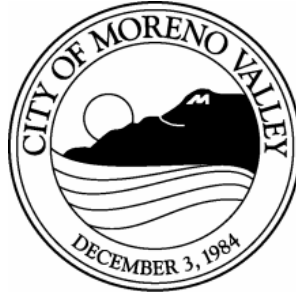

PLANNING COMMISSIONERS

JEFFREY SIMS
Chairperson

RAY L. BAKER
Vice Chairperson

PATRICIA KORZEC
Commissioner



ALVIN DEJOHNETTE
Commissioner

JOANN STEPHAN
Commissioner

ROBERT HARRIS
Commissioner

RAFAEL BRUGUERAS
Commissioner

PLANNING COMMISSION

Regular Meeting

Agenda

Thursday, June 27, 2019 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 all will be enacted by one roll call vote. There will be no discussion of these items unless members of the Planning Commission request specific items be removed from the Consent Calendar for separate action.

- 1. Planning Commission Minutes – Regular Meeting – May 23, 2019 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 Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

NON-PUBLIC HEARING ITEMS

None

PUBLIC HEARING ITEMS

1. Case: PEN19-0005
Applicant: Nader Awad
Property Owner: David S. Moody
Representative: Nader Awad
Location: 12199 Heacock Street, Units 2 and 3
Case Planner: Dina Lomeli
Council District: 1
Proposal: Conditional Use Permit to allow a retail cannabis dispensary, "Empire Gardens" in a 2,358 square foot retail space located at 12199 Heacock Street, Units 2 and 3.

2. Case: PEN19-0004
Applicant: Robert Vermeltfoort
Property Owner: Fritz Duda
Representative: Robert Vermeltfoort
Location: Towngate Community Shopping Center, southwest corner of State Route 60 off-ramp and Frederick Street
Case Planner: Jeff Bradshaw
Council District: 1
Proposal: Conditional Use Permit for a 2,479 square foot, coffee shop with a drive-through located on an existing pad within the Towngate Community Shopping Center. The property is currently zoned Specific Plan 200 Commercial Use (SP 200 C).

3. Case: PEN18-0262
Applicant: J. Michael Poura
Property Owner Day Street Investment Holdings, LLC
Representative J. Caesar Aguilar
Location: 12125 Day Street, Building "L"
Case Planner: Jeff Zwack
Council District: 2
Proposal Conditional Use Permit for a retail cannabis dispensary, "California Green World," in a 5,100 square foot retail space located at 12125 Day Street, Building L, within the Canyon Springs shopping center.

OTHER COMMISSION BUSINESS

None

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting, July 11, 2019 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
May 23, 2019**

CALL TO ORDER

This Regular meeting of the planning Commission of the City of Moreno Valley was called to order at 7: 06 p.m., by Chairperson Sims in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

ROLL CALL

Planning Commission:	Jeffrey Sims	Chairperson	Present
	Ray L. Baker	Vice Chairperson	Present
	Patricia Korzec	Commissioner	Present
	Robert Harris	Commissioner	Present
	JoAnn Stephan	Commissioner	Present
	Rafael Brugueras	Chairperson	Absent
	Alvin DeJohnette	Commissioner	Present

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Chairperson Baker.

APPROVAL OF AGENDA

Motion to approve the agenda was made by Vice Chairperson Baker and seconded by Commissioner Korzec.

Vote: 6-1
Ayes: Vice Chairperson Baker, Commissioner Korzec, Harris, Stephan, Chairperson Sims and Commissioner DeJohnette
Absent: Rafael Brugueras
Action: **Approved**

STAFF PRESENT

Paul Early	City Attorney
Chris Ormsby	Senior Planner
Sean Kelleher	Senior Planner
Dina Lomeli	Contract Planner
Henry Ngo	Capital Projects Division Manager
Eric Lewis	City Traffic Engineer
Michael Lloyd	Assistant City Engineer
Doug Bloom	Assistant Fire Marshal
Michael Koehler	Lt. Administration/Division Commander
Ashley Aparicio	Planning Commission Secretary

PUBLIC COMMENTS PROCEDURE

PUBLIC COMMENTS

No public speakers.

CONSENT CALENDAR

1. Planning Commission Minutes- Regular Meeting - Apr 25, 2019 7:00 PM

Motion to approve the minutes of April 25, 2019 was made by Vice Chairperson Baker and seconded by Commissioner Harris.

Vote: 6-1
Ayes: Vice Chairperson Baker, Commissioner Harris, Korzec, Stephan, Chairperson Sims and Commissioner DeJohnette
Absent: Rafael Brugueras
Action: **Approved**

NON-PUBLIC HEARING ITEMS

1. Review of the Capital Improvement Plan Fiscal Years 2019/20 - 2020/21, and finding of conformance with the City's General Plan (Report of: Planning Commission)
 - A. Staff recommends that the Planning Commission APPROVE Resolution No. 2019-28, and thereby find that the Proposed Capital Improvement Plan for Fiscal Years 2019/20–2020/21 is in conformance with the City of Moreno Valley's General Plan.

Public Comments:

Brandon Carn requested the priorities of some major interchanges and streets in the Capital Improvement Plan be re-evaluated and the document be re-circulated prior to going before the City Council. Mr. Carn identified that the Redland Boulevard street and bridge improvements should be a priority over Theodore Street and Gilman Springs Road bridge improvement projects; unimproved streets within Edgemont should be improved; and additional improvements on Sunnymead Boulevard should be provided.

Motion to approve Resolution Number 2019-28 was made by Vice Chairperson Baker and seconded by Commissioner Korzec.

Vote: 6-1
Ayes: Vice Chairperson Baker, Commissioner Korzec, Harris, Chairperson Sims, Commissioner Stephan and DeJohnette

Minutes Acceptance: Minutes of May 23, 2019 7:00 PM (CONSENT CALENDAR)

Absent: Rafael Brugueras
Action: **Approved**

PUBLIC HEARING ITEMS

1. Conditional Use Permit Application for a Retail Cannabis Dispensary "Empire Gardens," located at 12199 Heacock Street, within an existing commercial center. (Report of: Planning Commission)
 - A. Staff recommends that the Planning Commission approve Resolution No. 2019-27, and thereby:
 1. Certify that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1) Existing Facilities; and
 2. Approve PEN19-0005 Conditional Use Permit subject to the attached Conditions of Approval included as Exhibit A.

Public Hearing Opened: 7:53 p.m.

Public Comments

Michael Warren opposed the item.
Thomas Behrens opposed the item.
Bud Lappiro opposed the item.
Fred Robinson opposed the item.
David S. Moody supported the item.
Scott J. Logan supported the item.

Public Hearing Closed: 8:14 p.m.

Motion made to continue PEN19-0005 to the June 27, 2019 Planning Commission meeting was made by Commissioner Stephan and seconded by Vice Chairperson Baker in order for the applicant to obtain a Parking Study.

Vote: 6-1
Ayes: Commissioner Stephan, Vice Chairperson Baker, Commissioner Korzec, Harris, Chairperson Sims, and Commissioner DeJohnette
Absent: Rafael Brugueras
Action: **Approved**

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

No items for discussion.

PLANNING COMMISSIONER COMMENTS

No items for discussion.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairperson Sims adjourned the meeting at 8:39 PM.

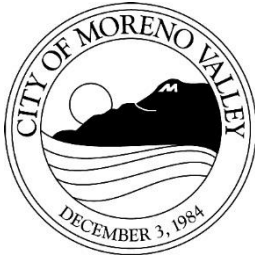
Submitted by:

Approved by:

Ashley Aparicio
Planning Commission Secretary

Jeffrey Sims
Chairperson

Minutes Acceptance: Minutes of May 23, 2019 7:00 PM (CONSENT CALENDAR)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: June 27, 2019

CONDITIONAL USE PERMIT FOR A RETAIL CANNABIS DISPENSARY IN A 2,358 SQUARE FOOT RETAIL SPACE LOCATED AT 12199 HEACOCK STREET

Case:	PEN19-0005
Applicant:	Nader Awad
Property Owner	David S. Moody
Representative	Nader Awad
Location:	12199 Heacock Street, Units 2 and 3
Case Planner:	Dina Lomeli
Council District:	1
Proposal	Conditional Use Permit to allow a retail cannabis dispensary, "Empire Gardens" in a 2,358 square foot retail space located at 12199 Heacock Street, Units 2 and 3.

SUMMARY

The applicant, Nader Awad of I. E. Gardens, submitted a letter on June 13, 2019 requesting the Planning Commission continue the June 27, 2019 hearing regarding Conditional Use Permit PEN19-0005 to the July 11, 2019 Planning Commission meeting. This continuance will allow the applicant additional time to complete the parking analysis for the project site.

BACKGROUND

The applicant is requesting approval to establish a commercial cannabis dispensary (retail sales only). The site is located at 12199 Heacock Street, units 2 and 3, within an existing commercial center located approximately 223 feet north of the intersection of Hemlock Avenue and Heacock Street (Assessor's Parcel Number 292-182-039). The tenant space is approximately 2,358 square feet. Proposed improvements include merging the two units into a single tenant space and constructing a customer waiting area with a secured showroom and sales area.

This project was originally presented at the May 23, 2019 Planning Commission meeting. At that meeting, at the request of the applicant, the Planning Commission continued consideration of the project to the June 27, 2019 Planning Commission meeting in order to allow the applicant time to prepare a parking analysis for the project site.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **CONTINUE** Conditional Use Permit PEN19-0005 to the July 11, 2019 Planning Commission Meeting.

Prepared by:
Sean P Kelleher

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

1. Letter from Applicant Requesting Continuance

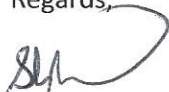
I.E. Gardens, INC.
12199 Heacock Street Suite 2,3
Moreno Valley, CA, 92557

June 13, 2019

Dear Moreno Valley Planning Department:

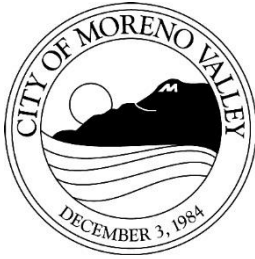
We would like a continuance to July 11 for Planning Commission instead of the June 27, 2019 date. We appreciate everyone involved in the process. If there are any questions or concerns, please don't hesitate to contact me at 909-534-5522.

Regards,



Shade Awad

Attachment: Letter from Applicant Requesting Continuance (3663 : PEN19-0005 - Empire Gardens)



PLANNING COMMISSION

STAFF REPORT

Meeting Date: June 27, 2019

CONDITIONAL USE PERMIT FOR A 2,479 SQUARE FOOT COFFEE SHOP WITH DRIVE-THROUGH LOCATED AT THE SOUTHWEST CORNER OF STATE ROUTE 60 OFF-RAMP AND FREDERICK STREET

Case:	PEN19-0004
Applicant:	Robert Vermeltoort
Property Owner	Fritz Duda
Representative	Robert Vermeltoort
Location:	Towngate Community Shopping Center, southwest corner of State Route 60 off-ramp and Frederick Street
Case Planner:	Jeff Bradshaw
Council District:	1
Proposal	Conditional Use Permit for a 2,479 square foot, coffee shop with a drive-through located on an existing pad within the Towngate Community Shopping Center. The property is currently zoned Specific Plan 200 Commercial Use (SP 200 C)

SUMMARY

The applicant Robert Vermeltoort is requesting approval of a Conditional Use Permit for the construction of a new 2,479 square foot, 24-hour coffee shop and drive-through, on an existing pad, Parcel 2 of Parcel Map 31781, located within the Towngate Community Shopping Center. The property is currently zoned Specific Plan 200 Commercial Use (SP 200 C). The project as designed and conditioned is consistent with the goals,

policies and objectives of the City's General Plan, as well as, the requirements of the Towngate Specific Plan and the City's Municipal Code.

BACKGROUND

On April 24, 2004, the Community Development Director approved Tentative Parcel Map 31781 and Amended Master Plot Plan P03-150 that relate to the proposed project site. Those prior entitlements created three new parcels and three building pads for future development of new retail/restaurant businesses in the Towngate Community Shopping Center. Since the approval of those entitlements, two of the three parcels have been developed. One was for the 6,760 square foot BJ's Restaurant and the other is home to a 5,535-square foot multi-tenant retail building whose tenants include Starbucks, Five Guys Burgers, and Yogurtland.

The third parcel, on which the currently proposed project would be constructed, was previously envisioned for a 7,000 square foot multi-tenant retail/restaurant building which was not constructed.

PROJECT DESCRIPTION

Project

The applicant, Robert Vermeltoort, is requesting approval of a Conditional Use Permit (CUP) to allow for construction of a new 2,479 square foot, 24-hour Starbucks coffee shop and drive-through on Parcel 2 of Parcel Map 31781, located within the Towngate Community Shopping Center. As noted above, Starbucks currently operates a store within the existing adjacent multi-tenant building. Upon completion of the new standalone building with drive-thru, it is expected that Starbucks would relocate from its current location to the new building.

Site

The project site is approximately 1.25-acres in area with level topography. The site was developed in 2004 with common area landscape, parking lot improvements and a building pad for a future retail/restaurant use as detailed in Amended Master Plot Plan P03-150.

The proposed site design for the new building and drive-thru lane places the new facilities in such a manner as to fit within the confines of the existing pad. This design maintains existing site circulation to avoid potential conflict with the operations of established businesses within the shopping center. Entrances to the new building will be located on the south and east side of the building with a small outdoor patio provided adjacent to the easterly entrance. The drive-thru window is located on the west side of the building and is not visible from the intersection of State Route 60 off-ramp and Frederick Street.

The project as designed and conditioned is consistent with the previous development concept of Amended Master Plot Plan P03-150, the requirements of the Towngate Specific Plan and the City's Municipal Code. The project satisfies the findings for a Conditional Use Permit, as stated in the resolution attached to this report.

Surrounding Area

The project site is located within the Towngate Community Shopping Center adjacent to the intersection of State Route 60 off-ramp and Frederick Street. Existing development includes State Route 60 to the north; commercial uses to the west and to the east across Frederick Street; and a combination of commercial and residential uses to the south.

Access/Parking

The main access to the project site will be from Frederick Street and Centerpointe Drive via existing driveways. The proposed use requires 25 parking stalls. This requirement is met through use of available on-site parking along with construction of eight new spaces directly adjacent to the new building site. The proposed drive-thru facility has been designed to accommodate queuing of 12 vehicles, which is greater than the Municipal Code minimum requirement of eight vehicles.

Design/Landscaping

The proposed 2,479-square foot, single-story restaurant building of has been designed to incorporate a contemporary architectural design that includes a stucco finish with brick veneer around the base of the building and corrugated metal panels on the tower feature above the drive-through pick-up window. Additionally, architectural features including metal canopies at the entrances, metal awnings over the windows, and accent lighting are proposed.

Proposed landscaping on-site will consist of drought tolerant materials that are compatible with the existing shopping center. Existing landscaping improvements installed as part of the previous development of the site area will be preserved in place.

Pursuant to the requirements of the Municipal Code Section 9.02, Permitted Uses Table 9.02.020, restaurants with a drive-through require a Conditional Use Permit when a project site is located within 300 feet of residential zoning or uses.

REVIEW PROCESS

This project was reviewed by staff at the January 8, 2019 Pre-Project Review Staff Committee (Pre-PRSC) meeting. Following subsequent revisions and review by staff, the project was determined to be complete with a recommendation to approve the project as designed and conditioned.

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed this project on January 8, 2019. The applicant has worked with staff, and modified the plans to be consistent with the development standards of the Municipal Code. Based on staff's review, it was determined that the project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

City staff has completed an independent review of the potential environmental impacts of the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines and has determined the project does not have the potential for a significant effect on the environment, and qualifies for a Class 32 Categorical Exemption (Section 15332, In-fill Development Projects).

NOTIFICATION

The public hearing notice for this project was published in the local newspaper on June 14, 2019. Public notice was sent to all property owners of record within 300 feet of the project site on June 13, 2019. The public hearing notice for this project was posted on the project site on June 14, 2019.

As of the date of report preparation, staff has received no phone calls or correspondence in response to the noticing for this project.

REVIEW AGENCY COMMENTS

The project application materials were circulated for review by all appropriate City departments and divisions as well as applicable outside agencies. Throughout the review process, comments and proposed conditions of approval were provided in writing to the Applicant.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2019-29 and thereby:

1. **CERTIFY** that Conditional Use Permit PEN19-0004 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-fill Development Projects); and
2. **APPROVE** Conditional Use Permit PEN19-0004, subject to the attached Conditions of Approval included as Exhibit A.

Prepared by:
Jeffrey Bradshaw
Associate Planner

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

1. Resolution 2019-29 - Conditional Use Permit
2. Exhibit A to Resolution 2019-29 - Conditions of Approval
3. Aerial Map
4. Project Plans
5. Previously Approved Amended Master Plot Plan P03-150 and Parcel Map 31781
6. Public Hearing Notice
7. Radius Map

PLANNING COMMISSION RESOLUTION NO. 2019-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING PEN19-0004, A CONDITIONAL USE PERMIT FOR A 2,479 SQUARE FOOT COFFEE SHOP WITH DRIVE-THROUGH LOCATED AT THE SOUTHWEST CORNER OF SUNNYMEAD BOULEVARD AND FREDERICK STREET (ASSESSOR'S PARCEL NUMBER 291-570-029).

WHEREAS, on January 3, 2019, the applicant, Robert Vermeltoort, filed an application for the approval of Conditional Use Permit PEN19-0004, as described in the title of this Resolution; and

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

WHEREAS, upon completion of a thorough development review process the project was appropriately agendized and noticed for a public hearing before the Planning Commission of the City of Moreno Valley (Planning Commission); and

WHEREAS, the public hearing notice for this project was published in the local newspaper on June 14, 2019. Public notice was sent to all property owners of record within 300 feet of the project site on June 13, 2019. The public hearing notice for this project was also posted on the project site on June 14, 2019; and

WHEREAS, on June 27, 2019, the Planning Commission of the City of Moreno Valley conducted a hearing to consider the application; and

WHEREAS, on June 27, 2019, the Planning Commission of the City of Moreno Valley determined that the project 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

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

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

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

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

B. Based upon substantial evidence presented to the Planning Commission during the above-referenced meeting on June 27, 2019 including written and oral staff reports, and the record from the public hearing, the Planning Commission hereby specifically finds as follows:

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

FACT: The proposed use is consistent with the site's Commercial General Plan designation. The project will be located in a developed shopping center. As designed and conditioned, the proposed coffee shop/restaurant with a drive-through will be compatible with the goals, objectives, policies, and programs established within the General Plan.

General Plan Policy 2.4.1 states that the primary purpose of areas designated Commercial is to provide property for business purposes, including, but not limited to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services.

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

FACT: The property is currently zoned Commercial in the Towngate Specific Plan (SP 200). As designed and conditioned, the proposed Conditional Use Permit for a restaurant with a drive-through will comply with the requirements of the Specific Plan and with Chapter 9.04 Commercial Districts, Chapter 9.09.080 Drive-in, drive-through, fast food and take-out restaurants, and Chapter 9.16.150 Commercial Design Guidelines of the City's Municipal Code.

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

FACT: The proposed Conditional Use Permit PEN19-0004 will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

The proposed Conditional Use Permit as designed and conditioned will provide acceptable levels of protection from natural and man-made hazards to life, health, and property consistent with General Plan Goal 9.6.1. The project site is located approximately a quarter mile east of Fire Station No. 6. Therefore, adequate emergency services can be provided to the site consistent with General Plan Goal 9.6.2.

The proposed project as designed and conditioned will result in a development that will minimize the potential for loss of life and protect residents, workers, and visitors to the City from physical injury and property damage due to seismic ground shaking and flooding as provided for in General Plan Objective 6.1 and General Plan Objective 6.2.

The project as designed is consistent with the City's Municipal Code Section 9.09.080 200 Drive-in, drive-through, fast food and take-out restaurants and will satisfy all City requirements related to light and noise.

Based on planning staff's review of the project, the project would be exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines as provided for in Section 15332 (In-fill Development Projects).

4. **City Redevelopment Plan** – The project conforms with any applicable provisions of any city redevelopment plan.

FACT: In January 2011, the Governor of the State of California proposed statewide elimination of redevelopment agencies. State legislation was passed on June 29, 2011 prohibiting redevelopment agencies from engaging in new business and established timelines for dissolution of redevelopment agencies. For these reasons, the finding is no longer applicable. Even if redevelopment was still in place, the site is not within the boundaries of the City redevelopment plan.

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

FACT: The project is located within the Specific Plan 200 Commercial (SP200 C) zone within the Towngate Community Shopping Center. In cases of restaurants with drive-through's the Specific Plan defers to the City's Municipal Code which requires approval of a conditional use permit. The project as designed and

conditioned, the proposed project will be constructed and operated to be compatible with surrounding uses.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2019-29, and thereby:

- 1. **CERTIFY** that this item is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, CEQA Guidelines Section 15332 (In-fill Development Projects); and
- 2. **APPROVE** Conditional Use Permit PEN19-0004 based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

APPROVED this 27th day of June, 2019.

 Jeffrey Sims
 Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

 Patty Nevins, Planning Official
 Secretary to the Planning Commission

 City Attorney

Attachments:

Exhibit A: Conditions of Approval

Attachment: Resolution 2019-29 - Conditional Use Permit [Revision 5] (3642 : Conditional Use Permit for a 2,479 square foot coffee shop with a

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0004)

Page 1

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN19-0004)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division**

1. Conditional Use Permit PEN19-0004 has been approved for development of a 2,479 square foot restaurant with a drive-through on Parcel 2 of Parcel Map 31781. Required parking for this use is 25 parking spaces and the restaurant is approved to be open 24-hours per day, seven days per week.
2. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
4. 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)
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 the Towngate Specific Plan (SP 200). The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
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)

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0004)

Page 2

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.
10. 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.

Special Conditions

11. The follow Airport Land Use Commission Conditions of Approval apply to the project. Prior to the issuance of a grading permit, the applicant shall demonstrate to the City of Moreno Valley that the Airport Land Use Commission Conditions of Approval have been satisfied.

ALUC-1 Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

12. ALUC-2 The following uses shall be prohibited:
 - A. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - B. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - C. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities,

CONDITIONS OF APPROVAL

Conditional Use Permit (PEN19-0004)

Page 3

fly ash disposal, and incinerators).

D. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

13. "ALUC-3 The following disclosure notice shall be provided to all potential purchasers of the property and to any lessees of the structure (s) thereon, and shall be recorded as a deed of notice:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 1101 (b)(13)(A)."

14. ALUC-4 Any new aboveground detention or water quality basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
15. Drive-up or drive-through speaker system shall not be detectable above ambient noise levels beyond the property line boundaries, and shall not exceed fifty-five (55) dBA at any one time beyond the boundaries of the property line. (MC9.09.080 C.6 and 9.10.140)
16. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
17. One outdoor trash receptacle shall be provided shall be provided for every ten (10) required parking spaces, with a minimum of one receptacle provided to be located front portion of the site for use by patrons. (MC 9.09.080 C 5.)

Prior to Grading Permit

18. Prior to issuance of any grading permit, all Conditions of Approval and Airport Land Use Commission Conditions of Approval shall be printed on the grading plans.

