, 2230 W. LINCOLN BLVD., YORBA LINDA, CA. CONTACT: MR. TILAK CHOPRA, TEL: 714-267-2552
ARCHITECT: DESIGN CONCEPTS SHIV TALWAR, AIA, 4091 RIVERSIDE DR., YORBA LINDA, CA. #110 CHINO, CA 91714, TEL: 909-591-3939
CIVIL ENGINEERING: CIVIL TRANS INC, JAY ASLAM, P.E. (909) 396-1131, 732 N Diamond Bar Blvd #128, Diamond Bar, CA 91765

VICINITY MAP



BUILDING: A & B	BUILDING: C	BUILDING: D	BUILDING: E
FIRST FLOOR 2 BEDROOMS / 2 BATHS 1 (1,855) = 855 SQ. FT. 3 BEDROOMS / 2 BATHS 2 (2,114) = 2,280 SQ. FT. TOTAL 3 = 3,135 SQ. FT. SECOND FLOOR 2 BEDROOMS / 2 BATHS 1 (1,855) = 855 SQ. FT. 3 BEDROOMS / 2 BATHS 2 (2,114) = 2,280 SQ. FT. TOTAL 3 = 3,135 SQ. FT. TOTAL NO. OF UNITS: 3 + 3 = 6 UNITS TOTAL NO. OF SQ. FT.: 3,135 + 3,135 = 6,270 SQ. FT.	FIRST FLOOR 2 BEDROOMS / 2 BATHS 2 (2,114) = 2,280 SQ. FT. 3 BEDROOMS / 2 BATHS 2 (2,114) = 2,280 SQ. FT. TOTAL 4 = 3,990 SQ. FT. SECOND FLOOR 2 BEDROOMS / 2 BATHS 2 (2,114) = 2,280 SQ. FT. 3 BEDROOMS / 2 BATHS 2 (2,114) = 2,280 SQ. FT. TOTAL 4 = 3,990 SQ. FT. TOTAL NO. OF UNITS: 4 + 4 = 8 UNITS TOTAL NO. OF SQ. FT.: 3,990 + 3,990 = 7,980 SQ. FT.	FIRST FLOOR 3 BEDROOMS / 2.5 BATHS 5 (5,970) = 2,985 SQ. FT. GARAGE (2) 5(180) = 900 SQ. FT. TOTAL (INCL. GARAGE) 5 = 3,850 SQ. FT. SECOND FLOOR 3 BEDROOMS / 2.5 BATHS 0 (5,770) = 3,850 SQ. FT. TOTAL 0 = 2,310 SQ. FT. TOTAL NO. OF UNITS: 3,850 + 3,850 = 5 UNITS TOTAL NO. OF SQ. FT.: 3,850 + 3,850 = 7,700 SQ. FT. (INCL. GARAGE)	FIRST FLOOR 3 BEDROOMS / 2.5 BATHS 3 (3,590) = 1,770 SQ. FT. GARAGE (2) 3(180) = 540 SQ. FT. TOTAL (INCL. GARAGE) 3 = 2,310 SQ. FT. SECOND FLOOR 3 BEDROOMS / 2.5 BATHS 0 (3,770) = 2,310 SQ. FT. TOTAL 0 = 2,310 SQ. FT. TOTAL NO. OF UNITS: 2,310 + 2,310 = 3 UNITS TOTAL NO. OF SQ. FT.: 2,310 + 2,310 = 4,620 SQ. FT. (INCL. GARAGE)

DESIGN CONCEPTS

SHIV TALWAR, ARCHITECT AIA

3340 RIVERSIDE DR. #M, CHINO, CA 91710
 TEL: 909-591-3939 Email: dsignconcepts@yahoo.com

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DRAWING TITLE: TITLE SHEET & SITE PLAN

JOB TITLE: PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR HEMLOCK GARDEN.

JOB ADDRESS: 23778 HEMLOCK AVE., CITY OF MORENO VALLEY, CA

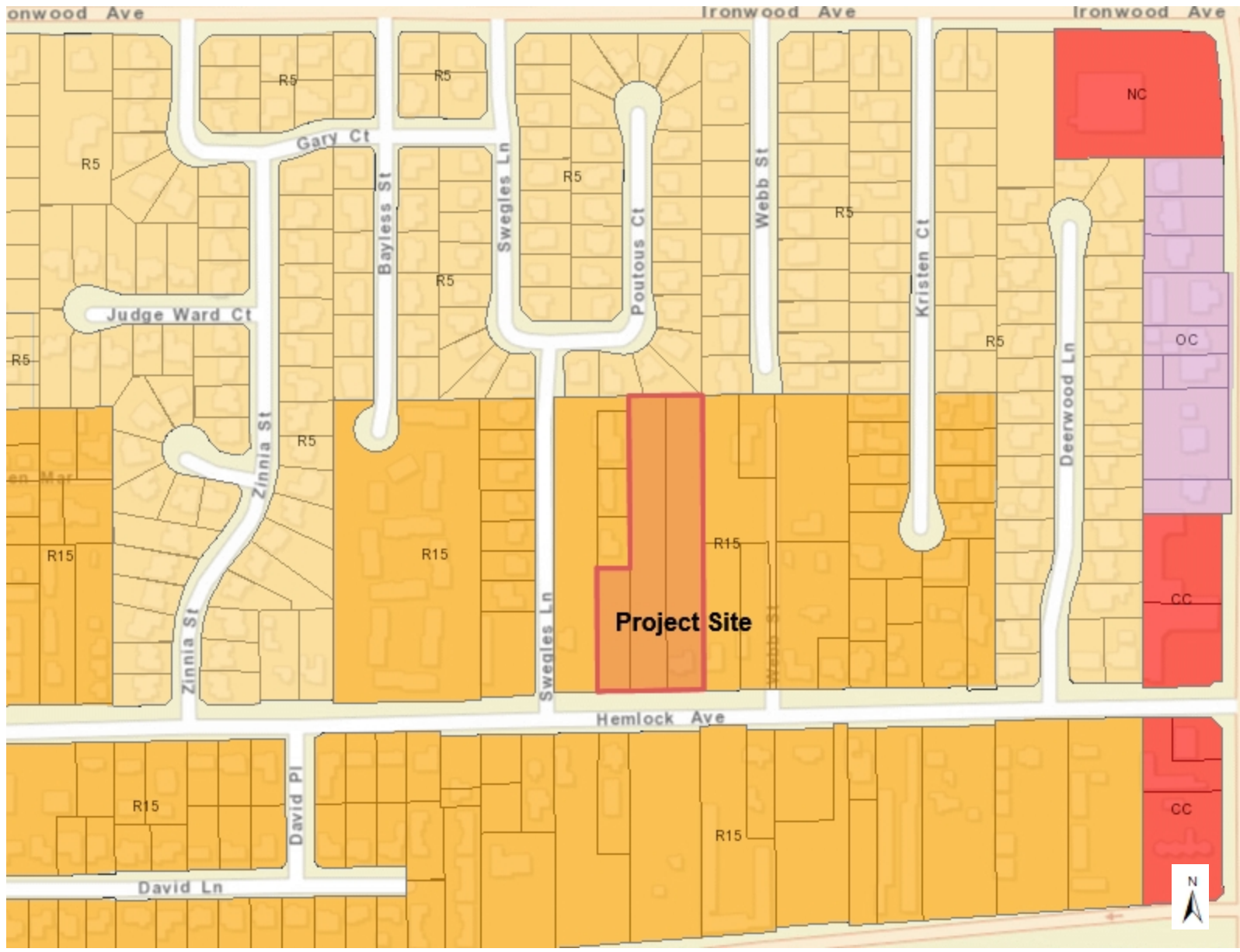
REVISION NO. P13-064

JOB NO. 2015-20

DWG. NO. T-1

Packet Pg. 58

Zoning PA14-0027

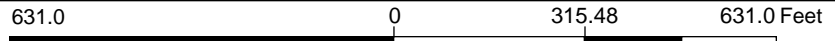


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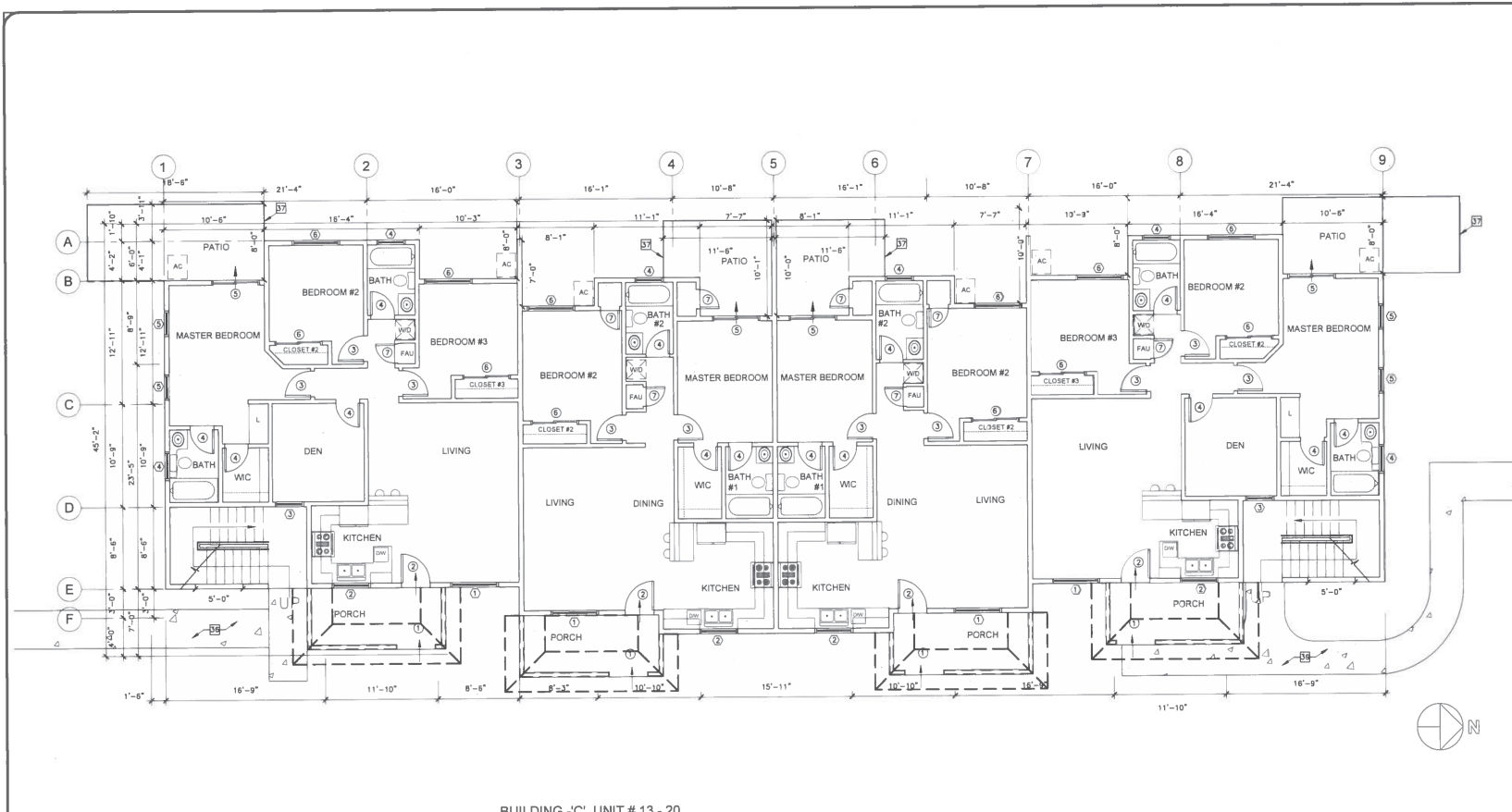
- Zoning**
- Commercial
 - Industrial/Business Park
 - Public Facilities
 - Office
 - Planned Development
 - Large Lot Residential
 - Residential Agriculture 2 DU/AC
 - Residential 2 DU/AC
 - Suburban Residential
 - Multi-family
 - Open Space/Park
- Parcels

Attachment: Zoning Map (2203 : Plot Plan (PA14-0027) for a new 39 unit Apartment Complex)

Notes



DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County 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.



BUILDING -C' UNIT #13-20

FIRST FLOOR PLAN
SCALE 3/16"=1'-0"

BUILDING - C

- FLOOR PLAN KEYNOTES**
- DECORATIVE STAMPED CONCRETE DRIVEWAY.
 - DECORATIVE STONE VENER.
 - NEW PLANTER - SEE LANDSCAPE PLAN.
 - UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
 - EXISTING PLANTER WALL.
 - LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
 - LOCATION OF A/C UNIT - SEE MECHANICAL PLANS.
 - GAS OUTLETS.
 - NEW STUD WALL.
 - PRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
 - EXHAUST VENT TO EXTERIOR
 - HOSE BIB W/ NON REMOVEABLE BACK FLOW DEVICE
 - 5/8 TYPE X @ ALL WALLS TO ROOF SHEATHING 1-HR RATED GARAGE & COAT CLOSET TO BE 1-HR RATED (SEE FINISH SCHEDULE)
 - NEW RETAINING WALL.
 - GAS METER - VERIFY WITH UTILITY COMPANY
 - PROVIDE 2X8 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS
 - LINE OF SECOND FLOOR WALL
 - NEW FLOORING
 - LOCATION OF FAU
 - SEE SHEET A-3 FOR OPEN TERRACE.
 - GUARDRAIL W/ BALUSTERS - SEE EXTERIOR ELEVATIONS.
 - LINE OF 1ST FLOOR WALL
 - OPEN STUD WALL
 - GAS OUTLET
 - LOCATION OF WATER HEATER - SEE PLUMBING PLANS.
 - GRANITE COUNTER WITH BASE AND UPPER CABINETS.
 - BARBECUE EXHAUST HOOD.
 - NEW LOCATION OF ELECTRICAL METER & PANEL - SEE ELECTRICAL PLANS.
 - LOCATION OF NEW FAU, HEATING EQUIPMENT 18" ABOVE THE FLOOR LEVEL
 - ENTRY PATH COLUMN- ABOVE
 - LINE OF ENTRY PORCH- ABOVE
 - CONCRETE WALKWAY - SEE SITE PLAN (SHEET T-1)
 - 6'-0" HIGH PRE-FABRICATED POLY VINYL PATIO FENCE
 - LINE OF THE PORCH'S ROOF

- FLOOR PLAN GENERAL NOTES**
- PROVIDE A 3.5 INCH CLEAN OUT BASED ON 4 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707.10 AND 719.3
 - ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402.0
 - ALL SHOWER HEADS TO BE INSTALLED SHALL BE DESIGNED NOT TO EXCEED A WATER SUPPLY RATE OF 2.2 GALLONS PER MINUTE CPC 2010 SECTION 402.0
 - CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREAS' CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY RETURN AIR REGISTERS LOCATIONS
 - PROVIDE COVERING OF DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION
 - SHOWER COMPARTMENTS AND WALLS ABOVE BATHTUB WITH SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH NON-ABSORBENT SURFACE TO A HEIGHT OF NOT LESS THAN 6'-0" AFF
 - PROVIDE CLASS 'A' FIRE RETARDANT ROOF COVERING PER SECTION R902.1
 - PROTECTION OF WOOD AND WOOL BASED PRODUCTS FROM DECAY SHALL BE PROVIDED IN THE LOCATIONS SPECIFIED PER SECTION R317.1 BY THE USE OF NATURALLY DURABLE WOOD OR WOOD THAT IS PRESERVATIVE - TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPA U1
 - WATER CLOSETS SHALL HAVE 15" TO ANY WALL OR OBSTRUCTION ON EACH SIDE OF ITS CENTERLINE AND 24" CLEAR SPACE IN FRONT (CPC 407.5)
 - HEATING EQUIPMENT TO BE LOCATED 18" ABOVE THE FLOOR LEVEL (308.1 CMIC)
 - ALL OPEN PATIOS, DECKS AND SIMILAR STRUCTURES SHALL BE A MINIMUM OF ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION OR CONSTRUCTED OF NONCOMBUSTIBLE MATERIALS.

WALL LEGEND / ABBREVIATIONS

	(E) WALL TO REMAIN
	WALLS TO BE REMOVED
	PROPOSED WOOD FRAMED WALLS
	EXISTING RETAINING WALL
(E)	EXISTING
(N)	NEW
(SD)	SMOKE DETECTOR PER LARC R314
(CM)	CARBON MONOXIDE PER LARC R315

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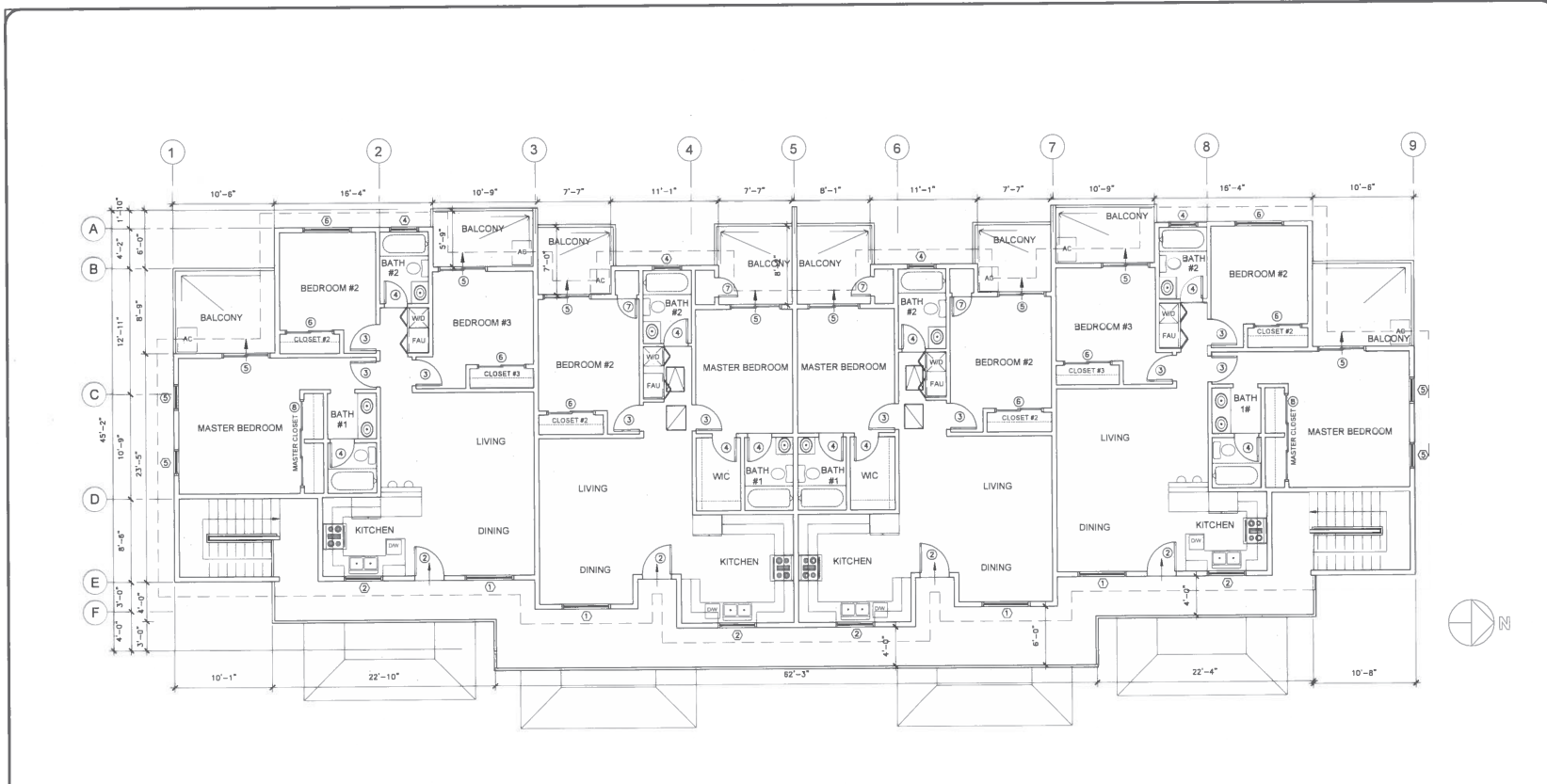
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STATE OF CALIFORNIA
C-15127
10000
10000

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TEL: 909-591-2098 FAX: 909-591-2098

NO.	DATE	ISSUED	BY
	6/26/16	FAREV.	

