
PLANNING COMMISSIONERS

ALVIN DEJOHNETTE
Chairperson

MATTHEW CHEN
Vice Chairperson

JEFFREY SIMS
Commissioner



OMAR COBIAN
Commissioner

VACANT
Commissioner

VACANT
Commissioner

VACANT
Commissioner

PLANNING COMMISSION Regular Meeting

Agenda

**Thursday, April 28, 2022 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, members 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 – April 14, 2022 7:00 PM

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 951.413.3350 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.

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

1. Case: PEN21-0254 (Conditional Use Permit)
Applicant: American Green Capital Group
Property Owner: William Cleek
Representative: Kevin Wolfe
Location: 24124 Sunnymead Boulevard (APN. 481-112-039)
Case Planner: Julia Descoteaux
Council District: 1
Proposal: Conditional Use Permit for the operation of a Cannabis Microbusiness, including retail sales, manufacturing, and distribution operations.

2. Case: Tentative Tract Map No. 34544 (PEN22-0010)
Plot Plan (PEN21-0127)
Applicant: Al Marshall, CitiVest
Property Owner: Cottonwood 939, LLC
Representative: Al Marshall, CitiVest
Location: Northside of Cottonwood Avenue, approximately 575 feet east of Perris Boulevard
Case Planner: Kirt Coury, Contract Planner
Council District: 3
Proposal: The Applicant is requesting approval of the following entitlements 1) Tentative Tract Map 34544 to subdivide 9.4 acres into air spaces for condominium purposes; and 2) a Plot Plan for the development of the Cottonwood Village project consisting of 23 four-plex buildings (92 attached multi-family units) with associated amenities and public improvements.

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting, on May 12, 2022 at 7:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

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

**REGULAR MEETING – 7:00 PM
April 14, 2022**

CALL TO ORDER

This regular meeting of the Planning Commission of the City of Moreno Valley was called to order at 7:03 PM, by Vice-Chair DeJohnette in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

ROLL CALL

Planning Commission:	Alvin DeJohnette	Vice-Chairperson	Present
	Jeffrey Sims	Commissioner	Present
	Omar Cobian	Commissioner	Present
	Matthew Chen	Commissioner	Present

PLEDGE OF ALLEGIANCE

Commissioner Jeffrey Sims led the pledge of allegiance.

APPROVAL OF AGENDA

RESULT: APPROVED [UNANIMOUS]
MOVER: Jeffrey Sims, Commissioner
SECONDER: Matthew Chen, Commissioner
AYES: Jeffrey Sims, Matthew Chen, Alvin DeJohnette, Omar Cobian

SELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON

1. Accept Nominations for and elect a New Chairperson
2. Accept Nominations for and elect a New Vice-Chairperson

The Planning Official administered the vote for a new Chairperson. Commissioner Sims made a motion to nominate Vice-Chairperson Alvin DeJohnette. Commissioner Cobian seconded the motion.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jeffrey Sims, Commissioner
SECONDER: Omar Cobian, Commissioner
AYES: Jeffrey Sims, Omar Cobian, Alvin DeJohnette, Matthew Chen

The Planning Official handed the meeting over to new Chairperson Alvin DeJohnette for the nomination of a Vice-Chairperson.

A motion was made by Commissioner Cobian and seconded by Commissioner Sims to nominate Matthew Chen as Vice-Chairperson.

RESULT: APPROVED [UNANIMOUS]
MOVER: Omar Cobian, Commissioner
SECONDER: Jeffrey Sims, Commissioner
AYES: Omar Cobian, Jeffrey Sims, Alvin DeJohnette, Matthew Chen

PUBLIC COMMENTS PROCEDURE

PUBLIC COMMENTS

Speakers
Tom Jerele

CONSENT CALENDAR

1. Planning Commission - Regular Meeting - Mar 24, 2022 7:00 PM
2. Planning Commission - Regular Meeting - Feb 24, 2022 7:00 PM
3. Planning Commission - Regular Meeting - Feb 10, 2022 7:00 PM
4. Planning Commission - Regular Meeting - Jan 27, 2022 7:00 PM
5. Planning Commission - Regular Meeting - Jan 13, 2022 7:00 PM
6. Planning Commission - Regular Meeting - Dec 9, 2021 7:00 PM

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

1. Conditional Use Permit (PEN21-0005) for a 3,589 square foot Retail Cannabis Dispensary (Report of: Planning Commission)
 - A. Staff recommends that the Planning Commission take the following actions:
 1. **ADOPT** Resolution No. 2022-24, and thereby:
 - a) **CERTIFY** that Conditional Use Permit PEN21-0005 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
 - b) **APPROVE** Conditional Use Permit PEN21-0005 subject to the attached Conditions of Approval included as Exhibit A to the Resolution.

Public Hearing Opened: 7:36 PM

Speakers
Tom Jerele

Public Hearing Closed: 7:39 PM

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RESULT: APPROVED [UNANIMOUS]
MOVER: Jeffrey Sims, Commissioner
SECONDER: Omar Cobian, Commissioner
AYES: Jeffrey Sims, Omar Cobian, Alvin DeJohnette, Matthew Chen

2. Revised Tentative Tract Map 37725 with a Plot Plan and a Variance (Report of: Planning Commission)

A. Staff recommends that the Planning Commission take the following actions:

1. **APPROVE** Resolution No. 2022-21, and thereby:

- a) **FIND AND DETERMINE** that Revised Tentative Tract Map PEN21-0206 has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) and CEQA Guidelines Sections 15161 and 15164 and that preparation of a subsequent Negative Declaration or an Addendum is not required since the proposed changes to the original project are minor and that the Proposed Project is consistent with the findings of Negative Declaration approved by the Planning Commission on September 10, 2020, for the original project; and
- b) **APPROVE** Revised Tentative Tract Map PEN21-0206 subject to the attached Conditions of Approval, attached to the Resolution as Exhibit A.

2. **APPROVE** Resolution No. 2022-22, and thereby:

- a) **FIND AND DETERMINE** that Variance PEN21-0300 has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) and CEQA Guidelines Sections 15161 and 15164 and that preparation of a subsequent Negative Declaration or an Addendum is not required since the proposed changes to the original project are minor and that the Proposed Project is consistent with the findings of Negative Declaration approved by the Planning Commission on September 10, 2020, for the original project; and
- b) **APPROVE** Variance PEN21-0300 subject to the attached Conditions of Approval, attached to the Resolution as Exhibit A.

3. **APPROVE** Resolution No. 2022-23, and thereby:

- a) **FIND AND DETERMINE** that Plot Plan PEN22-0006 has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) and CEQA Guidelines Sections 15161 and 15164 and that preparation of a subsequent Negative Declaration or an Addendum is not required since the proposed changes to the original project are minor and that the Proposed Project is consistent with the

Minutes Acceptance: Minutes of Apr 14, 2022 7:00 PM (CONSENT CALENDAR)

findings of Negative Declaration approved by the Planning Commission on September 10, 2020, for the original project; and

- b) **APPROVE** Plot Plan PEN22-0006 subject to the attached Conditions of Approval, attached to the Resolution as Exhibit A.

Public Hearing Opened: 8:01 PM

Speakers

Tom Jerele

Public Hearing Closed: 8:05 PM

RESULT: APPROVED [UNANIMOUS]
MOVER: Omar Cobian, Commissioner
SECONDER: Matthew Chen, Commissioner
AYES: Omar Cobian, Matthew Chen, Alvin DeJohnette, Jeffrey Sims

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

As requested, the Planning Official stated he would work to provide the status of all cannabis businesses in town. He also thanked the Commissioners for bringing in their designated iPads he will return them once they are updated.

City Attorney discussed the cannabis provisions, regulatory license from the Finance Department. The regulatory license has strict guidelines, including neighborhood plans, safety plans, and other regulations imposed by the state. Additionally, the City Attorney briefly discussed Accessory Dwelling unit provisions.

Commissioner Sims asked if the City had adopted all ordinances set by the state for Accessory Dwelling Units.

The Planning Official confirmed that the City had adopted the items, and Planning is working with the City Clerk's Office to get all platforms updated with the information.

PLANNING COMMISSIONER COMMENTS

Commissioner Sims states he has witnessed several trucks parked on the east-bound 60 freeway between Perris Blvd and Nason.

The Public Works Director chimed in to clarify that the issue is on the freeway, and City Staff would bring the matter to CalTrans' attention in their weekly update.

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Commissioner Cobian stated an accident at the Moreno Beach overpass project site killed a union labor worker on Tuesday. He requested a moment of silence in their honor.

Chair DeJohnette thanked staff for their efforts in preparation for the meeting.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairperson adjourned the meeting at 8:19 PM.

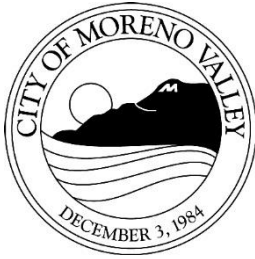
Submitted by:

Approved by:

Daniela Sanchez
Planning Commission Secretary

Alvin DeJohnette
Chairperson

Minutes Acceptance: Minutes of Apr 14, 2022 7:00 PM (CONSENT CALENDAR)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 28, 2022

CONDITIONAL USE PERMIT (PEN21-0254) FOR THE OPERATION OF A CANNABIS MICROBUSINESS WITHIN AN EXISTING 2,520 SQUARE FOOT BUILDING.

Case: PEN21-0254 (Conditional Use Permit)

Applicant: American Green Capital Group

Property Owner: William Cleek

Representative: Kevin Wolfe

Location: 24124 Sunnymead Boulevard (APN. 481-112-039)

Case Planner: Julia Descoteaux

Council District: 1

Proposal: Conditional Use Permit for the operation of a Cannabis Microbusiness, including retail sales, manufacturing, and distribution operations.

SUMMARY

The Applicant, American Green Capital Group, is requesting approval of a Conditional Use Permit for the operation of a cannabis microbusiness. The proposed business will include manufacturing, distribution, and retail sales of cannabis products. The Proposed Project is located within an existing 2,520 square foot building at 24124 Sunnymead Boulevard (Project Site) within the Corridor Mixed Use (COMU) District and Village Specific Plan (SP 204), Village Commercial Residential (VCR) District.

BACKGROUND

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) District. 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 seven (7) micro-businesses throughout the 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 so far 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	3	20
Testing Facilities	1	0	0	0	0
Cultivation	5	5	3	3	0
Microbusinesses	7	6	5	2	3
Distribution	2	2	2	1	1
Manufacturing	3	2	2	2	0

B. Proposed Project

PROJECT DESCRIPTION

The Applicant proposes to operate a cannabis microbusiness, including a retail dispensary for on-site sales, product manufacturing or packaging of various cannabis products, and distribution of cannabis products to other dispensaries. The Municipal Code defines a microbusiness as a cannabis facility that includes a combination of at least three of the following four activities: manufacturing, cultivation (limited to 10,000 square feet), distribution, and dispensary.

The floor plan of the 2,520 square foot building has been designed to include approximately 805 square feet of retail operations for on-site sales located in the front of the facility, 878 square foot area to manufacture and package various cannabis products, and a 373 square foot distribution area with the remaining square footage for offices.

Two entrances to the building are proposed, with the main entrance for customers in the front of the building with a rear exit for employees and distribution activities. Additionally,

a check-in/intake area is provided for screening customers prior to entering the sales area. No merchandise will be visible from the intake area or the front windows.

Surrounding Area

The Project Site is a single developed parcel with access from Sunnymead Boulevard. The Project Site is located within the Corridor Mixed Use (COMU) District of the Village Specific Plan (SP 204) and Village Commercial Residential (VCR) District, which allows for the proposed use with the approval of a Conditional Use Permit. All properties within the general area, north, south, east, and west are also located within the Corridor Mixed Use (COMU) District within the Village Specific Plan (SP 204) and Village Commercial Residential (VCR) District. There are no sensitive uses within the required 600 feet of the proposed facility.

Access/Parking

The Project Site will have access from the existing driveway on Sunnymead Boulevard. The Proposed Project provides a total of 18 parking spaces where 13 parking spaces are required.

Design/Landscaping

The Applicant proposes to keep the existing design elements and colors of the building to with new signage displayed per the City's sign requirements. The Project Site has limited landscape areas where the Applicant will update and plant per the Landscape requirements.

- **Project Entitlements**

Status of Provisional Commercial Cannabis Regulatory Permit

On July 12, 2021, American Green Capital was issued a Provisional Commercial Cannabis Regulatory Permit (Provisional CCRP) for a microbusiness which includes distribution, manufacturing, and dispensary uses. The Applicant will apply for the microbusiness license issued by the State Bureau of Cannabis Control should the Planning Commission approve the CUP application.

Conditional Use Permit Application

The Applicant requests approval for a CUP to operate a 2,520 square-foot cannabis microbusiness facility. All operations would be consistent with all applicable federal, state, and local requirements, including all applicable provisions of Moreno Valley Municipal Code Section 9.09.290 and Title 5.

- **Safety and Security Plans**

The proposed security measures are similar to other cannabis businesses and comply with Section 9.09.290 of the Moreno Valley Municipal Code. The Applicant provided a safety and security plan to the City, which provides that

employees will be trained to learn the policies and proper procedures for the handling and disposing of cannabis products and how to handle site security for employees, customers, and the public. The plan also includes provisions for on-site security guards, installing external smoke alarms around the building, on-site safety and security signage, parking lot lighting, a secured parking area for deliveries, a video surveillance system, and product transfer and currency procedures. A condition of approval has also been included that requires the Applicant to provide all video recordings 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 emanating from the business. The plan provides that carbon filters shall be attached to the heating, ventilation, and air conditioning (HVAC) exhaust fans to address cannabis-related odors.

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 Proposed 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

The Applicant has worked with staff and modified the proposed plans to the satisfaction of all City Departments. Based on the staff's review, it was determined that the Proposed Project would 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 California Environmental Quality Act (CEQA) provisions under CEQA

Guidelines as a Class 1 Exemption (Section 15301, Existing Facilities). Pursuant to the California Code of Regulations, a Class 1 Exemption can be applied to a project when the project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Proposed Project has been found to meet all of the conditions of the Class 1 Exemption as the Proposed Project involves interior alterations and no expansion of use.

NOTIFICATION

Consistent with the City's Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press-Enterprise Newspaper.

REVIEW AGENCY COMMENTS

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

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2022-20, and thereby:

1. **DETERMINE** that Conditional Use Permit PEN21-0254 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities); and
2. **APPROVE** Conditional Use Permit PEN21-0254 subject to the attached Conditions of Approval as Exhibit A to the Resolution.

Prepared by:
Julia Descoteaux
Associate Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. Resolution 2022-20 Conditional Use Permit
2. Project Plans
3. Zoning Map
4. Public Comment

RESOLUTION NUMBER 2022-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (PEN21-0254) FOR A CANNABIS MICROBUSINESS LOCATED AT 24124 SUNNYMEAD BOULEVARD (APN 481-112-039)

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

WHEREAS, American Green Capital Group (“Applicant”) has filed an application for the approval of Conditional Use Permit PEN21-0254 (“Application”) for a Cannabis Microbusiness (“Proposed Project”) located at 24124 Sunnymead Boulevard in an existing building (“Project Site”); and

WHEREAS, Section 9.09.290 (Commercial Cannabis Activities) provides that a limited number of commercial cannabis microbusiness may be allowed within the Corridor Mixed Use (COMU) District within the Village Specific Plan (SP 204) and Village Commercial Residential (VCR) District, with a properly secured conditional use permit approved by 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 Proposed Project, and the potential impact of the Proposed 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, Village Specific Plan (SP 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 Conditional Use Permit 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 April 28, 2022, 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 April 28, 2022, 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 PEN21-0254, 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 15301 (Existing Facilities) in that the Proposed Project has been found to meet all of the conditions of the Class 1 Exemption as the Project involves interior alterations and no expansion of use; and

WHEREAS, at the public hearing, the Planning Commission 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.

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the Proposed Project (Conditional Use Permit), including, but not limited to, the following:

¹ 14 California Code of Regulations §§15000-15387

- (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) Application for the approval of a Conditional Use Permit PEN21-0254 and all documents, records and references contained therein;
- (d) Conditions of Approval for Conditional Use Permit PEN21-0254, attached hereto as Exhibit A;
- (e) 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;
- (f) Staff's determination that the proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) 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 15301 (Existing Facilities).

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 the Proposed Project (Conditional Use Permit PEN21-0254) subject to the Conditions of Approval for Conditional Use Permit PEN21-0254, 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 28th day of APRIL, 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin Dejohnette, Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Resolution 2022-20 Conditional Use Permit [Revision 2] (5678 : CANNABIS MICROBUSINESS (PEN21-0254))

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Resolution 2022-20 Conditional Use Permit [Revision 2] (5678 : CANNABIS MICROBUSINESS (PEN21-0254))

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN21-0254)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. 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)
2. 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)
3. 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)
4. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the 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 prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

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sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. 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)
7. 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)
8. 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)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. The site has been approved for a commercial cannabis microbusiness that includes a retail dispensary, manufacturing, and distribution of cannabis products and materials, located at 24124 Sunnymead Boulevard (approximately 2,520 square feet) 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 in the case of a Conditional Use Permit per MC Section 9.09.290 F and 9.02.260. Testing and delivery to customers is not allowed.
11. All three activities associated with the commercial cannabis microbusiness: 1)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

Page 3

- retail/commercial cannabis dispensaries; 2) commercial cannabis distribution; and 3) commercial cannabis manufacturing, shall commence and be continuously in operation. Should the applicant wish to modify or discontinue any of these activities, an application to amend this Conditional Use Permit shall be submitted to the City for review and approval.
12. 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))
 13. The commercial cannabis microbusiness shall have designated lock storage/safe room or safe that is bolted to the floor on the property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products, products being manufactured. All storage areas shall be separated from the main entrance and lobby and shall be secured by a lock accessible only to managers and/or staff on the premises (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted Access throughout the premises by emergency service personnel).
 14. The commercial microbusiness shall be consistent with all other applicable federal, state, and local requirements including the Moreno Valley Municipal Code, Title 5. (MC 9.09.290 (E)(6)(f))
 15. A licensee conducting a commercial cannabis microbusiness shall meet all applicable operational requirements for retail/commercial cannabis dispensaries, commercial cannabis distribution, and commercial cannabis manufacturing activities. (MC 9.09.290 (E)(6)(d))
 16. No commercial cannabis microbusiness owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on or within 50 feet of the premises of the cannabis business (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.
 17. No person shall smoke, ingest, or otherwise will soon cannabis in any form on, or within twenty (20) feet of the dispensary site. (MC 9.09.290 (E)(4)(f))
 18. Prior to occupancy, the operator must hold a microbusiness (Type 12) license issued by the State Bureau of Cannabis Control. (MC 9.09.290 (E)(6)(e))
 19. Only manufacturing facilities with a Type-6 state license (non-volatile) may be allowed to operate in the city.

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

Page 4

20. 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.
21. 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 secure vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
22. No cannabis or marijuana raw materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis operations are being conducted. All commercial cannabis uses and operations 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)(5)(b))
23. Daily hours of operation may start no earlier than 6:00 am and no later than 10:00 pm, Sunday through Saturday.
24. All windows on the building that houses the cannabis facility shall be appropriately secured and all marijuana securely stored.
25. All mechanical equipment, either roof or ground mounted, shall be screened from public view. All such equipment shall be fully screened by the roof structure, a parapet wall, appropriate ground mounted walls, berming, or landscaping. All walls shall architecturally match the building. If after construction, but prior to the issuance of a Certificate of Occupancy, it is determined by the Planning Manager that equipment can be viewed from the public right-of-way, a plan for screening of the equipment shall be submitted to the Planning Department for approval. Once approved, said screening shall be constructed prior to issuance of a Certificate of Occupancy.
26. Prior to approval of tenant improvement plans, two copies of a detailed, on-site computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Building and Safety Division for Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height, and method of shielding. The lighting shall be designed in such a manner so that it meets the lighting standards in the Cannabis Ordinance 932. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG) Lightning shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

Page 5

- levels, and shielding. (MC 9.09.290 (E)(10))
27. A cannabis distribution licensee shall maintain a database and provide a list of the individuals and vehicles authorized to conduct transportation on behalf of the cannabis distribution licensee to the city. (MC 9.09.290 (E)(5)(e))
 28. Waste and Storage and Disposal. Waste, storage, and disposal of all marijuana and cannabis products shall meet all applicable state and local health regulations. (MC 9.09.290 (E)(13))
 29. 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))
 30. Distribution operations shall be consistent with all other applicable federal, state and local requirements, including all applicable provisions of Moreno Valley Municipal Code Title 5. (MC 9.09.290 (E)(5)(f))
 31. Security surveillance cameras and a video recording system shall 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 cameras and recording system 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 standard MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
 32. Odor control devices and techniques shall be incorporated in all licensed premises to ensure that odors from cannabis or marijuana are not detectable offsite. Licensees shall provide a sufficient odor absorbing ventilation, exhaust or air filtration system so that odor generated inside the licensed premises that is distinctive to its operation is not detected outside of the premises, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building or other separate buildings on the licensed premises. (MC 9.09.290 (E)(14)(a))
 33. 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))

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

Page 6

34. All commercial cannabis activities shall take place within an enclosed structure. (MC 9.09.290 (E)(8)(a))
35. All lighting shall comply with the provisions of Section 9.08.100 of this title, and determined in a security plan approved by the city, including fixture type, wattage illumination levels and shielding. This requirement does not address any potential lighting required under the individual security plans for the facility. (MC 9.09.290(E) (10))
36. Commercial cannabis activity shall not adversely affect the health, safety, or general welfare of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products, or wastes. (MC 9.09.290 (E)(14)(e))
37. From a public right-of-way, there should be no exterior evidence of commercial cannabis dispensing, cultivation, manufacturing or testing activities, except for any signage authorized as part of the CUP approval and separately issued signage permits. No raw materials, cannabis or cannabis-infused products or marijuana plants shall be visible from the exterior of the building. (MC 9.09.290 (E)(8)(b))
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. All ventilating equipment shall be directed to top story exhaust vents which face away from adjacent properties. (MC 9.09.290 (E)(14)(b))
40. A licensee shall prohibit loitering by individuals outside the licensed premises, whether the loitering is occurring immediately outside the licensed premises facility or anywhere else on the property or parcel. (MC 9.09.290 (E)(14)(c))
41. A copy of all pages of these conditions shall be included in the construction drawing package.
42. All cannabis heating, ventilation, air conditioning, odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
43. 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))
44. 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)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

Page 7

years of age.

45. Automatic closures shall be installed on all interior and exterior doors.
All interior and exterior door seals shall be replaced and adjusted, if needed.
All roof venting, wall penetrations, panel joints etc. shall be sealed.
Air curtains shall be installed on all exterior doors.
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 facility.
48. 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.
49. 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.
50. 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))
51. The cannabis license and the Conditional Use Permit apply only to 24124 Sunnymead Boulevard in this 2,520 square foot building.
52. A copy of all pages of these conditions shall be included in the construction drawing package.
53. The premises shall 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

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

Page 8

Businesses' interior and exterior so that the odors generated inside the Cannabis Business are not detectable outside the Cannabis Business.

54. All cannabis heating, ventilation, air conditioning, odor control plans and blue prints shall be stamped by a Licensed HVAC Mechanical Engineer.
55. All window arrays, doors and associated framing systems shall be renovated to install new glazing compounds and seals.
56. 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))
57. The applicant shall slurry seal and restripe the parking lot area within the limits of their parcel to the satisfaction of the Building and Planning Divisions. Applicant shall submit a restriping plan to the Planning and Building Divisions for review and approval prior to restriping the parking lot.
58. 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.
59. The applicant shall repaint the exterior of the suite, to the satisfaction of the Planning Division. applicant shall submit paint colors and descriptions to the Planning Division for review and approval prior to repainting the building.

Building Division

60. 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.
61. Contact the Building Safety Division for permit application submittal requirements.
62. 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.
63. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
64. 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

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN21-0254)

Page 9

building application is submitted or prior to the issuance of permits as determined by the City.

65. 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.
66. 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.
67. All remodeled 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.
68. 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)

69. 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.
70. New Moreno Valley businesses are encouraged to hire local residents.

FIRE DEPARTMENT**Fire Prevention Bureau**

71. 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])
72. 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.

CONDITIONS OF APPROVAL

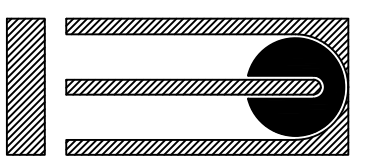
Conditional Use Permit (PEN21-0254)

Page 10

73. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
74. 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])
75. 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)

76. Delayed Egress

Where delayed egress systems are to be installed an approved fire sprinkler and an automatic smoke detection system shall be installed in accordance with the California Building and Fire Code.



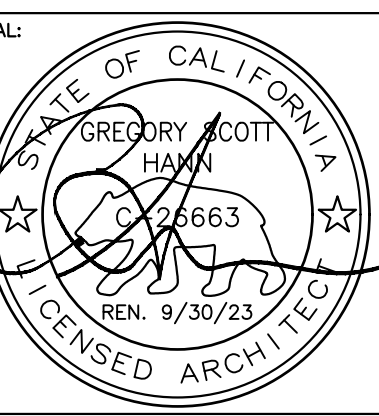
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CLIENT:

AMERICAN GREEN CAPITAL GROUP

MICRO BUSINESS 24124 SUNNYMEAD BLVD. MORENO VALLEY, CA 92553

ARCHITECT OF RECORD: GREGORY S. HANN, AIA 511 N MAIN STREET LAKE ELSINORE, CA 92530 TEL: 951-696-1490 CELL: 951-809-7601 E-MAIL: ghann@empiregr.biz



Date: OCTOBER 11, 2021

Project Number: EDG#04769.01

NO.	DATE	REVISION DESCRIPTION
1	11-17-21	1ST CUP PC COMMENTS
2	1-18-22	2ND CUP PC COMMENTS

DESIGNED BY: GH
CHECKED BY: GH
DRAWN BY: AH

DRAWING TITLE:

ARCHITECTURAL SITE PLAN

SHEET NO:

AS 1.0

SITE DATA

ADDRESS: 24124 SUNNYMEAD BLVD. MORENO VALLEY, CA 92553

PERMIT NUMBER: PEN-21-0254

APN: 481-112-039

LOT SIZE: 0.39 ACRES (16,988 S.F.)

BUILDING AREAS: TENANT IMPROVEMENT: 2,520 S.F.

