

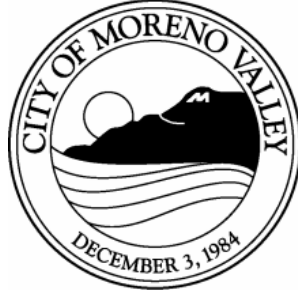
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**PLANNING COMMISSIONERS**

ALVIN DEJOHNETTE  
Chairperson

OMAR COBIAN  
Vice Chairperson

VACANT  
Commissioner



VACANT  
Commissioner

JOANN STEPHAN  
Commissioner

RAY BAKER  
Commissioner

VACANT  
Commissioner

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# PLANNING COMMISSION

## Regular Meeting

### Agenda

Thursday, July 13, 2023 at 6:00 PM  
City Hall Council Chamber – 14177 Frederick Street

#### CALL TO ORDER

#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

Approval of Agenda

#### PUBLIC COMMENTS PROCEDURE

*Any person wishing to address the Commission on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, members of the public may be limited to three minutes per person, except for the applicant for entitlement. The Commission may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience.*

#### PUBLIC COMMENTS

#### CONSENT CALENDAR

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

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*Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the ADA Coordinator, at 951.413.3350 at least 72 hours before the meeting. The 72 hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

Planning Commission Minutes – Regular Meeting – June 22, 2023 6:00 PM

Case: Street Vacation (LGL20-0025)  
Applicant / Property Owner: Villa Annette LP  
Representative: Robert Lattanzio  
Location: Brodiaea Avenue, east of Lasselle Street  
Case Engineer: Hoang Nguyen, P.E., Associate Engineer II  
Council District: 3  
Proposed Project: Street vacation of a portion of Brodiaea Avenue located east of Lasselle Street.  
CEQA: Exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines pursuant to Section 15061(b)(3).

Case: Street Vacation (LGL20-0025)

Applicant / Property Owner: Villa Annette LP  
Representative: Robert Lattanzio  
Location: Brodiaea Avenue, east of Lasselle Street  
Case Engineer: Hoang Nguyen, P.E., Associate Engineer II  
Council District: 3  
Proposed Project: Street vacation of a portion of Brodiaea Avenue located east of Lasselle Street.  
CEQA: Exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines pursuant to Section 15061(b)(3).

**NON-PUBLIC HEARING ITEMS**

No items for discussion.

**PUBLIC HEARING ITEMS**

1. Case: Conditional Use Permit (PEN23-0007)  
Applicant: Gerald Koh  
Property Owner: Talat Radwan  
Project Site: 24905 Sunnymead Boulevard, Suite G  
Case Planner: Danielle Harper-Scott, Associate Planner  
Council District: 1  
Proposed Project: The applicant is requesting approval of a Conditional

Use Permit for an auto rental facility with vehicle storage located within the existing Sunnymead Plaza shopping center in the Specific Plan 204 Community Commercial, Community Mixed Use (COMU) District.

- CEQA Determination: The Proposed Project is exempt from the California Environmental Quality Act as a Class 1 Categorical Exemption, 15301 Existing Facilities.
- 2.** Case: Plot Plan (PEN22-0034)
- Applicant: Elias Alfata
- Property Owner: Michael Bros Estate Inc.
- Project Site: Southeast corner of Perris Boulevard and Delphinium Avenue (APN: 484-242-020)
- Case Planner: Gabriel Diaz, Associate Planner
- Council District: 3
- Proposed Project: Plot Plan to add one (1) new building with 12 residential units to the existing Tuscany Village Apartment Complex on an approximately 4.10-acre site in the Corridor Mixed Use (COMU) District.
- CEQA: The Proposed Project is exempt from the California Environmental Quality Act as a Class 32 Categorical Exemption, 15332 Infill Development.
- 3.** Case: Master Plot Plan (PEN21-0289)  
Plot Plans (PEN23-0081, PEN23-0082, and PEN23-0083)  
Conditional Use Permits (PEN20-0110, PEN20-0111, and PEN03-0112)  
Tentative Parcel Map No, 37942(PEN21-0288)
- Applicant: Winchester Associates
- Property Owner: MV Cactus 9
- Project Site: Northeast Corner of Nason Street and Cactus Avenue (486-290-038)
- Case Planner: James Troyer, Contract Planner
- Council District: 3
- Proposed Project: The applicant is requesting approval of a commercial office and retail development with seven (7) buildings

on approximately 8.4 acres.

CEQA:

Adopt Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

**OTHER COMMISSION BUSINESS**

No items for discussion.

**STAFF COMMENTS**

**PLANNING COMMISSIONER COMMENTS**

**ADJOURNMENT**

Planning Commission Regular Meeting Thursday, July 27th at 6:00 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 – 6:00 PM  
June 22, 2023**

**CALL TO ORDER**

This regular meeting of the Planning Commission of the City of Moreno Valley was called to order at 6:00 p.m., by Chairperson DeJohnette in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

**ROLL CALL**

Planning Commission:	Alvin DeJohnette	Chairperson	Present
	Omar Cobian	Vice-Chairperson	Present
	JoAnn Stephan	Commissioner	Present
	Ray L. Baker	Commissioner	Present

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairperson DeJohnette.

**APPROVAL OF AGENDA**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Ray L. Baker, Commissioner  
**SECONDER:** Omar Cobian, Vice-Chairperson  
**AYES:** Ray L. Baker, Omar Cobian, Alvin DeJohnette, JoAnn Stephan

**PUBLIC COMMENTS PROCEDURE**

**PUBLIC COMMENTS**

No public comments.

**CONSENT CALENDAR**

1. Planning Commission - Regular Meeting - Jun 8, 2023 6:00 PM

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Ray L. Baker, Commissioner  
**SECONDER:** JoAnn Stephan, Commissioner  
**AYES:** Ray L. Baker, JoAnn Stephan, Alvin DeJohnette, Omar Cobian

**NON-PUBLIC HEARING ITEMS**

No items for discussion.

Minutes Acceptance: Minutes of Jun 22, 2023 6:00 PM (CONSENT CALENDAR)

## PUBLIC HEARING ITEMS

1. Conditional Use Permit to allow for the sale of beer and wine for off-site consumption (type 20 license) within an existing market (Tres Islas Seafood Market) located within three 300 feet from a residential zone.

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

1. **APPROVE** Resolution No. 2023-30, attached hereto, and thereby:

- a) **DETERMINE** that Conditional Use Permit (PEN22-0179) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15301 (Existing Facilities); and,
- b) **APPROVE** Conditional Use Permit (PEN22-0179) subject to the attached Conditions of Approval and findings included as Exhibit A.

**Public Hearing Opened:** 6:12 p.m.

No public speakers

**Public Hearing Closed:** 6:13 p.m.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** JoAnn Stephan, Commissioner  
**SECONDER:** Ray L. Baker, Commissioner  
**AYES:** JoAnn Stephan, Ray L. Baker, Alvin DeJohnette, Omar Cobian

2. The proposed project consists of a commercial center which includes sit down and drive-through restaurants, a fueling station with an associated convenience store and fast-food restaurant with drive-through, a bank with a drive-through, two office buildings, three retail buildings, and an express car wash on approximately 8.51 gross acres. The project site is located within the Corridor Mixed Use (COMU) Zoning District.

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

1. **ADOPT** Resolution No. 2023-27, attached hereto, and thereby:

- a) **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Tentative Tract Map No. 38621 (PEN19-0039), Master Plot Plan (PEN21-0273), Plot Plans (PEN21-0273, PEN19-0041, PEN19-0042, PEN19-0043, PEN20-0204, PEN20-0205), and Conditional Use Permits (PEN19-0044, PEN19-0045, PEN20-0203) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated

Negative Declaration, and exercised its independent judgment and analysis of the Proposed Project's potential environmental impacts; and

- b) **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the proposed project, which consists of Tentative Tract Map No. 38621 (PEN19-0039), Master Plot Plan (PEN21-0273), Plot Plans (PEN21-0273, PEN19-0041, PEN19-0042, PEN19-0043, PEN20-0204, PEN20-0205), and Conditional Use Permits (PEN19-0044, PEN19-0045, PEN20-0203) pursuant to CEQA and the CEQA Guidelines.

2. **ADOPT** Resolution No. 2023-28, attached hereto, and thereby:

- a) **APPROVING** five (5) Plot Plans (PEN21-0273, PEN19-0041, PEN19-0042, PEN19-0043, PEN20-0204, PEN20-0205) and three (3) Conditional Use Permits (PEN19-0044, PEN19-0045, PEN20-0203) based on the recitals, evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2023-28.

3. **ADOPT** Resolution No. 2023-29, attached hereto, and thereby:

- a) **APPROVING** Tentative Tract Map No. 38621 (PEN19-0039) based on the recitals, evidence contained in the administrative records and findings as set forth in Resolution No. 2023-29.

**Public Hearing Opened:** 7:00 p.m.

Speakers

Lorena Colato  
Yvonne Cohen  
Ian Carpio

**Public Hearing Closed:** 7:15 p.m.

Chairperson DeJohnette moved to adopt Resolution No. 2023-27, Resolution No. 2023-28, and Resolution No. 2023-29 and modify Condition of Approval #33, changing the six-foot-high wall to an eight-foot-high wall that goes along the existing residents along the West end.

**RESULT:** APPROVED WITH MODIFICATIONS [UNANIMOUS]  
**MOVER:** Alvin DeJohnette, Chairperson  
**SECONDER:** Omar Cobian, Vice-Chairperson  
**AYES:** Alvin DeJohnette, Omar Cobian, JoAnn Stephan, Ray L. Baker

**OTHER COMMISSION BUSINESS**

No items for discussion.

**STAFF COMMENTS**

No items for discussion.

**PLANNING COMMISSIONER COMMENTS**

Commissioner Baker informed the Commissioners he will not attend the July 13, 2023, Planning Commission meeting since he will be out of town. Commissioner Stephan indicated she may not be able to attend due to a medical appointment but will give the Planning Division staff an update.

**ADJOURNMENT**

There being no further business to come before the Planning Commission, Chairperson adjourned the meeting at 7:23 PM.

Submitted by:

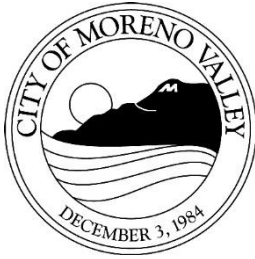
Approved by:

\_\_\_\_\_  
Patricia Castreje  
Planning Commission Secretary

\_\_\_\_\_  
Alvin DeJohnette  
Chairperson

Minutes Acceptance: Minutes of Jun 22, 2023 6:00 PM (CONSENT CALENDAR)





## PLANNING COMMISSION

### STAFF REPORT

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Meeting Date: July 13, 2023

#### STREET SUMMARY VACATION (VACATION) OF A PORTION OF BRODIAEA AVENUE EAST OF LASSELLE STREET

Case: Street Vacation (LGL20-0025)

Applicant / Property Owner: Villa Annette LP

Representative: Robert Lattanzio

Location: Brodiaea Avenue, east of Lasselle Street

Case Engineer: Hoang Nguyen, P.E., Associate Engineer II

Council District: 3

Proposed Project: Street vacation of a portion of Brodiaea Avenue located east of Lasselle Street.

CEQA: Exempt from California Environmental Quality Act (CEQA) under CEQA Guidelines pursuant to Section 15061(b)(3).

#### **SUMMARY**

The applicant, Villa Annette LP, has submitted a request for the vacation of a portion of Brodiaea Avenue. Said portion is an eleven-foot (11') wide strip along the existing southerly Brodiaea Avenue right of way, located east of Lasselle Street. Brodiaea Avenue east of Lasselle Street is not a maintained street and is currently closed off to public access. City staff, therefore, supports the request to vacate said portion of Brodiaea Avenue. Prior to vacation, the California Government Code requires the Planning Commission to find that the vacation is in conformity with the General Plan.

#### **PROJECT DESCRIPTION**

##### **Proposed Project**

The southerly half of Brodiaea Avenue was dedicated per Tract Map 34950-1. Brodiaea Avenue is designated as a Neighborhood Collector per the City's General Plan, which requires thirty-three feet (33') of half-street right of way. Because the existing southerly half-street right of way is forty-four feet (44'), an eleven-foot (11') vacation is required. As forementioned, Brodiaea Avenue is not maintained by the City.

Pursuant to the provisions of Division 9, Part 3, Chapter 2 of the Streets and Highways Code of the State of California, and Government Code Section 65402, a finding from the Planning Commission that the vacation of the above-mentioned portion of Brodiaea Avenue is in conformance with the current General Plan is required prior to formal review and action by the City Council on the requested street vacation.

### **Surrounding Area**

The requested section of Brodiaea Avenue to be vacated is zoned Downtown Center.

### **REVIEW PROCESS**

Land Development staff has reviewed the request for the street vacation based on the applicable subdivision map and other property information provided by the Applicant. This portion of Brodiaea Avenue was dedicated for public use per Tract Map 34950-1, which was recorded on April 15, 2011. Vacation of eleven-feet (11') of the existing forty-four-foot (44') Brodiaea Avenue half-width right of way, as described and shown in the exhibits attached to the proposed resolution, is in accordance with the Streets & Highways Code. Planning staff has reviewed the applicant's request to vacate the portion of Brodiaea Avenue and has determined that it is consistent with the City's Zoning Ordinance and General Plan. Brodiaea Avenue is a required General Plan Street. Its partial vacation will remove any City liability of the vacated section. Any existing utilities will be protected in place with easements. No existing surrounding parcels will be landlocked.

### **ENVIRONMENTAL**

The proposed consistency finding is exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that it can be seen with certainty that there is no possibility that the consistency finding will have a significant effect on the environment.

### **NOTIFICATION**

Written notice is not required, but a letter of the intent to vacate Brodiaea Avenue was sent to various utility companies.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission **ADOPT** Resolution No. 2023-36, attached hereto, and thereby recommending the City Council:

- a. **FIND** the proposed street vacation is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines; and
- b. **FIND** that the proposed street vacation of Brodiaea Avenue is in conformance with the General Plan; and
- c. **APPROVE** Street Vacation (LGL20-0025) Subject to the Plan map and Legal Description, Exhibits A and B to the Resolution.

Prepared by:  
Zara Terrell  
Management Analyst

Approved by:  
Melissa Walker  
Public Works Director/City Engineer

### **ATTACHMENTS**

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

1. Resolution No. 2023-36 - Brodiaea Summary Vacation

**RESOLUTION NO. 2023-36**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING THAT THE CITY COUNCIL APPROVE APPLICATION NO. LGL20-0025: A SUMMARY VACATION (VACATION) OF A PORTION OF BRODIAEA AVENUE LOCATED EAST OF LASSELLE STREET; AND FINDING THE VACATION IS IN CONFORMANCE WITH THE GENERAL PLAN**

**WHEREAS**, the applicant Villa Annette LP, filed Application No. LGL20-0025, requesting the vacation of a portion of Brodiaea Avenue located east of Lasselle Street, as described in the title of this Resolution, and more particularly described in the attached Exhibits "A" and "B"; and

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

**WHEREAS**, the vacation of a portion of Brodiaea Avenue located east of Lasselle Street is administratively exempt from environmental review pursuant to CEQA Guidelines Section 15601(b)(3).

**NOW, THEREFORE, BE IT RESOLVED, IT IS HEREBY FOUND, DETERMINED AND RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS:**

**Section 1. Recitals and Exhibits**

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

**Section 2. Evidence**

That the Planning Commission has considered all of the evidence submitted into the administrative record for PEN19-0007 including, but not limited to, the following:

- (a) LGL20-0025 and all relevant provisions referenced therein;
- (b) City's Municipal Code;
- (c) MOVAL 2040 General Plan; and
- (d) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto; and any and all comments from public prior to Planning Commission's consideration of the matter.

**Section 3. Findings**

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission hereby finds as follows:

- (a) That the vacation of the eleven-foot (11') wide strip along the existing southerly Brodiaea Avenue right of way is consistent with and in

- conformance with the MOVAL 2040 General Plan, including but not limited to all existing goals, objectives, policies, and programs therein;
- (b) That the vacation of the eleven-foot (11') wide strip along the existing southerly Brodiaea Avenue right of way will not adversely affect the public health, safety, or general welfare;
  - (c) That the vacation of the eleven-foot (11') wide strip along the existing southerly Brodiaea Avenue right of way is consistent with the purposes and intent of Title 9; and
  - (d) That the vacation of the eleven-foot (11') wide strip along the existing southerly Brodiaea Avenue right of way is exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines in that the amendments involve general policy and procedure making, and it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

#### **Section 4. Recommendation**

That based on the foregoing Recitals, Evidence in the Administrative Record, and Findings, as set forth herein, the Planning Commission hereby recommends that the City Council approve the vacation of a portion of Brodiaea Avenue attached hereto as Exhibits A and B, which are on file with the Public Works Department.

#### **Section 5. Repeal of Conflicting Provisions**

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

#### **Section 6. Severability**

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

#### **Section 7. Effective Date**

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

#### **Section 8. Certification**

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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**PASSED AND ADOPTED THIS 13<sup>th</sup> day of JULY 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette, Chairperson

ATTEST:

\_\_\_\_\_  
Sean P. Kelleher,  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla  
Interim City Attorney

Exhibits:  
Exhibit A: Legal Description  
Exhibit B: Plat

Attachment: Resolution No. 2023-36 - Brodiaea Summary Vacation [Revision 3] (6319 : STREET SUMMARY VACATION OF A PORTION OF

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF RIGHT-OF-WAY VACATION**

BEING A STRIP OF LAND 11.00' FEET IN WIDTH FOR RIGHT-OF-WAY VACATION PURPOSES OVER UNDER AND ACROSS A PORTION OF BRODIAEA AVENUE AS SHOWN ON TRACT NO. 34950-1, FOUND IN BOOK 433 OF MAPS AT PAGES 13-96 FILED WITH THE OFFICE OF THE RIVERSIDE COUNTY RECORDER ON APRIL 15, 2011 AS DOC. NO. 2011-0167190, SITUATED IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA SAID STRIP IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2 PER SAID TRACT MAP BEING MARKED WITH BRASS TAG & NAIL FOUND SET ON A BOULDER STAMPED "LS 4547", SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF BRODIAEA AVENUE 84' FEET IN WIDTH AS SHOWN ON SAID TRACT THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE S 89°34'23" E (HAVING A RECORD BEARING OF S 89°33'38" E ) 10.29' TO THE TRUE POINT OF BEGINNING BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE S 89°34'23" E 375.61' TO A FOUND 1" IRON PIPE WITH BRASS TAG STAMPED "LS 4547" MARKING THE NORTH EAST CORNER OF SAID LOT 2;

THENCE NORTH ALONG A LINE PERPENDICULAR TO SAID SOUTHERLY RIGHT OF WAY LINE N 00°25'37" E 11.00';

THENCE WEST ALONG A LINE PARALLEL WITH AND 11.00' OFFSET TO SAID SOUTHERLY RIGHT OF WAY LINE N 89°34'23" W 366.90';

THENCE S 38°47'54" W 14.03' TO THE POINT OF BEGINNING.

AS SHOWN ON SURVEY PLAT EXHIBIT "B" AND MADE A PART HEREIN.

CONTAINING ± 4,084 SQUARE FEET.

**BASIS OF BEARING**

BEING THE WESTERLY LINE OF LOT 2, TRACT 34950-1 FILED IN BOOK 433 OF MAPS AT PAGES 93-96 ON APRIL 15TH, 2011, RIVERSIDE COUNTY RECORDER'S OFFICE. SAID WESTERLY LINE BEING BETWEEN (2) FOUND MONUMENTS AND IS TAKEN TO BE: N 0° 26' 15" E.