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19. 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 parking and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
20. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee or provide documentation that the fee has been paid for this parcel.
21. 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).

22. 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. [apply to commercial and multi-family project, and major entry driveways for industrial]
23. 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:

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- a. The name (if applicable) and address of the development.
 - b. The developer's name, address, and a 24-hour emergency telephone number.
24. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.

Prior to Building Permit

25. Prior to issuance of any grading permit, all Conditions of Approval and Airport Land Use Commission Conditions of Approval shall be printed on the building plans.
26. 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.
27. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan or separate Planning 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)
28. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
- A. A three (3) foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and the drive-through or parking lot for screening.
 - B. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - C. Diamond planters shall be provided every 3 parking stalls.
 - D. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas. (or No sod shall be installed)
 - E. If street trees are missing, they shall be provided every 40 feet on center in the

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right of way.

F. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.

G. Enhanced landscaping shall be provided at all driveway entries and street corner locations. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.

H. Landscaping on three sides of any trash enclosure.

I. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site.

29. 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)
30. 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, which may include but not be limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
31. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, which may include Transportation Uniform Mitigation fees (TUMF), and shall include the City's adopted Development Impact Fees. (Ord)
32. Prior to or at building plan check submittal, the elevation plans shall include decorative lighting sconces on all sides of the buildings of the complex facing a parking lot, courtyard or plaza, or public right of way or open space to provide up-lighting and shadowing on the structures. Include drawings of the sconce details for each building within the elevation plans, approved by the Planning Division prior to building permit issuance.
33. Prior to issuance of building permits, the building plans shall show an electrical

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room on the interior of the building. A doghouse added to the exterior of the building for electrical equipment will not be approved and would not be consistent with the approved elevations for this project.

34. Prior to or at building plan check submittal, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval prior to the issuance of a building permit. 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)
35. Prior to issuance of building permits, screening details shall be addressed on the building plans for roof top equipment submitted for Planning Division review and approval through the building plan check process. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building.

Prior to Building Final or Occupancy

36. 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).
37. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.

COMMUNITY DEVELOPMENT DEPARTMENTBuilding Division

38. 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.
39. 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.

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40. Contact the Building Safety Division for permit application submittal requirements.
41. Any construction within the city shall only be completed between the hour of seven a.m. to seven p.m. Monday through Friday, excluding holidays and from eight a.m. to four p.m. on Saturday, unless written approval is obtained from the city building official or city engineer (Municipal Code Section 8.14.040.E).
42. Building plans for trash enclosure, with roof cover, shall be submitted for building department review, approvals, and permit issuance. Plans shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
43. The proposed development is subject to the payment of applicable processing fees as required by the City's current Fee Ordinance at the time a building permit application is submitted or prior to the issuance of permits as determined by the City.
44. 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.
45. 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. The current code edition is the 2016 CBC.
46. The proposed non-residential project shall comply with 2016 California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
47. 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 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
48. 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)
49. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.

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ECONOMIC DEVELOPMENT DEPARTMENT (EDD)

50. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
51. New Moreno Valley businesses may adopt a “First Source” approach to employee recruitment that gives notice of job openings to Moreno Valley residents for one week in advance of the public recruitment.
52. New Moreno Valley businesses are encouraged to hire local residents.
53. New Moreno Valley businesses are encouraged to provide a job fair flyer and/or web announcement to the City in advance of job recruitments, so that the City can assist in publicizing these events.
54. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”).

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

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

FIRE DEPARTMENT**Fire Prevention Bureau**

55. 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[1])
56. 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)
57. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire

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- Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
58. 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)
 59. 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.
 60. 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.
 61. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
 62. 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])
 63. 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)
 64. 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)
 65. Fire Flow letter shall be provided from EMWD stating that the flow meets or exceeds 1,500 GPM @ 20 PSI for 2 hour duration.

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PUBLIC WORKS DEPARTMENT**Land Development**

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) and any applicable Mitigation Measures issued by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
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. 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]
70. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. Rough grading w/ erosion control plan (prior to grading permit issuance);

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- b. Precise grading w/ erosion control plan (prior to grading permit issuance);
- c. As-Built revision for all plans (prior to Occupancy release).

Prior to Grading Plan Approval

71. 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.
72. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
73. 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. The plans shall clearly show that the developer has made every attempt to treat runoff, prior to the runoff reaching the BMPs, via site design and source control BMPs.
74. The developer shall pay all remaining plan check fees.
75. 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.
76. Any proposed trash enclosure shall include a solid cover (roof) and sufficient size for dual bin (one for trash and one for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building & Safety Division.

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77. 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.

Prior to Grading Permit

78. 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)]
79. For non-subdivision projects, a copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.
80. A digital (pdf) copy of all approved grading plans shall be submitted to the Land Development Division.
81. 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)]
82. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
83. The developer shall pay all applicable inspection fees.

Prior to Encroachment Permit

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

Prior to Building Permit

87. An engineered-fill certification, rough grade certification and compaction report shall

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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.

88. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Occupancy

89. All outstanding fees shall be paid.
90. 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.
91. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
92. For commercial, industrial and multi-family projects, in compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System (NPDES) as mandated by the Federal Clean Water Act, this project is subject to the following requirements:
- a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
 - i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
 - ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
 - b. Notify the Special Districts Division of the intent to request building permits 90 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]

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Special Districts Division

93. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
94. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.
95. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks & Community Services), Zone C (Arterial Street Lighting), and Landscape Maintenance District (LMD) 2014-02 Zone 01. All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C and an annual assessment for LMD 2014-02 Zone 01 for operations and capital improvements.

Prior to Building Permit

96. This project is conditioned for a proposed district to provide a funding source for the operation and maintenance of public improvements and/or services associated with new development in that territory. The Developer shall satisfy this condition with one of the options outlined below.
 - a. Participate in a special election for maintenance/services and pay all associated costs of the election process and formation, if any. Financing may be structured through a Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the City; or
 - b. Establish an endowment fund to cover the future maintenance and/or service costs.

The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the district has been or is in the process of being formed the Developer must inform the Special Districts Division of its selected financing option (a. or b. above). The option for participating in a special election requires 90 days to complete the special election process. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution.

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

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97. Prior to building permit (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide for, but not limited to, stormwater utilities services for the continuous operation, remediation and/or replacement, monitoring, systems evaluations and enhancement of on-site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, a funding source needs to be established. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org of its selected financial option for the National Pollution Discharge Elimination System (NPDES) program when submitting the application for the first building permit issuance (see Land Development's related condition). Participating in a special election the process requires a 90 day period prior to the City's issuance of a building permit. This allows adequate time to be in compliance with the provisions of Article 13D of the California Constitution. (California Health and Safety Code Sections 5473 through 5473.8 (Ord. 708 Section 3.1, 2006) & City of Moreno Valley Municipal Code Title 3, Section 3.50.050.)
98. This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for Public Safety services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the property owner shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district. The Developer must notify the Special Districts Division at 951.413.3480 or at specialdistricts@moval.org when submitting the application for building permit issuance to determine the requirement for participation. If the first building permit is pulled prior to formation of the district, this condition will not apply. If the condition applies, the special election will require a minimum of 90 days prior to issuance of the first building permit. This allows adequate time to be in compliance with the provisions of Article 13C of the California Constitution. (California Government Code Section 53313 et. seq.)

PARKS & COMMUNITY SERVICES DEPARTMENT

99. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services District Zone A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone 'A' charge for operations and capital improvements. Proof of such shall be supplied to Parks and Community Services upon Final Map and at Building Permits.

Aerial Map



Legend

- Public Facilities
 - Public Facilities
 - ★ Fire Stations
- Parcels
- ⊞ City Boundary
- ⊞ Sphere of Influence

315.5 0 157.74 315.5 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 6/13/2019

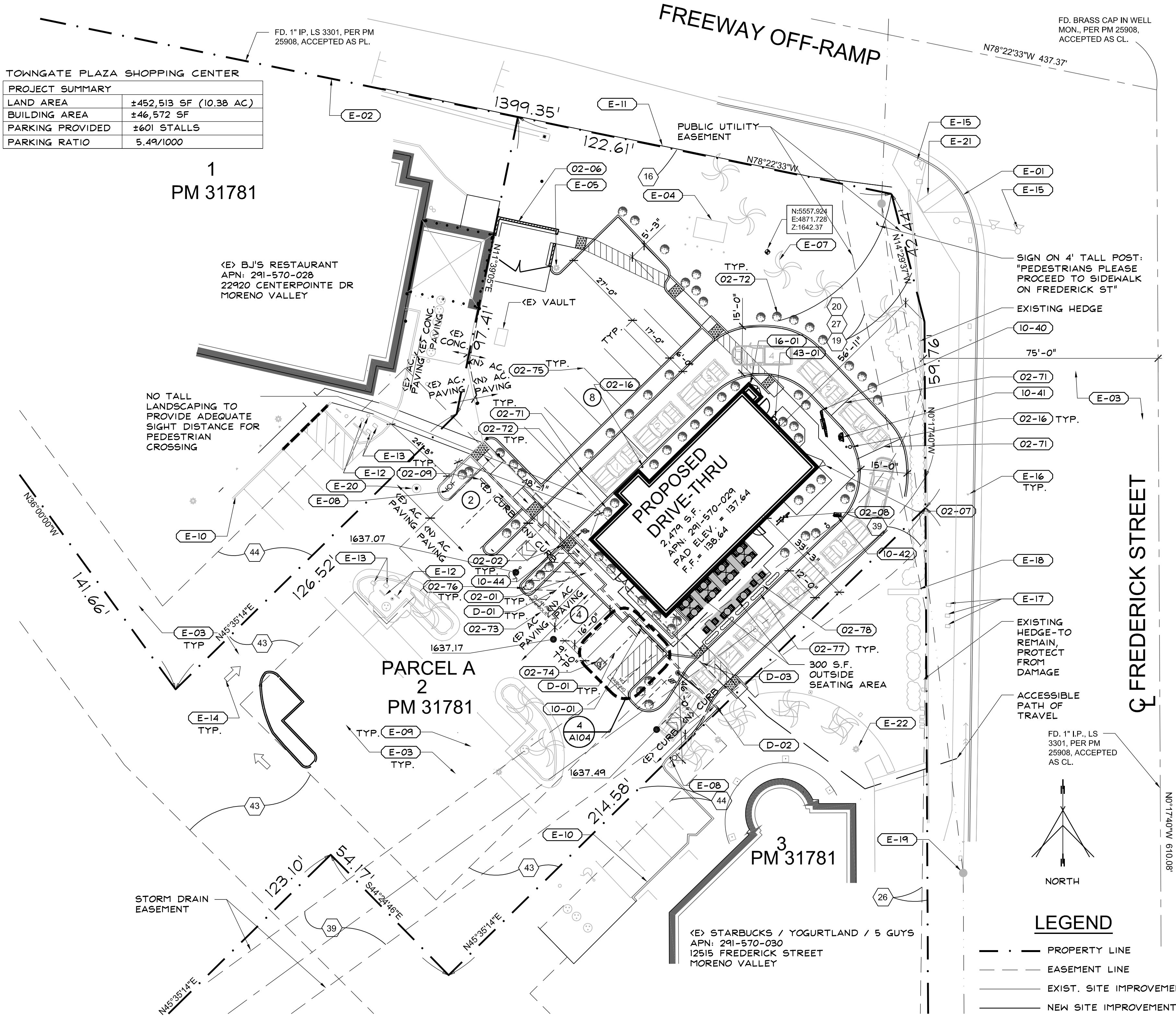
DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and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

Notes

PEN19-0004
APN: 291-570-029

Attachment: Aerial Map [Revision 1] (3642 : Conditional Use Permit for a 2,479 square foot coffee shop

- NO USES OF LAND, BUILDINGS OR STRUCTURES OTHER THAN THOSE SPECIFICALLY APPROVED PURSUANT TO THIS SITE PLAN SHALL BE PERMITTED.
- THE BACK FLOW DEVICE SHALL BE SCREENED BY LANDSCAPING OR SUCH OTHER MEANS AS MAY BE APPROVED.
- TREES SHALL BE MAINTAINED IN GOOD HEALTH. HOWEVER, TREES MAY NOT BE TRIMMED OR PRUNED TO REDUCE THE NATURAL HEIGHT OR OVERALL CROWN OF THE TREE, EXCEPT AS NECESSARY FOR THE HEALTH OF THE TREE & PUBLIC SAFETY OR AS MAY OTHERWISE BE APPROVED BY THE DEVELOPMENT DEPARTMENT.
- LANDSCAPING MUST BE IN PLACE BEFORE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
- PRIOR TO FINAL INSPECTION, A WRITTEN CERTIFICATION, SIGNED BY A LANDSCAPE PROFESSIONAL APPROVED BY THE DIRECTOR, SHALL BE SUBMITTED STATING THAT THE REQUIRED LANDSCAPING & IRRIGATION SYSTEM WAS INSTALLED IN ACCORDANCE W/ THE LANDSCAPING & IRRIGATION PLANS APPROVED BY THE PLANNING DIVISION, DEVELOPMENT DEPARTMENT.
- ALL ACCESSIBLE STALLS SHALL BE MARKED TO COMPLY W/ & MEET THE REQUIREMENTS OF CBC.
- LIGHTING WHERE PROVIDED TO ILLUMINATE PARKING, SALES OR DISPLAY AREAS SHALL BE HOODED & SO ARRANGED & CONTROLLED SO AS NOT TO CAUSE A NUISANCE EITHER TO HIGHWAY TRAFFIC OR TO THE LIVING ENVIRONMENT. THE AMOUNT OF LIGHT SHALL BE PROVIDED ACCORDING TO THE STANDARDS OF THE DEPARTMENT OF PUBLIC WORKS.
- SIGNS ARE NOT APPROVED FOR INSTALLATION AS PART OF THIS SPECIAL PERMIT. SUBMIT FOR SEPARATE SIGN REVIEW.
- ALL CONSTRUCTION WORK ON THIS PROJECT IS SUBJECT TO INTERRUPTION IF ROAD SYSTEM BECOMES IMPASSABLE FOR FIRE APPARATUS DUE TO RAIN OR OTHER OBSTACLES.
- ANY SURVEY MONUMENTS W/IN THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RESET BY A PERSON LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF CALIFORNIA.
- REPAIR ALL DAMAGED &/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO OCCUPANCY.
- CONTRACTOR SHALL GIVE THE CITY TWO WORKING DAYS NOTICE BEFORE COMMENCING EXCAVATION OPERATIONS W/IN THE STREET RIGHT-OF-WAY &/OR UTILITY EASEMENTS, ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICES ALERT (USA). CALL 1-800-642-2444.
- FIRE HYDRANTS SHALL BE TESTED & APPROVED & ALL SURFACE ACCESS ROADS SHALL BE INSTALLED & MADE SERVICEABLE PRIOR TO & DURING CONSTRUCTION.
- APPROVAL OF THIS SPECIAL PERMIT MAY BECOME NULL & VOID IN THE EVENT THAT DEVELOPMENT IS NOT COMPLETED IN ACCORDANCE W/ ALL THE CONDITIONS & REQUIREMENTS IMPOSED ON THIS SPECIAL PERMIT, THE ZONING ORDINANCE, & ALL PUBLIC WORKS STANDARDS & SPECIFICATIONS. THE CITY OF MORENO VALLEY SHALL NOT ASSUME RESPONSIBILITY FOR ANY DELETIONS OR OMISSIONS RESULTING FROM THE SPECIAL PERMIT REVIEW PROCESS OR FOR ADDITIONAL OR ALTERATIONS TO CONSTRUCTION PLANS NOT SPECIFICALLY SUBMITTED & REVIEWED & APPROVED PURSUANT TO THIS SPECIAL PERMIT OR SUBSEQUENT AMENDMENTS OR REVISIONS.
- FUTURE FENCES SHALL BE REVIEWED & APPROVED BY THE PLANNING & DEVELOPMENT DEPARTMENT PRIOR TO INSTALLATION.
- ALL ACCESSIBLE PARKING STALLS SHALL BE PLACED ADJACENT TO FACILITY ACCESS RAMPS OR IN STRATEGIC AREAS WHERE THE PERSONS W/ DISABILITIES SHALL NOT HAVE TO WHEEL OR WALK BEHIND PARKED VEHICLES WHILE TRAVELING TO OR FROM ACCESSIBLE PARKING STALLS & RAMPS.
- IF ARCHAEOLOGICAL &/OR ANIMAL FOSSIL MATERIAL IS ENCOUNTERED DURING PROJECT SURVEYING, GRADING, EXCAVATING, OR CONSTRUCTION, WORK SHALL STOP IMMEDIATELY.
- IF THERE ARE SUSPECTED HUMAN REMAINS, THE RIVERSIDE COUNTY CORONER SHALL BE IMMEDIATELY CONTACTED. IF THE REMAINS OR OTHER ARCHAEOLOGICAL MATERIAL IS POSSIBLY NATIVE AMERICAN IN ORIGIN, THE NATIVE AMERICAN HERITAGE COMMISSION (PHONE: (916) 653-4082) SHALL BE IMMEDIATELY CONTACTED & THE CALIFORNIA ARCHAEOLOGICAL INVENTORY/SOUTHERN SAN JOAQUIN VALLEY INFORMATION CENTER (PHONE: (805) 644-2289) SHALL BE CONTACTED TO OBTAIN A REFERRAL LIST OF RECOGNIZED ARCHAEOLOGISTS. AN ARCHAEOLOGICAL ASSESSMENT SHALL BE CONDUCTED FOR THE PROJECT, THE SITE SHALL BE FORMALLY RECORDED, & RECOMMENDATIONS MADE TO THE CITY AS TO ANY FURTHER SITE INVESTIGATION OR SITE AVOIDANCE/PRESERVATION.
- IF ANIMAL FOSSILS ARE UNCOVERED, THE MUSEUM OF PALEONTOLOGY, U.C. BERKELEY SHALL BE CONTACTED TO OBTAIN A REFERRAL LIST OF RECOGNIZED PALEONTOLOGIST. A PALEONTOLOGIST SHALL CONDUCT AN ASSESSMENT &, IF THE PALEONTOLOGIST DETERMINES THE MATERIAL TO BE SIGNIFICANT, IT SHALL BE PRESERVED.
- TWO MEANS OF INGRESS/EGRESS MUST BE PROVIDED. THIS ACCESS MUST BE MAINTAINED UNOBSTRUCTED & DRIVABLE BY FIRE APPARATUS DURING ALL PHASES OF DEVELOPMENT/CONSTRUCTION. ACCESS ROADWAYS SHALL BE CAPABLE OF HOLDING AN IMPOSED LOAD OF 75,000 POUNDS INCLUDING IN ADVERSE WEATHER CONDITIONS. THE DEVELOPER SHALL SHOW ON THE FINAL BUILDING PLANS A MIN. 20 FOOT WIDE ALL-WEATHER EMERGENCY ACCESS W/ AN OVERHEAD CLEARANCE OF 13'-6" WITHIN 150 FEET OF ALL BUILDINGS ON THE PROJECT SITE. THE FIRE DEPT. MUST APPROVE THE FINAL LOCATION & DESIGN OF THE ACCESS PRIOR TO BUILDING PERMITS BEING ISSUED. THIS ACCESS SHALL BE CONSTRUCTED BEFORE BUILDING OCCUPANCY WILL BE GRANTED.
- DESIGNATE HIGHLIGHTED CURBS AS FIRE LANES (RED CURBS W/ "FIRE LANE" STENCILED IN 3" LETTERS EVERY 50').
- FIRE HYDRANTS & ACCESS ROADS SHALL BE INSTALLED, TESTED & APPROVED & SHALL BE MAINTAINED SERVICEABLE PRIOR & DURING ALL PHASES OF DEVELOPMENT.