BUILDING HEIGHT: ±15'-0"

STORIES: SINGLE

COUNTY: RIVERSIDE

CONSTRUCTION TYPE: V-B/NON-SPRINKLERED

OCCUPANCY: TBD

LAND USE: COMMERCIAL / RETAIL

ZONE: SP 204 CC (COMMERCIAL)

PARKING REQUIREMENTS: 1 PER 200 S.F. (2,520 / 200)
TOTAL SPACES REQD: 13 SPACES
TOTAL SPACES PROVIDED: 18 SPACES

OWNER / APPLICANT

KEVIN WOLF
AMERICAN GREEN CAPITAL GROUP
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(951) 505-4775
kevinwolf@germania.net

APPLICANT'S REPRESENTATIVE

RYAN DE JONG
NATION ORGANIZATION FOR CANNABIS COMPLIANCE
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IRVINE, CA 92614
(949) 230-1693
rsd@thenocc.org

ARCHITECT / EXHIBIT PREPARER

EMPIRE DESIGN GROUP, INC.
511 N MAIN STREET
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PHONE: (951) 696-1490
CELL PHONE: (951) 809-7601
E-MAIL: ghann@empiregr.biz
CONTACT: GREGORY HANN, ARCHITECT

CODE INFORMATION

ALL CONSTRUCTION TO COMPLY WITH:

BUILDING CODE: 2019 CALIFORNIA BUILDING CODE
PLUMBING CODE: 2019 CALIFORNIA PLUMBING CODE
ELECTRICAL CODE: 2019 CALIFORNIA ELECTRIC CODE
MECHANICAL CODE: 2019 CALIFORNIA MECHANICAL CODE
ENERGY CODE: 2019 CALIFORNIA ENERGY CODE
GREEN BUILDING: 2019 CALIFORNIA GREEN BUILDING CODE
FIRE CODE: 2019 CALIFORNIA FIRE CODE (2015 IFC)

PROJECT DESCRIPTION (SOW)

1. PROPOSED TENANT IMPROVEMENT TO EXISTING 2,520 S.F. COMMERCIAL BUILDING.

GENERAL NOTES

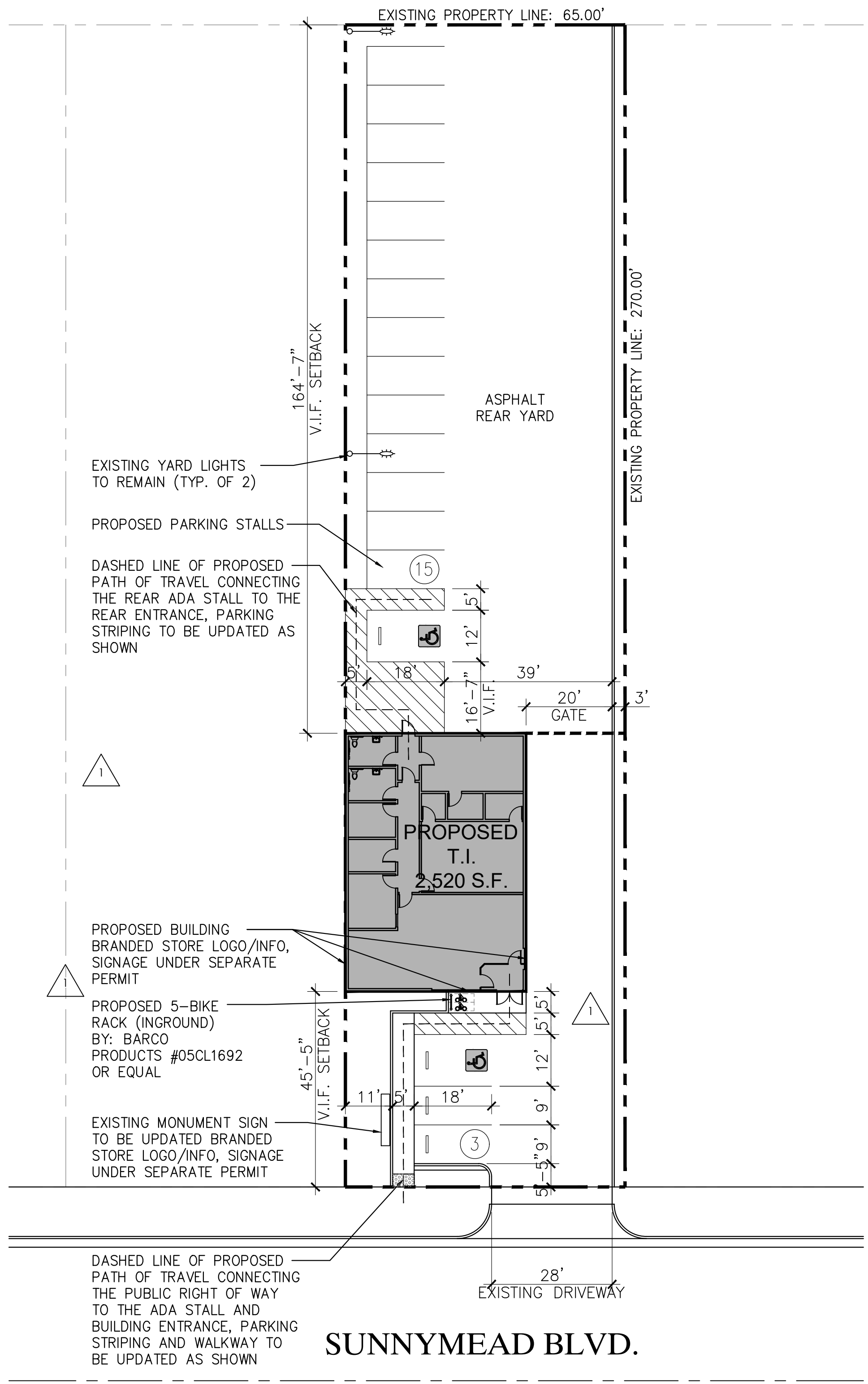
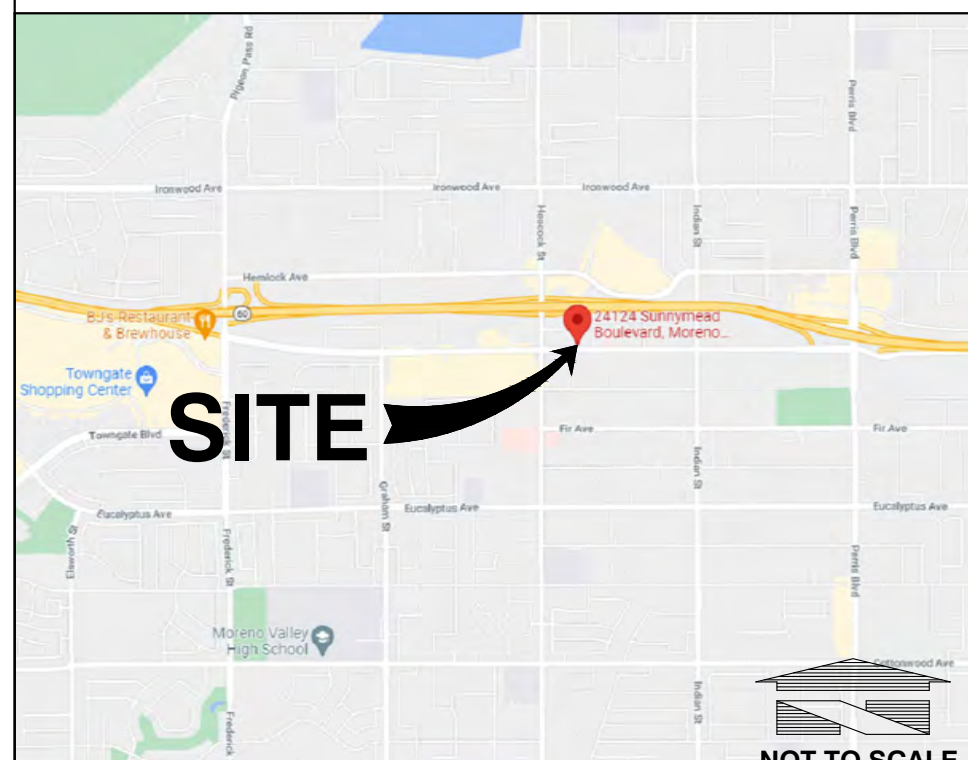
1. DELAYED EGRESS SHALL NOT AND WILL NOT BE INSTALLED AT THIS FACILITY AT ANY TIME. IN ACCORDANCE WITH THE CALIFORNIA BUILDING AND FIRE CODE CHAPTERS 9 AND 10, BUILDINGS WITH DELAYED EGRESS LOCKS SHALL BE EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM AND AN APPROVED AUTOMATIC SMOKE DETECTION SYSTEM. INSTALLATION OF DELAYED EGRESS AT THIS FACILITY WITHOUT SPRINKLERS AND DETECTION WILL RESULT IN IMMEDIATE BUSINESS CLOSURE.

SHEET INDEX

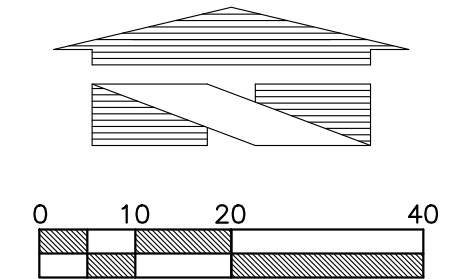
ARCHITECTURAL
AS 1.0 ARCHITECTURAL SITE PLAN
AS 1.1 PHOTO LOCATION SITE PLAN
AS 1.1 AREA MAP
D 1.0 DEMOLITION FLOOR PLAN
A 1.0 CONCEPTUAL FLOOR PLAN
A 1.1 REFLECTED CEILING PLAN
A 2.0 EXTERIOR ELEVATIONS

LANDSCAPE
L-2 CONCEPTUAL LANDSCAPE PLAN

VICINITY MAP



1 ARCHITECTURAL SITE PLAN SCALE: 1" = 20'





3
- PHOTO 3
SCALE: NTS



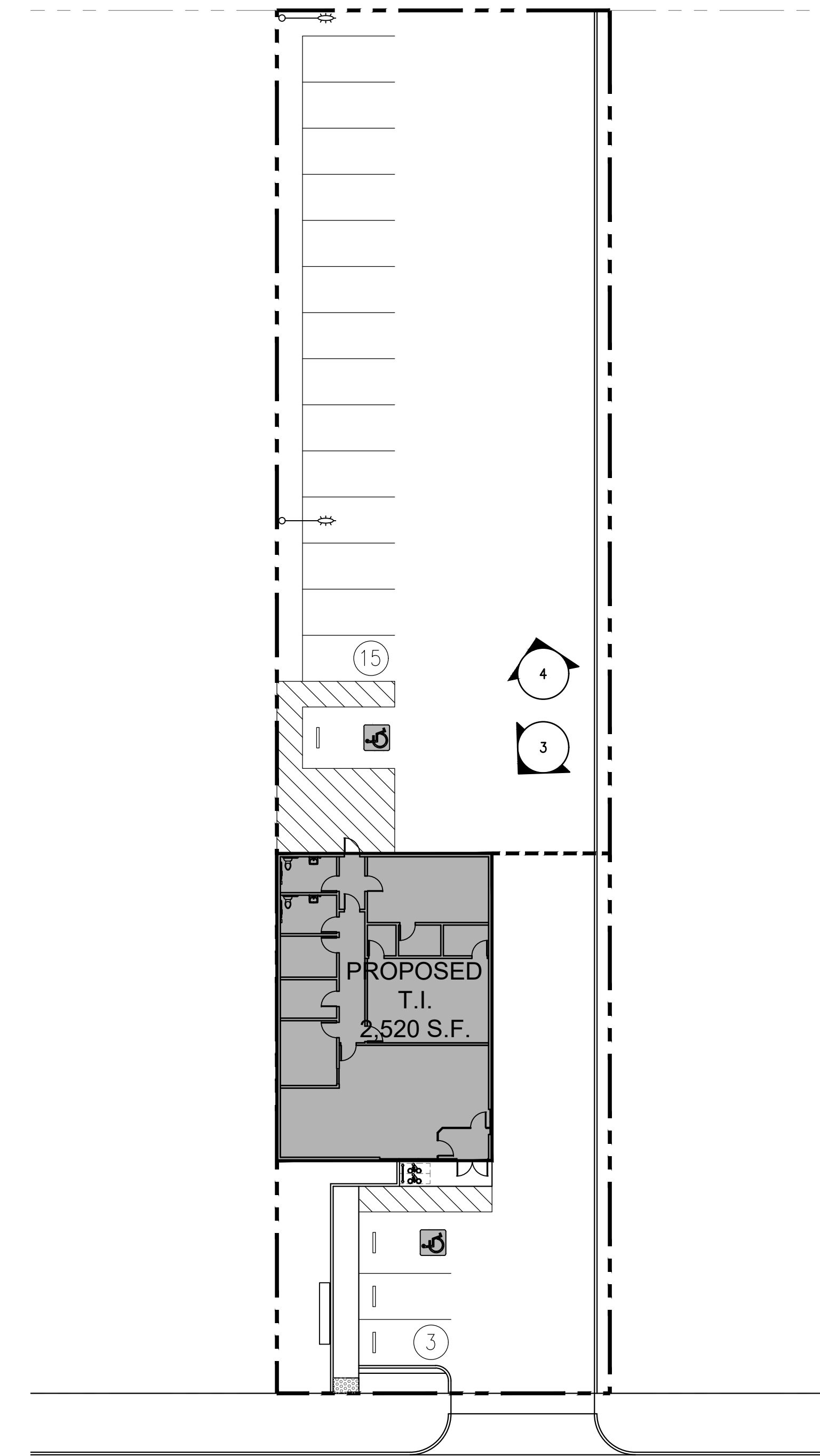
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- PHOTO 1
SCALE: NTS



4
- PHOTO 4
SCALE: NTS

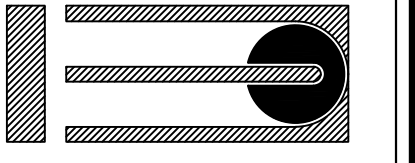
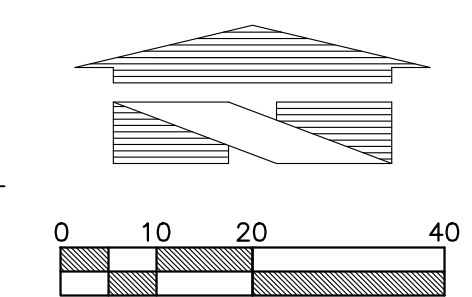


2
- PHOTO 2
SCALE: NTS



2 SUNNYMEAD BLVD. 1

1
- PHOTO LOCATION SITE PLAN
SCALE: 1" = 20'



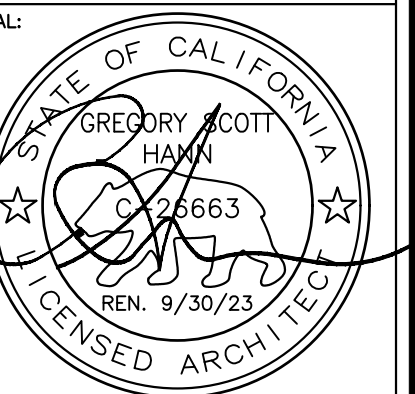
511 N Main St.
Lake Elsinore, CA 92530
951-696-1490
EmpireDesignGroup.biz

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MORENO VALLEY, CA 92553**

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TEL: 951-696-1490
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Date: OCTOBER 11, 2021
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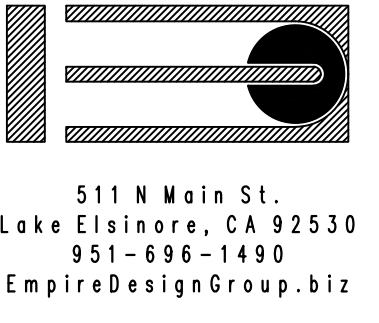
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2	1-18-22	2ND CUP PC COMMENTS

DESIGNED BY: GH
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DRAWN BY: AH

PHOTO LOCATION SITE PLAN

SHEET NO:

AS 1.1



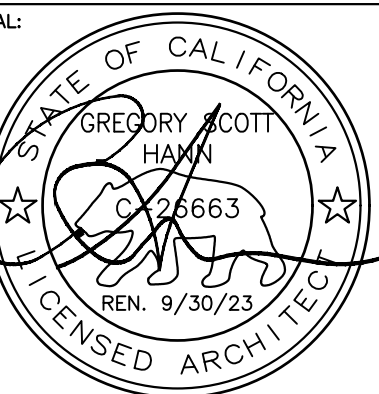
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NO.	DATE	REVISION DESCRIPTION
1	11-17-21	1ST CUP PC COMMENTS
2	1-18-22	2ND CUP PC COMMENTS

DESIGNED BY: GH
CHECKED BY: GH
DRAWN BY: AH
DRAWING TITLE:

AREA MAP

SHEET NO:

AS 1.2

Attachment: Project Plans (Revision 2) (6678 - CANNABIS MICROBUSINESS (PEN21-0254))

SITE DATA

ADDRESS: 24124 SUNNYMEAD BLVD.
MORENO VALLEY, CA 92553
PERMIT NUMBER: PEN-21-0254
APN: 481-112-039
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TOTAL SPACES PROVIDED: 18 SPACES

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(951) 505-4775
kevinwolf@germania.net

APPLICANT'S REPRESENTATIVE

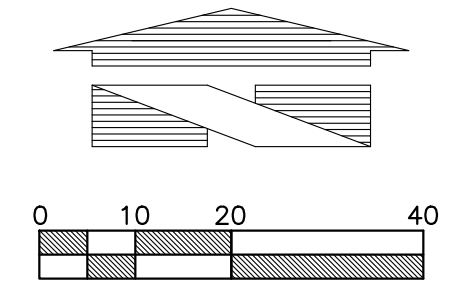
RYAN DE JONG
NATION ORGANIZATION FOR CANNABIS COMPLIANCE
2372 MORSE AVENUE
IRVINE, CA 92614
(949) 230-1693
rsd@thenocc.org

ARCHITECT / EXHIBIT PREPARER

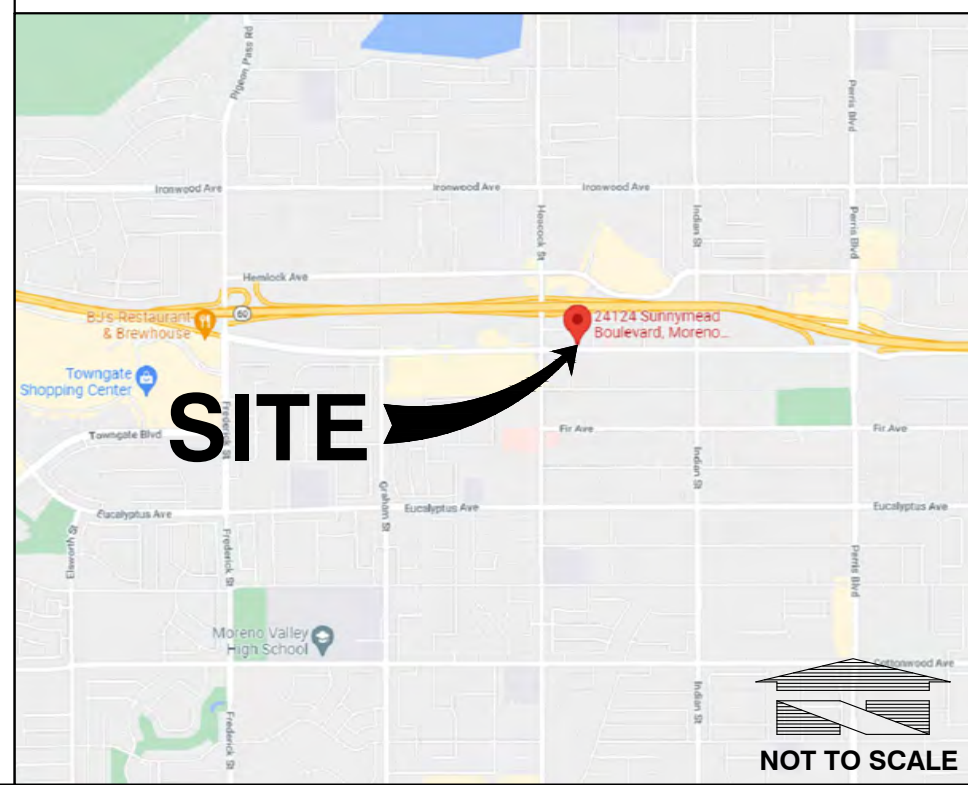
EMPIRE DESIGN GROUP, INC.
511 N MAIN STREET
LAKE ELSINORE, CA 92530
PHONE: (951) 696-1490
CELL PHONE: (951) 809-7601
E-MAIL: ghann@empiregr.biz
CONTACT: GREGORY HANN, ARCHITECT



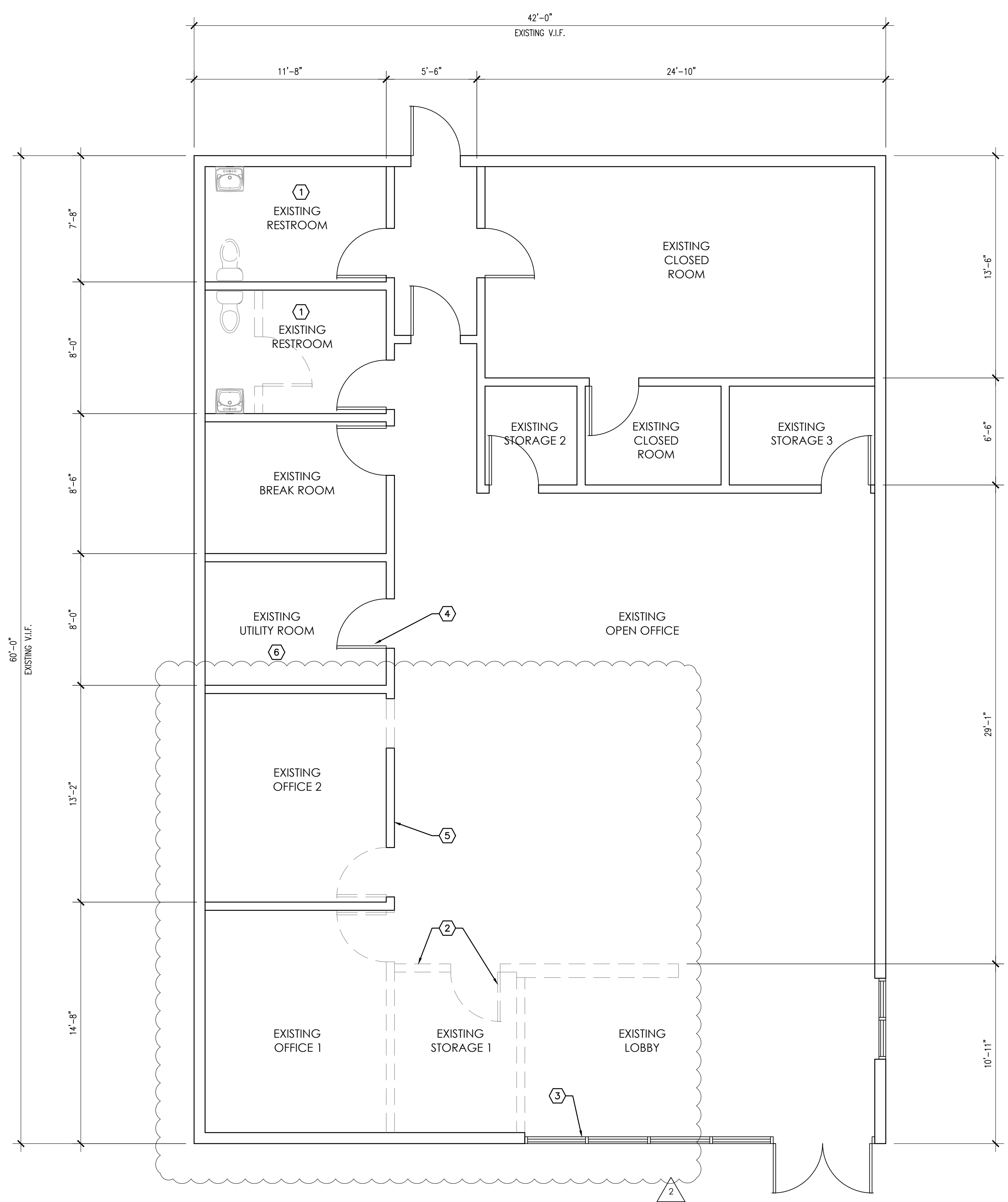
600' PRELIMINARY RADIUS MAP
SCALE: 1" = 20'



VICINITY MAP



NOT TO SCALE



1 DEMOLITION FLOOR PLAN
 SCALE: 1/4"=1'-0" 2,567 S.F.

KEYED NOTES:

- 1 RESTROOM FIXTURES TO BE DEMOLISHED, TYP.
- 2 DASHED LINES OF DOOR AND WALL TO BE DEMOLISHED, TYP.
- 3 WINDOWS TO REMAIN, PROTECT IN PLACE, TYP.
- 4 DOORS TO REMAIN, PROTECT IN PLACE, TYP.
- 5 WALLS TO REMAIN, PROTECT IN PLACE, TYP.
- 6 ELECTRICAL PANEL TO REMAIN, PROTECT IN PLACE
- 7 NOT USED

WALL LEGEND:

- EXISTING WOOD FRAMED WALL TO REMAIN
- TO BE DEMOLISHED

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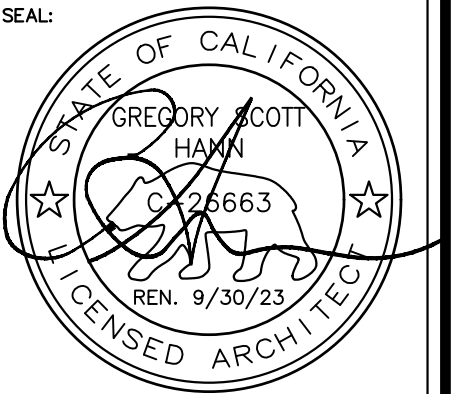
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CLIENT:
AMERICAN GREEN CAPITAL GROUP

**MICRO BUSINESS
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Date: OCTOBER 11, 2021

Project Number: EDG#04769.01

NO.	DATE	REVISION DESCRIPTION
1	11-17-21	1ST CUP PC COMMENTS
2	1-18-22	2ND CUP PC COMMENTS

DESIGNED BY: GH
 CHECKED BY: GH
 DRAWN BY: AH

DRAWING TITLE:

DEMOLITION FLOOR PLAN

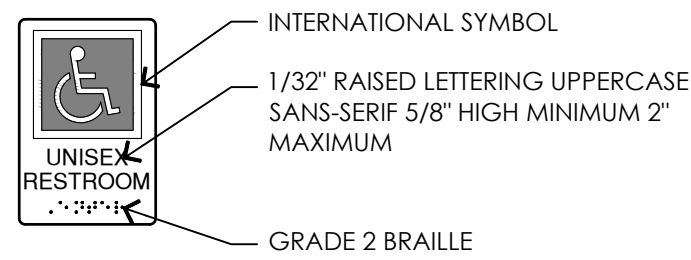
SHEET NO:

D 1.0

RESTROOM CLEAR FLOOR SPACE

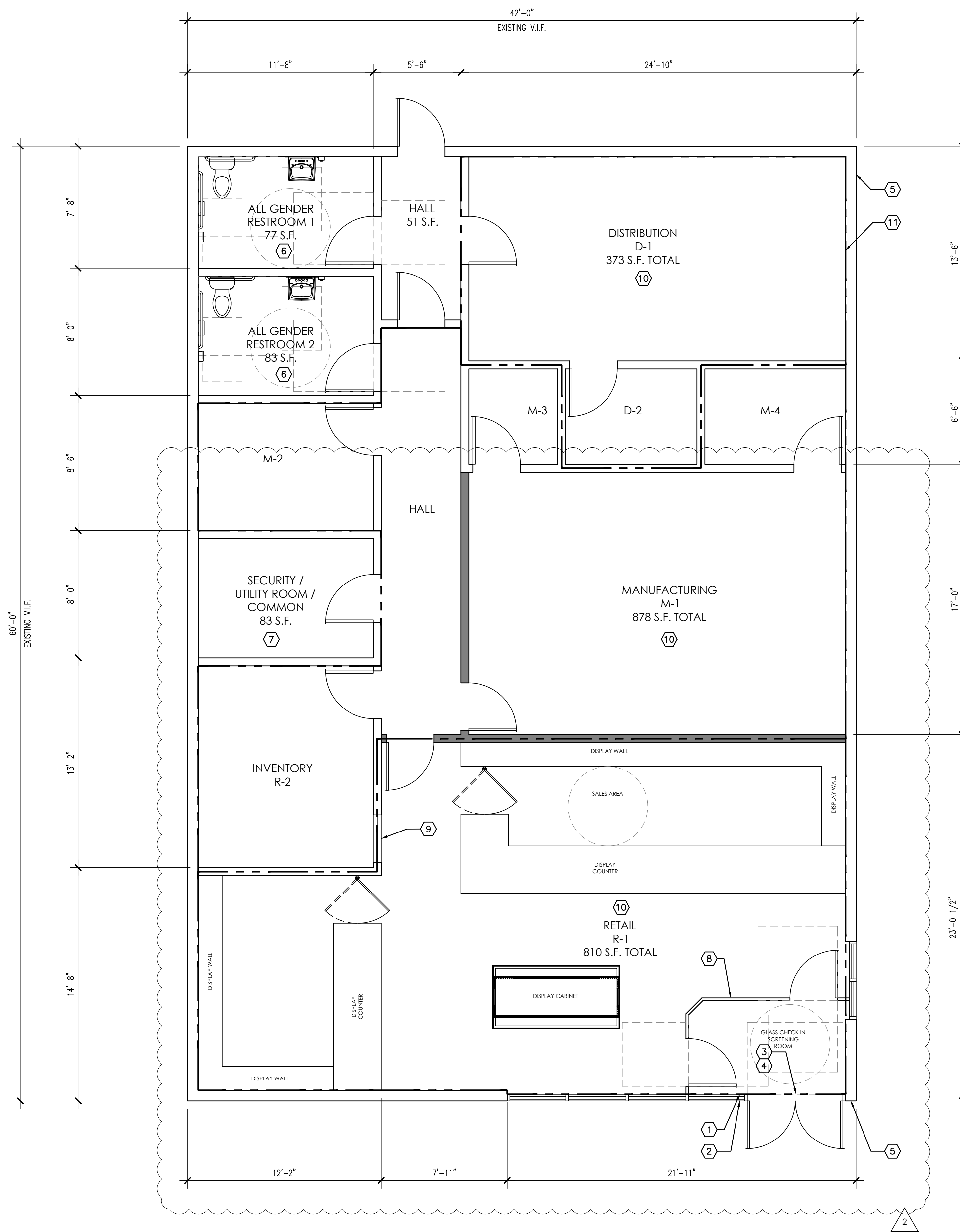
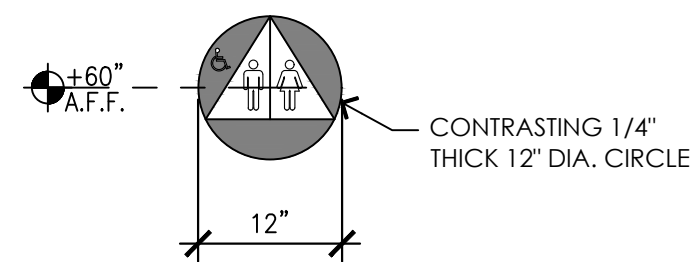
ITEM	SPACE REQUIRED
A TOILET	60" X 60"
B SINK	30" X 48"
C PAPER TOWEL DISP. / WASTE RECEPTACLE	30" X 48"
D PUSH SIDE OF 3'-0" DOOR FRONT APPROACH	48" X 48"
E PULL SIDE OF 3'-0" DOOR LATCH SIDE APPROACH	60" X 54"
F TOILET / URINAL	30" X 48"

BRAILLE ROOM IDENTIFICATION



NOTE:
EDGES OF SIGNS SHALL BE ROUNDED, CHAMFERED OR EASED.
SIGNS SHALL BE CONTRASTING IN COLOR FROM DOOR

UNISEX GENDER DOOR SYMBOL



1 CONCEPTUAL FLOOR PLAN
SCALE: 1/4"=1'-0" 2,567 S.F.

KEYED NOTES:

- 1 TACTICAL EXIT SIGNAGE (TYP. AT ALL EXITS) SEE DETAIL 2 SHEET ADA1
- 2 ADA INTERNATIONAL ACCESSIBLE SYMBOL @ ENTRANCE COMPLYING WITH CBC 1117B.5.8 AND MOUNTED PER CBC 1117B.5.7 SEE DETAIL 7 SHEET ADA1
- 3 1" MIN. LETTERING STATING "THIS DOOR TO REMAIN UNLOCKED WHILE THIS SPACE IS OCCUPIED" THIS SIGNAGE ONLY ALLOWED AT MAIN EXIT
- 4 MAXIMUM OCCUPANCY SIGN, ABOVE MAIN EXIT DOOR STATING MAXIMUM OCCUPANT LOAD
- 5 RECESSED RAPID ENTRY KNOX BOX AND TAMPER SWITCH PER MANUF. SPECIFICATIONS, INSTALL AT 60" A.F.F.
- 6 PROPOSED ADA RESTROOM
- 7 EXISTING ELECTRICAL PANEL AT THIS LOCATION TO REMAIN, PROTECT IN PLACE, SEE ELECTRICAL
- 8 PROPOSED GLASS PARTITION WALLS AND DOORS AT THIS LOCATION, SURROUNDING CHECK-IN AREA
- 9 PROPOSED PASS-THRU WINDOW AT THIS LOCATION
- 10 FIRE EXTINGUISHERS TO BE 2A-10B-C, FIRE EXTINGUISHERS SHALL BE LOCATED ALONG NORMAL PATHS OF TRAVEL EVERY 75 FEET INSIDE THE STORE AND SHALL BE MOUNTED ON THE WALL SO THE TOP IS 5' ABOVE THE FLOOR PER CFC 906.1 (TYP. OF 3 TOTAL)
- 11 PHANTOM LINE DELINEATING USE SEPARATION, TYP.

