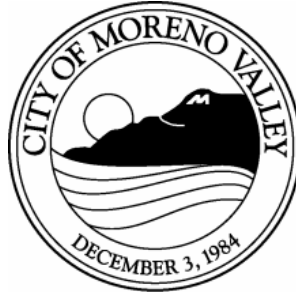

PLANNING COMMISSIONERS

PATRICIA KORZEC
Chairperson

ALVIN DEJOHNETTE
Vice Chairperson

JEFFREY SIMS
Commissioner



RAFAEL BRUGUERAS
Commissioner

OMAR COBIAN
Commissioner

VACANT
Commissioner

VACANT
Commissioner

PLANNING COMMISSION Regular Meeting

Revised Agenda

Thursday, September 23, 2021 at 7:00 PM
City Hall Council Chamber – 14177 Frederick Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and non-controversial, and may be enacted by one roll call vote. There will be no discussion of these items unless a member of the Planning Commission requests that an item be removed for separate action.

1. Planning Commission Minutes – Regular Meeting – August 26, 2021 7:00 PM

NON-PUBLIC HEARING ITEMS

No items for discussion.

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 the 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.

PUBLIC HEARING ITEMS

- 1.** Case: PEN21-0084 – Conditional Use Permit
 PEN21-0142 – Plot Plan

Applicant: Inland Hotel, LLC

Property Owner Gateway Co.

Representative Jigish Shah

Location: TownGate Square Shopping Center, southwest corner of Gateway Drive and Memorial Way (APN: 291-650-004)

Case Planner: Jeff Bradshaw, Associate Planner

Council District: 1

Proposal: Plot Plan and Conditional Use Permit for a 4-story hotel with 126 rooms and amenities that include a pool, spa, and patio for outdoor dining.

- 2.** Case: PEN19-0003 Conditional Use Permit

Applicant: Desert First, LLC

Property Owner Desert First, LLC

Representative Cesar McGuire

Location: 24985 Atwood Avenue located on the southside of Atwood Avenue west of Perris Boulevard. (APN: 482-060-016)

Case Planner: Nader Khalil, Contract Planner

Council District: 1

Proposal Conditional Use Permit for a new 2,400 square foot commercial cannabis dispensary for retail purposes only on a 0.58 acre vacant lot located within the Village Specific Plan.

3. Item to be continued to future meeting

Case: PEN20-0077 – Plot Plan
PEN19-0096 – Conditional Use Permit
PEN19-0098 – Conditional Use Permit
PEN19-0099 – Conditional Use Permit

Applicant: Green Medication Therapy, LLC, Vicki Cheng

Property Owner Green Medication Therapy, LLC, Vicki Cheng

Location: Southwest corner of Cottonwood Avenue and Edgemont Street. APN: 263-190-009

Case Planner: Nader Khalil, Contract Planner

Council District: 1

Proposal Plot Plan (PEN20-0077) for a new 7,982 square foot two-story building and three Conditional Use Permits for the operation of a 4,385 square foot cannabis cultivation business (PEN19-0096); a 1,321 square foot cannabis distribution business (PEN19-0098); and a 2,276 square foot cannabis manufacturing business (PEN19-0099) on a 13,650 square foot vacant lot.

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

To the next Planning Commission Regular Meeting, Thursday, October 14, 2021 at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

Date Posted: **September 16, 2021**

**OFFICIAL MINUTES OF THE
PLANNING COMMISSION
OF THE CITY OF MORENO VALLEY**

**REGULAR MEETING – 7:00 PM
August 26, 2021**

CALL TO ORDER

This regular meeting of the Planning Commission of the City of Moreno Valley was called to order at 7:02 p.m., by Chairperson Korzec in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

ROLL CALL

Planning Official Patty Nevins introduced new Planning Commissioner Omar Cobian.

Planning Commission:	Patricia Korzec	Chairperson	Present
	Alvin DeJohnette	Vice Chairperson	Present
	Jeffrey Sims	Commissioner	Present
	Rafael Brugueras	Commissioner	Present
	Omar Cobian	Commissioner	Present

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Cobian.

APPROVAL OF AGENDA

Motion to approve the Agenda was made by Commissioner Brugueras and seconded by Vice Chairperson DeJohnette.

Vote: 5-0

Ayes: Commissioner Brugueras, Vice Chairperson DeJohnette, Commissioner Sims, Commissioner Cobian and Chairperson Korzec

Action: **Approved**

PUBLIC COMMENTS PROCEDURE

PUBLIC COMMENTS

No Public Comments.

CONSENT CALENDAR

1. Planning Commission - Regular Meeting - Jul 8, 2021 7:00 PM
2. Planning Commission - Regular Meeting - Jul 22, 2021 7:00 PM
3. Planning Commission - Regular Meeting - Aug 12, 2021 7:00 PM

Minutes Acceptance: Minutes of Aug 26, 2021 7:00 PM (CONSENT CALENDAR)

Motion to approve the minutes of July 8, 2021, July 22, 2021, and August 12, 2021 with modifications to the August 12, 2021 meeting minutes to reflect that Commissioner Sims was absent.

Vote: 5-0

Ayes: Commissioner Brugueras, Commissioner Sims, Commissioner Cobian, Vice Chairperson DeJohnette, and Chairperson Korzec

Action: **Approved**

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

1. Proposed General Plan Amendment and Change of Zone Amending "Map LCC-4L: General Plan Land Use" of the Moreno Valley General Plan and the City Zoning Atlas, respectively, proposed Tentative Parcel Map 37944 for two (2) lots, a Plot Plan for an approximately 290,726 square foot light industrial building, and a Plot Plan for an approximately 98,877 square foot light industrial building. (Report of Planning Commission)

Public Hearing Opened: 7:09 PM.

Public Speakers:

Juan Serrato supports item.

Jayson Baiz supports item.

Ralph Velador supports item.

Steven Piepkorn opposes item.

Julio Flores supports item.

Bob Palomarez supports item.

Louise Palomarez supports item.

Public Hearing Closed: 7:40 PM

Motion to approve Resolution Numbers 2021-24, 2021-25, 2021-26, 2021-27, and 2021-28 was made by Commissioner Sims and seconded by Commissioner Brugueras.

Vote: 5-0

Ayes: Commissioner Sims, Commissioner Brugueras, Commissioner Cobian, Vice Chairperson DeJohnette, and Chairperson Korzec

Action: **Approved**

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

No items for discussion.

PLANNING COMMISSIONER COMMENTS

Chairperson Korzec welcomed Commissioner Cobian and invited him to speak about himself. Commissioner Cobian stated that he has been a resident of Moreno Valley going on thirty-one years, and raised a family here. He noted that he is a baseball coach/manager and would like to see more baseball fields here in Moreno Valley. He would also like to beautify the city and is looking forward to all of the projects going forward.

Commissioner Sims stated that he would like to applaud all the work and cleanup that has been going on along SR-60.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairperson Korzec adjourned the meeting at 7:56 PM.

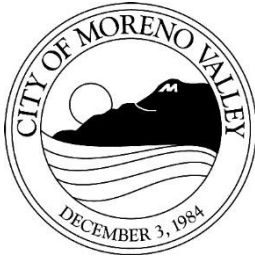
Submitted by:

Approved by:

Naudia Samuels
Planning Commission Secretary

Patricia Korzec
Chairperson

Minutes Acceptance: Minutes of Aug 26, 2021 7:00 PM (CONSENT CALENDAR)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: September 23, 2021

A PLOT PLAN AND CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF A NEW 4-STORY HOTEL WITH 126 ROOMS ON A VACANT 1.9-ACRE PAD SITE LOCATED AT THE SOUTHWEST CORNER OF GATEWAY DRIVE AND MEMORIAL WAY, WITHIN THE TOWNGATE SQUARE SHOPPING CENTER

Case: PEN21-0084 – Conditional Use Permit
PEN21-0142 – Plot Plan

Applicant: Inland Hotel, LLC

Property Owner Gateway Co.

Representative Jigish Shah

Location: TownGate Square Shopping Center, southwest corner of Gateway Drive and Memorial Way (APN: 291-650-004)

Case Planner: Jeff Bradshaw, Associate Planner

Council District: 1

Proposal: Plot Plan and Conditional Use Permit for a 4-story hotel with 126 rooms and amenities that include a pool, spa, and patio for outdoor dining.

SUMMARY

The Applicant, Inland Hotel, LLC, is requesting approval of the following applications: 1) Plot Plan (PEN21-0142) and 2) Conditional Use Permit (PEN21-0084) for a 4-story hotel with 126 rooms to be developed on a vacant 1.9-acre parcel located at the southwest corner of Gateway Drive and Memorial Way within the Towngate Specific Plan Office Commercial (OC) zone.

BACKGROUND

Project Description

The Project consists of a Plot Plan and a Conditional Use Permit for the development of a new 4-story hotel with 126 rooms and amenities that include a pool, spa, and patio for outdoor dining, on an approximately 1.9-acre vacant parcel situated within the TownGate Square Shopping Center located at the southwest corner of Gateway Drive and Memorial Way.

Project Site/ Surrounding Area

The topography of the Project Site is mostly level, with the elevation of the north end of the Project Site approximately 8 feet below the existing the finished grade of the intersection at Gateway Drive and Memorial Way. The southern portion of the Project Site is at grade with Memorial Way at the existing driveway.

The TownGate Square Shopping Center has been developed with a grocery store as the major anchor with satellite pads that have been developed with sit-down restaurants and fast-food restaurants with drive-throughs along with a car wash.

The surrounding area includes existing apartments to the east with vacant OC zoned land immediately to the south and single-family homes further to the south. Land uses to the west include a Winco grocery store, and various restaurants. Two hotels and a Costco are located to the north with the Moreno Valley Mall and apartments located further to the north.

The site design includes a parking lot layout and drive aisle design that is compatible with the existing driveways along Gateway Drive and Memorial Way and the existing development in the TownGate Square Shopping Center.

The following summarizes the Project's design elements that are intended to minimize impacts on nearby residential uses to the east:

- Landscape parkway and building setbacks along Memorial Way that provide a separation of approximately 200 feet from the nearest apartment building to the east.
- Parking lot and parkway landscape will screen required parking from view from off-site.
- A portion of the Project Site is 8-feet below the grade of adjacent Gateway Drive and Memorial Way. The grade difference will provide an additional visual screen for required parking situated along the Gateway Drive and Memorial Way street frontages.

Access/Parking

The Project will have two points of access from the existing driveways on Gateway Drive and Memorial Way. The Project will also have reciprocal access through the common drive aisles and parking lot for the TownGate Square Shopping Center.

The Project is required to provide 126 parking spaces including two oversized spaces for trailer and RV parking. The Project as designed provides 115 parking space including two oversized spaces for trailer and RV parking stalls. The Project Site as a parcel in the TownGate Square Shopping Center includes existing easements and reciprocal agreements for shared access and shared parking.

The Municipal Code allows for on-site parking requirements to be met through a shared parking agreement when supported by a parking study. A parking study which surveyed the night-time parking demand for the parking spaces located immediately to the west of the Project Site and along the north side of the Winco grocery store was prepared by RK Engineering Group, Inc. on August 3, 2021. The parking study demonstrated the availability of 11 off-site parking spaces to support the operation of the new hotel.

Design/Landscaping

The design of the hotel includes four-sided architecture with changes in vertical and horizontal dimensions to separate or frame distinct building elements in order to break up the massing of each elevation. The elevations combine multiple materials including the incorporation of stucco in three colors (gray, red and white), cement panels to give a faux redwood finish, ledge stone, variation in the mullion design in the windows, the use of dark aluminum window and storefront entrance frames and trellis features around the exterior of the ground floor.

The Project has been designed to meet and exceed the required design and landscape standards and objectives set forth in the Towngate Specific Plan and the City's Municipal Code. The Applicant has agreed to maintain all landscape and irrigation beginning at the back of the sidewalk along Gateway Drive and Memorial Way and extending on-site to the parking lot and perimeter of the hotel, which will be memorialized as a condition of approval in the CUP.

Plot Plan (PEN21-0142)

A Plot Plan application is required for the review of the Project Site's design and architectural design.

Pursuant to Section 90.02.070 (Plot Plan) of Title 9 (Planning and Zoning) of the Municipal Code, in approving a plot plan, the approving authority shall impose conditions of approval for the project regarding on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning).

Conditional Use Permit (PEN21-0084)

The Towngate Specific Plan allows for the development of a hotel in the Office Commercial (OC) zone with the approval of a Conditional Use Permit.

A Conditional Use Permit allows the City to impose special development requirements to ensure that certain uses will not be detrimental to a project's surrounding properties. Conditional uses may be appropriate at one location but not at another because of the potential for impacts on surrounding properties.

The Project as designed and conditioned satisfies all requirements of the General Plan, the Towngate Specific Plan, and the City of Moreno Valley Municipal Code.

REVIEW PROCESS

The Project has been considered by all appropriate agencies within and outside of the City, which is part of the standard review process for development applications. The Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Project was determined to be complete with a recommendation to approve the Project as designed and conditioned.

ENVIRONMENTAL

The Project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) and as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15332 (In-Fill Development Projects).

The Project satisfies the following criteria for an In-Fill Development as listed in CEQA Guidelines Section 15332: 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services; and

NOTIFICATION

Public notice was sent to all property owners of record within 600 feet of the Project Site on September 9, 2021. The public hearing notice for this Project was also posted on the Project Site and published in the Press Enterprise Newspaper on September 10, 2021.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. **APPROVE** Resolution No. 2021-33, and thereby:

¹ 14 California Code of Regulations §§15000-15387

- a) **FIND AND DECLARE** that proposed Project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) and CEQA Guidelines and it has been determined that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects); and
- b) **APPROVE** Plot Plan PEN21-0142 subject to the attached Conditions of Approval included as Exhibit A, based on the findings set forth in the Staff Report and Resolution.
2. **APPROVE** Resolution No. 2021-34, and thereby:
- a) **FIND AND DECLARE** that proposed Project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) and CEQA Guidelines and it has been determined that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects); and
- b) **APPROVE** Conditional Use Permit PEN21-0084 subject to the attached Conditions of Approval included as Exhibit A, based on the findings set forth in the Staff Report and Resolution.

Prepared by:
Jeffrey Bradshaw
Associate Planner

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

1. Resolution 2021-33 - Plot Plan
2. Resolution 2021-34 - Conditional Use Permit
3. Development Plans
4. Zoning Map
5. Mailing Notice
6. Radius Map

RESOLUTION NUMBER 2021-33

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PLOT PLAN PEN21-0142 FOR A 4-STORY, 126-ROOM HOTEL LOCATED AT THE SOUTHWEST CORNER OF GATEWAY DRIVE AND MEMORIAL WAY (APN 291-650-004)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Inland Hotel, LLC, (“Developer”) has filed an application for the approval of the Hilton Garden Inn Project, which includes the approval of Plot Plan PEN21-0142 and Conditional Use Permit PEN21-0084 for the development of a 4-story, 126-room hotel (“Project”) located at the southwest corner of Gateway Drive and Memorial Way (APN 291-650-004) (“Project Site”); and

WHEREAS, Section 9.02.070 (Plot Plan) of the Moreno Valley Municipal Code acknowledges that the purpose of plot plans is to provide a mechanism by which all new construction of industrial, commercial or multiple-family residential can be reviewed when not subject to other discretionary review processes which have review authority over project design; and

WHEREAS, the Plot Plan application has been evaluated in accordance with Section 9.02.070 (Plot Plan) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.070 of the Municipal Code imposes conditions of approval upon projects for which a Plot Plan is required, which conditions may be imposed by the City to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, Staff has presented for the Planning Commission’s consideration Conditions of Approval to be imposed upon Plot Plan PEN21-0142, which conditions have been deemed necessary to protect the public health, safety and welfare and ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code section 65905, a public hearing was scheduled for September 23, 2021, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on September 23, 2021, the public hearing to consider the proposed Project was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.070 (Plot Plan) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Plot Plan PEN21-0142, which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.070 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by Conditions of Approval; and

WHEREAS, the proposed Project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, and it was determined that the proposed Project satisfies the criteria for an In-Fill Development as listed in CEQA Guidelines Section 15332 in that: 1) the proposed Project is consistent with the applicable General Plan designation and applicable policies; 2) the proposed Project occurs on a site that is less than five acres in size; 3) the Project Site has no valuable habitat for rare or endangered species; 4) the proposed Project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site is adequately served by utilities and public services.

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

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits, and all findings contained therein, are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed project is subject to certain fees, dedications, reservations and other exactions as provided herein.

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed Plot Plans, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) The Towngate Specific Plan (SP 200) and all other relevant provisions referenced therein;
- (d) Applications for the approval of Plot Plan PEN21-0142 and Conditional Use Permit PEN21-0084, and all documents, records and references contained therein;
- (e) Conditions of Approval for Plot Plan PEN21-0142, attached hereto as Exhibit A;
- (f) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (g) Staff's determination that the proposed Project is categorically exempt under the California Environmental Quality Act (CEQA) and CEQA Guidelines
- (h) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (i) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings in approving Plot Plan PEN21-0142:

- (a) That the proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) That the proposed Project complies with all applicable zoning and other regulations;
- (c) That the proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) That the location, design and operation of the proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA

Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings set forth above, the Planning Commission hereby approves Plot Plans PEN21-0142 subject to the Conditions of Approval for Plot Plan PEN21-0142 attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

Section 11. Certification

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 23rd day of September, 2021

CITY OF MORENO VALLEY
PLANNING COMMISSION

Patricia Korzec, Chairperson

ATTEST:

Patty Nevins,
Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:

Exhibit A: Conditions of Approval PEN21-0142

Exhibit A

**PLOT PLAN PEN21-0142
CONDITIONS OF APPROVAL**

Attachment: Resolution 2021-33 - Plot Plan [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit - PEN21-0084 - Hildton Garden

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN21-0142)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. Plot Plan PEN21-0142 is approved for the development of a 4-story, 70,826-square foot hotel with 126 rooms on a 1.9-acre parcel with amenities that include a pool, spa and patio for outdoor dining.
2. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
3. 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)
4. Applicant/Developer shall defend, indemnify and hold harmless City, city council, commissions, boards, subcommittees and City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any agreements by and among City and Developer including without limitation any Development Agreement, (ii) any and all permits, licenses and entitlements approved by City; (iii) any environmental determination made by City in connection with the Project Site or Project; and (iv) any proceedings or other actions undertaken by City in connection with the adoption or approval of any of the above.
5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. The required parking for this use shall comply with the Shared Parking Analysis on file and all applicable requirements of the City of Moreno Valley Municipal Code (MC 9.11.040).

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

Page 2

7. This project is located within the Towngate Specific Plan (SP 200). The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
8. 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)
9. 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), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
10. 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.
11. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
12. 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)

Special Conditions

13. Consistent with the Permitted Uses of the Towngate Specific Plan (SP 200), this approval shall allow for the option of a rooftop restaurant or lounge and /or rooftop pool.

Prior to Grading Permit

14. Prior to issuance of any grading permit, all Conditions of Approval shall be printed on the grading plans and all applicable Conditions of Approval shall be completed to the satisfaction of the Community Development Director.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

Page 3

15. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect commercial buildings with parking and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
16. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
17. If potential historic, archaeological, Native American cultural resources or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered during grading and other construction excavation, no further disturbance shall occur until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 5-days of the published finding to be given a reasonable opportunity to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).

18. Prior to the issuance of grading permits, the site plan and grading plans shall show decorative hardscape (e.g. colored concrete, stamped concrete, pavers or as approved by the Planning Official) consistent and compatible with the design, color and materials of the proposed development for all driveway ingress /egress locations of the project and the TownGate Square Shopping Center.
19. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project . The sign shall include the following:
 - a. The name (if applicable) and address of the development.

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- b. The developer's name, address, and a 24-hour emergency telephone number.
20. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the grading plans.
21. Prior to issuance of grading permits, the developer shall submit wall /fence plans to the Building and Safety Division for review and approval as follows:
- a. Where applicable, a 3-foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right-of-way and a parking lot for screening.
- b. Any proposed retaining walls shall be constructed with decorative block which shall be compatible with the main structure or existing retaining walls within the TownGate Square Shopping Center.
22. Prior to issuance of any building permit, all Conditions of Approval shall be printed on the building plans and all applicable Conditions of Approval completed to the satisfaction of the Community Development Director.
23. Prior to the issuance of building permits, the developer shall provide documentation that contact was made to the U.S. Postal Service to determine the appropriate type and location of mailboxes.
24. Prior to the issuance of building permits, any proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan. The trash enclosure, including the roof material, shall be compatible with the architecture, color and materials of the main building design. Trash enclosure areas shall include landscaping on three sides. Approved design plans shall be included in a Building submittal (Fence and Wall or building design plans). (GP Objective 43.6, DG)
25. Prior to the issuance of building permits, landscape and irrigation plans for common areas maintained by the TownGate Square Shopping Center Homeowner's shall be submitted to the Planning Division. All landscape plans shall be approved by the Planning Division prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's Landscape Development Guidelines.
26. Prior to issuance of any building permits, final landscaping and irrigation plans for the hotel site 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 Requirements and shall include:

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- a. Where applicable, a three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - b. 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.
 - c. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.
- 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
 - f. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.
 - g. Landscaping shall be required on three sides of any trash enclosure.
 - h. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site.
27. 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, fire protection equipment 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; fire protection equipment and back-flow preventers shall be screened by landscaping. (GP Objective 43.30)
28. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
29. Prior to building final, the developer/owner or developer's/owner' s successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted

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Development Impact Fees. (Ord)

30. Prior to or at building plan check submittal, the elevation plans shall include decorative lighting sconces on all sides of the buildings of the complex facing a parking lot, courtyard or plaza, or public right of way or open space to provide up-lighting and shadowing on the structures. Include drawings of the sconce details for each building within the elevation plans, approved by the Planning Division prior to building permit issuance.
31. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. 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, shall include style, illumination, location, height and method of shielding per the City 's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)
32. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building.

Prior to Building Final or Occupancy

33. Prior to building final, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division . (MC 9.03.040, MC 9.17).
34. Prior to building final, all landscape and irrigation, walls, parking lot, parking lot lighting, trash enclosures, exterior lighting and building elevations shall be constructed according to the approved plans on file in the Planning Division and Building and Safety Division; and all applicable Conditions of Approval shall be completed to the satisfaction of the Community Development Director. (MC 9.080.070).

Building Division

35. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.

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36. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
37. Contact the Building Safety Division for permit application submittal requirements.
38. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in the California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
39. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
40. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
41. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
42. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance . Contact the water district at 951.928.3777 for specific details.
43. 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, accessibility, etc.
44. The proposed non-residential project shall comply with California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
45. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.

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46. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process . (MC 8.80.030)

FIRE DEPARTMENTFire Prevention Bureau

47. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
48. The Fire Department emergency vehicular access road shall be (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. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
49. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
50. 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)
51. 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)
52. 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 MVLT 440A-0 through MVLT 440C-0)
53. Prior to issuance of building permits, plans specifying the required structural materials for building construction in high fire hazard severity zones shall be submitted to the Fire Prevention Bureau for approval. (CFC, 4905)
54. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height . (CFC 505.1, MVMC 8.36.060[I])

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55. 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) a - 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.
56. 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 effect at the time of building plan submittal.
57. 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)
58. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
59. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet 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])
60. 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])
61. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
62. 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 Code Official. All exterior security emergency access

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- gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
63. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
 64. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
 65. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
 66. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
 67. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval . Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
 68. Plans for private water mains supplying fire sprinkler systems and /or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
 69. 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 B 105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
 70. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
 71. Prior to construction, all traffic calming designs/devices must be approved by the

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Fire Marshal and City Engineer.

72. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
73. 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. 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.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENTMoreno Valley Utility

74. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults, ducts, wires (including fiber optic cable), switches, conductors, transformers, and “bring-up” facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility – collectively referred to as “utility system” (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “utility services” to and within the project. For purposes of this condition, “utility services” shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of

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approval.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system.

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

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system.

75. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place . The developer will be responsible, at developer's expense, for any and all costs associated with the relocation of any of Moreno Valley Utility 's underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.

PUBLIC WORKS DEPARTMENT**Land Development**

76. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government

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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]

77. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
78. The developer shall monitor, supervise and control all construction related 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.

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.

Prior to Grading Plan Approval

79. 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, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
80. A 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, minimizing directly connected impervious areas to the City's street and storm drain systems, and conserving natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;

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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.

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.

81. 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.
82. 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.
83. The developer shall pay all remaining plan check fees.
84. 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.
85. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
86. 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

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noted on the grading plans.

Prior to Grading Permit

87. 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)]
88. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
89. Security, in the form of a cash deposit (preferable), bond 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)]
90. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
91. The developer shall pay all applicable inspection fees.

Prior to Improvement Plan Approval

92. 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 otherwise approved by the City Engineer.
93. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
94. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project.
95. The hydrology study shall be designed to accept and properly convey all off -site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]

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96. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
97. 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.
98. 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 Encroachment Permit

99. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
100. All applicable inspection fees shall be paid.
101. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

102. 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.
103. 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]
104. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
105. For non-subdivision projects, all street dedications shall be free of encumbrances,

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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.

106. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and /or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
107. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).

Prior to Occupancy

108. All outstanding fees shall be paid.
109. 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.
110. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
111. For commercial, industrial and multi-family 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

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

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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]

112. 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:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, 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.
113. 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 covenants and agreements can be obtained by contacting the Land Development Division.
114. 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).
 - 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.
115. 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

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

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civil drawing if necessary.

f. Obtain approval and complete installation of the irrigation and landscaping.

Special Conditions

116. Additional right-of-way dedication (4 feet) behind the commercial driveway approach per City Standard MVS1-112C-0 is required.

Special Districts Division

117. 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.

118. 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 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.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

Page 20

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

119. 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.

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.

120. 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

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

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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.)

121. 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.)
122. Inspection fees for the monitoring of landscape installation associated with the City of Moreno Valley maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)
123. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
124. Modification of existing irrigation systems for parkway improvements may be required per the direction of, approval by and coordination with the Special Districts Division. Please contact Special District Division staff at 951.413.3480 or specialdistricts@moval.org to coordinate the modifications.
125. MAJOR INFRASTRUCTURE FINANCING DISTRICT. This project has been identified to potentially be included in the formation of a special financing district for the construction and maintenance of major infrastructure improvements which may include but are not limited to thoroughfares, bridges, and certain flood control improvements. The property owner(s) shall participate in such district and pay any special tax, assessment, or fee levied upon the project property for such district. At the time of the public hearing to consider formation of or annexation into the district, the qualified elector(s) will not protest the formation or annexation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

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benefit the affected property obtains from the improvements to be installed and /or maintained. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting an application for the first building permit to determine whether the development will be subjected to this condition. If subject to the condition, the special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution.

126. **PARKS MAINTENANCE FUNDING.** Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and or retrofit of parks, open spaces, linear parks, and/or trails systems, and programs.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation /formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

127. 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.
128. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services) and

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0142)

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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.

129. The existing parkway/median along the frontage of the project shall be brought to current City Standards. Improvements may include but are not limited to: plant material, irrigation, and hardscape.

Transportation Engineering Division

130. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
131. All project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for Commercial Driveway Approaches.
132. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
133. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVSI-164A, B, C-0.
134. 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 for all streets within the project area.
135. Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards.

PARKS & COMMUNITY SERVICES DEPARTMENT

136. 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. 2021 (Park Maintenance). Please contact the Special Districts Division at 951.413.3480 or specialdistricts@moval.org to complete the annexation process.

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Plot Plan (PEN21-0142)

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ECONOMIC DEVELOPMENT DEPARTMENT

137. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
138. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of public recruitment.
139. New Moreno Valley businesses are encouraged to hire local residents.
140. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
141. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”). The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:
 - Job Announcements
 - Applicant testing / pre-screening
 - Interviewing
 - Job Fair support
 - Training space

RESOLUTION NUMBER 2021-34

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (PEN21-0084) FOR A 4-STORY, 126-ROOM HOTEL LOCATED AT THE SOUTHWEST CORNER OF GATEWAY DRIVE AND MEMORIAL WAY (APN 291-650-004)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Inland Hotel, LLC., (“Applicant”) has filed an application for the approval of Conditional Use Permit PEN21-0084 and Plot Plan PEN21-0142 for the development of a 4-story, 126-room hotel (“Project”) located at the southwest corner of Gateway Drive and Memorial Way (APN 291-650-004) (“Project Site”); and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits is to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design and configuration of improvements related to the project, and the potential impact of the project on the surrounding area based on fixed and established standards; and

WHEREAS, the proposed Project has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Municipal Code provides that conditions of approval for a project for which a CUP is required may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for September 23, 2021, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on September 23, 2021, the public hearing to consider the proposed Project was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered the proposed Conditions of Approval set forth in Conditional Use Permit PEN21-0084 (“CUP”), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by the Conditions of Approval; and

WHEREAS, the proposed Project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, and it was determined that the proposed Project satisfies the criteria for an In-Fill Development as listed in CEQA Guidelines Section 15332 in that: 1) the proposed Project is consistent with the applicable General Plan designation and applicable policies; 2) the proposed Project occurs on a site that is less than five acres in size; 3) the Project Site has no valuable habitat for rare or endangered species; 4) the proposed Project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site is adequately served by utilities and public services.

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

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits, and the findings contained therein, are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed Project is subject to certain fees, dedications, reservations and other exactions as provided herein.

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed CUP including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;

- (c) The Towngate Specific Plan (SP 200) and all other relevant provisions referenced therein;
- (d) Applications for the approval of Conditional Use Permit (CUP) PEN21-0084 and Plot Plan PEN21-0142, and all documents, records and references contained therein;
- (e) Conditions of Approval for CUP PEN21-0084, attached hereto as Exhibit A;
- (f) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (g) Staff's determination that the proposed Project is categorically exempt under the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (h) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (i) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) That the proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) That the proposed Project complies with all applicable zoning and other regulations;
- (c) That the proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves CUP PEN21-0086 subject to the Conditions of Approval for CUP PEN21-0086, attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

PASSED AND ADOPTED THIS 23rd day of September, 2021.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Patricia Korzec, Chairperson

ATTEST:

Patty Nevins,
Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Resolution 2021-34 - Conditional Use Permit [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit - PEN21-0084 -

Exhibit A

**CONDITIONAL USE PERMIT PEN21-0084
CONDITIONS OF APPROVAL**

Attachment: Resolution 2021-34 - Conditional Use Permit [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit - PEN21-0084 -

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0084)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN21-0084)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. Conditional Use Permit PEN21-0084 is approved for the development of a 4-story, 70,826-square foot hotel with 126 rooms on a 1.9-acre parcel with amenities that include a pool, spa and patio for outdoor dining.
2. Conditional Use Permit PEN21-0084 shall be developed in accordance with the Conditions of Approval for Plot Plan PEN21-0142 and the approved plans on file for this project.
3. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
4. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (applicable to CUP's)
5. Applicant/Developer shall defend, indemnify and hold harmless City, city council, commissions, boards, subcommittees and City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any agreements by and among City and Developer including without limitation any Development Agreement, (ii) any and all permits, licenses and entitlements approved by City; (iii) any environmental determination made by City in connection with the Project Site or Project; and (iv) any proceedings or other actions undertaken by City in connection with the adoption or approval of any of the above.
6. Consistent with the Permitted Uses of the Towngate Specific Plan (SP 200), this approval shall allow for the option of a rooftop restaurant or lounge and/or rooftop pool.



Attachment: Development Plans [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit -

landscape architect

Linda Fish Landscape
 4073 Patchwork Court
 Turlock, CA 95382
 Linda Fish
 (209) 656-7177
 fishlandscape@sbcglobal.net

civil engineer:

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 andrew@omega-consultants.com

architect:

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 Bob Tuttle
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owner:

Mid-Continent Hospitality
 405 State Hwy 121, Suite C140
 Lewisville, TX 75067
 Mike Ladiwalla
 925 250 2246
 mike@mid-continenthospitality.com

RESIDENTIAL

RESIDE IAL

MEMORIAL WAY

EUCALYPTUS AVENUE

LOT 6
VACANT

LOT 5
VACANT

LOT 7
WINCO FOODS

LOT 4
SITE DETAILS ON SHEET A.1.1

QUICK QUACK
CAR WASH

GATEWAY DRIVE

AYRES HOTEL

1" = 30'-0"

4/7/2021 3:04:52 PM

Mid Continent Hospitality

Dallas, Texas

Hilton Garden Inn Moreno Valley

Memorial Way, Moreno Valley, California

April 7, 2021

Master Site

Robert F. Tuttle

ects, Inc.

851

A-1



Attachment: Development Plans [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit -

Site Statistics

Lot 4
 APN 2916500
 Zoning Office C
 General Plan Office
 Specific Plan 200

Lot 4 area: 85,194.2
 1.9 acre

Additional Area: 10,031.9
 Total Proposed: 95,226.1
 2.19 acre

Bldg. Coverage: 19,087 sq ft

Hilton Garden Inn Hotel
 4 stories
 Type V-A Construction
 126 rooms

FAA Building req. on
 None

Height Requirement None
 Proposed Height 53' - 3"
 Septic None

Occupancy Use R-1 hotel

parking required 1:1 = 12
 parking provided 115 stall
 (includes: stalls)

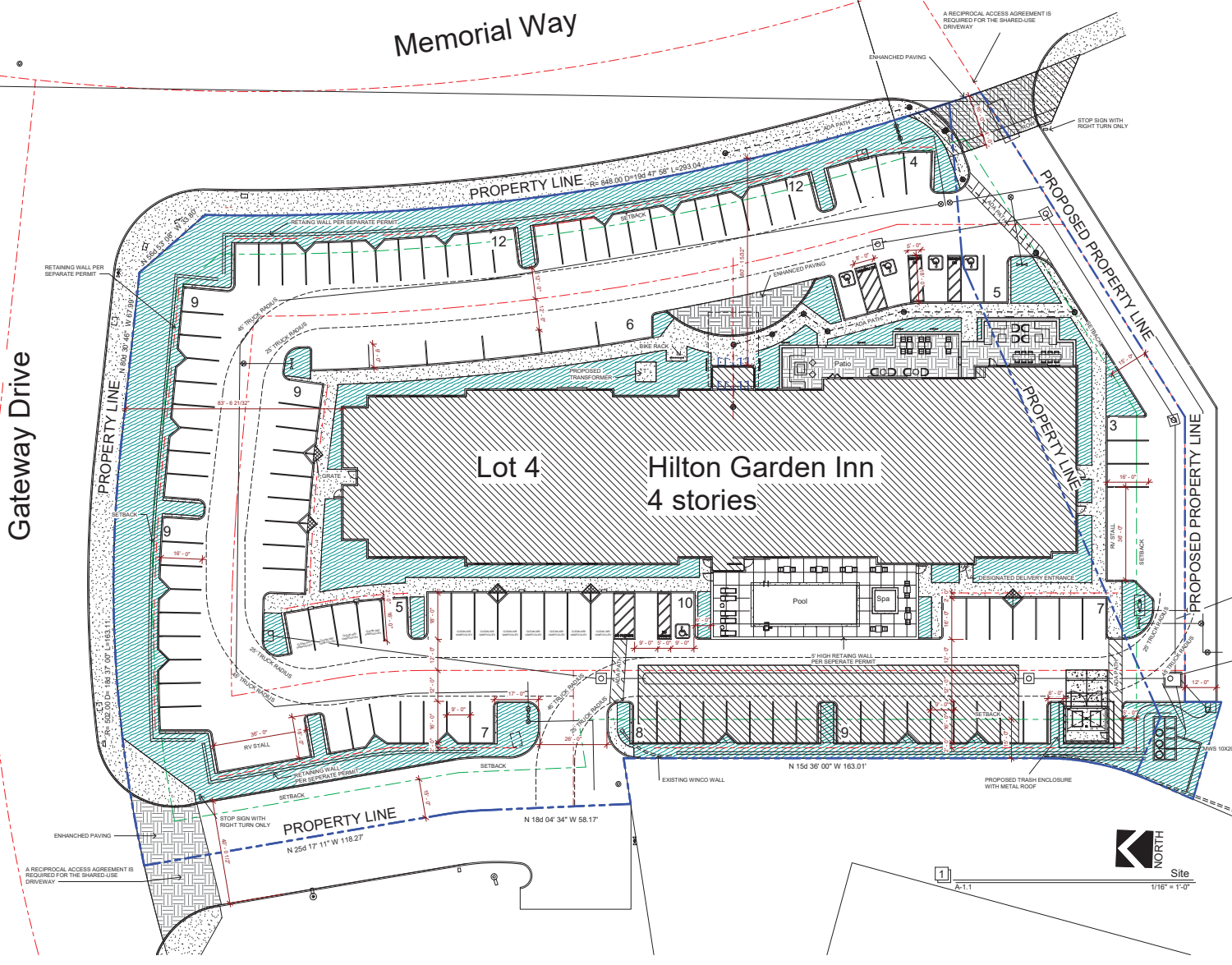
Open Space 4,448.07
 Asphalt/Parking 46,263.5
 Landscape 15,768.4

Adjacent Properties APN num
 North: 291660028
 South: 291650005
 East: 291110017
 West: 291650002 and 2916500

Attachment: Development Plans [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit -

Area Schedule (Gross Building)		
Level	Area	Perimeter
Level 1	18,420 SF	748' - 7 27/32"
Level 2	17,466 SF	710' - 8"
Level 3	17,470 SF	710' - 10"
Level 4	17,470 SF	710' - 10"
	70,826 SF	

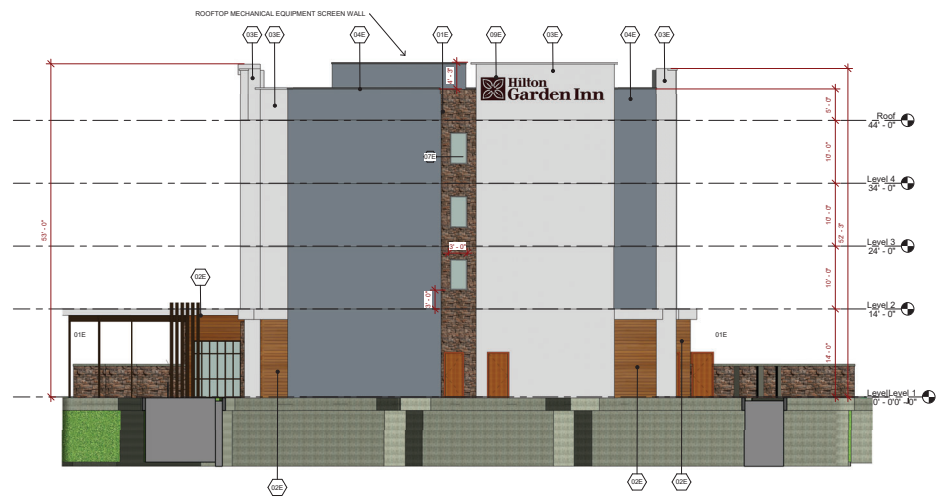
Guest Room Count				
Name	Count	Level	Department	
ADA Double Queen	1	Level 1	Guest Rooms	
Double Queen	4	Level 1	Guest Rooms	
King	6	Level 1	Guest Rooms	
Premium King	1	Level 1	Guest Rooms	
Level 1				
ADA King	12	Level 2	Guest Rooms	
ADA King Premium	1	Level 2	Guest Rooms	
Double Queen	12	Level 2	Guest Rooms	
Double Queen	1	Level 2	Guest Rooms	
King	19	Level 2	Guest Rooms	
Premium King	4	Level 2	Guest Rooms	
Level 2				
ADA King	38	Level 3	Guest Rooms	
ADA King Premium	1	Level 3	Guest Rooms	
Double Queen	13	Level 3	Guest Rooms	
King	19	Level 3	Guest Rooms	
Premium King	4	Level 3	Guest Rooms	
Level 3				
ADA King	38	Level 4	Guest Rooms	
ADA King Premium	1	Level 4	Guest Rooms	
Double Queen	13	Level 4	Guest Rooms	
King	19	Level 4	Guest Rooms	
Premium King	4	Level 4	Guest Rooms	
Level 4				
Grand total	126			



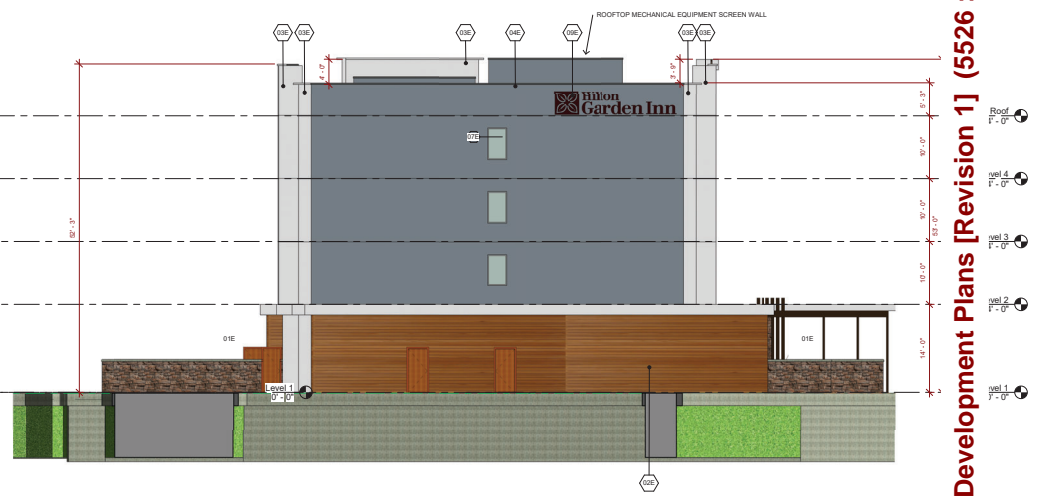
Keynote Legend	
Key Value	Keynote Text
01E	STONE: CORONADO HONEY LEDGE, SIOUX FALLS
02E	SIDING: NICHHA FIBER CEMENT PANEL, VINTAGE WOOD REDWOOD
03E	STUCCO WHITE FIELD: 3 COAT STUCCO LIGHT SAND FINISH MATCH BENJAMIN MOORE; WHITE
04E	STUCCO GRAY ACCENT: 3 COAT STUCCO LIGHT SAND FINISH MATCH BENJAMIN MOORE
05E	STUCCO RED ACCENT: 3 COAT STUCCO LIGHT SAND FINISH MATCH BENJAMIN MOORE SAUCE
07E	ALUMINUM WINDOWS: ANODIZED ALUMINUM, MANUFACTURER'S STANDARD NATURAL E
09E	BUILDING SIGNAGE: HILTON FRANCHISE STANDARD-UNDER SEPARATE PERMIT



1 West Elevation
A-B 1/8" = 1'-0"



3 South Elevation
A-B 1/8" = 1'-0"



2 North Elevation
A-B 1/8" = 1'-0"

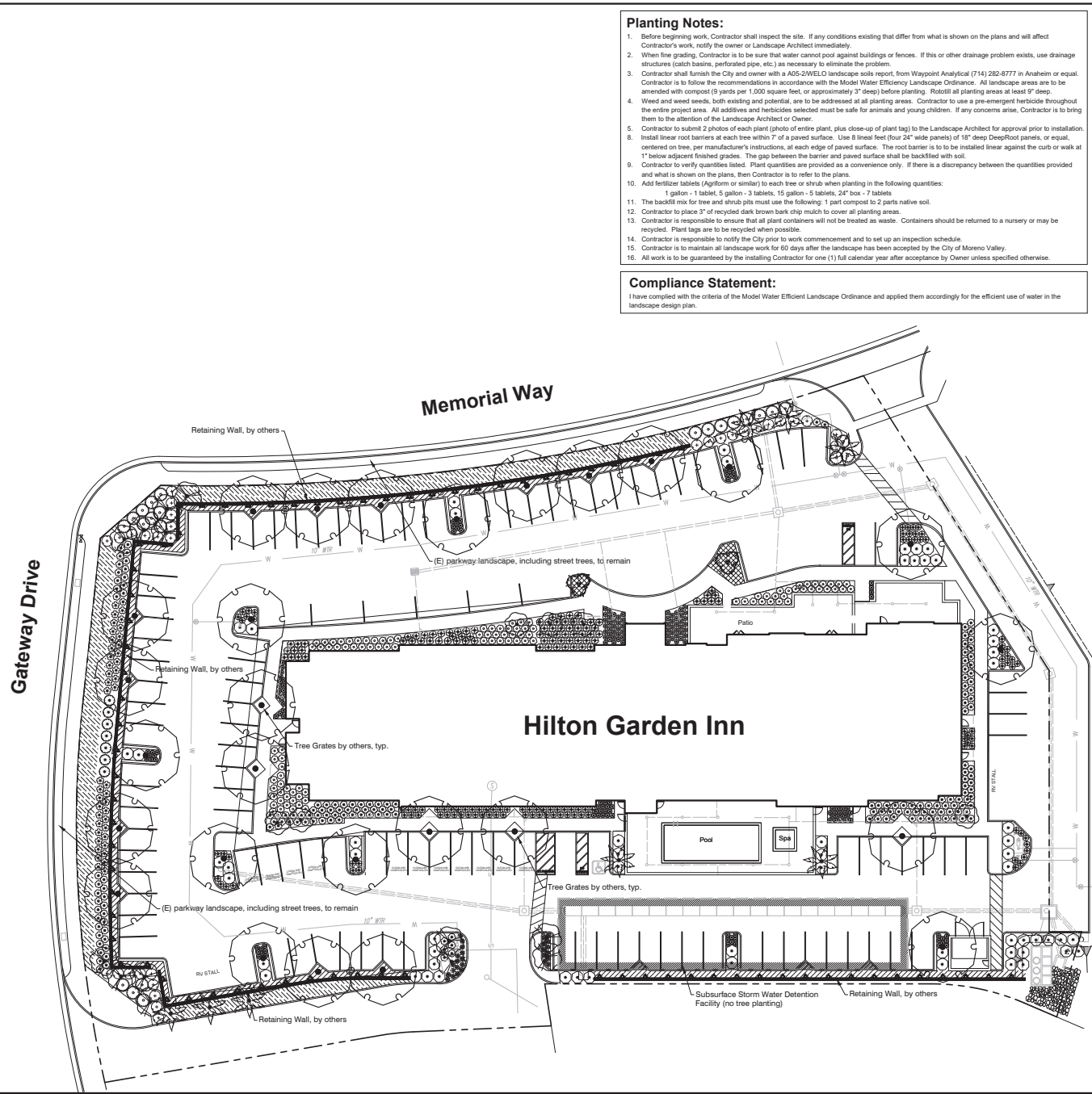
Attachment: Development Plans [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit -

Keynote Legend	
Key Value	Keynote Text
02E	SIDING: NICHHA FIBER CEMENT PANEL, VINTAGE WOOD REDWOOD
03E	STUCCO WHITE FIELD, 3 COAT STUCCO LIGHT SAND FINISH MATCH BENJAMIN MOI "MOONLIGHT WHITE"
04E	STUCCO GRAY ACCENT, 3 COAT STUCCO LIGHT SAND FINISH MATCH BENJAMIN MOI "LOUISIANA HOT SAUCE"
05E	STUCCO RED ACCENT, 3 COAT STUCCO LIGHT SAND FINISH MATCH BENJAMIN MOI "LOUISIANA HOT SAUCE"
07E	ALUMINUM WINDOWS: ANODIZED ALUMINUM, MANUFACTURER'S STANDARD NATU FINISH
09E	BUILDING SIGNAGE: HILTON FRANCHISE STANDARD-UNDER SEPARATE PERMIT



2 | East Elevation
A-9 1/8" = 1'-0"

Attachment: Development Plans [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit -



- Planting Notes:**
- Before beginning work, Contractor shall inspect the site. If any conditions existing that differ from what is shown on the plans and will affect Contractor's work, notify the owner or Landscape Architect immediately.
 - When fine grading, Contractor is to be sure that water cannot pool against buildings or fences. If this or other drainage problem exists, use drainage structures (catch basins, perforated pipe, etc.) as necessary to eliminate the problem.
 - Contractor shall furnish the City and owner with a A05-ZWEL0 landscape soils report, from Waypoint Analytical (714) 282-8777 in Anaheim or equal. Contractor is to follow the recommendations in accordance with the Model Water Efficiency Landscape Ordinance. All landscape areas are to be amended with compost (8 yards per 1,000 square feet, or approximately 3" deep) before planting. Robot all planting areas at least 9" deep.
 - Weed and weed seeds, both existing and potential, are to be addressed at all planting areas. Contractor to use a pre-emergent herbicide throughout the entire project area. All additives and herbicides selected must be safe for animals and young children. If any concerns arise, Contractor is to bring them to the attention of the Landscape Architect or Owner.
 - Contractor to submit 2 photos of each plant (photo of entire plant, plus close-up of plant tag) to the Landscape Architect for approval prior to installation.
 - Install linear root barriers at each tree within 7' of a paved surface. Use 6 linear feet (four 24" wide panels) of 18" deep DeepRoot panels, or equal, centered on tree, per manufacturer's instructions, at each edge of paved surface. The root barrier is to be installed linear against the curb or walk at 1" below adjacent finished grades. The gap between the barrier and paved surface shall be backfilled with soil.
 - Contractor to verify quantities listed. Plant quantities are provided as a convenience only. If there is a discrepancy between the quantities provided and what is shown on the plans, then Contractor is to refer to the plans.
 - Add fertilizer tablets (Agform or similar) to each tree or shrub when planting in the following quantities:
1 gallon - 1 tablet, 5 gallon - 3 tablets, 15 gallon - 5 tablets, 24" box - 7 tablets
 - The backfill mix for tree and shrub pits must use the following: 1 part compost to 2 parts native soil.
 - Contractor to place 3" of recycled dark brown bark chip mulch to cover all planting areas.
 - Contractor is responsible to ensure that all plant containers will not be treated as waste. Containers should be returned to a nursery or may be recycled. Plant tags are to be recycled when possible.
 - Contractor is responsible to notify the City prior to work commencement and to set up an inspection schedule.
 - Contractor is to maintain all landscape work for 60 days after the landscape has been accepted by the City of Moreno Valley.
 - All work is to be guaranteed by the installing Contractor for one (1) full calendar year after acceptance by Owner unless specified otherwise.