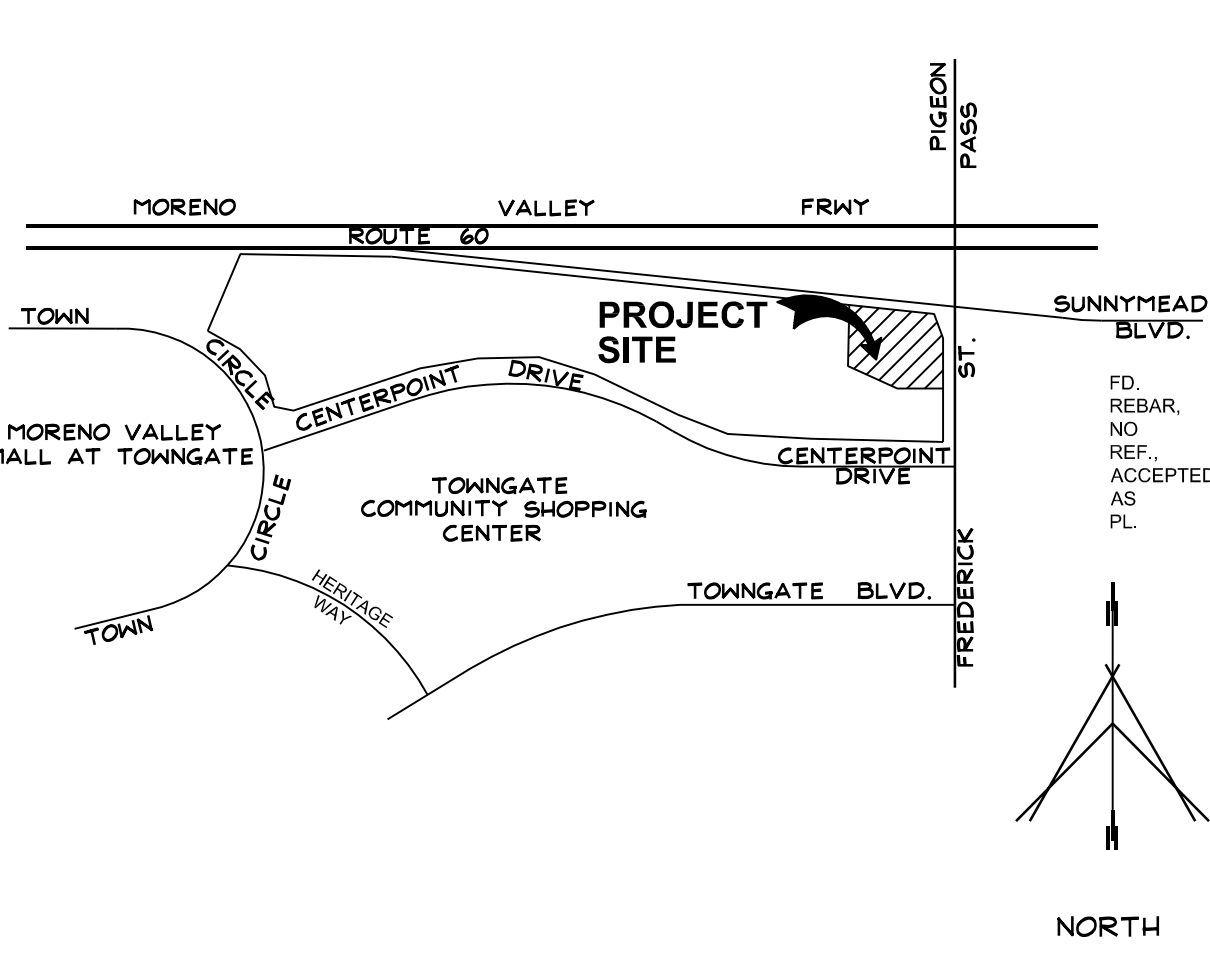


- | | |
|---------|---|
| (E-01) | EXIST. SIDEWALK, CURB, & GUTTER TO REMAIN, PROTECT FROM DAMAGE. |
| (E-02) | EXIST. PROPERTY LINE TO REMAIN. |
| (E-03) | EXIST. AC PAVING TO REMAIN, PROTECT FROM DAMAGE. |
| (E-04) | EXIST. TRANSFORMER TO REMAIN, PROTECT FROM DAMAGE. |
| (E-05) | EXISTING POLE MOUNTED LIGHT FIXTURE TO REMAIN, PROTECT FROM DAMAGE. |
| (E-07) | EXISTING LANDSCAPING TO REMAIN, PROTECT FROM DAMAGE. |
| (E-08) | EXISTING FIRE HYDRANT TO REMAIN, PROTECT FROM DAMAGE. |
| (E-09) | EXISTING PARKING LOT STRIPING TO REMAIN, PROTECT FROM DAMAGE. |
| (E-10) | EXISTING CURB TO REMAIN, PROTECT FROM DAMAGE. |
| (E-11) | EXISTING 6' CHAIN LINK FENCE TO REMAIN, PROTECT FROM DAMAGE. |
| (E-12) | EXISTING BACK FLOW PREVENTER TO REMAIN, PROTECT FROM DAMAGE. |
| (E-13) | EXISTING WATER METER TO REMAIN, PROTECT FROM DAMAGE. |
| (E-14) | EXISTING DIRECTIONAL ARROWS TO REMAIN, PROTECT FROM DAMAGE. |
| (E-15) | EXISTING TRAFFIC SIGNAL TO REMAIN, PROTECT FROM DAMAGE. |
| (E-16) | EXISTING SIGNS TO REMAIN, PROTECT FROM DAMAGE. |
| (E-17) | EXISTING IRRIGATION CONTROL VALVES TO REMAIN, PROTECT FROM DAMAGE. |
| (E-18) | EXISTING MONUMENT SIGN TO REMAIN, PROTECT FROM DAMAGE. |
| (E-19) | EXISTING POWER POLE TO REMAIN, PROTECT FROM DAMAGE. |
| (E-20) | EXISTING MANHOLE TO REMAIN, PROTECT FROM DAMAGE. |
| (E-21) | EXISTING PEDESTRIAN RAMP PER CITY STANDARDS TO REMAIN, PROTECT FROM DAMAGE. |
| (E-22) | EXISTING SITE UTILITIES TO REMAIN, PROTECT FROM DAMAGE. |
| (D-01) | EXISTING STRIPING TO BE REMOVED, SHOWN DASHED. |
| (D-02) | EXISTING SIDEWALK & CURB TO BE REMOVED, SHOWN DASHED. |
| (D-03) | EXISTING WOOD FENCE TO BE REMOVED, SHOWN DASHED. |
| (02-01) | NEW CONC. SIDEWALK. |
| (02-02) | NEW CONC. RAMP W/ TRUNCATED DOMES, SEE 7/A102. |
| (02-06) | NEW TRASH ENCLOSURE, PER CITY STANDARDS, SEE A103. |
| (02-07) | PROPOSED BIKE LOCKER: AMERICAN BICYCLE SECURITY COMPANY, "MODEL 301P". |
| (02-08) | PROPOSED SINGLE LOOP 'U BIKE RACK': DERO BIKE RACK SURFACE FLANGE MOUNTED TO CONC. BASE AS SHOWN. GALVANIZED FINISH. |
| (02-09) | NEW WHEEL BLOCK, SEE 10/A102. |
| (02-16) | NEW 6" DIA. CONC. FILLED PIPE BOLLARD, SEE 17/A102. |
| (02-71) | NEW 6" THICK CONC. PAVING, #3 @ 12 O.C. EACH WAY, STAMPED CONC. 12' WIDE X 18' LENGTH - VERIFY PATTERN & COLOR W/ TENANT. |
| (02-72) | NEW LANDSCAPING TO MATCH <E> ADJACENT LANDSCAPING, SEE LANDSCAPE DRAWING. |
| (02-73) | PAINT IN SAN SERIF LETTERING, "CLEAN AIR/ VANPOOL/EV" TO DENOTE DESIGNATED PARKING STALL. |
| (02-74) | NEW ACCESSIBLE PARKING STALL PER 2016 CBC REQUIREMENTS. |
| (02-75) | NEW STRIPING PER CITY STANDARDS. |
| (02-76) | NEW STOP SIGN PER CITY STANDARDS. |
| (02-77) | CONTINUOUS HEDGE (MIN. 3'-0" HEIGHT), SEE LANDSCAPE DNGS. |
| (02-78) | NEW 4'-0" TALL W.I. FENCE, SEE 1/A104 & 2/A104. |
| (10-01) | ACCESSIBLE PARKING SIGN, SEE 5/A102. |
| (10-40) | 5-PANEL MENU BOARD. |
| (10-41) | ORDER SCREEN AND SPEAKER. |
| (10-42) | PRE-MENU BOARD. |
| (10-44) | DIRECTIONAL "THANK YOU - EXIT ONLY" SIGN. |
| (16-01) | LOCATION OF ELECTRICAL MAIN PANEL. |
| (43-01) | LOCATION OF GAS METER. |

GENERAL NOTES 19

SITE PLAN 7

- NUMBERS CORRESPOND TO EXCEPTION AND EXCLUSION ITEMS.
FIRST AMERICAN TITLE INSURANCE COMPANY.
PRELIMINARY REPORT NO. NCS 491530-5A1.
DATED: OCTOBER 10, 2018.
- ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM THE FREEWAY HAVE BEEN RELINQUISHED PER INST. NO. 46428 & BK. 1632, PG. 328 BOTH RECORDED SEPTEMBER 21, 1984, INST. NO. 49465 RECORDED MAY 25, 1962, INST. NO. 54476 & 54471 BOTH RECORDED JUNE 26, 1967, INST. NO. 219421 RECORDED AUGUST 17, 1984, ALL OFFICIAL RECORDS, AS SHOWN ON PM 25408 & PM 31781, IS PLOTTED HEREON.
 - AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 11739 O.R., RECORDED MARCH 1, 1967, AS SHOWN ON PM 25408 & PM 31781, IS PLOTTED HEREON.
 - AN EASEMENT OF SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 11140 O.R., RECORDED MARCH 1, 1969, AS SHOWN ON PM 25408 & PM 31781, IS PLOTTED HEREON.
 - AN EASEMENT OF SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 6248 O.R., RECORDED JANUARY 9, 1989 AND RE-RECORDED AS INST. NO. 34075 O.R., RECORDED FEBRUARY 7, 1989, AS SHOWN ON PM 25408 & PM 31781, IS APPROXIMATELY PLOTTED HEREON.
 - TERMS AND PROVISIONS CONTAINED IN "JOINT USE AGREEMENT" PER INST. NO. 31647 O.R., RECORDED FEBRUARY 1, 1989, AFFECTS ITEMS 6 AND 7 HEREON.
 - AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 19494 O.R., RECORDED MAY 02, 1984, EASEMENT EXCLUSIVE OF BUILDING SITES OVER LOT 3 OF TRACT 22044, IS BLANKET IN NATURE & NOT PLOTTED.
 - AN EASEMENT TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR PUBLIC UTILITIES ETC., PER INST. NO. 173127 O.R., RECORDED OCTOBER 26, 1984, DOES NOT AFFECT THE TOPOGRAPHIC SUBJECT AREA.
 - AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 428450 O.R., RECORDED DECEMBER 01, 1984, COMMON AREA'S EXCLUSIVE OF BUILDING SITES OVER LOT 3 OF TRACT 22044, IS BLANKET IN NATURE & NOT PLOTTED.
 - AN EASEMENT OF THE CITY OF MORENO VALLEY FOR STORM DRAIN PURPOSES ETC., PER PM 31781, RECORDED DECEMBER 17, 2004, FMB 2119-10, IS PLOTTED HEREON.
 - AN EASEMENT FOR "STORM TREATMENT DEVICE AND CONTROL MEASURE ACCESS AND MAINTENANCE AGREEMENT", PER INST. 2006-0184451, RECORDED ON MARCH 15, 2006, A NONE-SURVEY MATTER.
 - AN EASEMENT OF EASTERN MUNICIPAL WATER DISTRICT FOR PIPELINES, FACILITIES ETC., PER INST. NO. 2008-0616650 O.R., RECORDED NOVEMBER 20, 2008, IS PLOTTED HEREON.
 - AN EASEMENT OF EASTERN MUNICIPAL WATER DISTRICT FOR PIPELINES, FACILITIES ETC., PER INST. NO. 2008-0616651 O.R., RECORDED NOVEMBER 20, 2008, IS PLOTTED HEREON.



BENCH MARK
CITY OF MORENO VALLEY
B.M. NO. M-59-69
3" ALUMINUM DISK STAMPED CITY OF MORENO VALLEY, M-59-69
RESET 1997, AT THE SOUTHEAST CURB RETURN AT THE BCR AT THE INTERSECTION OF FREDERICK STREET & SUNNYMEAD BOULEVARD.
ELEVATION = 1641.16' (1997 ADJ.)

BASIS OF BEARINGS
THE BEARING OF NORTH 00°17'40" WEST ON THE CENTERLINE OF FREDERICK STREET, AS SHOWN ON PARCEL MAP NO. 31781, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS.

LEGAL DESCRIPTION
FIRST AMERICAN TITLE COMPANY
ORDER NO. : NCS-931530-5A1
DATED: DECEMBER 13, 2018.
THE SUBJECT PROPERTY IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AND BEING A PORTION OF PARCEL A DESCRIBED AS FOLLOWS:
PARCEL A
PARCELS 1, 2 AND 3 OF PARCEL MAP NO. 31781, ON FILE IN BOOK 211, PAGES 9 AND 10 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
APN: 291-570-029.

EASEMENTS 16

VICINITY MAP 12

LEGAL DESCRIPTION 8

KEYNOTES 3

ADDRESS:
12515 FREDERICK STREET
MORENO VALLEY, CA

PROJECT OWNER:
FRITZ DUDA
3425 VIA LIDO, SUITE 250
NEWPORT BEACH, CA 92663

PAUL C. BERNARD: (949) 723-7106;
EMAIL: PBERNARD@FRITZDUDA.COM

SHOPPING CENTER INFORMATION:
A.P.N. 291-570-029
5.1% GROSS AREA: 241 ACRES (254,316 SQ. FT.)
SITE NET AREA: 0.36 (15,741 SQ. FT.)
ZONING: SP 200C
GENERAL LAND USE: C
CURRENT USE: VACANT PARCEL
PROPOSED USE: DRIVE-THRU RESTAURANT

BUILDING AREA: 2,479 SQ. FT.

TOTAL SITE PARKING PROVIDED: ±601 STALLS
(PARKING RATIO: 5.49/100)

PARKING:
REQUIRED PARKING: 25 STALLS
* CUSTOMER: 1 STALL PER 3 PERSONS = 20 STALLS
* EMPLOYEES: 1 STALL PER 2 EMPLOYEES = 2 STALLS
(4 EMPLOYEES MAX. PER SHIFT)

PROVIDED PARKING: 25 STALLS
* 1 VAN ACCESSIBLE STALL & 1 "CLEAN AIR/VANPOOL/EV" STALL

SITE INFORMATION PEN19-004 4

2.d

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Vermelfoort Architects, Inc.
Architecture and Planning
8525 North Cedar Avenue
Suite 106
Fresno, California 93720
Office: 559.432.6744
Fax: 559.432.6745
Email: rcv@vermelfoort.com

VAI

ARCHITECT FLOOR PLAN LICENSED ARCHITECT STATE OF CALIFORNIA (STAMP INVALID UNLESS W/FT-SIGNATURE)

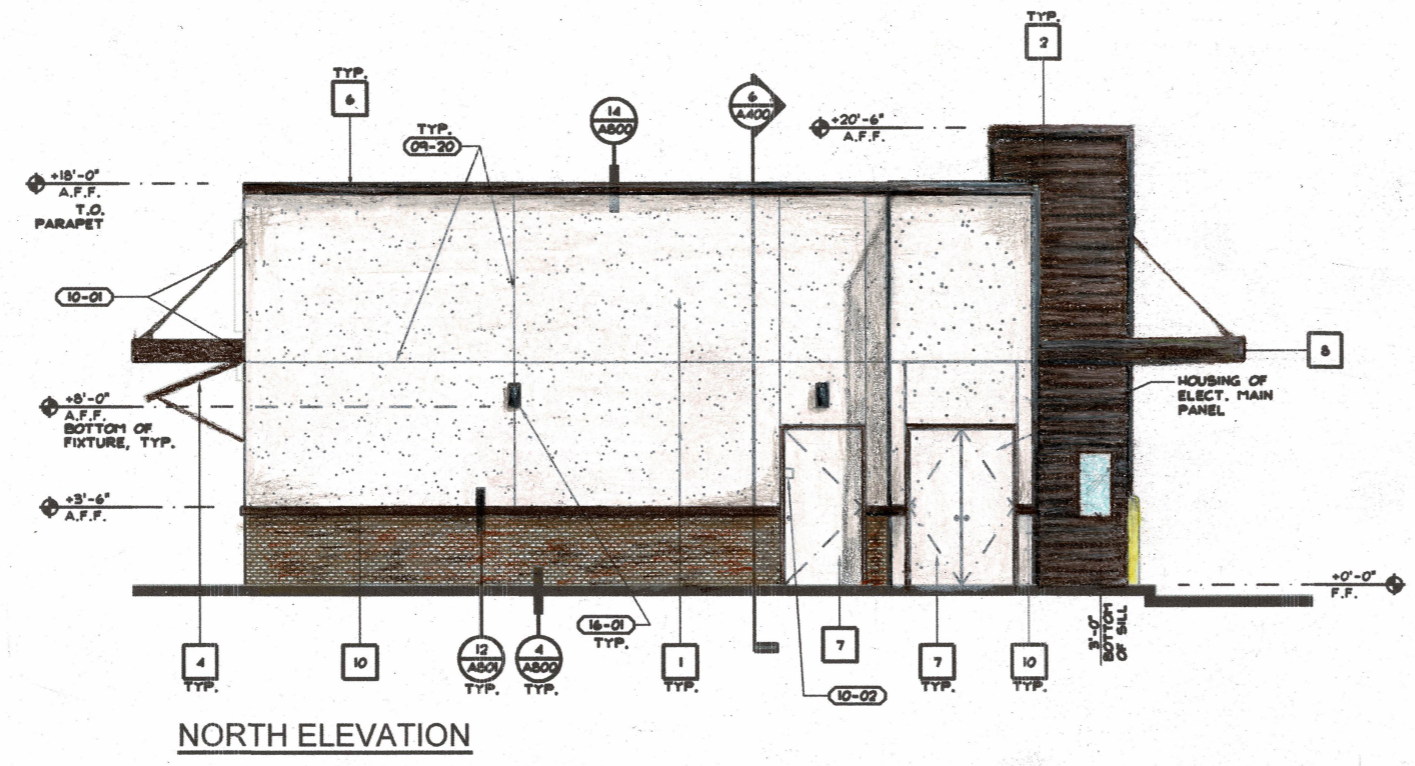
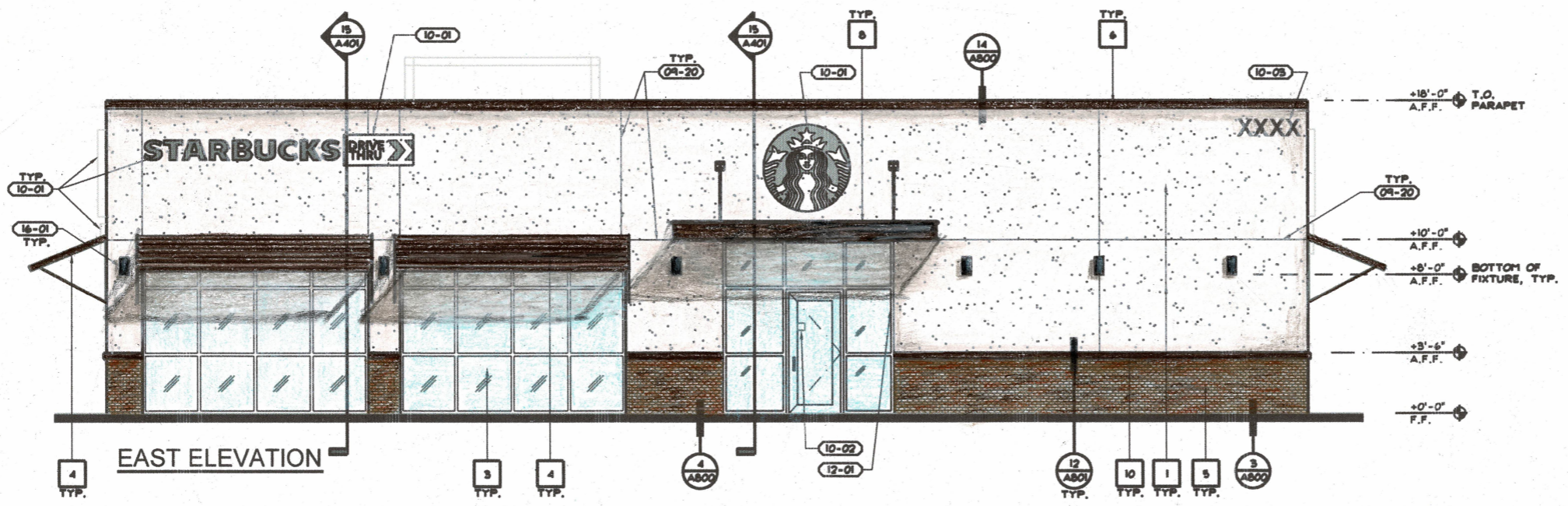
STARBUCKS COFFEE
12515 FREDERICK STREET
MORENO VALLEY, CALIFORNIA

SITE PLAN

ISSUE DATE: 10-30-18
REV. DATE:
PROJECT NO.: 18008.16
DRAWN BY: RB
SHEET:
A101

Attachment: Project Plans (3642 : Conditional Use Permit for a 2,479 square foot coffee shop with a drive-through) with 24-hour service

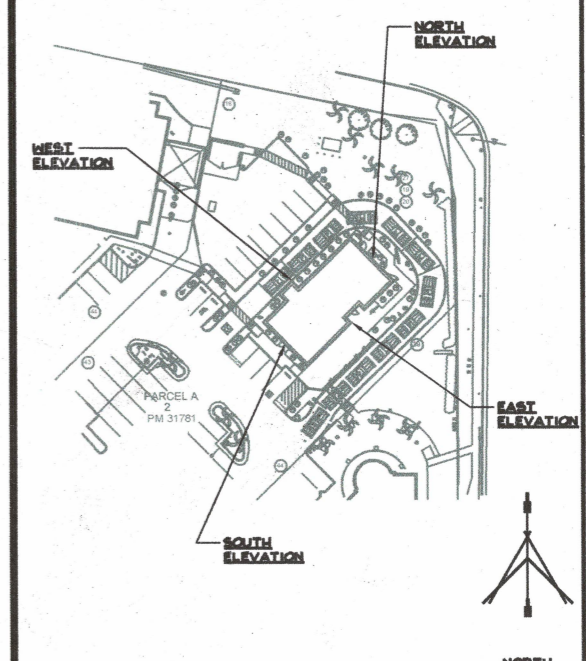
Packet Pg. 37



- 09-20 FRY REVEAL, PCS-75-50.
- 10-01 BUILDING SIGNAGE, BY SEPARATE REVIEW & PERMIT.
- 10-02 6"x6" SYMBOL OF ACCESSIBILITY, MOUNTED @ +40 A.F.F.
- 10-05 12" HIGH ADDRESS POSTING ON CONTRASTING BACKGROUND, PER MORENO VALLEY FIRE DEPARTMENT STANDARD #14.
- 12-01 KNOX BOX BRAND KEY BOX, TOP OF BOX TO BE NO HIGHER THAN @ +8'-0" A.F.F.
- 16-01 EXTERIOR LIGHTING, SEE ELEC. DRAWINGS.