DRAWING TITLE: FIRST FLOOR PLAN (BLDG C)
JOB NO: 2015-20
JOB TITLE: PROPOSED MULTI-FAMILY RESIDENTIAL CONSTRUCTION FOR HERMACK GARDEN
JOB ADDRESS: 4091 RIVERSIDE DR. #110, CHINO, CA 91710
CITY OF MORENO VALLEY, CA

DWG. NO: AC-10
REVISION NO:



BUILDING -C' UNIT # 13 - 20

SECOND FLOOR PLAN BUILDING - C
SCALE: 3/16"=1'-0"

FLOOR PLAN KEYNOTES

1. DECORATIVE STAMPED CONCRETE DRIVEWAY.
2. DECORATIVE STONE VENEER.
3. NEW PLANTER - SEE LANDSCAPE PLAN.
4. UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
5. EXISTING PLANTER WALL.
6. LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
7. LOCATION OF A/C UNIT - SEE MECHANICAL PLANS.
8. GAS OUTLETS
9. NEW STUD WALL
10. PRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
11. EXHAUST VENT TO EXTERIOR
12. HOSE BIB W/ NON REMOVABLE BACK FLOW DEVICE
13. 5/8 TYPE X @ ALL WALLS TO ROOF SHEATHING 1-HR RATED GARAGE & COAT CLOSET TO BE 1-HR RATED (SEE FINISH SCHEDULE)
14. NEW RETAINING WALL
15. GAS METER. VERIFY WITH UTILITY COMPANY
16. PROVIDE 2X6 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS

18. LINE OF SECOND FLOOR WALL.
19. NEW FLOORING.
20. LOCATION OF FAU.
21. LOCATION OF FAU.
22. SEE SHEET A-3 FOR OPEN TERRACE.
23. GUARDRAIL W/ BALUSTERS - SEE EXTERIOR ELEVATIONS.
24. LINE OF 1ST. FLOOR WALL.
25. OPEN STUD WALL
26. GAS OUTLET
27. LOCATION OF WATER HEATER - SEE PLUMBING PLANS.
28. GRANITE COUNTER WITH BASE AND UPPER CABINETS.
29. BARBECUE EXHAUST HOOD.
30. NEW LOCATION OF ELECTRICAL METER & PANEL - SEE ELECTRICAL PLANS.
31. LOCATION OF NEW FAU. HEATING EQUIPMENT 18" ABOVE THE FLOOR LEVEL.
32. ENTRY PATH COLUMN- ABOVE
33. LINE OF ENTRY PORCH- ABOVE
34. CONCRETE WALKWAY - SEE SITE PLAN (SHEET T-1)
35. 6'-0" HIGH PRE-FABRICATED POLY VINYL PATIO FENCE

FLOOR PLAN GENERAL NOTES

1. PROVIDE A 3 5 INCH CLEAN OUT BASED ON A 1 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707.10 AND 719.3
2. ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402.0
3. ALL SHOWER HEADS TO BE INSTALLED SHALL BE DESIGNED NOT TO EXCEED A WATER SUPPLY RATE OF 2.2 GALLONS PER MINUTE CPC 2010 SECTION 402.0
4. CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREA'S CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY / RETURN AIR REGISTERS LOCATIONS
5. PROVIDE COVERING OF DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION
6. SHOWER COMPARTMENTS AND WALLS ABOVE BATHTUB WITH SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH, NON-ABSORBENT SURFACE TO A HEIGHT OF NOT LESS THAN 6'-0" AFF
7. PROVIDE CLASS 'A' FIRE RETARDANT ROOF COVERING PER SECTION R902.1

8. PROTECTION OF WOOD AND WOOL BASED PRODUCTS FROM DECAY SHALL BE PROVIDED IN THE LOCATIONS SPECIFIED PER SECTION R317.1 BY THE USE OF NATURALLY DURABLE WOOD OR WOOD THAT IS PRESERVATIVE -TREATED IN ACCORDANCE WITH AWPAC U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPAC U1
9. WATER CLOSETS SHALL HAVE 15" TO ANY WALL OR OBSTRUCTION ON EACH SIDE OF ITS CENTERLINE AND 24" CLEAR SPACE IN FRONT (CPC 407.5)
10. HEATING EQUIPMENT TO BE LOCATED 18" ABOVE THE FLOOR LEVEL (3X8.1 CMX)
11. ALL OPEN PATIOS, DECKS AND SIMILAR STRUCTURES SHALL BE A MINIMUM OF ONE-HOUR FIRE RESISTIVE CONSTRUCTION. HEAVY TIMBER CONSTRUCTION OR CONSTRUCTED OF NONCOMBUSTIBLE MATERIALS.

WALL LEGEND / ABBREVIATIONS

- (E) WALL TO REMAIN
- (N) WALLS TO BE REMOVED
- (S) PROPOSED WOOD FRAMED WALLS
- (R) EXISTING RETAINING WALL
- (E) EXISTING
- (N) NEW
- (SD) SMOKE DETECTOR PER LARC R314
- (CA) CARBON MONOXIDE PER LARC R315

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NO.	ISSUED	DATE	ISSUED	DATE
	REV	6/26/16	REV	
DRAWING TITLE				
SECOND FLOOR PLAN (BLDG C)				
JOB TITLE				
PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR HELMLOCK GARDEN				
JOB ADDRESS				
2377N HELMLOCK AVE				
CITY OF MORENO VALLEY, CA				
JOB NO.				
2015-20				
DWG NO.				
AC-11				
REVISION NO.				

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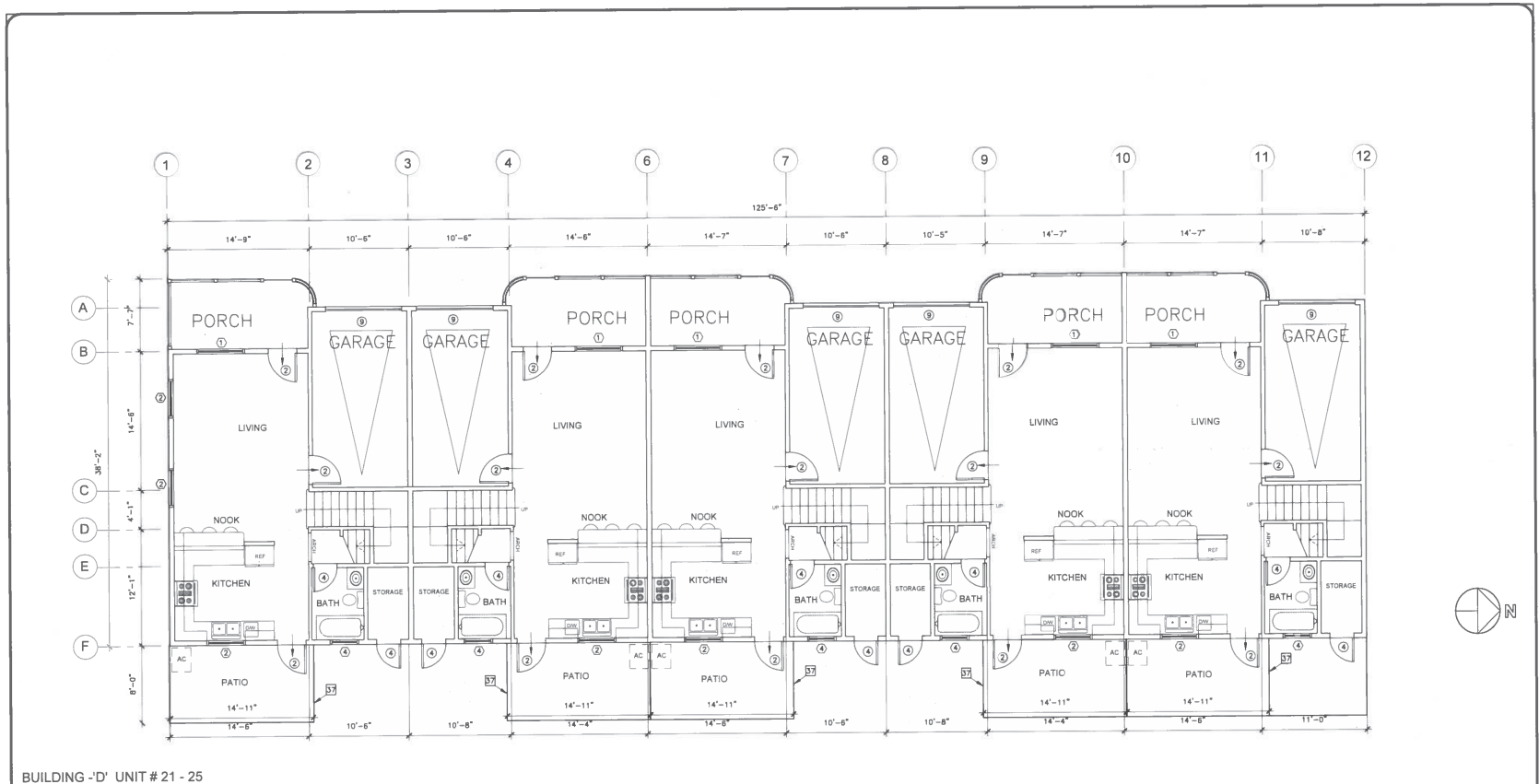


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NO.	DATE	ISSUED
	02/26/16	FIREV.

DRAWING TITLE: FIRST FLOOR PLAN (BLOG D)
 JOB TITLE: PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR NEIGHBORHOOD
 JOB ADDRESS: 4091 RIVERSIDE DR. #110, CHINO, CA 91710
 CITY OF MCKENNA VALLEY, CA

JOB NO: 2015-20
 DWG. NO: AD-10
 REVISION NO:



BUILDING -D' UNIT # 21 - 25

FIRST FLOOR PLAN BUILDING - D
 SCALE: 3/16"=1'-0"

FLOOR PLAN KEYNOTES

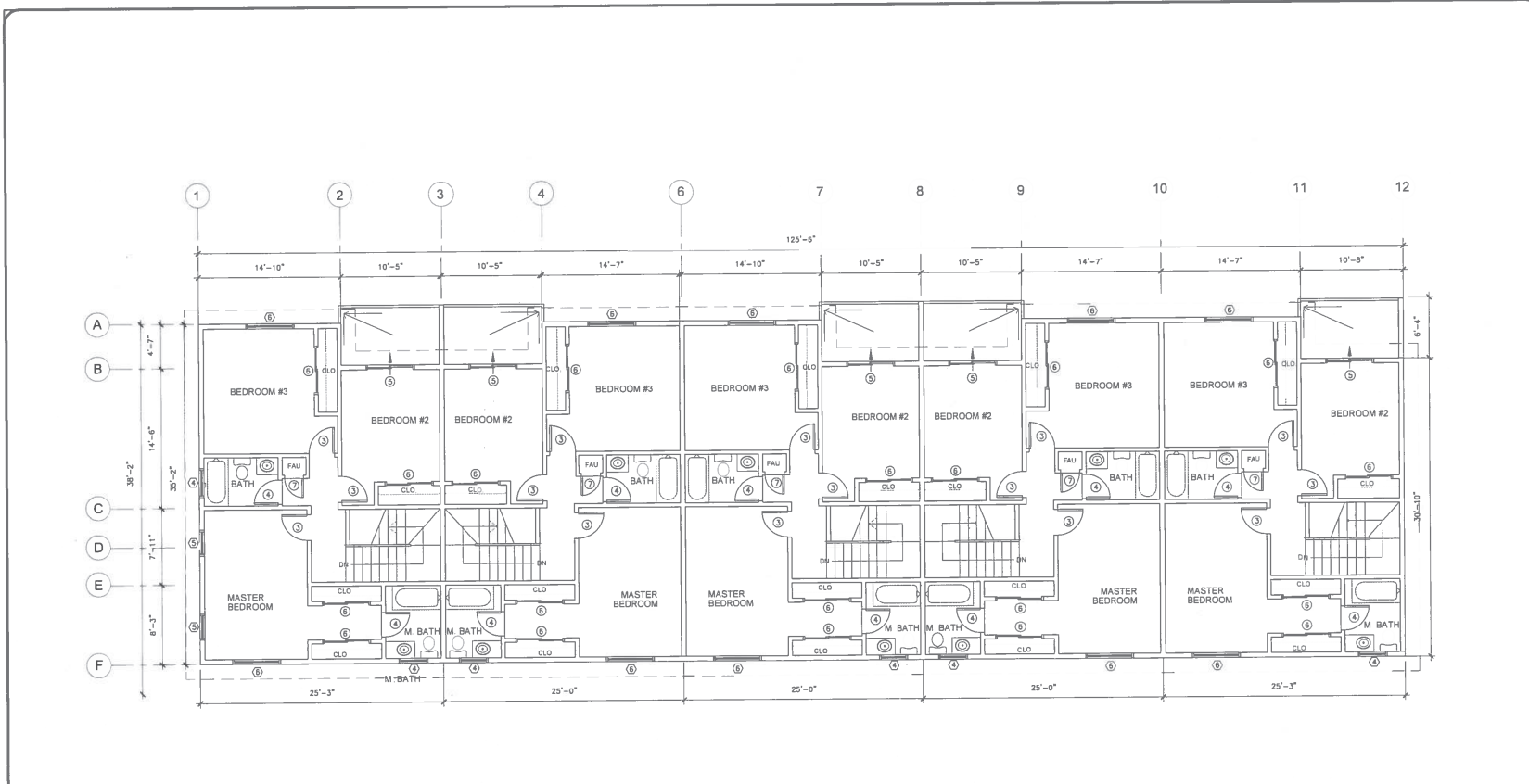
- DECORATIVE STAMPED CONCRETE DRIVEWAY.
- DECORATIVE STONE VENEER.
- NEW PLANTER - SEE LANDSCAPE PLAN.
- UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
- EXISTING PLANTER WALL.
- LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
- LOCATION OF A/C UNIT - SEE MECHANICAL PLANS.
- GAS OUTLETS.
- NEW STUD WALL.
- PRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
- EXHAUST VENT TO EXTERIOR
- HOSE BIB W/ NON REMOVEABLE BACK FLOW DEVICE
- 5/8 TYPE X @ ALL WALLS TO ROOF SHEATHING 1-HR RATED GARAGE & COAT CLOSET TO BE 1-HR RATED (SEE FINISH SCHEDULE)
- NEW RETAINING WALL.
- GAS METER - VERIFY WITH UTILITY COMPANY
- PROVIDE 2X6 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS.

FLOOR PLAN GENERAL NOTES

- PROVIDE A 3 5/8 INCH CLEAN OUT BASED ON 4 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707.10 AND 719.3
- ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402.0
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- CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREA'S CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY / RETURN AIR REGISTERS LOCATIONS
- PROVIDE COVERING OF DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION
- SHOWER COMPARTMENTS AND WALLS ABOVE BATHTUB WITH SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH, NON-ABSORBENT SURFACE TO A HEIGHT OF NOT LESS THAN 8'-0" AFF.
- PROVIDE CLASS 'A' FIRE RETARDANT ROOF COVERING PER SECTION R902.1
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- WATER CLOSETS SHALL HAVE 15" TO ANY WALL OR OBSTRUCTION ON EACH SIDE OF ITS CENTERLINE AND 24" CLEAR SPACE IN FRONT. (CPC 407.5)
- HEATING EQUIPMENT TO BE LOCATED 18" ABOVE THE FLOOR LEVEL.(308.1 CM3)
- ALL OPEN PATIOS, DECKS AND SIMILAR STRUCTURES SHALL BE A MINIMUM OF ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION OR CONSTRUCTED OF NONCOMBUSTIBLE MATERIALS.

WALL LEGEND / ABBREVIATIONS

- (E) WALL TO REMAIN
- (N) WALLS TO BE REMOVED
- (SD) PROPOSED WOOD FRAMED WALLS
- (CM) EXISTING RETAINING WALL
- (E) EXISTING
- (N) NEW
- (SD) SMOKE DETECTOR PER LARC R314
- (CM) CARBON MONOXIDE PER LARC R315



BUILDING -D' UNIT # 21 - 25

SECOND FLOOR PLAN **BUILDING - D**
SCALE 3/16"=1'-0"

FLOOR PLAN KEYNOTES

1. DECORATIVE STAMPED CONCRETE DRIVEWAY.
2. DECORATIVE STONE VENEER.
4. NEW PLANTER - SEE LANDSCAPE PLAN.
5. UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
6. EXISTING PLANTER WALL.
7. LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
8. LOCATION OF A/C UNIT - SEE MECHANICAL PLANS.
9. GAS OUTLETS.
10. NEW STUD WALL.
11. PRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
12. EXHAUST VENT TO EXTERIOR
13. HOSE BIB W/ NON REMOVEABLE BACK FLOW DEVICE
14. 5/8 TYPE X @ ALL WALLS TO ROOF SHEATHING 1-HR RATED GARAGE & COAT CLOSET TO BE 1-HR RATED (SEE FINISH SCHEDULE).
15. NEW RETAINING WALL.
16. GAS METER. VERIFY WITH UTILITY COMPANY
17. PROVIDE 2X6 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS

FLOOR PLAN GENERAL NOTES

1. PROVIDE A 3/8 INCH CLEAN OUT BASED ON A 1/2 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707.10 AND 719.3
2. ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402.0
3. ALL SHOWER HEADS TO BE INSTALLED SHALL BE DESIGNED NOT TO EXCEED A WATER SUPPLY RATE OF 2.2 GALLONS PER MINUTE CPC 2010 SECTION 402.0
4. CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREA'S CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY / RETURN AIR REGISTERS LOCATIONS
5. PROVIDE COVERING OF DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION
6. SHOWER COMPARTMENTS AND WALLS ABOVE BATHTUB WITH SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH, NON-ABSORBENT SURFACE TO A HEIGHT OF NOT LESS THAN 6'-0" AFF
7. PROVIDE CLASS 'A' FIRE RETARDANT ROOF COVERING PER SECTION R902.1

WALL LEGEND / ABBREVIATIONS

- (E) WALL TO REMAIN
- (D) WALLS TO BE REMOVED
- PROPOSED WOOD FRAMED WALLS
- EXISTING RETAINING WALL
- (R) EXISTING
- (N) NEW
- (SD) SMOKE DETECTOR PER LARC R314
- (CM) CARBON MONOXIDE PER LARC R315

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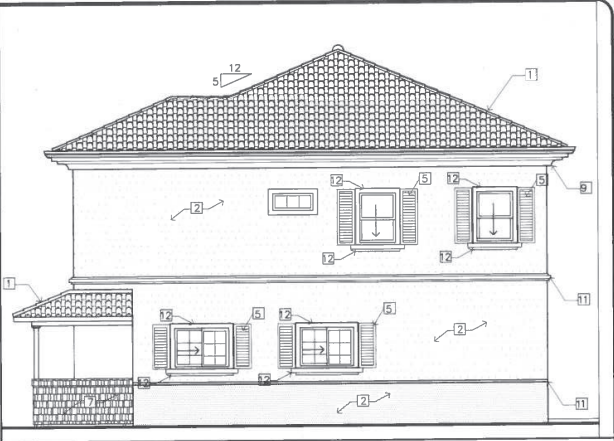


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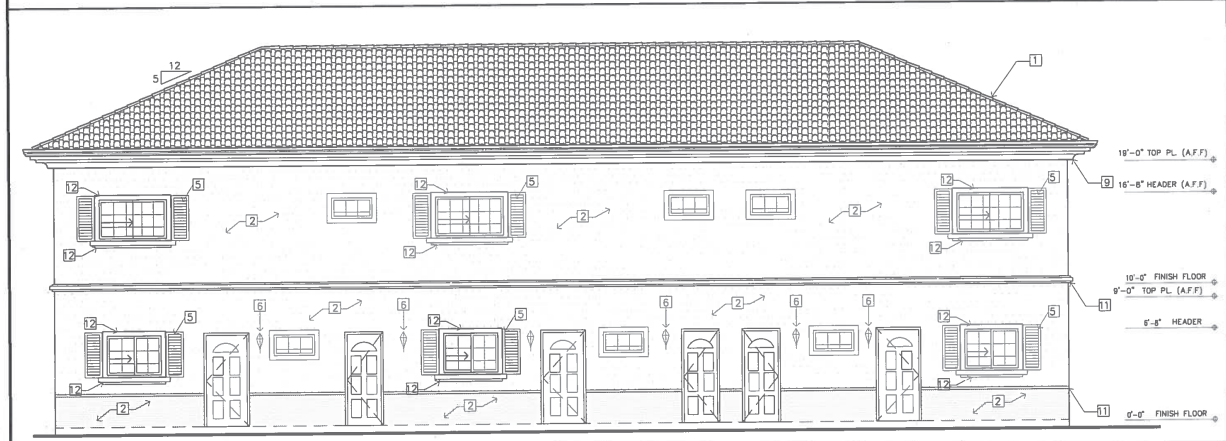
NO.	DATE	ISSUED
1	8/28/16	FIREV
DRAWING TITLE SECOND FLOOR PLAN (BLDG D)		
JOB TITLE MULTI-FAMILY RESIDENTIAL COMPLEX FOR HERMOSA GARDENS		
JOB ADDRESS 10000 HERMOSA BLVD CITY OF MORENO VALLEY, CA		
JOB NO. 2015-20		
DWG. NO. AD-11		REVISION NO.