**END OF DESCRIPTION**

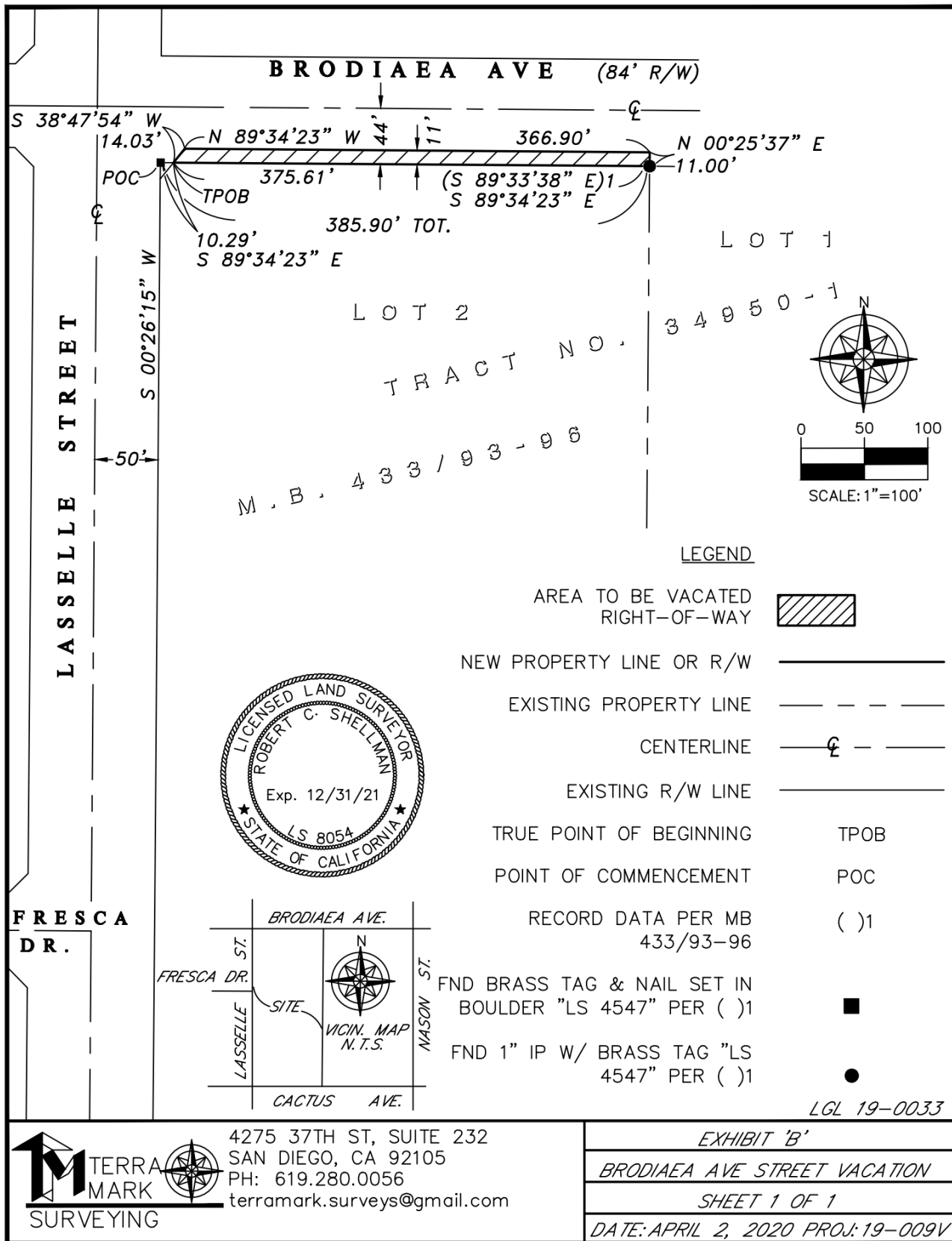
  
\_\_\_\_\_  
ROBERT SHELLMAN, PLS 8054  
TERRAMARK SURVEYING INC.

4/02/20  
DATE



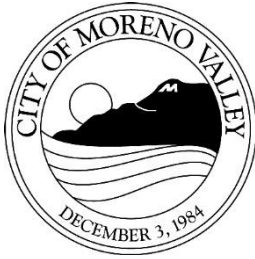
Attachment: Resolution No. 2023-36 - Brodiaea Summary Vacation [Revision 3] (6319 : STREET SUMMARY VACATION OF A PORTION OF

EXHIBIT "B"



Attachment: Resolution No. 2023-36 - Brodiaea Summary Vacation [Revision 3] (6319 : STREET SUMMARY VACATION OF A PORTION OF





## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: July 13, 2023

#### CONDITIONAL USE PERMIT FOR AN AUTO RENTAL FACILITY LOCATED AT 24905 SUNNYMEAD BOULEVARD

Case: Conditional Use Permit (PEN23-0007)

Applicant: Gerald Koh

Property Owner: Talat Radwan

Project Site: 24905 Sunnymead Boulevard, Suite G

Case Planner: Danielle Harper-Scott, Associate Planner

Council District: 1

Proposed Project: The applicant is requesting approval of a Conditional Use Permit for an auto rental facility with vehicle storage located within the existing Sunnymead Plaza shopping center in the Specific Plan 204 Community Commercial, Community Mixed Use (COMU) District.

CEQA Determination: The Proposed Project is exempt from the California Environmental Quality Act as a Class 1 Categorical Exemption, 15301 Existing Facilities.

#### **SUMMARY**

Gerald Koh (“Applicant”) submitted an application for approval of a Conditional Use Permit (CUP) to develop an auto rental facility with vehicle storage. The Proposed Site is located in Specific Plan 204, Community Commercial, Corridor Mixed Use (COMU) District. The Proposed Project is consistent with the goals, policies, and objectives of the City’s General Plan, as well as, the requirements of Specific Plan 204, and the City’s Municipal Code.

## **PROJECT DESCRIPTION**

### **Conditional Use Permit**

The Proposed Project consists of an approximately 1,320-square-foot auto rental facility with vehicle storage for 23 vehicles. Modifications to the existing building are not proposed as part of the Proposed Project. The vehicles will be stored in the southern parking lot to the rear of the building. Pursuant to Moreno Valley Zoning Code the proposed auto rental facility with outdoor vehicle storage is permitted with an approved Conditional Use Permit. The City's Municipal Code, Specific Plan 204, the Community Commercial district, and the Community Corridor Mixed Use (COMU) District, allows auto rental services located within 300 feet or less of existing residences or a residential zoning district subject to the approval of a Conditional Use Permit.

A CUP allows the City to impose special development requirements to ensure that certain uses will not be detrimental to existing land uses and minimizes potential impacts (e.g. outdoor storage, noise, etc.) on existing communities. The following summarizes the Proposed Project design elements that will minimize impacts:

- A. The Project Site provides for 23 parking spaces which do not affect the overall parking spaces required for the shopping center.
- B. The location of the vehicle storage is screened by the existing building on the north and the landscaping and fencing to the south.

### **Site and Surrounding Area**

The project site is located at the southwest corner of Sunnymead Boulevard and Perris Boulevard within the Sunnymead Plaza shopping center ("Proposed Project"). The Project Site address is 24905 Sunnymead Boulevard, Suite G as depicted on the attached project plans. All parcels within the Sunnymead Plaza are zoned Community Commercial, Corridor Mixed Use (COMU) District with the same zoning extending north, east, and west. Located south of the Proposed Project is an existing community park.

### **Access/Parking**

The Proposed Project's access will be from the existing driveways on Sunnymead Boulevard and Perris Boulevard.

The existing parking lot will be used for the facility. The Applicant proposes to designate 23 parking spaces for the rental vehicles located at the rear of the building. These parking spaces will not impact existing parking within the shopping center.

## **REVIEW PROCESS**

All appropriate outside agencies have considered the proposed project part of the standard review process. The proposed project was reviewed by the Project Review Staff Committee in accordance with Section 9.02.030 of the Moreno Valley Municipal

Code. Following subsequent revisions and reviews by staff, the Proposed Project was determined to be complete.

## **ENVIRONMENTAL**

The Proposed Project has been evaluated against criteria set forth in the California Environmental Quality Act (CEQA) and CEQA Guidelines and staff has determined that the Proposed Project qualifies as exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines as a Class 1 Categorical Exemption (Section 15301, Existing Facilities), as the use is within an existing building and development.

## **NOTIFICATION**

Public notice was sent to all property owners of record within 600 feet of the Project Site. The public hearing notice for this Proposed Project was also posted on the Project Site and published in the local Press Enterprise newspaper. The public hearing notice complies with Government Code 65905.

## **REVIEW AGENCY COMMENTS**

Staff has coordinated with outside trustee and responsible agencies where applicable, as is the standard review process with these types of development applications.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2023-31, and thereby:

1. **DETERMINE** that Conditional Use Permit PEN23-0007 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) a Class 1 Exemption (Section 15301, Existing Facilities); and
2. **APPROVE** Conditional Use Permit PEN23-0007 subject to the attached Conditions of Approval included as Exhibit A.

Prepared by:  
Julia Descoteaux  
Associate Planner

Approved by:  
Sean P. Kelleher  
Acting Community Development Director

## **ATTACHMENTS**

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

1. Resolution No. 2023-31
2. Project Plans

3. Zoning Map

**RESOLUTION NUMBER 2023-31**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (PEN23-0007) FOR AN AUTO RENTAL FACILITY WITH VEHICLE STORAGE LOCATED AT 24905 SUNNYMEAD BOULEVARD SUITE G (APN: 481-180-040)**

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

**WHEREAS**, Gerald Koh (“Applicant”) has submitted applications for the approval of a Conditional Use Permit PEN23-0007 for an Auto Rental Facility with Vehicle Storage (“Proposed Project”), located in the Sunnymead Shopping Center (24905 Sunnymead Boulevard Suite G) at the southwest corner of Sunnymead Boulevard and Perris Boulevard (APN: 481-180-040) (“Project Site”); and

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

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

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

**WHEREAS**, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for July 13, 2023 and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

**WHEREAS**, on July 13, 2023, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

**WHEREAS**, consistent with the requirements of Section 9.02.060 (Conditional Use Permits) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Conditional Use Permit PEN23-0007 (“CUP”), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

**WHEREAS**, at the public hearing, the Planning Commission reviewed and considered the Planning Division’s recommendation that the Proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA<sup>1</sup>) and the CEQA Guidelines<sup>2</sup>, Section 15301 (Existing Facilities) in that the Proposed Project has been found to meet all of the conditions of the Class 1 Exemption as the Proposed Project involves interior alterations and no expansion of use; and

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

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

**Section 1. Recitals and Exhibits**

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

**Section 2. Notice**

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations and other exactions as provided herein, in the staff report and conditions of approval (collectively, “Conditions”); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

**Section 3. Evidence**

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

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§ 15000-15387

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Specific Plan 204 and all other relevant provisions referenced therein;
- (c) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (d) Application for the approval of a Conditional Use Permit PEN23-0007 and all documents, records and references contained therein;
- (e) Conditions of Approval for Conditional Use Permit PEN23-0007 attached hereto as Exhibit A;
- (f) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (g) Staff's determination that the Proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (h) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (i) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

#### **Section 4. Findings**

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

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

#### **Section 5. Determination of Categorical Exemption**

That the Planning Commission hereby determines that the Proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities) because it involves the operation and minor alteration of existing structures and facilities, including interior alterations and no expansion of the building area or existing or former use.

#### **Section 6. Notice of Exemption**

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

**Section 7.            Approval**

That based on the foregoing Recitals, Administrative Record and Findings, the Planning Commission hereby approves the Proposed Project Conditional Use Permit PEN23-0007 subject to the Conditions of Approval for Conditional Use Permit PEN23-0007, attached hereto as Exhibit A.

**Section 8.            Repeal of Conflicting Provisions**

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

**Section 9.            Severability**

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

**Section 10.          Effective Date**

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

**Section 11.          Certification**

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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



**PASSED AND ADOPTED THIS 13<sup>th</sup> Day of July 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette  
Chairperson

ATTEST:

\_\_\_\_\_  
Sean P. Kelleher  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla  
Interim City Attorney

Exhibits:  
Exhibit A:     Conditions of Approval

Attachment: Resolution No. 2023-31 [Revision 6] (6197 : Conditional Use Permit PEN23-0007)

**Exhibit A**

**CONDITIONS OF APPROVAL**

Attachment: Resolution No. 2023-31 [Revision 6] (6197 : Conditional Use Permit PEN23-0007)

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN23-0007)

Page 1

CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Conditional Use Permit (PEN23-0007)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. 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. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
4. In the event the use hereby permitted ceases operation for a period of one (1) year or more, or as defined in the current Municipal Code, this permit may be revoked in accordance with provisions of the Municipal Code. (applicable to CUP's)
5. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN23-0007)

Page 2

above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The required parking for this use shall comply with the Parking Analysis on file and all applicable requirements of the City of Moreno Valley Municipal Code (MC 9.11.040).
8. This project is located within Specific Plan 204. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
9. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)

Special Conditions

10. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
11. In accordance with Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.

Building Division

12. The proposed non-residential project shall comply with the latest Federal Law,

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN23-0007)

Page 3

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.

13. Contact the Building Safety Division for permit application submittal requirements.
14. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
15. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
16. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
17. 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.
18. 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.
19. 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**

20. 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.
21. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)

**CONDITIONS OF APPROVAL**

Conditional Use Permit (PEN23-0007)

Page 4

22. 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****Prior to Encroachment Permit**

23. All applicable inspection fees shall be paid.
24. The developer will be required to replace sidewalk panels that are not ADA compliant on Perris Boulevard between the bus stop and the proposed onsite path of travel sidewalk and ramp improvements.
25. Any work performed within public right-of-way requires an encroachment permit.



8 WILCOX STREET  
SIMSBURY, CONNECTICUT 06070  
PHONE: (860) 264-1624  
FAX: (860) 264-1628  
www.phasezerodesign.com



THE HERTZ CORPORATION  
8501 WILLIAMS ROAD  
ESTERO, FL

CONSULTANT: MEP

CONSULTANT: STRUCTURAL

**HERTZ HLE**  
24905 SUNNYMEAD BOULEVARD, SUITE 24907G  
MORENO VALLEY, CA 92553

REVISIONS	REV	DATE	DESCRIPTION / COMMENTS



ISSUED FOR: CONDITIONAL USE  
ISSUED DATE: 12/19/2022

DRAWN BY: AN  
CHECKED BY: JK  
PROJECT NUMBER: 21903

DRAWING NAME

TITLE SHEET

DRAWING NO.

T1.0

SHEET #	DRAWING TITLE	ACTIVE REVISION #
T1.0	TITLE SHEET	-
A0.1	ARCHITECTURAL SITE PLAN	-

### 8 DRAWING INDEX

OCCUPANCY CLASSIFICATION(S)	B-BUSINESS
BUILDING CONSTRUCTION TYPE	II-B
BUILDING OCCUPANCY	B-BUSINESS OCCUPANCY
DESCRIPTION OF USE	OFFICE
SPRINKLER SYSTEM	YES - SPRINKLERED
BUILDING OCCUPANCY SEPARATION	NON-SEPARATED MIX-USE
BUILDING STORIES/HEIGHT	1 STORY/19'-8" TALL
HAZARDOUS WASTE	NONE
PROJECT FLOOR AREA	1,356 SQUARE FEET
OCCUPANT LOAD	TENANT SUITE (GROSS) 1,356 SF/100 =13.56 =14 OCCUPANTS
EXIT REQUIREMENTS	TWO EXITS ARE REQUIRED WHEN THE OCCUPANT LOAD EXCEEDS 49 OR WHERE COMMON PATH EXCEEDS 75'-0" TWO EXITS REQUIRED, TWO EXITS PROVIDED

PLUMBING REQUIREMENTS:			
B OCCUPANCY - TOILETS TPER 25 FOR THE FIRST 50	B OCCUPANCY - LAVS 1 PER 40 FOR THE FIRST 80	B OCCUPANCY - FOUNTAIN NOT REQUIRED FOR AN OCCUPANT LOAD LESS THAN 15	B OCCUPANCY - SERVICE SINK NOT REQUIRED FOR AN OCCUPANT LOAD LESS THAN 15
TOILETS REQUIRED =1	LAVATORIES REQUIRED =1	FOUNTAINS REQUIRED =0	SERVICE SINK REQUIRED =1
TOILETS PROVIDED =1	LAVATORIES PROVIDED =1	FOUNTAINS PROVIDED =0	SERVICE PROVIDED =0

DEFERRED SUBMITTALS: EXTERIOR SIGNAGE  
FIRE ALARMS

LOCAL JURISDICTION: MORENO VALLEY CITY HALL  
1477 FREDERICK STREET  
MORENO VALLEY, CA 92553

BUILDING CODES: BUILDING: 2019 California Building Code (CBC); Adopts 2018 IRC  
MECHANICAL: 2019 California Mechanical Code (CMC)  
PLUMBING: 2019 California Plumbing Code (CPC)  
ELECTRIC: 2019 California Electrical Code (CEC)  
ENERGY CONSERVATION: 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE  
FIRE CODE: 2019 CALIFORNIA FIRE CODE  
CITY OF MORENO VALLEY MUNICIPAL CODE

PROJECT ADDRESS: 24905 SUNNYMEAD BOULEVARD, SUITE 24907G  
MORENO VALLEY, CA 92553

SCOPE OF WORK: PROPOSED DESIGNATED EXISTING PARKING SPACES FOR HERTZ VEHICLE STORAGE.

NO CHANGES TO CONSTRUCTION TYPE OR OCCUPANCY  
NEW INTERIOR PARTITIONS AND DOORS  
NEW CEILING ACCT SYSTEM  
EXISTING MECHANICAL SYSTEMS  
NEW FINISHES IN EXISTING TOILET ROOM, FIXTURES TO REMAIN.  
NEW FLOOR, WALL AND CEILING FINISHES  
NEW RECEPTION DESK  
EXISTING ELECTRICAL SERVICE TO REMAIN. EXISTING PANELS &  
ELEC. DISTRIBUTION TO BE MODIFIED AS REQUIRED.  
EXISTING ELECTRICAL METER TO REMAIN.  
FIRE SPRINKLER SYSTEM WILL BE A DEFERRED SUBMITTAL.

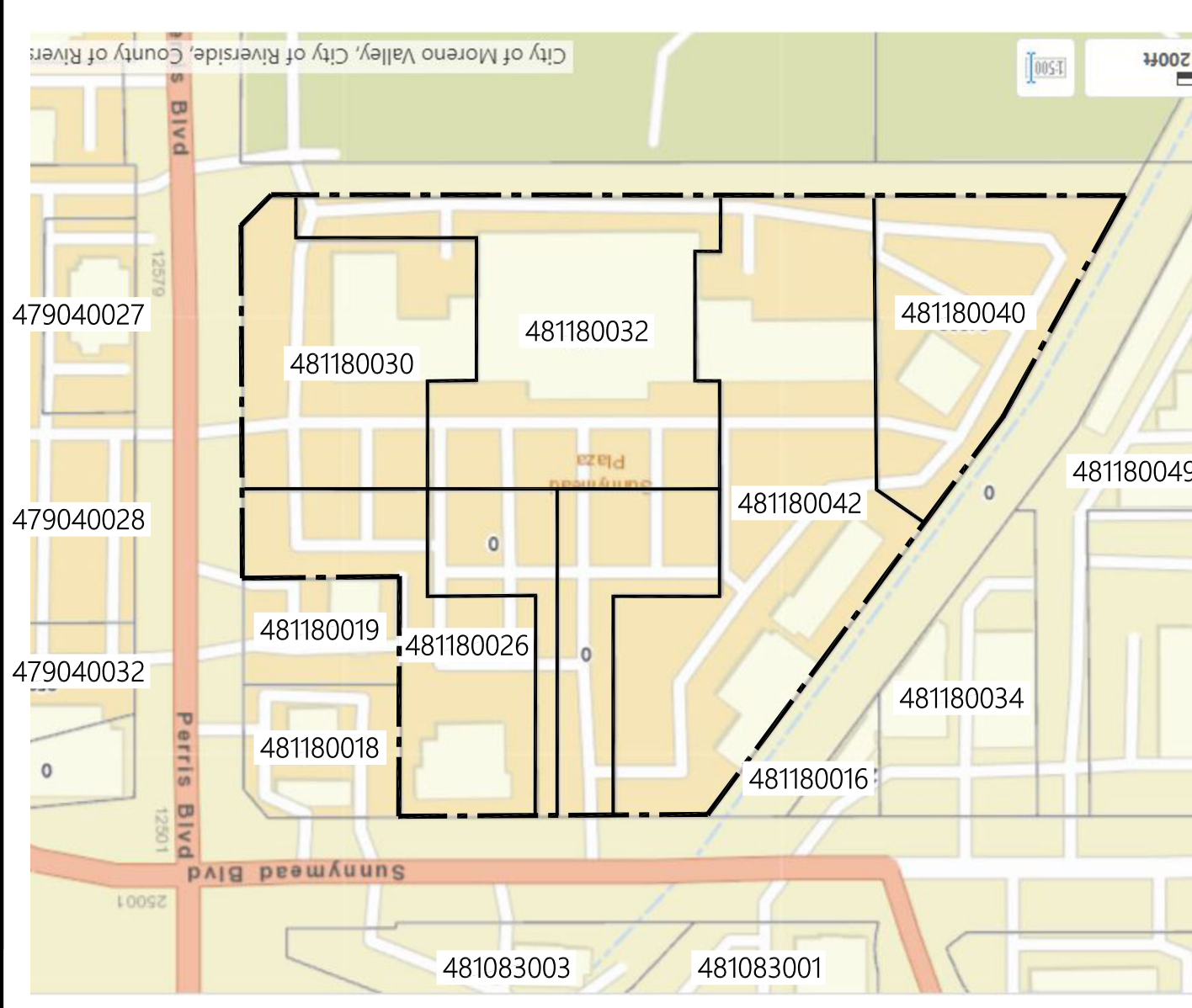
DEFERRED SUBMITTALS FOR DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO THE REGISTERED DESIGN PROFESSIONAL, IN RESPONSIBLE CHARGE, WHO SHALL REVIEW THEM AND FORWARD THEM TO THE BUILDING OFFICIAL WITH A NOTATION INDICATING THAT THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN REVIEWED AND THAT THEY HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL.