KEYNOTES		
1	7/8" EXTERIOR CEMENT PLASTER, ELASTOMERIC TOP COAT - FIELD	SHERWIN WILLIAMS #5W 6098 "PACER WHITE"
2	CORRUGATED METAL PANEL	ALCOA REYNOLUX 7.2" RIB PANEL; COLOR: COLORWELD 500 (SERIES ONE) "CLASSIC BRONZE"
3	STOREFRONT & GLAZING	DARK BRONZE ANODIZED FRAMES & GLAZING TO BE CLEAR, NON-TINTED, NON-REFLECTIVE, DOUBLE GLAZED
4	ACCENT ANHING	COLOR TO MATCH 2
5	THIN BRICK VENEER	H.C. MUDDOX - RAILROAD BLEND
6	PARAPET CAP FLASHING	PAINTED TO MATCH 2
7	MISC. METALS	PAINTED TO MATCH 1
8	METAL CANOPY	COLOR TO MATCH 2
9	BI-PARTING SLIDING WINDOW	READY ACCESS # 131 BI-PARTING ANODIZED ALUMINUM
10	7/8" EXTERIOR CEMENT PLASTER, ELASTOMERIC TOP COAT - ACCENT	SHERWIN WILLIAMS #5W 6099 "SAND DOLLAR"

EXTERIOR FINISH SCHEDULE 3



PROPOSED EXTERIOR ELEVATIONS

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

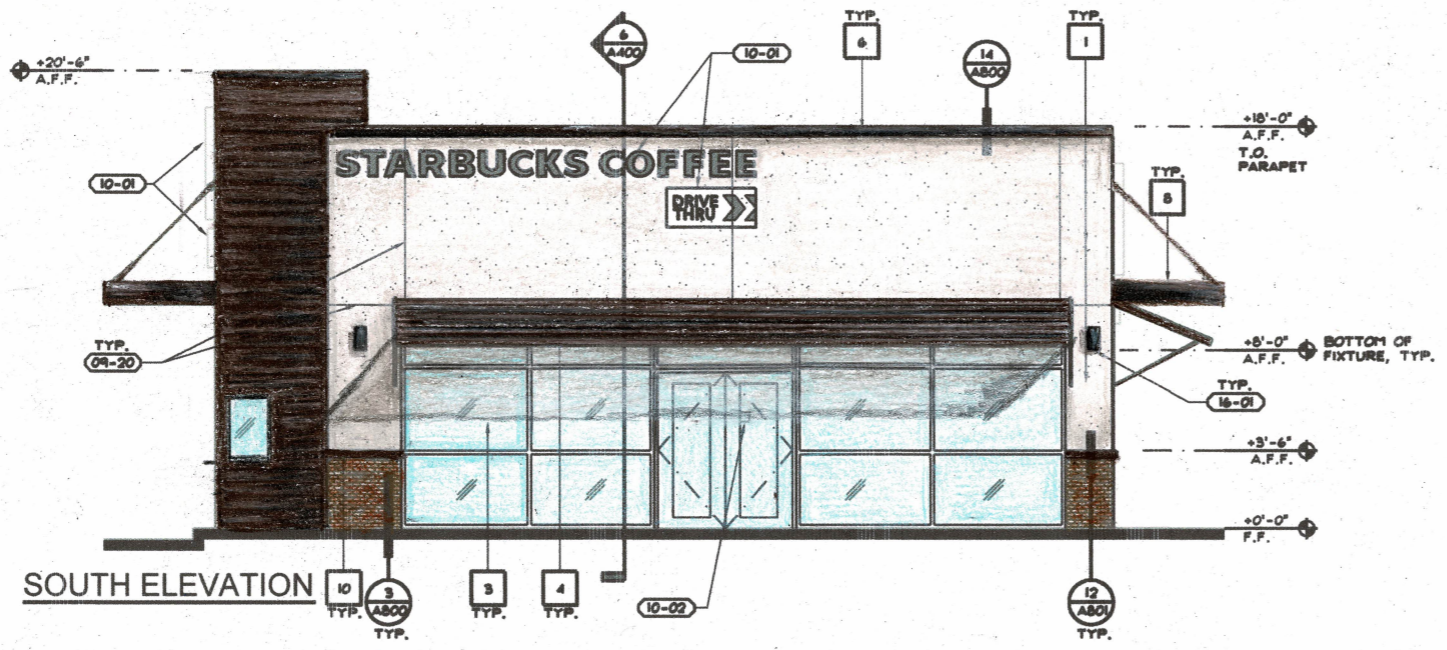
8

KEY PLAN

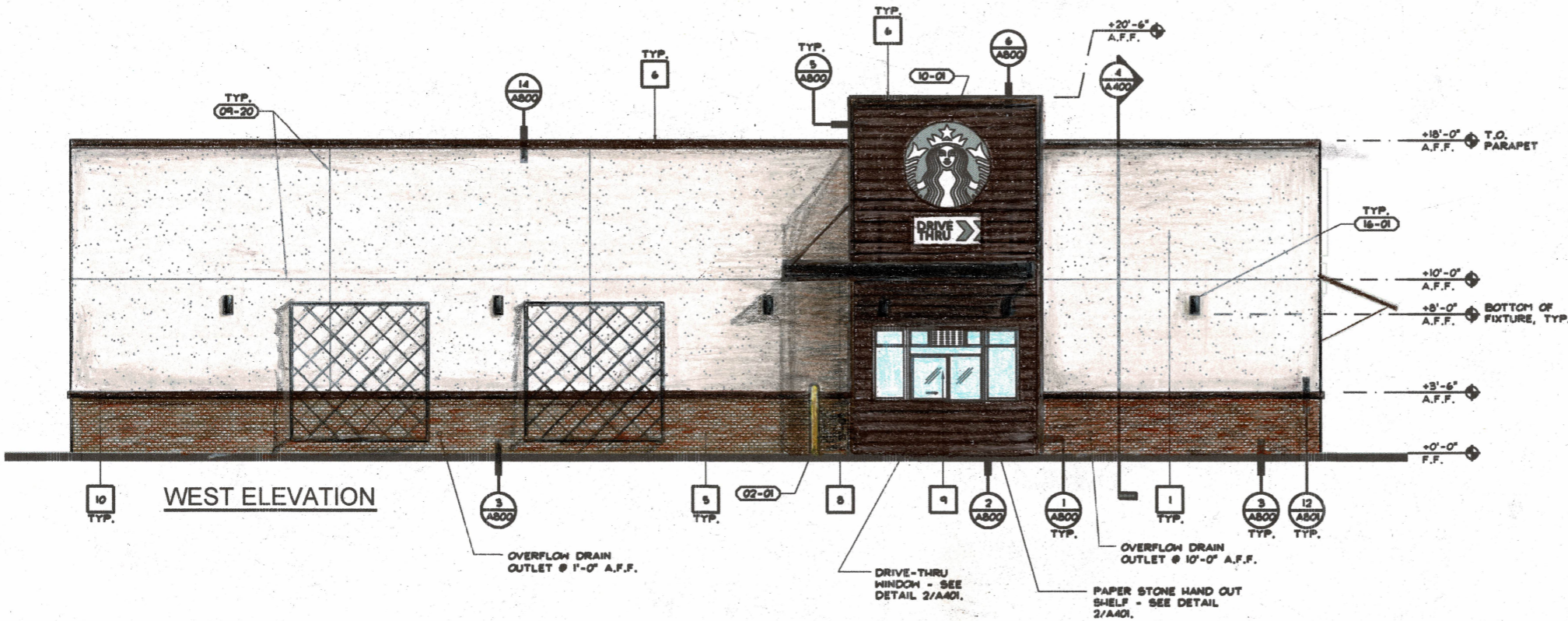
SCALE: N.T.S.

Attachment: Project Plans (3642 : Conditional Use Permit for a 2,479 square foot coffee shop with a drive-through with 24-hour service)

- 02-01 6" DIA. PIPE BOLLARD, SEE 17/A101.
- 04-20 FRY REVEAL, PCS-75-50.
- 10-01 BUILDING SIGNAGE, BY SEPARATE REVIEW & PERMIT.
- 10-02 5"x5" SYMBOL OF ACCESSIBILITY, MOUNTED @ +60 A.F.F.
- 16-01 EXTERIOR LIGHTING, SEE ELECT. DRAWINGS.



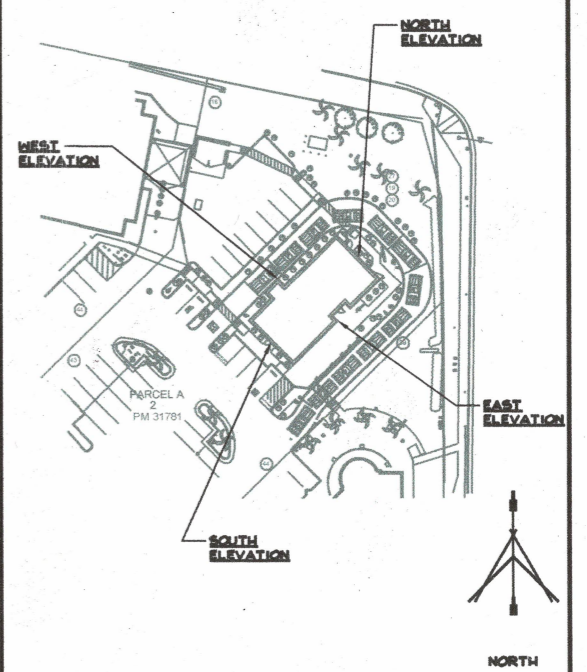
SOUTH ELEVATION



WEST ELEVATION

KEYNOTES			1
KEY	MATERIAL	COLOR / FINISH	
1	7/8" EXTERIOR CEMENT PLASTER, ELASTOMERIC TOP COAT - FIELD	SHERWIN WILLIAMS #5H 60% "PACER WHITE"	
2	CORRUGATED METAL PANEL	ALCOA REYNOLUX 7.2" RIB PANEL; COLOR: COLORWELD 500 (SERIES ONE) "CLASSIC BRONZE"	
3	STOREFRONT & GLAZING	DARK BRONZE ANODIZED FRAMES & GLAZING TO BE CLEAR, NON-TINTED, NON-REFLECTIVE, DOUBLE GLAZED	
4	ACCENT ANNING	COLOR TO MATCH 2	
5	THIN BRICK VENEER	H.C. MUDDOX - RAILROAD BLEND	
6	PARAPET CAP FLASHING	PAINTED TO MATCH 2	
7	MISC. METALS	PAINTED TO MATCH 1	
8	METAL CANOPY	COLOR TO MATCH 2	
9	BI-PARTING SLIDING WINDOW	READY ACCESS # 131 BI-PARTING ANODIZED ALUMINUM	
10	7/8" EXTERIOR CEMENT PLASTER, ELASTOMERIC TOP COAT - ACCENT	SHERWIN WILLIAMS #5H 60% "SAND DOLLAR"	

EXTERIOR FINISH SCHEDULE 3



Attachment: Project Plans (3642 : Conditional Use Permit for a 2,479 square foot coffee shop with a drive-through with 24-hour service)

SW 6098
Pacer White

267-C7

FIELD COLOR

SW 7675
Sealskin

277-C7

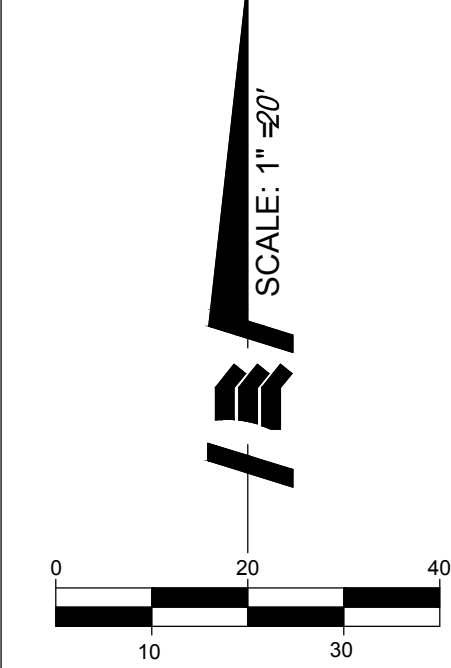
PARAPET CAP

METAL PANEL, METAL
AWNING, METAL CANOPY -
CLASSIC BRONZE



BRICK VENEER - H.C.
MUDDOX - RAILROAD BLEND

GLAZING -
DARK BRONZE
ANODIZED
FRAMES



PUBLIC UTILITIES SERVICES

ELECTRIC COMPANY
 MORENO VALLEY ELECTRIC UTILITY
 14331 FREDERICK ST., SUITE 2
 MORENO VALLEY, CALIFORNIA 92553
 (844) 341-6469

SOUTHERN CALIFORNIA EDISON CO.
 PLANNING DEPARTMENT
 7951 REDWOOD AVENUE
 FONTANA, CALIFORNIA 92336
 (800) 655-4555

GAS COMPANY
 SOUTHERN CALIFORNIA GAS COMPANY
 13525 12TH STREET
 CHINO, CA 91710
 (800) 427-2000

SEWER & WATER
 WASTE MANAGEMENT OF
 INLAND EMPIRE
 (800) 423-9986
TELEPHONE / CABLE T.V.
 AT&T
 (800) 310-2355
 FRONTIER
 (800) 921-8101
 SPECTRUM
 (800) 310-2355

SCHOO DISTRICTS
 MORENO VALLEY UNIFIED
 SCHOOL DISTRICT
 (951) 571-7500

VAL VERDE UNIFIED SCHOOL DISTRICT
 (951) 940-6100

MORENO VALLEY COLLEGE
 (951) 571-6100

OWNER/DEVELOPER

FRITZ DUDA COMPANY
 3425 VIA LIDO, SUITE 250
 NEWPORT BEACH, CA 92663
 PHONE: (949) 723-7106
 EMAIL: PBERNARD@FRITZDUDA.COM

CIVIL ENGINEER

MADOLE & ASSOCIATES, INC.
 9302 PITTSBURGH AVENUE, SUITE 230
 RANCHO CUCAMONGA, CA 91730
 PHONE: (909) 481-6322
 EMAIL: GHOLMES@MADOLEINC.COM

SURVEYOR (TOPOGRAPHIC SURVEY)

PFEILER & ASSOCIATES, INC.
 LA PALMA AVENUE, SUITE 202
 YORBA LINDA, CA
 PHONE: (909) 993-5800
 EMAIL: MARKG@PFEILERASSOCIATES.COM
 SURVEY DATE: 11-19-2018

BENCH MARK

CITY OF MORENO VALLEY B.M. NO. M-59-69
 3" ALUMINUM DISK STAMPED CITY OF MORENO VALLEY
 M-59-69 RESET 1987 AT THE SOUTHEAST CURB RETURN AT
 THE BCR AT THE INTERSECTION OF FREDERICK STREET &
 SUNNYMEAD BOULEVARD.
 ELEVATION = 1641.16' (1997 ADJ.)
 EQUATION: SITE ELEVATIONS + 1500 = SITE DESIGN ELEVATIONS

BASIS OF BEARINGS

THE BEARING OF NORTH 00°17'40" WEST ON THE
 CENTERLINE OF FREDERICK STREET, AS SHOWN ON
 PARCEL MAP NO. 31781, IN THE CITY OF MORENO
 VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA,
 WAS USED AS THE BASIS OF BEARINGS.

LEGAL DESCRIPTION

THE SUBJECT PROPERTY IN THE CITY OF MORENO VALLEY, COUNTY
 OF RIVERSIDE, STATE OF CALIFORNIA:
 PARCEL 2 OF PARCEL MAP NO. 31781, ON FILE IN BOOK 211,
 PAGES 9 AND 10 OF PARCEL MAPS, RECORDS OF RIVERSIDE
 COUNTY, CALIFORNIA.

ASSESSORS PARCEL NUMBER

APN: 291-570-029.

FLOOD ZONE INFORMATION

COMMUNITY MAP NO.: 0606SC0734G
 EFFECTIVE DATE: AUGUST 27, 2008.
 ZONE DESIGNATION: ZONE "X" AREA IS MINIMAL
 FLOOD HAZARD ACCORDING TO FEMA AND THE CITY
 OF MORENO VALLEY THERE IS NO FLOOD MAP
 PRINTED FOR THIS AREA. ZONE "X" AREAS OF 0.2%
 ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL
 CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN
 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1
 SQUARE MILE; AND AREA PROTECTED BY LEVEES
 FROM 2% ANNUAL CHANCE OF FLOOD.
 ZONE "D" AREAS IN WHICH FLOOD HAZARDS ARE
 UNDETERMINED, BUT POSSIBLE.

AREA OF DISTURBANCE

TOTAL GROSS AREA = 54,308 S.Q.F.T.
 TOTAL NET AREA = 15,498 S.Q.F.T.

BMP NOTE

BMP'S ARE UNKNOWN AT THIS TIME
 ROOF DRAINS WILL BE DIRECTED TOWARDS LANDSCAPING, POST
 ENTITLEMENTS BUT BEFORE BUILDING & SAFETY SUBMITTAL.

EARTHWORK QUANTITIES

UNKNOWN AT THIS TIME
 PROPOSED CONTOURS AND ELEVATIONS WILL BE DESIGNED POST
 ENTITLEMENTS BUT BEFORE BUILDING & SAFETY SUBMITTAL.

LEGEND:

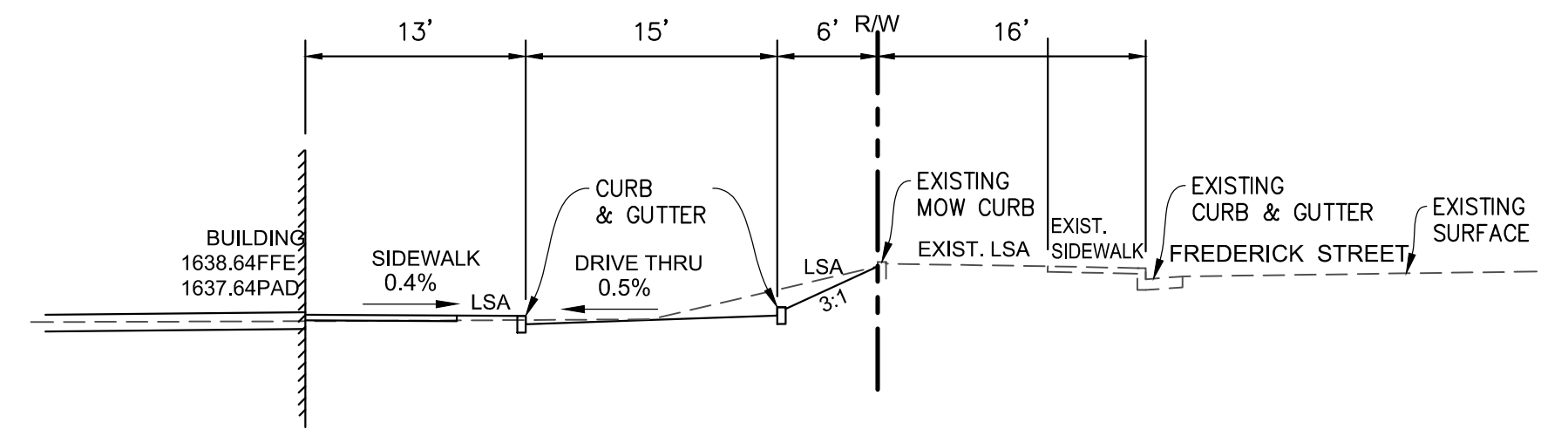
- R/W
- - - EASEMENT LINE
- DRAINAGE ARROW

EASEMENTS

NUMBERS CORRESPOND TO EXCEPTION AND EXCLUSION ITEMS.
 FIRST AMERICAN TITLE INSURANCE COMPANY.
 PRELIMINARY REPORT NO: NCS 931530-SA1.
 DATED: OCTOBER 18, 2018.

- 16 ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM THE FREEWAY HAVE BEEN RELINQUISHED PER INST. NO. 48428 RECORDED SEPTEMBER 21, 1954, INST. NO. 48965 RECORDED MAY 25, 1962, BOTH IN BK 1632, PAGE 328, INST. NO. 54976 & 54977 BOTH RECORDED JUNE 26, 1967, INST. NO. 279921 RECORDED AUGUST 17, 1989, ALL OFFICIAL RECORDS, AS SHOWN ON PM 25908 & PM 31781, IS PLOTTED HEREON.
- 19 AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 17139 O.R., RECORDED MARCH 1, 1967, AS SHOWN ON PM 25908 & PM 31781, IS PLOTTED HEREON.
- 20 AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 17140 O.R., RECORDED MARCH 1, 1967, AS SHOWN ON PM 25908 & PM 31781, IS PLOTTED HEREON.
- 26 AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 6248 O.R., RECORDED JANUARY 9, 1989 AND RE-RECORDED AS INST. NO. 39075 O.R., FEBRUARY 7, 1989, AS SHOWN ON PM 25908 & PM 31781, IS APPROXIMATELY PLOTTED HEREON.
- 27 TERMS AND PROVISIONS CONTAINED IN "JOINT USE AGREEMENT" PER INST. NO. 31647 O.R., RECORDED FEBRUARY 1, 1989, AFFECTS ITEMS 6 AND 7 HEREON.
- 28 AN EASEMENT TO GTE CALIFORNIA INCORPORATED FOR PUBLIC UTILITIES ETC., PER INST. NO. 139591 O.R., RECORDED MAY 02, 1989, EASEMENT EXCLUSIVE OF BUILDING SITES OVER LOT 3 OF TRACT 22049, IS BLANKET IN NATURE & NOT PLOTTED.
- 29 AN EASEMENT TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR PUBLIC UTILITIES ETC., PER INST. NO. 373127 O.R., RECORDED OCTOBER 26, 1989, DOES NOT AFFECT THE TOPOGRAPHIC SUBJECT AREA.
- 31 AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR PUBLIC UTILITIES ETC., PER INST. NO. 428450 O.R., RECORDED DECEMBER 07, 1989, COMMON AREA'S EXCLUSIVE OF BUILDING SITES OVER LOT 3 OF TRACT 22049, IS BLANKET IN NATURE & NOT PLOTTED.
- 33 AN EASEMENT AGREEMENT PER INST. NO. 326735 O.R., RECORDED AUGUST 31, 1990, DOES NOT AFFECT TOPOGRAPHIC SUBJECT AREA, A NONE-SURVEY MATTER.
- 34 AN UNRECORDED LEASE FOR RIR ASSOCIATES, DISCLOSED BY GROUND LEASE, PER INST. 386709, RECORDED OCTOBER 22, 1990.
- 37 AN EASEMENT OF SOUTHERN CALIFORNIA EDISON COMPANY FOR POLE LINE, CONDUITS, ETC., PER INST. NO. 357560 O.R., RECORDED OCTOBER 16, 1991, DOES NOT AFFECT THE TOPOGRAPHIC SUBJECT AREA AND NOT PLOTTED.
- 38 AN EASEMENT FOR PIPE LINES, PER INST. NO. 362683 O.R., RECORDED OCTOBER 21, 1991, DOES NOT AFFECT THE TOPOGRAPHIC SUBJECT AREA AND NOT PLOTTED.
- 39 AN EASEMENT TO THE CITY OF MORENO VALLEY FOR STORM DRAIN PURPOSES ETC., PER PM 31781, PMB 211/9-10, IS PLOTTED HEREON.
- 42 AN EASEMENT FOR "STORMWATER TREATMENT DEVICE AND CONTROL MEASURE ACCESS AND MAINTENANCE AGREEMENT", PER INST. 2006-0184957, RECORDED ON MARCH 15, 2006, A NONE-SURVEY MATTER.
- 43 AN EASEMENT TO EASTERN MUNICIPAL WATER DISTRICT FOR PIPELINES, FACILITIES ETC., PER INST. NO. 2008-0616650 O.R., RECORDED NOVEMBER 20, 2008, IS PLOTTED HEREON.
- 44 AN EASEMENT TO EASTERN MUNICIPAL WATER DISTRICT FOR PIPELINES, FACILITIES ETC., PER INST. NO. 2008-0616651 O.R., RECORDED NOVEMBER 20, 2008, IS PLOTTED HEREON.

NOTE: THE EXISTENCE OR LOCATION OF ANY UNDERGROUND UTILITIES, PIPES OR STRUCTURES SHOWN ON THIS SURVEY WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. THE CONTRACTOR SHALL ASCERTAIN THE TRUE LOCATION AND/OR EXISTENCE OF UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR ALL DAMAGE TO ANY PUBLIC OR PRIVATE UTILITIES SHOWN OR NOT SHOWN HEREON.