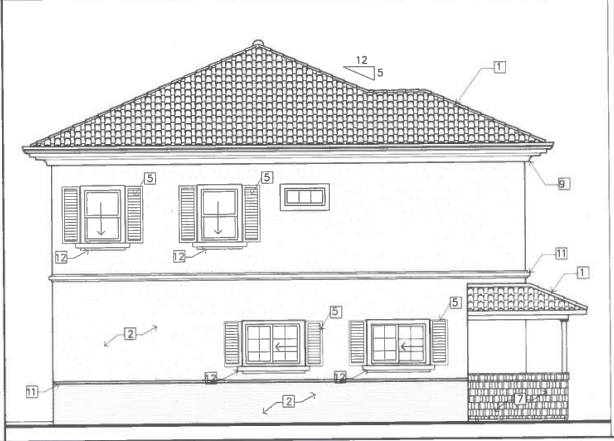
NORTH ELEVATION - BUILDING E
SCALE 1/4" = 1'-0"



EAST ELEVATION - BUILDING E
SCALE 1/4" = 1'-0"



SOUTH ELEVATION - BUILDING E
SCALE 1/4" = 1'-0"



WEST ELEVATION - BUILDING E
SCALE 1/4" = 1'-0"

ELEVATION KEYNOTES

- 1 CONC S-TILE ROOFING - MONIERLIFETILE "VILLA CALIFORNIA MISSION BLEND"
- 2 SEE COLOR MATERIAL BOARD
- 3 STUCCO (LIGHT/ DARK)
- 4 DECORATIVE STAIRCASE ENTRY OPENING
- 5 DECORATIVE W.I. GUARD RAIL
- 6 DECORATIVE SHUTTERS
- 7 DECORATIVE LIGHT FIXTURES
- 8 DECORATIVE STONE VENEER
- 9 WOODEN PANELS
- 10 PRE-FABRICATED DECORATIVE FOAM MOLDING MATCH W/ EXTERIOR FINISH
- 11 CIRCULAR ATTIC VENT
- 12 DECORATIVE MOULDING BAND
- 13 PRE-FABRICATED DECORATIVE MOLDING
- 14 DECORATIVE WALL MOUNTED FOAM PORCH MATCHING WITH THE EXTERIOR COLOR

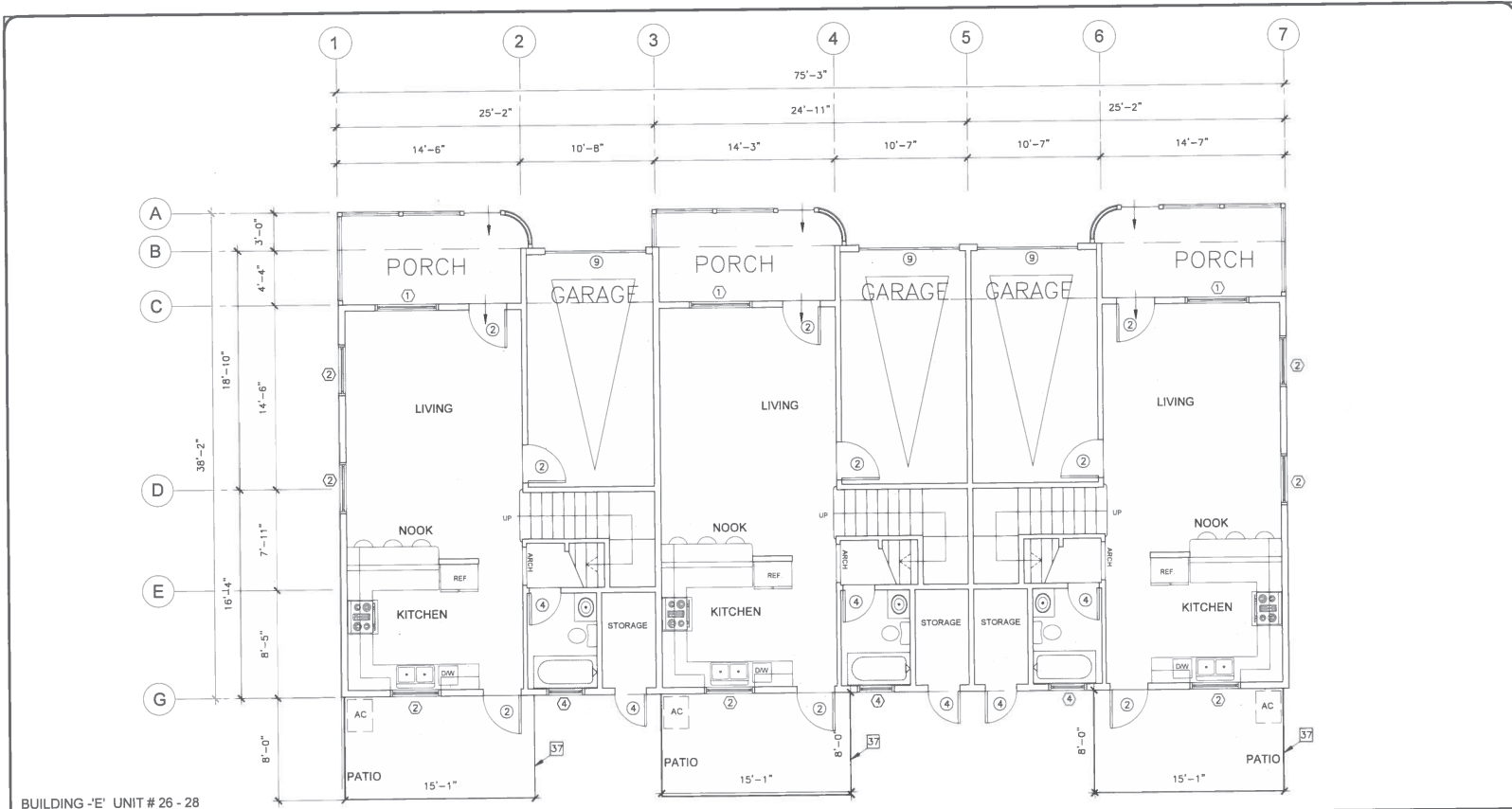
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DRAWING TITLE
 BUILDING-E
 ELEVATIONS
 JOB TITLE
 PROPOSED MULTIFAMILY RESIDENTIAL
 COMPLEX FOR HEMLOCK GARDEN
 JOB ADDRESS
 23778 HEMLOCK AVE.,
 CITY OF MORENO VALLEY, CA.

REVISION NO.
 JOB NO. 2015-20
 DWG. NO. AE-20



BUILDING -E' UNIT # 26 - 28

FIRST FLOOR PLAN BUILDING - E
SCALE 1/4"=1'-0"

FLOOR PLAN KEYNOTES

1. DECORATIVE STAMPED CONCRETE DRIVEWAY.
2. DECORATIVE STONE VENEER.
4. NEW PLANTER - SEE LANDSCAPE PLAN.
5. UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
6. EXISTING PLANTER WALL.
7. LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
8. LOCATION OF AC UNIT - SEE MECHANICAL PLANS.
9. GAS OUTLETS.
10. NEW STUD WALL.
11. PRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
12. EXHAUST VENT TO EXTERIOR.
13. HOSE BIB W/ NON REMOVABLE BACK FLOW DEVICE.
14. 5/8 TYPE X @ ALL WALLS TO ROOF SHEATHING - 1-HR RATED GARAGE & COAT CLOSET TO BE 1-HR RATED (SEE FINISH SCHEDULE).
15. NEW RETAINING WALL.
16. GAS METER. VERIFY WITH UTILITY COMPANY.
17. PROVIDE 2X6 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS.

18. LINE OF SECOND FLOOR WALL.
20. NEW FLOORING.
21. LOCATION OF FALL.
22. SEE SHEET A-3 FOR OPEN TERRACE.
23. GUARDRAIL W/ BALUSTERS - SEE EXTERIOR ELEVATIONS.
24. LINE OF 1ST. FLOOR WALL.
25. OPEN STUD WALL.
26. GAS OUTLET.
28. LOCATION OF WATER HEATER - SEE PLUMBING PLANS.
29. GRANITE COUNTER WITH BASE AND UPPER CABINETS.
30. BARBECUE EXHAUST HOOD.
31. NEW LOCATION OF ELECTRICAL METER & PANEL - SEE ELECTRICAL PLANS.
33. LOCATION OF NEW FAU. HEATING EQUIPMENT 18" ABOVE THE FLOOR LEVEL.
34. ENTRY PATH COLUMN- ABOVE.
35. LINE OF ENTRY PORCH- ABOVE.
36. CONCRETE WALKWAY - SEE SITE PLAN (SHEET T-1)
37. 6'-0" HIGH PRE-FABRICATED POLY VINYL PATIO FENCE.
38. LINE OF THE PORCH'S ROOF.

FLOOR PLAN GENERAL NOTES

1. PROVIDE A 3 INCH CLEAN OUT BASED ON 4 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707.10 AND 713.3.
2. ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402.0.
3. ALL SHOWER HEADS TO BE INSTALLED SHALL BE DESIGNED NOT TO EXCEED A WATER SUPPLY RATE OF 2.2 GALLONS PER MIUTE CPC 2010 SECTION 402.0.
4. CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREA'S CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY / RETURN AIR REGISTERS LOCATIONS.
5. PROVIDE COVERING OF DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION.
6. SHOWER COMPARTMENTS AND WALLS ABOVE BATH/TUB WITH SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH, NON-ABSORBENT SURFACE TO A HEIGHT OF NOT LESS THAN 6'-0" AFF.
7. PROVIDE CLASS 'A' FIRE RETARDANT ROOF COVERING PER SECTION 9002.1.

8. PROTECTION OF WOOD AND WOOL BASED PRODUCTS FROM DECAY SHALL BE PROVIDED IN THE LOCATIONS SPECIFIED PER SECTION R317.1 BY THE USE OF NATURALLY DURABLE WOOD OR WOOD THAT IS PRESERVATIVE -TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPA U1.
9. WATER CLOSETS SHALL HAVE 15" TO ANY WALL OR OBSTRUCTION ON EACH SIDE OF ITS CENTERLINE AND 24" CLEAR SPACE IN FRONT. (CPC 407.5).
10. HEATING EQUIPMENT TO BE LOCATED 18" ABOVE THE FLOOR LEVEL (308.1 CMC).
11. ALL OPEN PATIOS, DECKS AND SIMILAR STRUCTURES SHALL BE A MINIMUM OF ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION OR CONSTRUCTED OF NONCOMBUSTIBLE MATERIALS.

WALL LEGEND / ABBREVIATIONS

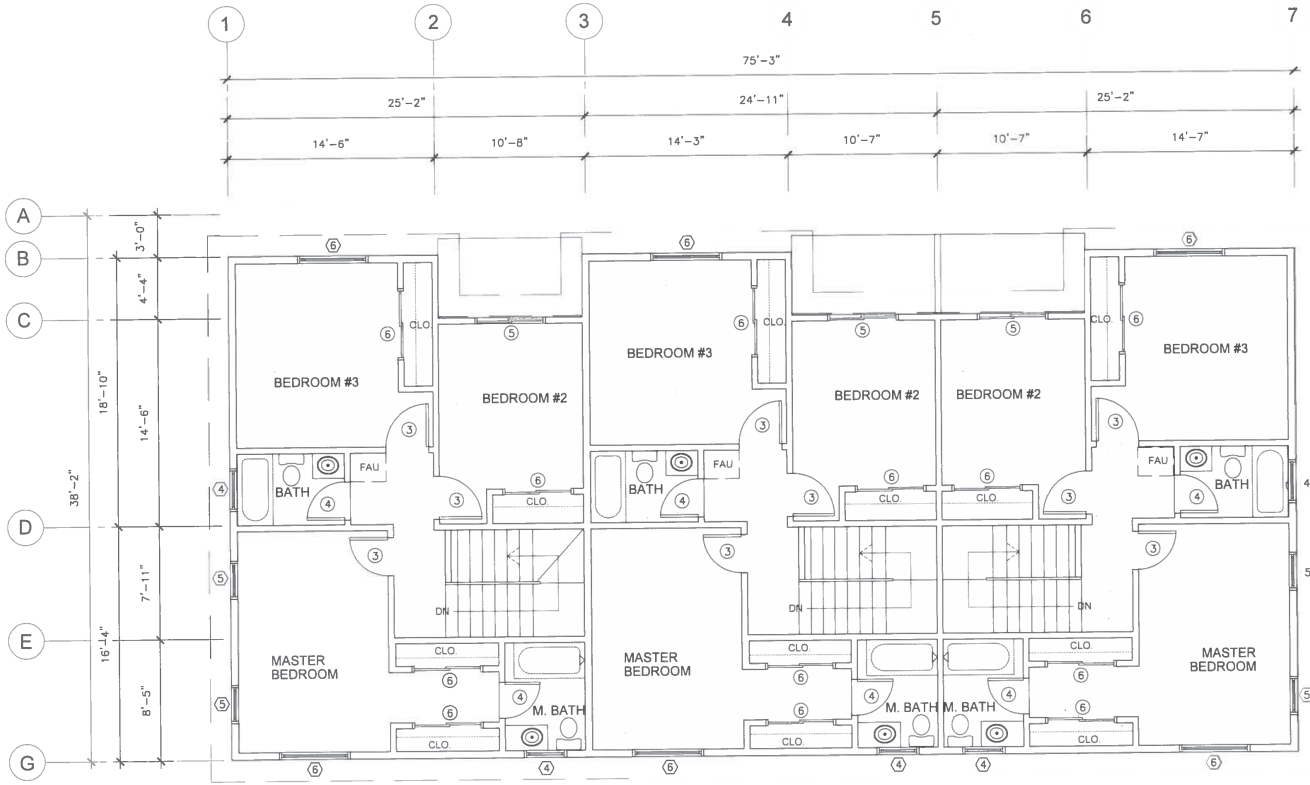
- (E) WALL TO REMAIN
- (N) WALLS TO BE REMOVED
- (SD) PROPOSED WOOD FRAMED WALLS
- (CM) EXISTING RETAINING WALL
- (E) EXISTING
- (N) NEW
- (SD) SMOKE DETECTOR PER LARC R314
- (CM) CARBON MONOXIDE PER LARC R315

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NO.	DATE	ISSUED	REVISION
	6/26/16		PREV.
DRAWING TITLE FIRST FLOOR PLAN (BLOG E)			
DESIGN TITLE PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR HEMLOCK GARDEN			
JOB ADDRESS 23778 HEMLOCK AVE CITY OF MORENO VALLEY, CA			
JOB NO.		2015-20	
DWG. NO.		AE-10	
REVISION NO.			



BUILDING -E' UNIT # 26 - 28

SECOND FLOOR PLAN BUILDING - E
SCALE 1/4"=1'-0"

FLOOR PLAN KEYNOTES

1. DECORATIVE STAMPED CONCRETE DRIVEWAY.
2. DECORATIVE STONE VENEER.
4. NEW PLANTER - SEE LANDSCAPE PLAN.
5. UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
6. EXISTING PLANTER WALL.
7. LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
8. LOCATION OF A/C UNIT - SEE MECHANICAL PLANS.
9. GAS OUTLETS.
10. NEW STUD WALL.
11. PRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
12. EXHAUST VENT TO EXTERIOR.
13. HOSE BIB W/ NON REMOVEABLE BACK FLOW DEVICE.
14. 5/8 TYPE X @ ALL WALLS TO ROOF SHEATHING 1-HR RATED GARAGE & COAT CLOSET TO BE 1-HR RATED (SEE FINISH SCHEDULE).
15. NEW RETAINING WALL.
16. GAS METER - VERIFY WITH UTILITY COMPANY.
17. PROVIDE 2X6 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS.
18. LINE OF SECOND FLOOR WALL.
20. NEW FLOORING.
21. LOCATION OF FAU.
22. SEE SHEET A-3 FOR OPEN TERRACE.
23. GUARDRAIL W/ BALLUSTERS - SEE EXTERIOR ELEVATIONS.
24. LINE OF 1ST FLOOR WALL.
25. OPEN STUD WALL.
26. GAS OUTLET.
28. LOCATION OF WATER HEATER - SEE PLUMBING PLANS.
29. GRANITE COUNTER WITH BASE AND UPPER CABINETS.
30. BARBECUE EXHAUST HOOD.
32. NEW LOCATION OF ELECTRICAL METER & PANEL - SEE ELECTRICAL PLANS.
33. LOCATION OF NEW FAU. HEATING EQUIPMENT 18" ABOVE THE FLOOR LEVEL.
34. ENTRY PATH COLUMN- ABOVE.
35. LINE OF ENTRY PORCH- ABOVE.
36. CONCRETE WALKWAY - SEE SITE PLAN (SHEET T-1).
37. 6'-0" HIGH PRE-FABRICATED POLY VINYL PATIO FENCE.
38. LINE OF THE PORCH'S ROOF.

FLOOR PLAN GENERAL NOTES

1. PROVIDE A 3/8 INCH CLEAN OUT BASED ON 4 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707.16 AND 719.3.
2. ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402.0.
3. ALL SHOWER HEADS TO BE INSTALLED SHALL BE DESIGNED NOT TO EXCEED A WATER SUPPLY RATE OF 2.2 GALLONS PER MUTE CPC 2010 SECTION 402.0.
4. CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREA'S CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY / RETURN AIR REGISTERS LOCATIONS.
5. PROVIDE COVERING OF DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION.
6. SHOWER COMPARTMENTS AND WALLS ABOVE BATHTUB WITH SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH, NON-ABSORBENT SURFACE TO A HEIGHT OF NOT LESS THAN 6'-0" AFF.
7. PROVIDE CLASS 'A' FIRE RETARDANT ROOF COVERING PER SECTION R902.1.