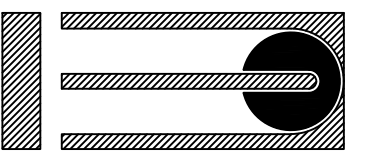
WALL LEGEND:

- EXISTING WALL TO REMAIN
- PROPOSED INTERIOR WOOD FRAMED WALL 2X4 STUDS @ 16" O.C.

GENERAL NOTES

1. DELAYED EGRESS SHALL NOT AND WILL NOT BE INSTALLED AT THIS FACILITY AT ANY TIME. IN ACCORDANCE WITH THE CALIFORNIA BUILDING AND FIRE CODE CHAPTERS 9 AND 10, BUILDINGS WITH DELAYED EGRESS LOCKS SHALL BE EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM AND AN APPROVED AUTOMATIC SMOKE DETECTION SYSTEM. INSTALLATION OF DELAYED EGRESS AT THIS FACILITY WITHOUT SPRINKLERS AND DETECTION WILL RESULT IN IMMEDIATE BUSINESS CLOSURE.

EMPIRE DESIGN GROUP Inc.



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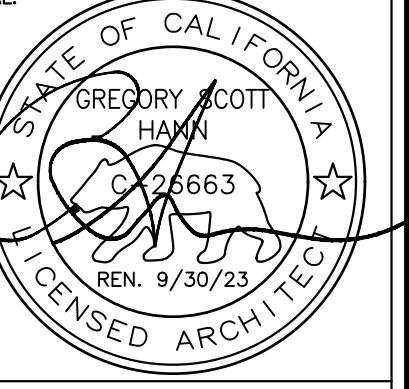
CLIENT:

AMERICAN GREEN CAPITAL GROUP

**MICRO BUSINESS
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MORENO VALLEY, CA 92553**

ARCHITECT OF RECORD:
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CELL: 951-809-7601
E-MAIL: ghann@empiregr.biz

SEAL:



Date: OCTOBER 11, 2021

Project Number: EDG#04769.01

NO.	DATE	REVISION DESCRIPTION
1	11-17-21	1ST CUP PC COMMENTS
2	1-18-22	2ND CUP PC COMMENTS

DESIGNED BY: GH

CHECKED BY: GH

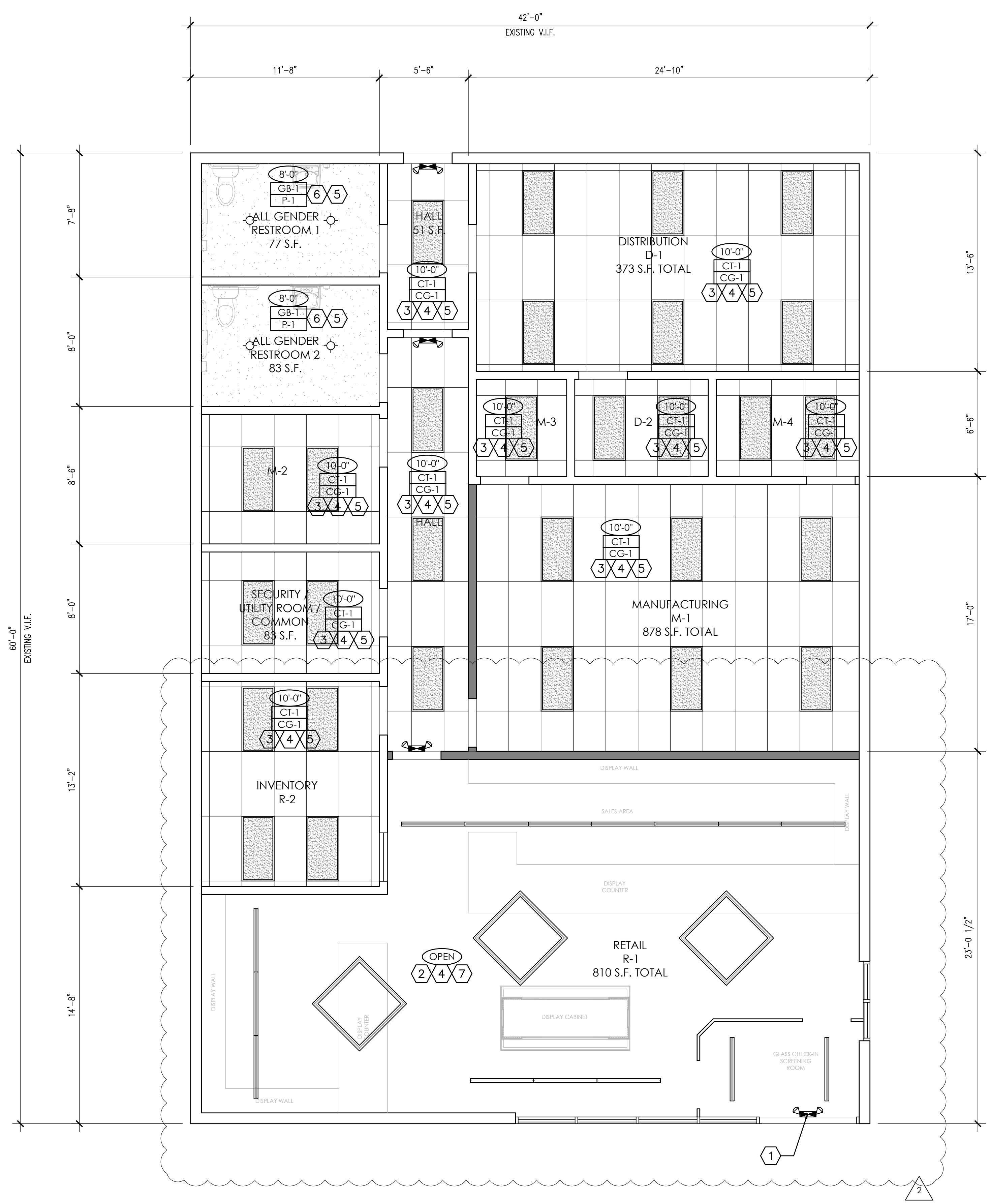
DRAWN BY: AH

DRAWING TITLE:

CONCEPTUAL FLOOR PLAN

SHEET NO:

A 1.0

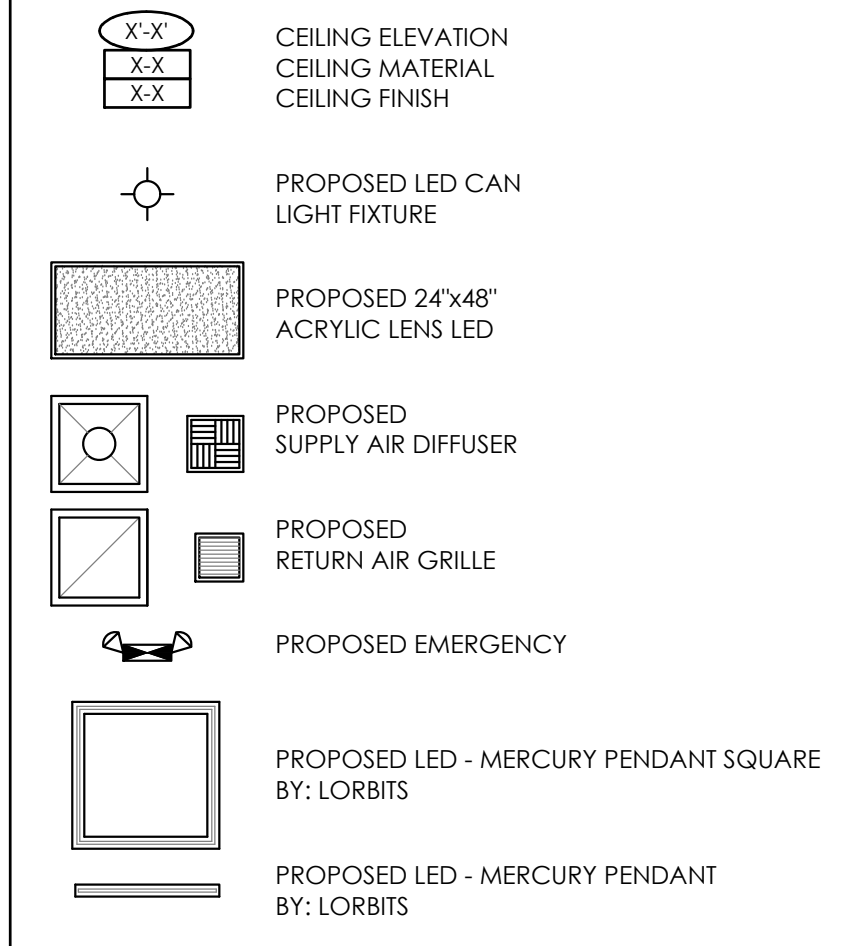


1 REFLECTED FLOOR PLAN
SCALE: 1/4"=1'-0"

KEYED NOTES:

- 1 PROPOSED EXIT SIGNAGE TO HAVE EMERGENCY BACK-UP POWER AND 1 FT. CANDLE ILLUMINATION, PER OSSC 1006.3 SEE ELECTRICAL (TYP.)
- 2 PROPOSED OPEN CEILING, PAINT BLACK PER OWNER, TYP.
- 3 EXISTING T-BAR TO REMAIN, TYP.
- 4 EXISTING HVAC SUPPLY AND RETURNS TO REMAIN, TYP.
- 5 EXISTING LIGHTING TO REMAIN, TYP.
- 6 EXISTING HARD LID CEILING TO REMAIN, TYP.
- 7 PROPOSED LIGHTING
- 8 EXISTING HARD LID CEILING TO REMAIN, TYP.
- 9 NOT USED

CEILING LEGEND:



CEILING MATERIAL:

- CT-1 TYPE: ROCKFON "KORAL" 4'x2'x1/2" (WHITE) SUSPENDED ACOUSTICAL CEILING TILE GRID: CHICAGO METALLIC GRID - EXPOSED GRID SYSTEM (FLAT WHITE) UL723 (ASTM E84) ASTM # E1264
- CG-1 GRID: ARMSTRONG PRELUDE XL 15/16" EXPOSED TEE ITEM #7300 WHITE (ICC-ES# ESR-1308)
- GB-1 TYPE: MOISTURE RESISTANT 5/8" GYPSUM BOARD, SMOOTH FINISH (FRAMING: 2x4 AT 16" O.C.)

INTERIOR PAINTS:

- P-1 SHERWIN WILLIAMS SW6141 SOFTER TAN

GENERAL NOTES:

- A. ALL DIMENSIONS SHOWN ON REFLECTED CEILING PLAN ARE FROM ROUGH FACE OF WALL UNLESS NOTED OTHERWISE.
- B. REFER TO ELECTRICAL LIGHTING PLAN FOR LIGHTING SPECIFICATIONS AND FIXTURE MOUNTING HEIGHTS.
- C. SEE ELECTRICAL AND MECHANICAL DRAWINGS FOR FIXTURE SPECIFICATIONS. PROVIDE SURVEILLANCE EQUIPMENT, PER SECURITY CORP.
- D. MAKE ALL CEILING GRIDS LEVEL WITHIN A TOLERANCE OF ONE IN 1000 AND STRAIGHT WITHIN A TOLERANCE OF ONE IN 1000.
- E. VERIFY LOCAL CODE REQUIREMENTS FOR DRAFTSTOPS AND PROVIDE IF REQUIRED. DRAFTSTOPS TO BE MAXIMUM 60" AREA AND TO BE CONSTRUCTED OF 3/8" PLYWOOD OR 1/2" GYP. BD. SUSPENDED FROM WOOD TRUSSES W/ 2X FRAMING AS REQ'D. EXTEND DRAFTSTOP FROM BOTTOM OF ROOF DECK TO WITHIN 2" OF T-BAR CEILING.
- F. CONTRACTOR TO SUPPLY ONE EXTRA BOX OF CEILING TILE AND PLACE IN BACK ROOM ABOVE WALK-IN COOLER UPON COMPLETION OF JOB.
- G. ALL LIGHTING ABOVE FOOD PREP / SERVING AREAS SHALL BE PROVIDED WITH SHATTER SHIELDS.
- H. AREAS WHERE GRAPHICS ARE APPLIED SHALL RECEIVED ONLY ONE COAT OF PRIMER SEALER. NO SEMI-GLOSS FINISH COAT. PRIMER MAY ONLY BE APPLIED WITH A SMOOTH SPONGE ROLLER COVER. NO NAP TYPE COVERS. FINISH MUST BE SMOOTH NO STIPPLE, AND ALLOWED TO DRY 24 HOURS BEFORE APPLICATION OF GRAPHICS.
- I. PAINT (SEMI-GLOSS REQUIRED OVER ALL FOOD SERVICE AREAS AND RESTROOMS).

EMERGENCY EGRESS LIGHTING:

ELECTRICAL CONTRACTOR SHALL VERIFY THE FOLLOWING PRIOR TO INSTALLING NEW EMERGENCY LIGHTING AND PROVIDE THIS INFORMATION ON THEIR PERMIT SUBMITTAL PLANS:
EMERGENCY LIGHTING SHALL BE ARRANGED TO PROVIDE AN INITIAL ILLUMINATION THAT IS AT LEAST AVERAGE OF 1 FOOT-CANDLE AND A MINIMUM AT ANY POINT OF 0.1 FOOT-CANDLE MEASURED ALONG THE PATH OF EGRESS AT FLOOR LEVEL. ILLUMINATION LEVELS SHALL BE PERMITTED TO DECLINE TO 0.6 FOOT-CANDLES AVERAGE AND A MINIMUM AT ANY POINT OF 0.06 FOOT-CANDLES AT THE END OF THE EMERGENCY LIGHTING TIME DURATION. A MAXIMUM-TO-MINIMUM ILLUMINATION UNIFORMITY RATIO OF 40:1 SHALL NOT BE EXCEEDED. EMERGENCY POWER SYSTEM SHALL BE PROVIDED FOR A DURATION OF NOT LESS THAN 90 MINUTES AND SHALL CONSIST OF STORAGE BATTERIES, UNIT EQUIPMENT, OR AN ON-SITE GENERATOR.

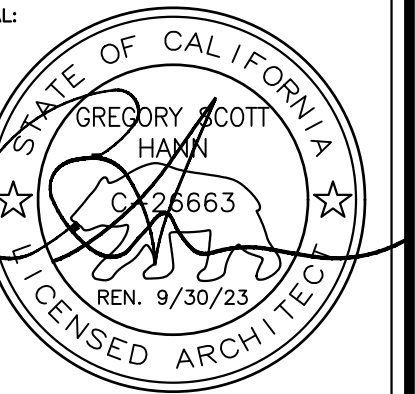
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Date: OCTOBER 11, 2021
Project Number: EDG#04769.01

NO.	DATE	REVISION DESCRIPTION
1	11-17-21	1ST CUP PC COMMENTS
2	1-18-22	2ND CUP PC COMMENTS

DESIGNED BY: GH
CHECKED BY: GH
DRAWN BY: AH
DRAWING TITLE:

REFLECTED CEILING PLAN

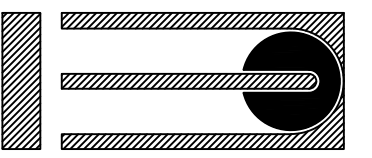
SHEET NO:

A 1.1

KEYED NOTES:

- ① EXISTING STOREFRONT TO REMAIN, PROTECT IN PLACE, TYP.
- ② PROPOSED ADA INTERNATIONAL ACCESSIBLE SYMBOL @ ENTRANCE COMPLYING WITH CBC 1117B.5.8 AND MOUNTED PER CBC 1117B.5.7
- ③ EXISTING AWNING TO REMAIN, PROTECT IN PLACE
- ④ PROPOSED BUILDING BRANDED STORE LOGO/INFO, SIGNAGE UNDER SEPARATE PERMIT
- ⑤ EXISTING RECESSED RAPID ENTRY KNOX BOX AND TAMPER SWITCH PER MANUF. SPECIFICATIONS, INSTALL AT 60" A.F.F.
- ⑥ EXISTING ADDRESS TO REMAIN
- ⑦ EXISTING EXTERIOR BLOCK FINISH - PAINT BRIGHT WHITE WITH DARK NAVY TRIM PER OWNER

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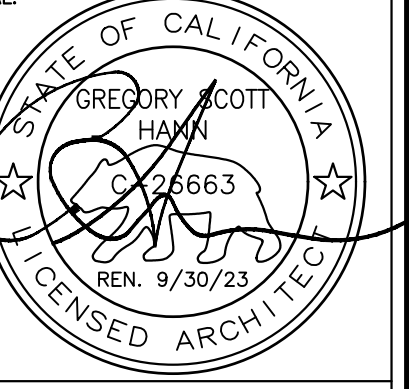
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2	1-18-22	2ND CIP PC COMMENTS

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CHECKED BY: GH

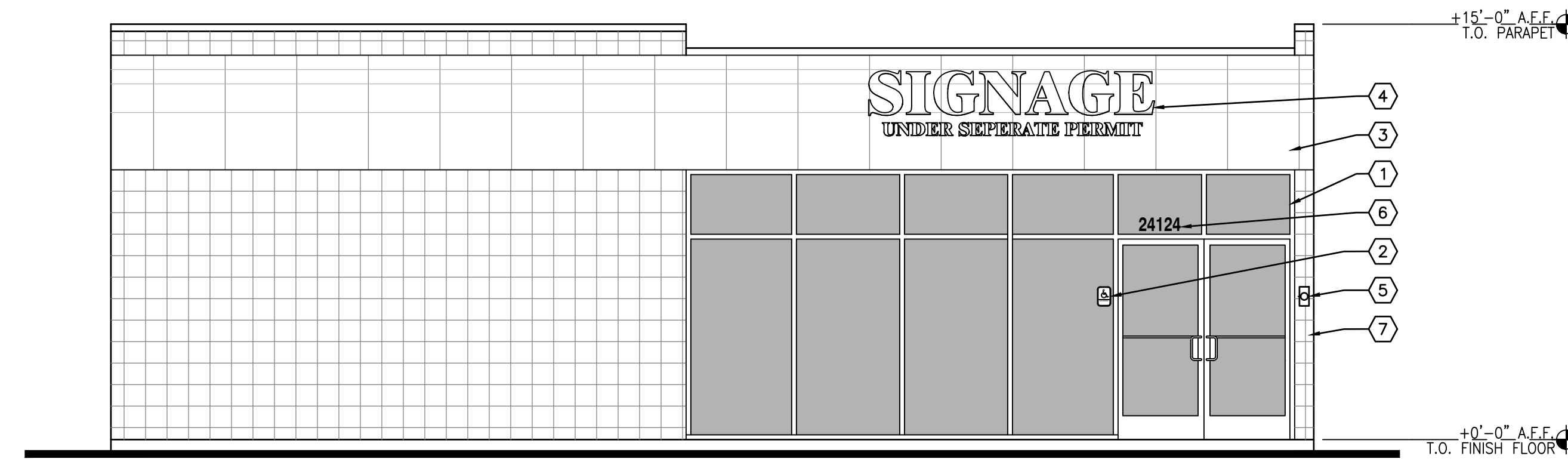
DRAWN BY: AH

DRAWING TITLE:

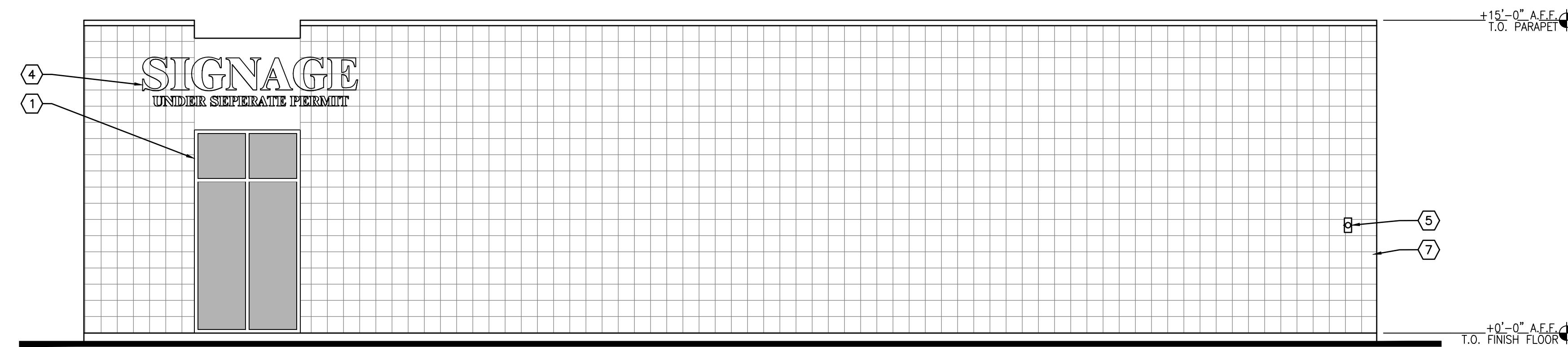
EXTERIOR ELEVATIONS

SHEET NO:

A 2.0



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



2 SIDE ELEVATION
SCALE: 1/4"=1'-0"

Zoning Map COMU-SP 204 VCR



Legend

Zoning

- Commercial
- Center Mixed Use
- Downtown Center
- Corridor Mixed Use
- Industrial/Business Park
- Public Facilities
- Highway Office/Commercial
- Office
- Business Flex
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

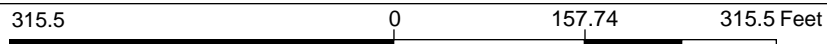
Master Plan of Trails

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

Road Labels

- Parcels
- Image Source: Nearmap

Notes:



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

Daniela Sanchez

From: Robin Kim <robin@koaus.com>
Sent: Sunday, April 17, 2022 8:53 PM
To: Julia Descoteaux
Subject: CASE NUMBER : PEN21-0254

Warning: External Email – Watch for Email Red Flags!

Dear Ms. Julia Descoteaux,

My name is HO JEONG KIM and I have a property at 24150 Sunnymead Blvd. Moreno Valley.

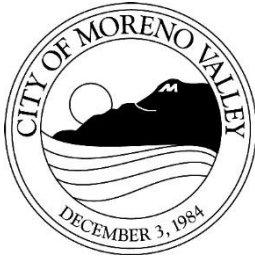
Case Number : PEN21-0254 is an additional risk to the location that already has problems. I am in disagreement with allowing the dispensary.

Located in front of the project location, 2124 Sunnymead Blvd, is a bus stop and the bus stop has been a location where transients gather. In addition, across the street, there is a recycling center and a liquor store, which is another location where groups of transients can be seen most of the time. With such gatherings, we are already experiencing numerous cases of robbery and fire incidents.

It would note be a good idea to allow cannabis dispensary that could exacerbate the conditions.

Best regards,
Ho J Kim
562-307-5664

Attachment: Public Comment (5678 : CANNABIS MICROBUSINESS (PEN21-0254))



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 28, 2022

TENTATIVE TRACT MAP 34544 TO SUBDIVIDE 9.4 ACRES INTO 23 AIR SPACES FOR CONDOMINIUM PURPOSES AND A PLOT PLAN FOR THE DEVELOPMENT OF THE COTTONWOOD VILLAGE PROJECT CONSISTING OF 23 FOUR-PLEX BUILDINGS

Case: Tentative Tract Map No. 34544 (PEN22-0010)
Plot Plan (PEN21-0127)

Applicant: Al Marshall, CitiVest

Property Owner Cottonwood 939, LLC

Representative Al Marshall, CitiVest

Location: Northside of Cottonwood Avenue, approximately 575 feet east of Perris Boulevard

Case Planner: Kirt Coury, Contract Planner

Council District: 3

Proposal The Applicant is requesting approval of the following entitlements 1) Tentative Tract Map 34544 to subdivide 9.4 acres into air spaces for condominium purposes; and 2) a Plot Plan for the development of the Cottonwood Village project consisting of 23 four-plex buildings (92 attached multi-family units) with associated amenities and public improvements.

SUMMARY

The Applicant, Al Marshall, CitiVest, has applied for Tentative Tract Map 34544 to subdivide 9.4 acres into air spaces for condominium purposes and a Plot Plan to develop the Cottonwood Village project consisting of 23 four-plex buildings (92 attached multi-family units) with associated amenities and public improvements ("Proposed

Project”). The Proposed Project will be located on the north side of Cottonwood Avenue, approximately 575 feet east of Perris Boulevard. (“Project Site”)

PROJECT DESCRIPTION

The Project Site consists of approximately nine acres. The Applicant is proposing to develop twenty-three (23) residential (four-plex) buildings on the Project Site, with a total of ninety-two (92) 3-bedroom townhome units. A leasing/management unit is proposed at the southwestern portion of the Project Site. The Proposed Project includes a recreation center for residents and landscape areas for passive and active recreation. A total of 289 parking spaces will be provided.

Site and Surrounding Area

The Project Site is relatively flat and consists of a cleared/graded vacant lot surrounded by single-family residential development to the north, west, and east, within the Residential 5 (R5) District, and a combination of commercial and single-family residential development in the Corridor Mixed Use (COMU) District to the south.

Access/Parking

The primary access to the Project Site will be from Cottonwood Avenue. There will be an internal drive lane (loop) that will provide vehicular access to all units. A total of 289 parking spaces are provided on-site, which is 59 more parking spaces required per the Municipal Code. The parking is provided through a combination of garages and open parking spaces.

Four existing streets (Watson Way, Bencliff Avenue, Tacoma Street, and Patricia Lane) dead-end at the Project Site. Each will be equipped with emergency gates that the fire department can open in case of an emergency. The emergency gates will swing into the property; they will be manually operated and have a standard “Knox” type of lock that all emergency service personnel (first responders) possess for access and egress. Sidewalks will be provided on the Cottonwood Avenue frontage and will also be provided within the Project Site, creating a continuous pedestrian pathway.

Design/Landscaping

The buildings reflect a California Craftsman architectural style in two complementary designs with various earth tone colors. Exterior enhancements to the building include variations in wall projections and colors, window shutters, covered entry porch areas, and various exterior accent materials (ex., Brick, stone, siding, stucco, etc.).

Each of the units will have the required private open space area. The Proposed Project exceeds the minimum common open space area of 27,900 square feet, 300 square feet per unit, by providing approximately 82,383 square feet of common open space area, including a pool, community room, mini soccer field, and outside gathering places within the Project Site.

The design of the Proposed Project is consistent with the goals and objectives of the City's General Plan to provide a variety of housing opportunities. As designed, the Proposed Project is consistent with Chapter 9.03 Residential Districts, Section 9.16.130 Design Guidelines, and Section 9.14 Land Divisions of the Municipal Code. All zoning and development guidelines have been satisfied.

The conceptual Wall and Fence Plan for the Proposed Project consists of a decorative block wall that will be built on the west, north, and east side of the Project Site adjacent to existing residential units, and a metal fence will be built along the Cottonwood Avenue frontage.

