



## Report to Planning Commission

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**TO:** The Planning Commission

**FROM:** Jennifer Lopez, Planner

**AGENDA DATE:** May 28, 2026

**TITLE:** **CONDITIONAL USE PERMIT (PEN25-0136)**

**TITLE SUMMARY:** Conditional Use Permit for the construction of an approximately 4,000 square-foot McDonald's building with drive-through, associated parking, landscape improvements, and a trash/recycle enclosure.

**DISTRICT:** District 2

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### **Recommendation(s)**

That the Planning Commission:

1. ADOPT Resolution No. 2026-05

a) DETERMINING that Conditional Use Permit PEN25-0136 is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) and CEQA Guidelines as a Class 32 Exemption (In-Fill Development), in accordance with CEQA Guidelines Section 15332; and

b) APPROVING Conditional Use Permit PEN25-0136, subject to the attached conditions of approval included as Exhibit A of Resolution No. 2026-05 and as shown on the approved plan.

### **SUMMARY**

McDonald's USA, LLC ("Applicant") is requesting approval of a Conditional Use Permit (PEN25-0136), for the construction of an approximately 4,000 square-foot McDonald's building with dual drive-through queuing lanes for 14 vehicles, one (1) payment window, two (2) presenter windows, associated parking, landscape improvements, and a

trash/recycle enclosure on a 1.30 gross-acre parcel (“Proposed Project”), situated on the northwest corner of Pigeon Pass Road and Ironwood Avenue (APN: 264-030-025)(“Project Site”), within the Community Commercial (CC) zone.

## **DISCUSSION**

### **Project Description**

The Applicant is requesting approval of a Conditional Use Permit (PEN25-0136), to demolish an existing commercial building and to construct an approximately new 4,000 square-foot commercial building (McDonald’s) with a drive-through, associated parking and landscape improvements on a 1.30 gross-acre parcel, situated on the northwest corner of the intersection of Pigeon Pass Road and Ironwood Avenue (APN: 264-030-025), within the Community Commercial (CC) zone.

An eating and drinking establishment with a drive-through, located within 300 feet of a residential zone or use, is permitted in the Community Commercial zone, subject to the approval of a Conditional Use Permit. The Conditional Use Permit is required to ensure that the drive-through/fast-food restaurant does not result in an adverse impact on the surrounding neighborhood.

The Proposed Project will have a vehicle lane drive-through with one (1) payment window and two (2) presenter windows. The drive-through will consist of two (2) queuing lanes, with capacity to accommodate up to 14 vehicles, merging at the service window. The two (2) drive-through lanes will each consist of one (1) menu board and one (1) order box. In addition, a bypass lane and “pull forward” stalls will be included to minimize queuing length and time. The proposed ordering process has been designed to minimize noise impacts and reduce vehicle idling at menu boards. The Proposed Project’s Business hours of operation would include both drive-through lanes and an indoor dining area, operating 24 hours a day, seven days a week.

### **Site and Surrounding Area**

The 1.30 gross-acre Project Site is located within an established commercial shopping center. The Project Site is currently developed with an existing commercial building and associated parking lot. The Project Site is surrounded by commercial retail development to the north and west and residential to the east and south. The Project Site is zoned Community Commercial (CC). The surrounding areas are zoned CC to the north and west, and Residential 5 District (R5) to the east and south.

### **Access/Parking**

The Project Site is located within a commercial shopping center with two (2) existing driveways, providing shared vehicular access from both Pigeon Pass Road and Ironwood Avenue. Both existing driveways will allow vehicle access to the drive-through lane to the north, wrapping around the west and southern property lines, and then to the drive-through service window located along the southern side of the building. Pedestrian

walkways will be provided throughout the Project Site to ensure adequate pedestrian circulation. The Project Site will consist of two (2) ADA-compliant paths of travel, one within the parking lot and the second one from the existing sidewalk along Ironwood Avenue. Pedestrian access to the Project Site will include new walkways and ramps, including a new walkway along the Proposed Project's storefront to the existing sidewalk along Ironwood Avenue.

To optimize the layout and circulation, the Proposed Project Site will redevelop the parking area to include thirty (30) standard, six (6) EV-capable, two (2) EV-charging, and two (2) accessible parking spaces, for a total of forty (40) parking spaces. The proposed parking lot layout features two-way aisles that follow the existing commercial center parking lot circulation, facilitating orderly movement throughout the plaza. The parking will continue to serve the shopping center's needs and meet the City's parking requirements for eating and drinking establishments. The Proposed Project requires a total of 10 vehicle parking spaces. The Proposed Project, as designed, satisfies the City's parking requirements of the Municipal Code.