ALL MODIFICATIONS TO THE EXISTING HVAC, ELECTRICAL, PLUMBING, FIRE ALARM AND FIRE PROTECTION SYSTEMS SERVICES SHALL BE PERFORMED ON A GENERAL CONTRACT RESPONSIBLE BASIS. ALL SUB-CONTRACTOR PERFORMING WORK SHALL FIELD VERIFY, KNOW AND UNDERSTAND ALL EXISTING CONDITIONS PRIOR TO THE START OF ANY DEMOLITION, FABRICATION AND/OR CONSTRUCTION. ALL SUB-CONTRACTORS SHALL PREPARE AND PROVIDE DRAWINGS AND SHOP DRAWINGS AS REQUIRED BY THE OWNER AND/OR LOCAL MUNICIPALITY FOR PERMITTING AND CONSTRUCTION. ALL SUB-CONTRACTORS SHALL PERFORM WORK IN STRICT COMPLIANCE WITH ALL APPLICABLE BUILDING CODE REQUIREMENTS. GENERAL CONTRACTOR TO MAINTAIN AS BUILT DOCUMENTATION FOR RECORDS.

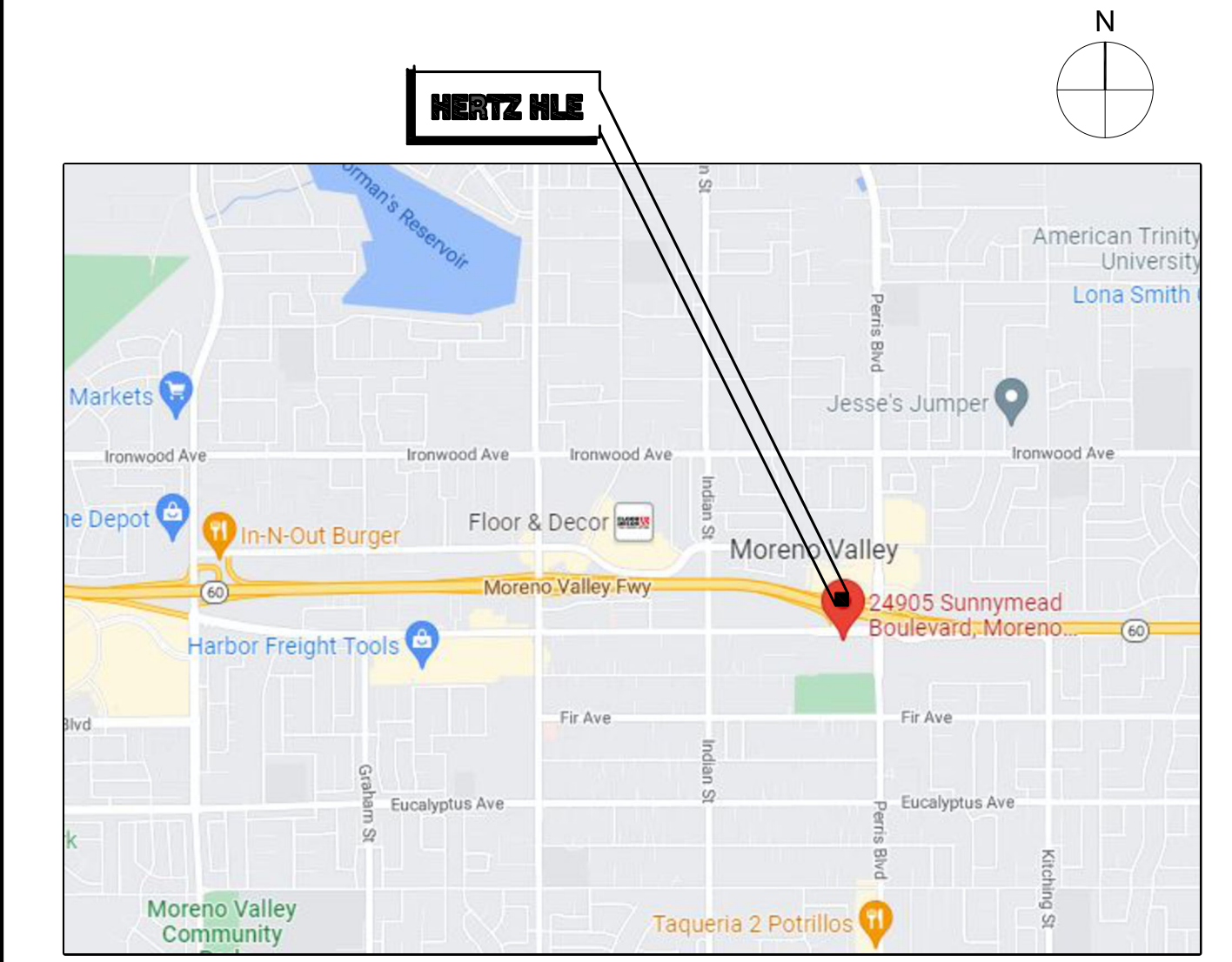
5 PROJECT SUMMARY	7 BUILDING CODE DATA LEGEND
OWNER SUNNYMEAD PLAZA SHOPPING CENTER 24901 SUNNYMEAD BOULEVARD MORENO VALLEY, CA 92553 CONTACT: NATASHA RADWAN PHONE: 951.796.1116	ARCHITECT: NAME: PHASE ZERO DESIGN ADDRESS: 35 POND PARK BAY 16 CITY/STATE: HINGHAM MA 02043 PHONE: 781.452.7121
TENANT HERTZ 8501 WILLIAMS ROAD ESTERO BEACH, FL 33928 CONTACT: KAISEY KENKEL PHONE: 239.301.7269	

### 4 PROJECT DIRECTORY

ASSESSOR PARCEL NUMBER IN SCOPE OF WORK:  
481180026, 481180030, 481180032, 481180040 & 481180042

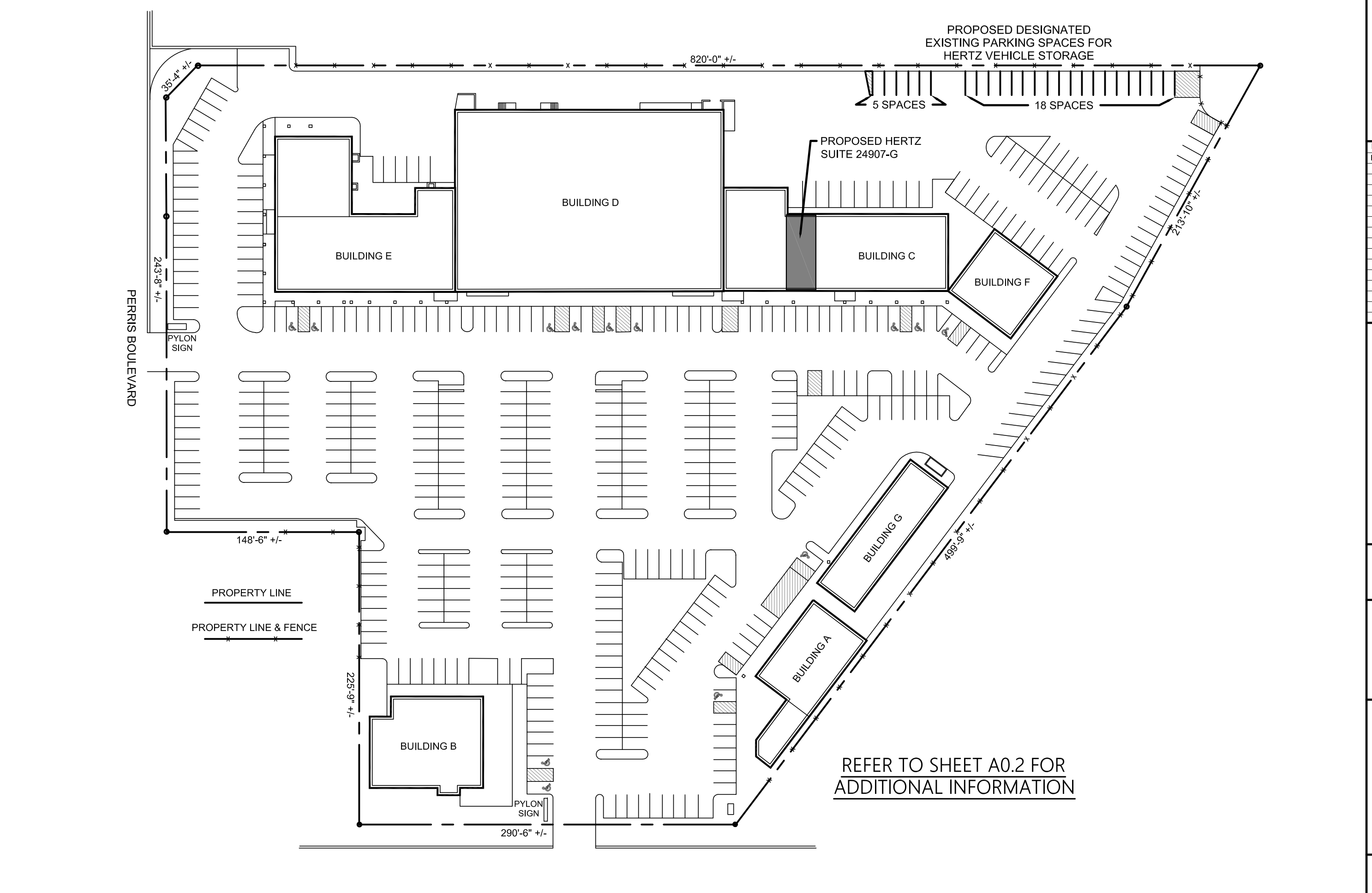


### 3 PARCEL PLAN



### 2 VICINITY PLAN N.T.S

### 1 SITE PLAN



Plot Date: 12/19/2022 4:16:27 PM; Dwg Filename: H:\Retail\Hertz\21903 Moreno Valley CA\03 - Drawings\AutoCAD\Construction Documents\Plot Plan\_Conditional Use\01 Hertz MORENO VALLEY Plot Plan.dwg; User: Bmg; Filename:

Attachment: Project Plans (6/19) - Conditional Use Permit PER23-0007

REVISIONS

REV	DATE	DESCRIPTION / COMMENTS
1	03.01.2023	Added Project Narrative



ISSUED FOR: CONDITIONAL USE  
 ISSUED DATE: 02/13/2023

DRAWN BY: AN  
 CHECKED BY: JK  
 PROJECT NUMBER: 21903

DRAWING NAME

**SITE PLAN**

DRAWING NO.  
**AS1.0**

**PROJECT NARRATIVE**

HERTZ IS PROPOSING TO OPEN A RENTAL CAR FACILITY WITH VEHICLE STORAGE FOR 23 VEHICLES. THE PROPOSED LEASE SPACE IS 1,320 SF AND HERTZ WILL BE CONSTRUCTING A RECEPTION AREA WITH A CUSTOMER SERVICE DESK ALONG WITH AN OFFICE AND BREAK AREA FOR THEIR STAFF. ALL AREAS OF SPACE, INCLUDING PATH OF TRAVEL WILL MEET ACCESSIBILITY GUIDELINES.

THE SHOPPING CENTER CURRENTLY PROVIDES 465 PARKING SPACES AND HERTZ IS PROPOSING TO USE 23 SPACES AS VEHICLE STORAGE. ONCE THESE SPACES ARE DEDICATED TO STORAGE, THE SHOPPING CENTER WILL STILL MAINTAIN AN EXCESS (16) SIXTEEN PARKING SPACES.

THE PROPOSED PARKING STORAGE SPACES ARE LOCATED AT THE REAR OF THE SHOPPING CENTER. EACH SPACE WILL BE RESTRIPTED AND NUMBERED AND THERE WILL BE SIGNS PLACED TO INDICATE THAT THE SPACES ARE FOR RENTAL CARS.

NO SECURITY FENCING IS PROPOSED WITH THIS PROJECT.

Suite	Tenant Name	Type of Use	Square Footage	Parking Factor Use	Required Parking Spaces	Operating Hours
12601	AutoZone	General Retail	3000	1/225 sq. ft. of gross floor area	14	8AM - 8PM DAILY
12605	Little Bambino's Pizza	Eating and Drinking Establishment	1200	1/100 sq. ft. of gross floor area	12	10AM - 10PM SUN - THURS, 10AM - 11PM FRI & SAT
12607	Semi & New Thrift Store	General Retail	1200	1/225 sq. ft. of gross floor area	6	10-5 10AM-6PM SUN 12PM-6PM
12615	Juan Pollo Rotisserie	Eating and Drinking Establishment	1200	1/100 sq. ft. of gross floor area	12	10AM - 10PM DAILY 7:30AM - 6PM DAILY
24901	Big Brand Tire & Service	Automobile Service Stations (7 bays)	4320	2 Spaces +4/service bay for 4 or less bays and 2/service bay for 5 or more bays	16	
24903	Outdoor Fishing & Hunting Store	Outdoor Retail	3600	1/225 sq. ft. of gross floor area	16	
24905-A	Mr. Blues Donuts	Eating and Drinking Establishment	1075	1/100 sq. ft. of gross floor area	11	MON - SAT 4AM - 7PM SUN 5:30AM - 3PM
24905-B	Botanica Anahita	General Retail	1040	1/225 sq. ft. of gross floor area	5	10AM - 8PM MON - SAT SUN 12AM - 6PM
24905-C	Golden Artery	Business and Professional Offices	930	1/250 sq. ft. of gross floor area	4	10AM - 6PM M-F, 10AM - 4PM - SAT, CLOSED SUNDAY
24905-D	Paris Nails	Nail Salon (4 Stations)	930	1 space for every two work stations	2	9:30AM - 7PM MON - SAT, CLOSED SUNDAY
24905-E	Liberty Tax Service	Business and Professional Offices	1040	1/250 sq. ft. of gross floor area	5	MON-SAT BY APPT., SUNDAY CLOSED
24907-A	Jimmycutz Barber Shop	General Retail	920	1/225 sq. ft. of gross floor area	5	
24907-B	JL Message Center	General Retail	900	1/225 sq. ft. of gross floor area	4	8AM - 6PM TUES - SUN, CLOSED MONDAY
24907-C	Smoke Shop & Gift	General Retail	900	1/225 sq. ft. of gross floor area	4	8:30AM - 8PM DAILY
24907-D	Saver Cut	General Retail	900	1/225 sq. ft. of gross floor area	4	8AM - 8PM TUES - SAT CLOSED SUNDAY & MONDAY
24907-E	First American Non-Emergency Med	Business and Professional Offices	1200	1/250 sq. ft. of gross floor area	5	
24907-F	Greater Bethel Apostolic Church	Places of Worship	1200	1/35 sq. ft. of gross assembly area	35	
24907-G	HERTZ	Business and Professional Offices	1320	1/225 sq. ft. of gross floor area	6	10AM - 6PM MON - FRI, 10AM - 3PM SAT, CLOSED SUNDAY
24907-H	JobSource Moreno Valley	Business and Professional Offices	2000	1/225 sq. ft. of gross floor area	9	
24907-I	Helados La Michoacana	Eating and Drinking Establishment	2000	1/100 sq. ft. of gross floor area	20	
24931	AutoZone	General Retail	29120	1/225 sq. ft. of gross floor area	130	UNDER CONSTRUCT.
24933	Mr. You Chinese	Eating and Drinking Establishment	2400	1/100 sq. ft. of gross floor area	24	11AM - 9PM DAILY
24935	Nadia's Barber and Beauty	General Retail	900	1/225 sq. ft. of gross floor area	4	10AM - 7PM MON - SAT, 10AM - 2PM SUN
24937/9	Tacos La Bufadora	Eating and Drinking Establishment	1800	1/100 sq. ft. of gross floor area	18	8AM - 10PM DAILY
24941	Moreno Valley Dental Care	Business and Professional Offices	900	1/225 sq. ft. of gross floor area	4	10AM - 6PM MON - FRI, CLOSED WEEKENDS
24929	Black Bear Diner	Eating and Drinking Establishment	5062	1/100 sq. ft. of gross floor area	51	
	<b>Total</b>		<b>71,057</b>		<b>426</b>	<b>0</b>

**SITE PARKING ANALYSIS SUMMARY**

BUILDING "A" 5,015 SQ. FT.  
 BUILDING "B" 5,062 SQ. FT.  
 BUILDING "C" 11,340 SQ. FT.  
 BUILDING "D" 29,120 SQ. FT.  
 BUILDING "E" 12,600 SQ. FT.  
 BUILDING "F" 3,600 SQ. FT.  
 BUILDING "G" 4,320 SQ. FT.