8. PROTECTION OF WOOD AND WOOL BASED PRODUCTS FROM DECAY SHALL BE PROVIDED IN THE LOCATIONS SPECIFIED PER SECTION R911.1 BY THE USE OF NATURALLY DURABLE WOOD OR WOOD THAT IS PRESERVATIVE - TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES. PRODUCT PRESERVATIVE AND END USE PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPA U1.
9. WATER CLOSETS SHALL HAVE 15" TO ANY WALL OR OBSTRUCTION ON EACH SIDE OF ITS CENTERLINE AND 24" CLEAR SPACE IN FRONT (CPC 407.6).
10. HEATING EQUIPMENT TO BE LOCATED 18" ABOVE THE FLOOR LEVEL (308.1 CMC).
11. ALL OPEN PATIOS, DECKS AND SIMILAR STRUCTURES SHALL BE A MINIMUM OF ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION OR CONSTRUCTED OF NONCOMBUSTIBLE MATERIALS.

WALL LEGEND / ABBREVIATIONS

- (E) WALL TO REMAIN
- (N) WALLS TO BE REMOVED
- (SD) PROPOSED WOOD FRAMED WALLS
- (CM) EXISTING RETAINING WALL
- (E) EXISTING
- (N) NEW
- (SD) SMOKE DETECTOR PER LARC R314
- (CM) CARBON MONOXIDE PER LARC R315

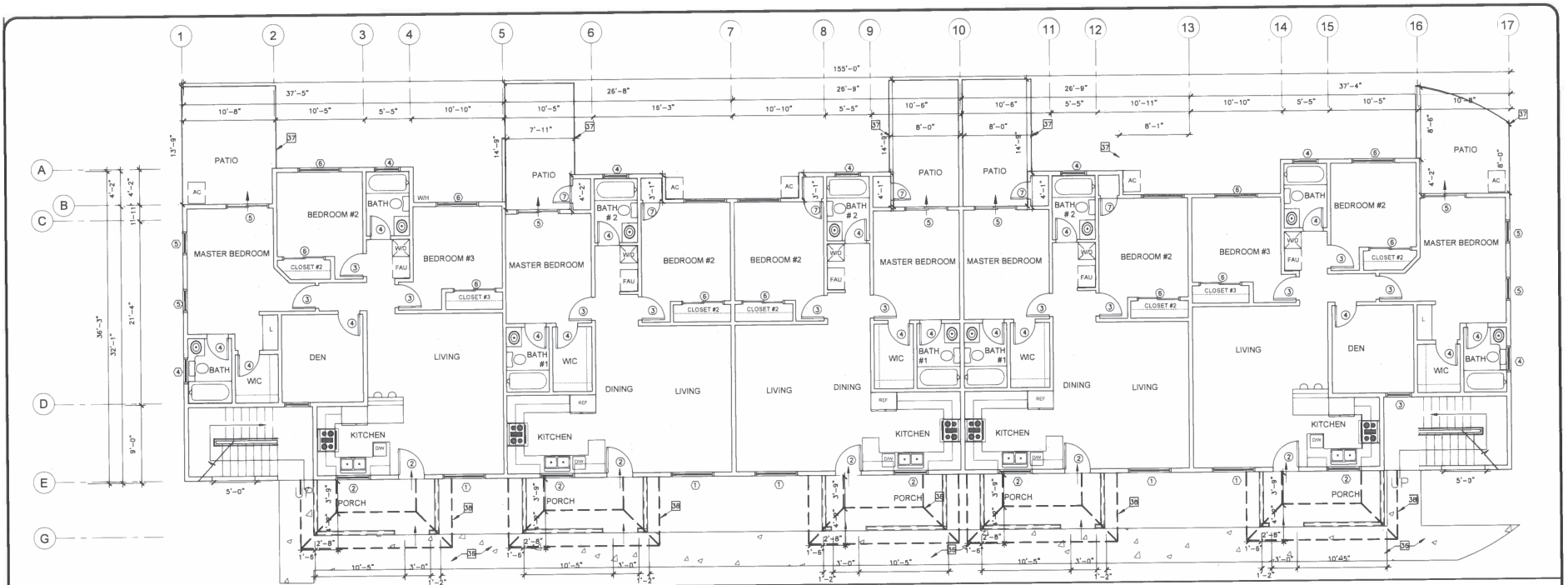
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NO.	DATE	ISSUED	REVISION
1	02/26/16	ISSUED	
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DRAWING TITLE: SECOND FLOOR PLAN (BLDG E)
 JOB TITLE: JAWAHAR MULTIFAMILY RESIDENTIAL COMPLEX FOR HEMLOCK GARDEN
 JOB ADDRESS: 23778 HEMLOCK AVE, CITY OF MORENO VALLEY, CA
 JOB NO: 2015-20
 DWG NO: AE-11 REVISION NO:



FIRST FLOOR PLAN **BUILDING - F**
SCALE 3/16"=1'-0"

BUILDING -F' UNIT #29 - 38

FLOOR PLAN KEYNOTES

1. DECORATIVE STAMPED CONCRETE DRIVEWAY.
2. DECORATIVE STONE VENEER.
4. NEW PLANTER - SEE LANDSCAPE PLAN.
5. UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
6. EXISTING PLANTER WALL.
7. LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
8. LOCATION OF AC UNIT - SEE MECHANICAL PLANS.
9. GAS OUTLETS.
10. NEW STUD WALL.
11. FIRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
12. EXHAUST VENT TO EXTERIOR.
14. HOSE BIB W/ NON REMOVEABLE BACK FLOW DEVICE
14. 5/8 TYPE X @ ALL WALLS TO ROOF SHEATHING 1-HR RATED GARAGE & COAT CLOSET TO BE 1-HR RATED (SEE FINISH SCHEDULE)
15. NEW RETAINING WALL.
16. GAS METER - VERIFY WITH UTILITY COMPANY
17. PROVIDE 2x6 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS
18. LINE OF SECOND FLOOR WALL.
20. NEW FLOORING.
21. LOCATION OF FAU.
22. SEE SHEET A-3 FOR OPEN TERRACE.
23. GUARDRAIL W/ BALUSTERS - SEE EXTERIOR ELEVATIONS.
24. LINE OF 1ST FLOOR WALL.
25. OPEN STUD WALL.
26. GAS OUTLET
28. LOCATION OF WATER HEATER - SEE PLUMBING PLANS.
29. GRANITE COUNTER WITH BASE AND UPPER CABINETS.
30. BARBEQUE EXHAUST HOOD.
32. NEW LOCATION OF ELECTRICAL METER & PANEL - SEE ELECTRICAL PLANS.
33. LOCATION OF NEW FAU, HEATING EQUIPMENT 18" ABOVE THE FLOOR LEVEL.
34. ENTRY PATH COLUMN- ABOVE
35. LINE OF ENTRY PORCH- ABOVE
36. CONCRETE WALKWAY - SEE SITE PLAN (SHEET T-1).
37. 6'-0" HIGH PRE-FABRICATED POLY VINYL PATIO FENCE
38. LINE OF THE PORCHES ROOF

FLOOR PLAN GENERAL NOTES

1. PROVIDE A 3.5 INCH CLEAN OUT BASED ON 4 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707.00 AND 719.3
2. ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402.0
3. ALL SHOWER HEADS TO BE INSTALLED SHALL BE DESIGNED NOT TO EXCEED A WATER SUPPLY RATE OF 2.2 GALLONS PER MIUTE CPC 2010 SECTION 402.0
4. CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREA'S CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY / RETURN AIR REGISTERS LOCATIONS
5. PROVIDE COVERING OF DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION
6. SHOWER COMPARTMENTS AND WALLS ABOVE BATH/TUB WITH SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH, NON-ABSORBENT SURFACE TO A HEIGHT OF NOT LESS THAN 6'-0" AFF
7. PROVIDE CLASS 'A' FIRE RETARDANT ROOF COVERING PER SECTION R902.1
8. PROTECTION OF WOOD AND WOOL BASED PRODUCTS FROM DECAY SHALL BE PROVIDED IN THE LOCATIONS SPECIFIED PER SECTION R317.1 BY THE USE OF NATURALLY DURABLE WOOD OR WOOD THAT IS PRESERVATIVE-TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPA U1.
9. WATER CLOSETS SHALL HAVE 15" TO ANY WALL OR OBSTRUCTION ON EACH SIDE OF ITS CENTERLINE AND 24" CLEAR SPACE IN FRONT. (CPC 407.5)
10. HEATING EQUIPMENT TO BE LOCATED 18" ABOVE THE FLOOR LEVEL (308.1 GNC)
11. ALL OPEN PATIOS, DECKS AND SIMILAR STRUCTURES SHALL BE A MINIMUM OF ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION OR CONSTRUCTED OF NONCOMBUSTIBLE MATERIALS.

WALL LEGEND / ABBREVIATIONS

- (E) WALL TO REMAIN
- WALLS TO BE REMOVED
- PROPOSED WOOD FRAMED WALLS
- EXISTING RETAINING WALL
- (E) EXISTING
- (N) NEW
- (SD) SMOKE DETECTOR PER LARC R314
- (CM) CARBON MONOXIDE PER LARC R315

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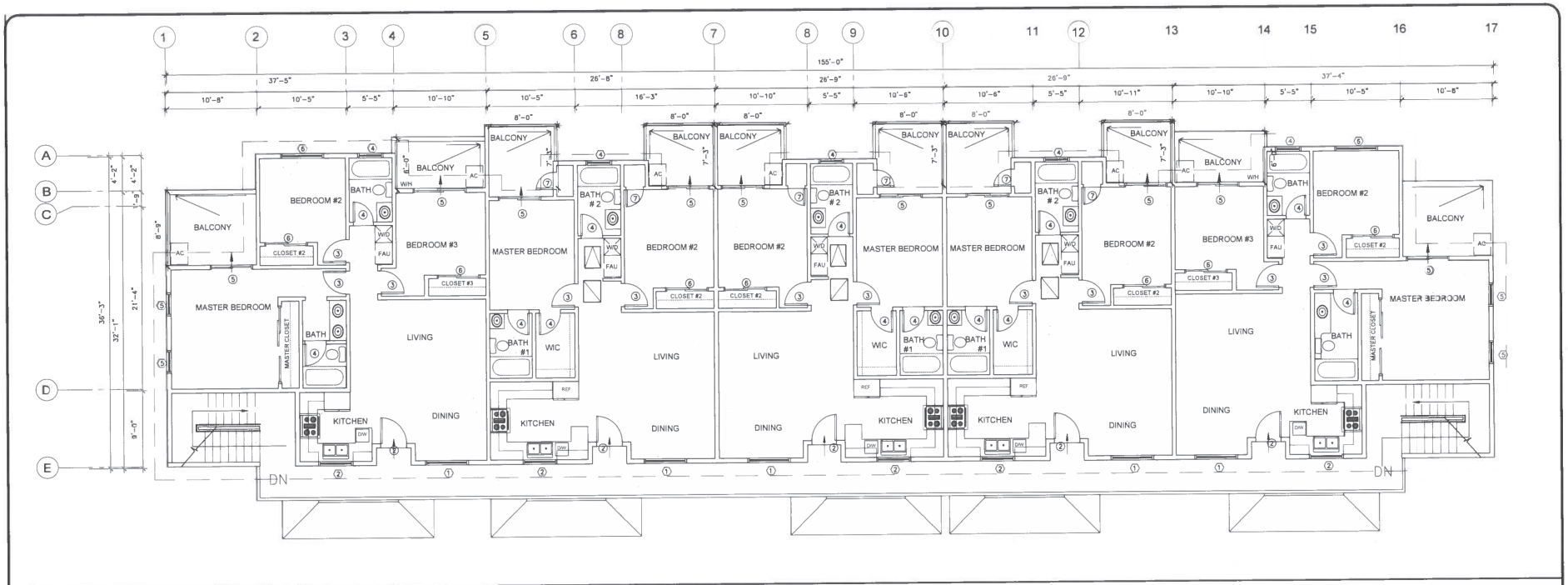
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DRAWING TITLE
FIRST FLOOR PLAN (BLDG F)

JOB TITLE
PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR HEMLOCK GARDEN.

JOB ADDRESS
23778 HEMLOCK AVE.
CITY OF MORENO VALLEY, CA.

REVISION NO.
JOB NO. 2015-20
DWG. NO. AF-10



SECOND FLOOR PLAN BUILDING - F
SCALE 3/16"=1'-0"

BUILDING -F' UNIT # 29 - 38

FLOOR PLAN KEYNOTES

1. DECORATIVE STAMPED CONCRETE DRIVEWAY.
2. DECORATIVE STONE VENEER.
4. NEW PLANTER - SEE LANDSCAPE PLAN.
5. UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
6. EXISTING PLANTER WALL.
7. LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
8. LOCATION OF A/C UNIT - SEE MECHANICAL PLANS.
9. GAS OUTLETS.
10. NEW STUD WALL.
11. PRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
12. EXHAUST VENT TO EXTERIOR.
13. HOSE BIB W/ NON REMOVABLE BACK FLOW DEVICE.
14. 5/8" TYPE X @ ALL WALLS TO ROOF SHEATHING 1-HR RATED GARAGE & COAT CLOSET TO BE 1-HR RATED (SEE FINISH SCHEDULE).
15. NEW RETAINING WALL.
16. GAS METER. VERIFY WITH UTILITY COMPANY.
17. PROVIDE 2X6 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS.
18. LINE OF SECOND FLOOR WALL.
20. NEW FLOORING.
21. LOCATION OF FAU.
22. SEE SHEET A-3 FOR OPEN TERRACE.
23. GUARDRAIL W/ BALUSTERS - SEE EXTERIOR ELEVATIONS.
24. LINE OF 1ST FLOOR WALL.
25. OPEN STUD WALL.
26. GAS OUTLET.
27. LOCATION OF WATER HEATER - SEE PLUMBING PLANS.
28. GRANITE COUNTER WITH BASE AND UPPER CABINETS.
29. BARBEQUE EXHAUST HOOD.
30. BARBEQUE EXHAUST HOOD.
32. NEW LOCATION OF ELECTRICAL METER & PANEL - SEE ELECTRICAL PLANS.
33. LOCATION OF NEW FAU, HEATING EQUIPMENT 18" ABOVE THE FLOOR LEVEL.
34. ENTRY PATH COLUMN-ABOVE.
35. LINE OF ENTRY PORCH-ABOVE.
36. CONCRETE WALKWAY - SEE SITE PLAN (SHEET T-1).
37. 6'-0" HIGH FIRE-FABRICATED POLY VINYL PATIO FENCE.
38. LINE OF THE PORCH'S ROOF.

FLOOR PLAN GENERAL NOTES

1. PROVIDE A 3.5 INCH CLEAN OUT BASED ON 4 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707.10 AND 719.3
2. ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402.0
3. ALL SHOWER HEADS TO BE INSTALLED SHALL BE DESIGNED NOT TO EXCEED A WATER SUPPLY RATE OF 2.2 GALLONS PER MINUTE CPC 2010 SECTION 402.0
4. CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREAS CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY / RETURN AIR REGISTERS LOCATIONS
5. PROVIDE COVERING OF DUCT OPENINGS AND PROTECTION OF MECHANICAL EQUIPMENT DURING CONSTRUCTION
6. SHOWER COMPARTMENTS AND WALLS ABOVE BATH TUB WITH SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH NON-ABSORBENT SURFACE TO A HEIGHT OF NOT LESS THAN 6'-0" AFF.
7. PROVIDE CLASS A FIRE RETARDANT ROOF COVERING PER SECTION R902.1
8. PROTECTION OF WOOD AND WOOL BASED PRODUCTS FROM DECAY SHALL BE PROVIDED IN THE LOCATIONS SPECIFIED PER SECTION R317.1 BY THE USE OF NATURALLY DURABLE WOOD OR WOOD THAT IS PRESERVATIVE-TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE PRESERVATIVES SHALL BE LISTED IN SECTION 4 OF AWPA U1
9. WATER CLOSETS SHALL HAVE 15" TO ANY WALL OR OBSTRUCTION ON EACH SIDE OF ITS CENTERLINE AND 24" CLEAR SPACE IN FRONT (CPC 407.5)
10. HEATING EQUIPMENT TO BE LOCATED 18" ABOVE THE FLOOR LEVEL (CPC 11.1 CM2)
11. ALL OPEN PATIOS, DECKS AND SIMILAR STRUCTURES SHALL BE A MINIMUM ONE-HOUR FIRE RESISTIVE CONSTRUCTION, HEAVY TIMBER CONSTRUCTION OR CONSTRUCTED OF NONCOMBUSTIBLE MATERIALS.

WALL LEGEND / ABBREVIATIONS

- (E) WALL TO REMAIN
- (---) WALLS TO BE REMOVED
- (---) PROPOSED WOOD FRAMED WALLS
- (---) EXISTING RETAINING WALL
- (E) EXISTING
- (N) NEW
- (SD) SMOKE DETECTOR PER LARC R314
- (CM) CARBON MONOXIDE PER LARC R315

DESIGN CONCEPTS
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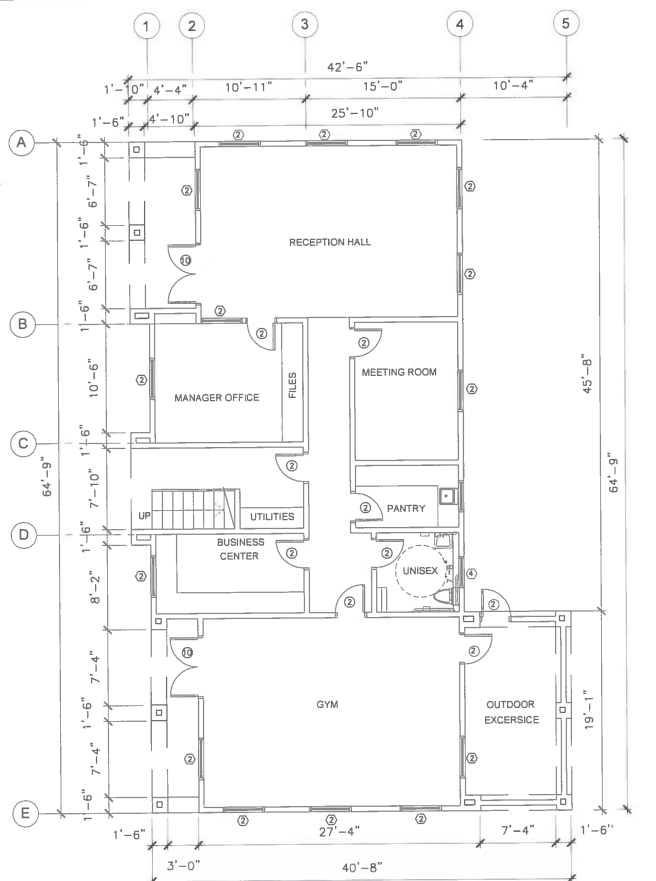
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DRAWING TITLE
FIRST FLOOR PLAN (BLDG F)

JOB TITLE
PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR HEMLOCK GARDEN

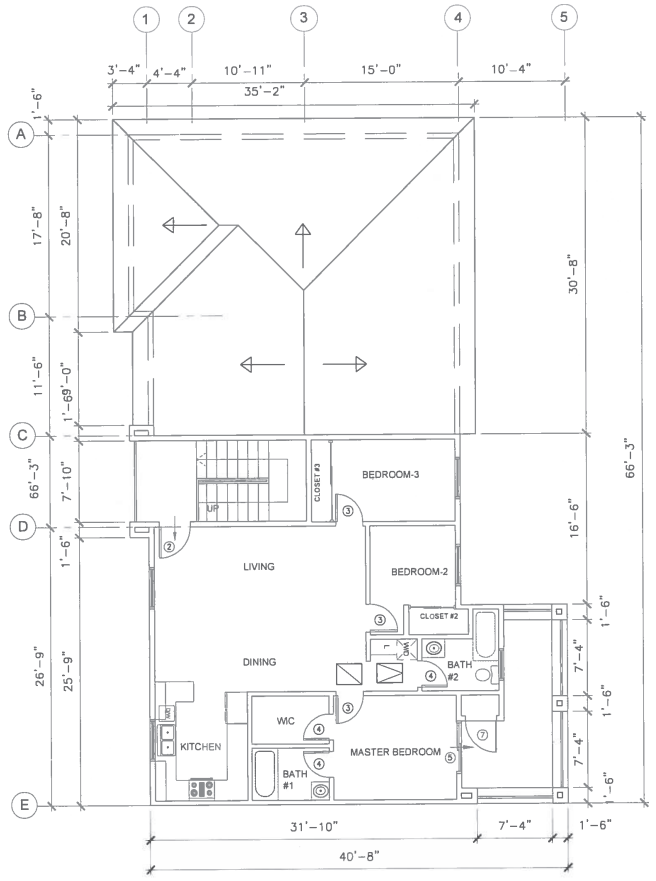
JOB ADDRESS
23778 HEMLOCK AVE., CITY OF MORENO VALLEY, CA.