Compliance Statement:
I have complied with the criteria of the Model Water Efficient Landscape Ordinance and applied them accordingly for the efficient use of water in the landscape design plan.

Planting Legend:

TREES	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS	QTY
	Chamaecyparis humilis	Mediterranean Fan Palm	24" Box	per plan	L	2
	Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Maidenhair Tree	15 gal.	per plan	M	6
	Lagerstroemia x 'Natchez'	White Crape Myrtle Multi-Trunk	15 gal.	per plan	L	13
	Pistacia chinensis 'Keith Davey'	Keith Davey Chinese Pistache	15 gal.	per plan	L	27
	Syagrus romanzoffiana	Queen Palm	15 gal.	per plan	M	8
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS	QTY
	Berberis aquifolium repens	Creeping Oregon Grape	1 gal.	3.5'	L	79
	Bougainvillea x 'Temple Fire'	Temple Fire Bougainvillea	5 gal.	5'	L	31
	Bubbia fulvescens	Staked Bubbia	1 gal.	3'	L	108
	Callistemon viminalis 'Little John'	Little John Weeping Bottlebrush	5 gal.	3.5'	L	44
	Dianella revoluta 'DR5000' TM	Little Rev Flax Lily	1 gal.	2.5'	L	164
	Ficus pumila	Creeping Fig	1 gal.	per plan	M	75
	Hesperaloe parviflora 'Perpa' TM	Brakelights Red Yucca	1 gal.	2.5'	L	27
	Lantana x 'Monet' TM	Spreading Sunset Lantana	5 gal.	6'	L	24
	Lomandra longifolia 'Breeze' TM	Breeze Mat Rush	1 gal.	3.5'	L	101
	Olea europaea 'Little Olive' TM	Little Olive Olive	5 gal.	5.5'	VL	61
	Salvia greggii 'Furnans Red'	Furnans Red Salvia	1 gal.	3.5'	L	165
	Salvia leucantha 'Santa Barbara'	Mexican Bush Sage	5 gal.	5'	L	7
GROUND COVERS	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WUCOLS	QTY
	Carex tumulicola	Berkeley Sedge	1 gal.	2.5'	L	36
	Dymondia margaritae	Silver Carpet Dymondia	flat	1'	L	2,246
	Lonicera japonica 'Halliana'	Halls Honeysuckle Flowering Vine	1 gal.	3'	L	396

1.c

1-31-23
4-28-21
Linda Fish
Landscape Architect

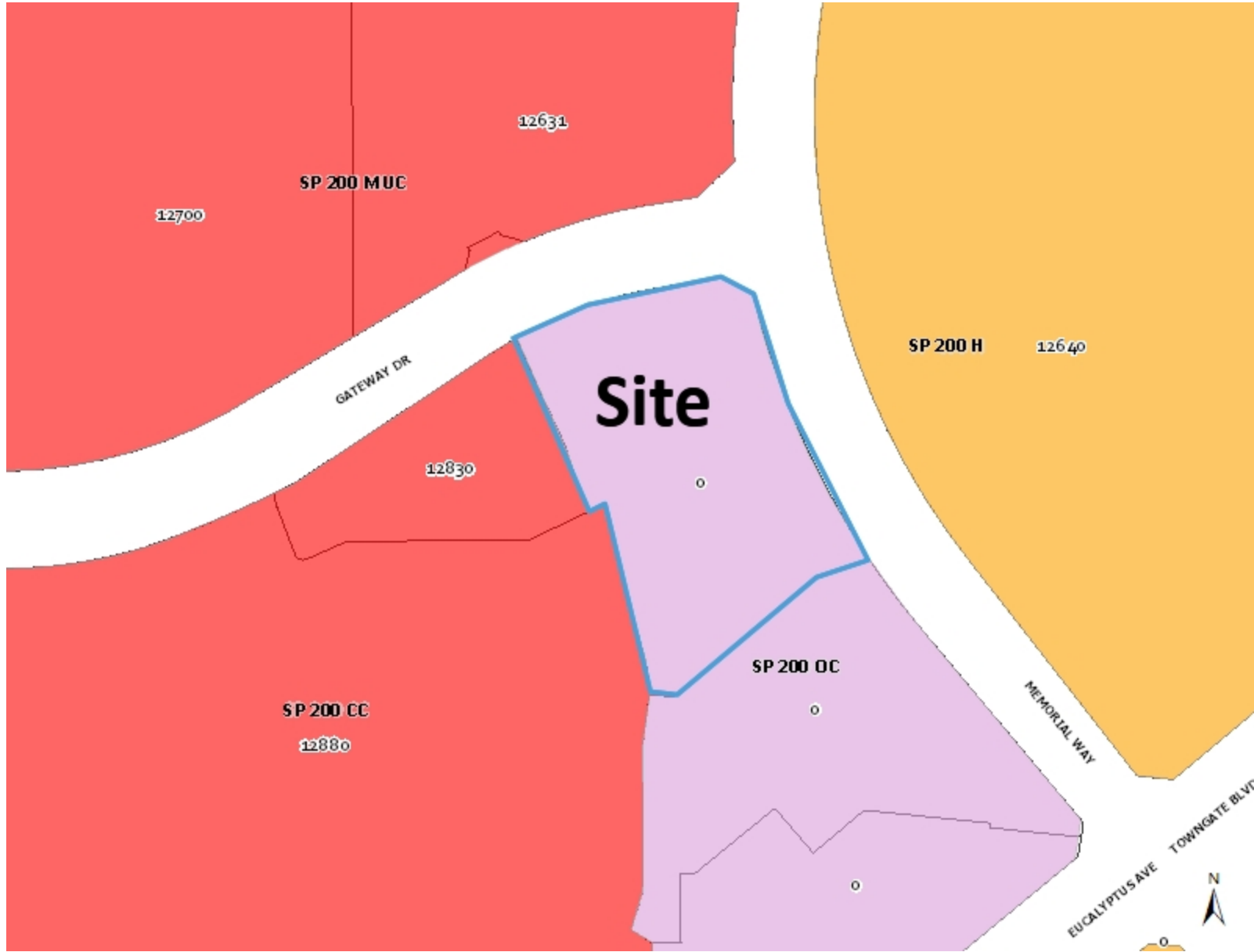
Hilton Garden Inn Moreno Valley

Preliminary Landscape Plan

Attachment: Development Plans [Revision 1] (5526 : Plot Plan PEN21-0142 / Conditional Use Permit -

Scale: 1"=2'
Date: 4-28
Drawn: LF
Sheet Num

PEN21-0084 / PEN21-0142 Zoning Map



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

Road Labels

- Parcels
- City Boundary
- Sphere of Influence

Notes:

APN: 291-650-004

315.5 0 157.74 315.5 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.



City of Moreno Valley
Community Development Department
Planning Division
City Hall Council Chamber
14177 Frederick Street
Moreno Valley, CA 92553

NOTICE OF PUBLIC HEARING



Notice of Public Hearing before the Planning Commission of City of Moreno Valley for the following item(s):

MEETING INFORMATION: September 23, 2021 at 7:00 P
Moreno Valley Council Chamber, 14177 Frederick Street

PROJECT LOCATION: Southwest corner of Gatev
Drive and Memorial Way, District 1

CASE NUMBER(s): Conditional Use Permit PEN21-0084 &
Plot Plan PEN21-0142

CASE PLANNER: Jeff Bradshaw, Associate Plan
(951) 413 3224 or jeffreyb@moval.org

- <APN>
- <Property Owner>
- <Street Address>
- <City, State, Zip>

Attachment: Mailing Notice (5526 : Plot Plan PEN21-0142 /

NOTICE OF PUBLIC HEARING

1.e

PROPOSAL: The applicant, Inland Hotel, LLC, is requesting approval of a Conditional Use Permit (CUP) and Plot Plan to develop a 4-story 126-room hotel with amenities that include a pool, spa, and patio for outdoor dining on a vacant 1.9-acre pad site within the TownGate Square Shopping Center in the Towngate Specific Plan SP 200, Office Commercial (OC) District.

ENVIRONMENTAL DETERMINATION:

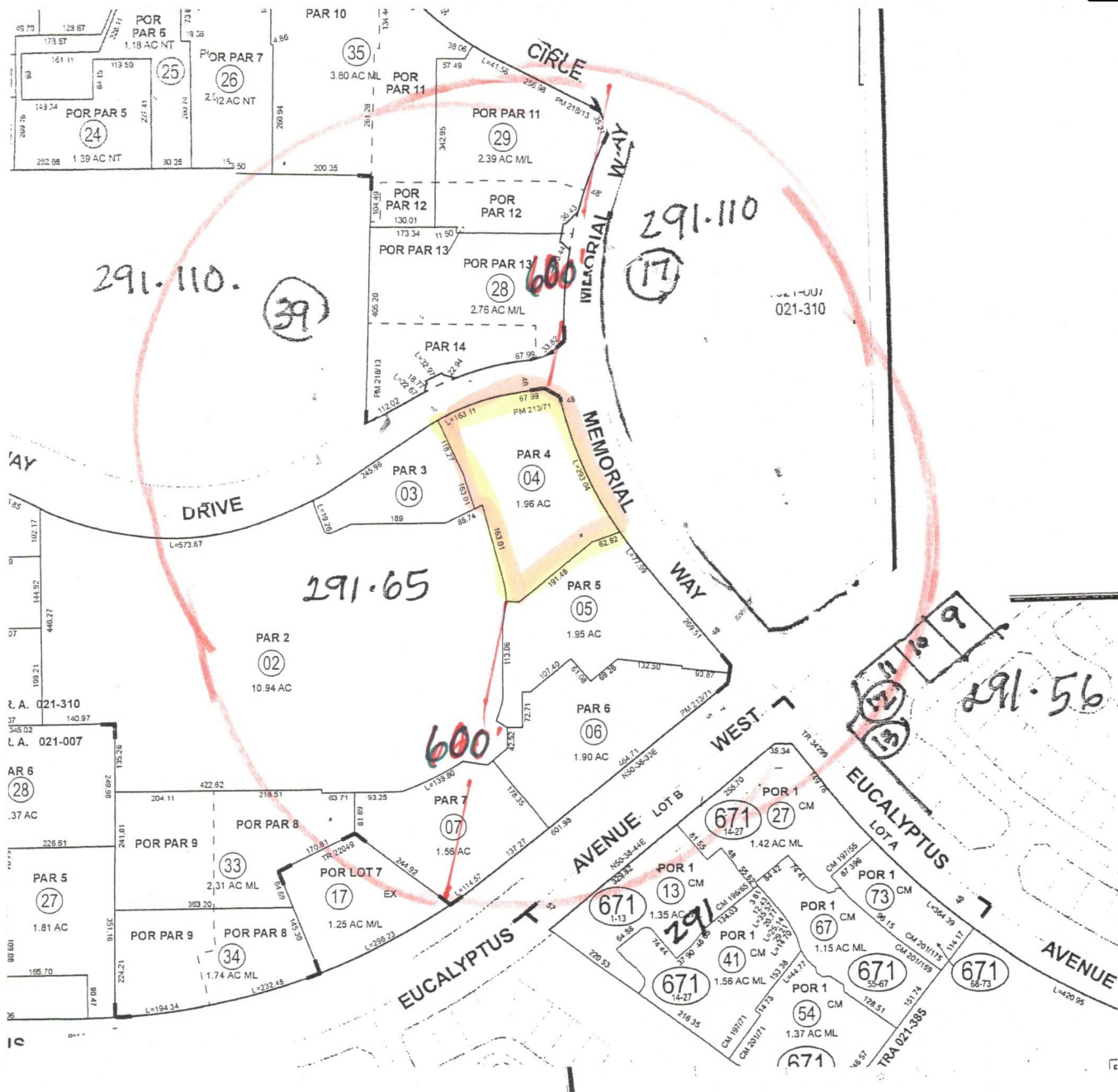
Staff recommends that the Planning Commission find that the proposed project (CUP) is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 32 Exemption (Section 15332, In-Fill Development Projects). Pursuant to the California Code of Regulations a Class 32 exemption can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services. The proposed project (CUP) has been found to meet all of the conditions of the Class 32 exemption as the project is consistent with the applicable General Plan designation and policies; is located on a site less than five acres in size; contains no valuable habitat; will not result in significant environmental effects; and is adequately served by utilities and public services.

PUBLIC HEARING: All interested parties will be provided an opportunity to submit oral testimony during the Public Hearing and/or provide written testimony during or prior to the Public Hearing. The application file and related 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).

PLEASE NOTE: The Planning Commission may consider and approve changes to the proposed items under consideration during the Public Hearing.

GOVERNMENT CODE § 65009 NOTICE: If you challenge any of the proposed actions taken by the Planning Commission in court, you may be limited to raising only those issues you or someone else raised during the Public Hearing described in this notice, or in written correspondence delivered to the Planning Division of the City of Moreno Valley during or prior to, the Public Hearing.

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 James Verdugo, ADA Coordinator, at 951.413.3350 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.



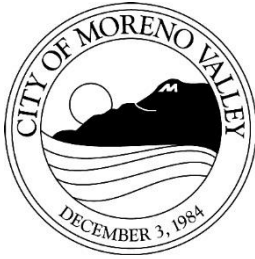
Map Preparer:
 SUSAN W. CASE, INC.
 4000 BARRANCA PKWY #250
 IRVINE CA 92604
 949 494 6105
 susan@susancaseinc.com

FILE # 218708
 HILTON GARDEN INN
 MORENO VALLEY CA
 CITY
 AUGUST 28 2021
 291 650 004



SUSAN W. CASE, INC.

Attachment: Radius Map (5526 : Plot Plan PEN21-0142 / Conditional Use Permit - PEN21-0084 - Hilton Garden Inn Project)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: September 23, 2021

CONDITIONAL USE PERMIT FOR A NEW 2,400 SQUARE FOOT COMMERCIAL CANNABIS DISPENSARY FOR RETAIL PURPOSES ONLY ON A 0.58 ACRE VACANT LOT LOCATED WITHIN THE VILLAGE SPECIFIC PLAN

Case: PEN19-0003 Conditional Use Permit

Applicant: Desert First, LLC

Property Owner: Desert First, LLC

Representative: Cesar McGuire

Location: 24985 Atwood Avenue located on the southside of Atwood Avenue west of Perris Boulevard. (APN: 482-060-016)

Case Planner: Nader Khalil, Contract Planner

Council District: 1

Proposal: Conditional Use Permit for a new 2,400 square foot commercial cannabis dispensary for retail purposes only on a 0.58 acre vacant lot located within the Village Specific Plan

SUMMARY

The applicant, Desert First, LLC, is requesting approval of a Conditional Use Permit (CUP) for a 2,400 square foot commercial cannabis dispensary for retail purposes only on a 0.58 acre vacant lot. (Project Site) The Project Site is located within the Village Specific Plan 204, Community Commercial zone.

The Village Specific Plan 204, Community Commercial zone incorporates by reference the permitted uses of the Community Commercial (CC) District within Title 9 (Planning

and Zoning) of the Municipal Code. A commercial cannabis dispensary is conditionally permitted use within the Community Commercial (CC) District; as such, it is also a conditionally permitted use in the Village Specific Plan 204, Community Commercial zone. The California Department of Cannabis Control describes a cannabis dispensary as a “storefront retailer” that has a physical location where cannabis goods are sold. Under State law, a cannabis dispensary is also permitted to deliver cannabis goods.

BACKGROUND

There is a multi-tiered and dual jurisdictional review of any proposal to operate a commercial cannabis business activity within the City, which includes review by: 1) the California Department of Cannabis Control with respect to the State licensing requirements and operational standards; 2) the City’s Commercial Cannabis Regulatory Permit (CCRP) regulations which are intended to ensure that a commercial cannabis business is operated in compliance with all applicable State and City policies and regulations, including without limitation all businesses and public health and safety regulations; and 3) the City’s Conditional Use Permit (CUP) procedures which review potential impacts a proposed cannabis activity may have on the community, public infrastructure and on-site and off-site improvements. The City CCRP provisions also ensure that a commercial cannabis business pays all applicable fees such as application processing fees, annual regulatory fees, annual community impact fees and other applicable fees, plus the City’s commercial cannabis tax.

A.
Maximum Number

Section 9.09.293 of the Municipal Code provides that commercial cannabis land use activities (such as the proposed Project) are conditionally permitted on, but not limited to, lands zoned Community Commercial (CC). In other words, each type of activity must be located in a permitted zone within the City, as set forth in Title 9 (Planning and Zoning) of the Municipal Code and each activity requires a CUP issued by the Planning Commission.

Currently, the City permits the approval of a maximum of 25 commercial cannabis dispensary CUPs throughout the entire City. The table below identifies, amongst other things, 1) the maximum number of CUPs that may be issued for the entire City for each type of commercial cannabis business activity, and 2) the number of CUPs issued for each commercial cannabis business activity.

Types of Commercial Cannabis Activities	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications Pending Review	Number of Conditional Use Permit Applications Approved
Dispensaries	25	25	23	4	19
Testing Facilities	1	0	0	0	0
Cultivation	5	5	3	3	0

Microbusinesses	7	6	5	3	2
Distribution	2	2	2	1	1
Manufacturing	3	2	2	2	0

B.
Application Process

Any person or entity interested in applying for permission to operate a commercial cannabis business activity within the City must comply with the following:

Provisional Commercial Cannabis Regulatory Permit

An applicant must submit a complete application for a Provisional Commercial Cannabis Regulatory Permit (CCRP) to the City’s Financial & Management Services Department pursuant to Chapter 5.05 (Commercial Cannabis Regulatory Permit) of the Municipal Code. The application must be accompanied by the following: 1) Zoning Verification; 2) Business Plan; 3) Labor & Local Enterprise Plan; 4) Neighborhood Compatibility Plan; 5) Safety Plan; and 6) Security Plan. In addition to the above, if the applicant is not the record owner of the subject property, the applicant must provide proof of the landowner’s approval of the kind of cannabis business activity described in the application.

A Provisional CCRP may be approved provided that the applicant provides adequate proof that the applicant will meet all the requirements and operational standards required of the proposed commercial cannabis activity’s respective State license consistent with the State’s cannabis regulations and all other applicable state laws and regulations within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies.

Conditional Use Permit

The applicant must then submit a complete application to the City’s Planning Division for a CUP pursuant to Section 9.09.290 (Commercial Cannabis Activities) of the Municipal Code within 180 calendar days (six calendar months) of the date a Provisional CCRP is approved. Failure to submit a complete application for the requisite CUP shall be deemed an abandonment of the applicant’s Provisional CCRP, which shall not be appealable.

The purposes of a CUP are to ensure that the proposed cannabis business activity and associated site development elements will be consistent with the City’s established development regulations as well as compatible with other land uses near the proposed project. To effectuate the purposes of a CUP, Section 9.02.060 (Conditional Use Permits) provides that a CUP be approved in whole or in part, if all of the following findings can be made: 1) The proposed project is consistent with the goals, objectives, policies and programs of the General Plan; 2) The proposed project complies with all applicable zoning and other regulations; 3) The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or

improvements in the vicinity; and 4) The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

In light of the foregoing, Section 9.02.060 permits the Planning Commission to impose conditions of approval regarding on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the project will be developed in accordance with the purpose and intent of the City regulations, specifications and standards as set forth in Title 9 (Planning & Zoning).

Commercial Cannabis State License

The applicant must also obtain the requisite Commercial Cannabis State License issued by the California Department of Cannabis Control, in addition to all other relevant and necessary regulatory permits and/or licenses required for the proposed commercial cannabis business activities that are within the purview of the California Department of Food and Agriculture, the California Department of Public Health and all other relevant State agencies.

The Department of Cannabis Control reviews license applications in the order they receive them. During the review process, Department of Cannabis Control DCC will, amongst other things, contact the jurisdiction where the proposed business is located to confirm that the applicant has met all local requirements, review the business owners' criminal history, if any, and review the information contained in or with the application to ensure that the proposed business meets all applicable requirements regarding the particular commercial cannabis business activity.