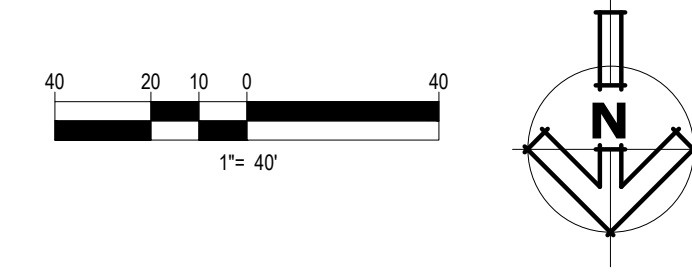
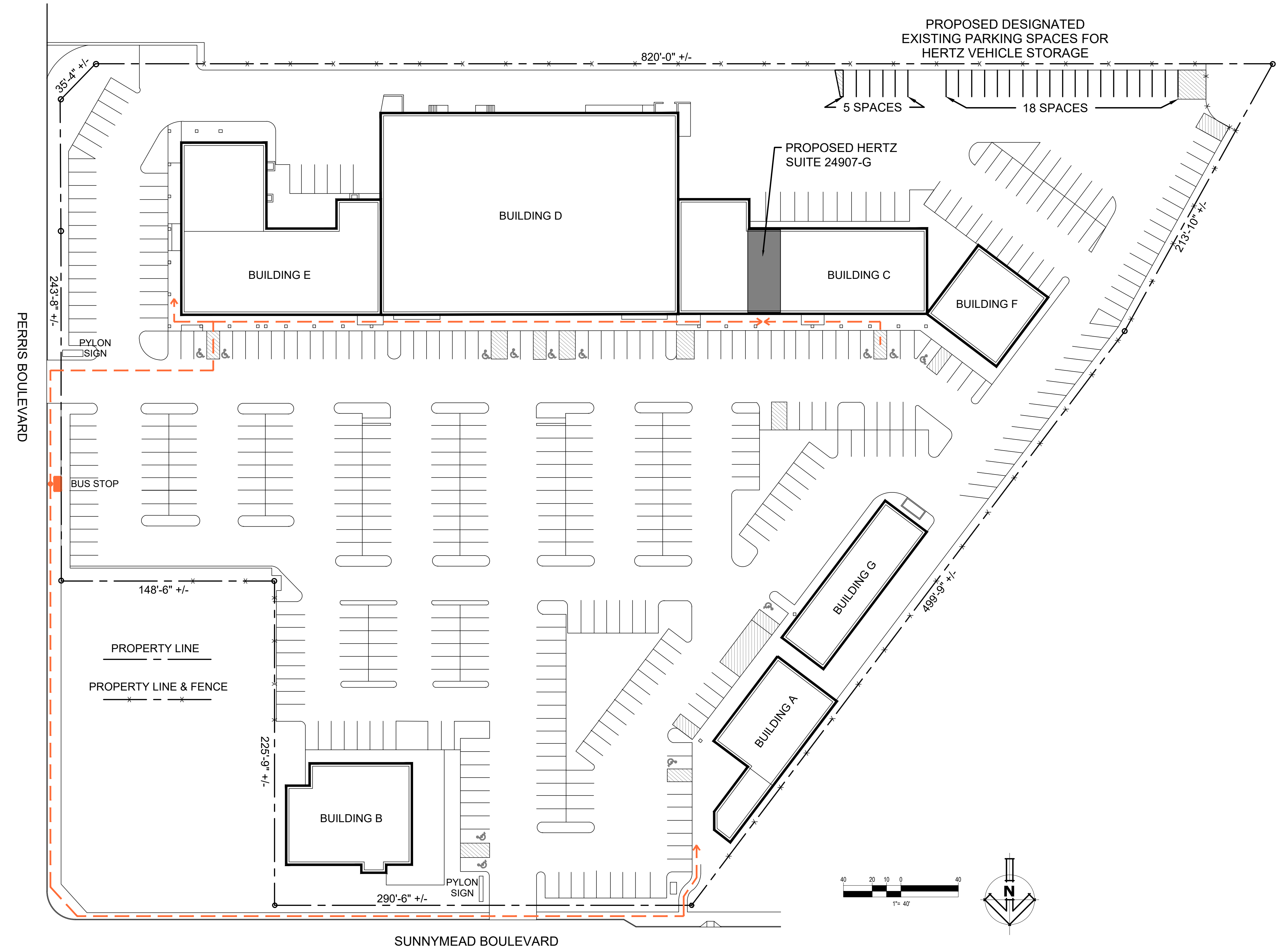
TOTAL BUILDING AREA: 71,057 SQ. FT.

TYPICAL PARKING STALL: 9'X18'

REQUIRED PARKING SPACES FOR ALL TENANTS: 426 SPACES  
 PROPOSED HERTZ VEHICLE STORAGE: 23 SPACES  
 TOTAL REQUIRED PARKING SPACES: 449 SPACES

TOTAL PROVIDED PARKING: 465 SPACES

**EXISTING TENANTS & REQUIRED PARKING**

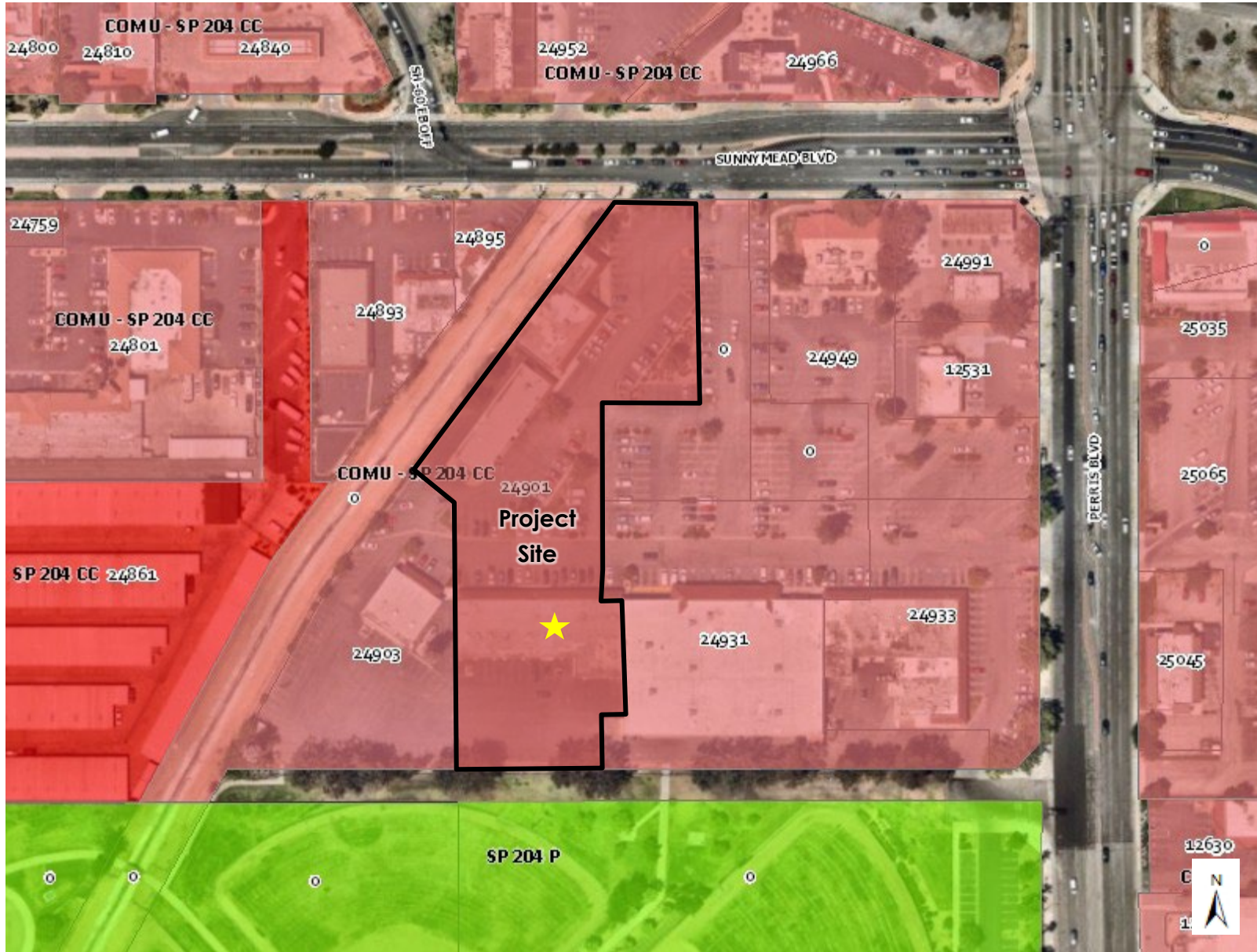
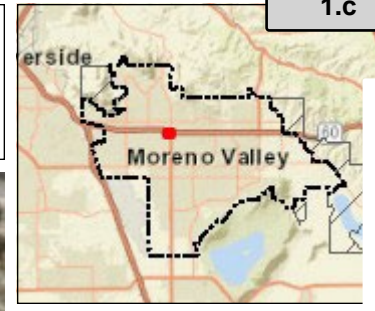


**1 EXISTING SITE PLAN**  
 Scale: 1" = 40' - 0"

**2 EXISTING TENANTS & REQUIRED PARKING**



# PEN23-0007 Zoning Map



### Legend

#### Zoning

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

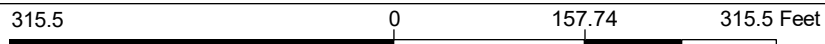
#### Master Plan of Trails

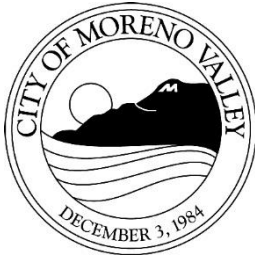
- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

#### Road Labels

- Parcels
- City Suburban Area map

### Notes:





## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: July 13, 2023

PEN22-0034 PLOT PLAN TO ADD ONE NEW BUILDING WITH 12 RESIDENTIAL UNITS TO THE EXISTING TUSCANY VILLAGE APARTMENT COMPLEX

Case: Plot Plan (PEN22-0034)

Applicant: Elias Alfata

Property Owner: Michael Bros Estate Inc.

Project Site: Southeast corner of Perris Boulevard and Delphinium Avenue (APN: 484-242-020)

Case Planner: Gabriel Diaz, Associate Planner

Council District: 3

Proposed Project: Plot Plan to add one (1) new building with 12 residential units to the existing Tuscan Village Apartment Complex on an approximately 4.10-acre site in the Corridor Mixed Use (COMU) District.

CEQA: The Proposed Project is exempt from the California Environmental Quality Act as a Class 32 Categorial Exemption, 15332 Infill Development.

#### **SUMMARY**

Elias Alfata ("Applicant") submitted applications for a Plot Plan land use entitlement to add one (1) new building with 12 residential units to the existing Tuscan Village Apartment Complex on approximately 4.10 acres of land located at the Southeast corner of Perris Boulevard and Delphinium Avenue within the Corridor Mixed Use (COMU) District ("Proposed Project"). The Proposed Project is a permitted use within the Corridor Mixed Use (COMU) District. The Proposed 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 Corridor Mixed Use (COMU) District and the City's Municipal Code.

### **PROJECT DESCRIPTION**

The Proposed Project consists of a Plot Plan to add one new building with 12 residential units to the existing 64-unit Tuscan Village Apartment complex. The new building will provide four (4) one-bedroom and eight (8) two-bedroom apartment units. The new building will be located on the northeast side of the existing developed parcel. The Proposed Project also includes 15 new covered parking spaces.

### **Site and Surrounding Area**

The Project Site is approximately 4.10-acres and is developed by the existing 64-unit Tuscan Village Apartment complex. The Project Site is located on the Southeast corner of Perris Boulevard and Delphinium Avenue. The parcels located directly to the north and northwest of the Project Site contain existing single-family homes also located within the Corridor Mixed Use (COMU) District. South and east of the Project Site are existing mobile homes within the Corridor Mixed Use (COMU) District. Parcels west of the Project Site are existing single-family homes within the Residential 5 (R5) District.

### **Access/Parking**

The Proposed Project's full access is from an existing driveway on Delphinium Avenue. There is an existing exit at the secondary driveway on Delphinium Avenue located at the northeastern side of the Project Site.

The proposed building would be located within an existing parking area; however, the Project Site as originally designed exceeded the minimum number of parking spaces. The Proposed Project would add to existing parking, resulting in a total of 160 parking spaces consisting of 79 covered parking spaces and 81 uncovered parking spaces, consistent with Municipal Code requirements.

### **Design/Landscaping**

The Proposed Project would develop a 12-unit apartment building within the fully developed parcel of the existing Tuscan Village Apartment Complex. The new building will replace an existing parking area. The new building will be three-stories with the parking provided on the ground floor. The building height is proposed at approximately 45 feet. The second and third floors are residential floors with six (6) residential units for each floor. The three-story building will provide a total of four (4) one-bedroom apartments, and eight (8) two-bedroom apartments. The one-bedroom floor plans have a living area of 717 square feet, and the two-bedroom floor plans of 1,035 square feet.

The proposed elevations present a Mediterranean-influenced architectural style that is consistent with the existing apartment complex. The apartment building includes plaster and siding exteriors with architectural trim around windows and window shutters, and patio balcony areas, to break up the massing and add focal points to the buildings.

These detailed features include a concrete tile roof, stone veneer, bronze coated steel guardrails, and covered balconies. Colors will be earthtone to match the existing apartment complex.

This Proposed Project, as designed, conforms to all development standards of the Corridor Mixed Use (COMU) District and the design guidelines for multifamily residential developments prescribed in the City's Municipal Code. The Proposed Project also meets the City's minimum landscape requirements.

### **REVIEW PROCESS**

As part of the standard review process, the Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project was determined to be complete.

### **ENVIRONMENTAL**

The Proposed Project has been evaluated in compliance with the criteria set forth in the California Environmental Quality Act (CEQA). As designed and conditioned, the Proposed Project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines 15332 for In-Fill Development. The in-fill development exemption is applicable to this Proposed Project as it is: 1) consistent with the applicable General Plan policies and all applicable zoning designation and regulations and applicable policies; 2) occurs on a site that is less than five acres in size substantially surrounded by urban uses; 3) the Project Site has no value, as habitat for rare, threatened or endangered species; 4) the Proposed Project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site can be adequately served by all required utilities and public services.

### **NOTIFICATION**

Consistent with the City Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper. As of the preparation of this staff report, no public comments have been received regarding the proposed project.

### **REVIEW AGENCY COMMENTS**

Staff has coordinated with outside agencies where applicable, as is the standard review process for these development applications.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

- A. **ADOPT** Resolution No. 2023-35, attached hereto, and thereby:

1. **DETERMINE** the Plot Plan (PEN22-0034) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 32 Exemption, under CEQA Guidelines Section 15332, (In-Fill Development Projects); and
2. **APPROVE** Plot Plan (PEN22-0034) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2023-35.

Prepared by:  
Gabriel Diaz  
Associate Planner

Approved by:  
Sean P. Kelleher  
Acting Community Development Director

### **ATTACHMENTS**

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

1. Resolution No. 2023-35 Plot Plan
2. Project Plans
3. Zoning Map

**RESOLUTION NUMBER 2023-35**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A PLOT PLAN TO ADD ONE (1) NEW BUILDING WITH 12 RESIDENTIAL UNITS TO THE EXISTING TUSCANY VILLAGE APARTMENT COMPLEX (PEN22-0034) LOCATED AT THE SOUTHEAST CORNER OF PERRIS BOULEVARD AND DELPHINIUM AVENUE (APN: 484-242-020)**

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

**WHEREAS**, Elias Alfata (“Applicant”) has submitted an application for a Plot Plan (PEN22-0034) to add one (1) new building with 12 residential units to the existing Tuscan Village Apartment Complex and fifteen (15) new covered parking spaces (“Proposed Project”) located at the Southeast corner of Perris Boulevard and Delphinium Avenue (APN: 484-242-020) (“Project Site”); and

**WHEREAS**, the applications for the Proposed Project have been evaluated in accordance with Section 9.02.070 (Plot Plan), respectively, of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

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

**WHEREAS**, consistent with the requirements of Section 9.02.070 (Plot Plan) of the Municipal Code, at the public hearing, the Planning Commission considered Conditions of Approval to be imposed upon Plot Plan (PEN22-0034), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety, and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

**WHEREAS**, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code, a public hearing was scheduled for July 13, 2023, and notice thereof was duly published, posted, and mailed to all property owners of record within 600 feet of the Project Site; and

**WHEREAS**, on July 13, 2023, the public hearing to consider the Proposed Project was duly conducted by the Planning Commission, at which time all interested persons were provided with an opportunity to testify and present evidence; and

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

**WHEREAS**, at the public hearing, the Planning Commission reviewed and considered the Planning Division's recommendation that the proposed Project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA<sup>1</sup>) and the CEQA Guidelines<sup>2</sup>, Section 15332 (In-Fill Development Projects), which would apply to the Proposed Project since the Proposed Project has been found to meet all of the conditions of the Class 32 Exemption as the Proposed Project is consistent with the applicable General Plan policies and all applicable zoning designation and regulations and applicable policies: 2) occurs on a site that is less than five acres in size substantially surrounded by urban uses; 3) the Project Site has no value, as habitat for rare, threatened or endangered species; 4) the Proposed Project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site can be adequately served by all required utilities and public services.

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

**Section 1. Recitals and Exhibits**

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

**Section 2. Notice**

That pursuant to Government Code Section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

**Section 3. Evidence**

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

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

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387

- (c) Application for Plot Plan (PEN22-0034) including Resolution No. 2023-35 and all documents, records, and references contained therein;
- (d) Conditions of Approval for Plot Plan (PEN22-0034), attached hereto as Exhibit A;
- (e) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing;
- (f) Staff's determination that the Proposed Project is categorically exempt in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

#### **Section 4. Findings**

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

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

#### **Section 5. Determination of CEQA Exemption**

That the Planning Commission hereby determines that the Proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (In-Fill Development Projects). The Project has been found to meet all of the conditions of the Class 32 Exemption as the Project is consistent with the applicable General Plan policies and all applicable zoning designation and regulations and applicable policies: 2) occurs on a site that is less than five acres in size substantially surrounded by urban uses; 3) the Project Site has no value, as habitat for rare, threatened or endangered species; 4) the Proposed Project will not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the Project Site can be adequately served by all required utilities and public services.

#### **Section 6. Approval**

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby approves the



Proposed Project subject to the Conditions of Approval for Plot Plan (PEN22-0034) attached hereto as Exhibit A.

**Section 7. Repeal of Conflicting Provisions**

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

**Section 8. Severability**

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

**Section 9. Effective Date**

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

**Section 10. Certification**

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

**PASSED AND ADOPTED THIS 13<sup>th</sup> DAY OF JULY, 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette, Chairperson

ATTEST:

\_\_\_\_\_  
Sean P. Kelleher,  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla,  
Interim City Attorney

Exhibit:

Exhibit A: Plot Plan (PEN22-0034) Conditions of Approval

4  
Resolution No. 2023-35  
July 13, 2023

**Exhibit A**

**Plot Plan (PEN22-0034) Conditions of Approval**

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0034)

Page 1

CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Plot Plan (PEN22-0034)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT****Planning Division**

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. 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 expiration date of this modification does not extend the expiration of any related project or activity.
4. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0034)

Page 2

regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
6. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
7. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
8. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

9. The site has been approved for A Plot Plan for a 12-unit apartment building within the existing Tuscan Village Apartment complex. The new building will be three-stories with the ground floor being the parking area and having a building height of approximately 45 feet. The ground floor has 15 parking spaces. The second and third floors are residential floors with six residential units for each floor. The three-story building will provide a total of 4 one-bedroom apartments and 8 two-bedroom apartments. A change or modification shall require separate approval.

Prior to Grading Permit

10. Prior to issuance of any grading permit, all Conditions of Approval shall be printed on the grading plans.
11. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0034)

Page 3

on the precise grading plan. (GP Objective 46.8, DG)

12. 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).

13. Prior to approval of any grading permits, plans for any security gate system shall be submitted to and approved by to the Planning Division.
14. 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.
15. Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:
- a. Any proposed walls, retaining walls or fences shall be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.
16. Prior to issuance of any building permit, all Conditions of Approval shall be printed on the building plans.
17. 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

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0034)

Page 4

and location of mailboxes.

18. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
19. 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.
20. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)
21. 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

22. 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).
23. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
24. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0034)

Page 5

Building Division

25. The proposed residential project (3 or more dwelling units) shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11A for accessibility standards for the disabled including access to the site, exits, kitchens, bathrooms, common spaces, pools/spas, etc.
26. 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.
27. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in The 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
28. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
29. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
30. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
31. 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.
32. 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 2022 CBC.
33. The proposed project's occupancy shall be classified by the Building Official and

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0034)

Page 6

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.

34. The proposed residential project shall comply with The 2022 California Green Building Standards Code, Section 4.106.4, mandatory requirements for Electric Vehicle Charging Station (EVCS).
35. 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)
36. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**ECONOMIC DEVELOPMENT DEPARTMENT (EDD)**

37. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
38. 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.



**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0034)

Page 7

39. New Moreno Valley businesses are encouraged to hire local residents.
40. 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.
41. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center ("BERC").

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

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

**FIRE DEPARTMENT****Fire Prevention Bureau**

42. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
43. 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)
44. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
45. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
46. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)

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47. 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)
48. 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])
49. 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.
50. 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.
51. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
52. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
53. 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])
54. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])

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55. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
56. 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)
57. 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)
58. Multi-family residences shall display the address in accordance with the Riverside County Fire Department Premises Identification standard 07-01. (CFC 505.1)
59. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
60. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
61. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1, MVMC 8.36.060[1])
62. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a.

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Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

63. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.