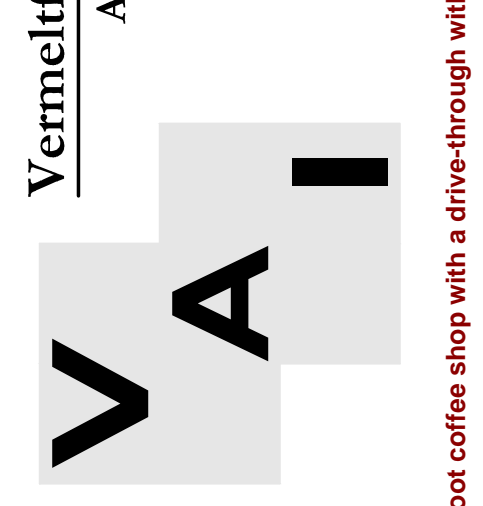
SECTION A
 H=1"=20'
 V=1"=20'

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© COPYRIGHT 2017

Vermelfoort Architects, Inc.
 Architecture and Planning
 8525 North Cedar Avenue
 Suite 106
 Fresno, California 93720
 Office: 559.432.6744
 Fax: 559.432.6745

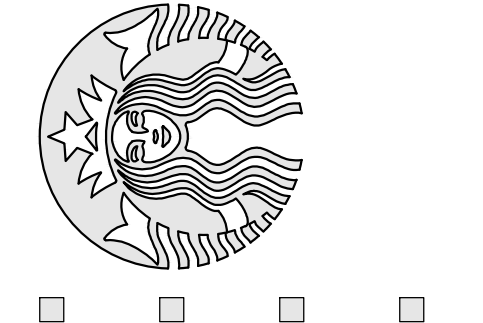
VAI



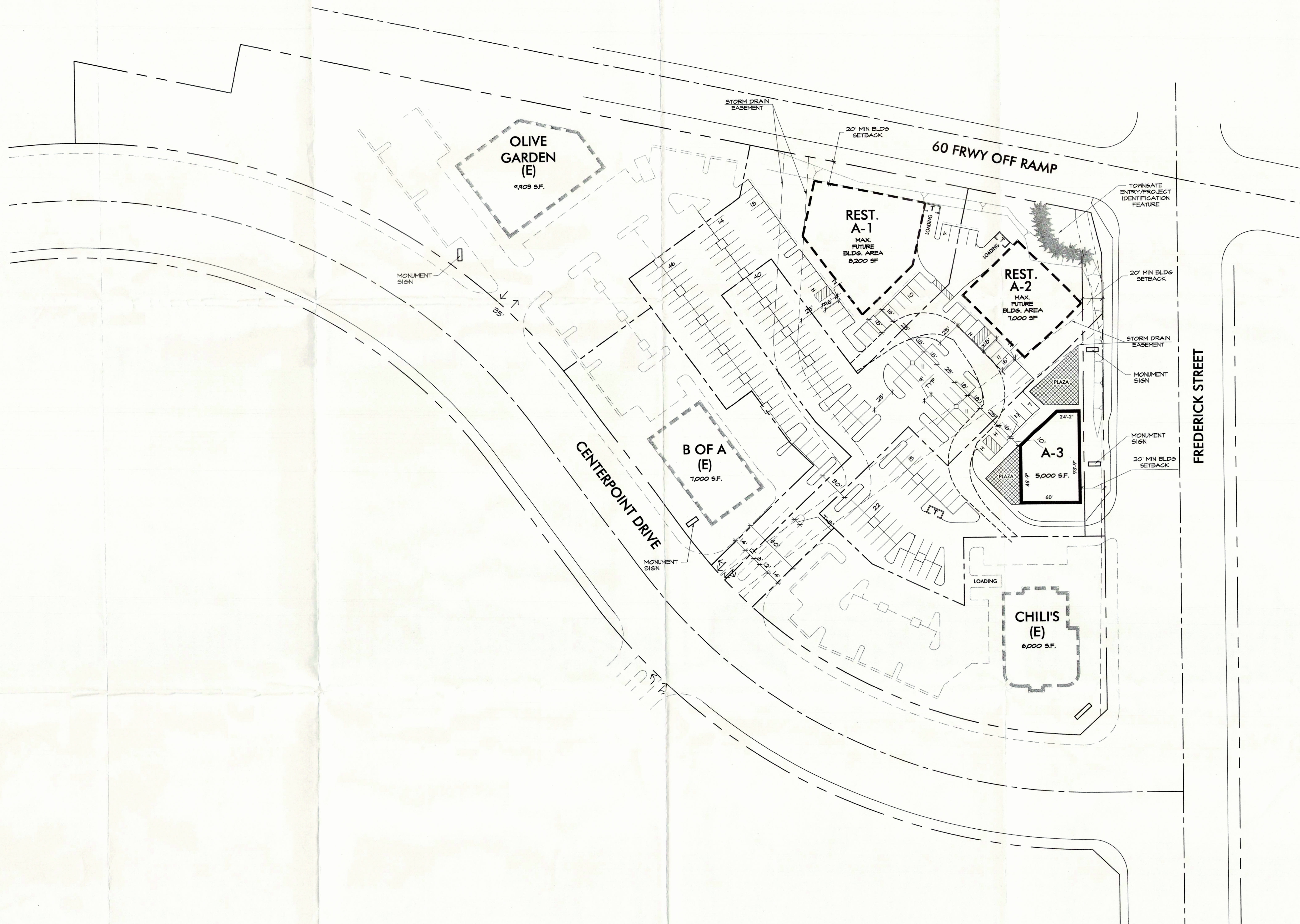
Attachment: Project Plans (3642) : Conditional Use Permit for a 2,479 square foot coffee shop with a drive-through with 24-hour service

ISSUE DATE: 05-06-2019
 REV. DATE:
 PROJECT NO.: 18008.16
 DRAWN BY: JE
 SHEET: C-1

STARBUCKS COFFEE
 12515 FREDERICK STREET
 MORENO VALLEY, CALIFORNIA



PRELIMINARY GRADING & UTILITY PLAN
 PEN19-0004



Summary

Land	±3.26 AC	±141,926 SF
Building		20,200 SF
Land-to-Bldg Ratio		6.0/1
Coverage		14.2%

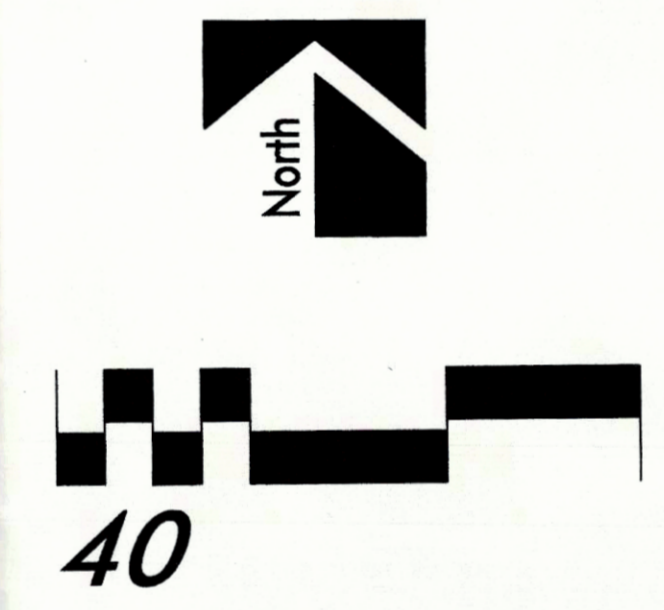
Parking Required	186 stalls
Parking Provided	208 stalls
Parking Ratio	10.3/1,000

Parking Requirements

*Restaurant:	(12,000 sf @ 1/100 sf)	120 stalls
*Restaurant:	(3,200 sf @ 1/75 sf)	43 stalls
Retail:	(5,000 sf @ 1/225 sf)	23 stalls
Total Required:		186 stalls

*City of Moreno Valley Restaurant requirements are as follows:

- 1 stall for every 100 sf of building up to 6,000 sf.
- 1 stall for every 75 sf of building over 6,000 sf.



ALL BUILDINGS, IMPROVEMENTS, THEIR OCCUPANTS AND THE USES AS SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO MODIFICATION AT THE OWNERS DISCRETION WITHOUT NOTICE.
 THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION FURNISHED TO NADEL ARCHITECTS INC AND IS SUBJECT TO VERIFICATION BY LEGALS, SURVEYS AND GOVERNING AGENCIES ETC. THIS EXHIBIT IS NOT NECESSARILY A REPRESENTATION AS TO IDENTITY, TYPE, SIZE, LOCATION, TIMING OR OCCUPANCY OF ANY BUILDING WITHIN THIS CENTER.

ADMINISTRATIVE REVIEW APPROVED

5/1/04 Date
 E.P. Initials

PRELIMINARY SITE PLAN - Scheme 'G'

TOWNGATE PLAZA
 MORENO VALLEY, CALIFORNIA

DATE: OCTOBER 3, 2003
 NADEL JOB#: 03095.00



3425 Via Lido Suite 250
 Newport Beach, California 92663
 (949) 723-7100

3080 BRISTOL ST. SUITE 500
 COSTA MESA, CA 92626
 T: 714.540.5000 F: 714.755.3013
 WWW.NADELARC.COM



P03-150

Attachment: Previously Approved Amended Master Plot Plan P03-150 and Parcel Map 31781 (Revision 1) (3642 - Conditional Use Permit for a 2,479 square foot coffee shop with a drive-through with 24-hour service)

2004-10031166 10/6
Original

GROSS AREA = 3.26 ACRES
NUMBER OF PARCELS: 3

SHEET 1 OF 2 SHEETS

PARCEL MAP NO. 31781

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

BEING A SUBDIVISION OF PARCEL 1 OF PARCEL MAP No. 25908 AS PER MAP FILED IN
BOOK 172, PAGES 32 THROUGH 35, INCLUSIVE, OF PARCELS MAPS RECORDS OF
RIVERSIDE COUNTY, CALIFORNIA, LOCATED IN
T.3S., R.4.W., S.B.M.

DEVELOPMENT RESOURCE CONSULTANTS

JUNE, 2004

This map has been filed under
Document No. 2004-10031166
this 17th day of December 2004,
at San, in Book 317, of
Parcel Maps, at page
9-10, at the request of the
City Clerk of Moreno Valley
Fee \$ 9-

Gary L. Orso, Auditor/Controller/Recorder
County of Riverside

By: Smia Bledner
Deputy Recorder

Subdivision Guarantee# _____
dated: _____

OWNER'S CERTIFICATE:

WE HEREBY STATE THAT WE ARE THE OWNERS OF THE LAND INCLUDED WITHIN THE
SUBDIVISION SHOWN HEREON; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS
NECESSARY TO PASS A CLEAR TITLE TO SAID LAND; THAT WE CONSENT TO THE MAKING
AND RECORDING OF THIS SUBDIVISION MAP AS SHOWN WITHIN THE DISTINCTIVE BORDER.

WE ALSO HEREBY DEDICATE TO THE CITY OF MORENO VALLEY AN EASEMENT FOR STORM
DRAIN PURPOSES AS SHOWN HEREON.

HAROLD BERAL, TRUSTEE, UNDER AGREEMENT DATED JANUARY 1, 1994.

BY: [Signature]

PRINT NAME: HAROLD BERAL

PRINT TITLE: TRUSTEE

SURVEYOR'S STATEMENT:

FIRST AMERICAN TITLE Company

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND WAS BASED ON A
FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT
AND LOCAL ORDINANCE AT THE REQUEST OF HAROLD BERAL IN APRIL, 2004. I HEREBY
STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS
INDICATED, OR THAT THEY WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF
RECORDATION DATE AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE
SURVEY TO BE RETRACED IN COMPLIANCE WITH SECTION 66495 AND 66496 OF THE
SUBDIVISION MAP ACT. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY
CONFORMS TO THE APPROVED OF CONDITIONALLY APPROVED TENTATIVE MAP IF ANY.

W. Williams 9/21/04
WARREN W. WILLIAMS, JR. DATE
L.S. NO. 7038
REGISTRATION EXPIRATION DATE 9/30/06



NOTARY ACKNOWLEDGMENT:

STATE OF CALIFORNIA)
COUNTY OF Orange)SS

ON THIS 24th DAY OF September, 2004, BEFORE ME,

A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED Harold Beral
Beral PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE
BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO
THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS
AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON,
OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.
WITNESS MY HAND:

SIGNATURE: [Signature]
NOTARY PUBLIC IN AND FOR SAID STATE
Robin Taylor
(PRINT NAME)

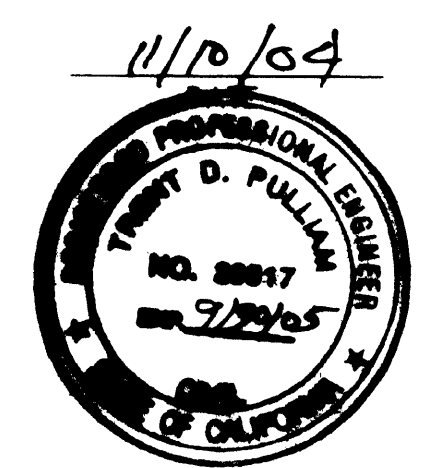
MY PRINCIPAL PLACE OF BUSINESS
IS IN Orange COUNTY.

MY COMMISSION EXPIRES Jan 8, 2006

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT THIS MAP CONSISTING OF 2 SHEETS HAS BEEN EXAMINED BY ME
OR UNDER MY SUPERVISION AND FOUND TO BE SUBSTANTIALLY THE SAME AS IT
APPEARED ON THE TENTATIVE PARCEL MAP No. 31781 AS FILED AND APPROVED BY THE
CITY OF MORENO VALLEY PLANNING COMMISSION ON APRIL 22, 2004, THE EXPIRATION
DATE BEING APRIL 22, 2007. THAT ALL PROVISIONS OF APPLICABLE STATE LAW AND
CITY REGULATIONS HAVE BEEN COMPLIED WITH AND I AM SATISFIED THAT THIS MAP IS
TECHNICALLY CORRECT.

[Signature]
TRENT PULLIAM
CITY ENGINEER - CITY OF MORENO VALLEY
R.C.E. No. 20517
EXPIRATION DATE: 09/30/05



CITY CLERK'S STATEMENT:

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, STATE OF
CALIFORNIA, HAS DULY APPROVED THIS PARCEL MAP SUBJECT TO IMPROVEMENTS,
AND ALSO ACCEPTS THE STORM DRAIN EASEMENT AS SHOWN HEREON.

[Signature]
ALICE REED
CITY CLERK, CITY OF MORENO VALLEY

11/16/04
DATE

SIGNATURE OMISSIONS:

THE SIGNATURES OF THE HOLDERS OF THE EASEMENTS LISTED BELOW HAVE BEEN
OMITTED UNDER THE PROVISIONS OF SECTION 66436 (C)(1) OF THE SUBDIVISION MAP
ACT SINCE THEIR INTEREST CANNOT RIPEN INTO A FEE:

CALIFORNIA WATER AND TELEPHONE COMPANY HOLDER OF AN EASEMENT FOR
COMMUNICATION, TELEPHONE, TELEGRAPH AND OTHER PURPOSES AND INCIDENTAL
PURPOSES, RECORDED AUGUST 28, 1964 AS INSTRUMENT NO. 106157 OF OFFICIAL
RECORDS. (CANNOT BE PLOTTED FROM RECORD).

SOUTHERN CALIFORNIA EDISON COMPANY HOLDER OF AN EASEMENT FOR EITHER OR
BOTH POLE LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES,
RECORDED MARCH 1, 1967 AS INSTRUMENT NO. 196717139 OF OFFICIAL RECORDS.

SOUTHERN CALIFORNIA EDISON COMPANY HOLDER OF AN EASEMENT FOR EITHER OR
BOTH POLE LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES,
RECORDED MARCH 1, 1967 AS INSTRUMENT NO. 17140 OF OFFICIAL RECORDS.

SOUTHERN CALIFORNIA EDISON COMPANY HOLDER OF AN EASEMENT FOR EITHER OR
BOTH POLE LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES,
RECORDED JANUARY 9, 1989 AS INSTRUMENT NO. 19896248 AND RE-RECORDED
FEBRUARY 7, 1989 AS INSTRUMENT NO. 198939075, BOTH OF OFFICIAL RECORDS.
(APPROXIMATE LOCATION PLOTTED HEREON).

GTE CALIFORNIA INCORPORATED HOLDER OF AN EASEMENT FOR EITHER OR BOTH POLE
LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES, RECORDED
MAY 2, 1989 AS INSTRUMENT NO. 1989139591 OF OFFICIAL RECORDS. (BLANKET IN
NATURE - NOT PLOTTED HEREON)

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT HOLDER OF AN
EASEMENT FOR STORM DRAIN PURPOSES AND INCIDENTAL PURPOSES, RECORDED
OCTOBER 26, 1989 AS INSTRUMENT NO. 1989373127 OF OFFICIAL RECORDS.

SOUTHERN CALIFORNIA EDISON COMPANY HOLDER OF AN EASEMENT FOR EITHER OR
BOTH POLE LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES,
RECORDED DECEMBER 7, 1989 AS INSTRUMENT NO. 1989428450 OF OFFICIAL RECORDS.

TAX COLLECTOR'S CERTIFICATE:

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE,
THERE ARE NO LIENS AGAINST THE REAL PROPERTY SHOWN ON THE WITHIN MAP FOR
UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS
COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE
~~WHICH ARE ESTIMATED TO BE: \$~~

DATED: 12-16-2004
PAUL McDONNELL, COUNTY TAX AUDITOR

DATED: _____
GERALD A. MALONEY
CLERK OF THE BOARD OF SUPERVISORS

BY: [Signature] DEPUTY

BY: _____, DEPUTY

Attachment: Previously Approved Amended Master Plot Plan P03-150 and Parcel Map 31781 [Revision 1] (3642 : Conditional Use Permit for a 2,479 square foot coffee shop with a drive-through with 24-hour service)

2004-1003166
original

AREA = 3.26 ACRES
NUMBER OF PARCELS: 3

SHEET 2 OF 2 SHEETS

PARCEL MAP NO. 31781

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

BEING A SUBDIVISION OF PARCEL 1 OF PARCEL MAP No. 25908 AS PER MAP FILED IN
BOOK 172, PAGES 32 THROUGH 35, INCLUSIVE, OF PARCELS MAPS RECORDS OF
RIVERSIDE COUNTY, CALIFORNIA, LOCATED IN T.3S., R.4W., S.B.M.

DEVELOPMENT RESOURCE CONSULTANTS

JUNE, 2004

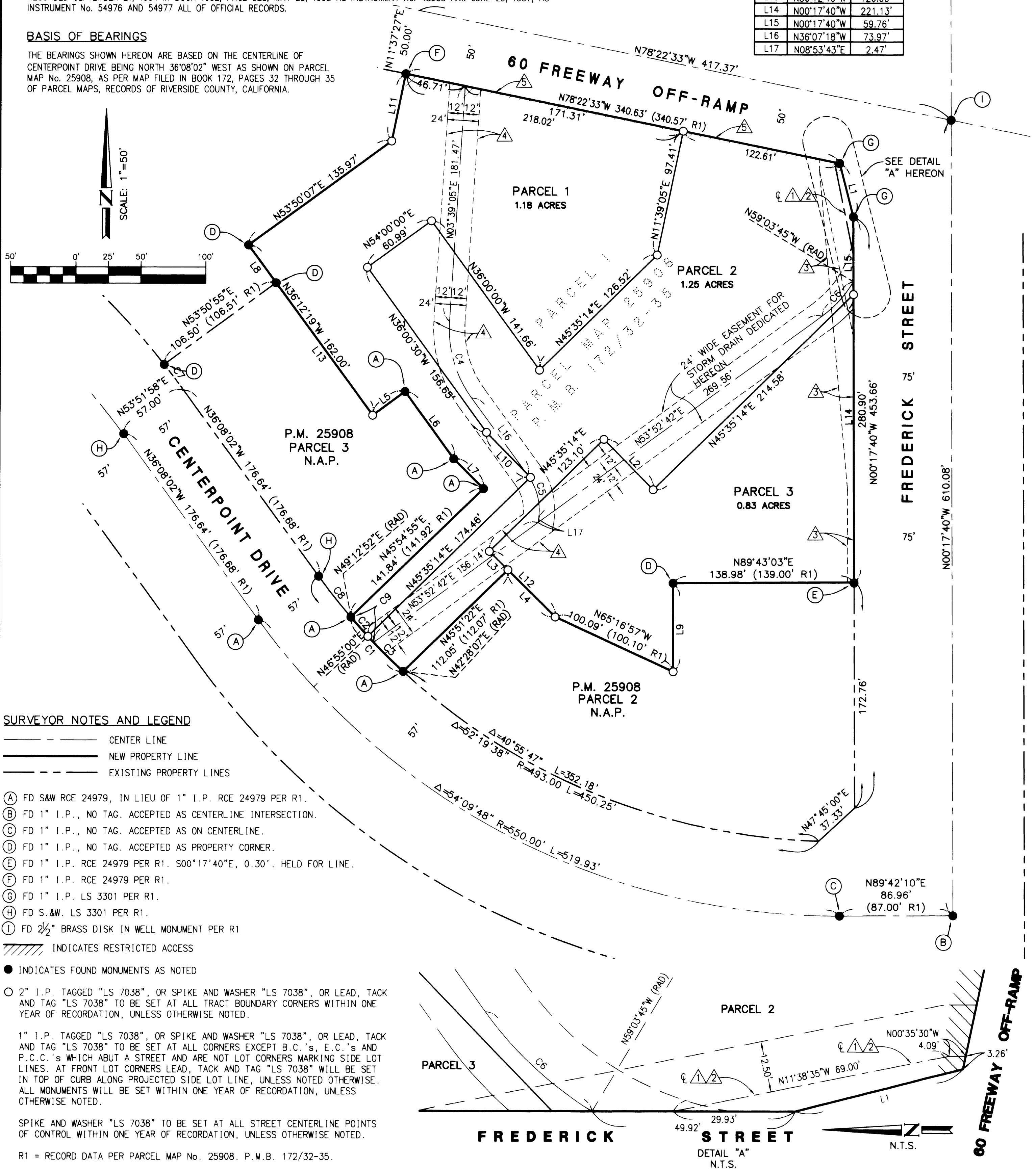
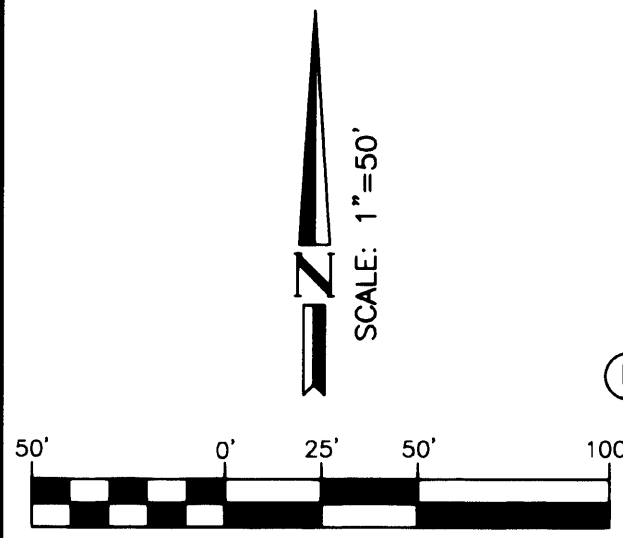
EASEMENT NOTES