It is important to note that the State's cannabis licensing scheme imposes "mandatory" conditions on an applicant for a State cannabis license that include, but are not limited to, the following:

- Background Checks. An applicant must provide detailed descriptions of any criminal convictions which include a detailed description of each offense, the dates of any convictions, and if applicable, the dates of incarceration, probation and parole.
- Premises Diagram. An applicant must submit a complete and detailed diagram of the proposed premises.
- Alcohol Use. The business is prohibited from storing or allowing the consumption of alcoholic beverages.
- Disclosure of Financial Interests in Entity. The identities of all entities and individuals with a financial interest in the business must be disclosed.
- Display of State License. The business must display its state license in a conspicuous place within the business viewable in plain sight to guests, visitors and customers upon entry into the business.
- Use of Legal Business Name. The business shall use its legal business name on all documents related to commercial cannabis activity.

- Hours of Operation. The business may only be operated during the hours of 6 a.m. to 10 p.m.
- Limited-Access Areas. The business shall ensure that only its employees and authorized individuals have access to the limited-access areas of the business.
- Requirements While Not Open for Business. The business is required to be adequately secured during closing hours to prevent theft and burglaries.
- Age Restriction of Workers. The business's employees, volunteers and independent contractors shall be at least 21 years of age.
- Identification Badges. The business shall require all persons acting for or employed by the business to wear a laminated or plastic-coated identification badges during business hours.
- Alarm System. The business shall maintain an alarm system, which shall be installed, maintained, monitored and responded to by a licensed alarm company operator, or its registered alarm agents.
- Locks. The business shall use commercial-grade, nonresidential door locks on all points of entry and exit to the business and to any limited-access areas.
- Video Surveillance System. The business shall install, maintain and operate a video surveillance system.
- Security Personnel. The business engaged in any storefront retail sales shall hire or contract for security personnel to provide on-site security services during the hours of operation.
- Storage of Inventory. The business shall store all cannabis inventory in a secured manner, separated from employee break rooms, changing facilities and bathrooms.
- Track and Trace System. The business shall create, maintain and monitor an active and functional account within the track and trace system.
- Records Retention. The business shall keep and maintain all records related to its cannabis activities for set periods of time subject to review at any time.

There are additional State regulations, but the above items specifically relate to operational matters pertaining primarily to security and safety issues.

Moreover, the Manufactured Cannabis Safety Branch of the California Department of Public Health oversees the regulation and licensing of all commercial cannabis manufacturing in California, and the CalCannabis Cultivation Licensing, a division of the California Department of Food and Agriculture, regulates in the area of public safety and environmental protection as it also related to commercial cannabis cultivators in California.

Tax Registration Certificate

The applicant must also register its commercial cannabis business with the City's Tax Administrator (Financial & Management Services Department) pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax) of the Municipal Code. For the privilege of operating a commercial cannabis business in the City such business must pay a tax in the maximum amount of 8% of the gross receipts of the business.

State Sellers Permit

The applicant must obtain a State Sellers Permit issued by the California Department of Tax and Fee Administration. A business is required to obtain a State Sellers Permit if it wants to engage in business in California and intends to sell tangible personal property that is subject to sales tax if sold at retail. The requirement to obtain a State Sellers Permit applies to individuals as well as corporations, partnerships, and limited liability companies. Both wholesalers and retailers must possess a State Sellers Permit to engage in retail activities associated with any commercial cannabis business.

City Business License

The applicant must submit a complete application to the City's Business License Officer for a City of Moreno Valley Business License pursuant to Chapter 5.02 (Business Licenses) of the Municipal Code. The purpose of the City Business License is to identify those businesses which must pay to the City a gross receipts tax, which is in addition to the tax charged to cannabis business operators under Chapter 3.28 (Commercial Cannabis Activity Tax) of the Municipal Code.

Certificate of Occupancy

The applicant must obtain a Certificate of Occupancy from the City's Building & Safety Division. The purpose of a Certificate of Occupancy is to certify that a commercial space has been inspected for compliance with all applicable provisions of the California Building Standards Code and local ordinances which govern construction and occupancy of buildings and structures. In addition, a Certificate of Occupancy will only be issued if the applicant has completed all required tenant improvements, complied with all conditions of approval, and paid all requisite City fees.

Final Commercial Cannabis Regulatory Permit

A Final CCRP must be approved by the City's Financial & Management Services Department before the respective commercial cannabis business activities, as approved in the respective CUP, may commence operations.

A Preliminary CCRP shall be deemed a Final CCRP and become effective upon such time that the applicant: 1) obtains a CUP pursuant to Chapter 9.09.290 (Commercial Cannabis Activities); 2) obtains a City Business License pursuant to Chapter 5.02 (Business Licenses); 3) obtains a Certificate of Occupancy pursuant issued by the City's Building & Safety Department; 4) registers it commercial cannabis business with the City's Tax Administrator pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax); 5) obtains the appropriate Commercial Cannabis State License issued by the California Department of Cannabis Control; 6) obtains (if necessary) all other relevant and necessary regulatory permits, licenses and regulations within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies; and 7) obtains a State Sellers Permit from the California Department of Tax and Fee Administration.

C. **Proposed Project**

Project Description

The applicant is requesting approval to construct a 2,400 square foot single-story building to be operated as a commercial cannabis dispensary (for retail purposes only) on a 0.58 acre vacant lot located at 24985 Atwood Avenue (APN: 482-060-016) within the Village Specific Plan, SP 204 Community Commercial zone. Site improvements will include parking, drive-aisles, landscaping, and water quality management and trash collection facilities.

The proposed tenant improvements within the new building for the dispensary includes a reception and check-in area with secured access to the retail area. The retail area would provide for the sale of cannabis products. The remainder of the building would include restrooms, employee and security offices, secured storage areas and a secured parking garage for a single vehicle. The hours of operation for the proposed cannabis dispensary will be limited to between 6:00 am and 10:00 pm, seven days per week, consistent with the Municipal Code and State Law.

Project Site

The Project Site consists of a single parcel located on the southside of Atwood Avenue approximately 100 feet west of Perris Boulevard in the Village Specific Plan, SP 204 Community Commercial zone. The adjacent parcels are similarly located within the Village Specific Plan, SP 204 Community Commercial zone.

Surrounding uses include a multi-tenant commercial center, Zonos Plaza, to the north; and automotive repair business and non-conforming single family residences to the south; and non-conforming single family residences to the east and west.

Off-Site/On-Site Improvements

The Project includes a proposed new sidewalk along Cottonwood Avenue and Edgemont Street Rights-of-Way (ROW) that will incorporate new ADA compliant pedestrian ramp at the southeast corner of the intersection.

On-site improvements will include parking, drive-aisles, landscaping, and water quality management and trash collection facilities.

Access/Parking

The Project Site has been designed with a new 24-foot-wide driveway located on Atwood Avenue.

The Applicant also proposes to provide a total of 11 on-site parking stalls consistent with the minimum retail parking requirement of one space for every 225 square feet of building area. Two secured parking spaces have been incorporated into the Project

including one of the required parking stalls and one within the garage attached to the Project's new building.

Design/Landscaping

The architectural design of the proposed building reflects a Spanish style architecture, which is the type of architecture encouraged in the Village Specific Plan. Architectural elements including clay Spanish roof tiles, faux terracotta vents, and stucco in two complementary earth tone colors all of which create a cohesive architectural design.

The Applicant has proposed to upgrade the Project Site in several different ways, including: new exterior lighting, landscaping, trash enclosure in the rear; and 6-foot concrete block walls along the south, east, and west property lines; adjacent to existing single family residential uses.

D.

Project Entitlements

Status of Provisional Commercial Cannabis Regulatory Permit

On August 20, 2018, the City's Financial & Management Services Department issued the Applicant (Desert First, LLC) Provisional CCRP No. MVCCBP-R0007 for a cannabis dispensary for retail purposes only.

Conditional Use Permit (PEN19-0096)

The Applicant requesting approval of a single Conditional Use Permit (CUP) for a 2,400 square foot commercial cannabis dispensary for retail purposes only on a 0.58 acre vacant lot.

Again, the purposes of a CUP are to ensure that the proposed cannabis business activities and associated site development elements will be consistent with the City's established development regulations as well as compatible with other land uses near the proposed project. As such, Section 9.02.060 permits the Planning Commission to impose conditions of approval regarding on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare and ensure that the project will be developed in accordance with the purpose and intent of the City regulations, specifications and standards as set forth in Title 9 (Planning & Zoning).

As indicated above, the State imposes a wide variety of mandatory conditions on cannabis business activities licensed by the State. These regulations are enforced by the State and the City, via a cannabis businesses' Final CCRP and CUP, both of which require compliance with all applicable State and local requirements. In addition to the above, if the applicant is not the record owner of the subject property, the applicant must provide proof of the landowner's approval of the kind of cannabis business activity described in the application.

Notwithstanding the above, staff recommends that the following conditions of approval be incorporated in the Project's CUP, as follows:

- Safety and Security Plan

The proposed security measures are similar to other cannabis businesses approved by the City and they comply with the provisions of Section 9.09.290 (Commercial Cannabis Activities) of the Municipal Code. The Safety and Security Plans provided to the City identify methods to address site security for employees, customers, and the public, as well as fire prevention methods that comply with local and state laws and includes provisions for on-site security guards, a fire alarm system, on-site safety and security signage, parking lot lighting, secured parking area for deliveries, a video surveillance system, and a system for the transfer of product and currency. Staff also recommends that a condition of approval be included in each of the Conditional Use Permits requiring the Applicant to provide all video to the City's Police and Fire Departments upon request.

- Odor Control Plan

An Odor Control Plan has been prepared in conformance with City requirements to ensure abatement of all potential odors that could emanate from the retail establishment. The Odor Control Plan requires that carbon filters be attached to the heating, ventilation and air conditioning (HVAC) exhaust fans in order to address cannabis-related odors. All grow rooms must be sealed, with no air entering or exiting, except when the door is opened for access by employees. The air filtration system for the building shall be designed by a licensed Mechanical Engineer and reviewed and permitted by the Building & Safety Division staff as part of the tenant improvement plans for the heating, ventilation and air conditioning (HVAC) systems for the proposed dispensary. In addition, staff is recommending that automatic closures shall be installed on all interior and exterior doors and that all roof venting, wall penetrations panel joints, etc., be sealed to prevent odors from migrating outside of the dispensary.

Commercial Cannabis State License

The Applicant plans to apply for the necessary State cannabis licenses if the CUP is ultimately approved by the City.

Final Commercial Cannabis Regulatory Permits

The Project's Provisional CCRP will become a Final CCRP and become effective upon such time that the applicant: 1) obtains a CUP pursuant to Chapter 9.09.290 (Commercial Cannabis Activities); 2) obtains a City Business License pursuant to Chapter 5.02 (Business Licenses); 3) obtains a Certificate of Occupancy pursuant issued by the City's Building & Safety Department; 4) registers it commercial cannabis business with the City's Tax Administrator pursuant to Chapter 3.28 (Commercial Cannabis Activity Tax); 5) obtains the appropriate Commercial Cannabis State License

issued by the California Department of Cannabis Control; 6) obtains (if necessary) all other relevant and necessary regulatory permits, licenses and regulations within the purview of the California Department of Food and Agriculture, the California Department of Public Health and any other relevant state agencies; and 7) obtains a State Sellers Permit from the California Department of Tax and Fee Administration.

REVIEW PROCESS

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed the proposed Project. The Applicant has worked with staff, and modified the proposed plans to the satisfaction of all relevant City Departments/Divisions. Based on staff's review, it was determined that the proposed Project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

Staff recommends that the Planning Commission find that the proposed Project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 32 Exemption (Section 15332, In-Fill Development Projects). Pursuant to the California Code of Regulations a Class 32 exemption can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services.

The proposed project has been found to meet all of the conditions of the Class 32 exemption as the project is consistent with the applicable General Plan designation and policies; is located on a site less than five acres in size; contains no valuable habitat; will not result in significant environmental effects; and is adequately served by utilities and public services.

NOTIFICATION

Public notice was sent to all property owners of record within 600 feet of the proposed Project on September 9, 2021. The public hearing notice for this Project was posted on the Project Site and published in the Press Enterprise Newspaper on September 10, 2021. As of the preparation of the report City staff received two public comments in opposition to the project.

REVIEW AGENCY COMMENTS

The Project's application materials were circulated for review by all appropriate City Departments/Divisions as well as all applicable outside agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2021-35, and thereby:

1. **DETERMINE** that Conditional Use Permit PEN19-0096 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 32 Exemption (Section 15332, In-Fill Development Projects); and
2. **APPROVE** Conditional Use Permit PEN19-0096 subject to the attached Conditions of Approval as Exhibit A to the Resolution, based on the findings set forth in the Staff Report and Resolution.

Prepared by:
Sean P Kelleher

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

1. Resolution No. 2021-35
2. Development Plans
3. Zoning Map
4. Mailing Notice
5. Radius Map
6. Public Comment - Shafer
7. Public Comment - Ramirez

RESOLUTION NUMBER 2021-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDED CONDITIONAL USE PERMIT (PEN19-0003) FOR THE CONSTRUCTION OF A NEW 2,400 SQUARE FOOT COMMERCIAL BUILDING AND THE OPERATION OF A COMMERCIAL CANNABIS DISPENSARY LOCATED AT 24985 ATWOOD AVENUE, ON THE SOUTH SIDE OF ATWOOD AVENUE WEST OF PERRIS BOULEVARD (APN: 482-060-016)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Desert First, LLC (“Applicant”) has filed an application for the approval of a Conditional Use Permit PEN19-0003 (“Application”) for the construction of a new 2,400 square foot commercial building and operation of a commercial cannabis dispensary, located at 24985 Atwood Avenue (“Site”); and

WHEREAS, Section 9.09.290 (Commercial Cannabis Activities) provides that a limited number of commercial cannabis dispensaries may be allowed within the Community Commercial (CC), Neighborhood Commercial (NC) and Business Park-Mixed Use (BPX) zoning districts, with a properly secured conditional use permit approved through the Planning Commission; and

WHEREAS, Section 9.02.060 (Conditional Use Permits) of the Moreno Valley Municipal Code acknowledges that the purpose of conditional use permits is to allow the establishment of uses that may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location and that the conditional use permit application process involves the review of location, design and configuration of improvements related to the project, and the potential impact of the project on the surrounding area based on fixed and established standards; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, Specific Plan 204 and other applicable laws and regulations; and

WHEREAS, Section 9.02.060 of the Municipal Code imposes conditions of approval upon projects for which a CUP is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used and any other conditions as may be deemed necessary to protect the public health, safety and welfare to ensure that the proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a

public hearing was scheduled for September 23, 2021, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Site; and

WHEREAS, on September 23, 2021, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN19-0003 (“CUP”), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered the Planning Division’s recommendation that the proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) as set forth in Public Resources Code Sections 21000 – 21177 and the CEQA Guidelines as set forth in 14 California Code of Regulations Sections 15000-15387, under CEQA Guidelines¹ Section 15332 (In-Fill Development Projects) which can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services; and

WHEREAS, at the public hearing, the Planning Commission reviewed and considered whether each of the requisite findings specified in Section 9.02.060 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by the Conditions of Approval.

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

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the proposed project is subject to certain fees, dedications, reservations and other exactions as provided herein.

¹ 14 California Code of Regulations §§15000-15387

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the proposed CUP, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Specific Plan 204 and all relevant provisions referenced therein;
- (d) Application for the approval of a Conditional Use Permit (CUP) PEN19-0003 and all documents, records and references contained therein;
- (e) Conditions of Approval for CUP PEN19-0003, attached hereto as Exhibit A;
- (f) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (g) Staff's determination that the proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (h) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (i) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) The proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
- (b) The proposed Project complies with all applicable zoning and other regulations;
- (c) The proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; and
- (d) The location, design and operation of the proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Determination of Categorical Exemption

That the Planning Commission hereby determines that the proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects).

Section 6. Notice of Exemption

That the Planning Division is hereby directed to prepare, execute, and file a Notice of Exemption as required by Section 5.2 (Noticing Requirements) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and CEQA

Guidelines Section 15062.

Section 7. Approval

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves CUP PEN19-0003 subject to the Conditions of Approval for CUP PEN19-0003, attached hereto as Exhibit A.

Section 8. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 9. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 10. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

PASSED AND ADOPTED THIS _____ day of _____, 2021.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Patricia Korzec, Chairperson

ATTEST:

Patty Nevins,
Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Resolution No. 2021-35 [Revision 2] (5534 : PEN19-0003 - Desert First Commercial Cannabis Dispensary)

Exhibit A

CONDITIONS OF APPROVAL

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Conditional Use Permit (PEN19-0003)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0003)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. 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)
2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code.
3. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
4. 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)
5. Applicant/Developer shall defend, indemnify and hold harmless City, city council, commissions, boards, subcommittees and City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any agreements by and among City and Developer including without limitation any Development Agreement, (ii) any and all permits, licenses and entitlements approved by City; (iii) any environmental determination made by City in connection with the Project Site or Project; and (iv) any proceedings or other actions undertaken by City in connection with the adoption or approval of any of the above.
6. All signs indicated on the submitted plans are not included with this approval and shall be renewed under separate permit.
7. 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.
8. This project is located within Specific Plan 204. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)

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9. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)

Special Conditions

10. The site has been approved for the construction of a 2,400 square foot commercial building and associated site improvements and the operation of a commercial cannabis dispensary, located at 24985 Atwood Avenue 24095 Sunnymead Boulevard, per the approved plans and per the requirements of the City's Municipal Code (MC) Section 9.09.290 Commercial Cannabis activities, 9.09.293 Cannabis Business locations and use, and 5.05 Commercial Cannabis Activity. A change or modification to the interior design/set-up, exterior elevations or business process (including security procedures) shall require separate review and approval. For a Conditional Use Permit, violation may result in revocation of a Conditional Use Permit per MC Section 9.09.290 F and 9.02.260.
11. The commercial cannabis dispensary shall be consistent with all other applicable federal, state and local requirements including the Moreno Valley Municipal Code, Title 5 and Title 9, and all related Municipal Code sections.
12. The cannabis licensee shall display its current valid Commercial Cannabis Business Permit under Chapter 5.05 of this Code and a Conditional Use Permit issued in accordance with this chapter inside the lobby or waiting area of the main entrance to the site. The permits shall be displayed at all times in a conspicuous place so that it may be readily seen by all persons entering the site. (MC 9.09.290 (D)(2)(c))
13. All City Fire, Police and Code personnel shall have unlimited and unrestricted property access for inspections of commercial cannabis businesses and facilities during business hours. (MC 9.09.290 (D)(2)(g))
14. Security surveillance cameras and a video recording system must be installed to monitor all doors into and out of the buildings on the site, the parking lot, loading areas, and all exterior sides of the property adjacent to the public rights -of-way. The camera and recording systems must be of adequate quality, color rendition, and resolution to allow the identification of any individual present on the site. The recording system must be capable of exporting the recorded video in standards MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
15. All windows on the building that houses the Cannabis Facility shall be appropriately secured and all cannabis and marijuana securely stored.
16. A copy of all pages of these conditions shall be included in the construction drawing package.
17. The commercial cannabis operation shall have a valid Commercial Cannabis Business Permit and shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
18. No person associated with this commercial cannabis dispensary shall cause or permit the sale, dispensing or consumption of alcoholic beverages or the sale of tobacco products on or within 50 feet of the premises of a cannabis business. (MC 9.09.290 (D)(2)(b))
19. All operations conducted and equipment used must be in compliance with all applicable state and local regulations, including all building, electrical and fire codes. (MC 9.09.290 (E)(7)(b))

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Conditional Use Permit (PEN19-0003)

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20. A licensee conducting a commercial cannabis dispensary shall meet all applicable operational requirements for retail/commercial cannabis dispensaries. (MC 9.09.290 (E)(4))
21. The cannabis license and the Conditional Use Permit, apply only to the 2,400 square foot building at 24985 Atwood Avenue. No use of any other tenant space, outside of the 2,400 square foot suite is allowed per Conditional Use Permit PEN19-0003.
22. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, the dispensary site. (MC 9.09.290 (E)(4)(f))
23. The commercial cannabis dispensary shall have designated locked storage on the dispensary property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(4)(c))
24. Waste and storage and disposal of all cannabis and marijuana products shall meet all applicable state and local health regulation. (MC 9.09.290 (E)(13))
25. Daily hours of operation for the dispensary may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
26. No commercial cannabis dispensary owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on the dispensary property (ii) hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or (iii) operate a business on or adjacent to the dispensary property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the dispensary property. (MC 9.09.290 (E) (4)(g))
27. No cannabis or marijuana materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis dispensaries are being conducted. All commercial cannabis dispensaries must take place within a fully enclosed, secured and permanent structure (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
28. The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the Cannabis Business that is distinctive to its operation is not detected outside the Cannabis Business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the Cannabis Business. As such, Cannabis Businesses must install and maintain the following equipment or any other equipment which the Local Licensing Authority determines has the same or better effectiveness:
 - a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or
 - b. An air system that creates negative air pressure between the Cannabis Businesses' interior and exterior so that the odors generated inside the Cannabis Business are not detectable outside the Cannabis Business.
29. All Cannabis heating, ventilation, air conditioning and odor control plans and blue prints shall

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Conditional Use Permit (PEN19-0003)

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- be stamped by a Licensed HVAC Mechanical Engineer.
30. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
 31. Automatic closures on all interior and exterior doors shall be installed.
 32. All interior and exterior door seals shall be replaced and adjusted.
 33. All roof venting, wall penetrations, panel joints etc. shall be sealed.
 34. Air curtains shall be installed on all exterior doors.
 35. Two secured parking spaces, identified on a plot plan shall be located convenient to the required secured area of each facility to be used by secured transfer vehicles involved in the couriering or dispensing of cannabis materials products to and from the facility and for use by any secured vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
 36. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E) (14) (c))
 37. Licensee shall remove any graffiti from the licensed premises within twenty-four (24) hours of its occurrence, or as requested by the city. (MC 9.09.290 (E) (14) (d))
 38. Exterior landscaping within ten (10) feet of a licensed premises shall be designed, installed and maintained free of locations which could reasonably be used by persons to conceal themselves and/or to enable undesirable activity. The design and maintenance practices shall give appropriate consideration to both natural and artificial illumination. (MC 9.09.290 (E)(8)(c))
 39. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approval of any new or repaired landscaping by the Planning Division designed per the City's Municipal Code 9.17.
 40. Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation improvements shall be installed, and inspected and approved by the Planning Division. (DC 9.03.040)
 41. The applicant shall provide frosted glass or solid walls to separate the exterior of the building and the interior lobby area from the retail/mercantile area to ensure that no cannabis or marijuana materials or products are visible.
 42. The parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards and the Security Plan at all times.
 43. Prior to approval of tenant improvement plans, a detailed, on -site, computer generated, point-by- point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted as part of the Building and Safety Plan Check submittal 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 meets the lighting standards in the Cannabis Ordinance 932. After the third plan check review for lighting plans, an additional plan

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Conditional Use Permit (PEN19-0003)

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- check fee will apply. (MC 9.08.100, DG) Lighting shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination levels and shielding. (MC 9.09.290 (E)(10))
44. The commercial cannabis operation shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.
 45. Prior to Building Permit or Certificate of Occupancy, the process for any transfer of product or currency shall be identified in an updated Security Plan to be reviewed and approved by the Planning Division. (MC 9.09.290 (D)(2)(f))
 46. The Security Plan on file with the City of Moreno Valley shall remain in effect as long as the established use is in operation. Any changes, additions, removal or modifications to the plan shall be submitted to the City for review and inclusion in the Conditional Use Permit file.
 47. Prior to approval of tenant improvement plans, the applicant shall submit plans detailing provisions for controlled/secured access into and out of the dispensary area.
 48. Professionally and centrally monitored fire, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include a private security company that is required to respond to every alarm. (MC 9.09.290 (E)(12)(b))
 49. Persons under the age of twenty-one (21) years shall not be allowed on the premises. It shall be unlawful and a violation of this chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.