The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:

- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
- b) must be registered as a retailer, not consumer, of materials, and
- c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT****Moreno Valley Utility**

64. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City fiber optic cable improvements consisting of fiber optic cable, splices and termination equipment to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "fiber optic services" to and within the project.
65. This project shall coordinate and receive approval from the City Engineer to install,

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construct, improve, and dedicate to Moreno Valley Utility fiber optic cable improvements consisting of conduit, and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “fiber optic services” to and within the project.

66. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring, terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “street light services” to and within the project.

**PUBLIC WORKS DEPARTMENT****Land Development**

67. 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]
68. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
69. 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

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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.

70. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
71. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
72. 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. Precise grading w/ erosion control plan (prior to building permit issuance);
  - b. Final drainage study (prior to grading plan approval);
  - c. Final WQMP (prior to grading plan approval);
  - d. Right-of-Way Offer of Dedication (Driveway Approach) (prior to occupancy release);
  - e. As-Built revision for all plans (prior to occupancy release)
73. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
  - a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.

The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their

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sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

74. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
75. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, <DESCRIBE>.
76. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
77. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

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- a. The Applicant has proposed to incorporate the use of Bioretention Basin. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.
- b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP. The HCOC designates that the project will be exempt from mitigation requirements based on Exemption 1.
- c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.
- d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.
- e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.
- f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.
- g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and structural by the Building & Safety Division.
78. 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.
79. 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.
80. The developer shall select Low Impact Development (LID) Best Management



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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.

81. 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.

Prior to Grading Permit

82. 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)]
83. 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.
84. 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)]
85. 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]

Prior to Improvement Plan Approval

86. Any missing or deficient existing improvements along the project frontage within <DESCRIBE> shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
87. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.

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Prior to Encroachment Permit

88. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
89. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

90. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
91. 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.
92. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
93. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).

Prior to Occupancy

94. 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.
95. The final/precise grade certification shall be submitted for review and approved by

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the City Engineer.

96. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
  - a. Street improvements including, but not limited to: replacement of any damaged or missing improvements.
97. For residential subdivisions, punch list work for improvements and capping of streets in that phase shall be completed and approved for acceptance by the City Engineer, prior to the following thresholds:
  - a. <DESCRIBE>
98. For commercial, industrial and multi-family projects, a “Stormwater Treatment Device and Control Measure Access and Maintenance Covenant” shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
99. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
100. The Developer shall comply with the following water quality related items:
  - a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - f. Obtain approval and complete installation of the irrigation and landscaping.

Special Conditions

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101. A four-foot right-of-way dedication shall be made at the existing driveway approach per City Standard MVSI-112C.

Special Districts Division

102. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.
103. Park Maintenance Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special

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

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

104. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the

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developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

105. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

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

106. Right of Way Water Quality BMP Maintenance. The ongoing maintenance of any water quality BMP (e.g. Bioswale) constructed in the public right of way shall be the responsibility of a property owner association or the property owner.
107. Zone A Per Dwelling Unit. The Moreno Valley Community Services District Zone A (Parks & Community Services) tax is levied on the property tax bill on a per parcel or dwelling unit basis. Upon the issuance of building permits, the Zone A tax will be assessed based on 12 dwelling units.

Transportation Engineering Division

108. Prior to issuance of an encroachment permit for work within the public right -of-way,

**CONDITIONS OF APPROVAL**

Plot Plan (PEN22-0034)

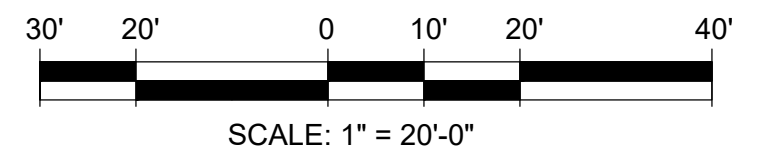
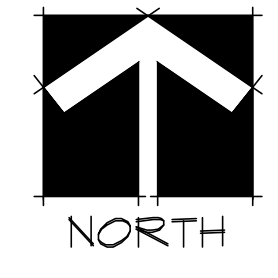
Page 21

construction traffic control plans prepared by a qualified, registered Civil or Traffic Engineer shall be required for plan approval by the City Engineer.

109. All project driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard Plans No. MVSI-112A~D-0 for commercial driveway approaches.
  - Delphinium Avenue Easterly Driveway: Exit and Emergency Vehicle Access (EVA) Only.
  - Delphinium Avenue Westerly Driveway: Right-in / Right-Out Only.
110. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
111. Sight distance at the proposed roadways and driveways shall conform to City of Moreno Valley Standard No. MVSI-164A,B,C-0 at the time of preparation of final grading, landscape, and street improvement plans.
112. Prior to issuance of a Certificate of Occupancy, two (2) LED Speed Radar signs shall be provided along the project frontage on Delphinium Avenue. Signs shall be shown on the precise grading plan. Model and location of signs shall be determined during the plan check review per the satisfaction of the City Engineer.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

113. This project is subject to current Development Impact Fees.



**Site Data:**  
 APN: 484-242-020  
 NET LOT AREA : 178,596 S.F. = ±4.10 AC.  
 EXISTING ZONING: COMU  
 CORRIDOR MIXED USE  
 GENERAL PLAN: COMU  
 SPRINKLERED: YES  
 TYPE OF CONSTRUCTION: V-A  
 TYPE OF OCCUPANCY: R-2

**Existing Project Data**  
 EXISTING PROJECT 64 UNITS 2- BEDROOMS  
 (E) RECREATIONAL BUILDING: 2432 SQ.FT.  
 (E) BUILDINGS FOOTPRINTS : 38016 SQ.FT.  
 CARPORTS PROVIDED: 64 CARPORT SPACES  
 TOTAL PARKING: 161 PARKING SPACES  
**EV PARKING CGBC 2022**  
 Future EV parking spaces shall have conduit installed for future EVSE electrical circuits and charging equipment, per the current CA Green Building Standards Code Sec. 5.106.4.2.1  
 5% of the total parking spaces shall be equipped with a level 2 EVSE and where common use parking is provided. One parking space shall be indicated EV PARKING ONLY, adjacent to a 8' ft. wide access aisle, or a 12' ft wide EV parking space adjacent to a 5' ft wide access aisle and located on an accessible route of travel.

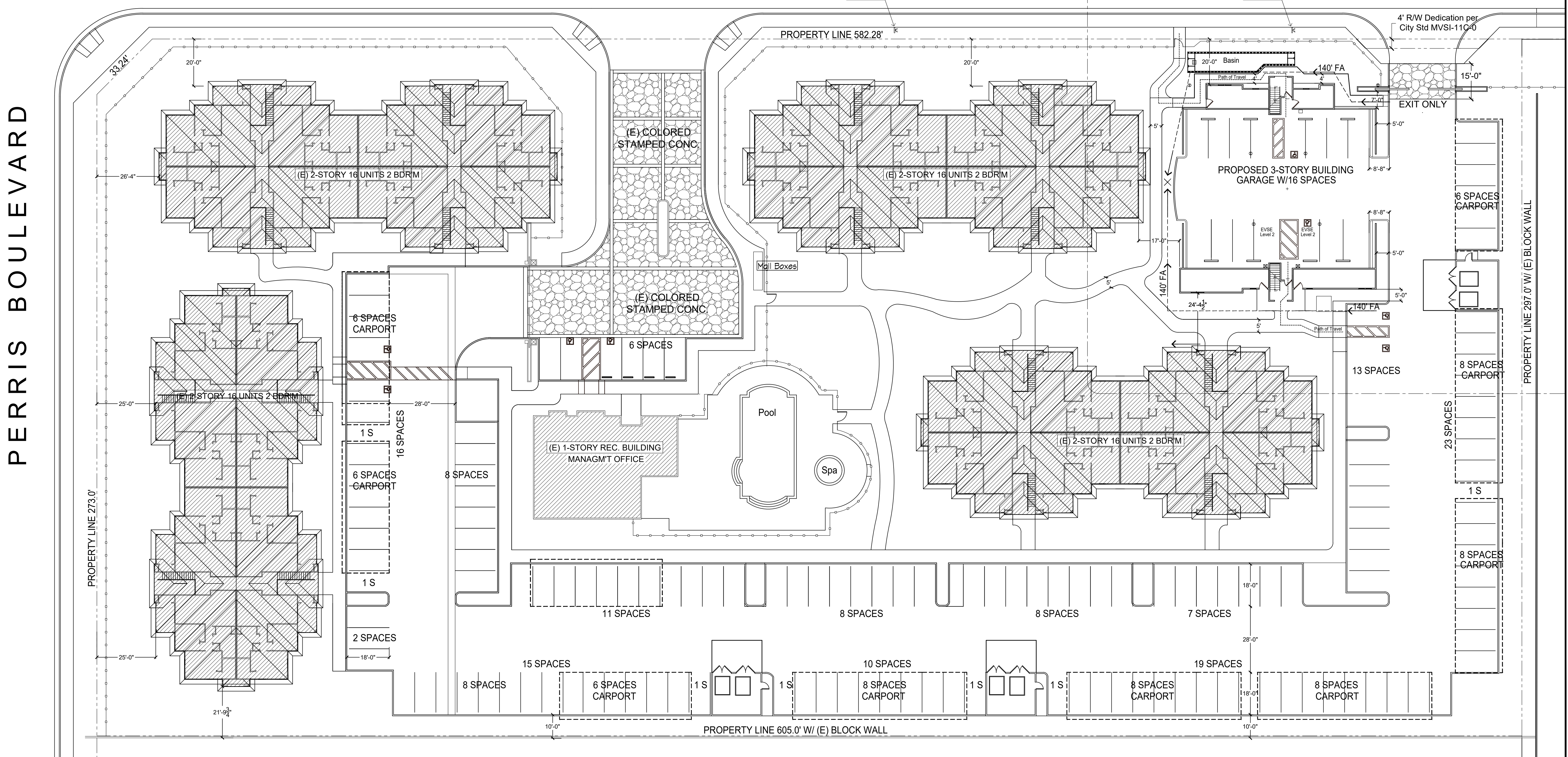
**Proposed Project Data**  
 PROPOSED 8 UNITS 2 BEDROOMS @ 1,035 S.F.  
 PRIVATE BALCONY PER UNIT MIN 107 S.F.  
 PROPOSED 4 UNITS 1 BEDROOM @ 717 S.F.  
 PRIVATE BALCONY PER UNIT MIN 107 S.F.  
**Parking Analysis:**  
 8 UNITS 2- BEDROOMS @ 2 = 16 Spaces  
 4 UNITS 1- BEDROOMS @ 1.55 = 6 Spaces  
 Provided: 22 Spaces With 16 Covered  
 1 HANDICAP PARKING SPACE  
 Number of required EV spaces per Table 5.106.5.3.1.  
 1 to 25 Spaces 2 EVs Parking is Required.

**Entire Project Data "Existing & Proposed"**  
 (E) Units @ 2 Bedrooms: 64 Units  
 (N) Units @ 2 Bedrooms: 8 Units  
 (N) Units @ 1 Bedrooms: 4 Units  
 Total Units: 76 Units  
 Project Density: 76 Units / 4.10 AC = 18.54 / AC  
 Maximum Density: 20 / AC (20 X 4.10) = 82 Units  
 Building Footprint: 47457 SQ.FT  
 Lot Coverage: 47457 SQ.FT. / 178,596 = 26.57 %  
 Common Open Space: 300 X 76 = 22,800 S.F.  
 Landscape Area Provided: ± 72881 S.F.  
 Landscape Area Coverage: ± 40.74%

**Parking Analysis:**  
 72 Units 2- Bedrooms @ 2 = 144 Spaces  
 4 Units 1- Bedrooms @ 1.55 = 6 Spaces  
 Total Required: 150 Spaces  
 Club House Parking: 4 Spaces  
 Total Provided: 160 Spaces  
 Total Covered Provided: 76 Spaces  
 Accessible Parking Provided: 6 + 2 Van Accessible  
 2 EVSE Parking space Provided

**Bioretention Basin Maintenance**  
 THE ONGOING MAINTENANCE OF ANY BIORETENTION BASIN, OR OTHER LIKE WATER QUALITY BMP CONSTRUCTED IN THE PUBLIC RIGHT OF WAY, SHALL BE THE RESPONSIBILITY OF A PROPERTY OWNER ASSOCIATION OR THE PROPERTY OWNER.

**BEST MANAGEMENT PRACTICES**  
 THE OWNER / DEVELOPER SHALL IMPLEMENT GOOD HOUSEKEEPING BEST MANAGEMENT PRACTICES (BMPs) FOR THE SITE TO ENSURE THAT POLLUTANTS ARE NOT DISCHARGED TO THE MUNICIPAL STORM DRAIN SYSTEM DURING CONSTRUCTION AND POST CONSTRUCTION.



REVISION	BY
1	EA
2	EA
3	EA
4	EA

**CITY RECORD NUMBER: PEN22-0034**  
**SITE PLAN**  
**TUSCANY VILLAGE APARTMENTS**  
 Michael Bros Estate Inc  
 25055 Delphinium Ave Moreno Valley Ca 92553

**JOB LOCATION**  
 25055 Delphinium Ave  
 Moreno Valley Ca 92553  
 APN 484-242-020

**OWNER**  
 Michael Bros Estate Inc  
 Imad Michael  
 Elias Michael  
 25055 Delphinium Ave  
 Moreno Valley Ca 92553  
 TEL: (909) 413-2806

**SCALE**  
 1"=20'-00"

**DATE**  
 02/07/2022

**DESIGNER**  
 ELIAS ALFATA

**ENGINEER**  
 N/A

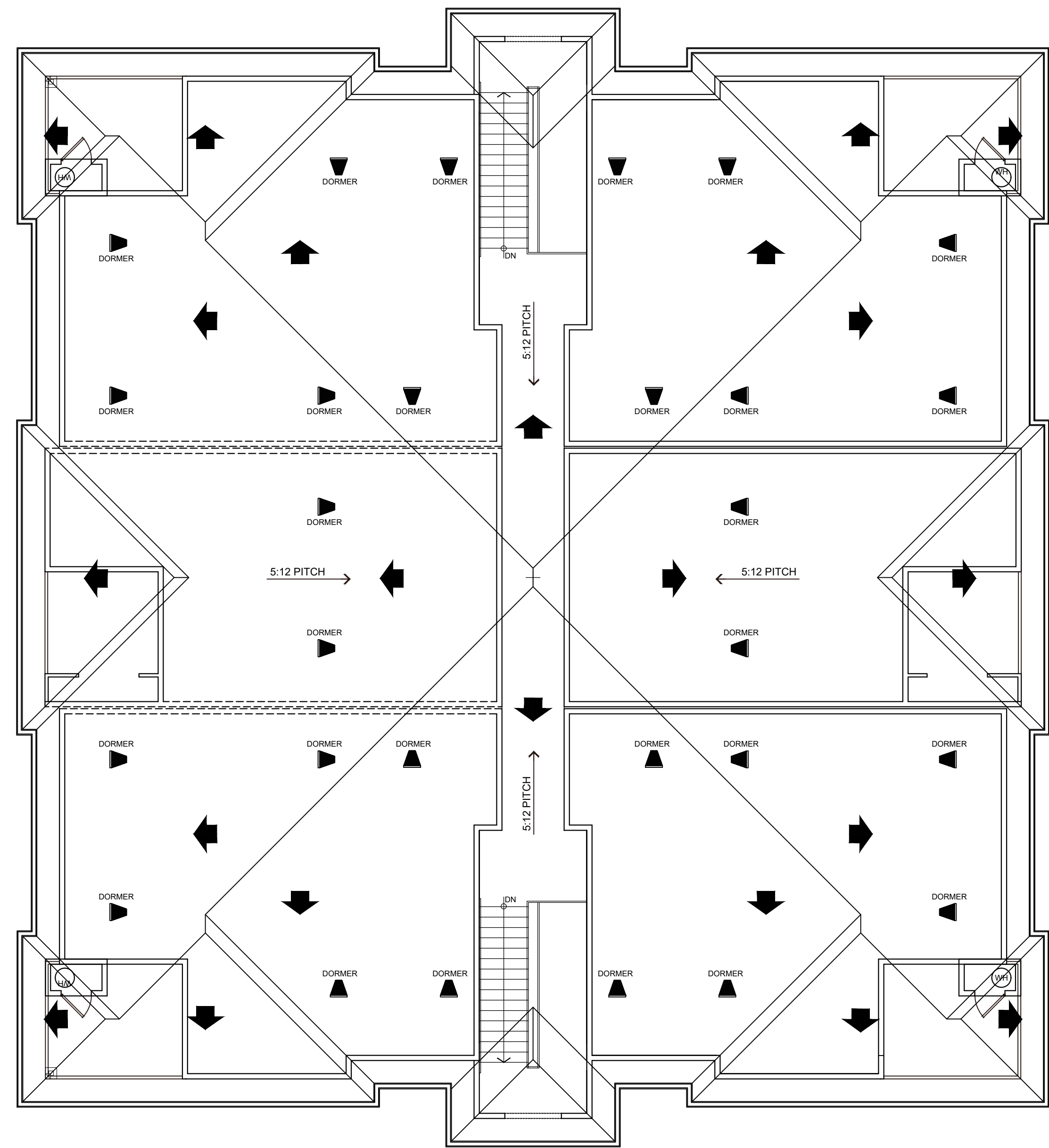
**JOB No**  
 22-100

**SHEET**  
 A1-0

**ALFA DESIGN**

ELIAS ALFATA  
 6372 Garden Hills Way  
 Riverside, CA. 92506  
 gedriverside@gmail.com  
 TEL: 951 . 454 . 0912

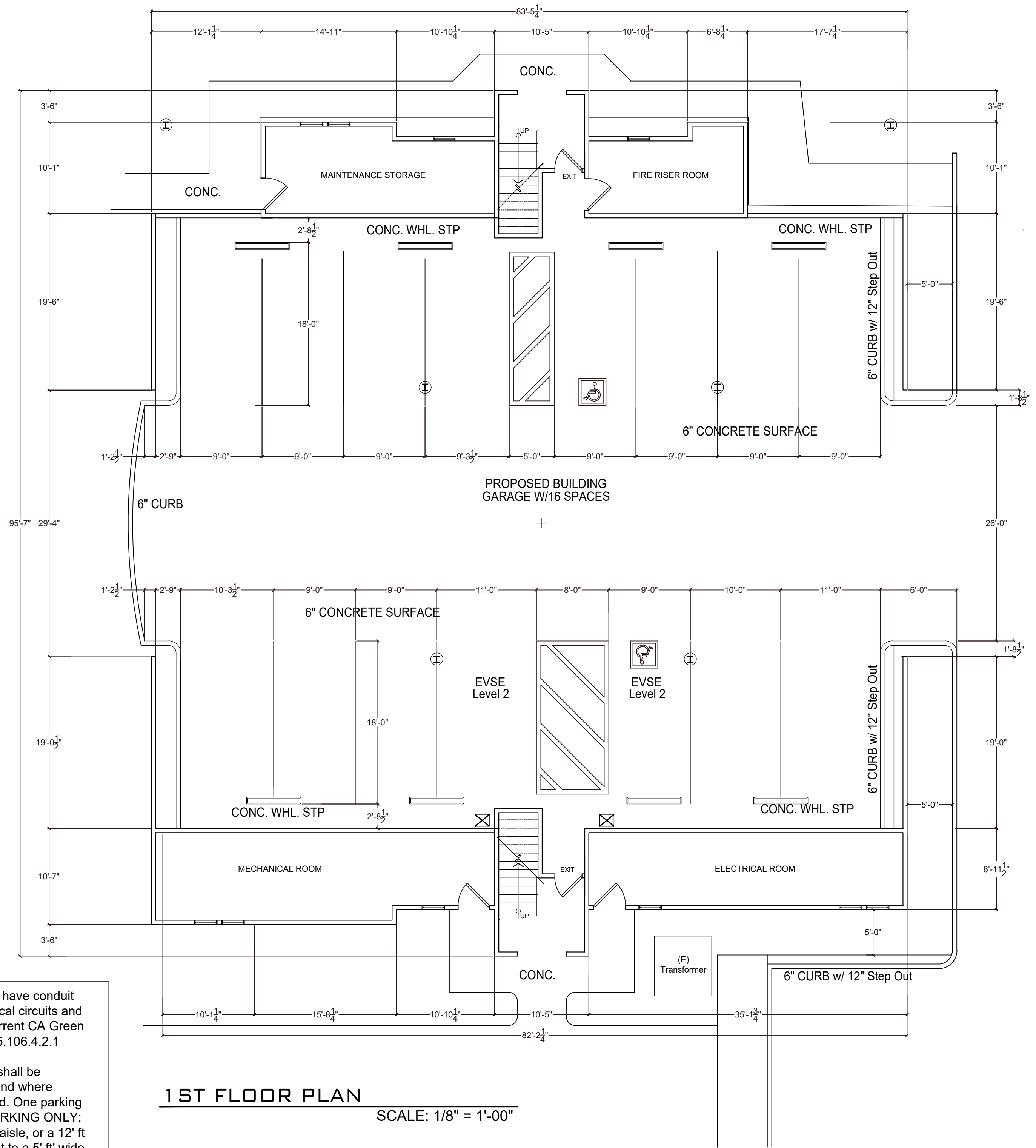
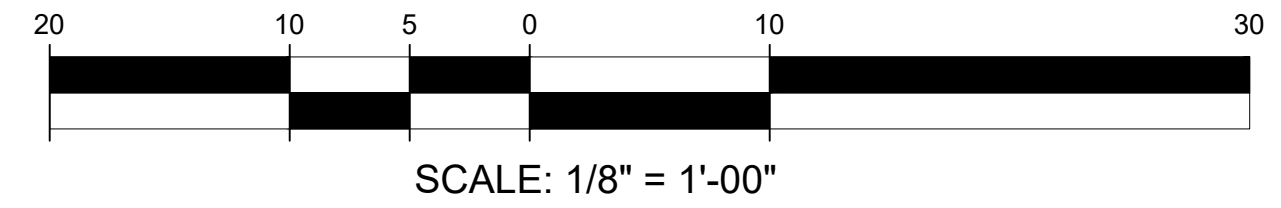




**ROOF PLAN**  
SCALE: 1/8" = 1'-00"

Future EV parking spaces shall have conduit installed for future EVSE electrical circuits and charging equipment, per the current CA Green Building Standards Code Sec. 5.106.4.2.1

5% of the total parking spaces shall be equipped with a level 2 EVSE and where common use parking is provided. One parking space shall be indicated EV PARKING ONLY; adjacent to a 8' ft. wide access aisle, or a 12' ft wide EV parking space adjacent to a 5' ft wide access aisle and located on an accessible route of travel.