REVIEW PROCESS

All appropriate outside agencies have considered the Proposed Project as part of the standard review process. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project's application was determined to be complete and staff is recommending that the Planning Commission approve the Proposed Project as designed and conditioned.

ENVIRONMENTAL

An Initial Study was prepared by Matthew Fagan Consulting Services, Inc. in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study examined the potential impacts of the Proposed Project. The Initial Study/Mitigated Negative Declaration (IS/MND) provides information supporting the finding that a Mitigated Negative Declaration serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include Air Quality and Greenhouse Gas Impact Analyses, Biological Resources, Jurisdictional Delineation Report, and MSHCP Consistency Analysis, Cultural Resources Survey Report, Geotechnical Evaluations, Hydrology Study, Water Quality Management Plan, Noise Impact Analysis, Trip Generation Assessment, and a Vehicle Miles Traveled Screening Evaluation. Copies of the appendices to the IS/MND can be accessed from the link attached to this staff report. The documents can be reviewed on the City's website and at City Hall during operating hours.

Mitigation measures have been incorporated into the Mitigation Monitoring and Reporting Program, and include the following areas: Air Quality, Biological Resources, Tribal Cultural Resources, Geotechnical, Hazards and Hazardous Waste, Hydrology and Water Quality, and Utilities. The mitigation measures for cultural resources are included to address input from the tribal governments. The mitigation measures are intended to ensure that potential cultural resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study and the proposed mitigation measures, the Proposed Project will not cause substantial impacts or environmental damage.

The public comment period for Notice of Availability for the Initial Study/Mitigated Negative Declaration began on March 24, 2022, and ended on April 13, 2022, which satisfies the required 20-day review period. Should comments regarding the Proposed Project be received prior to the Planning Commission, they will be provided at the public hearing.

NOTIFICATION

Consistent with the applicable Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper.

REVIEW AGENCY COMMENTS

Staff has coordinated with the pertinent outside agencies which is the standard review process for these types of entitlement applications.

STAFF RECOMMENDATION

- a) Staff recommends that the Planning Commission **APPROVE** Resolution No. 2022-26, and thereby:
1. **APPROVE** the Initial Study/Mitigated Negative Declaration prepared for Tentative Tract Map No. 34544 (PEN22-0010) and Plot Plan (PEN21-0127) (Proposed Project) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the Proposed Project's potential environmental impacts; and
 2. **ADOPT** the Mitigation Monitoring and Reporting Program prepared for the Tentative Tract Map No. 34544 (PEN22-0010) and Plot Plan (PEN21-0127) (Proposed Project) pursuant to CEQA and the CEQA Guidelines.
- b) That the Planning Commission **ADOPT** Resolution No.2022-27, attached hereto, and thereby **APPROVE** Tentative Tract Map No. 34544 (PEN22-0010) and Plot Plan (PEN21-0127) (Proposed Project) based on the Recitals, Evidence contained in the Administrative Records, and Findings set forth in Resolution No. 2022-27.

Prepared by:
Kirt Coury
Contract Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS



To view large attachments, please click your “bookmarks” on the left hand side of this document for the necessary attachment.

1. Resolution No. 2022-26 - IS/MND
2. Exhibit A to Resolution 2022-26 - IS/MND
3. Appendix A - Air Quality and Greenhouse Gas Impact Analyses
4. Appendix B - Biological Resources Assessment, Jurisdictional Delineation Report, and MSHCP Consistency Analysis
5. Appendix C - Cultural Resources Survey Report
6. Appendix D1 - Geotechnical Evaluation 4-10-2014
7. Appendix D2 - Geotechnical Evaluation Update 6-24-2021
8. Appendix E - Phase I Environmental Site Assessment
9. Appendix F1 - Preliminary Hydrology Study
10. Appendix F2 - Water Quality Management Plan
11. Appendix G - Noise Impact Analysis
12. Appendix H1 - Trip Generation Assessment
13. Appendix H2 - Vehicle Miles Traveled (VMT) Screening Evaluation
14. Appendix I - Project Plans
15. Appendix J - Site Photos
16. Exhibit B to Resolution 2022-26 - Notice to Adopt a Mitigated Negative Declaration
17. Exhibit C to Resolution 2022-26 - MMRP
18. Resolution No. 2022-27 - Tentative Tract Map and Plot Plan
19. Project Plans
20. Public Comment

RESOLUTION NUMBER 2022-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM AND CERTIFYING A MITIGATED NEGATIVE DECLARATION FOR THE COTTONWOOD VILLAGE RESIDENTIAL COMMUNITY PROJECT LOCATED ON THE NORTH SIDE OF COTTONWOOD AVENUE, APPROXIMATELY 575 FEET EAST OF PERRIS BOULEVARD (APN 479-140-022)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for projects that are subject to requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines; and

WHEREAS, Al Marshall, Citivest, (“Applicant”) is seeking approval for the development of the Cottonwood Village Residential Community project, including: 1) a Tentative Tract Map 34544 (PEN22-0010) to subdivide 9.4 acres for Condominium purposes; and 2) a Plot Plan (PEN21-0127) for the development of 23 four-plex buildings (92 attached multi-family units) with associated amenities and public improvements (“Proposed Project”) located on the north side of Cottonwood Avenue approximately 575 feet east of Perris Boulevard (APN 479-140-022) (“Project Site”); and

WHEREAS, Planning Division Staff completed an environmental assessment for the Proposed Project, and, based on the assessment, decided to prepare an Initial Study (“IS”) and Mitigated Negative Declaration (“MND”) in accordance with Section 6 (Negative Declaration Procedures) of the City’s Rules and Procedures for the Implementation of the California Environmental Quality Act and the requirements of the CEQA Guidelines Sections 15070 – 15075; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for 20 days commencing March 24, 2022, ending April 13, 2022; and

WHEREAS, in conformance with CEQA, a Mitigation Monitoring and Reporting Program (“MMRP”) that includes a program for reporting on and monitoring the Proposed Project’s mitigation measures was prepared for the Proposed Project and circulated with the Mitigated Negative Declaration; and

WHEREAS, on April 28, 2022, a duly noticed public hearing was conducted by the Planning Commission to the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and approval of the Proposed Project at which time the Planning Commission considered the IS, Mitigated Negative Declaration and the Mitigation Monitoring Plan, together with any comments received during the public review process and the responses prepared; and

WHEREAS, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the Mitigated Negative

Declaration and the Mitigation Monitoring and Reporting Program were appropriate as all environmental impacts of the Proposed Project with mitigation measures reduce all potential impacts below a level of significance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment.

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. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, including, but not limited to, the following:

- (a) Initial Study/Mitigated Negative Declaration prepared for the Proposed Project, attached hereto as Exhibit A;
- (b) Notice of Intent to Adopt a Mitigated Negative Declaration, attached hereto as Exhibit B;
- (c) Mitigation Monitoring and Reporting Program, attached hereto as Exhibit C;
- (d) 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; and
- (e) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 3. 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 City has independently reviewed, analyzed, and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and the whole record before it (including, the Initial Study and comments received) and, based on the foregoing, the Planning Commission hereby finds that all environmental impacts of the Proposed Project, with mitigation measures, are below a level of significance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment;
- (b) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been completed in compliance with CEQA and are consistent the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;

- (c) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program represent the independent judgment and analysis of the City as lead agency for the Proposed Project; and
- (d) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are adequate to serve as the required CEQA environmental documentation for the Proposed Project.

Section 4. Certification and Approval

That based on the foregoing Recitals, Administrative Records, and Findings, the Planning Commission hereby certifies the Mitigated Negative Declaration attached hereto as Exhibit C and approves the Mitigation Monitoring and Reporting Program attached hereto as Exhibit D.

Section 5. 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 6. 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 7. Effective Date

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

Section 8. Certification

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

PASSED AND ADOPTED THIS 28th day of April 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Vice-Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

Attachment: Resolution No. 2022-26 - IS/MND [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: Initial Study/Negative Declaration

Exhibit B: Notice of Intent to Adopt a Mitigated Negative Declaration

Exhibit C: Mitigation Monitoring and Reporting Program

Attachment: Resolution No. 2022-26 - IS/MND [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)

Exhibit A
INITIAL STUDY

Exhibit B

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Attachment: Resolution No. 2022-26 - IS/MND [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)

Exhibit C

MITIGATION MONITORING AND REPORTING PROGRAM

CITY OF MORENO VALLEY

**NOTICE OF AVAILABILITY AND INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION (MND)**

NOTICE IS HEREBY GIVEN that the City of Moreno Valley is considering a recommendation that the project herein identified will have no significant environmental impact in compliance with Section 15070 of the CEQA guidelines. A copy of the **MITIGATED NEGATIVE DECLARATION** and the **ENVIRONMENTAL CHECKLIST**, which supports the proposed findings, are on file at the City of Moreno Valley.

Item: Tentative Tract Map No. 34544 (PEN22-0010)
Plot Plan (PEN21-0127)

Applicant: Al Marshall, CitiVest

Property Owner: Cottonwood 939, LLC

APNs: 479-140-022

Location: North side of Cottonwood Avenue, approximately 575 feet easterly of the intersection of Perris Boulevard and Cottonwood Avenue.

Proposal: The applicant is requesting approval of the following entitlements: 1) a Tentative Tract Map 34544 for condominium purposes to subdivide approximately 9.4 acres of land, and 2) a Plot Plan for the development of the Cottonwood Village project consisting of 23 four-plex buildings (92 attached multi-family units) with associated amenities and public improvements.

Council District: 3

This Notice of Availability (NOA) has been prepared to notify agencies and interested parties that the City of Moreno Valley as the Lead Agency has prepared an Initial Study and Mitigated Negative Declaration pursuant to requirements of the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with construction and operation of the project as described below.

Project Description: The proposed project intends to develop a total of ninety-two (92) 3-bedroom townhome units within twenty-three (23) residential buildings (4-plex) on the site. A leasing/management building is proposed at the southwestern portion of the site. The Project includes a recreation center for tenants as well as landscape areas throughout for passive and active recreation. A total of 289 parking spaces will be provided.

Project Location: The Project site is located on the north side of Cottonwood Avenue, approximately 575 feet easterly of the intersection of Perris Boulevard and Cottonwood Avenue in Moreno Valley, Riverside County, California. (Assessor Parcel Number (APN): 479-140-022). The Project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Potential Environmental Impacts: The City of Moreno Valley has prepared an Initial Study to determine the environmental effects associated with the above actions and finds the issuance of a Mitigated Negative Declaration is the appropriate level of environmental review. The Initial Study/Mitigated Negative Declaration concludes that all potentially significant impacts of the Project would be mitigated to a less than significant level.

Public Review and Comment Deadline: Copies of the Initial Study/Mitigated Negative Declaration are available at the Planning Division at the address listed below. Pursuant to Section 15105(b) of the CEQA Guidelines, the City has established a 20-day public review period for the Initial Study/Mitigated Negative Declaration, which begins March 23, 2022 and ends April 13, 2022. Written comments on the Initial Study/Mitigated Negative Declaration must be received at the City of Moreno Valley Community Development Department by no later than the conclusion of the 20-day review period, 5:30 pm on April 13, 2022. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

Kirt A. Coury, Contract Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, California 92552 Phone: (951) 413-3201
Email: kirtc@moval.org

Document Availability: The Initial Study/Mitigated Negative Declaration, and all documents incorporated and/or referenced therein, can be reviewed during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.) at the City of Moreno Valley Planning Division counter, located at 14177 Frederick Street, Moreno Valley, CA 92553. The documents may also be reviewed at the Moreno Valley Library, located at 25480 Alessandro Boulevard, Moreno Valley, California.

/s/ Sean P. Kelleher	Press-Enterprise	March 23, 2022
Sean P. Kelleher	Newspaper	Date of Publication
Planning Official		
Community Development Department		

Attachment: Exhibit B to Resolution 2022-26 - Notice to Adopt a Mitigated Negative Declaration (5786 : Cottonwood Village Residential Project

MITIGATION MONITORING AND REPORTING PROGRAM

The mitigation monitoring table provided below lists those mitigation measures that may or may not be included as conditions of approval for the Project. To ensure that all the mitigation measures are properly implemented, the following monitoring program identifies the timing and responsibility for monitoring each measure. The developer will have the primary responsibility for implementing the measures, and the various City of Moreno Valley departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
Air Quality & Greenhouse Gas	<p>THRESHOLD b: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?</p> <p>THRESHOLD c: Would the Project expose sensitive receptors to substantial pollutant concentrations?</p>	<p>MM-AQ-1 Fugitive Dust Control. The following measures shall be incorporated into project plans and specifications for implementation during construction:</p> <ul style="list-style-type: none"> • Apply soil stabilizers to inactive areas. • Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph. • Stabilize previously disturbed areas if subsequent construction is delayed. • Apply water to disturbed surfaces and haul roads 3 times/day. • Replace ground cover in disturbed areas quickly. • Reduce speeds on unpaved roads to less than 15 mph. • Trenches shall be left exposed for as short a time as possible. • Identify proper compaction for backfilled soils in construction specifications. <p>This measure shall be implemented during construction and shall be included in the construction contract as a contract specification.</p>	<p>Prior to issuance of a grading permit</p> <p>During Construction</p>	<p>City Building & Safety Division</p> <p>City Building & Safety Division</p>	<p>Review project plans and construction contract</p> <p>City inspectors to periodically review compliance during construction</p>	
		<p>MM-AQ-2 Exhaust Emissions Control. The following measures shall be incorporated into Project plans and specifications for implementation:</p> <ul style="list-style-type: none"> • Utilize off-road construction equipment that has met or exceeded the maker's recommendations for vehicle/equipment maintenance schedule. • Contactors shall utilize Tier 4 or better heavy equipment. • Enforce 5-minute idling limits for both on-road trucks and off-road equipment. 	<p>Prior to issuance of a grading permit</p> <p>During Construction</p>	<p>City Building & Safety Division</p> <p>City Building & Safety Division</p>	<p>Review project plans and construction contract</p> <p>City inspectors to periodically review compliance during construction</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		MM-AQ-3 Maximize the planting of trees in landscaping and parking lots consistent with water availability.	Prior to issuance of a building permit	City Planning Division	Verify on plans	
		MM-AQ-4 Use light colored paving and roofing materials.	Prior to issuance of a building permit	City Planning Division	Verify on plans	
		MM-AQ-5 Utilize only Energy Star heating, cooling, lighting devices, and appliances, where applicable.	Prior to issuance of a building permit	City Building & Safety Division	Verify on plans	
Biological Resources	THRESHOLD a: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	MM-BIO-1 Pre-construction surveys for BUOW should be conducted no more than 3 days prior to commencement of Project-related ground disturbance to verify that BUOW remain absent from the Project Area.	Prior to issuance of a grading permit or before any ground-disturbing activity	City Planning Division	Verify nesting bird survey has been completed as specified	
	THRESHOLD f: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	MM-BIO-2 If burrowing owl are discovered within the project footprint, a project specific BUOW protection and/or passive relocation plan shall be prepared to determine suitable buffers and/or artificial burrow construction locations to minimize impacts to this species. If a BUOW is found on-site at the time of construction, all activities likely to affect the animal(s) shall cease immediately and regulatory agencies shall be contacted to determine appropriate management actions.	Prior to issuance of a grading permit or before any ground-disturbing activity During construction	City Planning Division and Building & Safety Division City Planning Division and Building & Safety Division	Verify if relocation plan is required (and submitted) City inspectors to visit during construction	
	THRESHOLD d: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	MM-BIO-3 The State of California prohibits the “take” of active bird nests. To avoid an illegal take of active bird nests, any grubbing, brushing or tree removal should be conducted outside of the State identified nesting season (typically February 1 through September 1). Alternatively, nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days prior to vegetation clearing or ground disturbance activities. Preconstruction surveys shall	Prior to issuance of a grading permit or before any ground-disturbing activity	City Planning Division	Verify nesting bird survey has been completed as specified	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the preconstruction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.</p>				
Cultural Resources	<p>THRESHOLD b: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</p>	<p>MM-CUL-1 Archaeological Monitoring. Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including Consulting Tribe(s), the contractor, and the City, shall develop a CRMP as defined in MM-CUL-3. The Project archaeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources</p>	<p>Prior to issuance of a grading permit</p>	<p>City Planning Division</p>	<p>Verify archaeologist has been retained and contracted for specified work</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>are unearthed.</p> <p>MM-CUL-2 Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Consulting Tribe(s) for tribal monitoring. The City is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>	Prior to issuance of a grading permit	City Planning Division	Verify tribal agreements are in place	
		<p>MM-CUL-3 Cultural Resource Monitoring Plan (CRMP). The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a. Project description and location . b. Project grading and development scheduling. c. Roles and responsibilities of individuals on the Project. 	Prior to issuance of a grading permit	City Planning Division	CRMP submitted to City for review and approval	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details.</p> <p>e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.</p> <p>f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.</p> <p>g. Contact information of relevant individuals for the Project.</p>				
		<p>MM-CUL-4 Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <p>a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:</p> <p>i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <p>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to MM-CUL-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items</p>	During grading	City Planning Division	Project archaeologist to inform City of unanticipated resources are discovered	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>is permitted without the written consent of all Consulting Native American Tribal Governments as defined in MM-CUL-3. The location for the future reburial area shall be identified on a confidential exhibit on file with the City and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.</p> <p>The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground – disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>	Prior to issuance of a grading permit	City Planning Division	Verify on plans	
		<p>MM-CUL-5 Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement</p>	During grading	City Planning Division	Project archaeologist to inform City of unanticipated resources are discovered	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archaeologist and Tribal Monitors, if needed. 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 Consulting Native American Tribes as defined in MM-CUL-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archaeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>				
		<p>MM-CUL-6 Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area 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 24 hours 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).</p>	During grading	City Planning Division	Project archaeologist to inform City if human remains are discovered	
		<p>MM-CUL-7 Non-Disclosure of Reburial Locations. It is understood by</p>	Prior to issuance of a	City Planning Division	Verify location of reburial(s) are not	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).</p>	Certificate of Occupancy		shown on any public plans or included in any public documents	
		<p>MM-CUL-8 Archaeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archaeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>	Prior to final inspection or issuance of a Certificate of Occupancy	City Planning Division	Receive/File Final Archaeological Report	
	<p>THRESHOLD c: Would the Project disturb any human remains, including those interred outside of formally</p>	<p>MM-CUL-7 and MM-CUL-8 shall apply</p>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)	
Energy	dedicated cemeteries? THRESHOLD a: Would the Project result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	MM-AQ-2, MM-AQ-4, and MM-AQ-5 shall apply					
Geology and Soils	THRESHOLD b: Would the Project result in substantial soil erosion or the loss of topsoil?	MM-GEO-1 Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of stored backfill material. Where covering is not possible, measures such as the use of straw bales or sand bags shall be used to capture and hold eroded material on the project site for future cleanup such that erosion does not occur.	During construction	City Building & Safety Division	Verify via site visits during construction		
		MM-GEO-2 All exposed, disturbed soil (trenches, stored backfill, etc.) shall be sprayed with water or soil binders twice a day, or more frequently if fugitive dust is observed migrating from the site within which the Cottonwood Village Project is being constructed.	During construction	City Building & Safety Division	Verify via site visits during construction		
	THRESHOLD c: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse? THRESHOLD d: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	MM-GEO-3 Based upon the <i>Geotechnical Evaluation (Appendix D1</i> of this document), all of the recommended design parameters identified in Appendix D1 (beginning on Page 5 at “Conclusions and Recommendations”) and the seismic parameters identified in the <i>Geotechnical Evaluation Update (Appendix D2</i> of this document), (beginning on page 3 and concluding on page 3) shall be implemented by the Applicant. Implementation of these specific measures will address all of the identified geotechnical constraints identified at project site, including remediation to address subsidence.	Prior to issuance of any grading and building permit	City Building & Safety Division	Verify plans match the <i>Geotechnical Evaluation</i> constraints and recommendations		
	THRESHOLD f: Would the	MM-GEO-4 Should any paleontological	During grading	City Building	Verify with		

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection should be performed immediately by a qualified paleontologist. Responsibility for making this determination shall be with City's onsite inspector. The paleontological professional shall assess the find, determine its significance, and determine appropriate preservation and protection actions within the guidelines of the California Environmental Quality Act that shall be implemented to minimize any impacts to a paleontological resource.		& Safety Division	paleontologist if resources are discovered during grading	
Hazards and Hazardous Materials	THRESHOLD b: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	MM-HAZ-1 All spills or leakage of petroleum products during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the SWPPP prepared for the project development.	During grading and construction activities	City Building & Safety Division	Verify any needed work has been coordinated with DEH	
Hydrology and Water Quality	THRESHOLD a: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	MM-HYD-1 The project proponent will select best management practices from the range of practices identified by the City and reduce future non-point source pollution in surface water runoff discharges from the site to the maximum extent practicable, both during construction and following development. The Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) shall be submitted to the City for review and approval prior to ground disturbance and the identified BMPs installed in accordance with schedules contained in these documents.	Prior to issuance of a grading permit	City Public Works Division	Review and approve Project SWPPP and WQMP	
	THRESHOLD ci: Would the Project substantially alter the	MM-GEO-1 and MM-GEO-2 shall apply				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	<p>existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site?</p>					
	<p>THRESHOLD ciii: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</p>	<p>MM-HYD-1 and MM-HAZ-1 shall apply</p>				
<p>Tribal Cultural Resources</p>	<p>THRESHOLD a.i: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a Cultural Native American tribe, and that is listed or eligible for listing in the California Register of Historical resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?</p>	<p>MM-CUL-1 through MM-CUL-8 shall apply</p>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	<p>THRESHOLD a.ii: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a Cultural Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</p>					
<p>Utilities and Service Systems</p>	<p>THRESHOLD d: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p>	<p>MM-UTIL-1 The contract with demolition and construction contractors shall include the requirement that all materials that can be recycled shall be salvaged and recycled. This includes, but is not limited to, wood, metals, concrete, road base, and asphalt. The contractor shall submit a recycling plan to the Applicant for review and approval prior to the start of demolition/construction activities to accomplish this objective.</p>	<p>Prior to issuance of a building permit</p>	<p>City Building & Safety Division</p>	<p>Verify a recycling plan has been submitted and approved</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
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RESOLUTION NUMBER 2022-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 34544 (PEN22-0010) AND PLOT PLAN (PEN21-0127) FOR THE COTTONWOOD VILLAGE RESIDENTIAL COMMUNITY LOCATED ON THE NORTH SIDE OF COTTONWOOD AVENUE, APPROXIMATELY 575 FEET EAST OF PERRIS BOULEVARD (APN 479-140-022)

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

WHEREAS, Al Marshall, Citivest, (“Applicant”) is seeking approval for the development of the Cottonwood Village Residential Community project, including: 1) a Tentative Tract Map 34544 (PEN22-0010) to subdivide 9.4 acres for Condominium purposes; and 2) a Plot Plan (PEN21-0127) for the development of 23 four-plex buildings (92 attached multi-family units) with associated amenities and public improvements (“Proposed Project”) located on the north side of Cottonwood Avenue approximately 575 feet east of Perris Boulevard (APN 479-140-022) (“Project Site”); and

WHEREAS, the applications for Tentative Tract Map 34544 (PEN22-0010) and Plot Plan (PEN21-0127) have been evaluated in accordance with Chapter 9.14 (Land Divisions) and Section 9.02.070 (Plot Plan), respectively, of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Chapter 9.14 of the Municipal Code imposes conditions of approval upon projects for which a Tentative Tract Map 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 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, 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, consistent with the requirements of Chapter 9.14 (Land Divisions) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Tentative Tract Map 34544 (PEN22-0010), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect 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, consistent with the requirements of Section 9.02.070 (Plot Plan) of the Municipal Code, at the public hearing, the Planning Commission considered the attached Conditions of Approval to be imposed upon Plot Plan (PEN21-0127), which staff has deemed 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, 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 April 28, 2022, 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 April 28, 2022, 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, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.14.070 of the Municipal Code as set forth herein could be made with respect to the Proposed Project as conditioned by the proposed Conditions of Approval; and

WHEREAS, on April 28, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines,² the Planning Commission considered and approved Resolution 2022-26, certifying a Mitigated Negative Declaration and approving the Mitigation Monitoring and Reporting Program for the Proposed Project.

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.

Section 3. Evidence

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

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

- (a) Moreno Valley General Plan and all relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all relevant provisions referenced therein;
- (c) Application for Tentative Tract Map 34544 (PEN22-0010) including Resolution No. 2022-27, and all documents, records and references contained therein;
- (d) Conditions of Approval for Tentative Tract Map 34544 (PEN22-0010), attached as Exhibit A;
- (e) Application for Plot Plan (PEN21-0127) and all documents, records, and references contained therein;
- (f) Conditions of Approval for Plot Plan (PEN21-0127), attached hereto as Exhibit B;
- (g) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related to the Proposed Project and Staff's presentation at the public hearing;
- (h) Testimony and/or comments from the Applicant and its representatives during the public hearing; and
- (i) Testimony comments and/or correspondence from all persons that were submitted 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 the Proposed Project:

- (a) That the Proposed Project is consistent with applicable general and specific plans and the zoning ordinance;
- (b) That the design of the improvements of the Proposed Project is consistent with applicable general and specific plans;
- (c) That the Project Site is physically suitable for the type of development;
- (d) That the Project Site is physically suitable for the proposed density of the Proposed Project;
- (e) That the design of the Proposed Project and its proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- (f) That the design of the Proposed Project or and type of proposed improvements are not likely to cause serious public health problems;
- (g) That the design of the Proposed Project and the type of proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the Proposed Project;
- (h) That the requirements of CEQA have been satisfied;
- (i) That the Proposed Project is not subject the Williamson Act pursuant to the California Land Conservation Act of 1965;

- (j) That the Proposed Project and the associated design and improvements are not consistent with applicable ordinances of the City;
- (k) That the design of the Proposed Project provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and
- (l) That the effect of the Proposed Project on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

Section 5. Approval

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings set forth above, the Planning Commission hereby approves the Proposed Project subject to the Conditions of Approval for Tentative Tract Map 34544 (PEN22-0010) and Plot Plan (PEN21-0127) (Proposed Project), attached hereto as Exhibit A and Exhibit B, respectively.

Section 6. 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 7. 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 8. Effective Date

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

Section 9. Certification

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

PASSED AND ADOPTED THIS 28th day of April 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Vice-Chairperson

ATTEST:

Sean P. Kelleher, Planning Official

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: Tentative Tract Map (PEN22-0010) Conditions of Approval

Exhibit B: Plot Plan (PEN21-0127), Conditions of Approval

Exhibit A

Tentative Tract Map (PEN22-0010) Conditions of Approval

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN22-0010)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Tentative Tract Map (PEN22-0010)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. 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.
2. 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)
3. 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)
4. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the 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 prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN22-0010)

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defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

5. 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)

Special Conditions

6. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
7. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
8. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)
9. 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 Development Impact Fees. (Ord)
10. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)
11. Prior to the issuance of grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.
12. Prior to any site disturbance and/or grading plan submittal, and or final map recordation, a mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant/owner. No City permit or approval shall be issued until such

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN22-0010)

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fee is paid. (CEQA)

13. Prior to grading plan approval, wall and fence plans shall be submitted to and approved by the Planning Division to include a six (6) foot high solid decorative (e.g. split face, color variation, pattern variation, or as approved by the Planning Official) block wall along the all tract perimeters.
14. Prior to recordation of the final subdivision map, the following documents shall be submitted to and approved by the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:
 - a. The document to convey title
 - b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use items such as general building maintenance (apartments, condominiums and townhomes) tot lot/public seating areas and other recreation facilities or buildings. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

- a. The developer and homeowners association shall promote the use of native plants and trees and drought tolerant species.
- b. All lots designated for open space and or detention basins, shall be included as an easement to, and maintained by a Homeowners Association (HOA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite HOA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.
- c. Maintenance of any and all common facilities.
- d. A conservation easement for lettered lots shall be recorded on the deed of the property and shown on the final map. Said easement shall include access restrictions prohibiting motorized vehicles from these areas.
- e. Oleander plants or trees shall be prohibited on open space lots adjacent to multi-use trails.

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN22-0010)

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Prior to Grading Permit

15. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.
16. 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 dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
17. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
18. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
19. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
20. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
 - a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number.
21. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
22. 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.
23. Prior to the issuance of building permits, landscape and irrigation plans for areas

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN22-0010)

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maintained by the Homeowner's Association 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. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix with irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins.

24. 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)

Prior to Building Final or Occupancy

25. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

26. 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.
27. 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.
28. Contact the Building Safety Division for permit application submittal requirements.
29. 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.
30. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN22-0010)

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31. 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.
32. 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.
33. 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.
34. 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.
35. The proposed residential project shall comply with the California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Station (EVCS).
36. 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 DEPARTMENT**Fire Prevention Bureau**

37. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
38. 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)
39. 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

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Tentative Tract Map (PEN22-0010)

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- the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
40. 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)
 41. 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)
 42. 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)
 43. 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.
 44. 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.
 45. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
 46. 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])
 47. 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])
 48. 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

CONDITIONS OF APPROVAL

Tentative Tract Map (PEN22-0010)

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- 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)
49. Multi-family residences shall display the address in accordance with the Riverside County Fire Department Premises Identification standard 07-01. (CFC 505.1)
 50. 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)
 51. 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)
 52. 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)
 53. 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)
 54. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 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)
 55. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1, MVMC 8.36.060[1])
 56. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") shall be located at each intersection of all residential streets. Hydrants shall be spaced no more than 500 feet apart in any direction so that no point on the street is more than 250 feet from a hydrant. Minimum fire flow

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shall be 1000 GPM for 1 hour duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 507.3, Appendix B, MVMC 8.36.060).