Building Division

50. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
51. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
52. Contact the Building Safety Division for permit application submittal requirements.
53. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m. (except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
54. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
55. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
56. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district

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at 951.928.3777 for specific details.

57. 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, accessibility, etc.
58. The proposed non-residential project shall comply with Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
59. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
60. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

61. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
62. New Moreno Valley businesses may adopt a "First Source" approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of the public recruitment.
63. New Moreno Valley businesses are encouraged to hire local residents.
64. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
65. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center ("BERC").

The BERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:

- Job Announcements
- Applicant testing / pre-screening
- Interviewing
- Job Fair support
- Training space

FIRE DEPARTMENT**Fire Prevention Bureau**

66. 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)
67. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall

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Conditional Use Permit (PEN19-0003)

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- display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
68. 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) a - 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.
 69. 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 effect at the time of building plan submittal.
 70. 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)
 71. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
 72. 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])
 73. 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 Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
 74. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
 75. Plans for private water mains supplying fire sprinkler systems and /or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
 76. 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 B 105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)

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77. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel).
78. 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. 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.
79. An approved automatic fire sprinkler system, designed in compliance with the California Fire Code is required in every building that houses a commercial cannabis business. This requirement is a minimum standard and does not preclude the city from imposing additional fire prevention measures as deemed necessary by the fire marshal on a case-by-case basis.
80. Professionally and centrally monitored fire, sprinkler, robbery, and burglar alarm systems must be installed and maintained in good working condition. The alarm system must include a private security company that is required to respond to every alarm.
81. Automatic opener. New motorized gates shall be provided with means to be automatically opened remotely by emergency vehicle in accordance with Riverside County Fire Department Standards and Policies, as may be amended from time to time. * (If gated access is proposed). 503.6.1

PUBLIC WORKS DEPARTMENT**Land Development**

82. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
83. 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]
84. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
85. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0003)

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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.

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.

86. 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]
87. This project shall submit civil engineering design plans, reports and /or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
 - a. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - b. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - c. Final drainage study (prior to grading plan approval);
 - d. Final WQMP (prior to grading plan approval);
 - e. Legal Documents (e.g., Easements, Offer of Dedication, etc.) (prior to Building Permit Issuance);
 - f. As-Built revision for all plans (prior to Occupancy release);

Prior to Grading Plan Approval

88. Resolution of all drainage issues shall be as approved by the City Engineer.
89. 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, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
90. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
91. A 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;

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- 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.

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.

- 92. 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.
- 93. 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.
- 94. 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.
- 95. The developer shall pay all remaining plan check fees.
- 96. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.
- 97. The driveway approach on Atwood Avenue shall be per standard MVSI-112C-0.

Prior to Grading Permit

- 98. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted, if applicable. [MC 9.14.100(O)]
- 99. Security, in the form of a cash deposit (preferable), bond 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)]
- 100. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

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101. The developer shall pay all applicable inspection fees.
102. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.

Prior to Encroachment Permit

103. All applicable inspection fees shall be paid.
104. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

105. 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.
106. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
107. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and /or repaired. The applicant may be required to post security to cover the cost of the repairs.
108. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).

Prior to Occupancy

109. All outstanding fees shall be paid.
110. 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.
111. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
112. For commercial, industrial and multi-family 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,

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- 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]
113. 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 covenants and agreements can be obtained by contacting the Land Development Division.
114. 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).
 - 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.
115. 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 drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

116. 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

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Conditional Use Permit (PEN19-0003)

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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 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.

117. 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.)
118. 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.)
119. 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.
120. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.

DESERT FIRST LLC.


PROPOSED CANNABIS DISPENSARY

24985 ATWOOD AVENUE
 MORENO VALLEY, CA 92553

PROJECT DATA		GENERAL NOTES	POLICE DEPARTMENT NOTES	PROJECT INFORMATION	SHEET INDEX																																																																																						
AREA AND DENSITY CALCULATIONS TABLE % <table border="1"> <tr><td>SPACE</td><td>AREA (GROSS)</td></tr> <tr><td>PARKING</td><td>(7.33%) 1,864 SF</td></tr> <tr><td>TRASH</td><td>(1.13%) 288 SF</td></tr> <tr><td>LANDSCAPE</td><td>(26.4%) 6,713 SF</td></tr> <tr><td>WALKWAY</td><td>(3.62%) 922 SF</td></tr> <tr><td>BUILDING</td><td>(9.43%) 2,400 SF</td></tr> <tr><td>DRIVEWAY</td><td>(52.1%) 13,240 SF</td></tr> <tr><td>TOTAL AREA</td><td>(100%) 25,427 SF</td></tr> </table>		SPACE	AREA (GROSS)	PARKING	(7.33%) 1,864 SF	TRASH	(1.13%) 288 SF	LANDSCAPE	(26.4%) 6,713 SF	WALKWAY	(3.62%) 922 SF	BUILDING	(9.43%) 2,400 SF	DRIVEWAY	(52.1%) 13,240 SF	TOTAL AREA	(100%) 25,427 SF	<ol style="list-style-type: none"> GENERAL (P) SURFACE DRAINAGE PATTERN, INCLUDING (P) ROOF DRAINAGE LOAD TRANSFERRED TO GROUND LEVEL, IS TO REMAIN AS IS. THIS IS A CONCEPTUAL SITE PLAN. UNLESS OTHERWISE NOTED, ALL ELEMENTS AND CONDITIONS ARE EXISTING. VEHICULAR ACCESS DRIVES MUST BE PROVIDED AND MAINTAINED SERVICEABLE THROUGHOUT CONSTRUCTION. CONTRACTOR SHALL ERECT AND MAINTAIN BARRICADES, WARNING SIGNS AND TRAFFIC CONES PER LOCAL REQUIREMENTS. ACCESS TO DRIVEWAYS TO BE MAINTAINED AT ALL TIMES. ALL TRAFFIC CONTROL MEASURES SHALL BE APPROVED AND IN PLACE PRIOR TO ANY CONSTRUCTION ACTIVITY. ALL MATERIALS AND WORKMANSHIP FOR PUBLIC FACILITIES TO CONFORM TO CITY STANDARD CONSTRUCTION SPECIFICATIONS. CONTRACTOR SHALL SWEEP ENTIRE SITE OR PORTIONS OF SITE TO BE USED BY THE PUBLIC AND SURROUNDING RIGHT-OF-WAY AREA OF THE STREET PRIOR TO USE BY THE GENERAL PUBLIC. THE SITE SHALL BE KEPT FREE OF FIRE HAZARDS FROM THE START OF CONSTRUCTION TO FINAL INSPECTION. THE G.C. SHALL IMPLEMENT A BEST MANAGEMENT PRACTICE STORMWATER FOR ALL ACTIVITIES PER CAL GREEN REQUIREMENTS. THE G.C. IS RESPONSIBLE TO VERIFY ALL UNDERGROUND UTILITIES PRIOR TO PERFORMING EXTERIOR WORK. CALL 811 BEFORE DIGGING. G.C. TO VERIFY ANY ABRUPT CHANGE IN LEVEL EXCEEDING 1/2" EXISTING CONCRETE SLAB/ASPHALT TRANSITION FROM ENTRY TO PUBLIC WAY ACCESS. G.C. TO PROVIDE CLEAR PATH OF TRAVEL, PER SECTION 11B-303. SITE & PARKING ARE EXISTING TO REMAIN UNCHANGED. NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY, CONTRASTING WITH THEIR BACKGROUND. NUMBERS SHALL BE A MINIMUM OF 6 INCHES HIGH WITH A MINIMUM STROKE OF .5 INCHES. WHERE ACCESS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. (CFC 505.1) THE G.C. IS RESPONSIBLE TO FIELD VERIFY AND LOCATE ALL WET AND DRY UTILITIES CONNECTION POINTS PRIOR TO ANY DEMOLITION OR CONSTRUCTION. (I.E. GAS, WATER AND SEWER, CLEAN OUTS, ETC.) GENERAL CONTRACTOR SHALL REDUCE CONSTRUCTION WASTE BY 65%. GENERAL CONTRACTOR SHALL VERIFY THAT CALIFORNIA PROHIBITED UNIVERSAL WASTE MATERIALS ARE DISPOSED OF PROPERLY AND DIVERTED FROM LANDFILLS. 	<ol style="list-style-type: none"> 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. SECURITY CAMERAS INSIDE THE BUSINESSES AND SEVERAL CAMERAS OUTSIDE. ROOFTOP ADDRESSING OF ALL BUILDINGS IS RECOMMENDED. ADDRESS NUMBERS OR LETTERS SHOULD BE CLEARLY VISIBLE FROM THE STREET. THE PARKING LOTS, STREET AND BUILDINGS SHOULD BE WELL LIT. MINIMIZE THE SHADOWS CAST BY LANDSCAPING AND TREES ON THE PROPERTY, WALKWAYS AND PUBLIC AREA. BUSINESS SHOULD HAVE AN ALARM SYSTEM THAT IS MONITORED BY A DESIGNATED PRIVATE ALARM COMPANY TO NOTIFY THE MORENO VALLEY POLICE DEPARTMENT OF ANY INTRUSIONS. 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. ALARM SYSTEM SHOULD HAVE MORNINGING CAPABILITY WITH LAW ENFORCEMENT OR PRIVATE SECURITY SERVICE NOTIFICATION. 	PROPOSED USE PROPOSED SINGLE STORY (2,400 SF.) NEW BUILDING CONSTRUCTION FOR A CANNABIS RETAIL FACILITY CURRENT CODES BUILDING CODE: 2019 CALIFORNIA BUILDING CODE (CBC) PLUMBING CODE: 2019 CALIFORNIA PLUMBING CODE (CPC) MECHANICAL CODE: 2019 CALIFORNIA MECHANICAL CODE (CMC) ELECTRICAL CODE: 2019 CALIFORNIA ELECTRICAL CODE (CEC) ENERGY CODE: 2019 CALIFORNIA ENERGY CODE FIRE / LIFE SAFETY CODE: 2019 CALIFORNIA FIRE CODE (CFC) ACCESSIBILITY CODE: 2019 CALIFORNIA BUILDING CODE (TITLE 24, PART 2) ACCESSIBILITY THESE PLANS ARE INTENDED TO COMPLY WITH ALL OF THE PROVISIONS SET FORTH BY CHAPTER 11B OF THE 2019 CBC AND THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN CODE COMPLIANCE OCCUPANCY GROUP: M, S-1 CONSTRUCTION TYPE: V-B NEW AUTOMATIC FULLY SPRINKLERED (NON-SEPARATED PER TABLE 508.4) LEGAL DESCRIPTION ASSESSOR PARCEL NUMBER: 482-060-016-3, (25,407 S.F. OR 0.58 ACRES) ZONING INFORMATION ZONING: COMMERCIAL (GENERAL) SPECIFIC PLAN: SP 204 (VILLAGE) FEMA FLOOD ZONE: X BUILDING SETBACKS FRONT BUILDING: 10' SIDE BUILDING: 10' FRONT STREET PARKING: 20' MAX. STRUCTURAL HEIGHT: 60'-0" (SINGLE STORY) MAX. FLOOR AREA RATIO: 0.75 AREA SUMMARY PARCEL AREA: 25,427 SF. DISTURB AREA: 25,427 SF. BUILDING AREA: 2,400 SF.	<table border="1"> <tr><td>T-100</td><td>SHEET INDEX & PROJECT DATA</td></tr> <tr><td>AS-100</td><td>PROPOSED - SITE PLAN</td></tr> <tr><td>AS-101</td><td>PRELIMINARY - GRADING PLAN</td></tr> <tr><td>AS-102</td><td>TRUCK CIRCULATION PLAN</td></tr> <tr><td>AS-103</td><td>TRASH ENCLOSURE PLAN & ELEVATIONS</td></tr> <tr><td>LS-100</td><td>CONCEPTUAL LANDSCAPE PLAN</td></tr> <tr><td>A-100</td><td>FLOOR PLAN</td></tr> <tr><td>A-300</td><td>ROOF PLAN</td></tr> <tr><td>A-500</td><td>BUILDING ELEVATIONS</td></tr> <tr><td>A-600</td><td>PERIMETER WALL ELEVATIONS</td></tr> </table>	T-100	SHEET INDEX & PROJECT DATA	AS-100	PROPOSED - SITE PLAN	AS-101	PRELIMINARY - GRADING PLAN	AS-102	TRUCK CIRCULATION PLAN	AS-103	TRASH ENCLOSURE PLAN & ELEVATIONS	LS-100	CONCEPTUAL LANDSCAPE PLAN	A-100	FLOOR PLAN	A-300	ROOF PLAN	A-500	BUILDING ELEVATIONS	A-600	PERIMETER WALL ELEVATIONS																																																		
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PARKING SUMMARY (REF. TABLE 9.11.040B-12) <table border="1"> <tr><td>SPACE</td><td>AREA (GROSS)</td><td>PARKING RATIO</td><td>REQ'D PARKING</td></tr> <tr><td>RETAIL/ SALE</td><td>2,400 SF</td><td>@ 1/225 SF</td><td>11</td></tr> <tr><td>TOTAL PARKING PROPOSED</td><td></td><td></td><td>12 PROPOSED</td></tr> </table>		SPACE	AREA (GROSS)	PARKING RATIO	REQ'D PARKING	RETAIL/ SALE	2,400 SF	@ 1/225 SF	11	TOTAL PARKING PROPOSED			12 PROPOSED	NOTE: THE SECOND SECURED PARKING WILL BE PROVIDED WITHIN THE BUILDING.	LEGAL DESCRIPTION THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS: THE EAST 84.67 FEET OF LOT 364 OF EDMONT GARDENS, AS SHOWN BY MAP ON FILE IN BOOK 15, PAGE 90 OF MAP, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.	SITE NOTES <ol style="list-style-type: none"> A PLAN TO INSTALL "NO PARKING" SIGNS PER CITY STANDARDS WILL BE REQUIRED. THE SIGNS WILL RESTRICT ON-STREET PARKING ON BOTH SIDES OF ATWOOD AVENUE FROM THE WESTERLY PROPERTY LINE TO PERRIS BOULEVARD ADEQUATE SIGHT DISTANCE SHOULD BE PROVIDED AROUND THE BUILDING FOR ON-SITE TRAFFIC CIRCULATION 	FIRE DEPARTMENT NOTES <ol style="list-style-type: none"> FIRE SPRINKLERS WILL BE REQUIRED IN ACCORDANCE WITH MVMC 903.2.1 ANY ACCESS AND EGRESS CONTROL DEVICES SHALL BE APPROVED BY THE FIRE AND BUILDING DEPARTMENT PRIOR TO INSTALLATION LOCATIONS OF EGRESS LOCKS (IF PROVIDED) SHOULD BE NOTED ON PLAN. DELAY EGRESS LOCKS SHALL BE IN COMPLIANCE WITH CURRENT BUILDING AND FIRE CODES 	PROJECT DESCRIPTION THE WORK INCLUDES ALL LABOR, MATERIALS, AND EQUIPMENT TO BUILD, FINISH AND PROVIDE AN (APPROXIMATE 2,400 S.F.) NEW GROUND UP CANNABIS RETAIL/ SALE FACILITY	OCCUPANT LOAD CALCULATION <table border="1"> <thead> <tr><th>ROOM NO.</th><th>ROOM NAME</th><th>AREA (SF)</th><th>LOAD FACTOR</th><th>TYPE OF OCC.</th><th>OCC.</th></tr> </thead> <tbody> <tr><td>101</td><td>(P) ENTRANCE AREA</td><td>165</td><td>15</td><td>M</td><td>11</td></tr> <tr><td>102</td><td>(P) RECEPTION</td><td>57</td><td>100</td><td>M</td><td>1</td></tr> <tr><td>103</td><td>(P) DISPLAY/ SALE AREA</td><td>757</td><td>100</td><td>M</td><td>8</td></tr> <tr><td>104</td><td>(P) UNISEX RESTROOM</td><td>54</td><td>-</td><td>-</td><td>-</td></tr> <tr><td>105</td><td>(P) HALL</td><td>87</td><td>-</td><td>-</td><td>-</td></tr> <tr><td>106</td><td>(P) CLOSET</td><td>09</td><td>-</td><td>-</td><td>-</td></tr> <tr><td>107</td><td>(P) CLOSET</td><td>09</td><td>-</td><td>-</td><td>-</td></tr> <tr><td>108</td><td>(P) OFFICE</td><td>117</td><td>100</td><td>M</td><td>2</td></tr> <tr><td>109</td><td>(P) SECURED STORAGE</td><td>274</td><td>300</td><td>S-1</td><td>1</td></tr> <tr><td>110</td><td>(P) RECEIVING/ SHIPPING AREA</td><td>706</td><td>300</td><td>S-1</td><td>3</td></tr> <tr><td colspan="5">TOTAL</td><td>26</td></tr> </tbody> </table> <p>PER TABLE 1004.1.2 2019 CBC MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT ASSEMBLY WITH/ WITHOUT FIXED SEATS</p>	ROOM NO.	ROOM NAME	AREA (SF)	LOAD FACTOR	TYPE OF OCC.	OCC.	101	(P) ENTRANCE AREA	165	15	M	11	102	(P) RECEPTION	57	100	M	1	103	(P) DISPLAY/ SALE AREA	757	100	M	8	104	(P) UNISEX RESTROOM	54	-	-	-	105	(P) HALL	87	-	-	-	106	(P) CLOSET	09	-	-	-	107	(P) CLOSET	09	-	-	-	108	(P) OFFICE	117	100	M	2	109	(P) SECURED STORAGE	274	300	S-1	1	110	(P) RECEIVING/ SHIPPING AREA	706	300	S-1	3	TOTAL					26
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Attachment: Development Plans (6534 - PEN19-0003 - Desert First Commercial Cannabis Dispensary)


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Project For : **CUP APPLICATION: PEN-19-0003, APN: 482-060-016**
CANNABIS DISPENSARY
DESERT FIRST LLC.
 24985 ATWOOD AVE., MORENO VALLEY, CA 92553

PROFESSIONAL SEAL : _____

REVISION LIST 2020.05.07 3th CUP REVIEW 2021.01.04 4th CUP REVIEW 2021.02.10 5th CUP REVIEW 2021.04.19 6th CUP REVIEW 2021.05.27 7th CUP REVIEW	CA-MA201120 CONTACT : Riverside Engineering SCALE: As Noted SHEET INDEX & PROJECT INFO.
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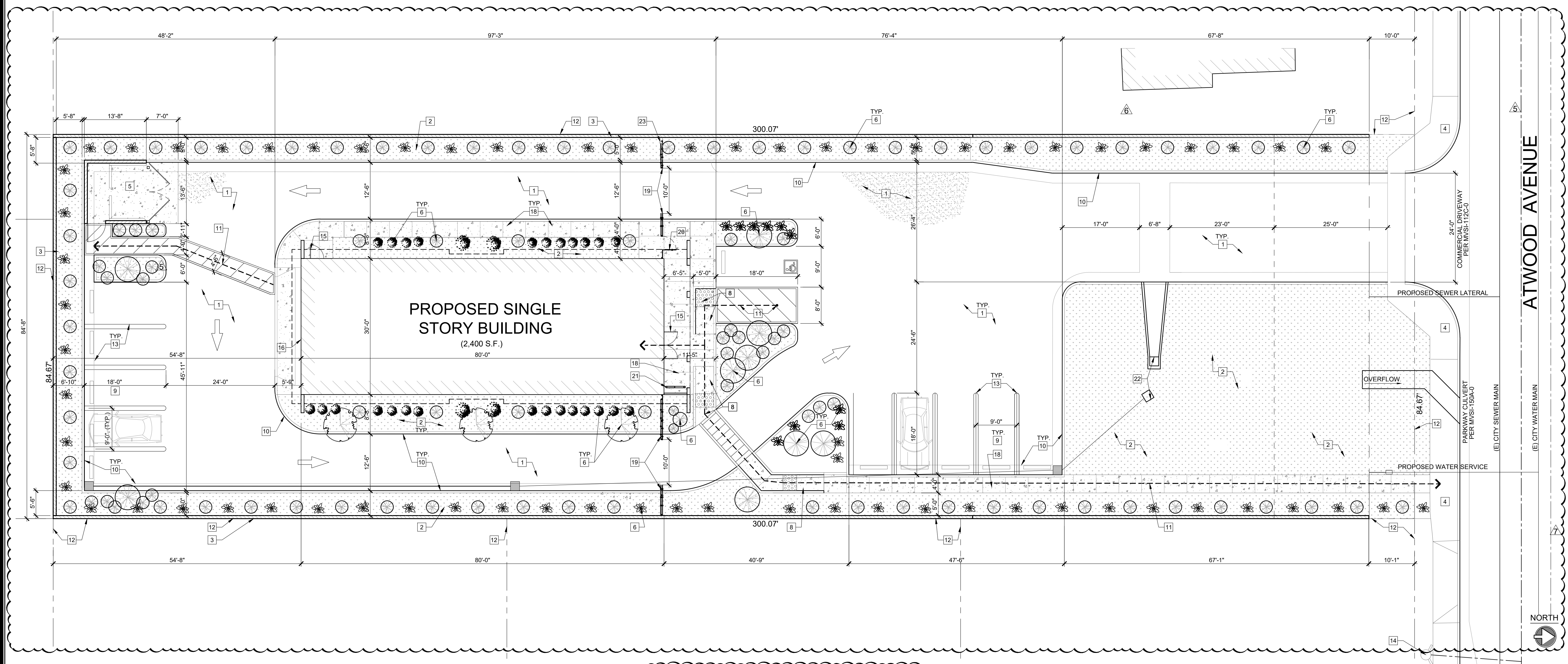
SHEET **T-100**
 DATE: 11/20/20

KEYNOTES

- 1 (P) ASPHALT PAVING
- 2 (P) GRASS/ LANDSCAPING. SEE PROPOSED LANDSCAPE PLAN
- 3 (P) 6' TALL STUCCO COATS OVER CMU BLOCK FENCE WALL
- 4 (E) CONCRETE PUBLIC SIDEWALK
- 5 (P) TRASH ENCLOSURE W/ 6' TALL STUCCO COATS OVER CMU BLOCK WALL
- 6 (P) TREE/ LANDSCAPING. SEE PROPOSED LANDSCAPE PLAN
- 7 (P) GAS METER
- 8 (P) CURB-CUT RAMP AND 36" RUN OF DETECTABLE WARNINGS
- 9 (P) PARKING STALL, 9' X 18' TYP. W/ (P) CONC. WHEEL STOP @ EACH STALL
- 10 (P) 6" CONCRETE CURB / CONC. CURB & GUTTER PER CIVIL DWGS.
- 11 (P) ACCESSIBLE ROUTE; ROUTE TO COMPLY WITH ACCESSIBLE PATH OF TRAVEL REQUIREMENTS
- 12 PROPERTY LINE
- 13 (P) PARKING STRIPES PER CITY STANDARD, TYP.
- 14 (E) FIRE HYDRANT TO REMAIN
- 15 (P) BUILDING DOOR AND LANDING
- 16 (P) TRUCK DOOR
- 17 (P) TRANSFORMER
- 18 (P) CONCRETE WALKWAY
- 19 (P) 6' HIGH WROUGHT IRON FENCE & GATE W/ FIRE DEPT. LOCK BOX
- 20 (P) 3' x 6' HIGH GATE W/ FIRE DEPT. LOCK BOX
- 21 (P) STAINLESS STEEL U-SHAPED BICYCLE RACK
- 22 (P) DRAINAGE BASIN FOREBAY. SEE CIVIL DRAWINGS
- 23 (P) CONCRETE LANDSCAPE CURB