### Design/Landscaping

The Proposed Project is located within an existing commercial shopping center. The architecture utilizes a variety of high-quality building materials, with neutral colors, a yellow McDonald's Logo, and similar roof tiles to provide cohesiveness within the existing commercial center. The building incorporates a combination of materials, including stone veneer, smooth stucco, and metal/composite panels, to create visual interest and architectural variation. The proposed building includes canopy awnings at the entrances and payment and presentation windows. The building features enhanced design elements, including a tower, wall articulation, and materials that are compatible with the surrounding development. The Proposed Project will include a trash and recycling enclosure with a roof cover, painted to match the proposed building's architecture and design.

The Proposed Project will include street trees, shade trees, shrubs, and drought-tolerant landscape within the two (2) on-site bioretention facilities. Landscape improvements within the shared parking lot will include new landscape planters with required shade trees and shrubs, all of which will complement the existing landscape treatments within the shopping center. The Proposed Project has been designed to meet and exceed the required design and landscape standards and objectives of the Municipal Code.

Site lighting will be provided at the Project Site for the safety and security of all customers, pedestrians, and employees. Outdoor lighting and illumination at the site will include parking lot security lighting and pedestrian-scale lighting along the pedestrian pathway. Exterior building lighting will also be installed on the building façade. The drive-through area will be provided with security lighting. All lights will include shields to direct light toward the project site and prevent glare from affecting adjacent land uses and rights-of-way.

### Status of Civil Litigation

The attached Eviction/Ejection and Unlawful Detainer Judgments orders the eviction of Jose's Mexican Restaurant, et al. The Court also ordered the tenant to pay approximately \$33,000 in attorney's fees and holdover damages to the landlord.

Although the tenant may appeal the judgment, it is not a legitimate legal reason to put the pending application on hold which could expose the City to potential litigation over a due process claim. Of course, this does not mean that the City must approve the project if there are appropriate legal findings to deny it.

## **REVIEW PROCESS**

As part of the standard review process, all appropriate outside agencies have considered the Proposed Project. The Proposed Project's application materials were circulated and reviewed by all appropriate City Departments and Divisions. Following subsequent revisions and staff review, the Project was deemed complete.

Pursuant to Section 9.02.020 (Conditional Use Permits) of Chapter 9.02 (Permits and Approvals) of Title 9 (Planning and Zoning) of the Municipal Code, the Planning Commission must make the following findings before approving in whole or in part the subject CUP:

1. That the Proposed Project is consistent with the goals, objectives, policies and programs of the General Plan;
2. That the Proposed Project complies with all applicable zoning and other regulations;
3. That the Proposed Project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
4. The location, design and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

## **ENVIRONMENTAL**

The Proposed Project has been evaluated in compliance with the criteria set forth in the California Environmental Quality Act (CEQA) and CEQA Guidelines. The Proposed Project was found to be categorically exempt from the provisions of CEQA under CEQA Guidelines Section 15332 for In-Fill Development (Class 32 Exemption). Pursuant to the California Code of Regulations, a Class 32 Exemption can be applied to a project since: 1) the Proposed Project is consistent with the applicable General Plan designation and policies and all applicable zoning designation and regulations and applicable policies; 2) the Project Site is no more than five acres in size substantially surrounded by urban uses; 3) the Project Site has no value, as habitat for rare, threatened or endangered species; 4) the Proposed Project will not result in any significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site can be adequately served by all required utilities and public services.

## **NOTIFICATION**

Consistent with the Moreno Valley Municipal Code provisions and exceeding the posting and distance requirement of applicable state law, a public notice was sent to all property owners of record within 600 feet of the Project Site, and notices were posted on the Project Site and published in the Press Enterprise Newspaper, at least 10 days prior to the public hearing. As of the preparation of this Staff Report, several public comments (attached to the staff report) have been received by Staff regarding the Proposed Project.

## **PREPARATION OF STAFF REPORT**

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## Report Approval Details

Document Title:	STAFF REPORT_PEN25-0136 - RK [sbq] 05-18-26.docx
Attachments:	<ul style="list-style-type: none"><li>- RESOLUTION_PEN25-0136 - 05-21-2026.docx</li><li>- PEN25-0136 Draft COA's - 05-18-26.pdf</li><li>- PLAN SET_PEN25-0136.pdf</li><li>- McDonalds Project - Unlawful Detainer Judgment.pdf</li><li>- McDonalds Project - Eviction - Ejectment Judgment.pdf</li><li>- 05.28.26 PEN25-0136 Public Comments.pdf</li><li>- PEN25-0136_Revised CEQA 15332 Justification Memo_2026.03.24.pdf</li></ul>
Final Approval Date:	May 21, 2026

This report and all of its attachments were approved and signed as outlined below:

Sergio Madera

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