**1ST FLOOR PLAN**  
SCALE: 1/8" = 1'-00"

**CITY RECORD NUMBER: PEN22-0034**  
**1ST FLOOR & ROOF PLAN**  
TUSCANY VILLAGE APARTMENTS  
Michael Bros Estate Inc  
25055 Delphinium Ave Moreno Valley Ca 92553

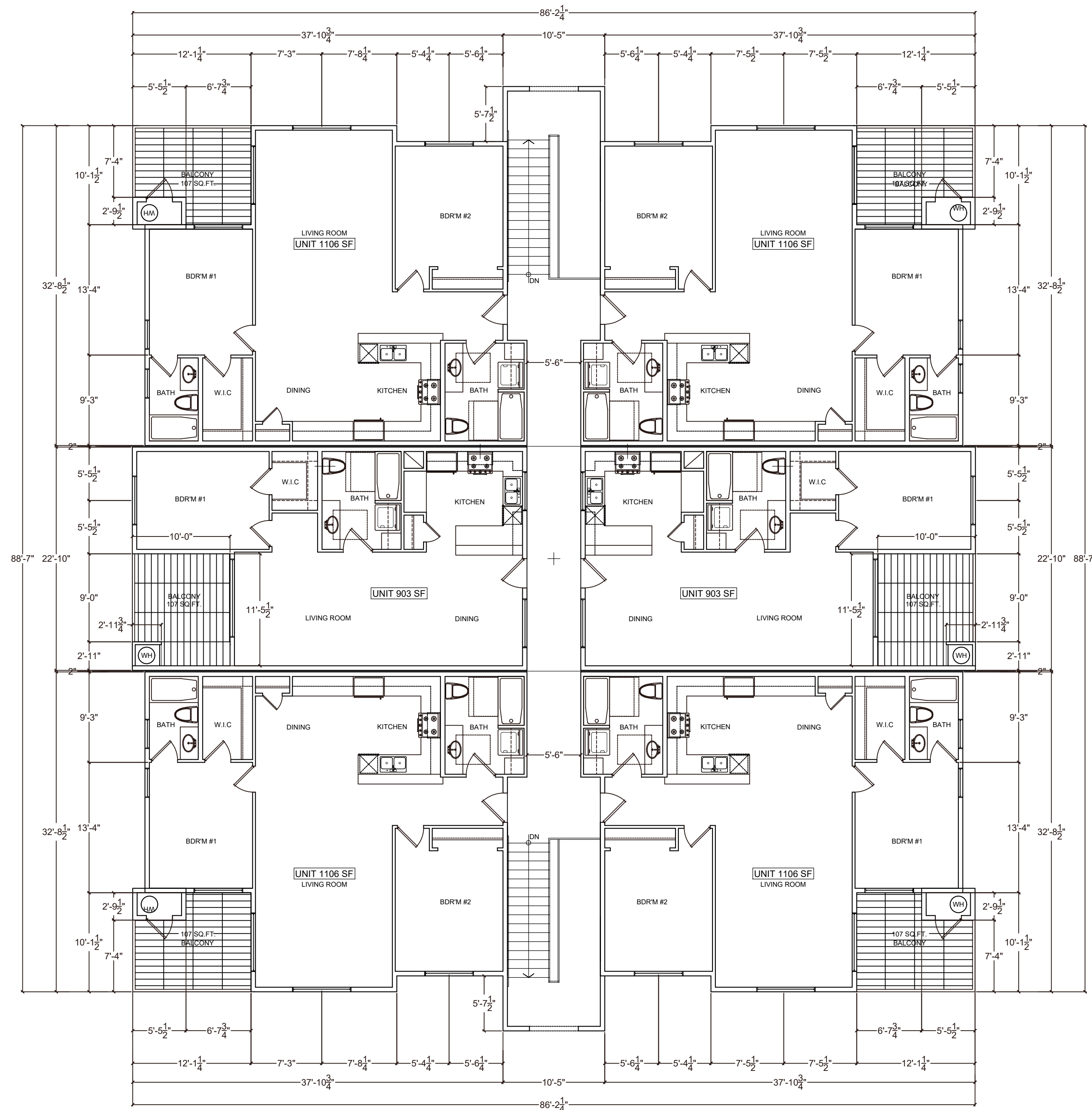
**JOB LOCATION**  
25055 Delphinium Ave  
Moreno Valley Ca 92553  
APN 484-242-020

**OWNER**  
Michael Bros Estate Inc  
Imad Michael  
Elias Michael  
25055 Delphinium Ave  
Moreno Valley Ca 92553  
TEL: (909) 413-2806

SCALE: 1/8" = 1'-00"  
DATE: 02/07/2022  
DESIGNER: ELIAS ALFATA  
ENGINEER: N/A

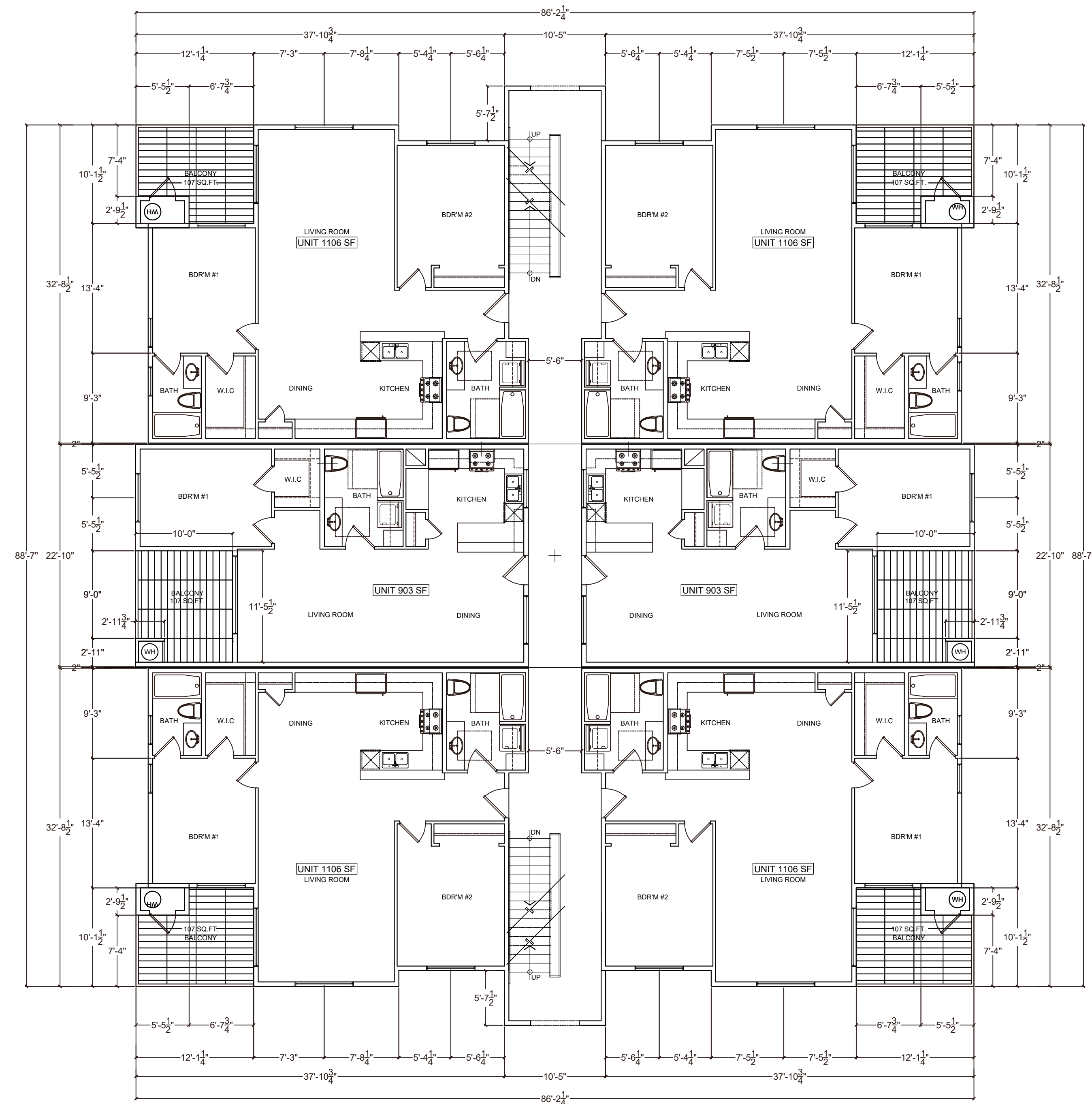
JOB No: 22-100  
SHEET: A2-0

**ALFA DESIGN**  
ELIAS ALFATA  
6372 Garden Hills Way  
Riverside, CA. 92506  
gedriverside@gmail.com  
TEL: 951 . 454 . 0912



3RD FLOOR PLAN

SCALE: 1/8" = 1'-00"



2ND FLOOR PLAN

SCALE: 1/8" = 1'-00"



SCALE: 1/8" = 1'-00"

REVISION	BY
1	EA
2	EA
3	EA
4	EA

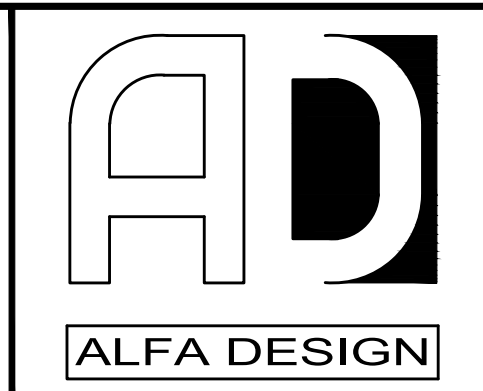
CITY RECORD NUMBER: PEN22-0034  
**2nd & 3rd FLOOR PLAN**  
 TUSCANY VILLAGE APARTMENTS  
 Michael Bros Estate Inc  
 25055 Delphinium Ave Moreno Valley Ca 92553

JOB LOCATION  
 25055 Delphinium Ave  
 Moreno Valley Ca 92553  
 APN 484-242-020

OWNER  
 Michael Bros Estate Inc  
 Imad Michael  
 Elias Michael  
 25055 Delphinium Ave  
 Moreno Valley Ca 92553  
 TEL: (909) 413-2806

SCALE: 1/8" = 1'-00"  
 DATE: 02/07/2022  
 DESIGNER: ELIAS ALFATA  
 ENGINEER: N/A

JOB No: 22-100  
 SHEET: A2-1



ELIAS ALFATA  
 6372 Garden Hills Way  
 Riverside, CA. 92506  
 gedriverside@gmail.com  
 TEL: 951 . 454 . 0912

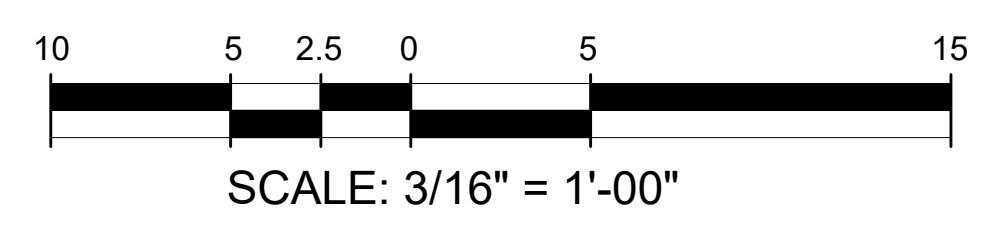


**REAR ELEVATION " SOUTH "**  
SCALE: 3/16" = 1'-00"

(A) STUCCO SAND FINISH "SW 7508 TAVERN TAUPE SHERWIN WILLIAMS"	(C) STUCCO SAND FINISH "SW 7551 GREEK VILLA" SHERWIN WILLIAMS
(B) 8" HARDIEPLANK "SW 7740 SHERWIN WILLIAMS MESSENGER BAG"	(D) STUCCO FINISH "SW 7541 GRECIAN IVORY SHERWIN WILLIAMS"
EXTERIOR DOORS & SHUTTERS: "SW 6377 BUTTERSCOTCH" SHERWIN WILLIAMS	
STONE VENEER: CORONADO "MOUNTAIN STRIP"	
EXTERIOR FASCIA: "SW 7757 HIGH REFLECTIVE WHITE" SHERWIN WILLIAMS	



**FRONT ELEVATION " NORTH "**



REVISION	BY
1	EA
2	EA
3	EA
4	EA

**CITY RECORD NUMBER: PEN22-0034**  
**BUILDING ELEVATIONS**  
**TUSCANY VILLAGE APARTMENTS**  
Michael Bros Estate Inc  
25055 Delphinium Ave Moreno Valley Ca 92553

**JOB LOCATION**  
25055 Delphinium Ave  
Moreno Valley Ca 92553  
APN 484-242-020

**OWNER**  
Michael Bros Estate Inc  
Imad Michael  
Elias Michael  
25055 Delphinium Ave  
Moreno Valley Ca 92553  
TEL: (909) 413-2806

SCALE  
3/16" = 1'-00"  
DATE  
02/07/2022  
DESIGNER  
ELIAS ALFATA  
ENGINEER  
N/A

**JOB No**  
22-100  
**SHEET**  
A3-0

**ALFA DESIGN**  
ELIAS ALFATA  
6372 Garden Hills Way  
Riverside, CA. 92506  
gedriverside@gmail.com  
TEL: 951 . 454 . 0912



**LEFT ELEVATION " EAST "**

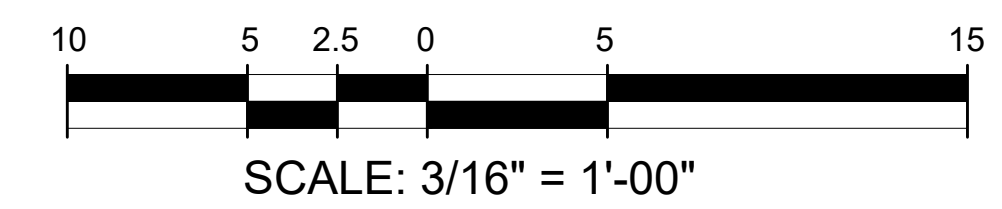
SCALE: 3/16" = 1'-00"



**RIGHT ELEVATION " WEST "**

SCALE: 3/16" = 1'-00"

(A) STUCCO SAND FINISH "SW 7508 TAVERN TAUPE SHERWIN WILLIAMS"	(C) STUCCO SAND FINISH "SW 7551 GREEK VILLA" SHERWIN WILLIAMS
(B) 8" HARDIEPLANK "SW 7740 SHERWIN WILLIAMS MESSENGER BAG"	(D) STUCCO FINISH "SW 7541 GRECIAN IVORY SHERWIN WILLIAMS"
EXTERIOR DOORS & SHUTTERS: "SW 6377 BUTTERSCOTCH" SHERWIN WILLIAMS	
STONE VENEER: CORONADO "MOUNTAIN STRIP"	
EXTERIOR FASCIA: "SW 7757 HIGH REFLECTIVE WHITE" SHERWIN WILLIAMS	



REVISION	BY
1	EA
2	EA
3	EA
4	EA

**CITY RECORD NUMBER: PEN22-0034**  
**BUILDING ELEVATIONS**  
**TUSCANY VILLAGE APARTMENTS**  
 Michael Bros Estate Inc  
 25055 Delphinium Ave Moreno Valley Ca 92553

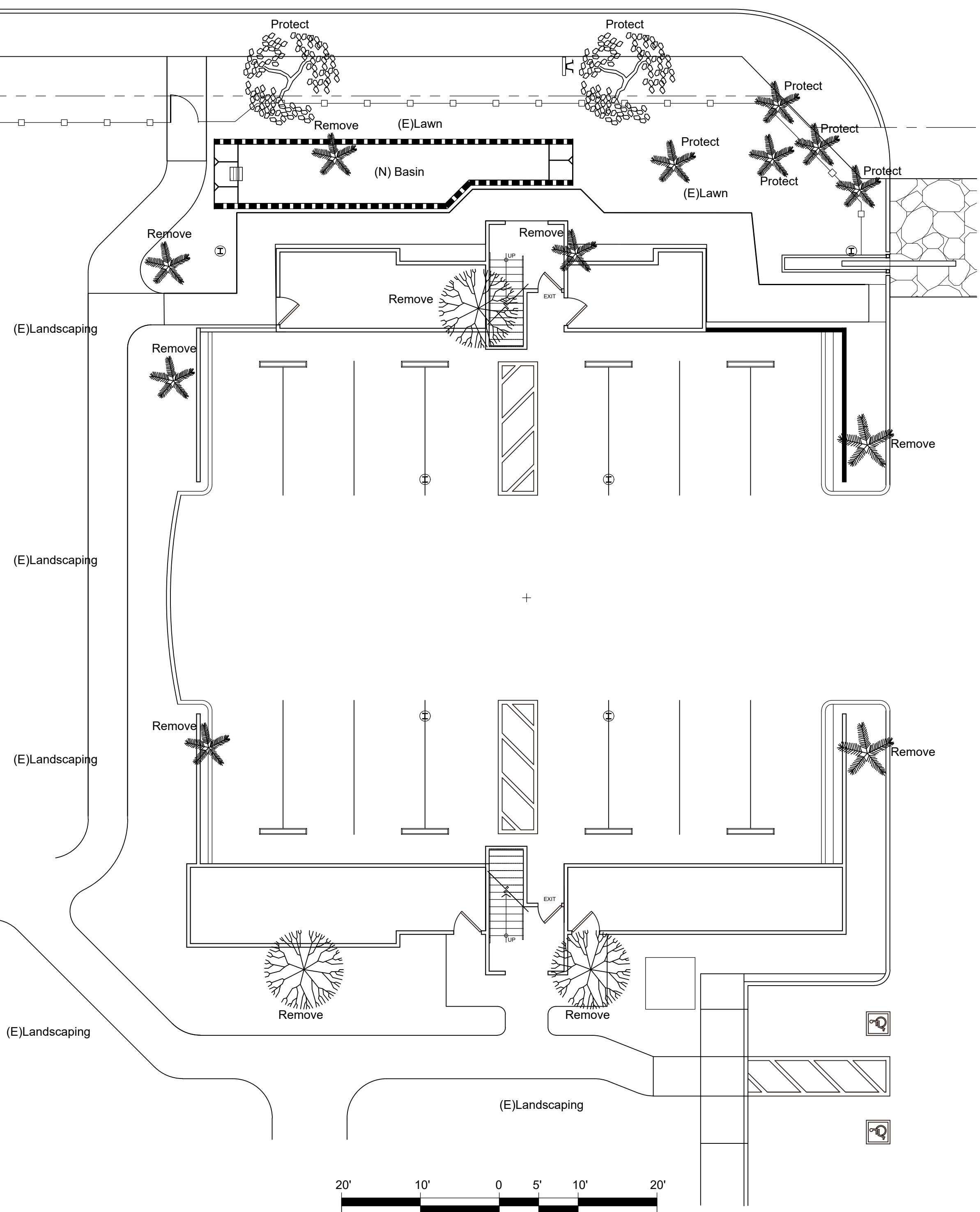
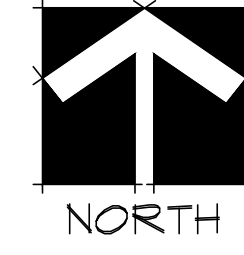
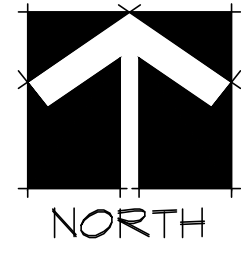
**JOB LOCATION**  
 25055 Delphinium Ave  
 Moreno Valley Ca 92553  
 APN 484-242-020