LEGEND

- (P) ASPHALT
- (P) LANDSCAPE
- BUILDING OUTLINE
- (P) CONCRETE
- PROPERTY LINE
- (P) W.I. FENCE
- GRADING CONTOUR LINE



PROPOSED - SITE PLAN

SCALE
1" = 10'-0" 1

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2021.04.19 6th CUP REVIEW	
2021.05.27 7th CUP REVIEW	

CA-MA201120	
CONTACT : Riverside Engineering	
SCALE: As Noted	

SHEET
AS-100
DATE: 11/20/20
Packet Pg. 89

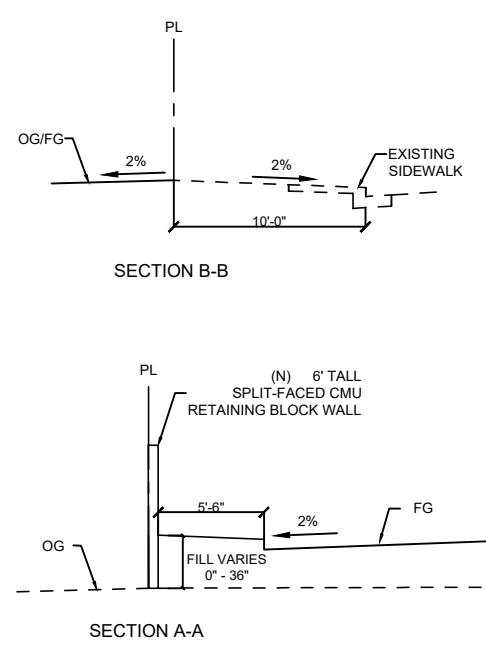
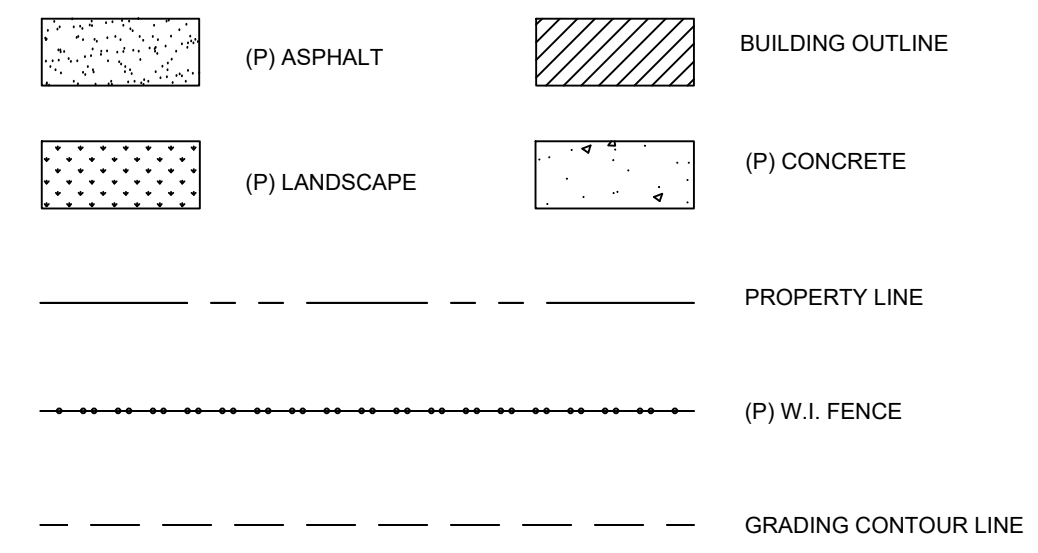
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Attachment: Development Plans (5534 - PEN19-0003 - Desert First Commercial Cannabis Dispensary)

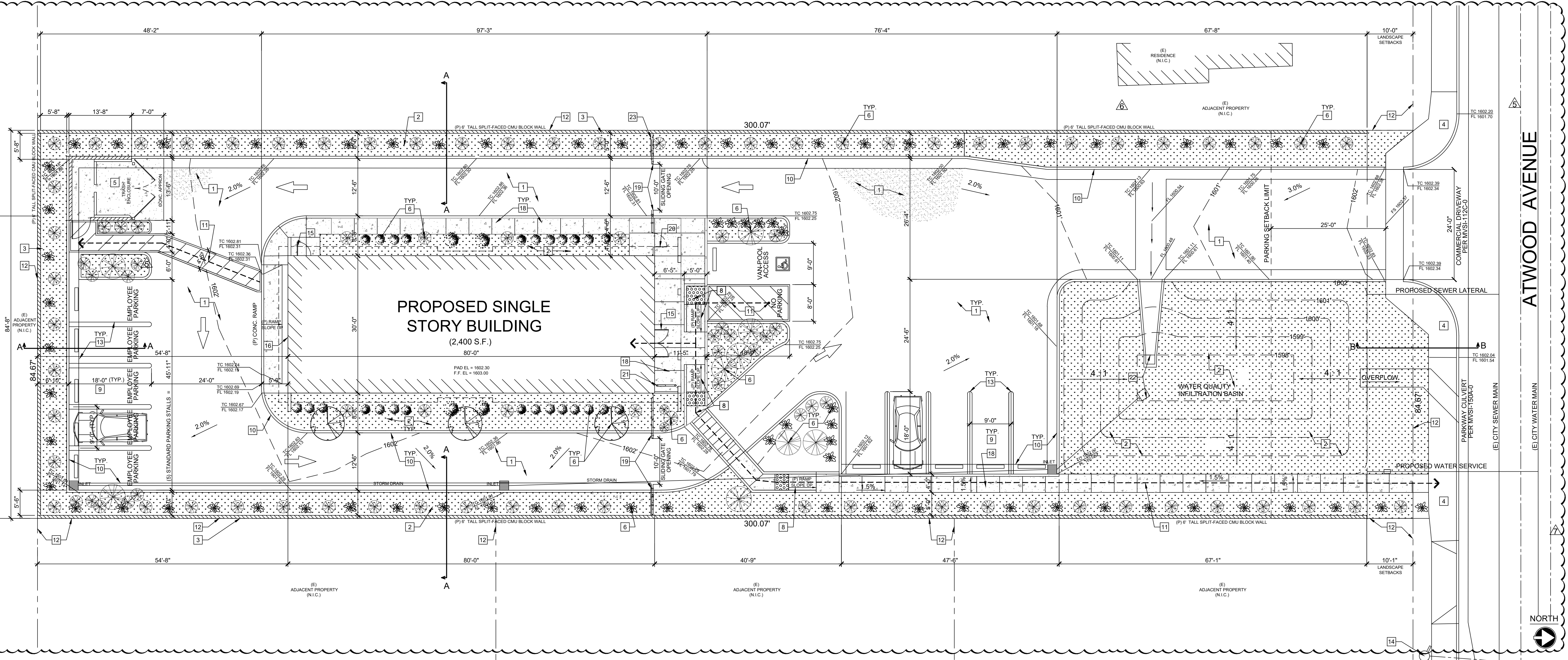
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- 22 (P) DRAINAGE BASIN FOREBAY. SEE CIVIL DRAWINGS
- 23 (P) CONCRETE LANDSCAPE CURB

LEGEND



CROSS SECTIONS
SCALE
1" = 20'-0"
2



PRELIMINARY GRADING PLAN

SCALE
1" = 10'-0"
1

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CA-MA201120
CONTACT : Riverside Engineering
SCALE: As Noted

SHEET
AS-101
DATE: 11/20/20

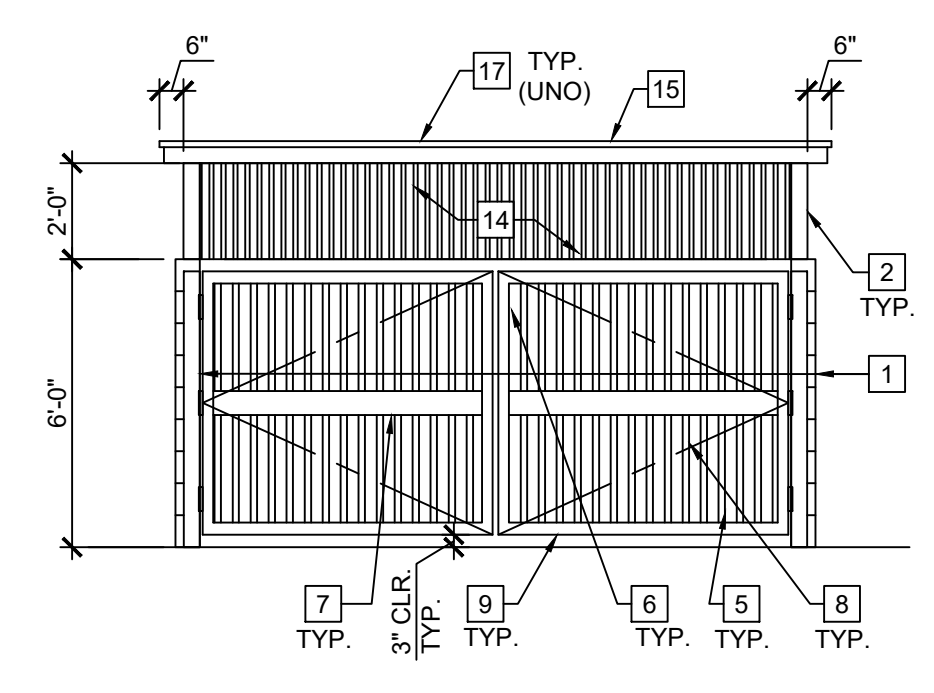
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KEYNOTES

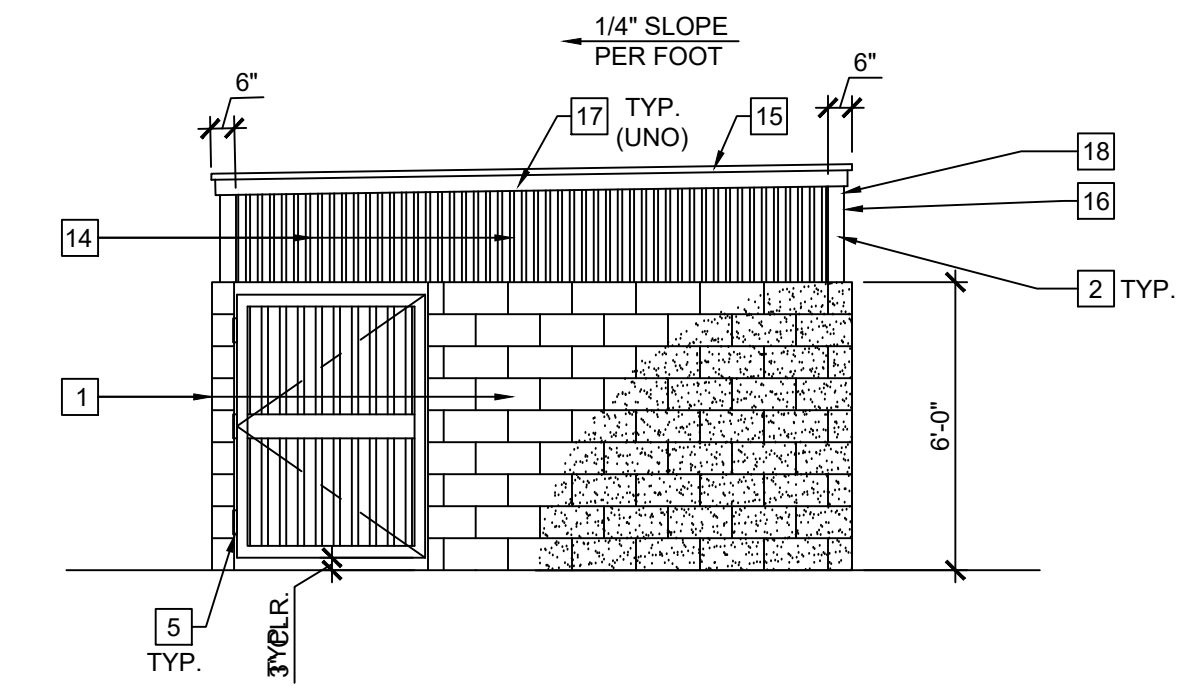
KEY NOTES

- 1 STUCCO COATS (COLOR, TEXTURE TO MATCH BUILDING FINISHES) OVER 6"X8"X16" CONG. BLOCK WALL +6'-0" HIGH FREE-STANDING
- 2 SQUARE TUBE STEEL POST AT WALL. GROUT FILL POST SOLID. PAINT w/ (2) COATS ZINC PRIMER & (2) COATS SATIN FINISH. PAINT TO MATCH BUILDING
- 3 RECYCLE BIN - 4 CUBIC YARDS
- 4 TRASH BIN - 4 CUBIC YARDS
- 5 ATTACH GATE TO GALV. POST WITH (3) HEAVY DUTY GATE HINGES.
- 6 FORK LATCH WITH LOCKING CAPABILITY
- 7 ENCLOSURE GATE: STL. TUBE FRAME WITH CORRUGATED METAL PANEL, PTD.
- 8 POST BAND AT 14" O.C., TYP.
- 9 9 GA. TIE-WIRE TOP AND BOTTOM, TYP.
- 10 6" MIN. THICK CONCRETE APRON IN FRONT OF ENCLOSURE.
- 11 CONCRETE SLAB PER STRUCTURAL.
- 12 4" WIDE X 6" HIGH STOPS WITH 1" BEVEL TOP CUTS. SHALL BE MADE FROM RECYCLED MATERIALS (PLASTICWOOD). SECURED TO SLAB w/ 1/2" DIA. ANCHOR BOLTS @ 36" OC. MIN.
- 13 SANITARY SEWER CONNECTION. TO BE PROVIDED BY EMWD (EASTERN MUNICIPAL WATER DISTRICT)
- 14 3/4" X 3/4" TUBE STEEL RAILING AT ALL SIDES OF TRASH ENCLOSURE
- 15 CORRUGATED METAL ROOF DECK; BERRIDGE STRAIGHT S-DECK. SEE STRUCTURAL PLANS FOR ATTACHMENT DETAILS
- 16 4" DIA. METAL BEAM. POWDER COATED, PAINT TO MATCH BUILDING
- 17 4"X6" METAL RAFTER TAILS, EQUALLY SPACED. WELD TO STEEL BEAM. POWDER COATED COLOR PT-2, OR (2) COATS ZINC PRIMER & (2) COATS SATIN FINISH PAINT
- 18 3" DIA. RAFTERS / TRELIS (CONT.) TO SUPPORT METAL DECK, WELDED TO STEEL BEAMS - PAINT TO MATCH BUILDING

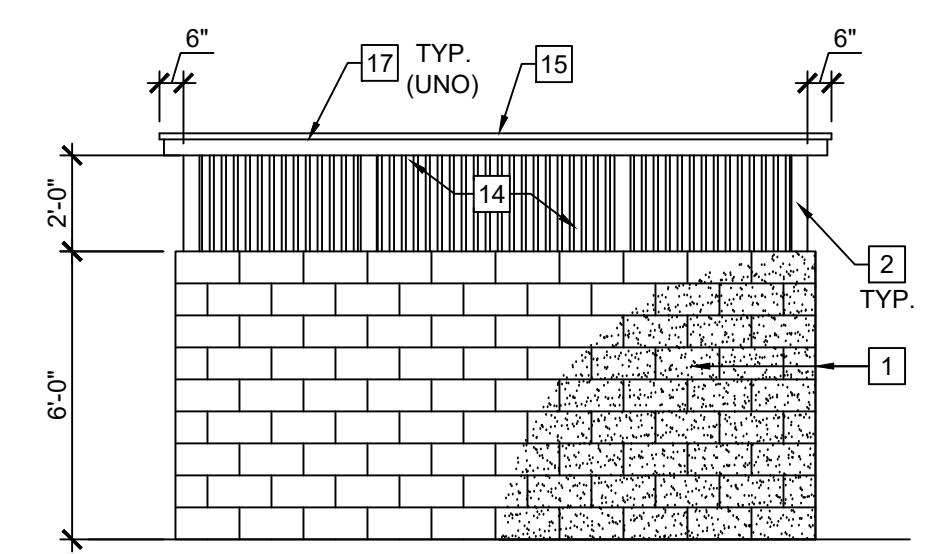
- NOTES:
- 1. ALL METAL TO RECEIVE (1) COAT OF ZINC CHROMATE PRIMER AND (2) COATS OF MEDIUM ALKYD PAINT.
 - 2. EXTERIOR WALL FINISH TO BE COMPATIBLE WITH BUILDING.
 - 3. STRUCTURAL DESIGN TO WITHSTAND 110 MPH MIN. WIND LOAD.
 - 4. SOLID ROOF TO MEET ARCHITECTURAL AND STRUCTURAL DESIGN CRITERIA FROM PLANNING AND BUILDING DEPARTMENTS.
 - 5. INTERIOR WALLS AND FLOORING OF TRASH ENCLOSURE MUST BE SMOOTH AND SEALED WITH AN APPROVED SEALER. USE CLEAR COAT MASONRY SEALER BY OKON, INC. OR APPROVED EQUAL.
 - 6. THE WASTE STORAGE SHALL BE GRADED SO THAT STORAGE CONTAINERS REMAIN AT REST WITHOUT AUXILIARY RESTRAINING DEVICES.
 - 7. TRASH ENCLOSURE SHALL HAVE AN AREA DESIGNATED FOR RECYCLABLE MATERIALS (MIN. 50% OF THE WASTE STORAGE AREA).



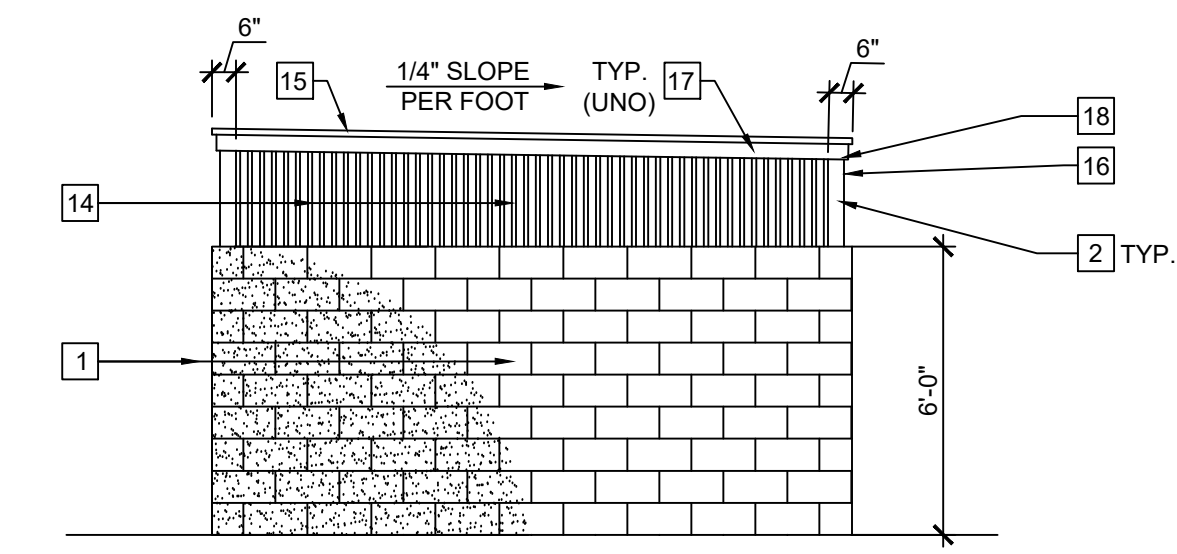
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



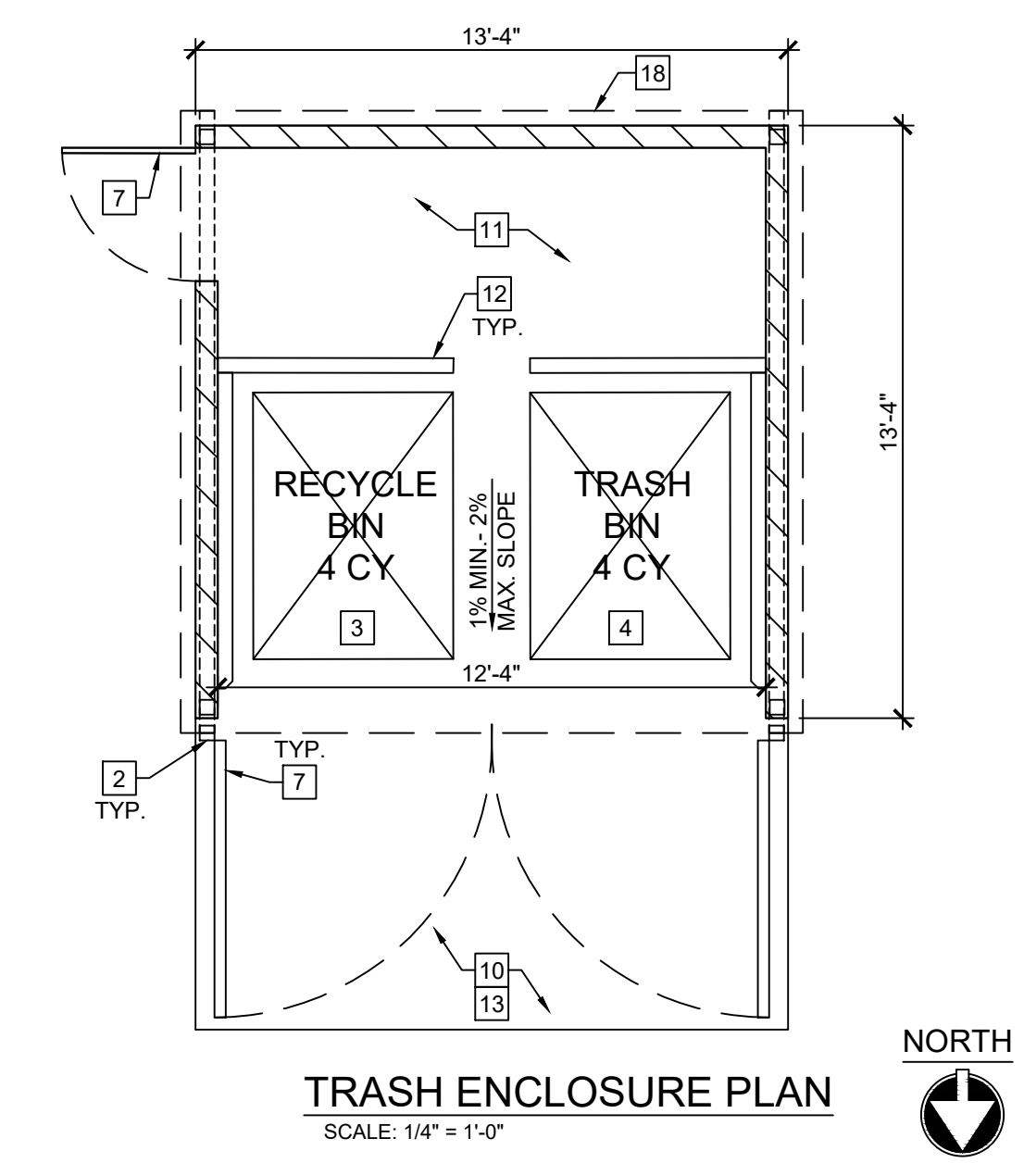
EAST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



TRASH ENCLOSURE PLAN
SCALE: 1/4" = 1'-0"

PROPOSED - TRASH ENCLOSURE PLAN & ELEVATIONS

SCALE	1
1/4" = 1'-0"	