57. 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.
58. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
59. 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)
60. 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 DEPARTMENT**Moreno Valley Utility**

61. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
62. 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/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion

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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, 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.

63. 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.
64. This project is subject to a Reimbursement Agreement. The Developer is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. Payment shall be required prior to issuance of building permits.

PUBLIC WORKS DEPARTMENT**Land Development**

65. 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

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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.

66. 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]
67. 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.
68. 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.
69. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
70. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an

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agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]

71. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
72. 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]
73. For single family residential subdivisions, all lots shall drain to the street at a minimum surface grade of 2.0% and on-site drainage shall be conveyed onto the street with subsurface drains at a minimum grade of 0.5% per current City Standards MVSI-152 and MVSI-153A. No cross-lot or over the sidewalk drainage shall be allowed.
74. 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. Final (tract) Map (recordation prior to building permit issuance);
 - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - c. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - d. Public improvement plan (e.g., street/storm drain w/ striping, etc.) (prior to Map approval);
 - e. Final drainage study (prior to grading plan approval);
 - f. Final WQMP (prior to grading plan approval);
 - g. Legal documents(e.g., Dedications) (prior to Building permit issuance);
 - h. As-Built revision for all plans (prior to Occupancy release);
75. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from

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those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association (HOA). The Homeowner's Association shall enter into an agreement with the City for basin maintenance.

76. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
77. The proposed private storm drain system shall connect to the existing storm drain in Cottonwood Ave. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.
78. The developer shall accept public stormwater runoff from Ben Cliff Drive.
79. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.

Prior to Grading Plan Approval

80. Resolution of all drainage issues shall be as approved by the City Engineer.
81. 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.
82. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
83. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At

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a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

a. The Applicant has proposed to incorporate the use of biofiltration. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.

b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP.

c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.

d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.

e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.

f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.

g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.

84. 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.

85. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal

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requirements.

86. 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.
87. The developer shall pay all remaining plan check fees.
88. Landscape & Irrigation plans (prepared by a registered/licensed landscape architect) for water quality BMPs shall be submitted for review and approved by the City Engineer per the current submittal requirements, if applicable.
89. 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.
90. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.
91. The developer shall provide a non-interference letter from SoCal Gas over their existing easement along the north side of Cottonwood Ave.

Prior to Grading Permit

92. 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)]
93. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
94. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
95. 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)]
96. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be

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submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

97. The developer shall pay all applicable inspection fees.

Prior to Map Approval

98. All proposed street names shall be submitted for review and approved by the City Engineer, if applicable. [MC 9.14.090(E.2.k)]
99. A copy of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted for review and approved by the City Engineer. The CC&R's shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, bylaws and articles of incorporation shall also be included as part of the maintenance agreement for any water quality BMPs.
100. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.
101. Resolution of all drainage issues shall be as approved by the City Engineer.
102. If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all public improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. In either case, the City Engineer may require the dedication and construction of necessary utility, street or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California Bureau of Real Estate. [MC 9.14.080(B)(C), GC 66412 & 66462.5]
103. Maps (prepared by a registered civil engineer and/or licensed surveyor) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
104. The developer shall guarantee the completion of all related improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC 9.14.220]
105. All public improvement plans required for this project shall be approved by the City

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Engineer in order to execute the Public Improvement Agreement (PIA).

106. The developer shall dedicate right-of-way to Patricia way at the northeast corner of the project boundary per City standard.

Prior to Improvement Plan Approval

107. 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.
108. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees. This includes coordinating with Riv. County Flood Control District to connect this project storm drain to their facility.
109. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project.
110. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
111. 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]
112. 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.
113. As applicable, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.

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114. 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.
115. Any missing or deficient existing improvements along the project frontage shall be constructed or secured for construction. Cottonwood Ave. shall be constructed per City std. MVS1-105A-1. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
116. 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.

Prior to Encroachment Permit

117. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
118. All applicable inspection fees shall be paid.
119. As applicable, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
120. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

121. 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.

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122. For all subdivision projects, the map shall be recorded (excluding model homes). [MC 9.14.190]
123. 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.
124. 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).
125. The developer shall dedicate 4' of right-of-way along the project's frontage along Cottonwood Avenue.

Prior to Occupancy

126. All outstanding fees shall be paid.
127. 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.
128. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
129. In order to be 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

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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]

130. 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.

e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

131. 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.

132. 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.

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- 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.
133. A "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" 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.
134. Overhead utilities along the project's frontage on Cottonwood Avenue shall be underground as required per City Municipal Code.

Special Districts Division

135. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
136. Major Infrastructure SFD Major Infrastructure Financing District. 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 use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. 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

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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. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

137. Maintenance Services 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 use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

138. Public Safety 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 use the alternative identified at the time of the special financing district formation)

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to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

139. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
140. Zone A Per Dwelling Unit. The Moreno Valley Community Services District Zone A (Parks & Community Services) tax is levied on the property tax bill on a per parcel or dwelling unit basis. Upon the issuance of building permits, the Zone A tax will be assessed based on 93 dwelling units.
141. CFD 2014-01. Prior to City Council action authorizing recordation of the final map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance. of the 1st Building Permit. 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

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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 forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to satisfy this condition.

142. NPDES Funding. Prior to City Council action authorizing recordation of the final map for the development and if the Land Development Division requires this project to provide a funding source for the City's National Pollutant Discharge Elimination System (NPDES) program, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the balloting/annexation fee or fund an endowment) to provide an ongoing funding source for the NPDES program. This condition must be fully satisfied prior to issuance of the 1st Building Permit. This condition will be satisfied with the successful special election process into the NPDES program, or other special financing district, and payment of all costs associated with the special election process. Participation in the NPDES program requires an annual payment of the annual special tax, assessment, rate 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 City Council action to consider the ballot/annexation into or formation of the district, the qualified elector(s) will not protest the ballot/annexation or formation, but will retain the right to object to any eventual tax/assessment/rate/fee that is not equitable should the financial burden of the tax/assessment/rate/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. (City of Moreno Valley Municipal Code Title 3, Section 3.50.050). 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, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to satisfy this condition.

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Transportation Engineering Division

143. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
144. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
145. Cottonwood Avenue is classified as a Minor Arterial (88' RW/64' CC) per City Standard Plan No. MVSI-105A-1. Improvement transitions will be required. Any modifications or improvements undertaken by this project shall be consistent with the City's standards.
146. Access at the driveways and/or project entrance shall be as follows:
 -Watson Way at west project boundary (Gated): Emergency access only
 -Project entrance on Watson Way: Full access (A gate is not approved for this project entrance.)
 -Benclyff Avenue driveway (Gated): Emergency access only
 -Tacoma Street driveway (Gated): Emergency access only
 -Patricia Lane driveway (Gated): Emergency access only
- Appropriate signage (NO PARKING) shall be provided near the emergency gates.
147. Communication conduit along project frontage may be required per City Standard Plan No. MVSI-186-0.
148. Prior to issuance of an encroachment permit, traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
149. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways/entrances conforms to City Standard Plan No. MVSI-164A, B, C-0.
150. 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.
151. Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards.
152. All project driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard Plans No. MVSI-112A~D-0 for commercial driveway approaches.

Exhibit B

Plot Plan (PEN21-0127), Conditions of Approval

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN21-0127)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. 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.
2. 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)
3. 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)
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)

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6. 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)
7. 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)
8. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

9. The site has been approved for Tentative Tract Map 34544 to subdivide 9.4 acres for condominium purposes and a Plot Plan for the development of the Cottonwood Village project consisting of 23 four-plex buildings (92 attached multi-family units) with associated amenities and public improvements. A change or modification shall require separate approval.
10. The project emergency gates shall swing into the property; they shall be manually operated and shall have a standard "Knox" type of lock that all emergency services vehicles carry for access and egress.

Prior to Grading Permit

11. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.
12. 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 dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
13. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall

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be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

14. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
15. 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).

16. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
17. 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.
18. 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.

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The sign shall include the following:

- a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number.
19. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
 20. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
 21. 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.
 22. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan in the Building submittal. The trash enclosure(s), including the roof materials, shall be compatible with the architecture, color and materials of the building(s) 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)
 23. Prior to the issuance of building permits, landscape and irrigation plans for areas maintained by the Homeowner's Association 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. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix with irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins.
 24. Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30)

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25. 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)
26. 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 Development Impact Fees. (Ord)
27. 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)

Prior to Building Final or Occupancy

28. 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).
29. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
30. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

31. 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.
32. Contact the Building Safety Division for permit application submittal requirements.
33. 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.

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- 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.
34. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
 35. 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.
 36. 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.
 37. 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.
 38. 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.
 39. The proposed residential project shall comply with The 2016 California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Station (EVCS).
 40. 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 DEPARTMENT**Fire Prevention Bureau**

41. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
42. 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

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- 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)
43. 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)
 44. 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)
 45. 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)
 46. 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)
 47. 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.
 48. 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.
 49. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
 50. 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 the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
 51. Prior to issuance of Certificate of Occupancy or Building Final, the

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- 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])
52. 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)
 53. Multi-family residences shall display the address in accordance with the Riverside County Fire Department Premises Identification standard 07-01. (CFC 505.1)
 54. 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)
 55. 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)
 56. 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)
 57. 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)
 58. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 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)
 59. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling

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throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1, MVMC 8.36.060[!])

60. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") shall be located at each intersection of all residential streets. Hydrants shall be spaced no more than 500 feet apart in any direction so that no point on the street is more than 250 feet from a hydrant. Minimum fire flow shall be 1000 GPM for 1 hour duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 507.3, Appendix B, MVMC 8.36.060).
61. 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.
62. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
63. 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)
64. 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 DEPARTMENT**Moreno Valley Utility**

65. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
66. This project requires the installation of electric distribution facilities. The developer

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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 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.

67. 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**

68. 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

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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.

69. 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]
70. 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.
71. 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.
72. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
73. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to

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meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]

74. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
75. 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]
76. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
77. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
78. The proposed private storm drain system shall connect to the existing storm drain in Cottonwood Ave. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.
79. 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. Final (tract) Map (recordation prior to building permit issuance);
 - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
 - c. Precise grading w/ erosion control plan (prior to grading permit issuance);
 - d. Public improvement plan (e.g., street/storm drain w/ striping, etc.) (prior to

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- map approval);
- e. Final drainage study (prior to grading plan approval);
 - f. Final WQMP (prior to grading plan approval);
 - g. Legal documents (e.g., dedications, etc.) (prior to building permit issuance);
 - h. As-Built revision for all plans (prior to Occupancy release)
80. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association (HOA). The Homeowner's Association shall enter into an agreement with the City for basin maintenance.
81. The developer shall accept public stormwater runoff from Ben Cliff Drive.
82. For single family residential subdivisions, all lots shall drain to the street at a minimum surface grade of 2.0% and on-site drainage shall be conveyed onto the street with subsurface drains at a minimum grade of 0.5% per current City Standards MVSI-152 and MVSI-153A. No cross-lot or over the sidewalk drainage shall be allowed.

Prior to Grading Plan Approval

83. 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.
84. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity.
85. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At

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a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

a. The Applicant has proposed to incorporate the use of biofiltration. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.

b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP..

c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.

d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.

e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.

f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.

g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.

86. 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.

87. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal

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requirements.

88. 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.
89. The developer shall pay all remaining plan check fees.
90. 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.
91. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.
92. Landscape & Irrigation plans (prepared by a registered/licensed landscape architect) for water quality BMPs shall be submitted for review and approved by the City Engineer per the current submittal requirements, if applicable.
93. The developer shall provide a non-interference letter from Socal Gas over their existing easement along the north side of Cottonwood Ave.

Prior to Grading Permit

94. 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)]
95. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
96. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
97. 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)]
98. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be

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submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

99. The developer shall pay all applicable inspection fees.

Prior to Map Approval

100. All proposed street names shall be submitted for review and approved by the City Engineer, if applicable. [MC 9.14.090(E.2.k)]
101. A copy of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted for review and approved by the City Engineer. The CC&R's shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project. In addition, for single-family residential development, bylaws and articles of incorporation shall also be included as part of the maintenance agreement for any water quality BMPs.
102. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.
103. Resolution of all drainage issues shall be as approved by the City Engineer.
104. If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all public improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. In either case, the City Engineer may require the dedication and construction of necessary utility, street or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California Bureau of Real Estate. [MC 9.14.080(B)(C), GC 66412 & 66462.5]
105. Maps (prepared by a registered civil engineer and/or licensed surveyor) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
106. The developer shall guarantee the completion of all related improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC 9.14.220]
107. All public improvement plans required for this project shall be approved by the City

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Engineer in order to execute the Public Improvement Agreement (PIA).

108. The developer shall dedicate right-of-way to Patricia way at the northeast corner of the project boundary per City standard.
109. All street dedications shall be free of all encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

Prior to Improvement Plan Approval

110. 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.
111. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees. This includes coordinating with Riv. County Flood Control District to connect to their facility.
112. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
113. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
114. 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]
115. 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.
116. Any missing or deficient existing improvements along the project frontage within shall be constructed or secured for construction. Cottonwood Ave. shall be constructed per City standard MVS1-105A-1. The City Engineer may require the

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ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.

117. As applicable, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
118. 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

119. A digital (pdf) copy of all approved improvement plans shall be submitted to the Land Development Division.
120. All applicable inspection fees shall be paid.
121. As applicable, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
122. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

123. 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.

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124. For all subdivision projects, the map shall be recorded (excluding model homes). [MC 9.14.190]
125. 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.
126. 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).
127. The developer shall dedicate 4' of right-of-way along the project's frontage along Cottonwood Avenue.

Prior to Occupancy

128. All outstanding fees shall be paid.
129. 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.
130. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
131. In order to be 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

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- 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]
132. 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.
 - e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]
 - f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.
133. A "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" 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.
134. 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.
135. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of

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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.

136. Overhead utilities along the project's frontage on Cottonwood Avenue shall be underground as required per City Municipal Code.

Special Districts Division

137. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
138. CFD 2014-01. 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, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

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

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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 forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to satisfy this condition.

139. Major Infrastructure SFD Major Infrastructure Financing District. 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 use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. 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. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to determine if this condition is applicable.
140. NPDES Funding. Prior to applying for the 1st Building Permit and if the Land

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Development Division requires this project to provide a funding source for the City's National Pollutant Discharge Elimination System (NPDES) program, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the balloting/annexation fee or fund an endowment) to provide an ongoing funding source for the NPDES program. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful special election process into the NPDES program, or other special financing district, and payment of all costs associated with the special election process. Participation in the NPDES program requires an annual payment of the annual special tax, assessment, rate 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 City Council action to consider the ballot/annexation into or formation of the district, the qualified elector(s) will not protest the ballot/annexation or formation, but will retain the right to object to any eventual tax/assessment/rate/fee that is not equitable should the financial burden of the tax/assessment/rate/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. (MC 3.50.050). 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, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

141. Park 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.

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

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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, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

142. Maintenance Services 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 use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

143. Public Safety 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 use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0127)

Page 25

Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

144. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
145. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
146. Zone A Per Dwelling Unit. The Moreno Valley Community Services District Zone A (Parks & Community Services) tax is levied on the property tax bill on a per parcel or dwelling unit basis. Upon the issuance of building permits, the Zone A tax will be assessed based on 92 dwelling units.

Transportation Engineering Division

147. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
148. All project driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard Plans No. MVS1-112C-0 for commercial driveway approaches.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0127)

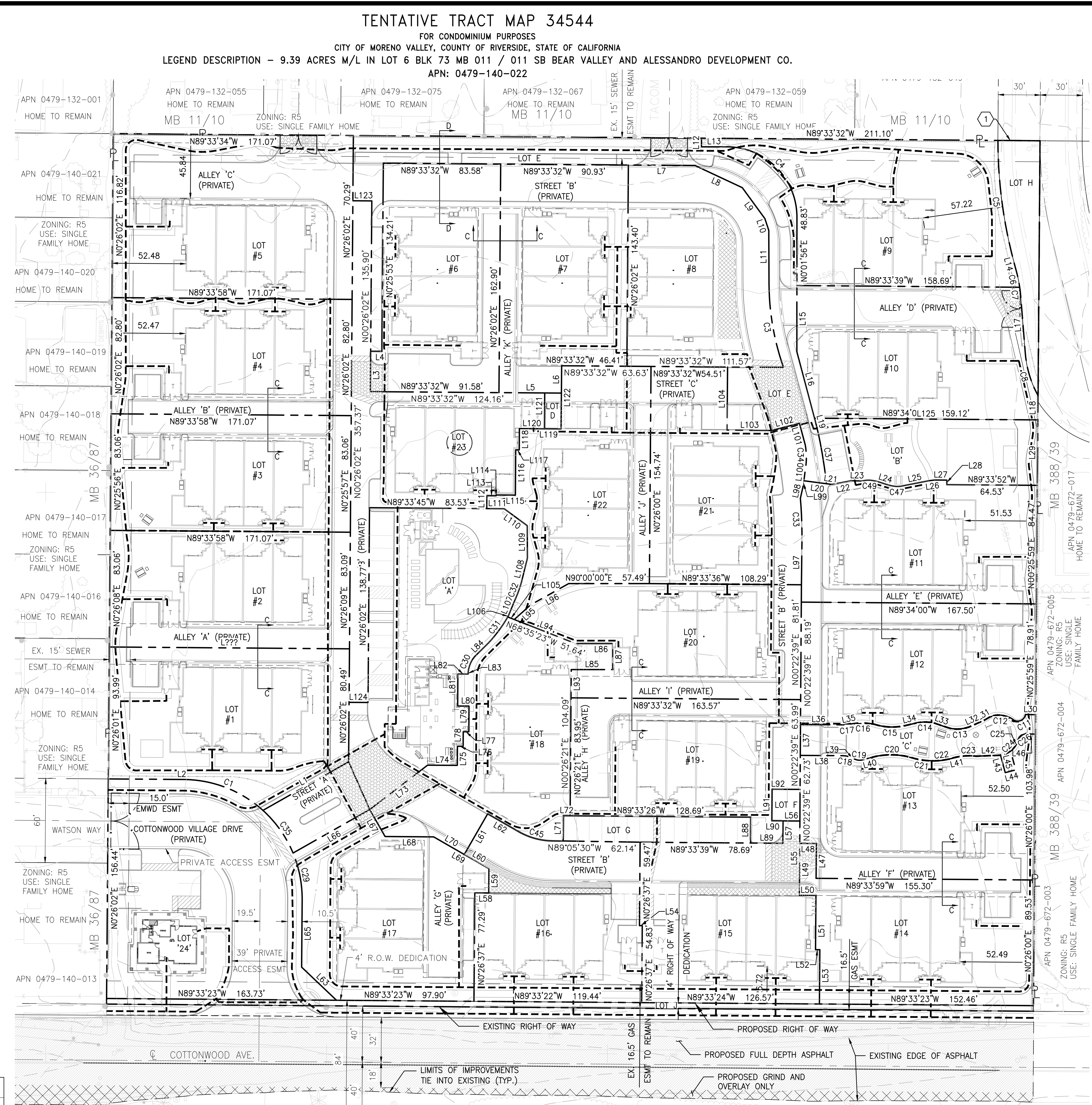
Page 26

149. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
150. Cottonwood Avenue is classified as a Minor Arterial (88' RW/64' CC) per City Standard Plan No. MVSI-105A-1. Improvement transitions will be required. Any modifications or improvements undertaken by this project shall be consistent with the City's standards.
151. Access at the driveways and/or project entrance shall be as follows:
- Watson Way at west project limit (Gated): Emergency access only
 - Project entrance on Watson Way: Full access (A gate is not approved for this project entrance.)
 - Benclyff Avenue driveway (Gated): Emergency access only
 - Tacoma Street driveway (Gated): Emergency access only
 - Patricia Lane driveway (Gated): Emergency access only
- Appropriate signage (NO PARKING) shall be provided near the emergency gates.
152. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways/entrances conforms to City Standard Plan No. MVSI-164A, B, C-0.
153. 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.
154. Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards.
155. Prior to issuance of an encroachment permit, traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
156. Communication conduit along project frontage may be required per City Standard Plan No. MVSI-186-0.

PARKS & COMMUNITY SERVICES DEPARTMENT

157. This project is subject to current Quimby Fees.
158. This project is subject to current Development Impact Fees.

LINE DATA			LINE DATA			CURVE DATA			
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	CURVE #	RADIUS	LENGTH	DELTA
L1	N60°26'21"E	70.14'	L65	N00°26'30"E	48.05'	C1	85.00'	61.92'	41°44'09"
L2	N89°33'37"W	53.74'	L66	N60°26'20"E	62.81'	C3	181.50'	60.64'	19°08'33"
L3	N00°26'02"E	28.69'	L67	S29°33'40"E	22.12'	C4	50.00'	78.57'	90°01'56"
L4	S89°33'40"E	8.00'	L68	S89°33'39"E	34.64'	C5	335.00'	86.81'	14°50'49"
L5	S89°33'32"E	32.58'	L69	S60°05'20"E	45.36'	C6	95.00'	10.87'	6°33'15"
L6	S00°34'08"W	19.50'	L70	N60°05'20"W	25.09'	C7	95.00'	6.11'	3°41'06"
L7	S89°33'32"E	47.40'	L71	S00°26'37"W	18.06'	C8	75.00'	31.85'	24°19'42"
L8	S64°53'28"E	37.25'	L72	N89°33'26"W	4.81'	C11	5.60'	10.51'	107°39'36"
L9	S36°07'44"E	27.31'	L73	N52°29'36"E	51.92'	C12	16.72'	20.75'	71°05'37"
L10	S18°12'00"E	8.80'	L74	S89°38'47"E	21.17'	C13	24.92'	19.38'	44°33'18"
L11	S00°16'16"E	38.19'	L75	N00°22'55"E	13.58'	C14	28.64'	12.78'	25°33'57"
L12	N00°26'28"E	6.17'	L76	S89°32'33"E	4.08'	C15	42.00'	22.35'	30°29'34"
L13	N90°00'00"W	17.99'	L77	S89°38'47"E	4.00'	C16	38.45'	16.11'	24°35'47"
L14	S14°50'11"E	8.41'	L78	N00°21'13"E	10.38'	C17	12.00'	2.42'	11°33'42"
L15	N00°01'56"E	47.14'	L79	N00°20'00"E	18.30'	C18	12.00'	4.62'	22°03'38"
L16	N14°50'26"W	49.01'	L80	N89°38'47"W	8.08'	C19	8.00'	5.28'	37°46'56"
L17	S04°35'50"E	41.02'	L81	N00°22'09"E	22.82'	C20	52.00'	24.93'	27°28'23"
L18	S00°26'01"W	17.28'	L82	S89°35'53"E	7.32'	C21	64.77'	18.35'	16°14'01"
L19	N14°50'26"W	7.23'	L83	N00°26'21"E	1.05'	C22	41.66'	10.87'	14°57'22"
L20	S82°31'22"E	20.55'	L84	N45°26'21"E	12.76'	C23	46.83'	11.28'	13°47'38"
L21	N82°31'22"W	4.33'	L85	N90°00'00"E	29.63'	C24	14.30'	2.82'	11°17'59"
L22	S79°07'19"W	14.12'	L86	N90°00'00"W	26.74'	C25	14.38'	6.87'	27°22'03"
L23	N88°43'11"W	7.17'	L87	N00°00'00"E	18.63'	C26	5.96'	7.58'	72°47'59"
L24	N73°05'33"W	10.41'	L88	N00°26'37"E	18.50'	C29	85.00'	34.12'	22°59'55"
L25	S78°54'44"W	19.13'	L89	N89°33'39"W	22.95'	C30	19.18'	13.00'	38°49'56"
L26	S82°57'36"W	4.02'	L90	S89°33'39"E	8.00'	C31	99.29'	23.69'	13°40'19"
L27	N89°33'39"W	8.72'	L91	S00°26'02"W	22.49'	C32	90.14'	14.84'	9°26'02"
L28	N00°26'21"E	3.24'	L92	N89°37'21"W	20.00'	C33	307.48'	29.76'	5°32'44"
L29	S00°26'00"W	46.62'	L93	N00°26'21"E	20.14'	C34	52.34'	13.71'	15°00'50"
L30	N89°34'00"W	7.31'	L94	N68°35'23"W	46.67'	C35	85.00'	37.48'	25°15'56"
L31	S59°16'32"W	1.96'	L95	S48°09'47"W	15.54'				
L32	S66°21'40"W	9.22'	L96	S60°45'24"W	31.13'				
L33	N70°34'09"W	9.15'	L97	S00°41'03"W	31.85'				
L34	S76°56'21"W	7.79'	L98	N12°42'25"E	9.30'				
L35	S78°52'18"W	2.46'	L99	N07°28'38"E	3.49'				
L36	N89°34'00"W	31.53'	L100	S07°28'38"W	11.77'				
L37	S00°22'39"W	22.00'	L101	S15°00'01"E	16.20'				
L38	S89°33'38"E	30.57'	L102	N74°59'59"E	20.08'				
L39	S67°30'00"E	4.45'	L103	S89°33'32"E	32.14'				
L40	N75°00'34"E	8.73'	L104	S00°26'28"W	45.00'				
L41	N76°45'07"E	7.97'	L105	N68°35'23"W	4.97'				
L42	N87°50'03"E	17.28'	L106	N29°37'12"E	1.01'				
L43	S14°59'49"E	12.85'	L107	N22°09'22"E	10.99'				
L44	N75°00'11"E	7.73'	L108	N13°56'18"E	17.42'				
L45	N14°59'49"W	13.78'	L109	N00°16'33"W	23.19'				
L46	N90°00'00"E	6.82'	L110	N5°34'42"W	20.37'				
L47	N00°00'00"E	24.80'	L111	N89°33'30"W	12.39'				
L48	N89°37'21"W	11.85'	L112	N00°26'57"E	9.19'				
L49	N00°22'39"E	36.98'	L113	S89°33'03"E	6.56'				
L50	N89°33'39"W	11.81'	L114	N00°26'57"E	0.59'				
L51	N00°26'21"E	38.63'	L115	S89°33'03"E	13.71'				
L52	N89°33'39"W	3.04'	L116	N00°26'57"E	32.26'				
L53	N00°26'21"E	38.67'	L117	S89°33'03"E	2.51'				
L54	N90°00'00"W	2.00'	L118	N00°28'29"E	15.16'				
L55	S00°22'39"W	52.94'	L119	S89°33'07"E	11.83'				
L56	S89°33'39"E	12.02'	L120	N89°33'07"W	17.82'				
L57	N00°26'00"E	15.95'	L121	S00°26'21"W	25.50'				
L58	N89°33'39"W	9.91'	L122	S00°34'08"W	45.00'				
L59	S00°29'14"W	17.30'	L123	S89°33'58"E	13.50'				
L60	N60°05'20"W	20.28'	L124	N89°33'58"W	13.50'				
L61	N29°54'40"E	33.50'							
L62	S60°05'20"E	25.49'							
L63	N46°27'55"W	34.24'							



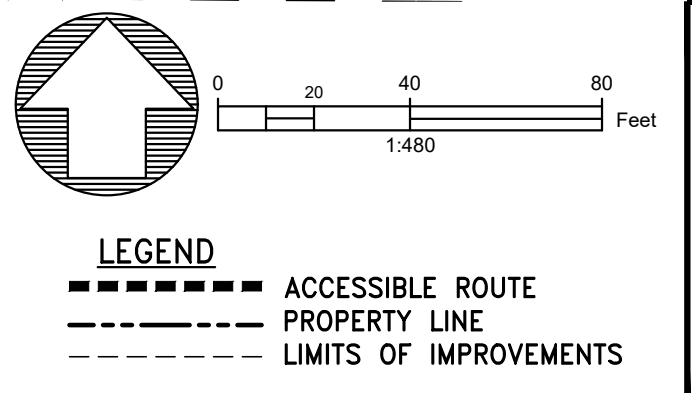
Parcel #	Area	PROPOSE/USE
1	16,708	RESIDENTIAL
2	14,212	RESIDENTIAL
3	14,210	RESIDENTIAL
4	14,164	RESIDENTIAL
5	19,984	RESIDENTIAL
6	13,945	RESIDENTIAL
7	13,907	RESIDENTIAL
8	13,831	RESIDENTIAL
9	16,469	RESIDENTIAL
10	15,231	RESIDENTIAL
11	14,277	RESIDENTIAL
12	14,338	RESIDENTIAL
13	14,415	RESIDENTIAL
14	14,241	RESIDENTIAL
15	14,109	RESIDENTIAL
16	13,875	RESIDENTIAL
17	14,479	RESIDENTIAL
18	14,039	RESIDENTIAL
19	13,741	RESIDENTIAL
20	13,745	RESIDENTIAL
21	14,451	RESIDENTIAL
22	13,691	RESIDENTIAL
24	20,446	RESIDENTIAL

Parcel #	Area	PROPOSE/USE
LOT A	12,380	OPEN SPACE/RECREATION
LOT B	7,080	OPEN SPACE/RECREATION
LOT C	3,880	OPEN SPACE/RECREATION

Parcel #	Area	PROPOSE/USE
STREET 'A'	2,408	PRIVATE STREET
STREET 'B'	5,208	PRIVATE STREET

Parcel #	Area	PROPOSE/USE
LOT D	302	MISCELLANEOUS LOT
LOT E	13,173	MISCELLANEOUS LOT
LOT F	450	MISCELLANEOUS LOT
LOT G	2,458	MISCELLANEOUS LOT

Parcel #	Area	PROPOSE/USE
LOT H	3,231	DEDICATION
LOT J	2,640	DEDICATION



BLUE Engineering & Consulting, Inc
 UNDER THE SUPERVISION OF:
 ANGEL CESAR
 RCE 87222
 DATE: _____

CITY OF MORENO VALLEY
 TTM
COTTONWOOD VILLAGE
 TTM 34544
 SHEET 1 of 10
 CITY ID No _____
 DATE PREPARED MARCH 11, 2021
 PEN21-0147

DETAILED PROJECT DESCRIPTION
 PROPOSED DEVELOPMENT OF 92 ATTACHED MULTIFAMILY HOMES WITH A MANAGER APARTMENT ABOVE OFFICE. A TOTAL OF 23 BUILDINGS WILL BE PROPOSED.