**OWNER**  
 Michael Bros Estate Inc  
 Imad Michael  
 Elias Michael  
 25055 Delphinium Ave  
 Moreno Valley Ca 92553  
 TEL: (909) 413-2806

SCALE: 3/16" = 1'-00"  
 DATE: 02/07/2022  
 DESIGNER: ELIAS ALFATA  
 ENGINEER: N/A

**JOB No**  
 22-100  
**SHEET**  
 A3-0

**ALFA DESIGN**  
 ELIAS ALFATA  
 6372 Garden Hills Way  
 Riverside, CA. 92506  
 gedriverside@gmail.com  
 TEL: 951 . 454 . 0912



**EXISTING / DEMOLITION LANDSCAPING PLAN**  
Scale: 1"=10'-0"

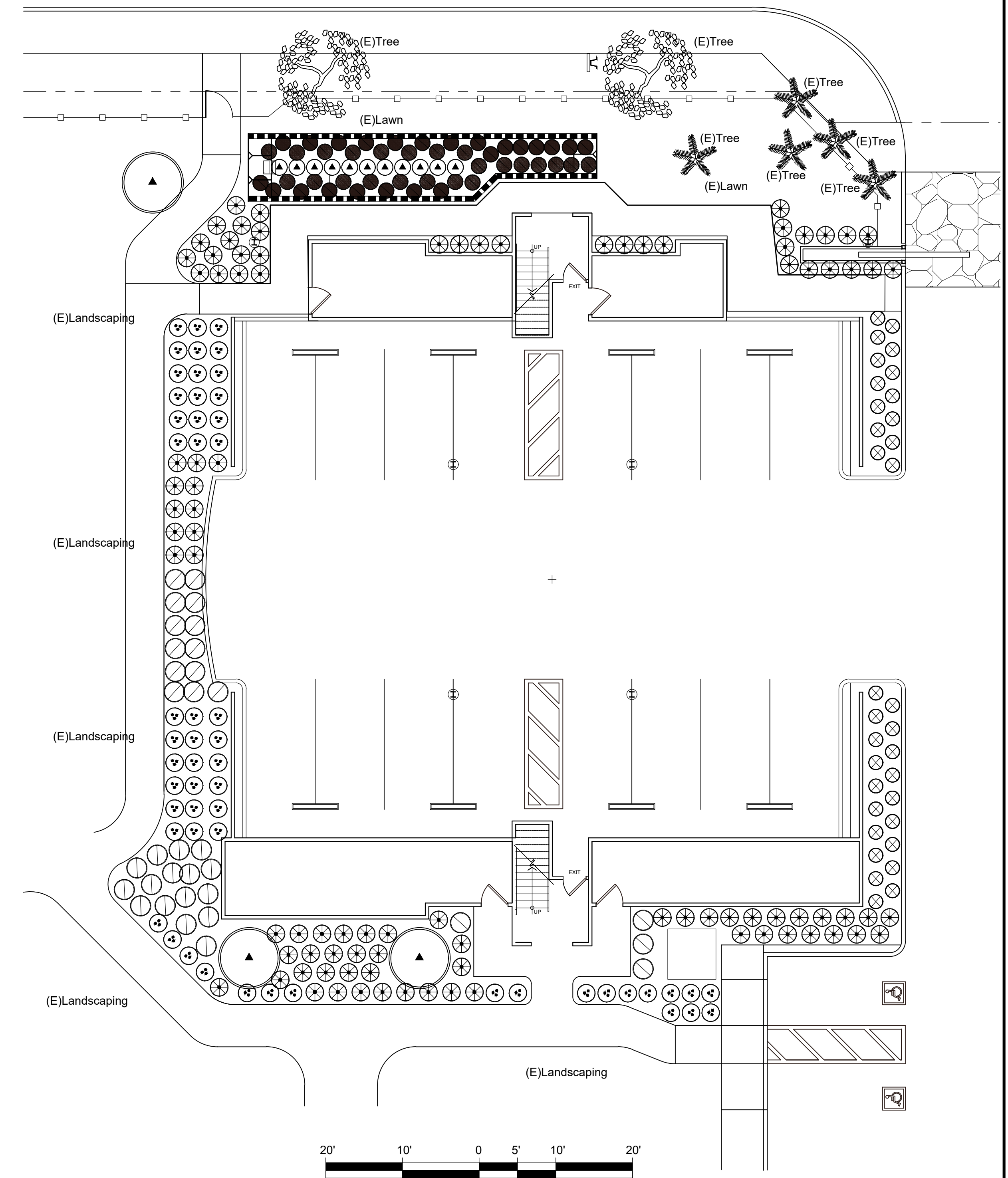
**PLANTING LEGEND**

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	WUCOLS IV PLANT FAC
<b>ON-SITE PLANTING:</b>					
<b>TREES:</b>					
▲	<i>GEIJERA PARVIFLORA</i>	AUSTRALIAN WILLOW	24" BOX	.5 (L)	
▲▲	<i>ARBUTUS UNEDO</i>	STRAWBERRY TREE	24" BOX	.3 (L)	
<b>SHRUBS:</b>					
⊕	<i>LEUCOPHYLLUM FRUTESCENS</i>	TEXAS RANGER	15 GAL.	18	.3 (L)
⊕	<i>ROSMARINUM OFFICINALIS</i>	ROSEMARY	1 GAL.	20	.3 (L)
⊕	<i>HESPERALOE PARVIFLORA</i>	RED YUCCA	5 GAL.	15	.3 (L)
⊕	<i>AGAVE FERDINAND-REGIS</i>	FERDINAND AGAVE	5 GAL.	6	.1 (VL)
⊕	<i>CEASALPINA GILLESII</i>	BIRD OF PARADISE BUSH	15 GAL.	18	.3 (L)
▲	<i>MUHLENBERGIA CAPLARIIS 'LENCA'</i>	REGAL MIST MAHLY	5 GAL.	4	.3 (L)
⊗	<i>CEANOTHUS GROSSEUS 'DARKIND HEIGHTS'</i>	VARIGATED CAMEL CREEPER	5 GAL.	14	.3 (L)

- PLANTING NOTES:**
- ALL PLANTING AREAS TO RECEIVE 2" DEPTH, NITROGEN STABILIZED, SPREADEN BARK MULCH
  - IN AREAS WITH GROUNDCOVER PLANTED FROM FLATS MULCH DEPTH SHALL BE ONE AND ONE HALF INCHES (1-1/2")
  - INSTALL LINEAR ROOT BARRIER TO ALL TREES WITHIN 6' OF PUBLIC SIDEWALK
  - EXTEND ALL GROUND COVER, INCL. NON-LIVING GROUNDCOVER, BENEATH SHRUBS AND TREES.

**BASIN LANDSCAPING**

▲	<i>MUHLENBERGIA RIGENS</i>	5 GAL.	9	.3 (L)
●	<i>JUNCUS PATENS</i>	5 GAL.	10	.3 (L)
●	<i>JUNCUS PATENS</i>	5 GAL.	20	.3 (L)



**CONCEPTUAL LANDSCAPING PLAN**  
Scale: 1"=10'-0"

REVISION	BY
1	EA
2	EA
3	EA
4	EA

**CITY RECORD NUMBER: PEN22-0034**  
**Conceptual Landscaping Plan**

**TUSCANY VILLAGE APARTMENTS**  
Michael Bros Estate Inc  
25055 Delphinium Ave Moreno Valley Ca 92553

**JOB LOCATION**  
25055 Delphinium Ave  
Moreno Valley Ca 92553  
APN 484-242-020

**OWNER**  
Michael Bros Estate Inc  
Imad Michael  
Elias Michael  
25055 Delphinium Ave  
Moreno Valley Ca 92553  
TEL: (909) 413-2806

SCALE: 1"=10'-00"  
DATE: 02/07/2022  
DESIGNER: ELIAS ALFATA  
ENGINEER: N/A

**JOB No**  
22-100  
**SHEET**  
A4-0

**ALFA DESIGN**  
ELIAS ALFATA  
6372 Garden Hills Way  
Riverside, CA. 92506  
gedriverside@gmail.com  
TEL: 951 . 454 . 0912

(A) STUCCO SAND FINISH  
"SW 7508 TAVERN TAUPE"  
SHERWIN WILLIAMS



(B) 8" HARDIEPLANK  
"SW 7740 SHERWIN WILLIAMS  
MESSENGER BAG"



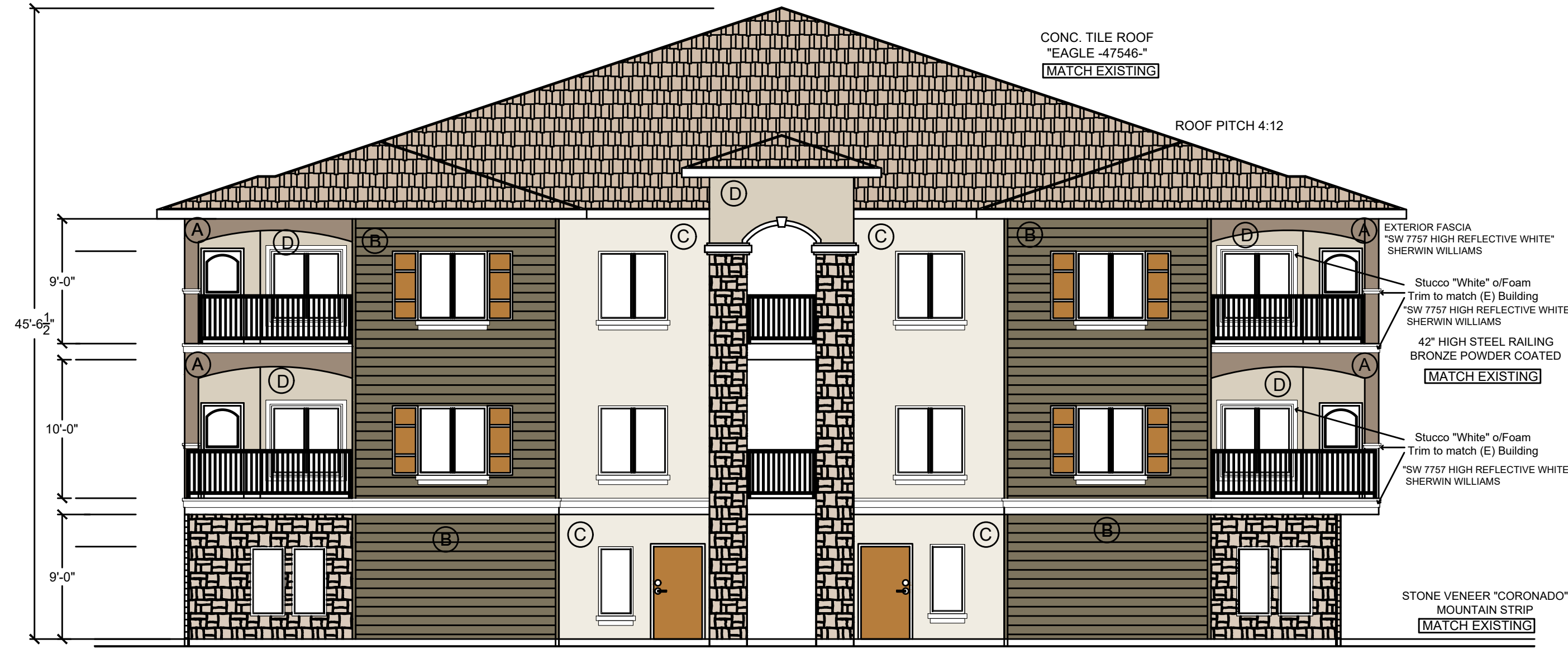
(C) STUCCO SAND FINISH  
"SW 7551 GREEK VILLA"  
SHERWIN WILLIAMS



(D) STUCCO FINISH  
"SW 7541 GRECIAN IVORY"  
SHERWIN WILLIAMS



EXTERIOR DOORS: "SW 6377 BUTTERSCOTCH"  
SHERWIN WILLIAMS



REAR ELEVATION " SOUTH "

SCALE: 3/16" = 1'-00"



LEFT ELEVATION " EAST "

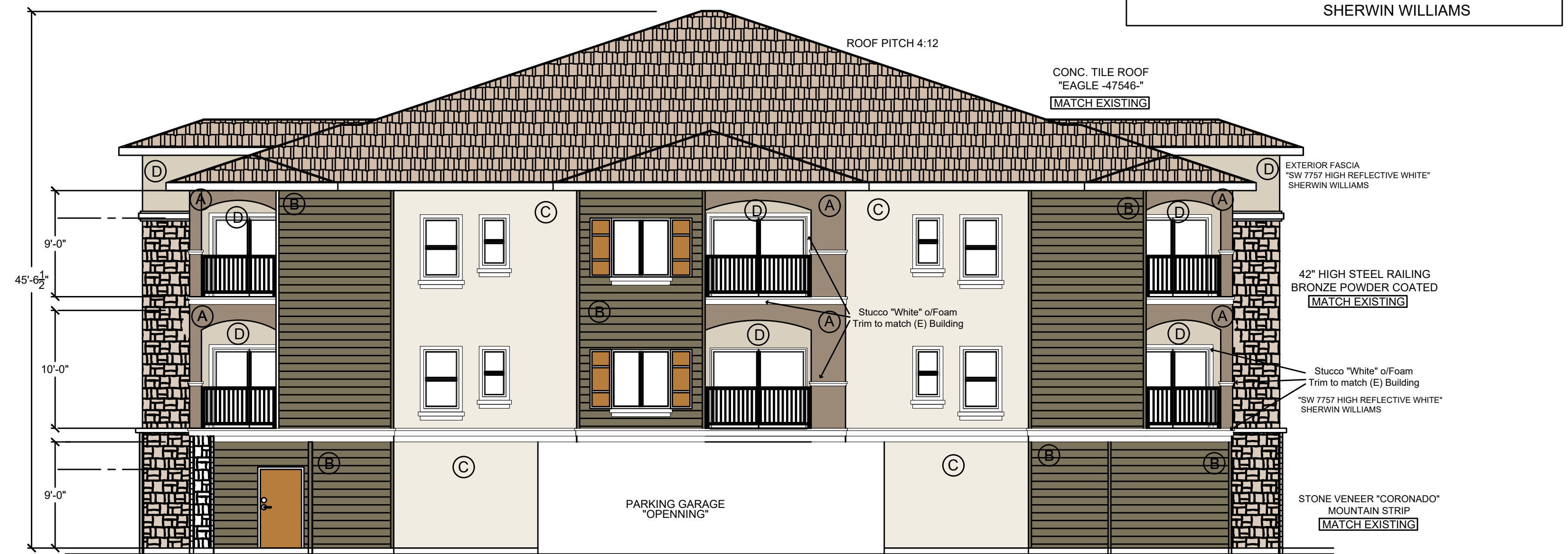
SCALE: 3/16" = 1'-00"

STONE VENEER: CORONADO "MOUNTAIN STRIP"  
EXTERIOR DOORS: "SW 7707 COPPER WIRE"  
SHERWIN WILLIAMS  
EXTERIOR SHUTTERS: "SW 7707 COPPER WIRE"  
SHERWIN WILLIAMS  
EXTERIOR FASCIA: "SW 7757 HIGH REFLECTIVE WHITE"  
SHERWIN WILLIAMS



FRONT ELEVATION " NORTH "

SCALE: 3/16" = 1'-00"



RIGHT ELEVATION " WEST "

SCALE: 3/16" = 1'-00"

SCALE: 3/16" = 1'-00"

REVISION	BY
1	EA
2	EA
3	EA
4	EA

CITY RECORD NUMBER: PEN22-0034  
**COLORED ELEVATIONS**  
TUSCANY VILLAGE APARTMENTS  
Michael Bros Estate Inc  
25055 Delphinium Ave Moreno Valley Ca 92553

JOB LOCATION  
25055 Delphinium Ave  
Moreno Valley Ca 92553  
APN 484-242-020

OWNER  
Michael Bros Estate Inc  
Imad Michael  
Elias Michael  
25055 Delphinium Ave  
Moreno Valley Ca 92553  
TEL: (909) 413-2806

SCALE: NOT TO SCALE  
DATE: 12/27/2022  
DESIGNER: ELIAS ALFATA  
ENGINEER: N/A

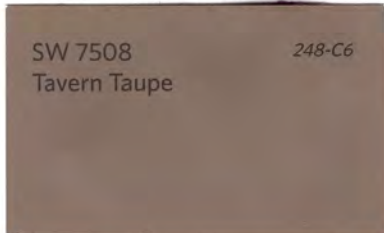
JOB No: 22-100  
SHEET: C1-0

**ALFA DESIGN**  
ELIAS ALFATA  
6372 Garden Hills Way  
Riverside, CA. 92506  
gedriverside@gmail.com  
TEL: 951 . 454 . 0912

# PEN 22-0034 25055 DELPHINUM AVE MORENO VALLEY CA.

(A)

STUCCO SAND FINISH  
"SW 7508 TAVERN TAUPE  
SHERWIN WILLIAMS"

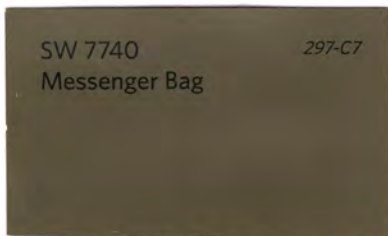


STONE VENEER CORONADO  
"MOUNTAIN STRIP"



(B)

8" HARDIEPLANK  
"SW 7740 SHERWIN WILLIAMS  
MESSENGER BAG"



(C)

STUCCO SAND FINISH  
"SW 7551 GREEK VILLA"  
SHERWIN WILLIAMS

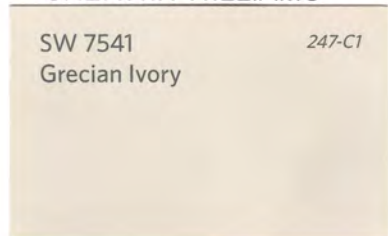


CONCRETE TILE ROOF "EAGLE 47546"

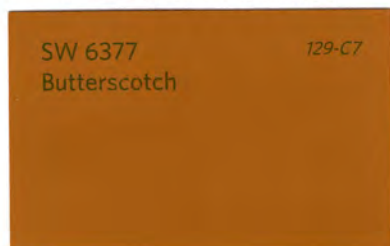


(D)