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2021.05.27 7th CUP REVIEW

CA-MA201120
CONTACT : Riverside Engineering
SCALE: As Noted
TRASH ENCLOSURE PLAN & ELEVATIONS

SHEET
AS-103
DATE: 11/20/20

Project: 5/25/2021 11:19 AM (#####) File: desert first llc_cup 7th submittal set.dwg

COUNTY OF RIVERSIDE CALIFORNIA FRIENDLY PLANT SELECTION

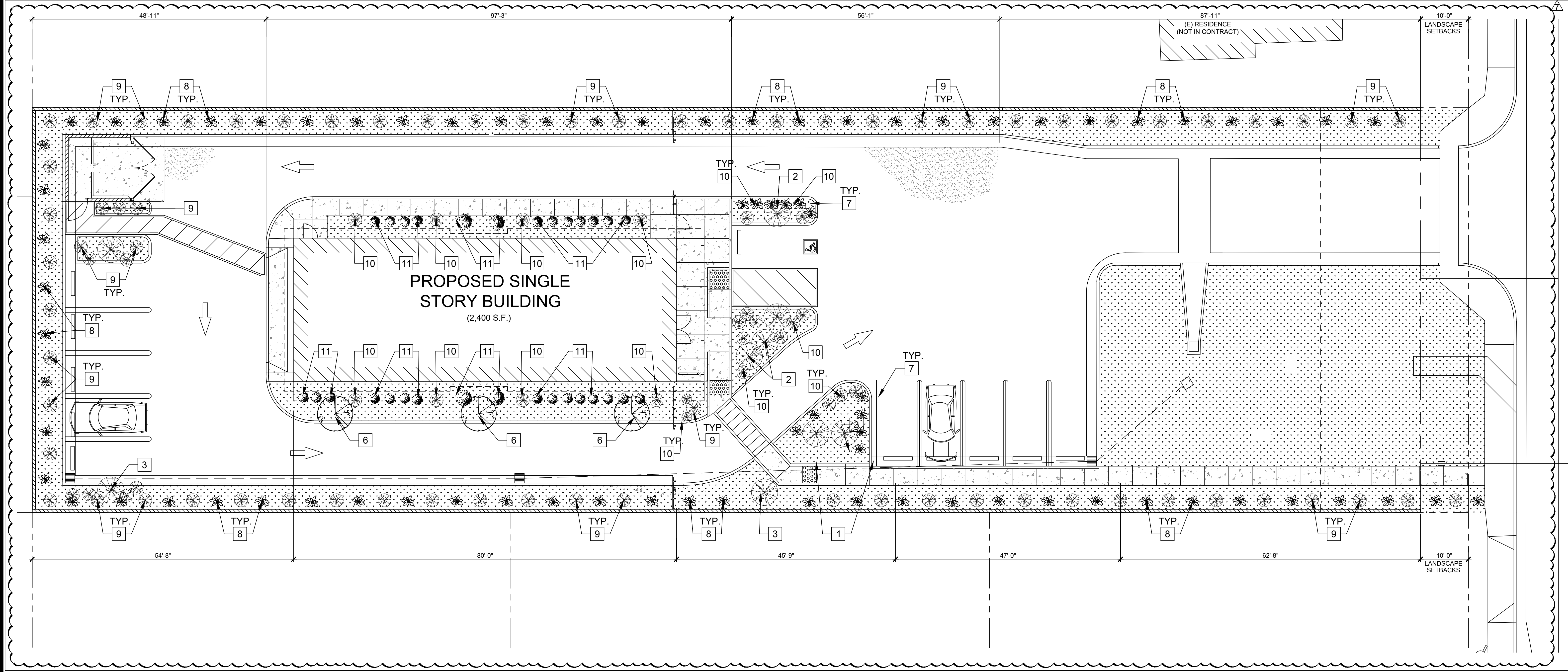
PER CITY OF MORENO VALLEY COMPREHENSIVE PLANT LIST

PLANT SCHEDULE

BOTANICAL	COMMON	MATURE HT. (FT.)	MATURE WIDTH (FT.)
1 ACACIA FARNESIANA	ACACIA FARNESIANA	20'	15'-20'
2 CASSIA SURATTENSIS	YELLOW CASSIA	6'-8'	6'-8'
3 SYAGRUS ROMANZOFFIANUM	QUEEN PALM	50'	20'-25'
4 ABELIA GRANDIFLORA	GLOSSY ABELLIA	8'	5'
5 QUERCUS SUBER	CORK OAK	30'-60'	30'-60'
6 QUERCUS WISLIZENI	INTERIOR LIVE OAK	30'-75'	30'-75'
7 AGAVE SPECIES	LILY OF THE NILE	1'-10'	1'-10'
8 ARCTOSTAPHYLOS	EMERALD CARPET MANZANITA	8"-14"	8"-14"
9 CARISSA MACROCARPA	NATAL PLUM	15'-20'	
10 CUPRESSUS SEMPERVIRENS	ITALIAN CYPRESS	60'	5'-10'
11 BORGAINVILLEA SPP.	BORGAINVILLEA	60'	5'-10'

(P) CONCEPTUAL PLANTING SCHEDULE

SCALE
N.T.S. 2



(P) CONCEPTUAL LANDSCAPE PLAN

SCALE
1" = 10'-0" 1

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2021.02.10 5th CUP REVIEW	(P) LANDSCAPE PLAN
2021.04.19 6th CUP REVIEW	
2021.05.27 7th CUP REVIEW	

SHEET
LS-100
DATE: 11/20/20

Project: 5/25/2021 11:33 AM (#####) File: desert first llc_cup 7th submittal set.dwg

Attachment: Development Plans (5534 - PEN19-0003 - Desert First Commercial Cannabis Dispensary)

GENERAL NOTES

- SEE EQUIPMENT PLAN AND SCHEDULE FOR EQUIPMENT INFORMATION
- SEE REFLECTED CEILING PLAN FOR SOFFIT AND LIGHTING INFORMATION A2.1.
 - NOTIFY ARCHITECT IMMEDIATELY OF ANY INCONSISTENCIES OR DISCREPANCIES WITH PLANS IN RELATION TO EXISTING FIELD CONDITIONS.
 - WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE ON THE CONSTRUCTION DOCUMENTS. DO NOT EVER SCALE DRAWINGS.
 - DIMENSIONS ARE FROM THE FACE OF FINISHED WALL (GWB) TO FACE OF FINISHED WALL (GWB), UNLESS OTHERWISE NOTED ON PLANS.
 - ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, CONNECTED, ERECTED, CLEANED AND CONDITIONED IN ACCORDANCE WITH THE MANUFACTURER'S WRITTEN SPECIFICATIONS AND/OR INSTRUCTIONS.
 - ALL WORK SHALL BE EXECUTED IN A MANNER ACCEPTABLE TO THE ARCHITECT AND OWNER, UNLESS NOTED OTHERWISE. THE GENERAL CONTRACTOR SHALL PROVIDE AND PAY ALL LABOR, MATERIALS, EQUIPMENTS, TOOLS, CONSTRUCTION EQUIPMENT, MACHINERY, TRANSPORTATION AND OTHER SERVICES AND FACILITIES NECESSARY FOR PROPER AND TIMELY EXECUTION OF WORK.
 - THE CONTRACTOR WARRANT TO THE OWNER AND TO THE ARCHITECT THAT ALL MATERIALS AND EQUIPMENT FURNISHED UNDER THE CONTRACT ARE NEW UNLESS OTHERWISE SPECIFIED, AND THAT ALL WORKS SHALL BE AS SPECIFIED AND FREE OF DEFECTS.
 - ALL OUTSIDE CORNERS AT DRYWALL PARTITION AND FURRING TO HAVE METAL CORNER BEADS SPACKLE AND SMOOTH.
 - PROVIDE DIAGONAL BRACING TO STRUCTURE ABOVE ALL NEW DOORS, GLAZING HEADS AND JAMBS AS REQUIRED TO MAKE ASSEMBLY RIGID.
 - THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE FINAL CLEAN UP OF THE AREA OF WORK AND AREA AFFECTED BY CONSTRUCTION; TO INCLUDE BUT NOT LIMITED TO FLOORS, MILLWORK, FIXTURES, ETC. FOLLOWING THE INSTALLATION OF THE MILLWORK.
 - THE GENERAL CONTRACTOR SHALL COORDINATE THE LOCATIONS FOR THE WALL MOUNTED TELEVISIONS AND GRAPHIC SIGNAGE TO PROVIDE BLOCKING FOR MOUNTING.
 - ALL WET/PLUMBING WALLS ARE TO BE PROVIDED WITH MOISTURE RESISTANT GYP BOARD. UNLESS TILE IS TO BE USED, THEN PROVIDE CEMENT BACKER BOARD.
 - ALL PLUMBING WALLS ARE TO BE 6" METAL STUD FRAMING. PROVIDE REQUIRED BLOCKING FOR WALL MOUNTED FIXTURES, GRAB BARS, SHELIVING, CABINETS, ETC.
 - THERE SHALL BE NO PENETRATIONS TO A DEMISING WALL, UNLESS OTHERWISE NOTED. IF PENETRATIONS ARE TO BE NOTED, THEN ALL PENETRATIONS INCLUDING CONDUITS, PIPES, DUCTWORK, ETC. SHALL BE UL RATED PER CURRENT CODE REQUIREMENTS.

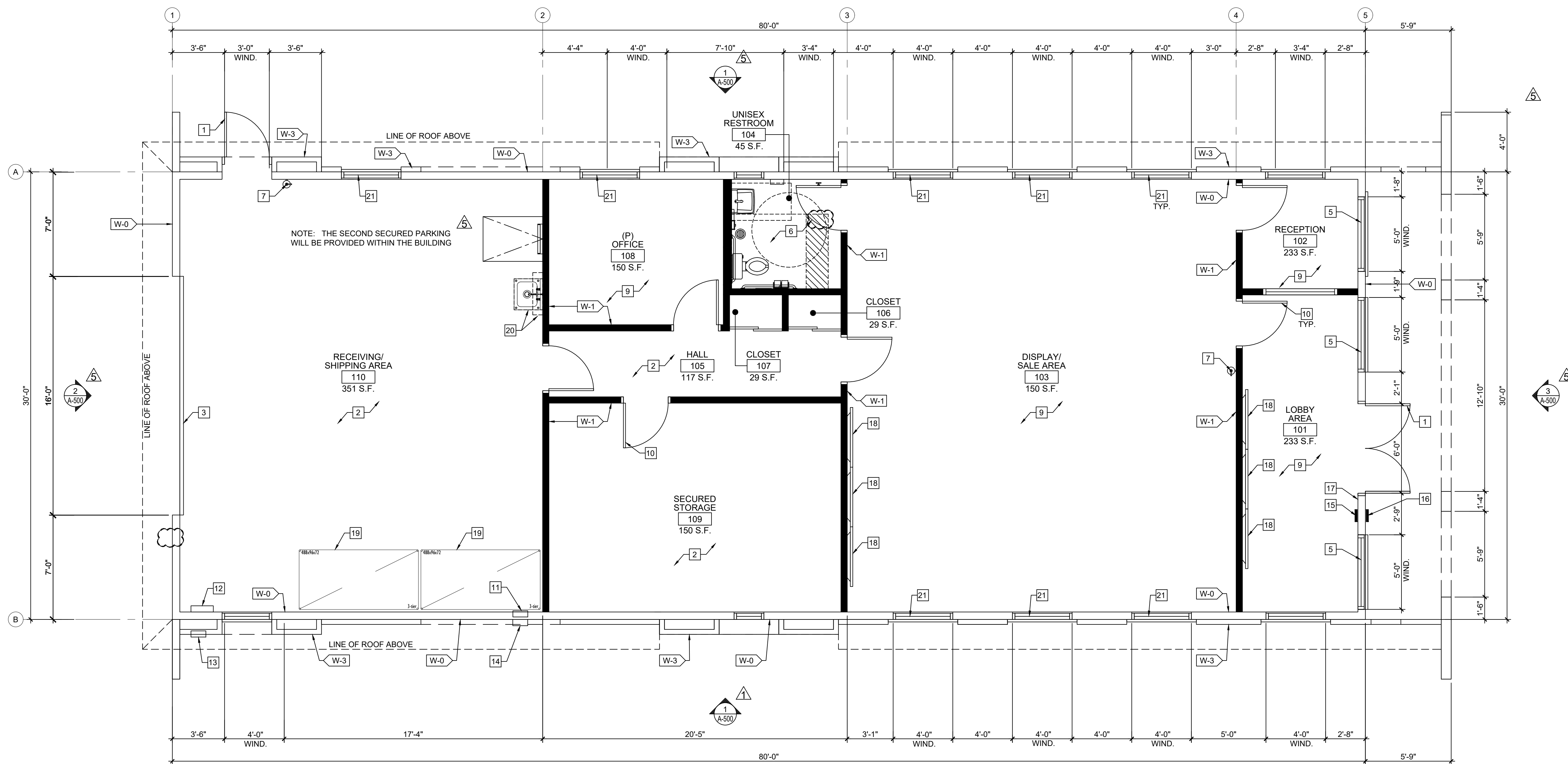
WALL TYPES

- W-0 (P) EXTERIOR WALL: STUCCO OVER 2"x6" WOOD STUDS WALL
- W-1 (P) 2x WD. STUDS @ 16" O.C. w/ 5/8" GYP. BD. ON EACH SIDE
- W-2 (P) 2x WD. STUDS @ 16" O.C. FULL-HT WALL w/ 5/8" GYP. BD. EA. SIDE
- W-3 (P) EXTERIOR FURRED WALL: STUCCO OVER 2"x4" WOOD STUDS WALL

- NOTE:
- ALL EXISTING WALLS TO REMAIN. PATCH & REPAIR WALL AS REQUIRED, TYP.
 - PROVIDE 5/8" WATER RESISTANT GYP. BD. WHERE PLUMBING WALL OCCURS.
 - PROVIDE WALL FINISHED PER INTERIOR ELEVATIONS, SHEET A8.2

KEYNOTES - FLOOR PLAN

- (P) EXTERIOR DOOR & FRAME
- (P) CONCRETE FLOOR SLAB PER STRUCT. DWGS.
- (P) 16' x 12' HIGH ROLLED-UP TRUCK DOOR
- (P) 6" STEEL STRUCT. COLUMN
- (P) ALUMINUM & GLASS STOREFRONT WINDOW
- (P) TILES OVER CONCRETE SLAB PER ROOM FINISH SCHEDULE (T.B.D.)
- (P) WALL MOUNTED FIRE EXTINGUISHER UNIT. MOUNT HANDLE AT 4'-0" A.F. MAX.
- (P) NON-RATED METAL STUDS WALL w/ 5/8" GYP. BOARD EACH SIDE
- (P) CARPET OVER CONCRETE SLAB PER ROOM FINISH SCHEDULE (T.B.D.)
- (P) INTERIOR DOOR AND FRAME. SEE DOOR SCHEDULE SHEET (T.B.D.)
- (P) ELECTRICAL PANEL. SEE ELECT. SCHED. & DWGS. (T.B.D.)
- (P) WALL MOUNTED TANKLESS HOT WATER HEATER
- (P) GAS METER & ACCESS DOOR PER PLUMBING DRAWINGS. (T.B.D.)
- (P) ELECTRIC METER PER ELECTRICAL DRAWINGS. (T.B.D.)
- (P) TACTILE EXIT SIGN, DIRECTIONAL SIGN COMPLYING W/ CBC 11B-703.5
- (P) INTERNATIONAL ACCESSIBILITY SYMBOL
- PROVIDE SIGN WITH 1" HIGH LETTERING STATING "THIS DOOR TO REMAIN UN-LOCKED WHEN BUILDING IS OCCUPIED."
- (P) DISPLAY MONITORS. FURNISHED BY OWNER, AND INSTALLED BY CONTRACTOR
- (P) 4' x 8' x 6' HIGH (3) TIERS METAL SHELIVING UNIT
- (P) UTILITY SINK W/ S.S. LEGS, AND S.S. SHELIVING UNIT. SEE PLUMBING DWGS. (T.B.D.)
- (P) SPANDREL GLASS WINDOW ALONG SIDES OF THE BUILDING



SCALE
1/4" = 1'-0" 1

Riverside Engineering
CONSULTING ENGINEERS
11801 Pierce St., Suite 200
Riverside, California 92505
(By Appointment Only)

MEP
ARCHITECTURAL
STRUCTURAL
ENERGY
CONSULTANTS
Voice: 888.401.7483
Email: Info@Riv-Eng.com
www.Riv-Eng.com

Project For : CUP APPLICATION: PEN-19-0003, APN: 482-060-016
**CANNABIS DISPENSARY
DESERT FIRST LLC.**
24985 ATWOOD AVE., MORENO VALLEY, CA 92553

PROFESSIONAL SEAL :

REVISION LIST	
2020.05.07 3th CUP REVIEW	
2021.01.04 4th CUP REVIEW	
2021.02.10 5th CUP REVIEW	
2021.04.19 6th CUP REVIEW	
2021.05.27 7th CUP REVIEW	

CA-MA201120
CONTACT : Riverside Engineering
SCALE: As Noted
(P) FLOOR PLAN

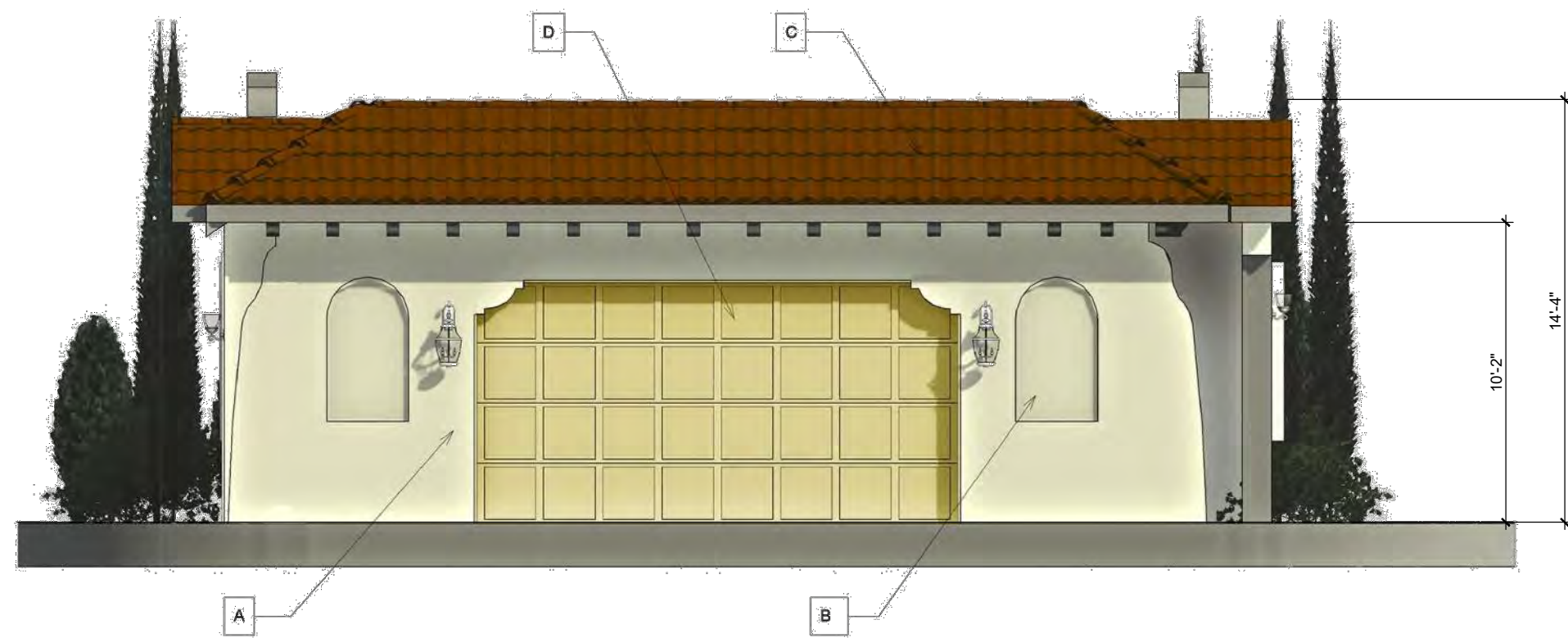
SHEET
A-100
DATE: 11/20/20

Project: 5/25/2021 11:41 AM (#####) File: desert first llc_cup 7th submittal set.dwg



(P) WEST ELEVATION

SCALE
3/16" = 1'-0" 1



(P) NORTH - ELEVATION

SCALE
3/16" = 1'-0" 3



(P) SOUTH - ELEVATION

SCALE
3/16" = 1'-0" 2



(P) EAST ELEVATION

SCALE
3/16" = 1'-0" 4

ELEVATION KEYNOTE REFERENCES:

- A. STUCCO COLOR: KELLY-MOORE PAINTS - KM678 - ORGANIC BAMBOO
- B. STUCCO COLOR: KELLY-MOORE PAINTS - KM547 - PRETTY IN PINK
- C. 518 CLAY TILE SKING, COLOR / STYLE 518
- D. OVERHEAD DOOR TYPE-418 COLOR RAL 1014



Organic Bamboo
KM678



- A. STUCCO COLOR: KELLY-MOORE PAINTS - KM678 - ORGANIC BAMBOO
- B. STUCCO COLOR: KELLY-MOORE PAINTS - KM548 - CHILI SAUCE



C. 518 CLAY TILE SKING, COLOR / STYLE 518



D. GARAGE DOOR COLOR RAL 1014

Attachment: Development Plans (6534 - PEN19-0003 - Desert First Commercial Cannabis Dispensary)

Riverside Engineering
CONSULTING ENGINEERS
11801 Pierce St., Suite 200
Riverside, California 92505
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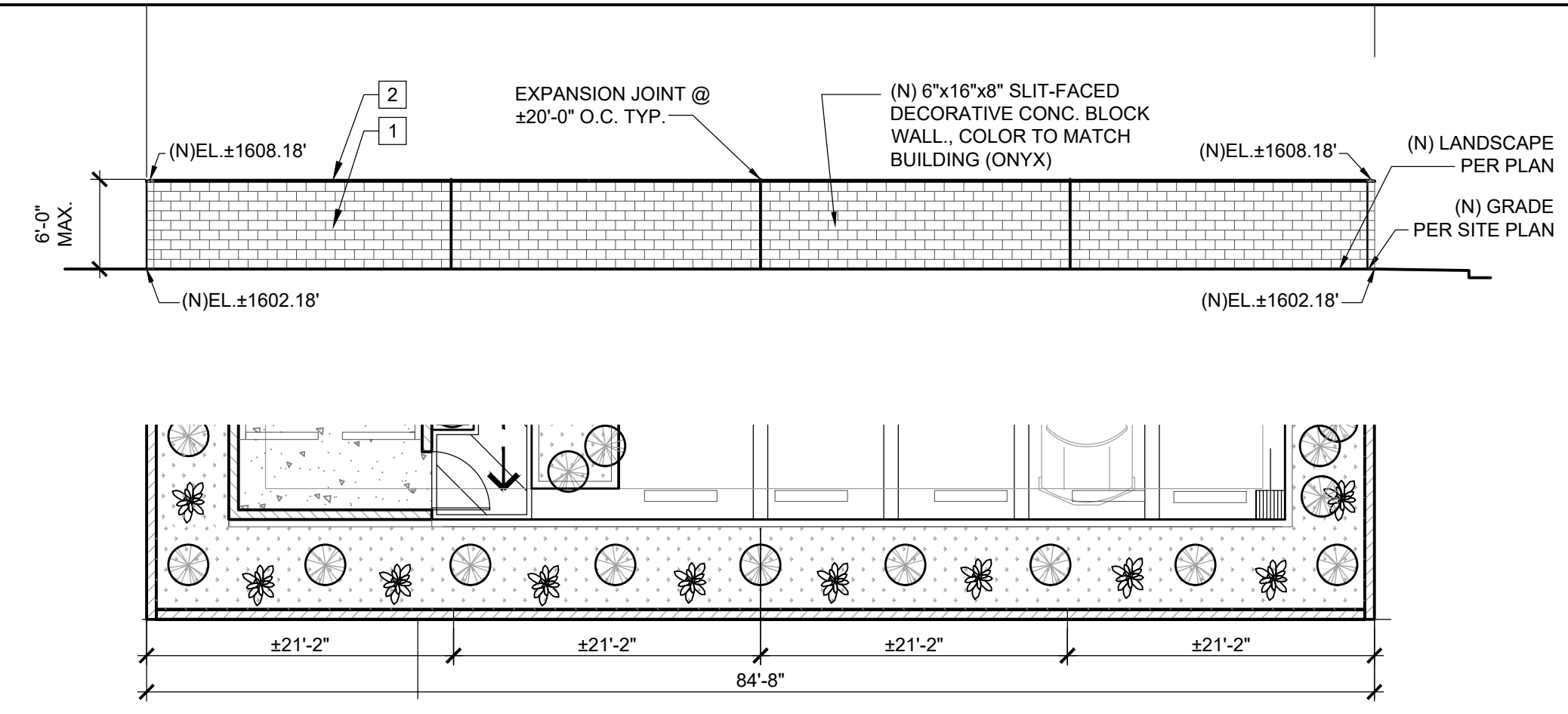
Project For : CUP APPLICATION: PEN-19-0003, APN: 482-060-016
**CANNABIS DISPENSARY
DESERT FIRST LLC.**
24985 ATWOOD AVE., MORENO VALLEY, CA 92553