AREA AND DENSITY
 GROSS ACREAGE 9.4 ACRES
 TOTAL NO. OF UNITS CREATED 93
 DENSITY 9.89 U/AC

PARKING
 2 CAR GARAGE PER UNIT
 ON STREET PARKING PER CITY OF MORENO VALLEY GUEST PARKING

FLOOD HAZARD
 THE SUBJECT TRACT OUTSIDE THE 500 YEAR ZONE X FLOOD PLAIN. FLOOD INSURANCE PANEL NO. 065074 0025a. THE SUBJECT TRACT IS WITHIN THE SUBSEQUENT MASTER DRAINAGE PLAN AND SERVED BY LINE "S-2"

SCHOOL
 MORENO VALLEY UNIFIED SCHOOL DISTRICT

THOMAS BROTHERS GUIDE
 PAGE 717 G-4, 2005 EDITION

LAND USE AND ZONING
 CURRENT GENERAL PLAN R10
 CURRENT ZONING MAP R10
 EXISTING LAND USE VACANT
 PROPOSED LAND USE CONDOMINIUM
 PROPOSED GENERAL PLAN COMU
 PROPOSED ZONING MAP COMU

FEMA FLOOD ZONE
 PROJECT SITE IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) PER FLOOD INSURANCE RATE MAP NO. 06065C0761G

FIRE SPRINKLER NOTE
 EACH 4 FLY BUILDING WILL CONTAIN A FIRE SPRINKLER SYSTEM THAT WILL BE INSTALLED TO MEET NFPA 13R REQUIREMENTS. THE MANAGER/LEASING OFFICE AND COMMUNITY BUILDING WILL CONTAIN A FIRE SPRINKLER SYSTEM THAT WILL BE INSTALLED TO MEET NFPA 13.

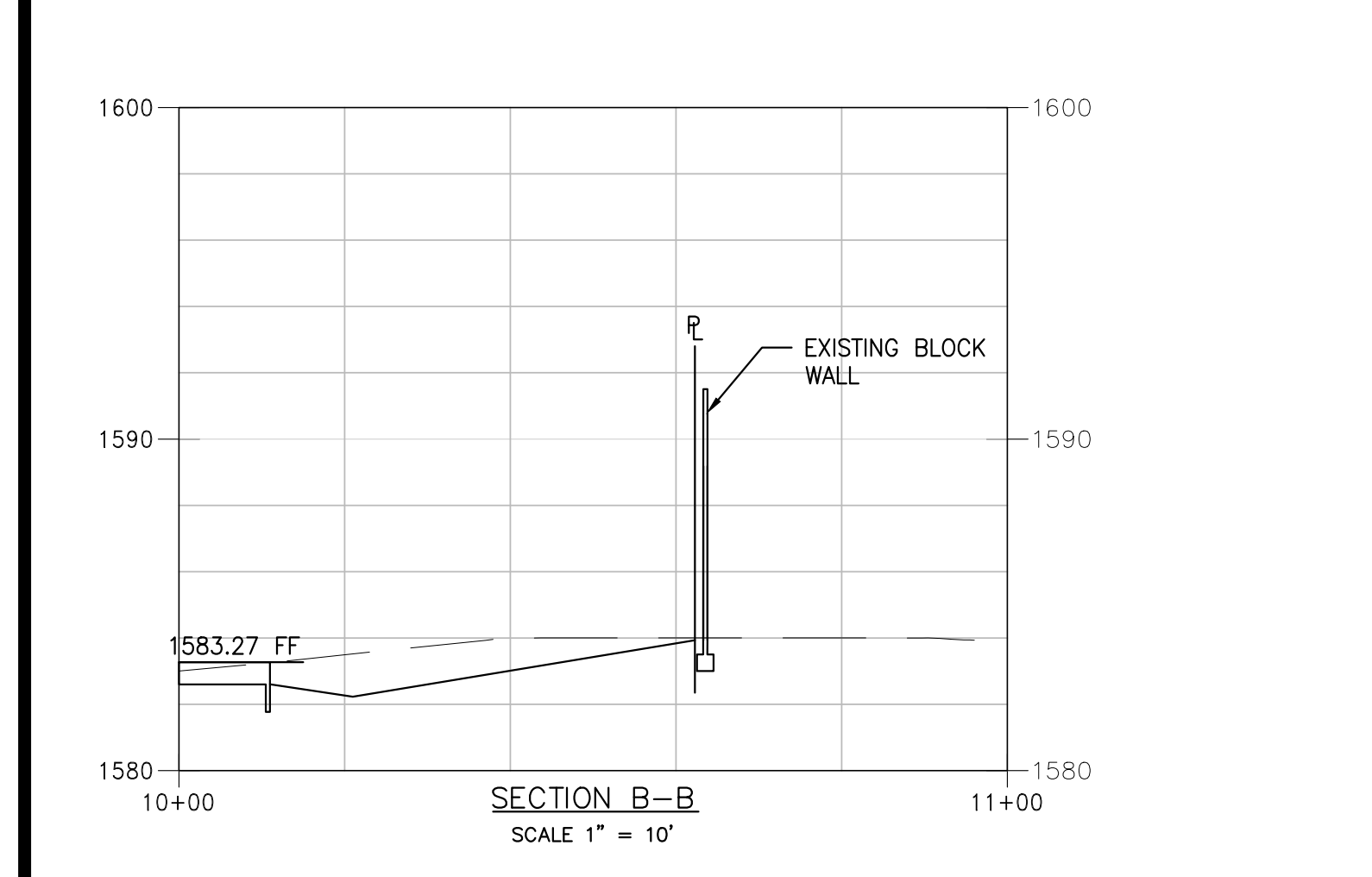
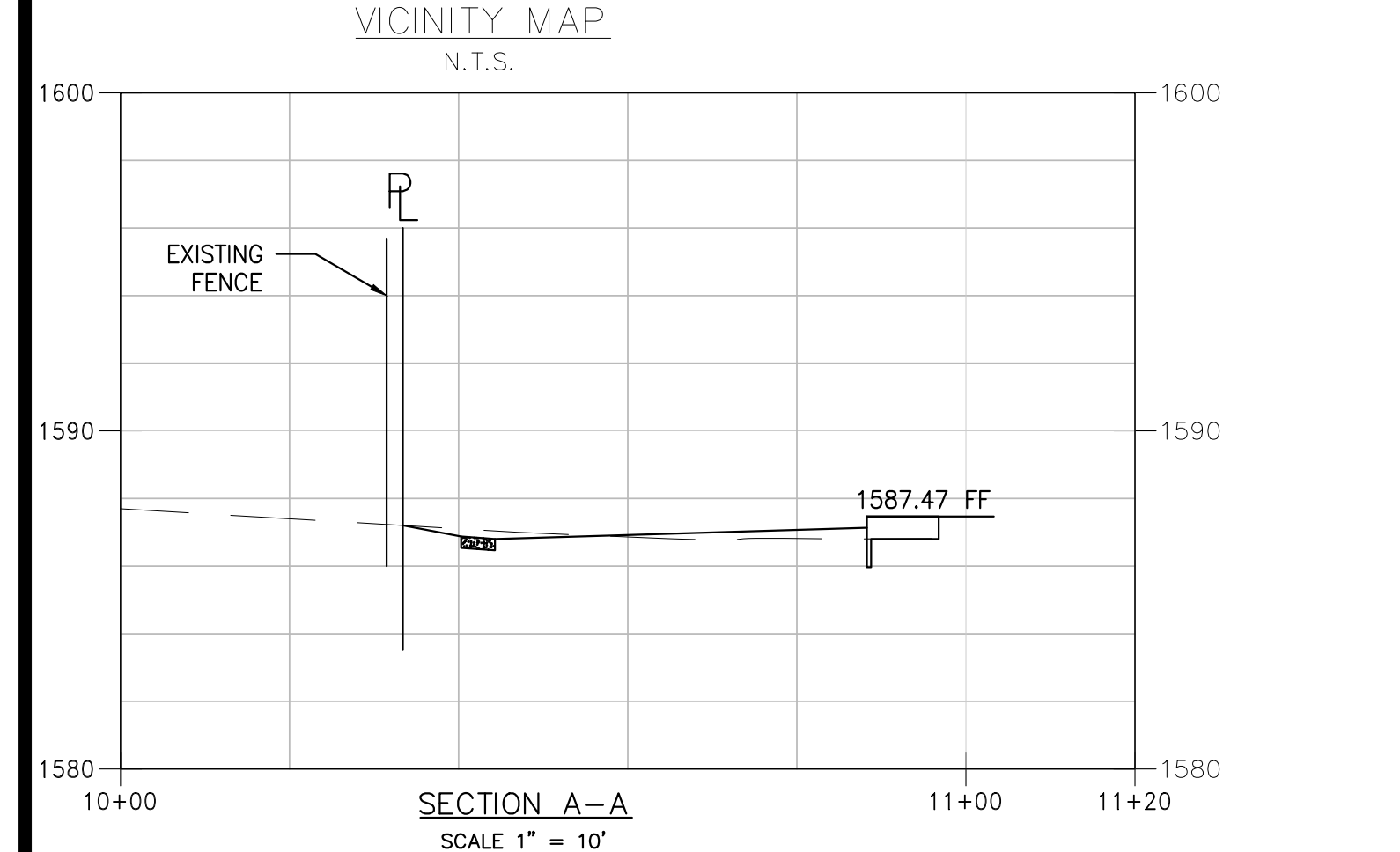
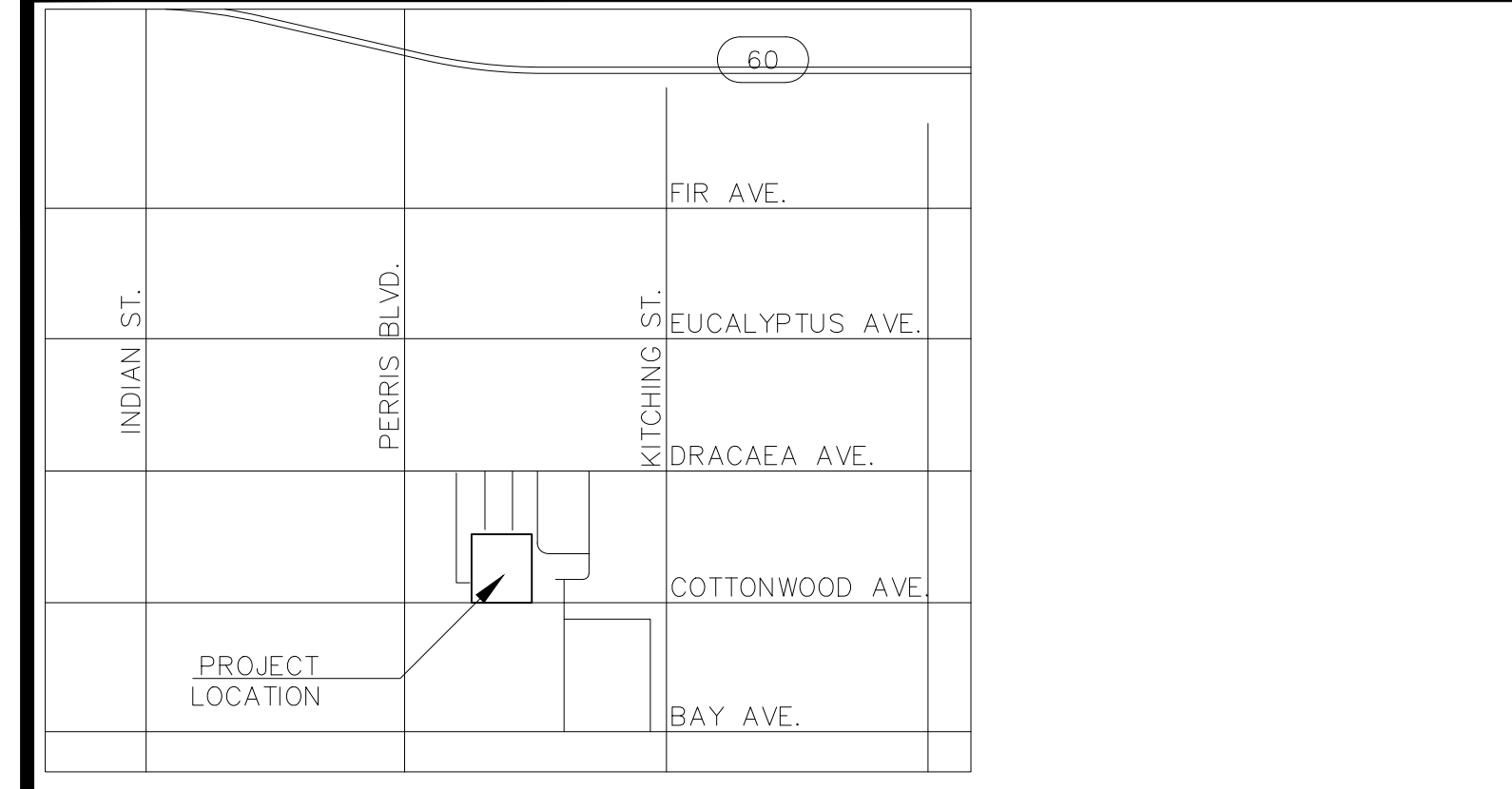
APPLICANT/DEVELOPER/PROPERTY OWNER
 COTTONWOOD 939
 4340 VON KARMAN AVE., SUITE 110
 NEWPORT BEACH, CA 92660
 ATTN: DANA HAYNES
 949-705-0408
 DHAYNES@CITIVESTINC.COM

PLAN PREPARER
 BLUE ENGINEERING AND CONSULTING, INC
 9320 BASELINE RD., STE. D
 RANCHO CUCAMONGA, CA 91701
 ATTN: ANGEL CESAR
 909-248-6557
 ANGEL@BLUECIVILENG.COM

EASEMENT
 (1) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

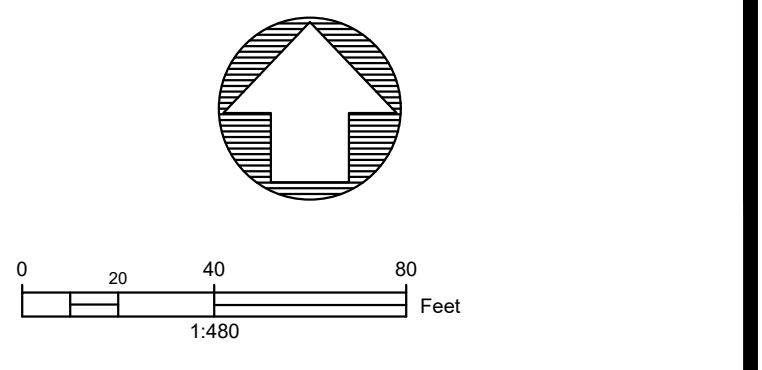
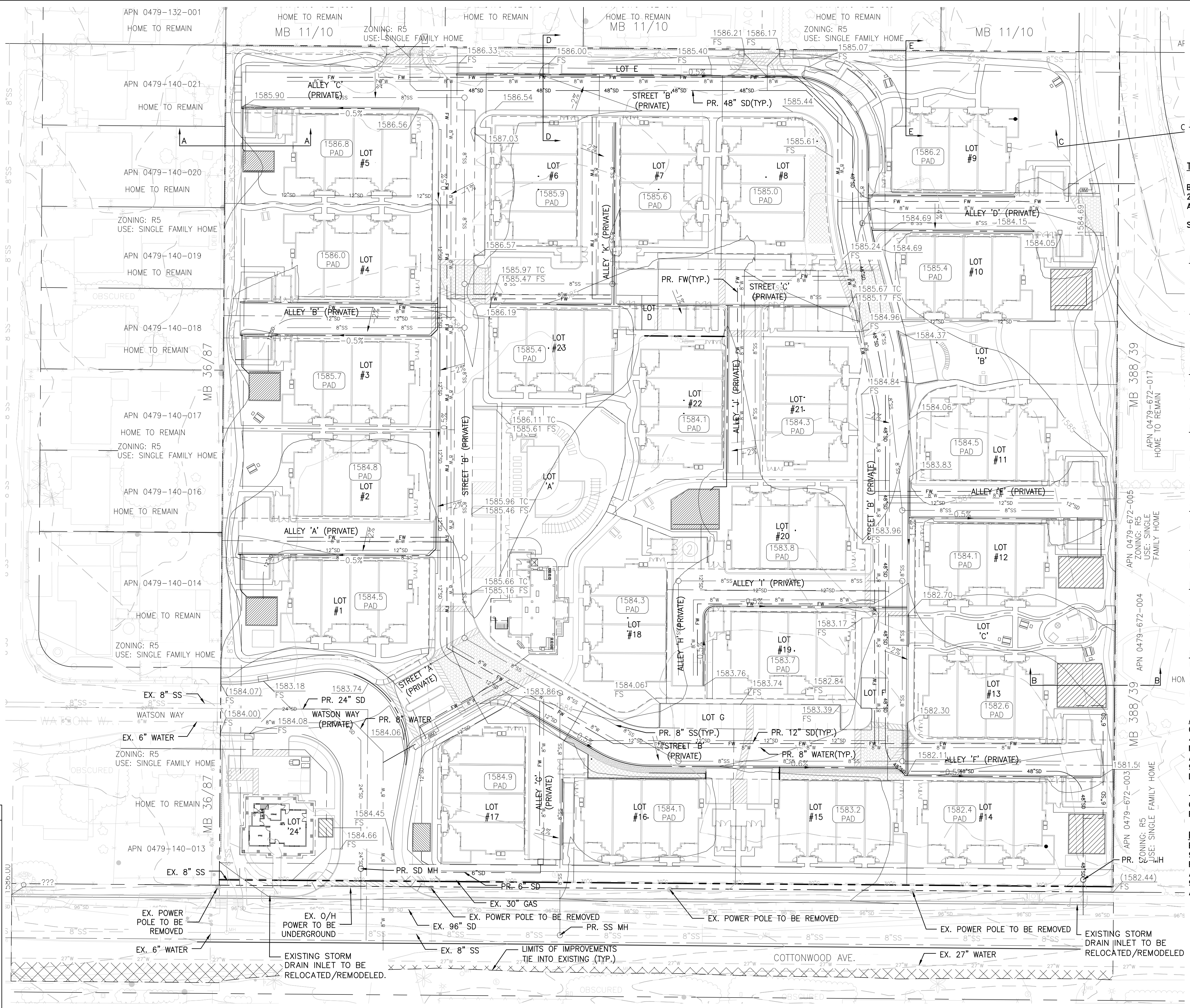
GRANTED TO: RONALD E. TENDLER AND CARRIE J. TENDLER, TRUSTEES OF THE TENDLER TRUST DATED MAY 14, 1990 AS AMENDED AND RESTATED DECEMBER 29TH, 1998
 PURPOSE: ROAD, UTILITY, DRAINAGE AND CONSTRUCTION PURPOSES
 RECORDING DATE: OCTOBER 1, 2004
 RECORDING NO.: 2004-0783790, OFFICIAL RECORDS AFFECTS: THE LAND STATEMENT

TENTATIVE TRACT MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP OF THE LAND DIVIDER.



LOT AREA COVERAGE			
LOT #	LOT (Sq. Ft.)	Building Outline (Sq. Ft.)	%
1	15510.7	5301.2	34
2	14211.7	5301.3	37
3	1420.1	5301.2	37
4	14164.2	5301.2	37
5	19983.9	5301.2	27
6	13844.5	5085.4	37
7	13907.1	5085.4	37
8	13830.6	5085.9	37
9	16468.6	5301.4	32
10	15231.2	5301.0	35
11	14277.0	5305.0	37
12	14505.7	5301.2	37
13	14415.4	5301.2	37
14	14241.0	5301.2	37
15	14109.3	5280.9	37
16	13874.8	5085.4	37
17	14198.2	5245.3	37
18	14039.4	5085.4	36
19	13740.8	5085.4	37
20	13744.9	5085.4	37
21	14450.7	5085.4	35
22	13691.5	5085.4	37
23	13772.3	5085.4	37
24	7452.8	2413.6	32

FLOOR AREA RATIO			
LOT #	LOT (Sq. Ft.)	Building Total (Sq. Ft.)	%
1	15510.7	10602.5	68
2	14211.7	10602.5	75
3	14210.1	10602.5	75
4	14164.2	10602.5	75
5	19983.9	10602.5	53
6	13844.5	10170.7	73
7	13907.1	10170.8	73
8	13830.6	10170.8	74
9	16468.6	10602.7	64
10	15231.2	10601.9	70
11	14277.0	10609.9	74
12	14505.7	10602.5	73
13	14415.4	10602.5	74
14	14241.0	10602.5	74
15	14109.3	10561.8	75
16	13874.8	10170.8	73
17	14198.2	10170.8	74
18	14039.4	10170.8	72
19	13740.8	10170.8	74
20	13744.9	10170.8	74
21	14450.7	10170.8	70
22	13691.5	10170.8	74
23	13772.3	10170.8	74
24	7452.8	4827.2	65



EARTHWORK QUANTITIES
 3,144 CUT 4,095 FILL
 3,144 +314 SHRINKAGE
 4,409 1,265 FILL

TOPOGRAPHY SOURCE
 B&E ENGINEERS
 20 E. FOOTHILL AVE., STE 230
 ARCADIA CA. 91006

SURVEY DATE: 04-3-14
 04-4-14
 04-24-14

LEGEND DESCRIPTION
 9.39 ACRES W/L IN LOT 6 BLK 73 MB 011 / 011
 SB BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO.

AREA AND DENSITY
 GROSS ACREAGE 9.4 ACRES
 TOTAL NO. OF UNITS CREATED 93
 DENSITY 9.89 U/AC

PARKING
 2 CAR GARAGE PER UNIT
 ON STREET PARKING PER CITY OF MORENO VALLEY
 GUEST PARKING

FLOOD HAZARD
 THE SUBJECT TRACT OUTSIDE THE 500 YEAR ZONE X
 FLOOD PLAIN. FLOOD INSURANCE PANEL NO. 065074
 0025G. THE SUBJECT TRACT IS WITHIN THE
 SUNNYMEAD MASTER DRAINAGE PLAN AND SERVED BY
 LINE "S-2"

SCHOOL
 MORENO VALLEY UNIFIED SCHOOL DISTRICT

THOMAS BROTHERS GUIDE
 PAGE 717 G-4, 2005 EDITION

LAND USE AND ZONING
 CURRENT GENERAL PLAN R10
 CURRENT ZONING MAP R10
 EXISTING LAND USE VACANT
 PROPOSED LAND USE CONDOMINIUM

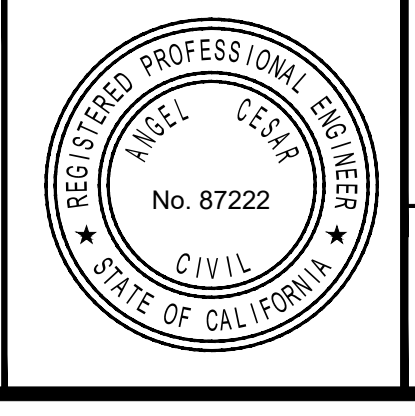
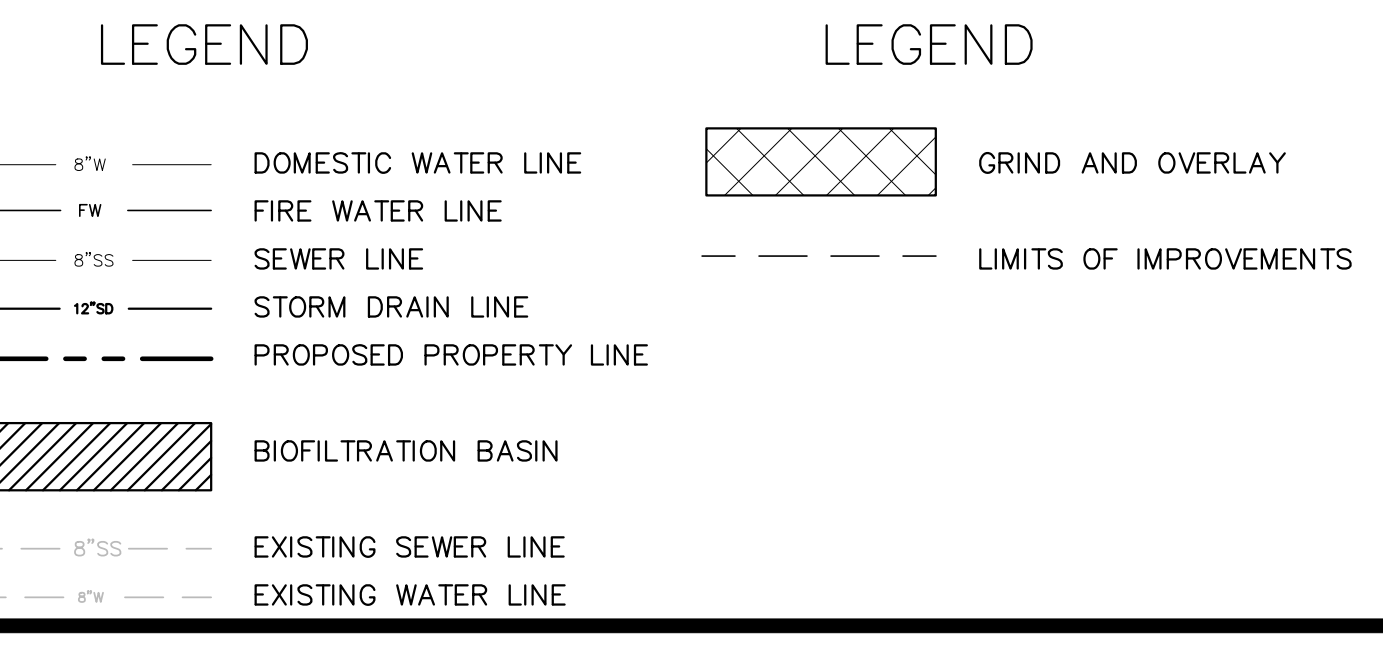
FEMA FLOOD ZONE
 PROJECT SITE IS LOCATED IN ZONE X (AREAS
 DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL
 CHANCE FLOOD PLAIN) PER FLOOD INSURANCE RATE
 MAP NO. 06065C0761G

APPLICANT/DEVELOPER/PROPERTY OWNER
 COTTONWOOD 939
 4340 VON KARMAN AVE., SUITE 110
 NEWPORT BEACH, CA 92660
 ATTN: DANA HAYNES
 949-705-0408
 DHAYNES@CITIVESTINC.COM

-TENTATIVE MAP INCLUDES THE ENTIRE CONTIGUOUS
 OWNERSHIP OF THE LAND DIVIDER OR ONLY A
 PORTION THEREOF-

PLAN PREPARER
 BLUE ENGINEERING AND CONSULTING, INC
 9320 BASELINE RD., STE. D
 RANCHO CUCAMONGA, CA 91701
 ATTN: ANGEL CESAR
 909-248-6557
 ANGEL@BLUECIVILENG.COM

UTILITY COMPANIES **EMERGENCY NUMBERS**
 CHARTER SPECTRUM (877) 906-9121
 EASTERN MUNICIPAL WATER DISTRICT (951) 928-3777
 FRONTIER COMMUNICATION (800) 921-8101
 SOUTHERN CALIFORNIA EDISON (800) 655-4555
 SOUTHERN CALIFORNIA GAS COMPANY (800) 427-2200
 UNDERGROUND SERVICE ALERT (800) 422-4133
 VERIZON WIRELESS (800) 922-0204
 MORENO VALLEY UNIFIED SCHOOL DISTRICT (951) 571-7500