REVISION NO.
JOB NO.
2015-20
DWG. NO.
AF-11



SERVICE BUILDING

FIRST FLOOR PLAN
SCALE 3/16"=1'-0"



SECOND FLOOR PLAN
SCALE 3/16"=1'-0"

- FLOOR PLAN KEYNOTES**
- DECORATIVE STAMPED CONCRETE DRIVEWAY.
 - DECORATIVE STONE VENEER.
 - NEW PLANTER - SEE LANDSCAPE PLAN.
 - UPGRADED ELECTRIC METER - SEE ELECTRICAL PLANS.
 - EXISTING PLANTER WALL.
 - LOCATION OF WATER HEATER - SEE MECHANICAL PLANS.
 - LOCATION OF A/C UNIT - SEE MECHANICAL PLANS.
 - GAS OUTLETS.
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 - PRE-FABRICATED DECORATIVE CONCRETE COLUMNS W/ DECORATIVE COLUMN BASE & CAPITAL.
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 - NEW RETAINING WALL
 - GAS METER VERIFY WITH UTILITY COMPANY
 - PROVIDE 2X6 STUDS IN PLUMBING WALLS TO PREVENT EXCESSIVE NOTCHING & BORING OF STUDS
 - LINE OF SECOND FLOOR WALL.
 - NEW FLOORING.
 - LOCATION OF FAU.
 - SEE SHEET A-3 FOR OPEN TERRACE.
 - GUARDRAIL W/ BALUSTERS - SEE EXTERIOR ELEVATIONS.
 - LINE OF 1ST FLOOR WALL.
 - OPEN STUD WALL.
 - GAS OUTLET
 - LOCATION OF WATER HEATER - SEE PLUMBING PLANS.
 - GRANITE COUNTER WITH BASE AND UPPER CABINETS.
 - BARBEQUE EXHAUST HOOD.
 - NEW LOCATION OF ELECTRICAL METER & PANEL - SEE ELECTRICAL PLANS.
 - LOCATION OF NEW FAU HEATING EQUIPMENT 18" ABOVE THE FLOOR LEVEL.
 - ENTRY PATH COLUMN-ABOVE
 - LINE OF ENTRY PORCH-ABOVE

- FLOOR PLAN GENERAL NOTES**
- PROVIDE A 3/4 INCH CLEAN OUT BASED ON 4 INCH SOIL PIPE 18 INCHES FROM FOUNDATION AND EXTEND ABOVE GRADE CPC 2010 SECTION 707 10 AND 719 3
 - ALL WATER CLOSETS TO BE INSTALLED REQUIRE TO BE SINGLE FLUSH TOILETS NOT TO EXCEED 1.28 GALLONS PER FLUSH CPC 2010 SECTION 402 0
 - ALL SHOWER HEADS TO BE INSTALLED SHALL BE DESIGNED NOT TO EXCEED A WATER SUPPLY RATE OF 2.2 GALLONS PER MIUTE CPC 2010 SECTION 402 0
 - CLIMATE CONTROL FOR THE PROPOSED NEW CONSTRUCTION AREA'S CONDITION HABITABLE SPACE BY SHOWING ALL HVAC SUPPLY / RETURN AIR REGISTERS LOCATIONS
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WALL LEGEND / ABBREVIATIONS

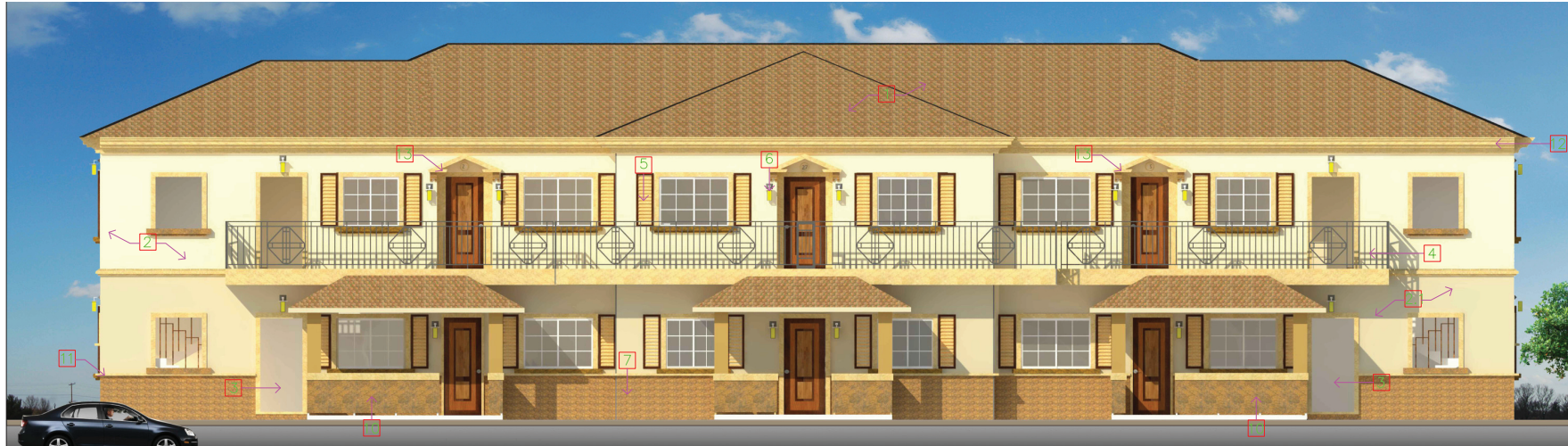
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(SD)	SMOKE DETECTOR PER LARC R314
(CM)	CARBON MONOXIDE PER LARC R315

DESIGN CONCEPTS ARCHITECTURE AND INTERIOR DESIGN IS AN EQUAL OPPORTUNITY FIRM. THE ARCHITECT AND SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT UNLESS IT IS PROVEN THAT THE ARCHITECT, WITHIN THE SCOPE OF HIS OR HER PROFESSIONAL OBLIGATIONS, HAS BEEN NEGLIGENT OR HAS COMPLETED ANY WORK IN VIOLATION OF ANY APPLICABLE LAW. ANY VERIFICATION OF THE JOB SITE SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AT THE COMMENCEMENT OF ANY WORK.



DESIGN CONCEPTS
SHIV TALWAR, ARCHITECT AIA
4091 RIVERSIDE DR. #110, CHINO, CA 91710
TEL: 909-591-2098 FAX: 909-591-2098

DATE ISSUED	6/20/18	REV	
NO.			
DRAWING TITLE	FIRST & SECOND FLOOR PLAN SERVICE BUILDING		
JOB TITLE	MULTI-UNIT RESIDENTIAL COMPLEX FOR HEALOCK GARDEN		
JOB NO.	2015-20		
DWG NO.	AS-10	REVISION NO.	
USER ADDRESS	23718 HEALOCK AVE. CITY OF MORENO VALLEY, CA		



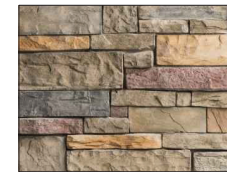
FRONT ELEVATION



SIDE ELEVATION



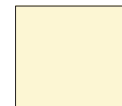
1 4520 Weathered Terracotta Flashed
Profile: Bel Air
Description: Light Terracotta, Black, Red Streaks



8 BRIARWOOD
Quality Stone Veneer INC.



7 LOWE'S
Louvered Vinyl Exterior Shutter.
Model # L15X55BL



2 French Vanilla
55 (71)
Base 100



2.1 Fallbrook
434 (42)
Base 200



10 Cliff
3039D (6)

MATERIAL SPECIFICATION

ELEVATION KEYNOTES

- | | |
|--|---|
| 1. 'EAGLELITE' CLASS 'A' HIGH BARREL CONCRETE ROOF TILE, ICC-ESR 1900 MODEL: CAPISTRANO, WT = 5.7LBS /S.F. | 7. DECORATIVE STONE VENEER OVER FRAMED WALL. |
| 2. STUCCO (LIGHT/ DARK). | 8. DECORATIVE WOODEN PANELS |
| 3. DECORATIVE STAIRCASE ENTRY OPENING | 9. PRE-FABRICATED DECORATIVE FOAM MOLDING MATCH W/ EXTERIOR FINISH STUCCO |
| 4. DECORATIVE W.I. GUARD RAIL | 10. STUCCO |
| 5. DECORATIVE WOODEN SHUTTERS | 11. DECORATIVE WOODEN MOLDING BAND |
| 6. DECORATIVE LIGHT FIXTURES | 12. DECORATIVE WOODEN MOLDING EAVES. |
| | 13. DECORATIVE WALL MOUNTED FOAM PORCH MATCHING WITH THE EXTERIOR COLOR |

COLOR SCHEME FOR-

1. BUILDING - A
2. BUILDING - B
3. BUILDING - C

DESIGN CONCEPTS
SHIV TALWAR, ARCHITECT AIA

3340 RIVERSIDE DR. #M, CHINO, CA 91710
TEL: 909-591-3939 Email: dsignconcepts@yahoo.com



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DRAWING TITLE
COLOR ELEVATION BLDG A&B & COLOR AND MATERIAL BOARD

JOB TITLE
PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR HEMLOCK GARDEN.

JOB ADDRESS
23778 HEMLOCK AVE.
CITY OF MORENO VALLEY, CA.

REVISION NO. 01
DWG. NO. CB-01

JOB NO. 2015-20
1.1



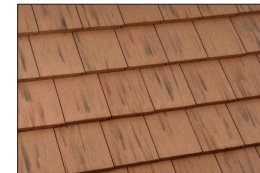
FRONT ELEVATION



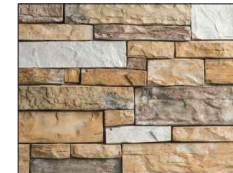
BACK ELEVATION



SIDE ELEVATION



1 Weathered Terracotta Flashed
Profile: Bel Air
Description: Light Terracotta, Black, Red Streaks



7 BAXTER
Ohio Dry Stack - 227.



5 LOWE'S
Louvered Vinyl Exterior Shutter.
Model # L15X55BL



2 Silverado
820 (48)
Base 200



2.1 Charleston
81585 (35)
Base 100



10 Belle Glade
81583 (27)
Base 100

MATERIAL SPECIFICATION

ELEVATION KEYNOTES

- | | |
|--|--|
| 1. 'EAGLELITE' CLASS 'A' HIGH BARREL CONCRETE ROOF TILE, ICC-ESR 1900 MODEL- CAPISTRANO, WT = 5.7LBS /S.F. | 7. DECORATIVE STONE VENEER OVER FRAMED WALL. |
| 2. STUCCO (LIGHT/ DARK). | 8. DECORATIVE WOODEN PANELS |
| 3. DECORATIVE STAIRCASE ENTRY OPENING | 9. PRE-FABRICATED DECORATIVE FOAM MOLDING MATCH W/ EXTERIOR FINISH |
| 4. DECORATIVE W.I. GUARD RAIL. | 10. STUCCO |
| 5. DECORATIVE WOODEN SHUTTERS | 11. DECORATIVE WOODEN MOULDING BAND |
| 6. DECORATIVE LIGHT FIXTURES | 12. DECORATIVE WOODEN MOULDING EAVES. |

COLOR SCHEME FOR-

1. OFFICE BUILDING
2. BUILDING - D
3. BUILDING - E
4. BUILDING - F

DESIGN CONCEPTS
SHIV TALWAR, ARCHITECT AIA



3340 RIVERSIDE DR. #M, CHINO, CA 91710
TEL: 909-591-3939 Email: dsgnconcepts@yahoo.com



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DRAWING TITLE
COLOR ELEVATION OF OFFICE BUILDING & COLOR AND MATERIAL BOARD

JOB TITLE
PROPOSED MULTIFAMILY RESIDENTIAL COMPLEX FOR HEMLOCK GARDEN.

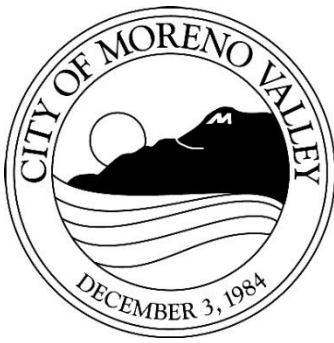
JOB ADDRESS
23778 HEMLOCK AVE.,
CITY OF MORENO VALLEY, CA.

REVISION NO.
01

DWG. NO.
CB-02

JOB NO.
2015-20

1.k



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):

Project: PA14-0027 (Plot Plan)
Applicant: Design Concepts
Owner: Titak Chopra
Representative: Design Concepts (Shiv Talwar)
A.P. No(s): 292-211-00, 292-181-001 & 292-181-002
Location: 23778 and 23798 Hemlock Avenue (east of Swagles Lane)
Proposal: Plot Plan for development of a 39-unit apartment complex on a 2.6 acre site. The project site is zoned Residential 15 (R15). The project proposes seven two-story multi-unit buildings. The multi-unit buildings include one 3-unit, one 5-unit, two 6-units, one 8-unit, one 10-unit, and a leasing office building with one manager-unit. The unit mix includes 18 two-bedroom apartments and 21 three-bedroom apartments. A total of 109 parking spaces are proposed including 31 surface parking spaces, 8 garage spaces, and 70 covered carports.
Council District: 5
Case Planner: Claudia Manrique

The project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) Guidelines and it was determined that the project will not have a significant effect on the environment. Therefore, a recommendation to find the project exempt from the provisions of the CEQA as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 for In-Fill Development is being carried forward with the project.

A public hearing before the Planning Commission has been scheduled for the proposed project. Any person interested in commenting on the proposal and recommended environmental determination may speak at the hearing or provide written testimony at or prior to the hearing. The project application, supporting plans and environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m., Friday), or you may telephone (951) 413-3206 for further information.

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: August 25, 2016 at 7 PM
CONTACT PLANNER: Claudia Manrique
PHONE: (951) 413-3225

Upon request and in compliance with the Americans with Disabilities Act of 1990, any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Attachment: Public Notice (2203 : Plot Plan (PA14-0027) for a new 39 unit Apartment Complex)

PLANNING COMMISSION RESOLUTION NO. 2016-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PA14-0027, A PLOT PLAN FOR A NEW 39 UNIT APARTMENT COMPLEX ON 2.6 ACRES AT 23778 AND 23798 HEMLOCK AVENUE (APNS: 292-211-001, 292-181-001 AND 292-181-002)

WHEREAS, Design Concepts has filed an application for the approval of PA14-0027, Plot Plan for development of a new 39 unit apartment complex project as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley procedures, and with consideration of the General Plan and other applicable regulations; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of August 25, 2016; and

WHEREAS, on August 25, 2016, the Planning Commission of the City of Moreno Valley conducted a public hearing to consider the application; and

WHEREAS, on August 25, 2016, the Planning Commission of the City of Moreno Valley made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15332, In-Fill Development;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; 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 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 August 25, 2016, 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 proposed project is consistent with General Plan Policy 2.2.9, which states the primary purpose of areas designated Residential 15 (R15) is to provide a range of multiple-family housing types for those not desiring dwellings on individual lots that include amenities such as common open space and recreational facilities. As designed, the residential density for the project is 15 dwelling units per acre. This is consistent with the General Plan land use designation of Residential 15 (R15), which allows a maximum of 15 dwelling units per acre.

General Plan Policy 2.2.14, Objective 2.2 and General Plan Goal 2.4 encourage a diversity of housing types for all socioeconomic groups, including multiple family dwelling units. The proposed 39 unit apartment complex project will increase the total number of moderate income level multiple-family dwelling units in the city.

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

FACT: As designed, the residential density for the project is 15 dwelling units per acre, and is therefore consistent with the maximum density of 15 dwelling units per acre consistent with Residential 15 (R15).

As designed and conditioned, the proposed use will comply with all the applicable Municipal Code provisions, including regulations governing the establishment of multiple-family residential projects under Section 9.03.040 (Residential site development standards) of the Municipal Code.

The site includes a ten foot minimum landscaped buffered rear setback from the single-family residential units located to the north of the project. The carports along the northern rear setback provide an additional eighteen feet of separation from the multiple-family residential units. Buffered landscaping is also provided along both side property lines as required in Residential 15 (R15) when adjacent to the same 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: Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines. Since this project is proposed on less than five acres (2.6 acres total) and is in compliance with the City's General Plan and zoning designation, staff evaluated whether CEQA Guidelines Section 15332 (In-fill Development) would apply to the project. After review, staff determined that the project qualifies for an exemption under the provisions of the CEQA as a Class 32 Categorical Exemption, CEQA Guidelines, Section 15332 (In-Fill Development), based on consistency with the following requirements for the exemption:

- The project is consistent with the applicable General Plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as a habitat for endangered, rare, or threatened species.
- Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

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 proposed 39 unit apartment complex project is compatible with existing land uses within close proximity to the site, which include both single-family homes and multiple-family units. Hemlock Avenue, between Graham Street and Heacock Street, is zoned Residential 15 (R15) with some Residential 5 (R5) and Community Commercial (Heacock St/Hemlock Ave corner). The parcels north of the project are Residential 5 (R5). Overall, the proposed use is compatible with existing land uses and the current General Plan and zoning designation for this site.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under 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 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 PA14-0027, incorporated herein by reference, 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 Government Code Section 66020(a) and failure to follow this procedure in a timely fashion 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. 2016-19 and thereby:

1. **CERTIFY** that this item is 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; and
2. **APPROVE** Plot Plan PA14-0027 based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.

APPROVED on this 25th day of August, 2016.

Brian R. Lowell
Chair, Planning Commission

ATTEST:

Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

Attachment: Resolution 2016-19 (2203 : Plot Plan (PA14-0027) for a new 39 unit Apartment Complex)

**CITY OF MORENO VALLEY
FINAL CONDITIONS OF APPROVAL FOR PA14-0027
PLOT PLAN FOR A 39 UNIT APARTMENT PROJECT
ASSESSOR'S PARCEL NUMBERS: 292-211-001, 292-181-001 & 292-181-002**

APPROVAL DATE: August 25, 2016
EXPIRATION DATE: August 25, 2019

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.

- P1. Plot Plan PA14-0027 has been approved for development of a 39 unit apartment project on the 2.6 acres of Assessor's Parcel Numbers 292-211-001, 292-181-001 & 292-181-002.
- P2. 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)
- P3. The site shall be developed in accordance with the approved plans on file in the Community 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 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. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

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	

**FINAL CONDITIONS OF APPROVAL
PLOT PLAN PA14-0027
PAGE 2**

- P6. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
- P7. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.
- 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.

Prior to Issuance of Grading Permits

- P9. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
- P10. (GP) Prior to the issuance of building permits, the site plan shall show decorative concrete paving for all driveway ingress/egress locations of the project.
- P11. (GP) Decorative concrete shall be used to delineate pedestrian pathways across circulation aisles/paths within the drive aisles throughout the development to connect dwellings with open spaces and/or recreational uses and/or the public right-of-way. The pathways shall be shown on the precise grading plan. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.
- P12. (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 (along northern, eastern and western boundaries).
 - B. Internal fencing between units, designating private patios, will be a poly-vinyl fencing material. The access to the provided storage space for Building D and Building E shall be included as part of the private patio space of each unit and fenced in with poly-vinyl fencing as well. The color of the poly-vinyl shall complement the apartment structures.
 - C. Any proposed retaining walls shall be decorative in nature; the combination of retaining and other walls/fencing on top shall not exceed the maximum height requirement as specified in Chapter 9.08.070 of the Municipal Code.