PROFESSIONAL SEAL :

REVISION LIST	CA-MA201120
2020.05.07 3th CUP REVIEW	CONTACT : Riverside Engineering
2021.01.04 4th CUP REVIEW	SCALE: As Noted
2021.02.10 5th CUP REVIEW	(P) BUILDING ELEVATIONS
2021.04.19 6th CUP REVIEW	
2021.05.27 7th CUP REVIEW	

SHEET
A-500

DATE: 11/20/20



KEY NOTES

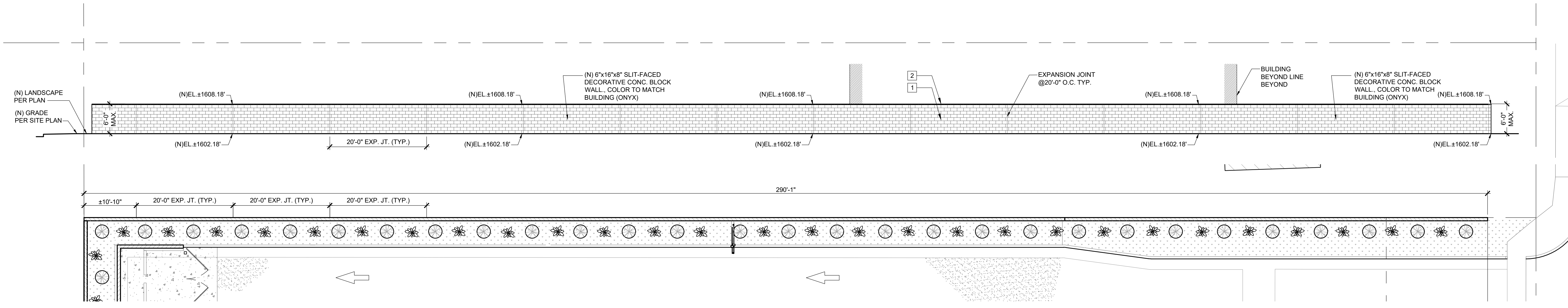
- 6"x16"x8" SLIT-FACED DECORATIVE CONCRETE BLOCK WALL, +6'-0" PER ELEVATIONS
- SLIT-FACED CONCRETE MASONRY CAP

NOTES:

- SLIT-FACED EXTERIOR FINISH TO BE COMPATIBLE WITH BUILDING.
- STRUCTURAL DESIGN TO WITHSTAND 110 MPH MIN. WIND LOAD.

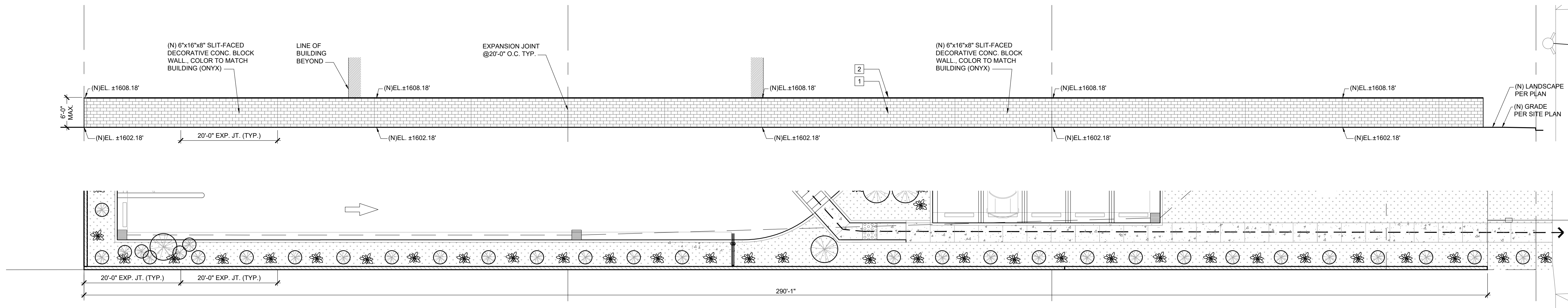
(P) SOUTH WALL PLAN & ELEVATION

SCALE	1
1" = 20'-0"	



(P) WEST WALL PLAN & ELEVATION

SCALE	2
1" = 20'-0"	



(P) EAST WALL PLAN & ELEVATION

SCALE	3
1" = 10'-0"	

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Project For : CUP APPLICATION: PEN-19-0003, APN: 482-060-016

**CANNABIS DISPENSARY
DESERT FIRST LLC.**

24985 ATWOOD AVE., MORENO VALLEY, CA 92553

PROFESSIONAL SEAL :

REVISION LIST	
2020.05.07	3th CUP REVIEW
2021.01.04	4th CUP REVIEW
2021.02.10	5th CUP REVIEW
2021.04.19	6th CUP REVIEW
2021.05.27	7th CUP REVIEW

CA-MA201120
CONTACT : Riverside Engineering
SCALE: As Noted
(P) PERIMETER WALL ELEVATIONS

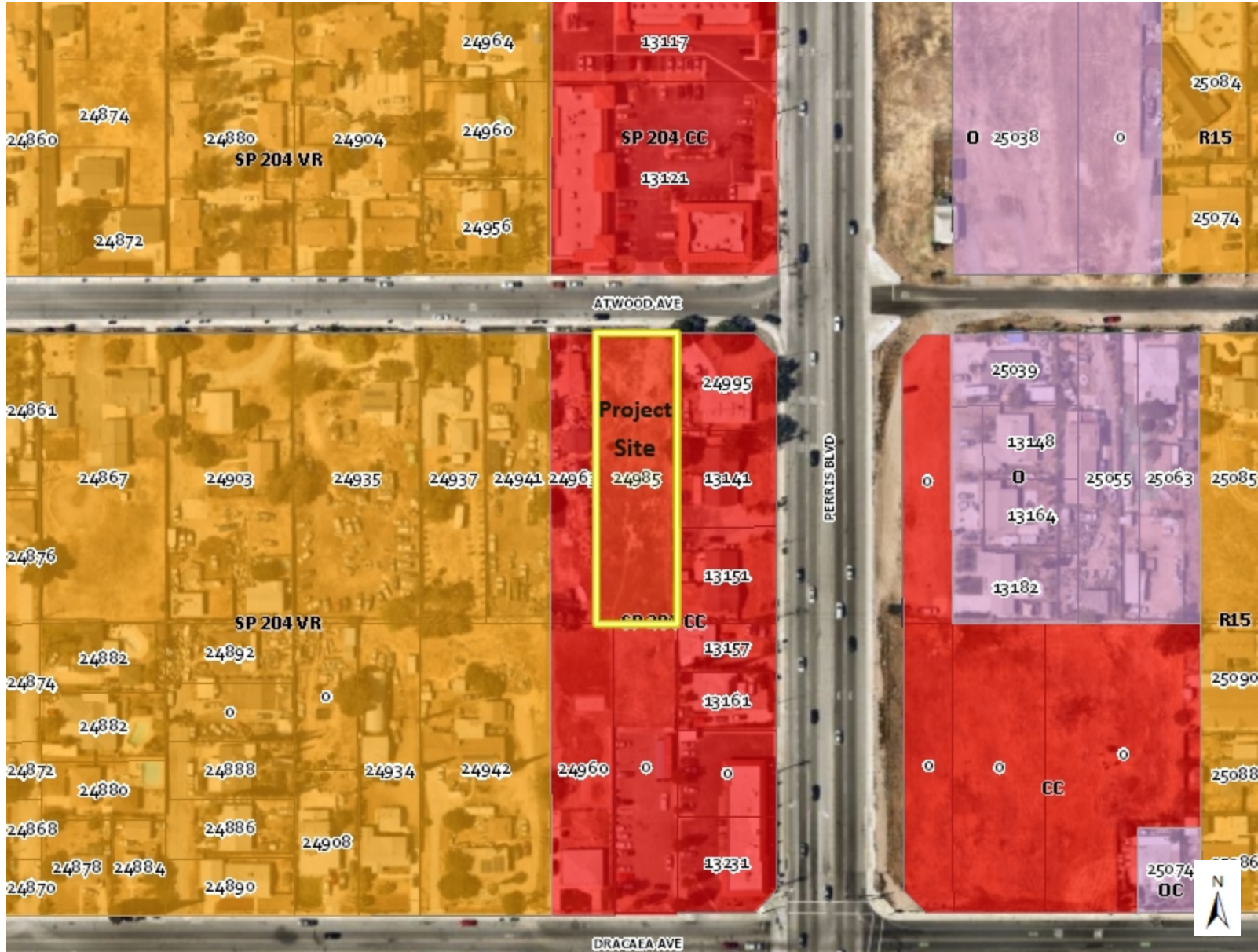
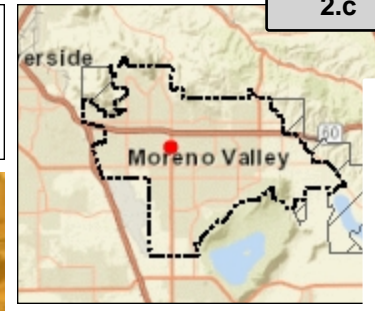
SHEET
A-600
DATE: 11/20/20

Plotfile: 5/25/2021 5:08 PM (#####) File: a600_desert first llc_cup set 5-25-21.dwg

Attachment: Development Plans (5524 - PEN19-0003 - Desert First Commercial Cannabis Dispensary)



The Village Specific Plan SP 204 Community Commercial Zone



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

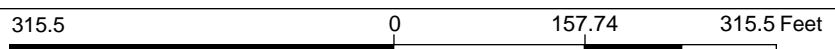
Road Labels

- Parcels
- City Boundary
- Sphere of Influence

Image Source: Nearmap

Notes:

SP204-0003 - Conditional Use Permit



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: Zoning Map (5534 : PEN19-0003 - Desert First Commercial Cannabis Dispensary)



City of Moreno Valley
 Community Development Department
 Planning Division
 City Hall Council Chamber
 14177 Frederick Street
 Moreno Valley, CA 92553

NOTICE OF PUBLIC HEARING



Notice of Public Hearing before the Planning Commission of the City of Moreno Valley for the following item(s):

MEETING INFORMATION: September 23, 2021 at 7:00 P.M.
 Moreno Valley Council Chamber, 14177 Frederick Street

PROJECT LOCATION: 24985 Atwood Avenue located on the south side of Atwood Avenue west of Perris Boulevard, District 1

CASE NUMBER(s): Conditional Use Permit PEN19-0003

CASE PLANNER: Nader Khalil, Contract Planner
 (951) 413 3206 or khalil@moval.org

<APN>

<Property Owner>

<Street Address>

<City, State, Zip>

Attachment: Mailing Notice (5534 : PEN19-0003 - Desert

NOTICE OF PUBLIC HEARING

PROPOSAL: The applicant, Desert First, LLC, is requesting approval of a Conditional Use Permit (CUP) to allow for the construction of a 2,400 square foot retail cannabis dispensary on a 0.58 acre vacant lot and associated improvements in the Village Specific Plan (VSP) 204, Community Commercial District.

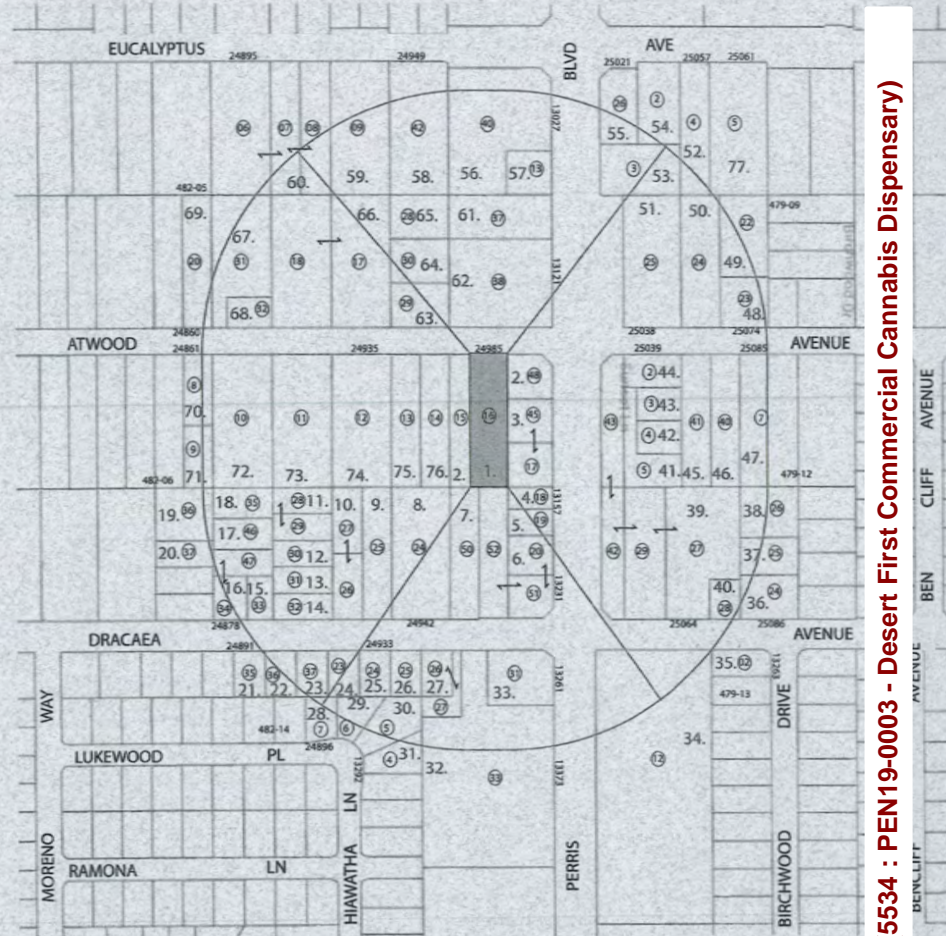
ENVIRONMENTAL DETERMINATION: Staff recommends that the Planning Commission find that the proposed project (CUP) is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 32 Exemption (Section 15300.2, In-Fill Development Projects). Pursuant to the California Code of Regulations a Class 32 exemption can be applied to a project when the project is 1) consistent with the applicable General Plan designation and applicable policies; 2) occurs on a site that is less than five acres in size; 3) the site has no valuable habitat for rare or endangered species; 4) the project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site is adequately served by utilities and public services. The proposed project (CUP) has been found to meet all of the conditions of the Class 32 exemption as the project is consistent with the applicable General Plan designation and policies; is located on a site less than five acres in size; contains no valuable habitat; will not result in significant environmental effects; and is adequately served by utilities and public services.

PUBLIC HEARING: All interested parties will be provided an opportunity to submit oral testimony during the Public Hearing and/or provide written testimony during or prior to the Public Hearing. The application file and related 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).

PLEASE NOTE: The Planning Commission may consider and approve changes to the proposed items under consideration during the Public Hearing.

GOVERNMENT CODE § 65009 NOTICE: If you challenge any of the proposed actions taken by the Planning Commission in court, you may be limited to raising only those issues you or someone else raised during the Public Hearing described in this notice, or in written correspondence delivered to the Planning Division of the City of Moreno Valley during or prior to, the Public Hearing.

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 James Verdugo, ADA Coordinator, at 951.413.3350 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure access.



Attachment: Radius Map (5534 : PEN19-0003 - Desert First Commercial Cannabis Dispensary)

SUBJECT PROPERTY:
 24985 ATWOOD AVENUE
 MORENO VALLEY CA 92553

LEGEND:
 (APN) -ASSESSOR PARCEL NUMBER
 482-060 :BOOK & PAGE NUMBER

600' OWNERSHIP RADIUS MAP

JPL Zoning Services
 6257 Van Nuys Blvd #101
 Van Nuys, CA 91401
 (818)781-0016

CASE NO:
 DATE: 08/31/2021
 SCALE: 1"=200'
 USES: FIELD
 CONTACT PERSON: CARMEN LAINEZ
 PHONE NO: 951-295-5968
 JPL- 8817

Sean P. Kelleher

From: Juli Shafer <ibeetaken@gmail.com>
Sent: Wednesday, September 15, 2021 2:41 PM
To: Planning Email_DG
Cc: Juli Shafer
Subject: Pen19-0003
Attachments: driveway.png; street view.png; looking down driveway.png

Warning: External Email – Watch for Email Red Flags!

I am writing in opposition of the Cannabis Dispensary. In March of 2019 you approved one for the shopping center across the street from this proposed site. I have included a picture as well.

My son and neighborhood kids play outside all the time. We like our quiet private driveway. However over the past several years it has not been as quiet due to people drinking or smoking in our driveway. After visiting the Smoke shop and the Liquor store already established.

I am afraid for our safety and the safety of our kids to play outside. Now with 2 possible Cannabis Dispensaries so close. It is very unsettling as a parent.

There are many empty buildings around Moreno Valley, why are those not being used for this. Not in the middle of a neighborhood. On either side of this field are homes!! Is that what you want as your neighbor??

Please take some time and consider if this was your neighborhood. Is this where you would want your kids playing?? Have 2 cannabis dispensaries in your neighborhood.

--

Juli SHAFER

Consultant

951.488.2451 | ibeetaken@gmail.com
Beautycounter.com/julishafer

BEAUTYCOUNTER

Our mission is to get safe products in the hands of everyone.

Attachment: Public Comment - Shafer (5534 : PEN19-0003 - Desert First Commercial Cannabis Dispensary)







Attachment: Public Comment - Shafer (5534 : PEN19-0003 - Desert First Commercial Cannabis

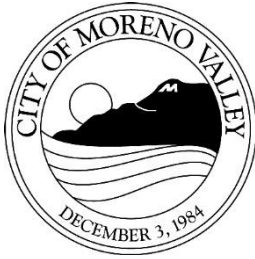
From: [Tana Ramirez](#)
To: [Planning Email DG](#)
Subject: Stop PEN19-0003
Date: Wednesday, September 15, 2021 7:24:52 PM

Warning: External Email – Watch for Email Red Flags!

Hello we live close residence to this property that is trying to add a cannabis dispensary and we on atwood do not agree ... This street has had its issue and still does and adding another reason for people to hang out or come to do buisness is troubling.. we have families with children here, and we already have to watch whos around .. people use this street as dumping grounds, car sales, car parking lots, drug dealing, and speed highway.. its already dangerous and we have gone through different years of drama and illegal residents... we ask please help us keep it from getting more dangerous than it can get by bringing in a buisness like that with stis already. Please do not pass this PEN and help us. We just trying to keep it from getting worst, as we had in the past please. Don't pass this..don't allow it.

Resident atwood ave moreno valley ca 92553
tanac13@hotmail.com

Attachment: Public Comment - Ramirez (5534 : PEN19-0003 - Desert First Commercial Cannabis Dispensary)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: September 23, 2021

CONTINUANCE OF A PLOT PLAN (PEN20-0077) FOR A NEW 7,982 SQUARE FOOT TWO-STORY BUILDING; AND THREE CONDITIONAL USE PERMITS FOR THE OPERATION OF A 4,385 SQUARE FOOT CANNABIS CULTIVATION BUSINESS (PEN19-0096); A 1,321 SQUARE FOOT CANNABIS DISTRIBUTION BUSINESS (PEN19-0098); AND A 2,276 SQUARE FOOT CANNABIS MANUFACTURING BUSINESS (PEN19-0099) ON A 13,650 SQUARE FOOT VACANT LOT.

Case:	PEN20-0077 – Plot Plan PEN19-0096 – Conditional Use Permit PEN19-0098 – Conditional Use Permit PEN19-0099 – Conditional Use Permit
Applicant:	Green Medication Therapy, LLC, Vicki Cheng
Property Owner	Green Medication Therapy, LLC, Vicki Cheng
Location:	Southwest corner of Cottonwood Avenue and Edgemont Street. APN: 263-190-009
Case Planner:	Nader Khalil, Contract Planner
Council District:	1
Proposal	Plot Plan (PEN20-0077) for a new 7,982 square foot two-story building and three Conditional Use Permits for the operation of a 4,385 square foot cannabis cultivation business (PEN19-0096); a 1,321 square foot cannabis distribution business (PEN19-0098); and a 2,276 square foot cannabis manufacturing business (PEN19-0099) on a 13,650 square foot vacant lot

SUMMARY

The applicant has requested a continuance for Plot Plan (PEN20-0077), Conditional Use Permit (PEN19-0096), Conditional Use Permit (PEN19-0098), and Conditional Use Permit (PEN19-0099), to the November 14, 2021 Planning Commission Meeting. A copy of the request is provided as an attachment.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **CONTINUE** Plot Plan (PEN20-0077), Conditional Use Permit (PEN19-0096), Conditional Use Permit (PEN19-0098), and Conditional Use Permit (PEN19-0099) to the November 14, 2021 Planning Commission Meeting.

Prepared by:
Sean P Kelleher

Approved by:
Manuel A. Mancha
Community Development Director

ATTACHMENTS

1. September 15, 2021 - Continuance Request

Sean P. Kelleher

From: Ajay Narayan <anarayan@mjlegalservice.com>
Sent: Wednesday, September 15, 2021 11:50 AM
To: Sean P. Kelleher
Subject: RE: Green Medication Therapy

Warning: External Email – Watch for Email Red Flags!

Good morning Sean,

We'd like to request a hearing continuance on the planning commission hearing from 9/23/21 to 10/14/21. Please let us know if that is possible. Thank you.

--

Ajay Scott Narayan, JD/MBA
Managing Partner, Founder
MJ Legal | Narayan Law
Tel: (310)717.9907
Email: anarayan@mjlegalservice.com

On the web: <http://www.narayanlawgroup.com> | <http://www.mjlegalservice.com>

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.

Attachment: September 15, 2021 - Continuance Request (5543 : PEN20-0077 Plot Plan Green Medication Therapy Continuance)