- △ SOUTHERN CALIFORNIA EDISON COMPANY HOLDER OF AN EASEMENT FOR EITHER OR BOTH POLE LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES, RECORDED MARCH 1, 1967 AS INSTRUMENT NO. 196717139 OF OFFICIAL RECORDS.
- △ SOUTHERN CALIFORNIA EDISON COMPANY HOLDER OF AN EASEMENT FOR EITHER OR BOTH POLE LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES, RECORDED MARCH 1, 1967 AS INSTRUMENT NO. 17140 OF OFFICIAL RECORDS.
- △ SOUTHERN CALIFORNIA EDISON COMPANY HOLDER OF AN EASEMENT FOR EITHER OR BOTH POLE LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES, RECORDED JANUARY 9, 1989 AS INSTRUMENT NO. 19896248 AND RE-RECORDED FEBRUARY 7, 1989 AS INSTRUMENT NO. 198939075, BOTH OF OFFICIAL RECORDS. (APPROXIMATE LOCATION PLOTTED HEREON).
- △ RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT HOLDER OF AN EASEMENT FOR STORM DRAIN PURPOSES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 26, 1989 AS INSTRUMENT NO. 1989373127 OF OFFICIAL RECORDS.
- △ ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO AND FROM THE ADJOINING FREEWAY RELINQUISHED PER DOCUMENT RECORDED SEPTEMBER 21, 1954 IN BOOK 1632, PAGE 328, MAY 25, 1962 AS INSTRUMENT No. 48965 AND JUNE 26, 1967, AS INSTRUMENT No. 54976 AND 54977 ALL OF OFFICIAL RECORDS.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF CENTERPOINT DRIVE BEING NORTH 36°08'02" WEST AS SHOWN ON PARCEL MAP No. 25908, AS PER MAP FILED IN BOOK 172, PAGES 32 THROUGH 35 OF PARCELS MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

CURVE TABLE				LINE TABLE		
CURVE	DELTA	RADIUS	LENGTH	LINE	BEARING	LENGTH
C1	6°44'45"	493.00'	58.04'	L1	N14°29'37"W	42.44'
C2	2°17'52"	493.00'	19.77'	L2	N44°24'46"W	54.17'
C3	4°26'53"	493.00'	38.27'	L3	N45°16'57"W	20.12'
C4	39°46'23"	90.00'	62.48'	L4	N45°16'57"W	51.22'
C5	45°01'01"	45.00'	35.36'	L5	N53°47'41"E	30.91'
C6	22°56'27"	90.00'	36.04'	L6	N36°03'40"W	63.86'
C7	2°20'27"	607.00'	24.80'	L7	N45°13'28"W	32.41'
C8	4°39'05"	493.00'	40.02'	L8	N36°12'19"W	36.00'
C9	3°02'15"	493.00'	26.14'	L9	N00°16'57"W	67.86'
				L10	N44°24'46"W	48.26'
				L11	N11°36'30"E	52.94'
				L12	N45°16'57"W	71.34'
				L13	N36°12'19"W	126.00'
				L14	N00°17'40"W	221.13'
				L15	N00°17'40"W	59.76'
				L16	N36°07'18"W	73.97'
				L17	N08°53'43"E	2.47'



SURVEYOR NOTES AND LEGEND

- CENTER LINE
- NEW PROPERTY LINE
- - - EXISTING PROPERTY LINES

- (A) FD S&W RCE 24979, IN LIEU OF 1" I.P. RCE 24979 PER R1.
- (B) FD 1" I.P., NO TAG. ACCEPTED AS CENTERLINE INTERSECTION.
- (C) FD 1" I.P., NO TAG. ACCEPTED AS ON CENTERLINE.
- (D) FD 1" I.P., NO TAG. ACCEPTED AS PROPERTY CORNER.
- (E) FD 1" I.P. RCE 24979 PER R1. S00°17'40"E, 0.30'. HELD FOR LINE.
- (F) FD 1" I.P. RCE 24979 PER R1.
- (G) FD 1" I.P. LS 3301 PER R1.
- (H) FD S.&W. LS 3301 PER R1.
- (I) FD 2 1/2" BRASS DISK IN WELL MONUMENT PER R1

/// INDICATES RESTRICTED ACCESS

● INDICATES FOUND MONUMENTS AS NOTED

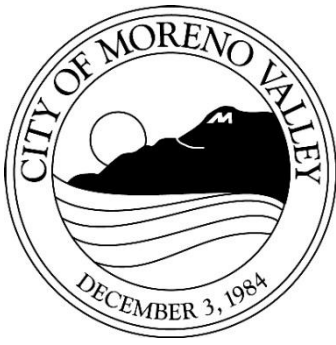
○ 2" I.P. TAGGED "LS 7038", OR SPIKE AND WASHER "LS 7038", OR LEAD, TACK AND TAG "LS 7038" TO BE SET AT ALL TRACT BOUNDARY CORNERS WITHIN ONE YEAR OF RECORDATION, UNLESS OTHERWISE NOTED.

1" I.P. TAGGED "LS 7038", OR SPIKE AND WASHER "LS 7038", OR LEAD, TACK AND TAG "LS 7038" TO BE SET AT ALL CORNERS EXCEPT B.C.'s, E.C.'s AND P.C.'s WHICH ABOUT A STREET AND ARE NOT LOT CORNERS MARKING SIDE LOT LINES. AT FRONT LOT CORNERS LEAD, TACK AND TAG "LS 7038" WILL BE SET IN TOP OF CURB ALONG PROJECTED SIDE LOT LINE, UNLESS NOTED OTHERWISE. ALL MONUMENTS WILL BE SET WITHIN ONE YEAR OF RECORDATION, UNLESS OTHERWISE NOTED.

SPIKE AND WASHER "LS 7038" TO BE SET AT ALL STREET CENTERLINE POINTS OF CONTROL WITHIN ONE YEAR OF RECORDATION, UNLESS OTHERWISE NOTED.

R1 = RECORD DATA PER PARCEL MAP No. 25908, P.M.B. 172/32-35.

Attachment: Previously Approved Amended Master Plot Plan P03-150 and Parcel Map 31781 [Revision 1] (3642 - Conditional Use Permit for a 2,479 square foot coffee shop with a drive-through with 24-hour service)



This may affect your property

Notice of PUBLIC HEARING

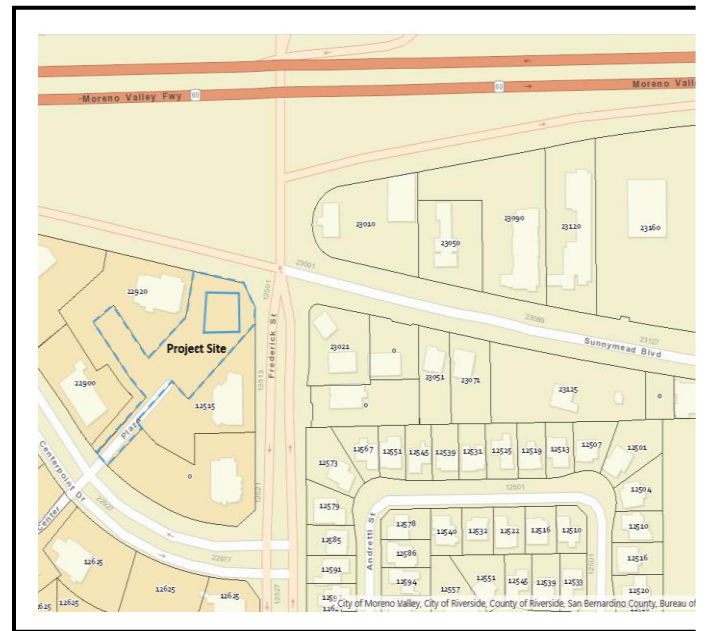
Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

Project: PEN19-0004
Applicant: Robert Vermeltoort
Owner: Fritz Duda
Representative: Robert Vermeltoort
APN: 291-570-029
Location: Southwest corner of Sunnymead Boulevard and Frederick Street
Proposal: A Conditional Use Permit (CUP) for a 2,479-square foot restaurant with a drive-through to be developed on an existing pad on Parcel 2 of Parcel Map 31781 in the Towngate Community Shopping Center. The applicant proposes to relocate an existing restaurant to this location and operate for 24-hours. The property is currently zoned Commercial in the Towngate Specific Plan (SP 200).
Council District: 1

The project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) Guidelines and it was determined that the project is exempt from the provisions of CEQA as a Class 32 Categorical Exemption in accordance with CEQA Guidelines Section 15332 for In-fill Development Projects.

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

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal. If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing.



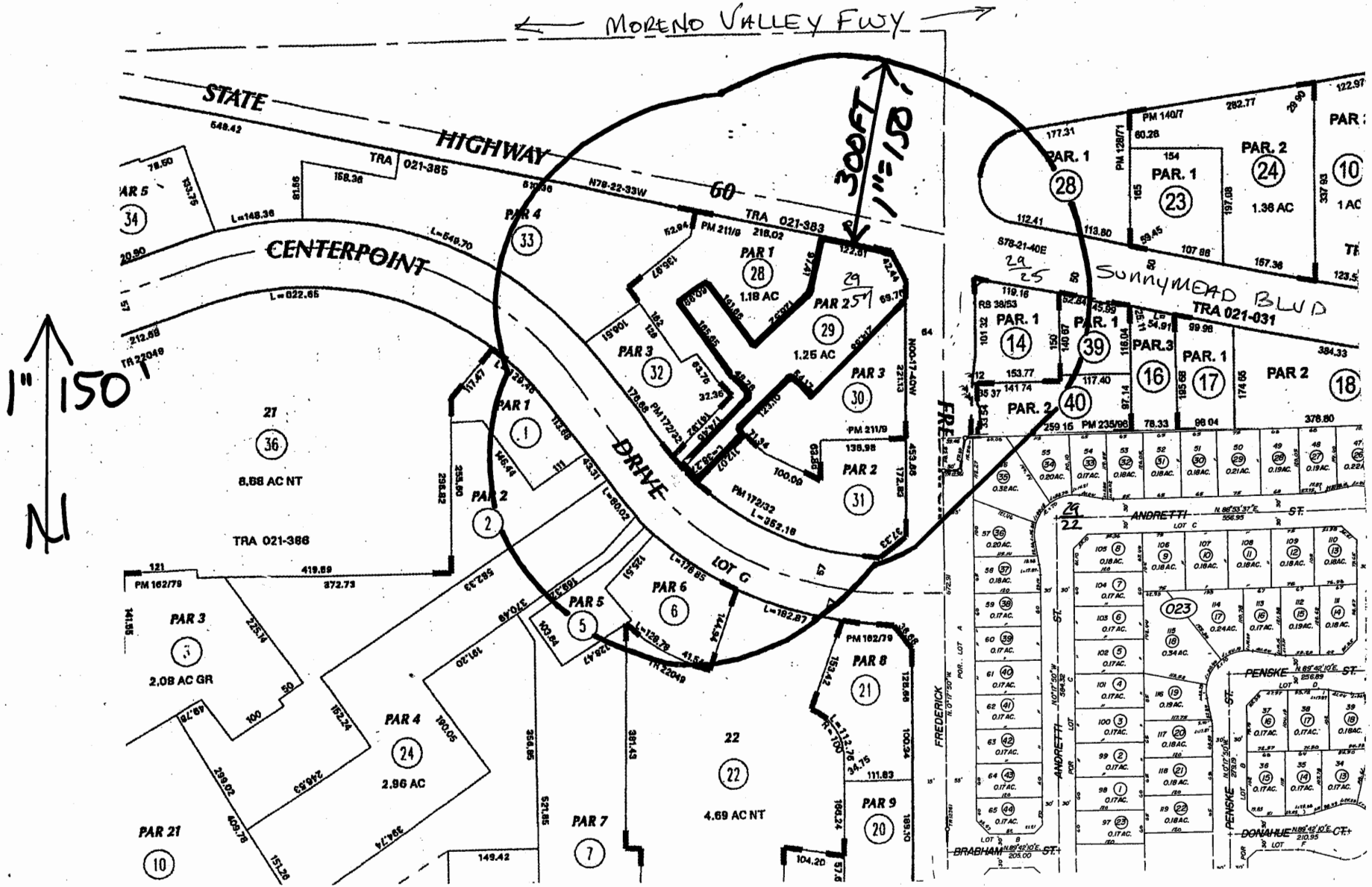
LOCATION N ↑

PLANNING COMMISSION HEARING

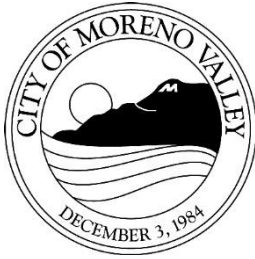
Council Chambers, City Hall
 14177 Frederick Street
 Moreno Valley, Calif. 92553

DATE AND TIME: June 27, 2019 at 7:00 PM
CONTACT PLANNER: Jeff Bradshaw
PHONE: (951) 413-3224

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



Attachment: Radius Map (3642 : Conditional Use Permit for a 2,479 square foot coffee shop with a drive-



PLANNING COMMISSION

STAFF REPORT

Meeting Date: June 27, 2019

CONDITIONAL USE PERMIT FOR A RETAIL CANNABIS DISPENSARY IN A 5,100 SQUARE FOOT RETAIL SPACE LOCATED WITHIN THE CANYON SPRINGS SHOPPING CENTER.

Case:	PEN18-0262
Applicant:	J. Michael Poura
Property Owner	Day Street Investment Holdings, LLC
Representative	J. Caesar Aguilar
Location:	12125 Day Street, Building "L"
Case Planner:	Jeff Zwack
Council District:	2
Proposal	Conditional Use Permit for a retail cannabis dispensary, "California Green World," in a 5,100 square foot retail space located at 12125 Day Street, Building L, within the Canyon Springs shopping center.

SUMMARY

The Applicant, Mr. J. Michael Poura, of Day Street Investment Holdings, LLC, is requesting approval of a Conditional Use Permit (CUP) to allow a retail cannabis dispensary, "California Green World," in a 5,100 square foot retail space located within the Canyon Springs shopping center in the Community Commercial (CC) Zone. The applicant is proposing hours of operation between 9:00 am and 10:00 pm, seven days per week. The proposed use is for commercial retail sales of cannabis and cannabis products sold to individuals who are 21 years of age or older. This project, as

conditioned, is consistent with goals, policies and objectives of the City's General Plan and Municipal Code.

BACKGROUND

Pursuant to the authority granted to the City by Article XI, Section 7 of the California Constitution, a City may make and enforce, within its limits, regulations designed to promote the public health, safety and welfare. The City Council, recently adopted Ordinances that regulate commercial cannabis businesses in the City. These Ordinances are based on both federal and state laws.

Federal and State Laws

The Federal Controlled Substances Act classifies marijuana as a Schedule 1 Drug and makes it unlawful, under federal law, for any person to cultivate, manufacture, distribute, or possess with intent to manufacture, distribute, dispense, or possess. However, in 2016, Proposition 64 was approved by the voters in California ("The Adult Use Marijuana Act" or AUMA). AUMA established a comprehensive system to legalize, control and regulate the cultivation, processing, manufacturing, distribution, testing and sale of non-medical marijuana and products for use by adults 21 years of age and older. In addition, it allows taxation of commercial growth and retail sales of marijuana and marijuana products. Most recently, in 2017, then Governor Jerry Brown signed the "Medical and Adult-Use Cannabis Regulations and Safety Act" (MAUCRSA) which further amends prior statutory enactments.

City Regulations

In November 2017, the City Council adopted Ordinance 926, which set rules for the establishment, operation, and regulation of specific commercial cannabis uses, and in March 2018 the City Council approved Resolution 2018-11 approving the initial procedure for permit applications. Land use regulations for the operation of the cannabis uses were established in April 2018 with the adoption of Ordinance 932, which provided for the following cannabis uses: dispensaries, testing, cultivation, manufacturing, microbusinesses, and distribution.

Additionally, in December 2018, the City Council adopted Resolution No. 2018-94, establishing a maximum of 43 commercial cannabis permits. The table below identifies the various types of commercial cannabis permit types, number of permits allowed, and number and status of permits submitted.

Commercial Cannabis Permit Types	Number of Permits Allowed	Number of Provisional Business Permits Issued	Number of Conditional Use Permit Applications Submitted	Number of Conditional Use Permit Applications In Review	Number of Conditional Use Permit Applications Approved
Dispensaries	23	23	22	17	5
Testing Facilities	2	0	0	0	0
Cultivation	8	2	2	2	0
Manufacturing	5	2	2	2	0
Distribution (of products from licensee to licensee only)	2	2	2	1	1
Microbusinesses	3	3*	3*	1	1
*Note: The Provisional Business License for one Microbusiness was revoked; therefore, the associated Conditional Use Permit Application was closed.					

The City’s multi-step process for selecting commercial cannabis businesses that can legally operate in the City as follows:

Step 1 – Application Process. Commercial Cannabis Business Permit applications were reviewed and a background check of business Owner(s) and their Employees, was conducted. Applications with a minimum overall score of 80% were interviewed by staff to establish a candidate pool, and applications were required to be submitted through an online (PlanetBids) system. The City issued provisional Commercial Cannabis Business Permits to 32 successful applicants. Only those commercial cannabis businesses with provisional permits are eligible to proceed to the subsequent steps in the process. As noted in the table above, the City has revoked one of the previously issued provisional permits for a microbusiness.

Step 2 – Obtain a Conditional Use Permit. Municipal Code Section 9.09.290C2 requires that commercial cannabis businesses must obtain a Conditional Use Permit, which is a land use entitlement process to confirm the proposed land use and site development elements will be consistent with City established development regulations as well as compatible with other land uses near the proposed project.

Step 3 – State approval. In addition to local permits, each Commercial cannabis business must also obtain applicable State of California cannabis permits prior to commencing operation lawfully within the City.

Step 4 – Obtain a Certificate of Occupancy. Lastly, all commercial cannabis businesses must obtain a Certificate of Occupancy (“C of O”) from the Building and Safety Division, prior to opening for business. The C of O is the final step in the process and documents that the Applicant has completed all required tenant improvements to the building and modifications to the parking lot, as required by conditions of approval in the CUP Resolution, and have paid all requisite City fees.

Provisional Commercial Cannabis Business Permit

On August 20, 2018 Day Street Investment Holdings LLC, the owner of 12125 Day Street, Building “L”, received a provisional Commercial Cannabis Business Permit (Permit Number MVCCBP-R0004) from the City of Moreno Valley. A subsequent application for a Conditional Use Permit was submitted to the City on October 29, 2018. The applicant represents that they will apply for the necessary state permits once the Planning Commission approves the CUP application.

PROJECT DESCRIPTION

Project

The applicant is requesting approval to establish a commercial cannabis dispensary (retail sales only) named California Green World. The site is located at 12125 Day Street, Building “L”, in a vacant, in-line retail space, within the Canyon Springs shopping center located on the west side of Day Street, north of State Route 60 and south of Box Springs Road (Assessor’s Parcel Number 291-050-070). The tenant space is limited to a 5,100 square foot portion of an existing 21,285 square foot space, which was the former location of Sage College. The 16,185 square foot easterly portion of the building will remain vacant and is not part of this CUP application.

Proposed improvements that will constitute public areas in the dispensary include development of a 900 square foot customer waiting area, a 2,000 square foot product display and sales area, and two restrooms. For security purposes, the retail sales area includes one controlled point of customer ingress and egress from the entry/waiting area and one controlled points of egress from the product display area that only allow one person to enter/exit the building at a time, by requiring one door to close behind the customer before the entrance/exit door opens.

Employee areas are on the easterly side of the dispensary and include a secured cash room, product storage room, employee break rooms, and an office. A separate employee entrance/exit is also proposed in the northeast corner of the dispensary, through a secured hallway that will connect the dispensary to the employee parking lot on the northeast side of the building. Customers will not be allowed access to the employee areas. A new entrance/exit would be constructed to allow future tenant access to the remaining 16,185 square foot vacant portion of the building, under a separate and distinct application and approval process, when such application is made to and approved by City staff.

Customers will park to the west of the building and enter through the secured double doors, under the supervision of an armed security guard. Proposed hours of operation for this retail use will be between 9:00 am and 10:00 pm, seven days per week. The hours of operation are consistent with provisions in state law regulating hours of operation for retail cannabis businesses only between the hours of 6:00 am and 10:00 pm.

Site

Safety and Security Plan

Moreno Valley Municipal Code Section 9.09.294(B)(6) requires that any transfer of product or currency shall be identified in an individual security plan that is approved by the City. A Safety and Security Plan has been provided to the City that identifies methods to address site security for employees, customers and the public as well as fire prevention methods that comply with local and state laws. Some of the highlights of the Safety and Security Plan include the following:

- 1) Utilization of armed and licensed, on-site security guards to monitor and patrol the interior and exterior of the business premises.
- 2) Use of electronic locks and/or “man-traps”, to control all public and employee entrances and exits.
- 3) Installation and maintenance of a security and a fire alarm system through a licensed alarm company.
- 4) Installation of a video surveillance system consisting of interior and exterior cameras and video recorders to provide surveillance of all entrances and exits, as well as the employee and customer parking areas.

The Safety and Security Plan ensures safety for both customers and employees of California Green World. Public access into the building and from the public waiting area into and out of the display and sales areas will be controlled by utilizing electronic sensors and “man-traps” on doors. In addition, video cameras will be placed both inside and outside the building and the video feed will be monitored and stored for review. The video surveillance on the exterior of the building will record all activities in the parking lots surrounding the dispensary. A condition of approval requires the applicant to provide all video to the Police and Fire Departments, upon their request. Additionally, the site will be patrolled by one or more licensed and armed, security officers during hours of operation.

The Municipal Code requires that two secured parking spaces be identified on a plot plan for those vehicles used to transfer cannabis products and currency to and from the site. The applicant has identified those two secured parking spaces adjacent to the north side of the building in the employee parking area. The two secured parking spaces will be monitored with security cameras as well as patrolled by an armed security officer.

Odor Control Plan

An Odor Control Plan has been prepared for the project in conformance with City requirements intended to ensure abatement of all potential odors that could emanate from the dispensary. This Plan states that the dispensary will utilize carbon or gel, air filters on all air returns into the building and all air exhaust to the outside of the building, to trap all odors. These filters will effectively absorb all odors and impurities in the air, according to the Odor Control Plan.

These systems will ensure that any odors associated with the dispensary are not detectable outside the premises, including parking lots, public rights-of-way, and adjacent business locations or surrounding neighborhoods. The required air filtration system and the air exchange system are required to be consistent with the Odor Control Plan submitted to the City. The air filtration system must be designed by a licensed Mechanical Engineer and reviewed and permitted by the Building & Safety Division staff as part of the tenant improvement plans for the heating, ventilation and air conditioning (HVAC) systems for the proposed dispensary.

Surrounding Area

Tenants adjacent to the proposed use include a retail store and a wig shop; other uses in the same building include a smoke shop, tattoo studio, restaurant, and banquet facility. Surrounding land uses include commercial uses to the north and west; vacant property to the east, across Pigeon Pass Road; and State Route 60 to the south.

Access/Parking

The main access to Canyon Springs Plaza is from Day Street on the east side of the commercial center. There are additional ingress and egress points from the north side of the shopping center to Box Springs Road. A Reciprocal Parking and Access Agreement has been recorded on the shopping center property, allowing parking and access throughout the shopping center for all business employees and their customers.

The required parking, based on a retail standard of one space for every 225 square feet of gross floor area, requires 23 parking spaces for this 5,100 square foot dispensary. A total of 66 parking stalls are located on the subject parcel (Assessor's Parcel Number 291-050-070), including 33 parking stalls west of the building entrance, and 33 parking stalls, inclusive of the two secured parking spaces, to the northeast of the building. All employees will park to the rear or northeast side of the building and customer parking will be in the large parking lot to the west side of the building. As previously noted a reciprocal parking and access agreement has been recorded allowing for ample parking stalls within the center and adjacent to the business entrance.