**FINAL CONDITIONS OF APPROVAL
PLOT PLAN PA14-0027
PAGE 3**

Prior to Issuance of Building Permits

- P13. (BP) Prior to issuance of building permits, the 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 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. (GP Objective 43.30, DG)
- P14. (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 buildings on the site, subject to the approval of the Planning Division.
- P15. (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 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 one-quarter foot-candle minimum maintained lighting measured from within five feet of any 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)
- P16. (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)
- P17. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. 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 shall include:

**FINAL CONDITIONS OF APPROVAL
PLOT PLAN PA14-0027
PAGE 4**

- A. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - B. A drought tolerant, low water using landscape palette shall be utilized throughout the project. Sod shall be limited to gathering areas.
 - C. Street trees shall be provided every 40 feet on center in the right of way.
 - D. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.
 - E. Enhanced landscaping shall be provided at all driveway entries and street corner locations
 - F. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
 - G. Landscaping shall be provided on three sides of any trash enclosure.
 - H. Shrubs shall be provided on the public side of fencing for private patios.
 - I. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the project.
- P18. (BP) Prior to the issuance of building permits, the plot plan shall include decorative concrete paving for all driveway ingress/egress locations for the project.
- P19. (BP) The floorplans for Building D and Building E shall be revised to show a 10 foot x 20 foot single-car garage. The eight single-car garages are part of the project's required 78 covered parking spaces and must be used to park a vehicle.
- P20. (BP) The floorplans for Building D and Building E shall be revised to include the storage area within the rear fenced patio area.
- P21. (BP) The required minimum amount of private space per multiple-family unit is one hundred and fifty (150) square feet of private open space per downstairs unit and a minimum of one hundred (100) square feet of private open space per upstairs unit. Private open space may consist of a fenced yard area, patio or balcony. Fenced yards and patios shall have a minimum dimension of at least eight feet. Balconies shall be at least five feet deep.
- Prior to Issuance of Certificate of Occupancy
- P22. (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 Planning Division. (MC 9.080.070).

**FINAL CONDITIONS OF APPROVAL
PLOT PLAN PA14-0027
PAGE 5**

- P23. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be inspected by the Planning Division. All on-site and common area landscaping shall be installed in accordance with the City's Landscape Standards and the approved project landscape plans and all site clean-up shall be completed.
- P24. 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.

Building and Safety Division

- B1. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, etc. The current code edition is the 2013 CBC including new energy regulations effective July 1, 2014.
- B2. The proposed project may be classified as an R-2/U and A/B occupancy and shall comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements of the 2013 California Plumbing Code Table 4-1.
- B3. The proposed development shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11A for accessibility standards for the disabled including all access to the site, parking, path of travel, apartment units, swimming pool and spa, exits, restrooms, customer and worker spaces, recreation facilities, etc.
- B4. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
- B5. The proposed development may be subject to the payment of required development fees as required by the City's Fee Ordinance at the time an application is submitted or prior to the issuance of permits as determined by the City.
- B6. The proposed project may be subject to approval by the servicing Water District and all applicable fees and charges shall be paid to the District prior to permit issuance. Contact the appropriate water district for details.
- B7. Prior to final inspection, all plans shall 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

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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. In addition, a site plan showing the path of travel from public right of way with elevations will be required.

- B8. Any construction within the city shall only be completed between the hours of seven a.m. to seven p.m. Monday through Friday, excluding holidays and from eight a.m. to four p.m. on Saturday, unless written approval is obtained from the city building official or city engineer.
- B9. Contact the Building Safety Division for permit application submittal requirements.

SCHOOL DISTRICT – Moreno Valley Unified 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.

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FIRE PREVENTION BUREAU

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 1625 GPM for 3 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 507.3, Appendix B). 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 ½" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") 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 507.5.7 & MVMC 8.36.060 Section K, L)
- F4. 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 509.1 and MV City Standard Engineering Plan 422 a, b, c)
- 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. (CFC 501.3)

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- 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 MV City Standard Engineering Plan 108d)
- 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) 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 and MVMC 8.36.060[E])
- F8. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
- F9. 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 501.4)
- F10. 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 8.36.060, CFC 501.4)
- F11. Prior to issuance of Certificate of Occupancy or Building Final, all multi-family residences shall display the address in a visible location on the street side of the building and visible from public sidewalks. The building numerals shall be a minimum of six (6) inches in height and individual dwelling units shall not be less than four (4) inches in height on a contrasting background. The address shall be illuminated as approved by the Fire Prevention Bureau. (CFC 505.1, MVMC 8.36.060[I])
- F12. Prior to issuance of a Certificate of Occupancy or Building Final, a directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to, and approved by, the Community Development Department – Planning Division and the Fire Prevention Bureau prior to installation. (MVMC 9.12.060 [H,I])
- F13. 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. All exterior security emergency

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access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

- F14. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)
- F15. 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, MVMC 8.36.100[D])
- F16. 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 8.36.100)
- F17. 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 507, 501.3)

- F18. 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

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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.

- F19. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105, MVMC 8.36.100[A])
- 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. 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 33 & CBC Chapter 33)
- F22. 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 105)
- F23. 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 105)
- F24. 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 105)
- F25. 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 102.8)

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- F26. 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 102.3)
- F27. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

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FIRE FLOW LETTER

Date:	06/06/16	Address:	
Case Number:	PA14-0027	A.P.N.:	292-211-001, 292-181-001 & 292-181-002

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 1625 G.P.M. for duration of 3 -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.

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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) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
- LD2. (G) The plot plan shall correctly show all existing easements, traveled ways, and drainage courses. Any omission may require the map or plans associated with this application to be resubmitted for further consideration. [MC 9.14.040(A)]
- LD3. (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. If unsuccessful, the Developer 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]
- LD4. (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 Land Development Division.
 - 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 during the grading operations.

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Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in 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.

- LD5. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc.). 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]
- LD6. (G) Prior to any plan approval, a final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
- LD7. (G) Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association (HOA). The Homeowner's Association shall enter into an agreement with the City for basin maintenance.
- LD8. (G) The final approved conditions of approval (COAs) and any applicable Mitigation Measures issued by the Planning Division shall be photographically or electronically placed on Mylar sheets and included in the Grading and Street Improvement plans.
- LD9. (GPA) Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

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- LD10. (GPA) Landscape & Irrigation plans (prepared by a registered/licensed landscape architect) for water quality BMPs shall be submitted for review and approved by the City Engineer per the current submittal requirements, if applicable.
- LD11. (GPA) 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. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
- LD12. (GPA) The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
- LD13. (GPA) 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) which shall be noted on the grading plans.
- LD14. (GPA) Two (2) copies of the final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- 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. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
 - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

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A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.

- LD15. (GPA) A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current 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.
- LD16. (GPA) Prior to precise grading plan approval, all dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Grading Permit

- LD17. (GP) A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
- LD18. (GP) Security, in the form of a cash deposit (preferable), or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
- LD19. (GP) Security, in the form of a cash deposit (preferable), or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
- LD20. (GP) The developer shall pay all applicable inspection fees.
- LD21. (GP) A digital (pdf) copy of the approved grading plans shall be submitted to the Land Development Division.

Prior to Improvement Plan Approval

- LD22. (IPA) 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 (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved by the City Engineer.

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LD23. (IPA) 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, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

Prior to Encroachment Permit

LD24. (EP) All work performed within public right of way requires an encroachment permit. Security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. For non-subdivision projects, the City Engineer may require the execution of a Public Improvement Agreement (PIA) as a condition of the issuance of a construction or encroachment permit. All inspection fees shall be paid prior to issuance of construction permit. [MC 9.14.100(C.4)]

LD25. (EP) A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.

LD26. (EP) All applicable inspection fees shall be paid.

Prior to Building Permit

LD27. (BP) For non-subdivision projects, all street dedications shall be free of encumbrances, 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.

LD28. (BP) For non-subdivision projects, the developer shall guarantee the completion of all related public improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC 9.14.220]

LD29. (BP) For non-subdivision projects, the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities.

LD30. (BP) Certification to the line, grade, flow test, and system invert elevations for the water quality control BMPs shall be submitted or review and approved by the City Engineer (excluding models homes).

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LD31. (BP) An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of “blue-top” markers installed by a registered land surveyor or licensed civil engineer.

Prior to Occupancy

LD32. (CO) All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.

LD33. (CO) The engineered final/precise grade certification shall be submitted for review and approved by the City Engineer.

LD34. (CO) All outstanding fees shall be paid.

LD35. (CO) For non-subdivision projects, 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 certificate of occupancy issuance. 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, this project is subject to the following 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 request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. [California Government Code & Municipal Code]

LD36. (CO) The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:

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- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
 - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
 - e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
- LD37. (CO) For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific 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.
- LD38. (CO) The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawings if necessary.
 - f. Provide City with updated Engineer's Line and Grade Certification.
 - g. Obtain approval and complete installation of the irrigation and landscaping.
- LD39. (CO) The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).

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- b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.

Special Conditions

- LD40. Prior to rough grading plan approval, a lot line adjustment (LLA) shall be submitted for review, approval and recordation. The LLA shall include existing APN's 292-211-001, 292-181-001, 291-181-002. The LLA shall include a lot of sufficient size to accommodate the proposed development as shown on the approved site plan.
- LD41. Prior to rough grading plan approval, the Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). The F-WQMP shall be consistent with the approved P-WQMP, as well as in full conformance with the document; "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.
- a. The Applicant has proposed to incorporate the use of infiltration basins. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.
 - b. The Applicant has proposed to utilize infiltration trenches to address Hydrologic Condition of Concerns (HCOC) (WQMP Section F). The infiltration trenches were sized to accommodate flows greater than the water quality design volume to address these concerns.
 - a. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
 - b. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
 - c. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.
 - d. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.

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- LD42. Prior to precise grading plan approval, the grading plan 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 MVFG-660 Series.
- LD43. 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.
- LD44. Prior to precise grading plan approval, all dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
- LD45. Prior to issuance of a building permit, the precise grading plans shall be approved.
- LD46. Prior to issuance of a building permit, seven (7) feet of public right-of-way shall be vacated along the entire project frontage. The vacation shall exclude a four (4) foot minimum pedestrian right-of-way behind the proposed driveway approach as shown on City Standard MVSI-112C-0.
- LD47. Prior to building permit issuance, the applicant shall schedule a walk through with a Public Works Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant may be required to install, replace and/or repair any missing, damaged or substandard improvements that do not meet current City standards. The applicant may be required to 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.
- LD48. Prior to occupancy, the developer shall underground all overhead utilities or pay a fee in lieu of construction as required by the City Engineer in accordance with Municipal Code 9.14.130.
- LD49. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

**FINAL CONDITIONS OF APPROVAL
PLOT PLAN PA14-0027
PAGE 22**

- 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 Applicant 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.
- LD50. Prior to occupancy, as-built precise grading plans shall be submitted for review and approved.

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PAGE 23**

TRANSPORTATION ENGINEERING DIVISION

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

- TE1. Hemlock Avenue is classified as a Collector 66'RW/44'CC per City Standard Plan No. MVSI-106B-0. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.
- TE2. The driveway shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code - Design Guidelines and City Standard Plan No. MVSI-112C-0 for commercial driveway approach.
- TE3. On-site traffic signing and striping should be accordance with the 2014 California Manual on Uniform Traffic Control Devices (CAMUTCD).
- TE4. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

- TE5. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4.
- TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
- TE7. Prior to final approval of the street improvement plans, the project plans shall demonstrate that sight distance at proposed streets and driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

- TE8. (CO) Prior to issuance of a Certificate of Occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
- TE9. (CO) Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards

**FINAL CONDITIONS OF APPROVAL
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PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE10. Prior to acceptance of streets into the City-maintained road system, all approved signing and striping shall be installed per current City Standards and the approved plans.

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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 the Special Districts Division's Conditions of Approval for project **PA14-0027**; this project shall be completed at no cost to any Government Agency. All questions regarding the following 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 or by emailing specialdistricts@moval.org.

General Conditions

- SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.
- SD-2 The Moreno Valley Community Services District Zone A (Parks & Community Services) tax is assessed per parcel or per dwelling unit for parcels with more than one dwelling unit. Upon the issuance of building permits, the Zone A tax will be assessed based on 39 dwelling units.
- SD-3 The ongoing maintenance of any landscaping required to be installed behind the curb on **Hemlock Ave.** shall be the responsibility of the property owner.
- SD-4 Street Light Authorization forms for all street lights that are conditioned to be installed as part of this project must be submitted to the Special Districts Division for approval, prior to street light installation. The Street Light Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison. For questions, contact the Special Districts Division at 951.413.3480 or specialdistricts@moval.org.

Prior to Building Permit Issuance

- SD-5 (BP) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood

**FINAL CONDITIONS OF APPROVAL
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parcs, open spaces, linear parks, and/or trails systems. The Developer shall satisfy this condition with one of the options below.

- a. Participate in a special election for annexation into **Community Facilities District No. 1** and pay all associated costs with the special election process and formation, if any; or
- b. Establish an endowment fund to cover future maintenance costs for new neighborhood parks.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance of its selected financial option. If option a. is selected, the special election will require a 90 day process prior to building permit issuance. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

Annexation to CFD No. 1 shall be completed or proof of payment to establish the endowment fund shall be provided prior to the issuance of the first certificate of occupancy for the project.

- SD-6 (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 property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)
- SD-7 (BP) This project is conditioned to provide a funding source for the following special financing program(s):
- a. Street Lighting Services for capital improvements, energy charges, and maintenance.

**FINAL CONDITIONS OF APPROVAL
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The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance. The Developer shall satisfy this condition with one of the options below.

- i. Participate in a special election (mail ballot proceeding) and pay all associated costs of the special election and formation, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- ii. Establish a Property Owner's Association (POA) or Home Owner's Association (HOA) which will be responsible for any and all operation and maintenance costs

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option when submitting the application for building permit issuance. The option for participating in a special election requires approximately 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.

SD-8 (BP) This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and/or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.

- a. Participate in a special election for **maintenance/services** and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
- b. Establish an endowment fund to cover the future maintenance and/or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts

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Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

The financial option selected shall be in place prior to the issuance of the first certificate of occupancy for the project.

- SD-9 *Commercial* (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)
- SD-10 (BP) Prior to the issuance of the first building permit for this project, the Developer shall pay Advanced Energy fees for all applicable Residential and Arterial Street Lights required for this development. Payment shall be made to the City of Moreno Valley and collected by the Land Development Division. Fees are based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges, and Rates adopted by City Council. The Developer shall provide a copy of the receipt to the Special Districts Division (specialdistricts@moval.org). Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee. Questions may be directed to the Special Districts Division at 951.413.3480 or specialdistricts@moval.org.

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PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for Case No. PA14-0027; this project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department regarding the conditions.

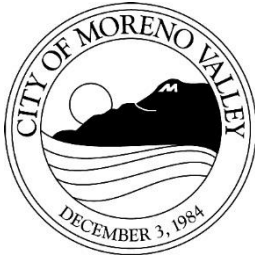
- PCS-1** This project is required to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. This can be achieved through annexing into Community Facilities District No. 1 (Park Maintenance). Please contact the Special Districts Division at 951.413.3480 or specialdistricts@moval.org to complete the annexation process.
- PCS-2** The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone 'A' charge for operations and capital improvements. Proof of such shall be supplied to Parks and Community Services upon Final Map and at Building Permits.
- PCS-3** This project is subject to current Development Impact Fees.
- PCS-4** Per the Municipal Code, this project is subject to current Quimby Fees.

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POLICE DEPARTMENT

The Moreno Valley Police Department has identified several areas of concern and has some recommendations with the current project.

- PD1. Address numbers on all buildings/residences should be placed in the most visible location on the building and be illuminated. Address numbers should also be painted on the curbs in front of the residence.
- PD2. Apartment numbers or letters should be clearly visible from the street.
- PD3. Rooftop addressing of all buildings is recommended.
- PD4. Alarm systems installed on public buildings such as the management office and gym.
- PD5. The parking lots, street and buildings should be well lit. Minimize the shadows cast by landscaping and trees on the property, walkways and public areas.
- PD6. If there is going to be a community mailbox area it needs to be well lit, in a highly visible public place and made to resist/deter mail theft.
- PD7. All exterior doors shall have a vandal resistant light fixture installed above the door. The doors shall be illuminated with a minimum one foot candle illumination at ground level, evenly dispersed.
- PD8. Ensure any trees surrounding building rooftops be kept at a distance to prevent roof accessibility by potential burglars. Since trees also act as a natural ladder, the branches must be pruned to have at least six foot clearance from the buildings.
- PD9. 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.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: August 25, 2016

PA16-0013 TENTATIVE PARCEL MAP 37104

Case: PA16-0013 Tentative Parcel Map

Applicant: LGS Engineering, Inc.

Owner: Catherine Kormos

Representative: Loren Sandberg

Location: Northeast corner of Jeranella Court and Alessandro Boulevard

Case Planner: Gabriel Diaz

Council District: 3

SUMMARY

The proposed project is a tentative parcel map to subdivide 1.1 gross acres of land at the northeast corner of Jeranella Court and Alessandro Boulevard from one legal parcel into two parcels. No new land development is proposed at this time with this subdivision. The property is presently developed with four existing single family homes. The project site is located within a Residential 3 (R3) zoning district.

PROJECT DESCRIPTION

Project

LGS Engineering, Inc. is proposing Tentative Parcel Map 37104 to subdivide one legal parcel into two parcels on 1.1 gross acres of land. The project site is located at the northeast corner of Jeranella Court and Alessandro Boulevard. The Assessor Parcel Numbers are 478-040-007 and 478-040-008 (Attachment 6).

The Tentative Parcel Map has been submitted to subdivide the existing property consistent with pre-existing deeds to facilitate the sale of the property. The property, which has two separate Assessor Parcel Numbers (APN), had been sold combined by deed prior to 1972. The proposed map is intended to formalize the subdivision back to two parcels consistent with the APNs. There are no physical improvements on or off-site associated or authorized with this subdivision. The project site has been improved, and includes four existing older single family homes. The current assessor's parcel map identifies two assessor parcels for the one existing legal parcel. The proposed parcel map will be consistent with the assessor parcel numbers as shown in aerial photograph (Attachment 5). The project site is located in a Residential 3 (R3) zoning district.

Tentative Parcel Map 37104 will create two legal parcels (Parcel 1 and 2). The existing placement of the four homes on the existing single parcel does not conform to the underlying R3 standards based on the number of residential units on the property and due to the existing setback between the existing single family house and the north property line. The creation of Parcel 1 of the proposed map will not increase the nonconformity of the existing homes to the City's required development standards. As proposed, Parcel 2 will meet all development standards, including the R3 zoning setback requirements. The setbacks of the existing residential homes on both Parcel 1 and 2 with respect to the newly created parcel line will be consistent with the R3 zoning setback requirements.

Parcel 1 will have lot dimensions of 111 feet in width by 242 feet in length, and have a lot size of 22,472 square feet. Parcel 2 will have lot dimensions of 97 feet in width by 242 feet in length, and have a lot size of 21,624 square feet. Both parcels will be consistent with Municipal Code Section 9.03.040 for lot size, lot depth, and lot width in the R3 zone.

Site/Surrounding Area

The project site is located at the northeast corner of Jeranella Court and Alessandro Boulevard. The site is relatively flat and currently developed with four older single family homes on 1.1 gross acres. Jeranella Court is an unimproved road and Alessandro Boulevard is a paved street.

The project site is within a Residential 3 (R3) zoning district (Attachment 4). The areas surrounding the project site to the north, east, south and west are zoned as single family Residential 3 (R3). There are existing single family homes to the west and east, and empty lots to the north and south.