BLUE Engineering & Consulting, Inc

UNDER THE SUPERVISION OF:
 ANGEL CESAR
 RCE 87222

DATE

CITY OF MORENO VALLEY

CONCEPTUAL GRADING PLAN
COTTONWOOD VILLAGE
TTM 34544

CONCEPTUAL GRADING PLAN
 TTM 34544
 DATE OF PREPARATION MARCH 11, 2021
 PEN21-0147

SHEET 3 of 10
 CITY ID No

APN. 479-140-022 DATE PREPARED MARCH 11, 2021

Attachment: Project Plans (Revision 2) (5786 : Cottonwood Village Residential Project TTM34544)



DATE 02-16-22
PROJECT NUMBER 519.1901.10

COTTONWOOD VILLAGE MORENO VALLEY, CA

COTTONWOOD AVE.
MORENO VALLEY, CA 92346

SITE PLAN SCHEME A-4.4

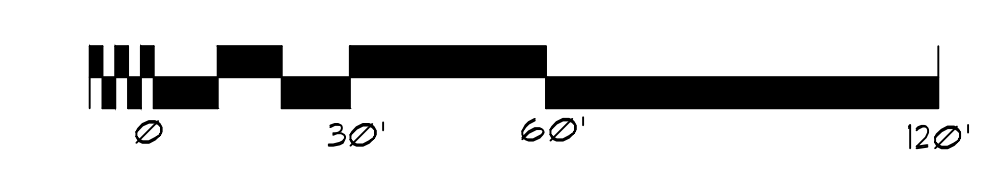
PROJECT SUMMARY:

SITE AREA=406,329.34 S.F = 9.4 AC.
APN: 0479-140-022
10 UNITS PER ACRE
23 - 4 PLEX STRUCTURES
92 - 3 BED-2.5 BATH TOWN HOME UNITS
1 - 2 BED, 2 BATH MANAGER UNIT
10 ACCESSIBLE UNITS - (93 UNITS X 10% HC REQ'D)
ZONING - SPECIAL DISTRICT, CORRIDOR MIXED USE (COMU)

END UNIT 1: 1,479 SF
MID UNIT 2: 1,433 SF
MID UNIT 3: 1,419 SF
END UNIT 4: 1,479 SF
PARKING REQUIRED:
2.5 STALLS PER UNIT (92X2.5) 230 STALLS
INCLUDES .25 STALL GUEST/UNIT

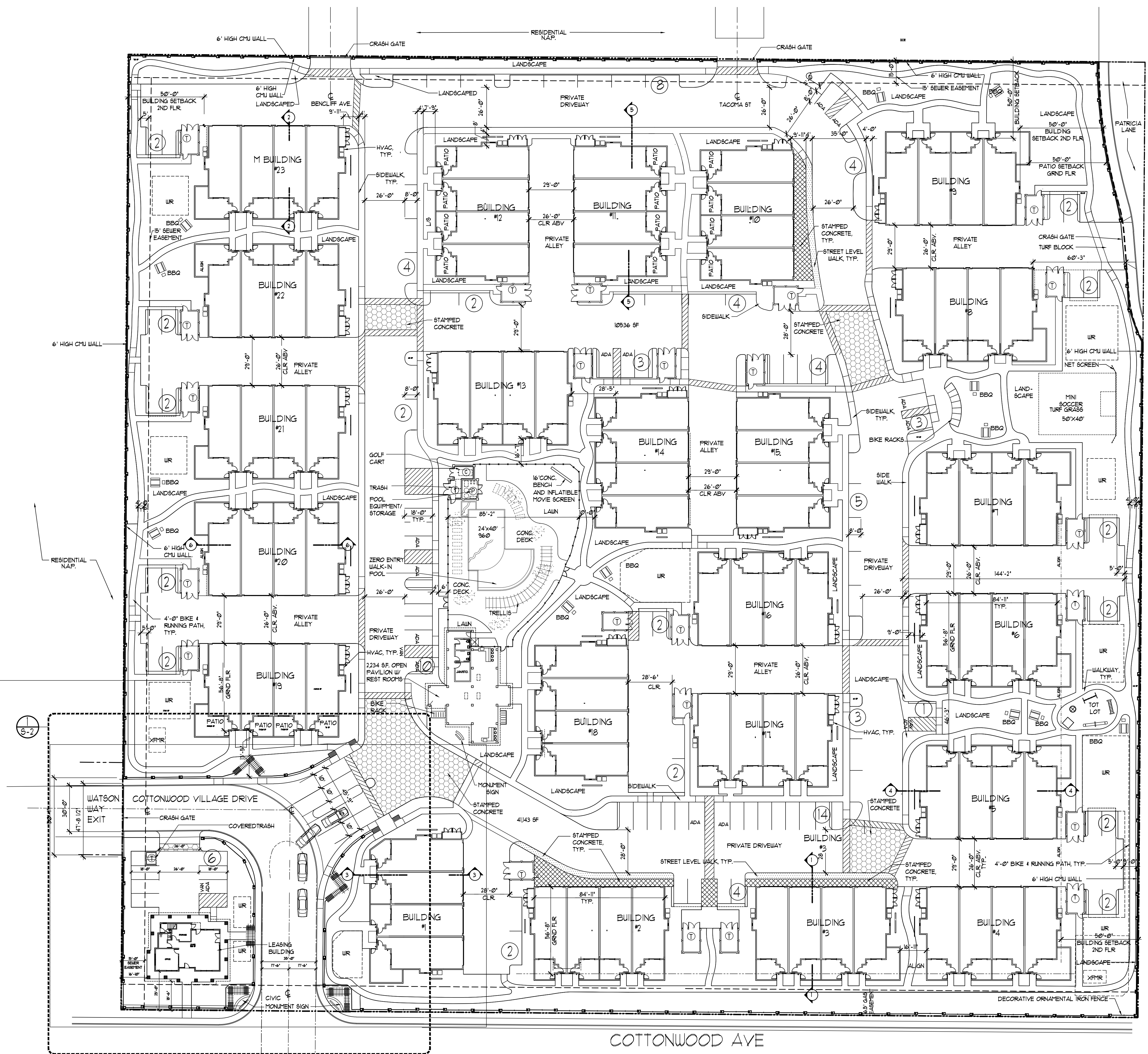
PARKING PROVIDED:
LEASING / MANAGEMENT OFFICE 3 STALLS
(1 VAN ADA STALL INCLUDED)
MANAGER APARTMENT 1 STALLS
2 STALLS /UNIT COVERED
TYPICAL UNIT GARAGE 184 STALLS
ON PRIVATE 99 STALLS

TOTAL PARKING PROVIDED 287 STALLS
ADA REQUIRED 7 STALLS
ADA PROVIDED 15 STALLS
(4 VAN & 11 STANDARD)



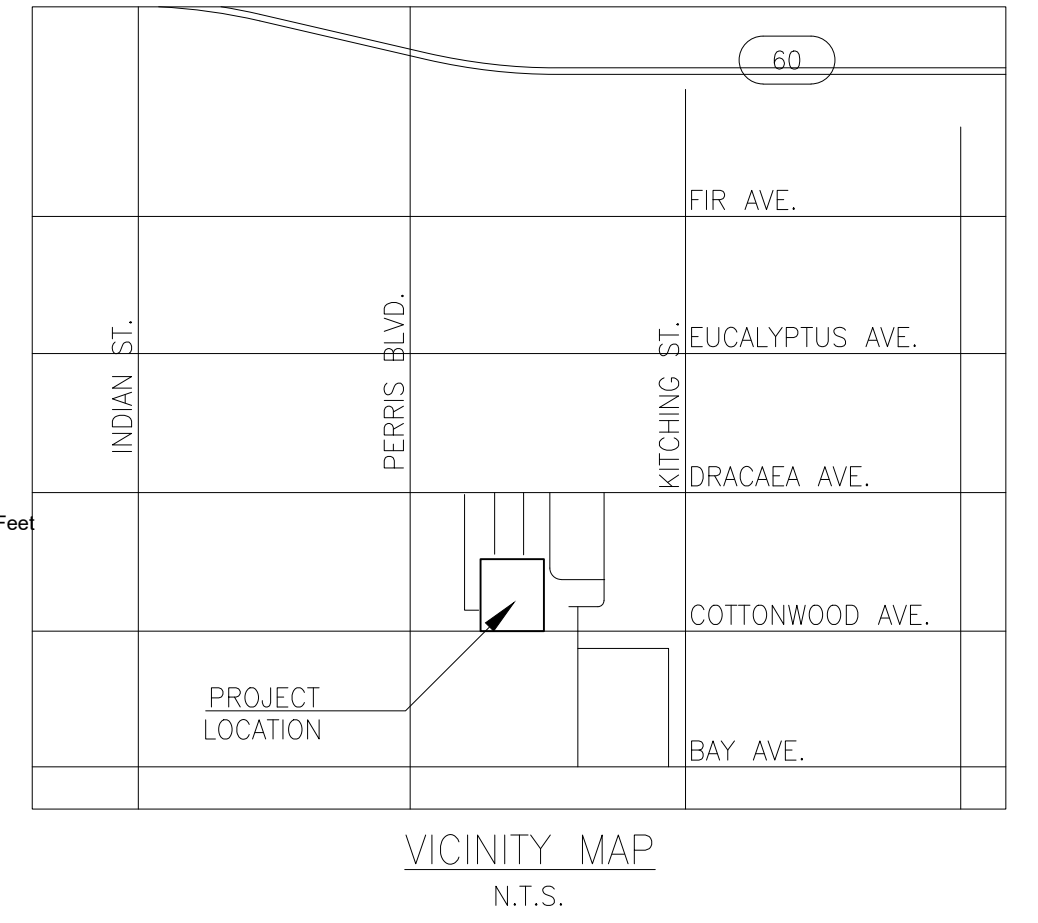
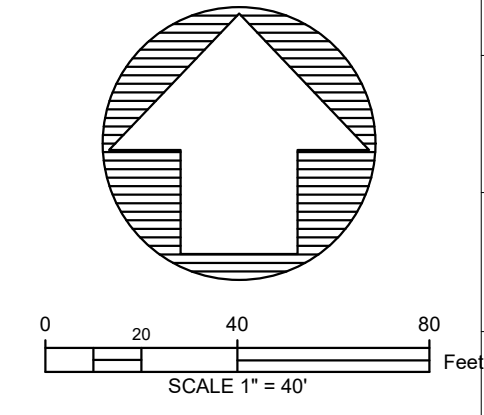
S-1

SITE PLAN
SCALE: 1" = 30'-0"


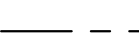
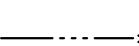


Attachment: Project Plans (Revision 2) (5786 : Cottonwood Village Residential Project TTM34544)

LANDSCAPE PLAN EXHIBIT

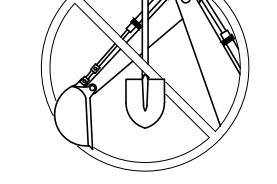


LEGEND

-  LANDSCAPE AREA
-  CENTERLINE
-  FLOW LINE

NO WORK SHALL BE DONE ON THIS SITE UNTIL BELOW AGENCY IS NOTIFIED OF INTENTION TO GRADE OR EXCAVATE.

DIGALERT



CALL 811 or 1-800-422-4133 2 Working Days Before You Dig WWW.CALL811.COM

DATE OF PREPARATION MARCH 11, 2021 PEN21-0147



BLUE Engineering & Consulting, Inc

UNDER THE SUPERVISION OF:

ANGEL CESAR RCE 87222

DATE _____

CITY OF MORENO VALLEY

LANDSCAPE PLAN
COTTONWOOD VILLAGE
TTM 34544

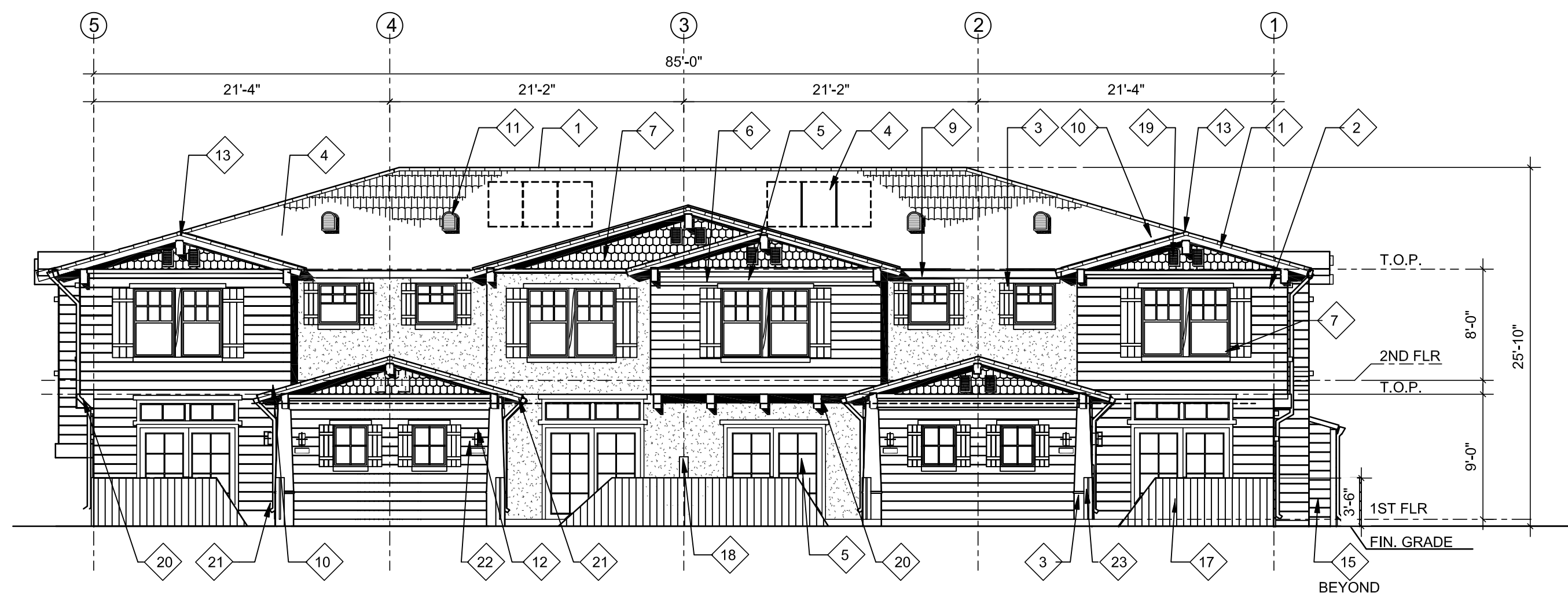
APN. 479-140-022 DATE PREPARED MARCH 11, 2021

SHEET 10 OF 10
CITY ID No _____

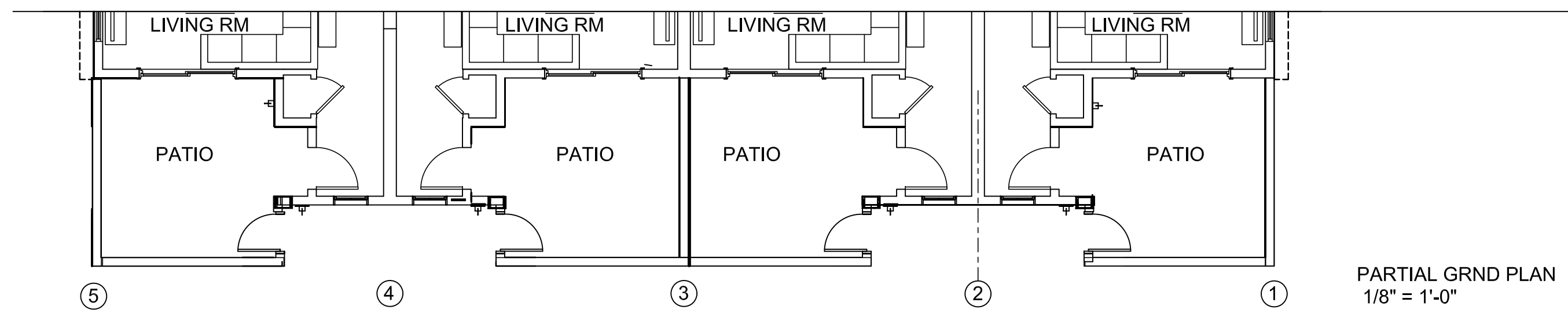
PAVILLION PARK EXHIBIT



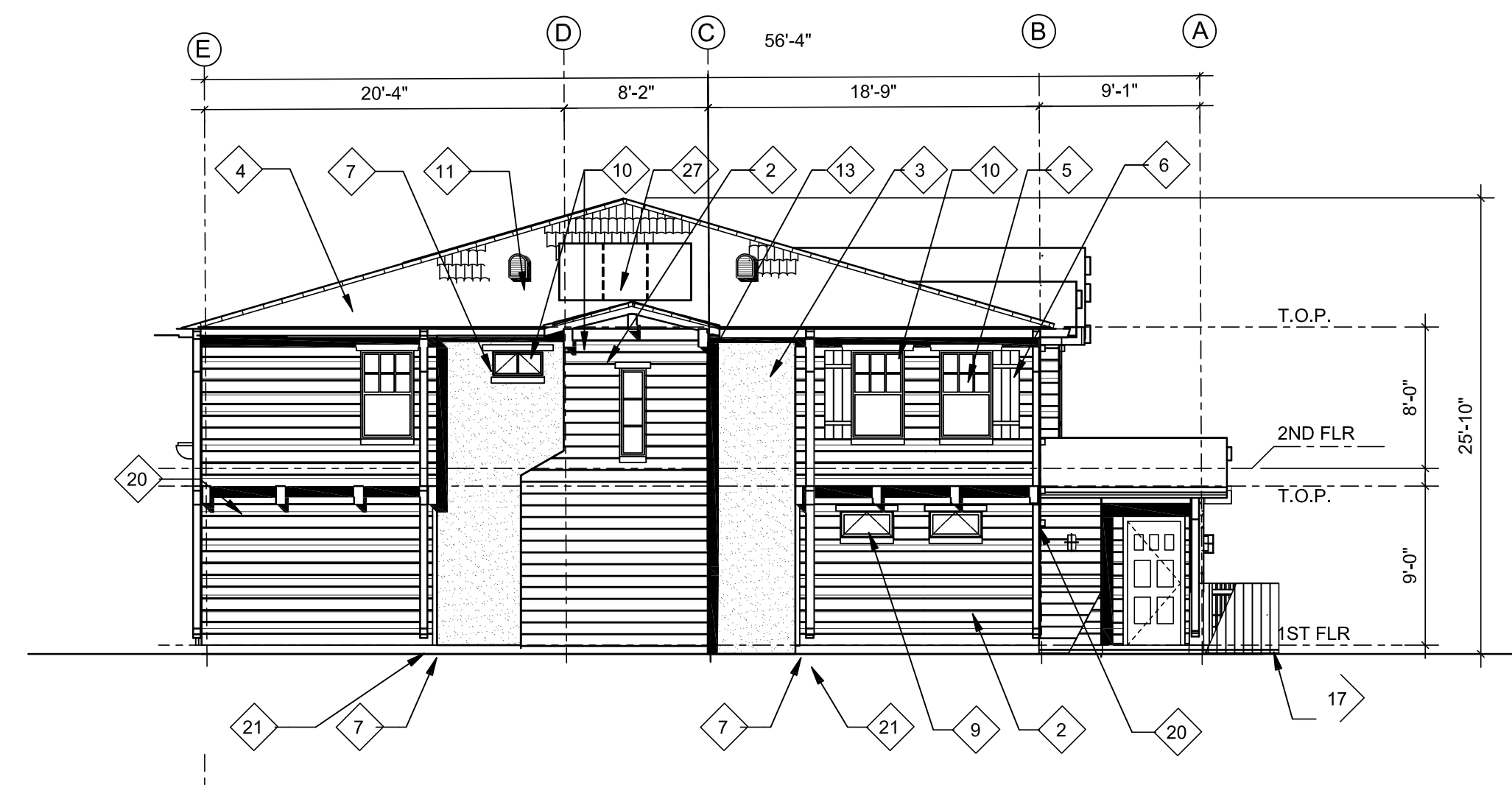
Attachment: Project Plans [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)



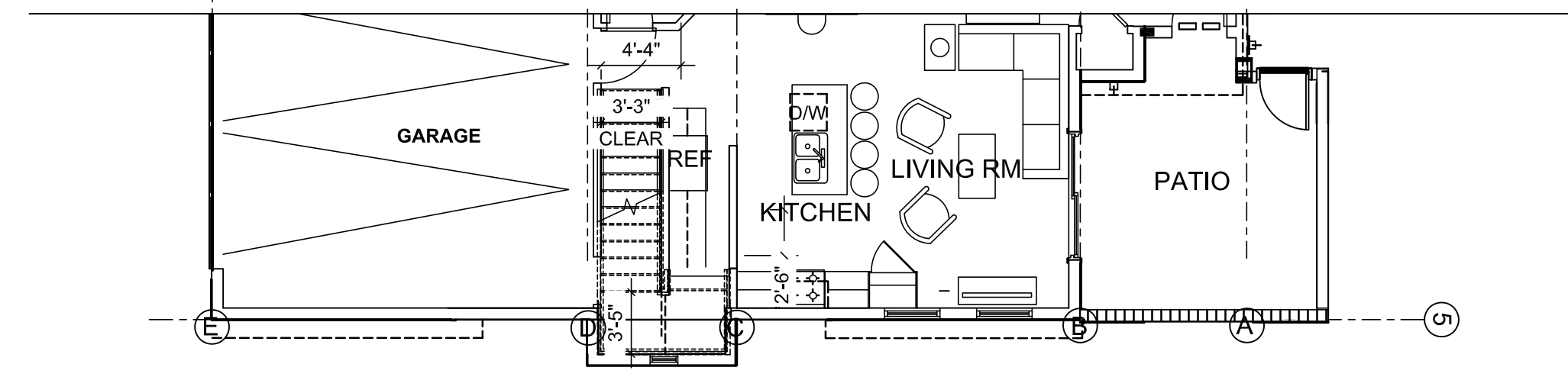
1 FRONT ELEVATION.
1/8" = 1'-0"



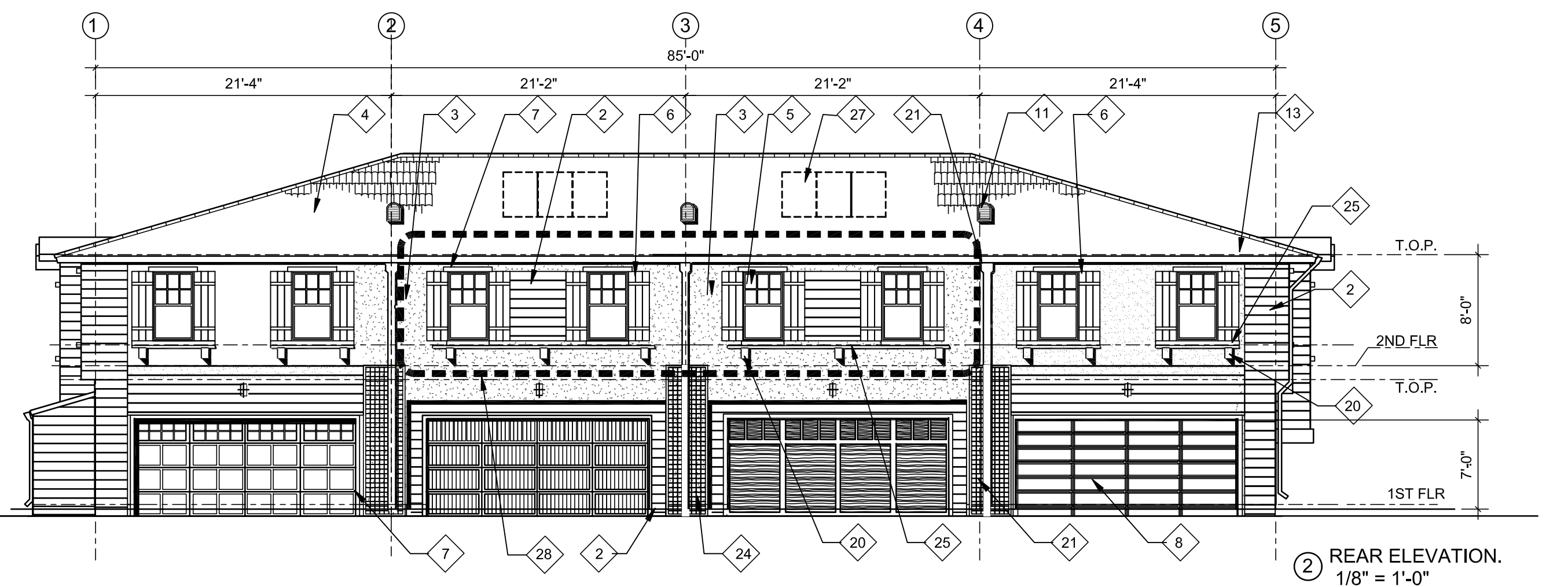
PARTIAL GRND PLAN
1/8" = 1'-0"



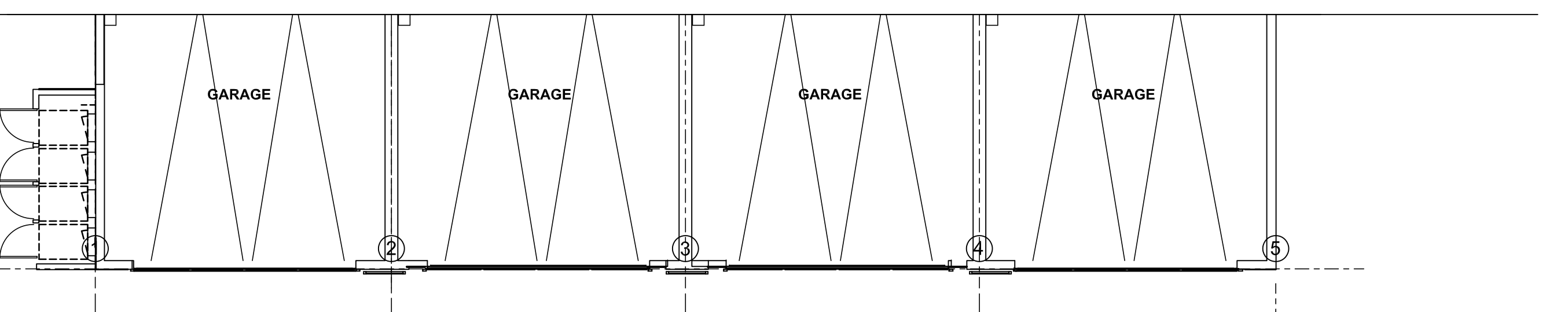
3 SIDE ELEVATION.
1/8" = 1'-0"



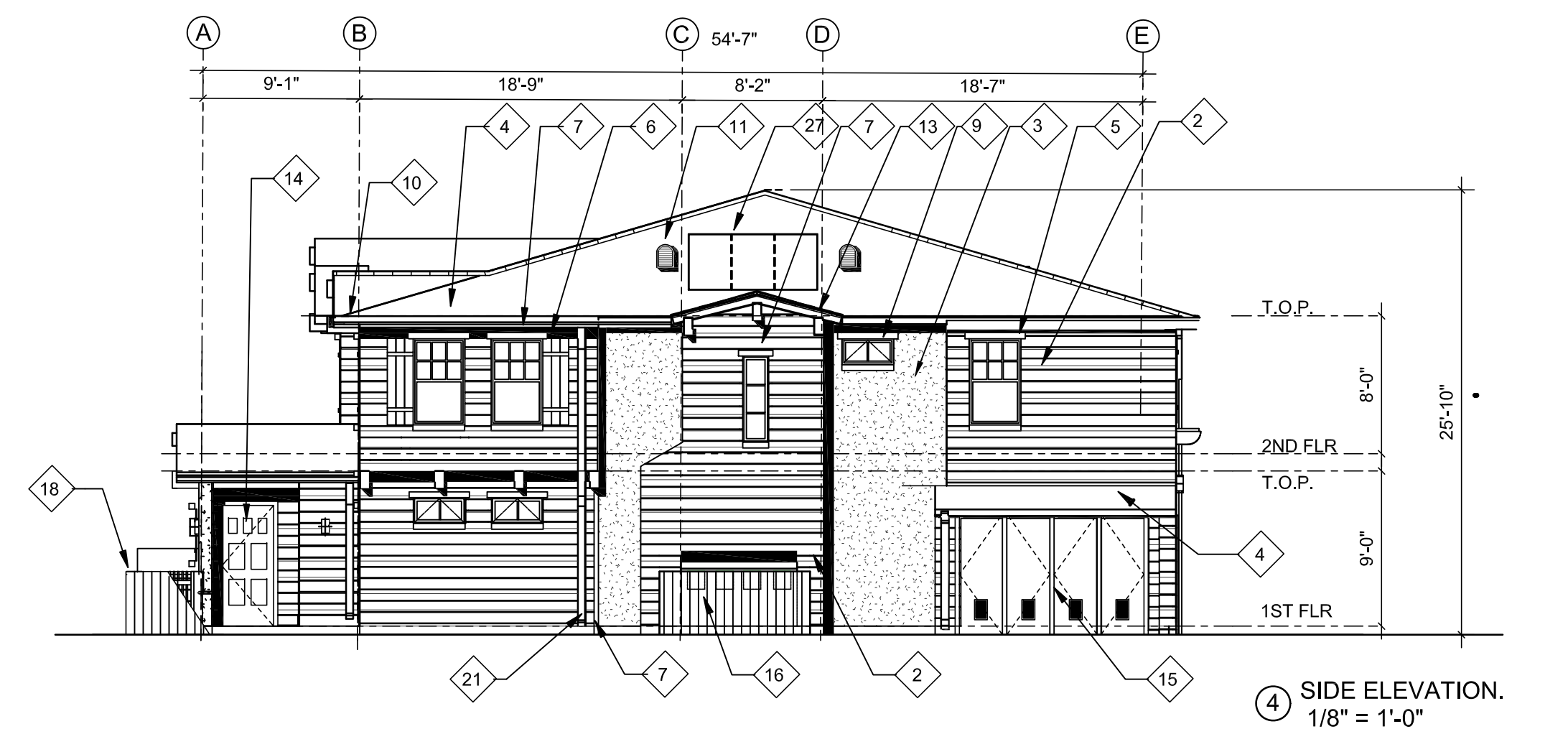
PARTIAL GRND PLAN
1/8" = 1'-0"