Design/Landscaping

The applicant proposes to enhance the front of the building by adding 36" high planters to the north and south of the building entrance, and by adding a 14'-6" wide and 36" high planter in the area between the drive aisle and the main entrance to the building. In addition to the aesthetic value added, the raised planters will enhance security on the site by obstructing direct vehicular access to the front doors or windows. The applicant is proposing to repaint the façade of the building so that it is consistent with the color palette of the shopping center. The applicant will slurry seal and restripe the parking lot behind the dispensary, as well as a portion of the parking spaces in front of the dispensary. The addition of landscape planters, plant materials, slurry and restriping of the parking will greatly improve the aesthetics of this portion of the shopping center.

REVIEW PROCESS

In compliance with the Municipal Code, the Project Review Staff Committee (PRSC) reviewed this project on February 5, 2019. The applicant has worked with staff, and modified the proposed floor plan to the satisfaction of Fire and Police Departments as well as the Building Division. Based on staff's review, it was determined that the project will be consistent with the City's requirements, subject to the conditions of approval in the attached Resolution.

ENVIRONMENTAL

This project is a retail use within an existing tenant space in the existing shopping center. As designed and conditioned, this project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 for Existing Facilities.

NOTIFICATION

This Conditional Use Permit was previously noticed for the Planning Commission meeting of April 11, 2009; however, subsequent to the notice the applicant requested the item not be heard on April 11 in order to allow them additional time to address access issues related to the vacant portion of the building.

The required public hearing notice for the June 27 Planning Commission public hearing for this project was published in the local newspaper on June 14, 2019. Public notices were also mailed to property owners of record within 300 feet of the project site on June 13, 2019. In addition, a public hearing notice for the project was posted on the project site on June 14, 2019.

The City received a two letters in response to the public hearing notice sent out for the April 11, 2019 Public Hearing concerning the project. The first letter provided by Garcia Reed and Ramirez, LLP representing Canyon Springs Investment Trust, expresses opposition to the proposed use being located within the Canyon Springs Plaza. The second letter provided by Justice Law Partners representing the applicant, identifies that they will be in communication with Canyon Springs Investment Trust to discuss concerns and safeguards that will be put in place.

REVIEW AGENCY COMMENTS

The project application materials were circulated for review by all appropriate City departments and divisions as well as applicable outside agencies. Throughout the review process, comments and proposed conditions of approval were provided in writing to the Applicant.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2019-24, and thereby:

1. **CERTIFY** that Conditional Use Permit PEN18-0262 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 PEN18-0262 subject to the attached Conditions of Approval included as Exhibit A.

Prepared by:
Jeff Zwack
Planning Consultant

Approved by:
Patty Nevins
Planning Official

ATTACHMENTS

1. Resolution 2019-24 for CUP PEN18-0262
2. Exhibit A Conditions of Approval to Resolution 2019-24
3. Aerial Map
4. Project Plans
5. Public Hearing Notice
6. Radius Map
7. Public Comments

PLANNING COMMISSION RESOLUTION NO. 2019-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING A CONDITIONAL USE PERMIT APPLICATION (PEN18-0262) FOR A CANNABIS DISPENSARY, "CALIFORNIA GREEN WORLD" IN A 5,100 SQUARE FOOT RETAIL SPACE AT 12125 DAY STREET, BUILDING "L", LOCATED ON THE WEST SIDE OF DAY STREET AND NORTH OF STATE ROUTE 60 (ASSESSOR PARCEL NUMBER 291-050-070).

WHEREAS, On October 29, 2018, the applicant, Mr. J. Michael Poura, Partner in Day Street Investment Holdings, LLC, has filed an application for the approval of Conditional Use Permit PEN18-0262 for the development of a 5,100 square foot cannabis dispensary as described in the title above; and

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

WHEREAS, upon completion of a thorough development review process the project was appropriately agendaized and noticed for a public hearing before the Planning Commission of the City of Moreno Valley (Planning Commission); and

WHEREAS, the public hearing notice for this project was published in the local newspaper on June 14, 2019, public notice was sent to all property owners of record within 300 feet of the project site on June 13, 2019. The public hearing notice for this project was also posted on the project site on June 14, 2019, and

WHEREAS, on June 27, 2019, the Planning Commission held a public hearing to consider the application; and

WHEREAS, on June 27, 2019, the Planning Commission of the City of Moreno Valley determined that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Exemption (Section 15301, Existing Facilities); and

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

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

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

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

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on June 27, 2019, including written and oral staff reports, public testimony and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

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

FACT: State Planning Law required cities and counties to set forth goals, policies, and implementation programs for the long term physical development of the community. Section 65302 (a) of the Government Code requires preparation of a land use element which designates the proposed general distribution and general location of the uses of land for housing, business, industry, public buildings, and open space. The proposed development is located within the Commercial (C) land use designation of the Moreno Valley General Plan.

The CUP has been evaluated against General Plan Objective 2.4, which states “provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses” and staff has confirmed that the proposed project does not conflict with any of the goals, objectives, policies, and programs of the General Plan. The addition of a new, retail cannabis dispensary will provide an efficient retail use with safe and easy pedestrian and vehicle circulation that will provide a convenience to the surrounding neighborhood.

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

FACT: The proposed project is within the Community Commercial (CC) zoning district. Municipal Code Section 9.02.290 C 2 (Cannabis Business Locations and Use), requires a Conditional Use Permit in order to lawfully operate all commercial cannabis activities including dispensaries. The proposed Conditional Use Permit for a cannabis dispensary will comply with the Municipal Code Section 9.09.290 Commercial Cannabis Activities, which provides standards for cannabis dispensaries. The proposed dispensary will be located within a 5,100 square foot tenant space in the shopping center.

The project is designed in accordance with the provisions of Section 9.04 Commercial Districts, Section 9.16 Design Guidelines of the City’s

Municipal Code. The project as designed and conditioned would comply with all applicable zoning standards.

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

FACT: The proposed commercial cannabis business will operate in an existing 5,100 square foot retail space within the existing retail shopping center. This proposed use will be consistent with General Plan Goal 6.1 of achieving acceptable levels of protection from natural and made-made hazards to life, health, and property. The proposed project will be operated consistent with the applicant's Security Plan, which contains physical planning strategies that maximize the surveillance opportunities via security guards, surveillance cameras and equipment. Therefore, the proposed business is consistent with General Plan Goal 6.1.

Planning staff has reviewed the request in accordance with the latest edition of the California Environmental Quality Act (CEQA) Guidelines and has determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) under CEQA Guidelines Section 15301, Existing Facilities.

4. **Redevelopment Plan** - The project conforms with any applicable provisions of any city redevelopment plan.

FACT: In January 2011, the Governor of the State of California proposed statewide elimination of redevelopment agencies. State legislation was passed on June 29, 2011 prohibiting redevelopment agencies from engaging in new business and established timelines for dissolution of redevelopment agencies. For these reasons, the finding is no longer applicable. Even if redevelopment was still in place, the site is not within the boundaries of the City redevelopment plan.

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

FACT: The project site is consistent with the Commercial (C) General Plan and Community Commercial zoning designations. The proposed commercial cannabis dispensary will be within an existing tenant space of approximately 5,100 square feet in the commercial center. Only interior tenant improvements, consistent with applicable federal, state and local regulations, are proposed. The project is located within the Community Commercial zone and can be established by a Conditional Use Permit.

In addition, 12125 Day Street, Building "L" is located further than 600' from any public or private school providing instruction in kindergarten or grades 1 through 12, and from child day care centers, youth centers, or arcades.

Overall, the proposed project has been found to be consistent with certain objectives, goals and policies outlined in the City's General Plan, as well as being compatible with the existing land uses in the project area.

This project as proposed and conditioned conforms to all development standards of the Community Commercial zone and the design guidelines for commercial developments prescribed in the City's Municipal Code and City Landscape Standards.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2019-24, and thereby:

1. **APPROVE** Conditional Use Permit PEN18-0262 based on the findings contained in this resolution, and subject to the attached conditions of approval included as Exhibit A.

APPROVED this 27th day of June, 2019.

 Jeffrey Sims
 Chairperson, Planning Commission

ATTEST:

APPROVED AS TO FORM:

 Patty Nevins, Planning Official
 Secretary to the Planning Commission

 City Attorney

Attachments:

Exhibit A: Conditions of Approval

Attachment: Resolution 2019-24 for CUP PEN18-0262 [Revision 5] (3512 : PEN18-0262 California Green World CUP)

CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Conditional Use Permit (PEN18-0262)

EFFECTIVE DATE:
 EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
2. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)
3. This project is located within the Community Commercial (CC) zone. The provisions of the zoning, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
4. The commercial cannabis dispensary shall be consistent with all other applicable federal, state and local requirements including the Moreno Valley Municipal Code Title 5 and Title 9, and all related Municipal Code sections. (MC 9.09.290 (E)(4)(a-i))
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)
6. All landscaped areas and the parking lot shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. Any signs indicated on the submitted plans are not included with this approval and shall be renewed under separate permit.
8. All site plans, grading plans, landscape plans and proposed signage shall be coordinated for consistency with this approval.

Special Conditions

9. The site has been approved for a commercial cannabis dispensary, located at 12125 Day Street, Building "L" (approximately 5,100 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.

10. The applicant is required to remove all interior non-load bearing walls within the 16,185 sq. ft. space east of the proposed dispensary area, to the satisfaction of the Chief Building Official.
11. A licensee conducting a commercial cannabis dispensary shall meet all applicable operational requirements for retail/commercial cannabis dispensaries. (MC 9.09.290 (E)(4))
12. A cannabis dispensary operation shall be consistent with all other applicable federal, state and local requirements, including Moreno Valley Municipal Code Title 5. (MC 9.09.290)
13. Daily hours of operation for the dispensary may start no earlier than 6:00 am and end no later than 10:00 pm, Sunday through Saturday.
14. The cannabis license and the Conditional Use Permit apply only to the 5,100 square foot, westerly portion of at 12125 Day Street. No use of any other tenant space, outside of the 5,100 square foot tenant space is allowed per CUP, PEN18-0262.
15. No person associated with this commercial cannabis dispensary shall cause or permit the sale, dispensing or consumption of alcoholic beverages or the sale of tobacco products on or within 50 feet of the premises of a cannabis business. (MC 9.09.290 (D)(2)(b))
16. 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 plane so that it may be readily seen by all persons entering the site. (MC 9.09.290 (D)(2)(c))
17. 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))
18. No cannabis or marijuana raw materials or products shall be visible from the exterior of any structure, facility, or building in which commercial cannabis dispensaries are being conducted. All commercial cannabis dispensaries must take place within a fully enclosed, secured and permanent structure (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(6)(c))
19. The commercial cannabis dispensary shall have designated locked storage on the dispensary property for after-hours storage of medical and adult use recreational cannabis and cannabis infused products. All cannabis and cannabis infused products shall be stored at the dispensary property in secured rooms that are completely enclosed or in a safe that is bolted to the floor (with accommodations in place at all times to allow for and facilitate unlimited/unrestricted access throughout the premises by emergency service personnel). (MC 9.09.290 (E)(4)(c))
20. No delivery service (retail) of any cannabis products is allowed. All distribution of cannabis must be conducted within the enclosed building area of the dispensary property between the seller and buyer. (MC 9.09.290 (E)(4)(e))

21. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty (20) feet of, the dispensary site. (MC 9.09.290 (E)(4)(f))
22. No commercial cannabis dispensary owner or employee shall: (i) cause or permit the sale, distribution, or consumption of alcoholic beverages on the dispensary property (ii) hold or maintain a license from the State Division of Alcoholic Beverage Control for the sale of alcoholic beverages; or (iii) operate a business on or adjacent to the dispensary property that sells alcoholic beverages. No alcoholic beverages shall be allowed or stored on the dispensary property. (MC 9.09.290 (E)(4)(g))
23. 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))
24. A fire sprinkler system shall be installed for this project or as required by the Municipal Code Section 9.09.290. An approved automatic fire sprinkler system, designed in compliance with the California Fire Code is required in every building that houses a commercial cannabis business. This is a minimum standard and does not preclude the city from imposing additional fire prevention measures as deemed necessary by the fire marshal (MC 9.09.290 (E)(7)(d))
25. From a public right-of-way, no exterior evidence of commercial cannabis dispensing (including raw materials, marijuana plants or other cannabis or cannabis-infused products) shall be visible except for any signage authorized as part of the CUP approval and separately issued signage permit. (MC 9.09.290 (E)(8)(b))
26. 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))
27. 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 courtering or dispensing of cannabis materials products to and from the facility and for use by any secured vehicle commissioned for the transfer of currency to and from the facility. (MC 9.09.290 (E)(9)(f))
28. Security surveillance cameras and a video recording system must be installed to monitor all doors into and out of the entire building, the westerly and the north-eastern parking lots, loading areas, secured parking spaces, and all exterior sides of the property. The camera and recording systems must be of adequate quality, color rendition, and resolution to allow the identification of any individual present on the site. The recording system must be capable of exporting the recorded video in standards MPEG formats to another common medium, such as a DVD or USB drive. (MC 9.09.290 (E)(12)(a))
29. 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))
30. Waste and storage and disposal of all marijuana and cannabis products shall meet all applicable state and local health regulation. (MC 9.09.290 (E)(13))
31. Odor control devices and techniques in accordance with the Odor Control Plan submitted shall

be incorporated in all licensed premises to ensure that odors from cannabis or marijuana are not detectable offsite or anywhere on the premises per MC 9.09.290.E14a and b.

32. Licensee shall prohibit loitering by individuals outside the licensed premises or anywhere on the property. (MC 9.09.290 (E)(14)(c))
33. 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))
34. Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approval of any new or repaired landscaping by the Planning Division designed per the City's Municipal Code 9.17.
35. Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed, and inspected and approved by the Planning Division. (DC 9.03.040)
36. 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.
37. 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 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) Lighting shall comply with the provisions of MC Section 9.08.100 including fixture type, wattage illumination levels and shielding. (MC 9.09.290 (E)(10))
38. The commercial cannabis operation shall comply with all requirements of Moreno Valley Municipal Code Chapter 5.05 prior to issuance of occupancy permits.

Security Plan and Measures

39. 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))
40. 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.

Miscellaneous Operating Requirements

41. Persons under the age of twenty-one (21) years shall not be allowed on the premises. It shall be unlawful and a violation of this chapter for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age. (MC5.05.310 (H)(1))

Economic Development Department (EDD)

42. New Moreno Valley business are encouraged to hire local residents.

43. New Moreno Valley business may utilize the workforce recruitment services provided by the Moreno Valley Employment Resource Center (“ERC”).
The ERC offers no cost assistance to businesses recruiting and training potential employees. Complimentary services include:

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

New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.

44. 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.

Building and Safety Division

45. 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.
46. Contact the Building Safety Division for permit application submittal requirements. Building plans shall be submitted for providing two separate tenant spaces and separate building plans shall be submitted for the tenant improvements.
47. Any construction within the city shall only be completed between the hour of seven a.m. to seven p.m. Monday through Friday, excluding holidays and from eight a.m. to four p.m. on Saturday, unless written approval is obtained from the city building official or city engineer (Municipal Code Section 8.14.040 (E)).
48. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
49. The proposed development is subject to the payment of applicable processing fees as required by the City’s current Fee Ordinance at the time a building permit application is submitted or prior to the issuance of permits as determined by the City.
50. 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.
51. 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 2016 California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
52. 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. The current code edition is the 2016 CBC.

53. Restroom facilities must be provided for public use. Single accommodation restroom may be used for both employees and customers. 2016 California Plumbing Code 422.4
54. 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

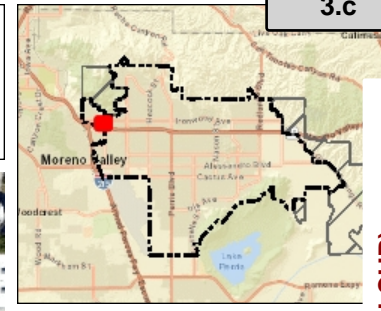
55. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
56. All restricted access and egress devices shall be approved by the Building and Fire Departments and be in compliance with the 2016 CBC.
57. 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.
58. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
59. 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)

PUBLIC WORKS DEPARTMENT

Special Districts Division

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

Aerial Map



Legend

- Public Facilities
 - Public Facilities
 - ★ Fire Stations
- Parcels
- ⊞ City Boundary
- ◊ Sphere of Influence

631.0 0 315.48 631.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

Print Date: 6/4/2019

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.

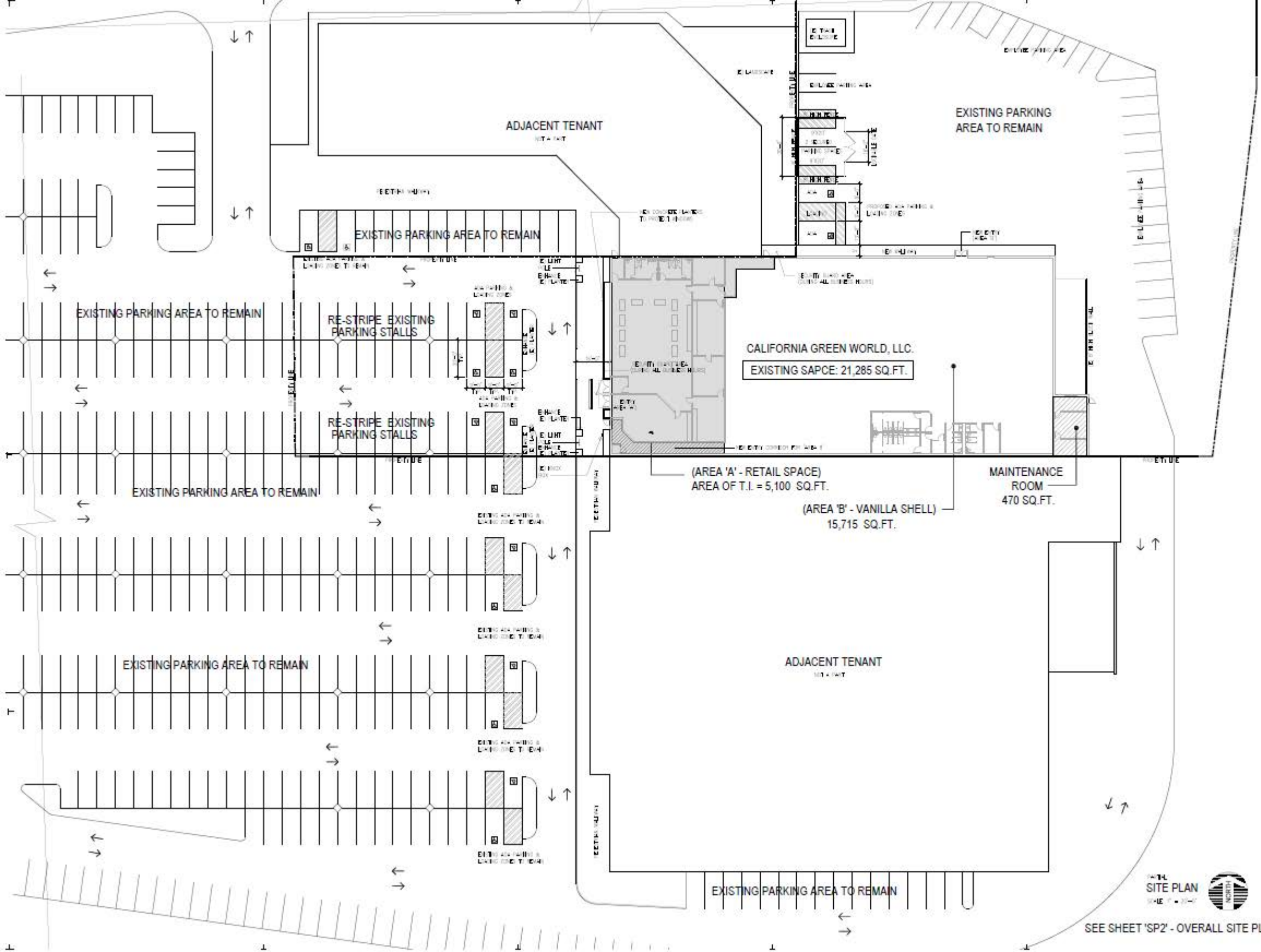
Notes

PEN18-0262

1037 N. CALERA AVE
CONTRA COSTA, CA 94722
925-538-7788
designer: DANNY REYNOLDS
ReynoldsDesignStudio@gmail.com

CALIFORNIA GREEN WORLD, LLC.
12125 DAY STREET, BLDG. 'L'
MORENO VALLEY, CA 92557

Attachment: Project Plans [Revision 1] (3512 : PEN18-0262 California Green World CUP)

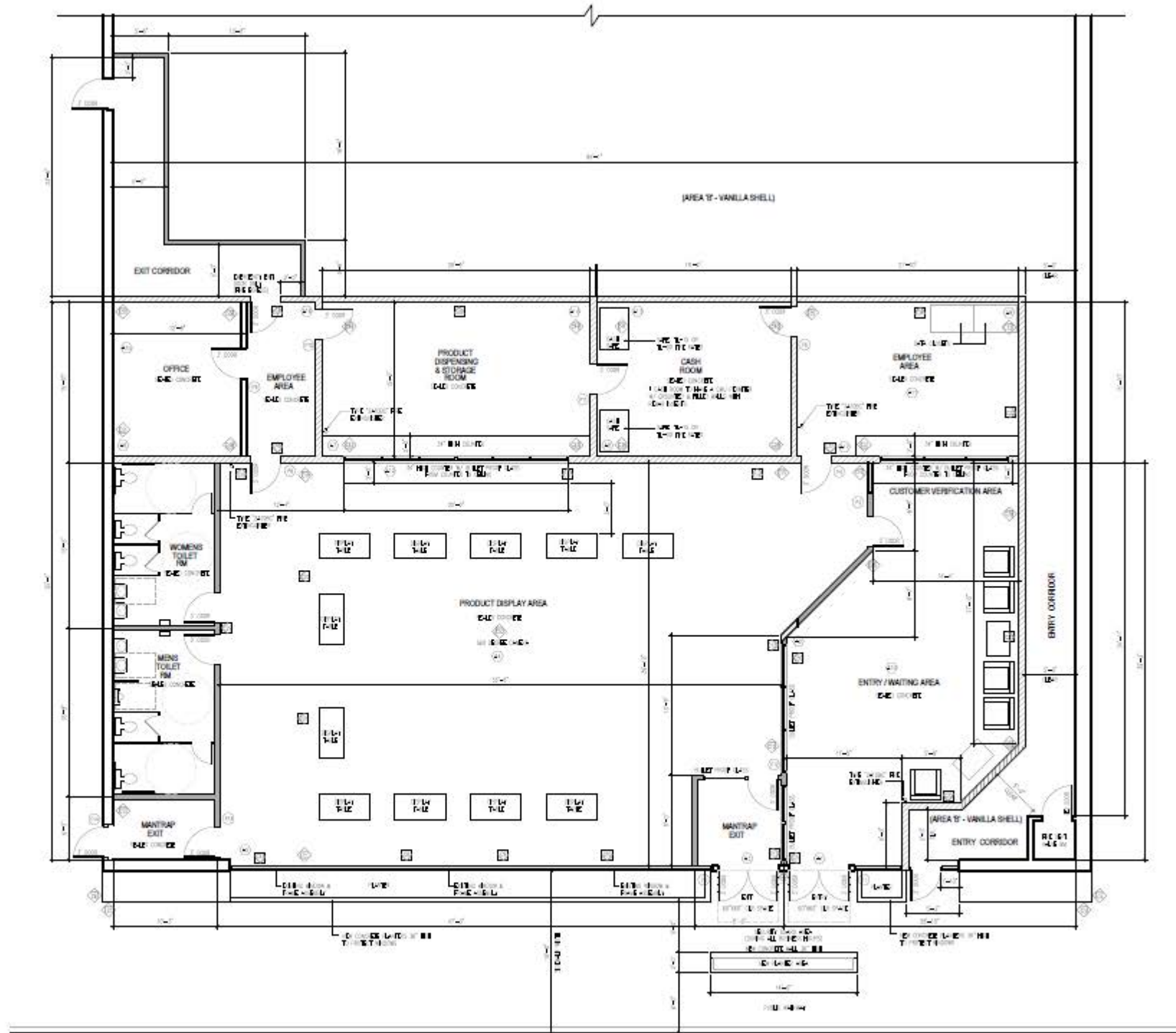


PROJECT	12125 DAY STREET, BLDG. 'L'	
LOCATION	12125 DAY STREET, BLDG. 'L'	
DRAWING TITLE	SITE PLAN	
PROJECT NO.	1800	
DATE	11/20/18	
SCALE	1" = 20'-0"	
DRAWN BY	DANNY REYNOLDS	
REVISIONS		
NO.	DATE	DESCRIPTION
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1/4" = 1' SITE PLAN
SHEET 1 OF 2



SEE SHEET 'SP2' - OVERALL SITE PLAN



CALIFORNIA GREEN WORLD, LLC.