Access/Parking

There are two main access points proposed with Tentative Parcel Map 37104, one from Alessandro Boulevard and one from Jeranella Court. Parcel 1 has three existing single family homes on site, two of the homes have access from Jeranella Ct. and the other home has access from Alessandro Boulevard. Parcel 2 has one single family home with access from Alessandro Boulevard. All four of the existing single family homes have existing onsite parking. No new development is proposed as part of the parcel

map application.

Design

The design of the Parcel Map will create two legal parcels from one parcel. Parcel 1 will have lot dimensions of 111 feet in width by 242 feet in length. Parcel 2 will have lot dimensions of 97 feet in width by 242 feet in length. Both parcels are consistent with the City's development standards for lot size, lot depth, and lot width in the R3 zone (Municipal Code Section 9.03.040).

The site is fairly flat with existing single family homes on the property. The property contains mature trees and landscaping. No additional landscaping is being required.

REVIEW PROCESS

The Tentative Parcel Map application was initially submitted in March 2016. City staff from various departments including Public Works and the Fire Prevention Bureau reviewed the Tentative Parcel Map. Public Works requested some technical revisions on the Tentative Parcel Map. Over the course of the review process, staff successfully worked with the applicant to resolve all other design details.

ENVIRONMENTAL

Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project qualifies for an exemption under the provisions of the CEQA as a Class 15 Categorical Exemption, CEQA Guidelines, Section 15315 for Minor Land Divisions.

The Class 15 exemption applies to the parcel map because the map is consistent with the criteria identified below:

- The site is located in an urbanized area and is a subdivision of four or fewer parcels.
- A variance is not required.
- All services and access to the proposed parcels to local standards are available.
- The parcel was not involved in a division of a larger parcel within the previous two years
- The parcel does not have an average slope greater than 20 percent.

NOTIFICATION

In accordance with Section 9.02.200 of the Municipal Code, public notification was sent to all property owners of record within 300' of the proposed project site on August 10, 2016 (Attachment 3). In addition, the public hearing notice for this project was posted on the project site on August 12, 2016, and published in the Press Enterprise newspaper on August 13, 2016.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2016-20, and thereby:

1. **CERTIFY** that PA16-0013 Tentative Parcel Map 37104 qualifies as an exemption in accordance with the California Environmental Quality Act Guidelines, Section 15315 (Minor Land Divisions); and
2. **APPROVE** PA16-0013 Tentative Parcel Map 37104 subject to the Conditions of Approval included as Exhibit A to Resolution No. 2016-20

Prepared by:
Gabriel Diaz
Associate Planner

Approved by:
Allen Brock
Community Development Director

ATTACHMENTS

1. ATT 1 PC Reso 2016-20
2. ATT 2 PC Exhibit A COAs
3. ATT 3 PC Public Hearing Notice
4. ATT 4 PC Land Use Plan
5. ATT 5 PC Aerial Photograph
6. ATT 6 PC TPM37104
7. ATT 7 PC Photo Exhibit
8. ATT 1 PC Reso 2016-20

PLANNING COMMISSION RESOLUTION NO. 2016-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING TENTATIVE PARCEL MAP 37104 (APPLICATION PA16-0013), TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS ON 1.1 GROSS ACRES AT THE NORTH EAST CORNER OF JERANELLA CT. AND ALESSANDRO BLVD. (APNS: 478-040-007 AND 478-040-008)

WHEREAS, LGS Engineering, Inc., has filed an application for the approval of Tentative Parcel Map 37104 (application PA16-0013), a proposal to subdivide one parcel into two parcels on a 1.1 gross acre site located within Assessor's Parcel Numbers 478-040-007 and 478-040-008 as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley procedures, and with consideration of the General Plan and other applicable regulations; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of August 25, 2016; and

WHEREAS, on August 25, 2016, the Planning Commission of the City of Moreno Valley conducted a public hearing to consider the application; and

WHEREAS, on August 25, 2016, the Planning Commission of the City of Moreno Valley made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15315, Minor Land Divisions;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; 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 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 August 25, 2016, including

written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. That the proposed map is consistent with applicable general and specific plans and the zoning ordinance;

FACT: The proposed tentative parcel map will create two residential parcels. The proposed parcel map is consistent with General Plan Objective 2.1.3 Land Use Plan. The current General Plan designation is residential 3. The current Municipal Code Zoning designation is single family residential 3 (R3). The allowed density for the R3 zone is a maximum of 3 dwelling units per acre. The project will not be adding additional units to the project site.

The project as designed and conditioned will achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and does not conflict with the goals, objectives, policies, and programs established within the Plan.

2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;

FACT: The proposed parcel map is consistent with General Plan Objective 2.1.3 Land Use Plan. The current General Plan designation is residential 3. The current Municipal Code Zoning designation is single family residential 3 (R3). The allowed density for the R3 zone is a maximum of 3 dwelling units per acre. The project will not be adding additional units to the project site.

The areas surrounding the project site to the north, east, south and west are zoned as single family residential 3 (R3). There are existing single family homes to the west and east, and empty lots to the north and south.

The land division proposed by Tentative Parcel Map No. 37104 is consistent with the City's Municipal Code Section 9.14 Land Divisions. The proposed parcel map will subdivide the 1.1 gross acres located within Assessor's Parcel Numbers 478-040-007, and 478-040-008 into two residential parcels.

The subdivision as designed and conditioned is consistent with existing goals, objectives, policies and programs of the General Plan.

3. That the site is physically suitable for the type of development;

FACT: The project site is located at the north east corner of Jeranella Ct. and Alessandro Blvd. The zoning for the site is single family residential 3 (R3). The project site has four existing single family homes and no new development is proposed.

4. That the site of the proposed land division is physically suitable for the proposed density of the development;

FACT: The project site is rectangular in shape and is comprised of topography that is fairly flat. The parcel map is designed in accordance with the provisions of the City's Municipal Code Section 9.14 Land Divisions. The project site is physically suitable for the proposed density of the existing development. No additional density is being added as part of this project. The project site has four existing single family homes and no new development is proposed.

5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

FACT: The project site has four existing single family homes and no new development is proposed.

Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project qualifies for an exemption under the provisions of the CEQA as a Class 15 Categorical Exemption, CEQA Guidelines, Section 15315 for Minor Land divisions.

The Class 15 exemption applies to the parcel map because the map is consistent with the criteria identified below:

- The site is located in an urbanized area and is a subdivision of four or fewer parcels.
- The land division is consistent with the General Plan and zoning.
- A variance is not required.
- All services and access to the proposed parcels to local standards are available.
- The parcel was not involved in a division of a larger parcel within the previous two years.
- The parcel does not have an average slope greater than 20 percent.

Therefore, the parcel map will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems;

FACT: As conditioned, the proposed parcel map will not cause serious public health problems. The project site has four existing single family homes and no new development is proposed. There are no known hazardous conditions associated with the property, the design of the land division.

The parcel map has been designed consistent with the City's Municipal Code Section 9.14 Land Divisions and meets all City requirements related to subdividing a property.

7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;

FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements. The project site has four existing single family homes and no new development is proposed.

8. That the proposed land division and the associated design and improvements are not consistent with applicable ordinances of the city.

FACT: The land division proposed by Tentative Parcel Map No. 37104 is consistent with the City's Municipal Code Section 9.14 Land Divisions. The subdivision as designed and conditioned is consistent with applicable ordinances of the city.

The design of the Parcel Map will create two legal parcels from one parcel. Parcel 1 will have lot dimensions of 111 feet in width by 242 feet in length. Parcel 2 will have lot dimensions of 97 feet in width by 242 feet in length. Both parcels are consistent with the City's development standards for lot size, lot depth, and lot width in the R3 zone Municipal Code Section 9.03.040.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under 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 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 PA16-0013, incorporated herein by reference, 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 Government Code Section 66020(a) and failure to follow this procedure in a timely fashion 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. 2016-20 and thereby:

1. **CERTIFY** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 15 Categorical Exemption, CEQA Guidelines, Section 15315 for Minor Land Divisions; and
2. **APPROVE** Tentative Parcel Map 37104 (Application PA16-0013) based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.

APPROVED on this 25th day of August, 2016.

Brian R. Lowell
Chair, Planning Commission

ATTEST:

Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

Attachment: ATT 1 PC Reso 2016-20 (2232 : PA16-0013 Tentative Parcel Map 37104)

CITY OF MORENO VALLEY
PLANNING DIVISION
CONDITIONS OF APPROVAL
PA16-0013 TENTATIVE PARCEL MAP 37104
ASSESSOR'S PARCEL NUMBERS: 478-040-007 & 478-040-008

Approval Date:
Expiration Date:

This set of conditions shall include conditions from:

- Planning (P)
- Public Works, Transportation (TE)
- Public Works, Land Development (LD)

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

- P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
- P2. This tentative parcel map shall expire three years after the approval date of this tentative parcel map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)
- P3. The site shall be developed in accordance with the approved tentative parcel map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

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

- | | |
|-----------------------------|---------------------------------|
| R - Map Recordation | GP - Grading Permits |
| GPA - Grading Plan Approval | BF - Building Final |
| BP - Building Permits | P - Any permit |
| MR - Map Recordation | MA - Map Approval |
| AOS - Acceptance of Streets | WP - Water Improvement Plans |
| CP - Construction Permit | IPA - Improvement Plan Approval |
| | SI - Street Improvements |

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

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

Attachment: ATT 2 PC Exhibit A COAs [Revision 1] (2232 : PA16-0013 Tentative Parcel Map 37104)

**PLANNING DIVISION
CONDITIONS OF APPROVAL FOR PA16-0013
TENTATIVE PARCEL MAP
Page 2**

- P4. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

PUBLIC WORKS DEPARTMENT

Transportation Engineering Division

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

General Conditions

- TE1. Alessandro Boulevard is classified as a 4-lane Divided Arterial at this location per City Standard Plan No. MVSI-103A-0. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this.
- TE2. Jeranella Court is classified as a Local Street per City Standard Plan No. MVSI-107A-0. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility
- TE3. All driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code - Design Guidelines and City Standard Plan No. MVSI-111A-0 for residential driveway approach.

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 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) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]

**PLANNING DIVISION
CONDITIONS OF APPROVAL FOR PA16-0013
TENTATIVE PARCEL MAP
Page 3**

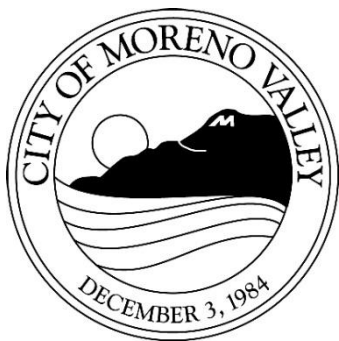
- LD2. (G) The tentative parcel map shall correctly show all existing easements, traveled ways, and drainage courses. Any omission may require the map or plans associated with this application to be resubmitted for further consideration. [MC 9.14.040(A)]

Prior to Map Approval

- LD3. (MA) Final maps (prepared by a registered civil engineer and/or licensed surveyor) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
- LD4. (MA) All street dedications shall be free of all encumbrances, 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.
- LD5. (EP) A digital (pdf) copy of the final map shall be submitted to the Land Development Division.
- LD6. (CO) All outstanding fees shall be paid.

Special Conditions

- LD7. Prior to approval of the final map, the map shall show the following as depicted on the approved tentative tract map:
- (a) A 20 foot (20') wide street right of way dedication along the westerly limits of proposed Parcel 1 (APN 478-040-008), which results in a total easterly right of way half-width of 30 feet (30') on Jeranella Court. Jeranella Court will be per MVSI-107A-0 (modified).
 - (b) Corner cut-back dedication per City Standard MVSI-165-0 at the northeast corner of Alessandro Boulevard and Jeranella Court.



This may affect your property.

Notice of PUBLIC HEARING

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):

Project: PA16-0013 (Tentative Parcel Map)
Applicant: LGS Engineering, Inc
Owner: Catherine Kormos
Representative: Loren Sandberg
A.P. No(s): 478-040-007 & 478-040-008
Location: North east corner of Jeranella Ct. & Alessandro Blvd.
Proposal: Tentative Parcel Map 37104 will subdivide one legal parcel into two parcels on 1.1 gross acres. The property is developed with existing single family homes. The current zoning is R3.
Council District: 3

The project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) Guidelines and it was determined that the project will not have a significant effect on the environment. Therefore, a recommendation to find the project exempt from the provisions of the CEQA as a Class 15 Categorical Exemption, CEQA Guidelines, Section 15315 for Minor Land Divisions is being carried forward with the project.

A public hearing before the Planning Commission has been scheduled for the proposed project. Any person interested in commenting on the proposal and recommended environmental determination may speak at the hearing or provide written testimony at or prior to the hearing. The project application, supporting plans and environmental documents may be inspected at the Community Development Department at 14177 Frederick Street, Moreno Valley, California during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and 7:30 a.m. to 4:30 p.m., Friday), or you may telephone (951) 413-3206 for further information.

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: August 25, 2016 at 7 PM

CONTACT PLANNER: Gabriel diaz

PHONE: (951) 413-3226

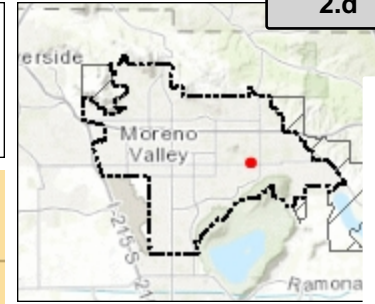
Upon request and in compliance with the Americans with Disabilities Act of 1990, any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Guy Pegan, ADA Coordinator, at 951.413.3120 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Attachment: ATT 3 PC Public Hearing Notice (2232 : PA16-0013 Tentative Parcel Map 37104)



Land Use Map Zone: R3

2.d



Legend

Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

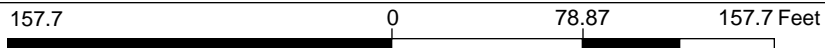
Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

- Parcels
- City Boundary
- Sphere of Influence

Notes

APNS: 478-040-007 & 478-040-008



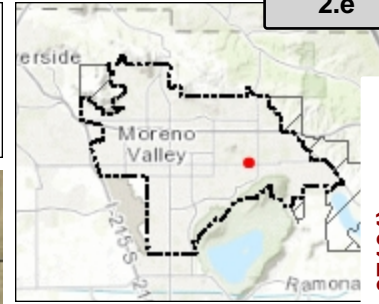
WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 8/16/2016

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County 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: ATT 4 PC Land Use Plan (2232 : PA16-0013 Tentative Parcel Map 37104)

Aerial Photograph



Legend

- Master Plan of Trails
- Bridge
 - Improved
 - Multiuse
 - Proposed
 - Regional
 - State
- Parcels
 City Boundary
 Sphere of Influence

Attachment: ATT 5 PC Aerial Photograph (2232 : PA16-0013 Tentative Parcel Map 37104)

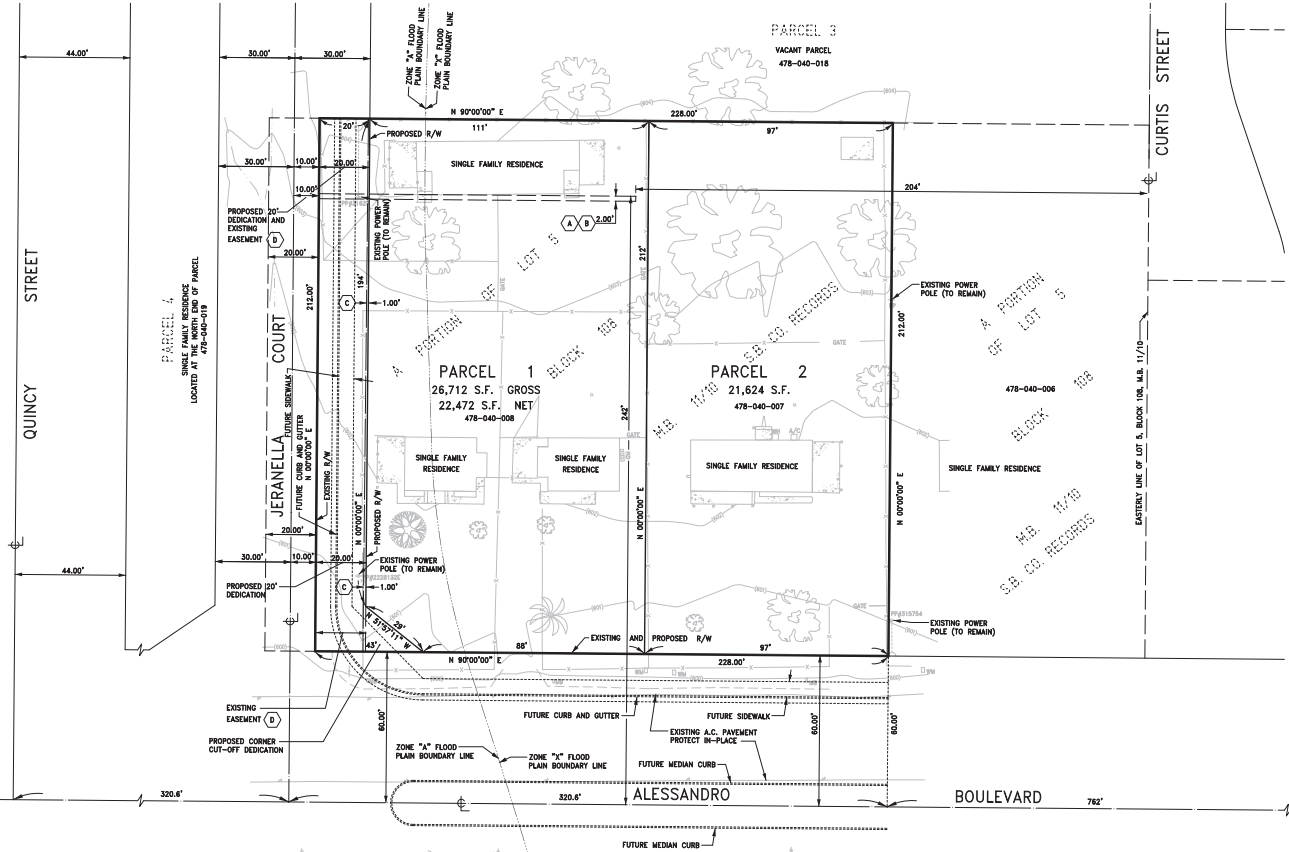
Notes

APNS: 478-040-007 & 478-040-008

157.7 0 78.87 157.7 Feet

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County 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.

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA TENTATIVE PARCEL MAP NO. 37104



GENERAL NOTES :

1. GROSS ACREAGE : 1.110 ACRES (48,336 S.F.)
2. NET ACREAGE : 1.013 ACRES (44,096 S.F.)
3. PROPERTY LIES WITHIN THE MORENO VALLEY UNIFIED SCHOOL DISTRICT.
4. EXISTING GENERAL PLAN DESIGNATION: R-3
5. EXISTING AND PROPOSED ZONING: R-3
6. EXISTING AND PROPOSED LAND USE : SINGLE FAMILY RESIDENTIAL
7. TOTAL NUMBER OF PARCELS: 2
8. PROJECT DENSITY: 3.95 DU/AC
9. PROJECT IS WITHIN FEMA ZONE "A" AND ZONE "X". NO BASE FLOOD ELEVATIONS DETERMINED.
10. NO NEW CONSTRUCTION IS PROPOSED. ALL EXISTING IMPROVEMENTS ARE TO BE PROTECTED IN-PLACE.
11. ALL EXISTING TELEPHONE POLES ARE TO REMAIN.
12. THE LAND IS NOT SUBJECT TO LIQUEFACTION OR OTHER GEOLOGIC HAZARD AND IS NOT WITHIN A SPECIAL STUDIES ZONE.
13. ASSESSOR'S PARCEL NUMBERS: 478-040-007 AND 478-040-008
14. SITE ADDRESSES: 2866, 2874, 2876, 2880 AND 2894 ALESSANDRO BOULEVARD MORENO VALLEY, CA 92555
15. TOPOGRAPHY SOURCE: FIELD SURVEY (DATE OF SURVEY: FEB. 3, 2014)
16. BOUNDARY DATA SHOWN IS RECORD INFORMATION.
17. ALL BUILDINGS HAVE EXISTING UTILITY SERVICES WHICH ARE TO REMAIN IN-PLACE.