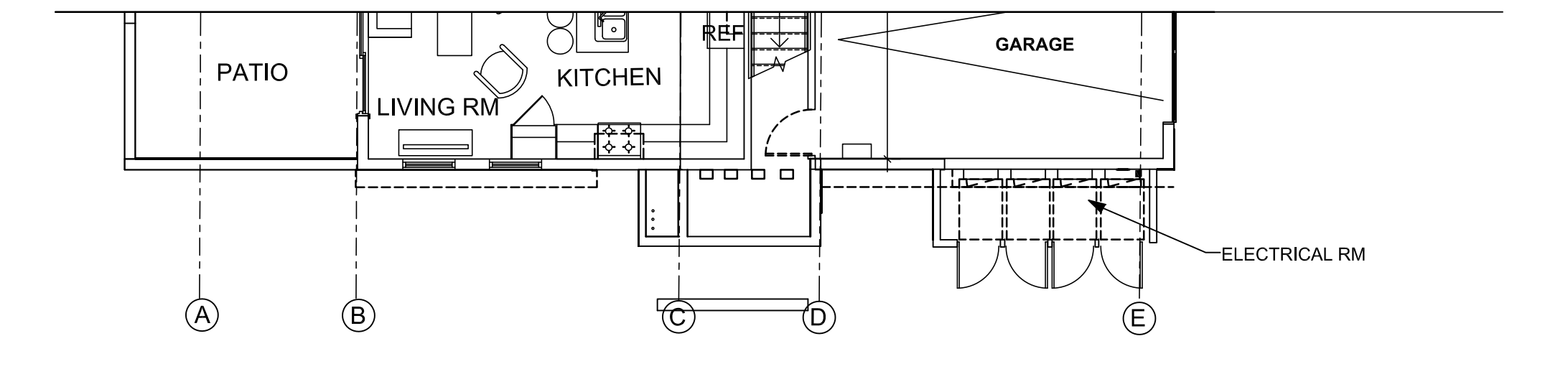
2 REAR ELEVATION.
1/8" = 1'-0"



PARTIAL GRND PLAN
1/8" = 1'-0"



4 SIDE ELEVATION.
1/8" = 1'-0"

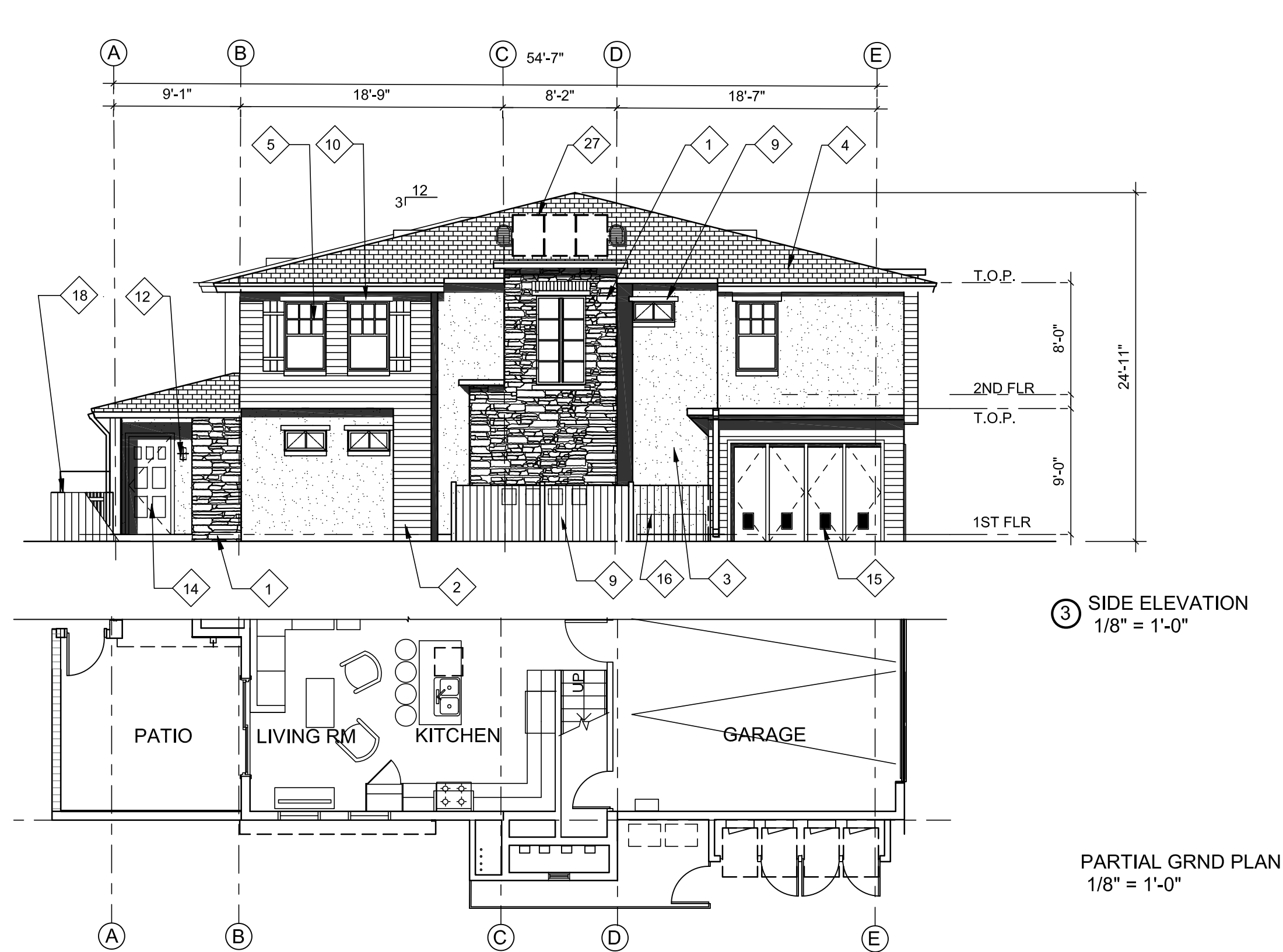


PARTIAL GRND PLAN
1/8" = 1'-0"

MATERIAL LEGEND

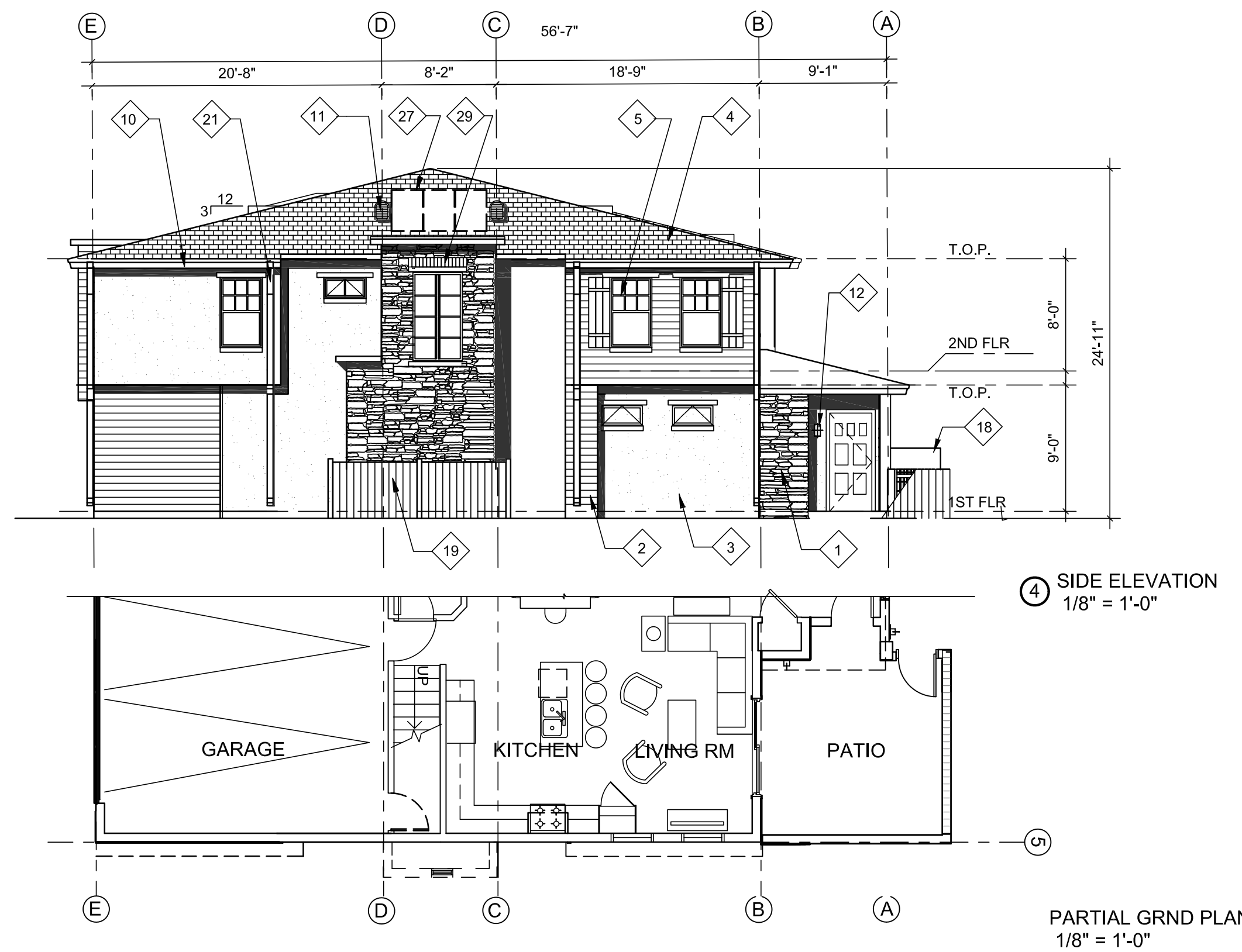
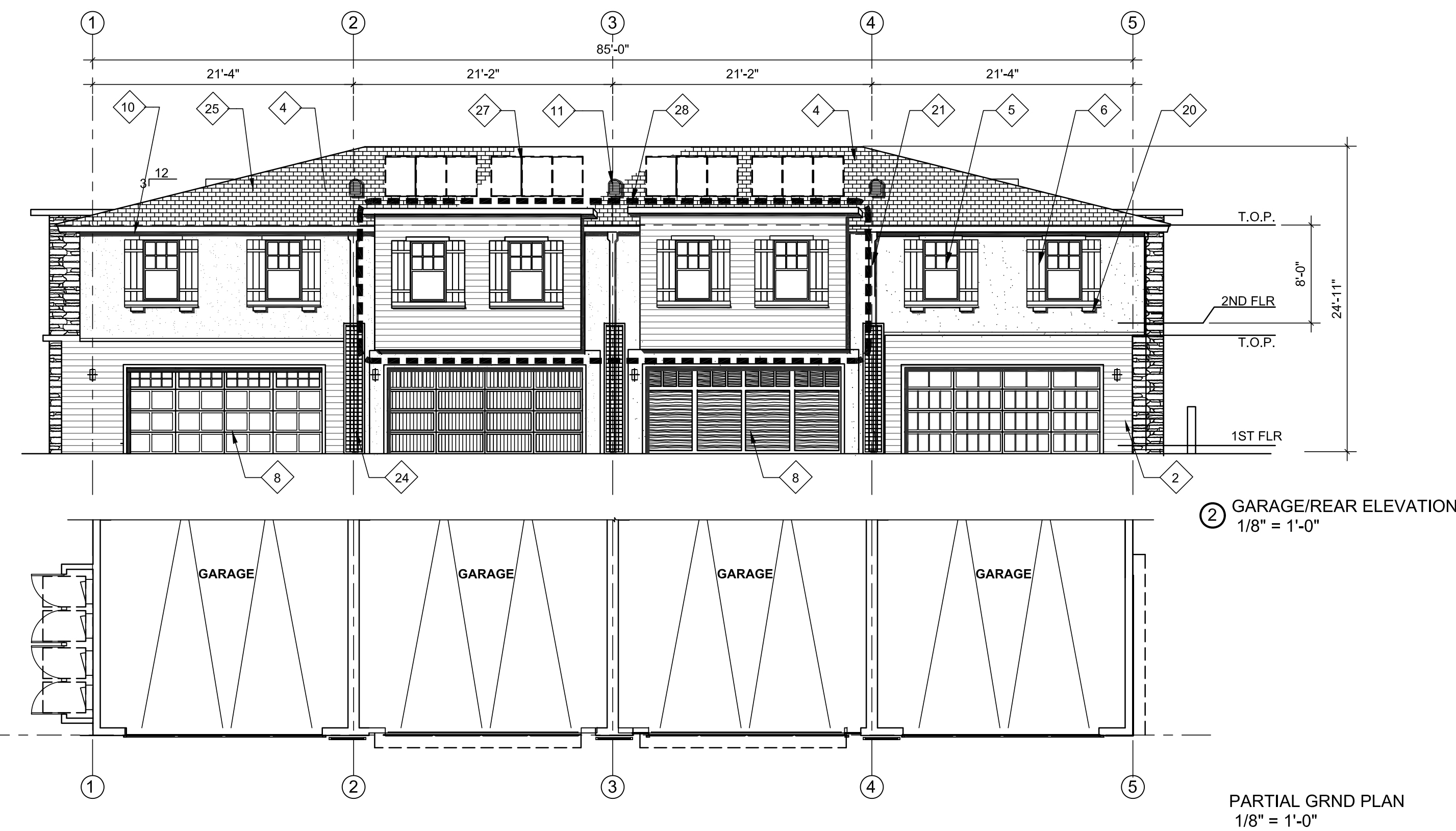
- 1 HARDI PLANK SCALLOPED SHINGLES, PAINTED
- 2 HARDI PLANK 6" SHIP LAPPED SIDING, PAINTED
- 3 EXTERIOR CEMENT PLASTER, PAINTED
- 4 4 TAB DIMENSIONAL COMPOSITE ROOF SHINGLES
- 5 SINGLE HUNG - VINYL DUAL GLAZED LOW E W/ FAUX DIVIDER LITE'S
- 6 COMPOSITE SHUTTER, PAINTED
- 7 COMPOSITE OR 1X WOOD TRIM , PAINTED
- 8 AUTOMATIC SECTIONAL METAL GARAGE DOOR, INSULATED, PAINTED
- 9 VINYL WINDOW, DUAL GLAZED, LOW E
- 10 2X8 WOOD FASCIA, PAINTED
- 11 G.I. LOUVERED ATTIC VENT W/ BIRD SCREEN, PAINTED
- 12 DECORATIVE / EXTERIOR LED ENTRY LIGHT FIXTURE, PERIOD SPECIFIC
- 13 WOOD BEAM, PAINTED
- 14 WOOD ENTRY DOOR W/ RAISED PANELS WITH UPPER LITES
- 15 ELECTRICAL ENCLOSURE W/ HOLLOW METAL DOORS, PAINTED W/ VENTS
- 16 GAS METER ALCOVE BEYOND
- 17 LOW VINYL FENCE
- 18 VINYL FENCE AT PATIO
- 19 GALVANIZED METAL LOUVERED ATTIC VENT W/ BIRD SCREEN, PAINTED
- 20 FIBER GLASS CORBEL WITH FAUX WOOD APPEARANCE PAINTED
- 21 20 GA. G.I. DOWNSPOUTS AND GUTTERS, PAINTED
- 22 ADDRESS PLAQUE, TBD
- 23 DECORATIVE GATE
- 24 GREEN SCREEN
- 25 6X10 WINDOW LEDGE, PAINTED
- 26 DUAL PANE FAUX DIVIDER, VINYL SLIDING GLASS DOORS, LOW E.
- 27 SOLAR FIELD AS PROVIDED BY SOLAR PROVIDER
- 28 EXTERIOR ELEVATION OPTION - C REFER TO SCHEME B FOR CHANGE OF ELEVATIONS.

Attachment: Project Plans [Revision 2] (5786 - Cottonwood Village Residential Project TTM34544)



MATERIAL LEGEND

- 1 EL CORONADO STONE VENEER
- 2 HARDI PLANK 6" V GROOVE SIDING, PAINTED
- 3 EXTERIOR CEMENT PLASTER, PAINTED
- 4 4 TAB DIMENSIONAL COMPOSITE ROOF SHINGLES
- 5 SINGLE HUNG - VINYL DUAL GLAZED LOW E W/ FAUX DIVIDER LITES
- 6 COMPOSITE SHUTTER, PAINTED
- 7 COMPOSITE OR 1X WOOD TRIM, PAINTED
- 8 AUTOMATIC SECTIONAL METAL GARAGE DOOR, INSULATED, PAINTED -TYPICAL. STYLE VARIES.
- 9 VINYL WINDOW, DUAL GLAZED, LOW E WITH FAUX DIVIDED LITES
- 10 2X8 WOOD FASCIA, PAINTED
- 11 G.I. LOUVER ATTIC VENT W/ BIRD SCREEN, PAINTED
- 12 DECORATIVE / EXTERIOR LED ENTRY LIGHT FIXTURE, PERIOD SPECIFIC
- 13 NOT USED
- 14 WOOD ENTRY DOOR W/ RAISED PANEL UPPER VISION LITES
- 15 ELECTRICAL ENCLOSURE W/ HOLLOW METAL DOORS, PAINTED W/ VENTS
- 16 GAS METER ALCOVE BEYOND
- 17 LOW VINYL WALL AT PATIO, 4 FEET HIGH.
- 18 VINYL FENCE PATIO DIVIDER, 6 FEET HIGH, PAINTED
- 19 GALVANIZED METAL LOUVERED ATTIC VENT W/ BIRD SCREEN, PAINTED
- 20 FIBER GLASS CORBEL WITH FAUX WOOD APPEARANCE, PAINTED.
- 21 20 GA. G.I. DOWNSPOUTS AND GUTTERS, PAINTED
- 22 ADDRESS PLAQUE, TBD
- 23 DECORATIVE VINYL GATE
- 24 GREEN SCREEN
- 25 6X10 PLANTER LEDGE, PAINTED
- 26 DUAL PANED GLAZED, FAUX DIVIDED LITES VINYL SLIDING GLASS DOORS, LOW E.
- 27 SOLAR FIELD AS DETERMINED BY SOLAR PROVIDER.
- 28 EXTERIOR ELEVATION OPTION "C" - REFER TO REFER SCHEME "A" FOR LOCATION.
- 29 SOLDIER COURSE STONE



Attachment: Project Plans [Revision 2] (5786 - Cottonwood Village Residential Project TTM34544)

CRAFTSMAN BUILDING A



Attachment: Project Plans [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)

CRAFTSMAN BUILDING A REAR



Attachment: Project Plans [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)

CRAFTSMAN BUILDING B

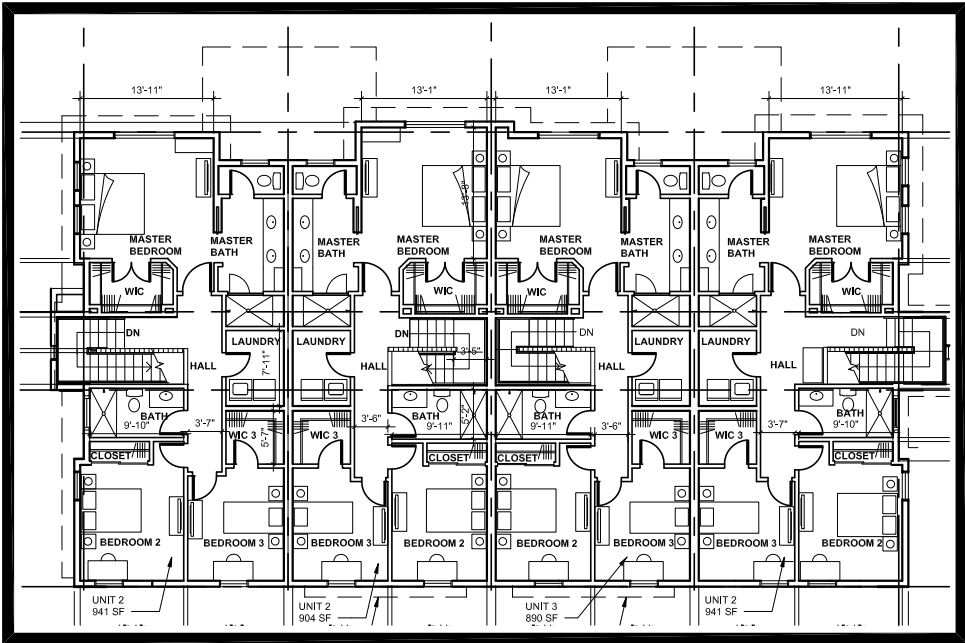
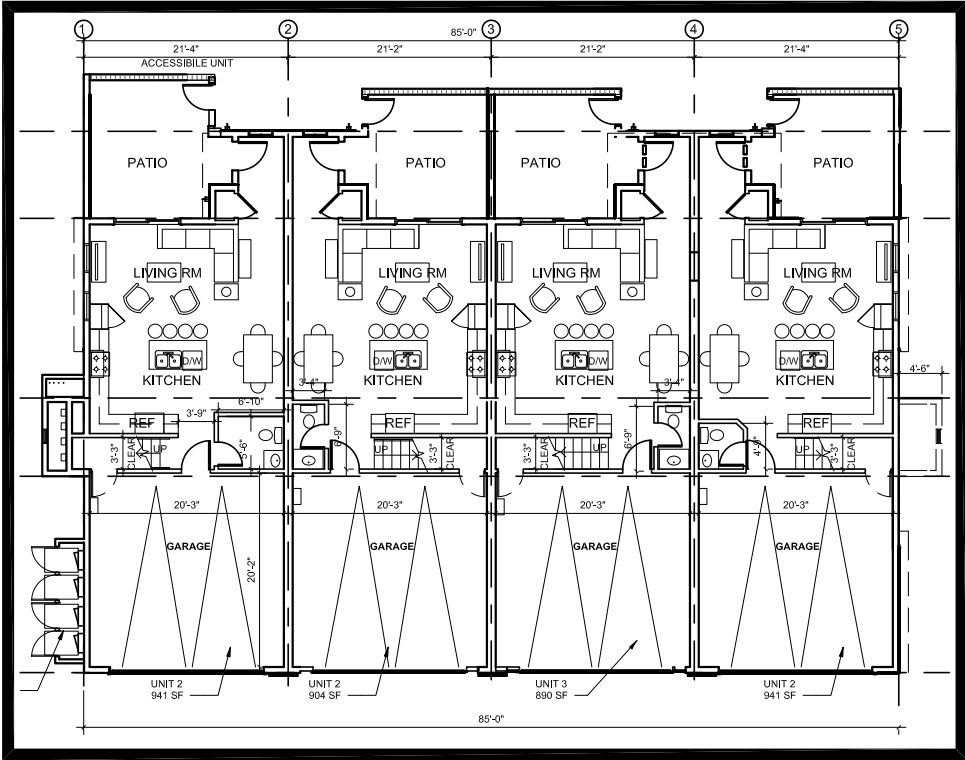


Attachment: Project Plans [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)

CRAFTSMAN BUILDING B REAR



Attachment: Project Plans [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)



Attachment: Project Plans [Revision 2] (5786 : Cottonwood Village Residential Project TTM34544)



1 LEASING OFFICE PERSPECTIVE 1



2 LEASING OFFICE PERSPECTIVE 2



3 LEASING SOUTH ELV...
1/8" = 1'-0"



5 LEASING EAST ELV..
1/8" = 1'-0"



4 LEASING NORTH ELV...
1/8" = 1'-0"



6 LEASING WEST ELV...
1/8" = 1'-0"

MATERIAL LEGEND

- 1 DECORATIVE GATE
- 2 HARDI PLANK 6" V GROOVE SIDING, PAINTED
- 3 EXTERIOR CEMENTIOUS PLASTER, PAINTED
- 4 3 TAB DIMENSIONAL COMPOSITE ROOF SHINGLES
- 5 SINGLE HUNG - VINYL DUAL GLAZED LOW E W/ FAUX DIVIDER LITE'S
- 6 COMPOSITE SHUTTER, PAINTED
- 7 COMPOSITE OR 1X WOOD TRIM , PAINTED
- 8 AUTOMATIC SECTIONAL METAL GARAGE DOOR, INSULATED, PAINTED
- 9 VINYL AWNING WINDOW, DUAL GLAZED, LOW E
- 10 2X8 WOOD FASCIA, PAINTED
- 11 G.I. LOUVER VENT W/ BIRD SCREEN, PAINTED
- 12 DECORATIVE / EXTERIOR LED ENTRY LIGHT FIXTURE, PERIOD SPECIFIC
- 13 20 GA. G.I. DOWNSPOUTS AND GUTTERS, PAINTED
- 14 WOOD ENTRY DOOR W/ RAISED PANEL AND VISION
- 15 ELECTRICAL ENCLOSURE W/ HOLLOW METAL DOORS, PAINTED W/ VENTS
- 16 GAS METER ALCOVE BEYOND
- 17 WOOD FRAMED LOW WALL W/ HARDI PLANK SIDING, PAINTED
- 18 HARDI PLANK 6" CAPPED PATIO DIVIDER, PAINTED
- 19 GALVANIZED METAL LOUVERED ATTIC VENT W/ BIRD SCREEN, PAINTED
- 20 ADDRESS PLAQUE, TBD
- 21 DUAL PANED GLAZED, FAUX DIVIDED LITES VINYL GLASS DOORS, LOW E
- 22 SOLDIER STONE
- 23 2x6 WOOD TRIM, PAINTED
- 24 4x WOOD BEAM, PAINTED
- 25 HARDI PLANK SCALLOP SIDING, PAINTED

COLOR LEGEND

- A LANDMARK, SOLARIS BLACK MOIRE
- B DE 6258, IVY GARDEN
- C DE 6256, TURTLE TRAIL
- D DE 6230, CENTER RIDGE
- E DE 6062, TEA BAG
- F DE 6171, SAND DOLLAR
- G WHITE
- H GREEN
- I MOCHA

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Cottonwood Village Project - Phone Call Follow-up

KD Kathleen Dale <kdalenmn@aol.com>

Tue 4/12/2022 3:38 PM

To: Kirt Coury



Warning: External Email – Watch for Email Red Flags!

Kirt - just recapping what we discussed on the phone this morning.

1. The initial study mentions a condominium plan. Please send me the condominium plan exhibit you mentioned on the phone, as well as any additional materials you may have that would help understand the intended phasing and responsibility for maintenance of various common areas (particularly the circulation elements, walls and gates).
2. The posted documents include only front and rear architectural elevations. Please provide a copy of the complete architectural plans. The primary need is an understanding of the building elevations and room configurations adjoining the existing established neighborhoods.
3. One of the main concerns for the adjoining residents is the termination of existing Tacoma, Bencliff and Birchwood/Watson on the west and north site boundaries. While the gates that are proposed will stop through traffic, they do not leave a long-term situation that accommodates turn around for emergency and service vehicles in the adjoining neighborhoods.
4. I also mentioned the flooding that occurred several years ago when the property owner erected berms in an effort to stop illegal dumping. The residents in the existing neighborhood to the north are understandably concerned about adequate drainage improvements.

I will submit a few comments on the CEQA document before Wednesday's deadline. As we discussed, these will relate to the apparent lack of focused burrowing owl surveys, and unique setting conditions related to hazards (natural gas transmission line and County fueling facility) and traffic (St. Christopher's).

Thank you,

Kathleen Dale
951-941-3883

Reply | Forward

Attachment: Public Comment (5786 : Cottonwood Village Residential Project TTM34544)

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Cottonwood Village CEQA Review Period?

KD

Kathleen Dale <kdalenmn@aol.com>

Wed 4/13/2022 12:26 PM

To: Kirt Coury



Warning: External Email – Watch for Email Red Flags!

Kirt - I was looking at the documents posted on the State Clearinghouse website and realized that the comment deadline for today reflects only a 20-day review period. I did not see any documentation indicating approval of a shortened review period.

Would you please clarify the review period and comment deadline?

Thank you,

Kathleen Dale

[Reply](#) | [Forward](#)

Attachment: Public Comment (5786 : Cottonwood Village Residential Project TTM34544)