PROJECT	1037 N. CALERA AVE, COVINA, CA
LOCATION	1037 N. CALERA AVE, COVINA, CA
DRAWING TITLE	FLOOR PLAN
PROJECT NO.	1037
DATE	11/20/18
SCALE	1/8" = 1'-0"
DRAWN BY	DR
REVISION	DATE
1	11/20/18
2	11/20/18
3	11/20/18
4	11/20/18
5	11/20/18
6	11/20/18
7	11/20/18
8	11/20/18
9	11/20/18
10	11/20/18

NOTE

1. SEE REVISIONS SHEET FOR THE PROJECT TO DATE.
2. SEE REVISIONS SHEET FOR THE PROJECT TO DATE.
3. SEE REVISIONS SHEET FOR THE PROJECT TO DATE.
4. SEE REVISIONS SHEET FOR THE PROJECT TO DATE.
5. SEE REVISIONS SHEET FOR THE PROJECT TO DATE.

SYMBOL LEGEND

- ALUMINUM
- GLASS
- GLASS DOOR OPERATED
- GLASS DOOR

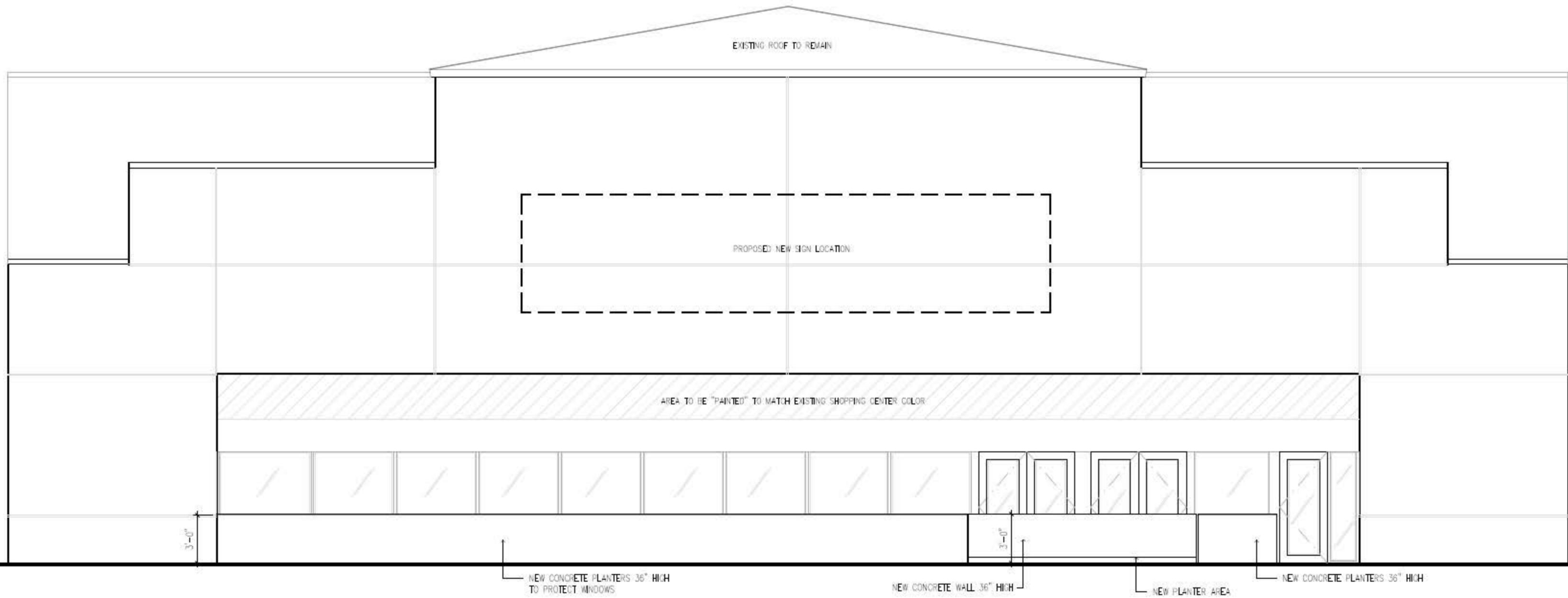
WALL LEGEND

- 1/2" WALL CONTIGUOUS TO FINISH
- 1/2" WALL
- 1/2" WALL ON REVISIONS SHEET

FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 AREA OF T.I. = 5,100 SQ.FT.



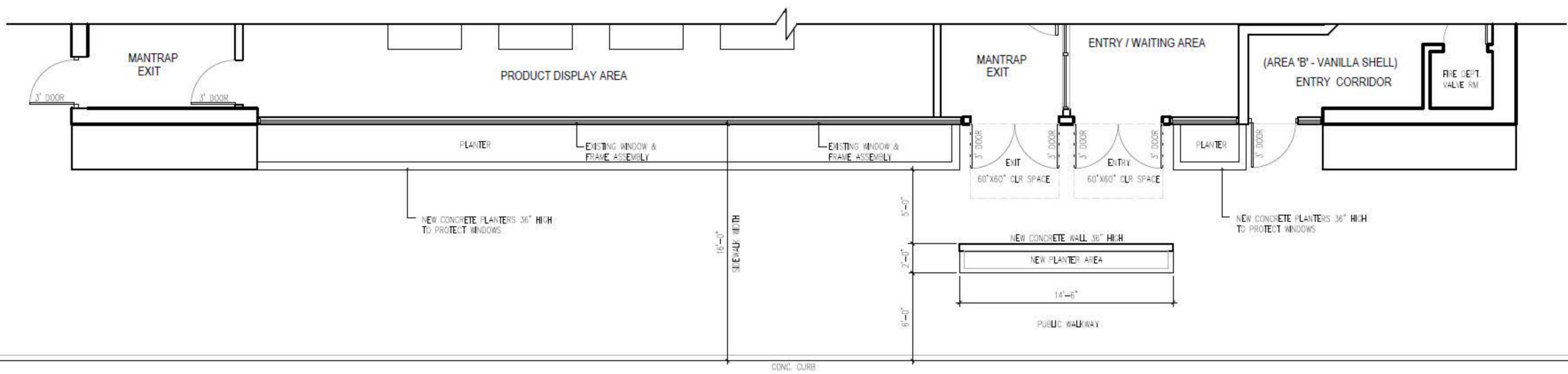
Attachment: Project Plans [Revision 1] (3512 : PEN18-0262 California Green World CUP)



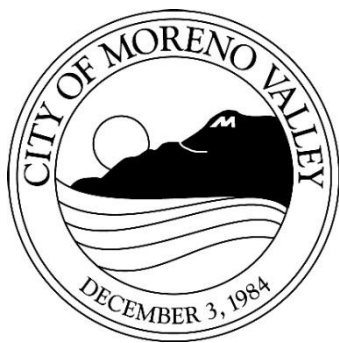
NO CHANGES TO EXTERIOR (BUILDING STRUCTURE) ELEVATION

NOTE: SIGN SUB CONTRACTOR SHALL PROVIDE SIGN SHOP DRAWINGS AND SUBMIT FOR LANDLORD/CITY APPROVAL (UNDER SEPARATE PERMIT)

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



PARTIAL FLOOR PLA
SCALE: 1/4" = 1'-0"



This may affect your property

Notice of PUBLIC HEARING

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

Project: PEN18-0262
Applicant: J Michael Poura
Owner: Day Street Investment Holdings, LLC
Representative: J. Caesar Aguilar
A.P. No(s): 291-050-070
Location: 12125 Day Street, Building "L"
Proposal: A Conditional Use Permit for a Retail Cannabis Dispensary in an existing commercial building located in the Community Commercial (CC) zone
Council District: 2

The project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) Guidelines and it was determined that the project will not have a significant effect on the environment. A finding that the project is exempt from the provisions of CEQA as a Class 1 Categorical Exemption in accordance with CEQA Guidelines Section 15301 for Existing Facilities is being recommended for the project.

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

The Planning Commission, at the Hearing or during deliberations, could also consider and approve changes to the project. If you challenge this project,

including any modifications considered for the project in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing.



LOCATION N ↑

PLANNING COMMISSION HEARING

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

DATE AND TIME: June 27, 2019 at 7:00 P.M.
CONTACT PLANNER: Jeff Zwack
PHONE: 951.413.3206

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

TITLE: OWNERSHIP MAP

ADDRESS:
12125 DAY ST L
MORENO VALLEY CA 92557-6720

PROPERTY OWNER(S):
DAY STREET INV HOLDINGS LLC
10700 SANTA MONICA BLVD #200
WEST LOS ANGELES CA 90025-6588

APPLICANT(S):
REYNOSO DESIGN STUDIO
17832 ETNA PL
COVINA CA 91722
(626) 536-7786

LEGAL DESCRIPTION:
2.00 Acres M/I In Por Pars 13 & 14 Pm 140/047 Pm 20547

APN:
291-050-070

ACREAGE: ± 2.00

THOMAS GUIDE: RIVERSIDE COUNTY
PAGE/GRID: 717/A2

RADIUS: 300' DATE: MARCH 12, 2019

SCALE: 1" = 175' NORTH: ↑

PROJECT :	0319 103	DRAWN:	SS
SHEET:	1 OF 1	REVISIONS:	
INDEX:	TITLE:	DATE:	BY:
1	OWNERSHIP MAP		

FOR DEPARTMENT USE

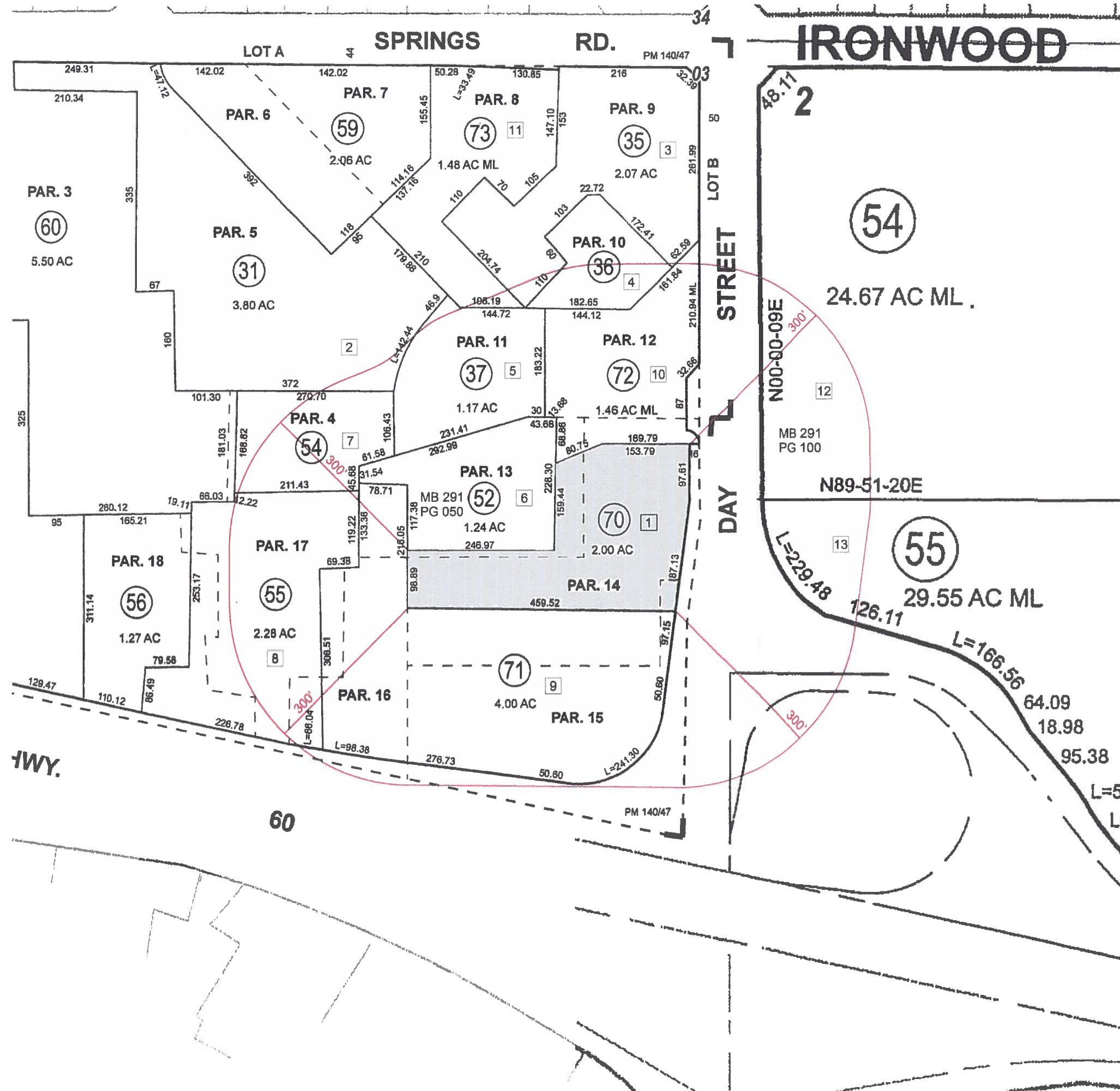
CASE NO. _____
RECEIVED BY: _____
DATE: _____

 **SZETO + ASSOCIATES**
LAND USE ENTITLEMENT CONSULTANTS

CONDITIONAL USE • VARIANCE • SUDIVISION CONSULTING
ZONING • LICENSING • LAND USE PLANNING • RADIUS MAPS

879 W ASHIYA RD
MONTEBELLO CA 90640

TEL (626) 512-5050
FAX (323) 246-4007
stanle



Attachment: Radius Map (3512 : PEN18-0262 California Green World CUP)

APR - 1 2019

CITY OF MORENO VALLEY
Planning Division**GARCIA REED & RAMIREZ LLP**600 ANTON BOULEVARD, SUITE 1100
COSTA MESA, CALIFORNIA 92626Telephone: (714) 592-0073 Ext. 101#
Facsimile: (714) 592-4443Daniel A. Reed: dan@garciareedramirez.com

March 29, 2019

Via First Class MailMr. Jeff Zwack
City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805**Notice of Objection to Conditional Use Permit for a Retail Cannabis Dispensary**Re: Case No.: PEN18-0262
Applicant: Day Street Investment Holdings, LLC
Proposal: Conditional Use Permit for Retail Cannabis Dispensary
Location: 12125 Day Street, Moreno Valley, California
Date/Time: April 11, 2019, 7:00 PM

Dear Mr. Zwack:

Please be advised that Garcia Reed & Ramirez LLP represent Canyon Springs Investment Trust (CSIT), the majority parcel owner and Declarant for the Canyon Springs Plaza (Plaza) located at 12125 Day Street in the City of Moreno Valley, California. We have taken this opportunity to write to you on behalf of CSIT to explain CSIT's objections to the issuance of a conditional use permit to Day Street Investment Holdings, LLC (Applicant) to operate a Retail Cannabis Dispensary at the Plaza.

The Applicant's building where it proposes to operate a retail cannabis dispensary is *not* located within an exclusively owned lot. Rather, the Applicant owns just 5.31% of building space located within the Canyon Springs Plaza. The Plaza is a planned Common Interest Development (See *Civil Code §4100(c)*) which subjects all parcels to recorded Declaration of Restrictions and Grant of Easements (CC & R's). CSIT owns 74.565% of building space within the Plaza.

CSIT, as the majority parcel owner, is designated by the Plaza's CC & R's as the Plaza's "Declarant." The CC & R's expressly protect the right of the Declarant, as the Plaza's majority parcel owner, to object to any use which it considers to constitute an unreasonable annoyance, or which will injure the reputation of the Plaza. The CC & R's at ¶ 3.2(e) provides that, "Each occupant of the shopping center shall: (e) not use the parcel or permit the parcel to be used in any manner that will constitute a nuisance or unreasonable annoyance to the public, to other occupants of the shopping center or to Declarant, or that will injure the reputation of the shopping center..."

CSIT formally objects to the operation of any commercial cannabis business at the Plaza, including the issuance of a conditional use permit to the Applicant to operate a retail cannabis dispensary as being in violation of the Plaza's CC&R's. The CC&R's expressly provide CSIT as the overwhelming majority parcel owner of the Plaza to preclude any business that it determines will either (a) injure the reputation of the shopping center; or, (b) will constitute a nuisance or unreasonable annoyance to the public, other occupants of the shopping center or to the Declarant. CSIT has determined, with a reasonable basis, that the approval of a conditional use permit to operate a retail cannabis dispensary at the Plaza not only injures the reputation of the Plaza, but demonstrably constitutes an unreasonable annoyance to the public, other occupants and to CSIT.

As the Declarant, CSIT is subject to maintain the common area of the entire Plaza on behalf of all parcel owners. In maintaining the Plaza's common area, CSIT has first-hand experience dealing with disturbances, nuisance and annoyances caused by a commercial cannabis business operating at the center. This included alcohol and marijuana consumption in the common areas and parking lot, loitering, vandalism, graffiti, excessive litter, idle congregation of vehicles and vehicle occupants, and increased security measures. CSIT was recently compelled to evict a commercial tenant, TRJ Infinite Entertainment, Inc., where commercial cannabis activities were taking place due to the attendant nuisance and unreasonable annoyance to CSIT's tenants and the public. CSIT proceeded forward with the eviction even though its lease with TRJ Infinite Entertainment, Inc. proved profitable. (*Canyon Springs Investment Trust, Natasha Radwan v. TRJ Infinite Entertainment, Inc.*, RSC Case No. RIC 1803291)

CSIT's overwhelming nearly 75% majority ownership of the building parcels within the Plaza will be disproportionately adversely impacted should a 5% minority parcel owner be awarded a conditional use permit to operate a retail cannabis dispensary. CSIT emphatically maintains that the operation of a retail cannabis dispensary at the Plaza is patently inconsistent with the use and reputation of the Plaza as a planned Common Interest Development and will disproportionately harm the interests of the tenants and all parcel owners.

CSIT respectfully requests that the City of Moreno Valley cancel the hearing on April 11, 2019 and deny the Applicant's request for a conditional use permit to operate a retail cannabis dispensary at Canyon Springs Plaza as not being in compliance with the Plaza's recorded CC & R's. A retail cannabis dispensary is simply not conducive to the operation of a Common Interest Shopping Center and should more appropriately be located in an industrial center or a secluded parcel where it will not adversely impact neighboring businesses.

Please note that CSIT reserves all legal recourse, including, but not limited to seeking declaratory relief and an injunction on the issuance of any CUP for the operation of any commercial cannabis business, including a retail cannabis dispensary at the Plaza as being in violation of the property rights of all parcel owners as secured by the Plaza's CC & R's.

We respectfully request that this correspondence be forwarded to the review board and any person involved in the conditional use permit application process. We plan to attend the April 11, 2019 hearing to further explain and answer any questions concerning CSIT's position on this matter. In the interim, should you or the board require any further information, please do not hesitate to contact the undersigned.

Very Truly Yours,
GARCIA REED & RAMIREZ LLP

A handwritten signature in blue ink, appearing to read 'D.A. Reed', is written over the typed name.

DANIEL A. REED, ESQ.

Cc: Canyon Springs Investment Trust
Atlas Properties

JUSTICE LAW PARTNERS
106 ½ Judge John Aiso Street, #412,
LOS ANGELES, CALIFORNIA 90012
TEL: (213) 280-8908 · FAX: (213) 687-0867
JUSTICELAWPARTNERS@GMAIL.COM

Via First Class Mail

Mr. Jeff Zwack
City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552-0805

RE; Case No. PEN18-0262
Applicant: Day Street Investment Holdings, LLC
Proposal: Conditional Use Permit of Retail Cannabis Dispensary
Location: 12125 Day Street, Moreno Valley, California

Dear Mr. Zwack,


Please be informed our office has been retained by California Green World/ Day Street Investment Holdings, LLC (Applicant) to assist them with negotiations and cooperation of the Canyon Springs investment Trust (CSIT), the majority parcel owner and Declarant for the Canyon Springs Plaza (Plaza) located at 12125 Day Street in the City of Moreno Valley, California. Although we are sensitive to the initial objections expressed by CSIT with regard to the issuance of a conditional use permit to Day Street Investment Holdings, LLC (Applicant) to operate a Retail Cannabis Dispensary at the Plaza, we are equally confident CSIT's concerns and misgivings will be adequately assuaged and addressed.

CSIT's objections are both premature and inaccurate as we are sure they have not been fully apprised of the many safeguards put in place by the Applicant as well as the professional manner and strictest adherence to Code compliance which will avoid many of the pitfalls presumptively associated with the Cannabis Industry. Not only will the Applicant's Dispensary not be a Nuisance, Annoyance or damage Reputation in any way, it will actually be an invaluable asset to the Plaza, the Community at Large and will bring with it, increased revenue and business traffic that will benefit the City and local businesses alike.

Despite the preconceived notions of CSIT, our Client actually welcomes this type of dialogue as it serves an instrumental role in changing Day Street Investment Holdings, LLC (Applicant) the perception of the Cannabis Industry as a whole. Additionally, we believe transparency and communication always strengthens business relations and our contributions to the Community.

We greatly look forward to resolving this matter with CSIT and will make sure we keep the City informed throughout the process.

Best Regards,



Attorney Justin Rodriguez

Attachment: Public Comments [Revision 1] (3512 : PEN18-0262 California Green World CUP)