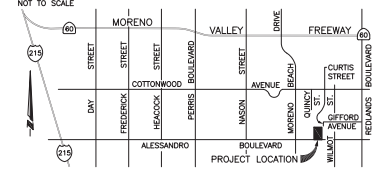
EASEMENT NOTES :

- THE FOLLOWING ITEMS WERE LISTED AS EXCEPTIONS WITHIN THE PRELIMINARY TITLE REPORT FOR THIS PROJECT DATED FEB. 2, 2016 AS PREPARED BY TOSH TITLE ORDER NO. 0030296-983-531. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ERRORS IN THE TITLE REPORT OR INFORMATION NOT SHOWN IN THIS REPORT.
- (A) 2.00' WIDE EASEMENT TO JOHN R. EASTUS AND WYILE E. EASTUS FOR THE INSTALLATION AND MAINTENANCE OF WATER LINES PER DOCUMENT RECORDED SEPTEMBER 22, 1954 IN BOOK 1633, PAGE 115 OF OFFICIAL RECORDS.
 - (B) 2.00' WIDE EASEMENT TO JERRY A. AND WINNIE L. CHAMBERLIN FOR WATER PIPE LINES PER DOCUMENT RECORDED FEBRUARY 19, 1946 AS INSTRUMENT NO. 17353 OF OFFICIAL RECORDS.
 - (C) CENTERLINE OF (NO WIDTH) EASEMENT TO CALIFORNIA ELECTRIC POWER COMPANY PER DOCUMENT RECORDED DECEMBER 31, 1954 IN BOOK 1872, PAGE 394 OF OFFICIAL RECORDS.
 - (D) 30.00' WIDE EASEMENT PER DOCUMENT RECORDED SEPTEMBER 22, 1954 IN BOOK 1632, PAGE 552 OF OFFICIAL RECORDS.
- A RIGHT OF WAY FOR ALL PIPELINES, DITCHES AND FLUMES NECESSARY TO SERVICED SAID PROPERTY AND OTHER LAND, AND TO ENTER UPON SAID LAND FOR THE PURPOSE OF LAYING, CONSTRUCTING AND REPAIRING SAID PIPELINES, DITCHES AND FLUMES AND THE RIGHT TO CONDUIT WATER IN AND THROUGH THE SAME, AND THE RIGHT OF WAY FOR RAILROAD PURPOSES ALL AS RESERVED IN DEEDS OF RECORD AND AS SHOWN ON M.B. 11/7/10.
- SAID RIGHT OF WAY CANNOT BE PLOTTED FROM THE RECORD.

LEGEND :

- CENTERLINE
- PARCEL MAP BOUNDARY
- PROPOSED PARCEL LINES
- FUTURE IMPROVEMENTS
- CHAINLINK FENCE
- CONCRETE
- EASEMENT LINE
- FLOOD PLAIN LIMITS
- EDGE OF PAVEMENT
- A/C AIR CONDITIONING UNIT
- GM GAS METERS
- MB MAILBOXES
- PP POWER POLE
- R/W RIGHT OF WAY
- WH WATER HEATER
- A.C. ASPHALTIC CONCRETE
- EXISTING IMPROVEMENTS TO BE PROTECTED IN PLACE
- TREE - TO BE PROTECTED IN PLACE
- (A) EASEMENT PER NOTES ABOVE
- EXISTING CONTOUR

VICINITY MAP :



STATEMENT OF PURPOSE :

THE PURPOSE OF THIS PARCEL MAP IS TO SUBDIVIDE THE EXISTING LOT INTO 2 PARCELS THAT MATCH THE EXISTING TAX ASSESSOR'S PARCEL MAP TO FACILITATE THE TRANSFER OF TITLE. NO IMPROVEMENTS ARE PROPOSED AS A RESULT OF THIS SUBDIVISION.

LEGAL DESCRIPTION :

LYING WITHIN SECTION 11, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN.
A PORTION OF LOT 5 IN BLOCK 108, AS SHOWN ON MAP NO. 1 OF THE LANDS OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY FILED IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SAID LOT 5 AND THE CENTERLINE OF ALESSANDRO AVENUE AS SHOWN ON SAID MAP; THENCE WEST, ALONG THE CENTERLINE OF SAID ALESSANDRO AVENUE, 102 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH, PARALLEL WITH THE EAST LINE OF SAID LOT 5, 272 FEET; THENCE WEST, PARALLEL WITH THE CENTERLINE OF ALESSANDRO AVENUE, 228 FEET; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID LOT 5, 272 FEET TO THE CENTERLINE OF ALESSANDRO AVENUE; THENCE EAST, ALONG THE CENTERLINE OF ALESSANDRO AVENUE, 228 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF ALESSANDRO AVENUE.
AN EASEMENT OVER A PORTION OF LOT 5 IN BLOCK 108, AS SHOWN ON MAP NO. 1 OF THE LANDS OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY FILED IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SAID LOT 5 AND THE CENTERLINE OF ALESSANDRO AVENUE; THENCE WEST, ALONG THE CENTERLINE OF ALESSANDRO AVENUE, 330 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH, PARALLEL WITH THE EAST LINE OF SAID LOT 5, 272 FEET; THENCE WEST, PARALLEL WITH THE CENTERLINE OF ALESSANDRO AVENUE, 29 FEET; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID LOT 5, 272 FEET TO THE CENTERLINE OF ALESSANDRO AVENUE; THENCE EAST, ALONG THE CENTERLINE OF ALESSANDRO AVENUE, 29 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF ALESSANDRO AVENUE.

UTILITY PURVEYORS :

CABLE TV:	SEWER & WATER :	TELEPHONE:
VERIDON FIOS (888)953-1555	EASTERN MUNICIPAL WATER DISTRICT (951)928-3777	VERIZON (800)453-4000
THE WARNER CABLE (888)982-2253	AT&T (800)910-2355	
GAS:	TRASH SERVICE:	ELECTRICITY:
THE GAS COMPANY (800)427-2200	WASTE MANAGEMENT OF INLAND VALLEY (800)423-8986	MORENO VALLEY ELECTRIC UTILITY (941)341-8489 S.O. CALIFORNIA Edison (800)884-8123

PARCEL SUMMARY TABLE :

PARCEL NO.	AREA (ACRES)	AREA (SQ. FT.)	EXISTING & PROPOSED ZONING	EXISTING AND PROPOSED LAND USE	NO. OF DWELLINGS UNITS
1	0.515	22,472	R-3	SINGLE FAMILY RESIDENTIAL	3
2	0.497	21,624	R-3	SINGLE FAMILY RESIDENTIAL	1
JERNELLA COURT	0.097	4,240	R-3	PUBLIC STREET	N/A
TOTALS	1.110 GROSS 1.013 NET	48,336 GROSS 44,096 NET	R-3	SINGLE FAMILY RESIDENTIAL AND PUBLIC STREET	4

OWNER(S)/APPLICANT(S) :

TITLE TO SAID ESTATE OR INTEREST IS AS FOLLOWS:
CATHERINE R. KORMOS, a widow; CATHERINE REBECCA KORMOS; THE CATHERINE R. KORMOS IRREVOCABLE TRUST DATED LINE 26, 1983; CATHERINE R. KORMOS AS TRUSTEE FOR THE BENEFIT OF CATHERINE R. KORMOS AND HER DESIGNATED BENEFICIARIES; FRANK AND CATHERINE R. KORMOS FAMILY LIVING TRUST; AND CATHERINE R. KORMOS, TRUSTEE OF THE FRANK AND CATHERINE R. KORMOS FAMILY LIVING TRUST. ALL AS THEIR INTERESTS APPEAR OF RECORD.

CATHERINE R. KORMOS
1825 N. MEADOW PARK DRIVE
SUN CITY, ARIZONA 85351
TEL. (304) 890-0148

BORIS MOLINA
P.O. BOX 1781
SANTA ANA, CALIFORNIA 92702
TEL. (714) 651-2919
EMAIL: borismolinaboris@gmail.com

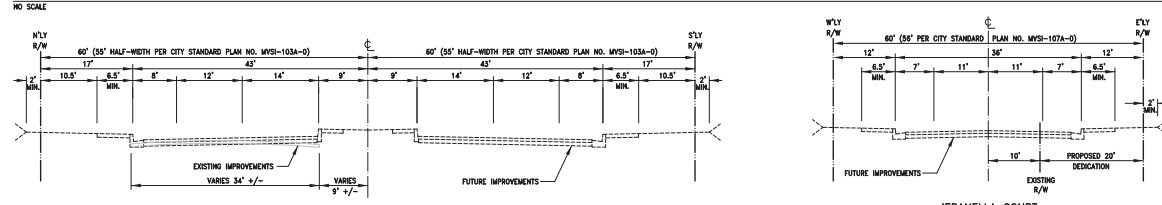
PREPARED BY :

LGS ENGINEERING, INC.
608 N. SCHROFF STREET
ORANGE, CALIFORNIA 92668
TEL. (714) 988-0017
FAX. (714) 988-0019
EMAIL: lgseng@lgslobal.net

PREPARED BY OR UNDER THE SUPERVISION OF:
Loren G. Sandberg, P.E., P.L.S.
R.C.S. NO. 44851
P.L.S. NO. 8365

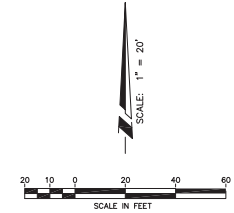
DATE

TYPICAL STREET SECTIONS :

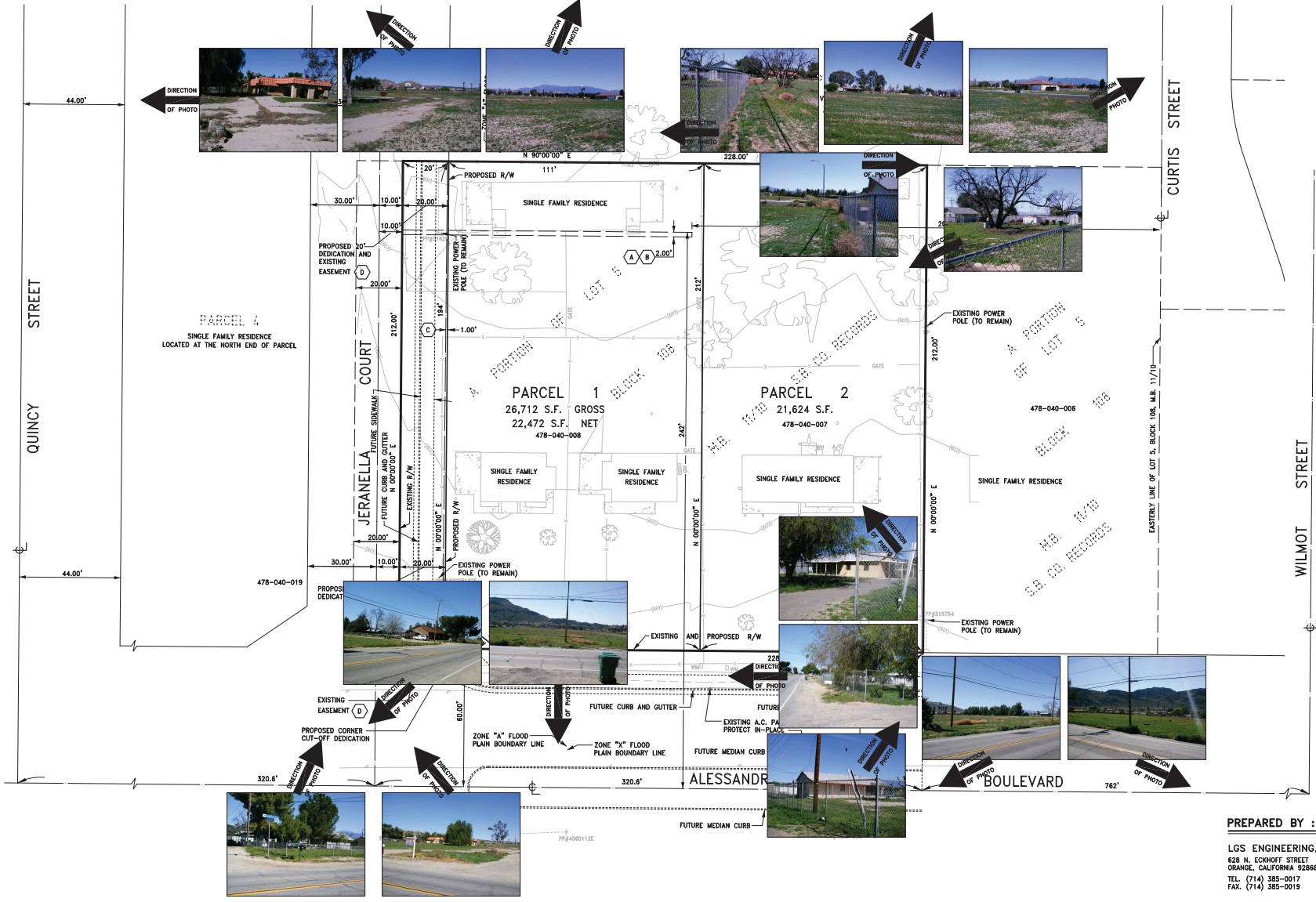
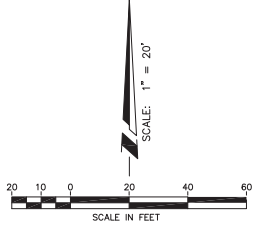


ALESSANDRO BOULEVARD
4-LANE DIVIDED ARTERIAL - PUBLIC
STANDARD PLAN NO. MVSI-103A-0

JERNELLA COURT
LOCAL STREET - PUBLIC
NO EXISTING IMPROVEMENTS
STANDARD PLAN NO. MVSI-107A-0



IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
TENTATIVE PARCEL MAP NO. 37104



PREPARED BY :
 LGS ENGINEERING, INC.
 628 N. ECKHOFF STREET
 ORANGE, CALIFORNIA 92668
 TEL. (714) 385-0017
 FAX. (714) 385-0019



PREPARED BY OR UNDER THE SUPERVISION OF:

LOREN G. SANDBERG, P.E., P.L.S.
 R.C.E. NO. 44931
 P.L.S. NO. 8365

DATE

PLANNING COMMISSION RESOLUTION NO. 2016-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING TENTATIVE PARCEL MAP 37104 (APPLICATION PA16-0013), TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS ON 1.1 GROSS ACRES AT THE NORTHEAST CORNER OF JERANELLA COURT AND ALESSANDRO BOULEVARD (APNS: 478-040-007 AND 478-040-008)

WHEREAS, LGS Engineering, Inc., has filed an application for the approval of Tentative Parcel Map 37104 (application PA16-0013), a proposal to subdivide one parcel into two parcels on a 1.1 gross acre site located within Assessor's Parcel Numbers 478-040-007 and 478-040-008 as described in the title of this Resolution; and

WHEREAS, the application has been evaluated in accordance with established City of Moreno Valley procedures, and with consideration of the General Plan and other applicable regulations; and

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of August 25, 2016; and

WHEREAS, on August 25, 2016, the Planning Commission of the City of Moreno Valley conducted a public hearing to consider the application; and

WHEREAS, on August 25, 2016, the Planning Commission of the City of Moreno Valley made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15315, Minor Land Divisions;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; 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 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 August 25, 2016, including

written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. That the proposed map is consistent with applicable general and specific plans and the zoning ordinance;

FACT: The proposed tentative parcel map will create two residential parcels. The proposed parcel map is consistent with General Plan Objective 2.1.3 Land Use Plan. The current General Plan designation is residential 3. The current Municipal Code Zoning designation is single family residential 3 (R3). The allowed density for the R3 zone is a maximum of 3 dwelling units per acre. The project will not be adding additional units to the project site.

The project as designed and conditioned will achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and does not conflict with the goals, objectives, policies, and programs established within the Plan.

2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;

FACT: The proposed parcel map is consistent with General Plan Objective 2.1.3 Land Use Plan. The current General Plan designation is residential 3. The current Municipal Code Zoning designation is single family residential 3 (R3). The allowed density for the R3 zone is a maximum of 3 dwelling units per acre. The project will not be adding additional units to the project site.

The areas surrounding the project site to the north, east, south and west are zoned as single family residential 3 (R3). There are existing single family homes to the west and east, and empty lots to the north and south.

The land division proposed by Tentative Parcel Map No. 37104 is consistent with the City's Municipal Code Section 9.14 Land Divisions. The proposed parcel map will subdivide the 1.1 gross acres located within Assessor's Parcel Numbers 478-040-007, and 478-040-008 into two residential parcels.

The subdivision as designed and conditioned is consistent with existing goals, objectives, policies and programs of the General Plan.

3. That the site is physically suitable for the type of development;

FACT: The project site is located at the north east corner of Jeranella Court and Alessandro Boulevard. The zoning for the site is single family residential 3 (R3). The project site has four existing single family homes and no new development is proposed.

4. That the site of the proposed land division is physically suitable for the proposed density of the development;

FACT: The project site is rectangular in shape and is comprised of topography that is fairly flat. The parcel map is designed in accordance with the provisions of the City's Municipal Code Section 9.14 Land Divisions. The project site is physically suitable for the proposed density of the existing development. No additional density is being added as part of this project. The project site has four existing single family homes and no new development is proposed.

5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

FACT: The project site has four existing single family homes and no new development is proposed.

Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project qualifies for an exemption under the provisions of the CEQA as a Class 15 Categorical Exemption, CEQA Guidelines, Section 15315 for Minor Land divisions.

The Class 15 exemption applies to the parcel map because the map is consistent with the criteria identified below:

- The site is located in an urbanized area and is a subdivision of four or fewer parcels.
- The land division is consistent with the General Plan and zoning.
- A variance is not required.
- All services and access to the proposed parcels to local standards are available.
- The parcel was not involved in a division of a larger parcel within the previous two years.
- The parcel does not have an average slope greater than 20 percent.

Therefore, the parcel map will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems;

FACT: As conditioned, the proposed parcel map will not cause serious public health problems. The project site has four existing single family homes and no new development is proposed. There are no known hazardous conditions associated with the property, the design of the land division.

The parcel map has been designed consistent with the City's Municipal Code Section 9.14 Land Divisions and meets all City requirements related to subdividing a property.

7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;

FACT: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements. The project site has four existing single family homes and no new development is proposed.

8. That the proposed land division and the associated design and improvements are not consistent with applicable ordinances of the city.

FACT: The land division proposed by Tentative Parcel Map No. 37104 is consistent with the City's Municipal Code Section 9.14 Land Divisions. The subdivision as designed and conditioned is consistent with applicable ordinances of the city.

The design of the Parcel Map will create two legal parcels from one parcel. Parcel 1 will have lot dimensions of 111 feet in width by 242 feet in length. Parcel 2 will have lot dimensions of 97 feet in width by 242 feet in length. Both parcels are consistent with the City's development standards for lot size, lot depth, and lot width in the R3 zone Municipal Code Section 9.03.040.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under 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 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 PA16-0013, incorporated herein by reference, 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 Government Code Section 66020(a) and failure to follow this procedure in a timely fashion 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. 2016-20 and thereby:

1. **CERTIFY** that this item is exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 15 Categorical Exemption, CEQA Guidelines, Section 15315 for Minor Land Divisions; and
2. **APPROVE** Tentative Parcel Map 37104 (Application PA16-0013) based on the findings contained in the resolution and subject to the conditions of approval included as Exhibit A of the resolution.

APPROVED on this 25th day of August, 2016.

Brian R. Lowell
Chair, Planning Commission

ATTEST:

Richard J. Sandzimier, Planning Official

APPROVED AS TO FORM:

City Attorney

Attached: Conditions of Approval

Attachment: ATT 1 PC Reso 2016-20 [Revision 1] (2232 : PA16-0013 Tentative Parcel Map 37104)