STUCCO FINISH  
"SW 7541 GRECIAN IVORY  
SHERWIN WILLIAMS"



EXTERIOR DOORS & SHUTTERS  
"SW 6377 BUTTERSCOTCH"  
SHERWIN WILLIAMS

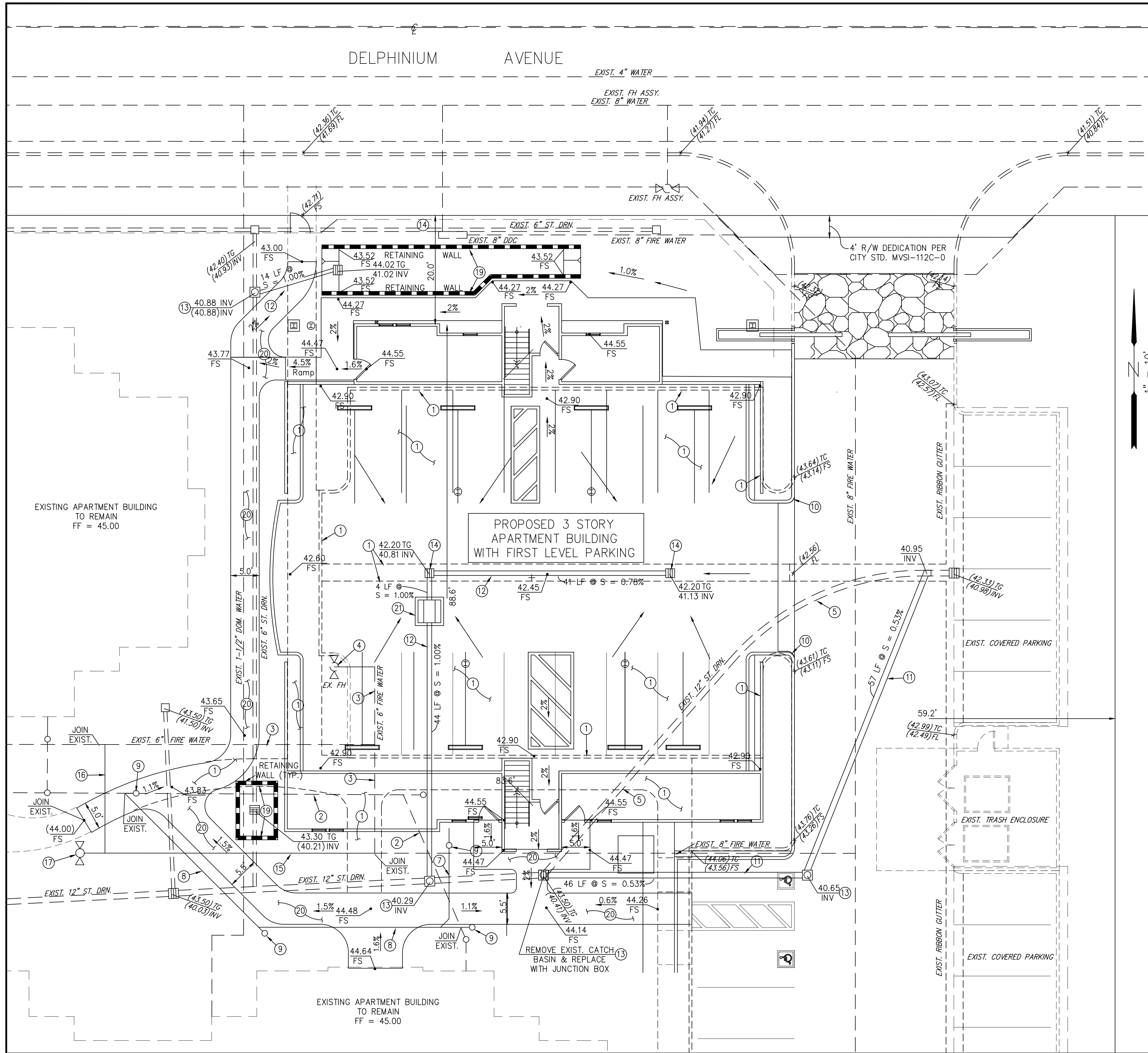


EXTERIOR FASCIA  
"SW 7757 HIGH REFLECTIVE WHITE"  
SHERWIN WILLIAMS

256-C1 256

SW 7757  
High Reflective White

Attachment: Project Plans (6315 : PEN22-0034 Plot Plan)



**APPLICANT/DEVELOPER**  
 MICHAEL BROS. REAL ESTATE INC.  
 25055 DELPHINIUM AVENUE  
 MORENO VALLEY, CALIFORNIA 92553  
 PHONE: 951-413-2806

**OWNER**  
 MICHAEL BROS. REAL ESTATE INC.  
 25055 DELPHINIUM AVENUE  
 MORENO VALLEY, CALIFORNIA 92553  
 PHONE: 951-413-2806

**PREPARED BY**  
 MEDOFER ENGINEERING INC.  
 28610 MIDSUMMER LANE  
 MENEFEE, CALIFORNIA 92584  
 PHONE: 909-816-5830

**EARTHWORK QUANTITIES**  
 CUT 50 CY  
 FILL 50 CY  
 IMPORT 0 CY

**LEGAL DESCRIPTION**

A PORTION OF LOT 4 OF LOT 146 OF MAP NO. 1 OF BEAR VALLEY & ALESSANDRO DEVELOPMENT COMPANY PER MAP BOOK 11/10, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA.

**GENERAL NOTES**

- DATE OF PREPARATION: SEPTEMBER 9, 2022
- ASSESSOR PARCEL NUMBER: 484-242-020
- SCALE: 1 INCH EQUALS 10 FEET
- EXISTING USE: PARKING LOT; PROPOSED USE: MULTI-STORY APARTMENT BUILDING WITH FIRST LEVEL PARKING
- NO WELLS ARE KNOWN TO EXIST ON THE SITE
- EXISTING NET PARCEL ACREAGE: 4.11 ACRES  
 PROPOSED R/W DEDICATION ACREAGE: 0.01 ACRES (209 SQ. FT.)  
 PROPOSED NET PARCEL ACREAGE: 4.10 ACRES
- TOTAL NET (DISTURBED) ACREAGE: 0.30 ACRES (12,865 SQ. FT.)
- NEW BUILDING TO BE SERVED BY EXISTING ONSITE SEWER THAT CONNECTS TO PUBLIC SEWER (EASTERN MUNICIPAL WATER DISTRICT)
- NEW BUILDING TO BE SERVED BY EXISTING ONSITE DOMESTIC WATER & FIRE PROTECTION THAT CONNECTS TO PUBLIC WATER (EASTERN MUNICIPAL WATER DISTRICT)
- FEMA DESIGNATION: ZONE 'X' - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, COMMUNITY PANEL NO. 06065C 0765G, DATED 8/28/2008
- TOPOGRAPHIC DATA SHOWN HEREON IS TAKEN FROM THE AS-BUILT PRECISE GRADING PLAN FOR TUSCANY VILLAGE APARTMENTS, DATED 3/02/2006
- BASED ON INFORMATION FROM RIVERSIDE COUNTY LAND USE GIS INFORMATION WEB SITE:
  - SITE IS NOT LOCATED WITHIN AN ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE, OR COUNTY OF RIVERSIDE FAULT HAZARD ZONE;
  - SITE HAS LOW LIQUEFACTION POTENTIAL;
  - LIQUEFACTION IS NOT ANTICIPATED

**PRELIMINARY GRADING KEY NOTES**

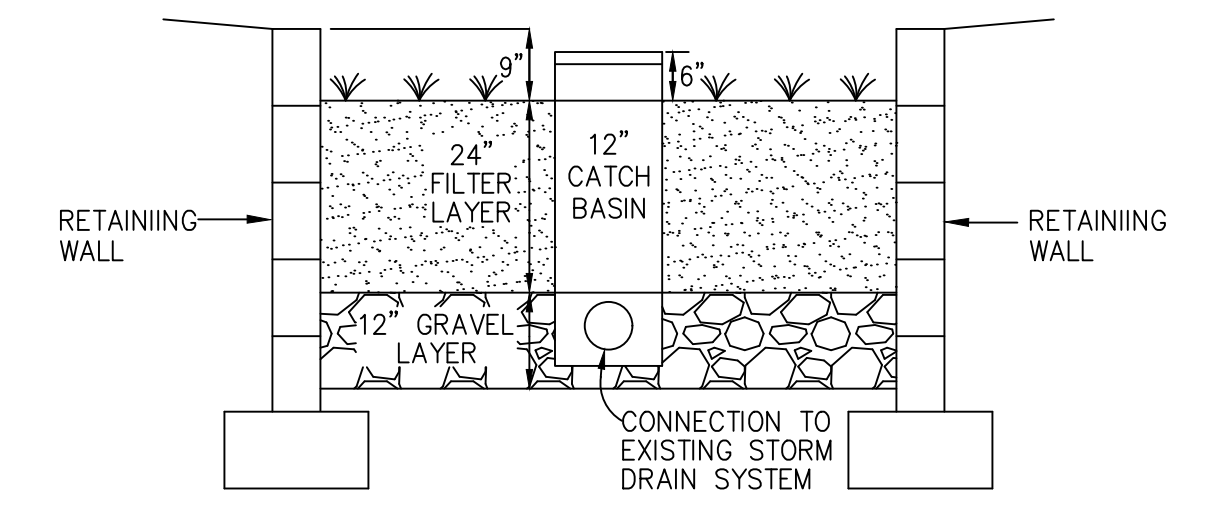
- REMOVE EXISTING CURBS, ASPHALT, RIBBON GUTTER & SIDEWALK, DISPOSE OF PER CITY REQUIREMENTS
- REMOVE EXISTING SEWER PIPE & DISPOSE OF
- REMOVE EXISTING WATER PIPE & DISPOSE OF
- REMOVE EXISTING FIRE HYDRANT & DISPOSE OF
- REMOVE EXISTING STORM DRAIN & DISPOSE OF
- INSTALL 4" PVC SEWER PIPE
- INSTALL 6" PVC SEWER PIPE
- INSTALL 8" PVC SEWER PIPE
- INSTALL CLEANOUT TO GRADE
- INSTALL 6" CURB
- INSTALL 12" HDPE STORM DRAIN PIPE
- INSTALL 6" PVC STORM DRAIN PIPE
- INSTALL 18"x18" JUNCTION BOX WITH TRAFFIC-RATED COVER
- INSTALL 12"x12" CATCH BASIN WITH TRAFFIC-RATED GRATE
- INSTALL 8" WATER PIPE
- INSTALL 6" PVC WATER PIPE
- INSTALL FIRE HYDRANT
- INSTALL 1-1/2" PVC WATER PIPE
- INSTALL BIORETENTION BASIN PER DETAIL HEREON
- INSTALL 4" THICK CONCRETE SIDEWALK
- INSTALL STORMWATER MEMBRANE FILTRATION VAULT (CONTECH JELLYFISH JFS10404 OR EQUIVALENT)

**LEGEND**

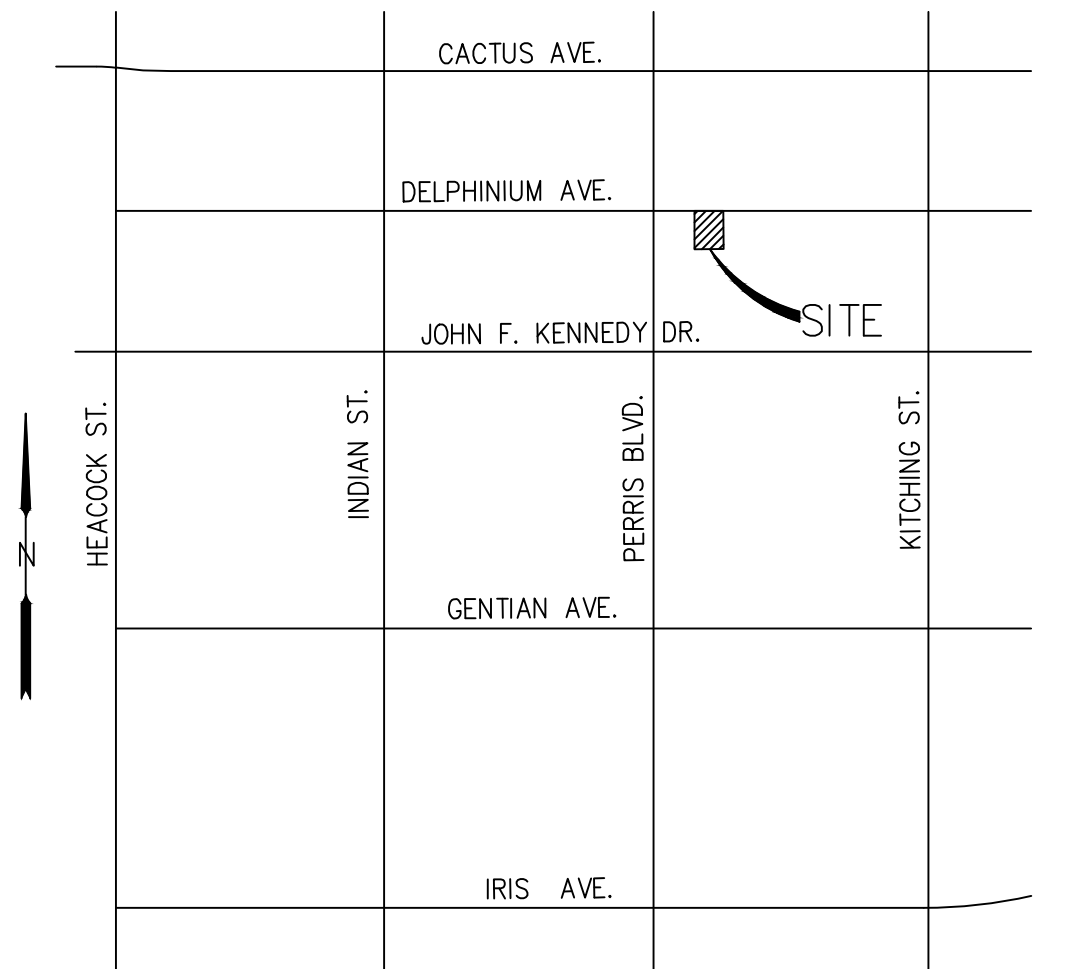
- EXISTING GROUND CONTOUR
- EXISTING ELEVATION
- PROPERTY OR RIGHT-OF-WAY LINE
- EXISTING LIGHT STANDARD
- EXISTING CURB & GUTTER
- EXISTING PALM TREE TO REMAIN
- DIRECTION OF FLOW

**ABBREVIATIONS**

- TOP OF CURB ELEVATION TC
- FLOWLINE ELEVATION FL
- FINISHED GRADE ELEVATION FG
- FINISHED FLOOR ELEVATION FF
- PAD ELEVATION PAD
- FINISHED SURFACE ELEVATION FS
- MINIMUM MIN.
- HIGH POINT HP
- ASSESSOR PARCEL NUMBER A.P.N.



TYPICAL SECTION: BIORETENTION BASIN  
 NO SCALE



VICINITY MAP  
 NO SCALE

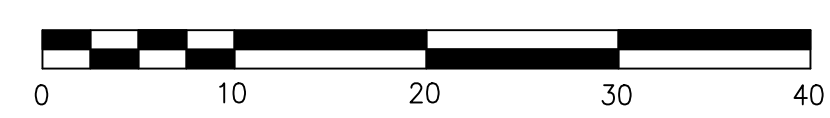
SECTION 17, TOWNSHIP 3 SOUTH RANGE 3 WEST  
 THOMAS BROS. GUIDE: PAGE 717, GRID G-7

SHEET 1  
 OF 1 SHEET  
**SHEET NO.**  
**G-1**

PEN22-0034

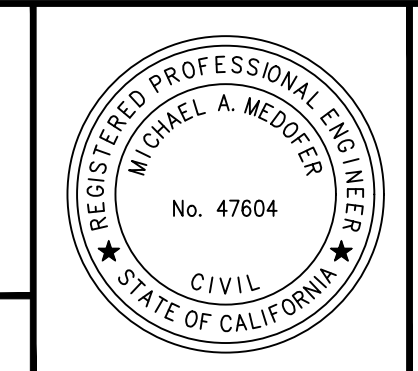
City of Moreno Valley

**PRELIMINARY GRADING AND DRAINAGE PLAN**  
**NEW APARTMENT BUILDING**  
**TUSCANY VILLAGE APARTMENTS**  
**25055 DELPHINIUM AVENUE, MORENO VALLEY, CALIFORNIA**



DATE	REVISIONS DESCRIPTION

BENCHMARK: RIV. CO. M-33 RESET  
 BRASS DISK IN TOP OF CURB STAMPED 'M-33  
 RESET' 5' N'LY OF BCR, 78' NORTH & 45' EAST OF  
 THE C.L. INT. OF PERRIS BLVD. & JOHN F.  
 KENNEDY DR.  
 ELEV. = 1533.10 (11/14/1989)  
 SCALE: 1" = 10'



**Medofer Engineering Inc.**  
 28610 Midsommer Lane  
 Menifee, CA 92584  
 909-816-5830/951-301-6792 fax  
 medofereng@verizon.net  
 PREPARED BY:  
 E:\CAD Files\sig-mam.jpg 2/01/23  
 MICHAEL A. MEDOFER RCE NO. 47604



# Zoning Map



## Legend

### Zoning

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

### Master Plan of Trails

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

### Road Labels

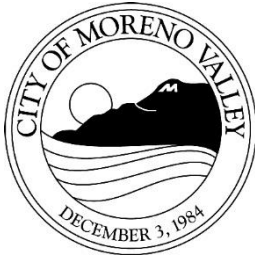
- Parcels
- Image Source: Nearmap

## Notes:

PEN22-0034

315.5 0 157.74 315.5 Feet

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



## PLANNING COMMISSION

### STAFF REPORT

Meeting Date: July 13, 2023

#### A PROPOSAL FOR THE DEVELOPMENT OF A COMMERCIAL OFFICE AND RETAIL DEVELOPMENT WITH SEVEN (7) BUILDINGS

Case: Master Plot Plan (PEN21-0289)  
 Plot Plans (PEN23-0081, PEN23-0082, and PEN23-0083)  
 Conditional Use Permits (PEN20-0110, PEN20-0111, and PEN03-0112)  
 Tentative Parcel Map No, 37942(PEN21-0288)

Applicant: Winchester Associates

Property Owner: MV Cactus 9

Project Site: Northeast Corner of Nason Street and Cactus Avenue  
 (486-290-038)

Case Planner: James Troyer, Contract Planner

Council District: 3

Proposed Project: The applicant is requesting approval of a commercial office and retail development with seven (7) buildings on approximately 8.4 acres.

CEQA: Adopt Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

#### **SUMMARY**

Winchester Associates for MV CACTUS 9 (“Applicant”) has submitted applications for approval of a Master Plot Plan (PEN21-0289) and Tentative Parcel Map (PEN21-0288); The Proposed Project includes the following: a 6-pump gas station with an approximate 3,995 square foot convenience store (PEN20-0112); two (2) drive-thru food pads, Pad A (PEN20-0110) and Pad C (PEN20-0111) totaling approximately 5,810 square feet; an

approximately 8,000 square foot retail/restaurant, Pad B (PEN23-0083); two (2) medical/office buildings, Med/Office Building No. 1 (PEN23-0081) and Med/Office Building No. 2 (PEN23-0082) totaling approximately 32,000 square feet; and one (1) commercial/office building totaling approximately 40,000 square feet, Comm/Office Building No. 3 (PEN21-0289) with associated parking lots, landscaping and on and off-site improvements. The project is located on the northeast corner of Nason Street and Cactus Avenue (Project Site). The General Plan and the Zoning Designation is Downtown Center (DC). The Proposed 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 Downtown Center (DC) District and the City's Municipal Code.

## **PROJECT DESCRIPTION**

### **Proposed Project**

#### **Tentative Parcel Map**

Tentative Parcel Map No. 37942 (PEN21-0288) proposes to subdivide one (1) existing parcel (APN: 486-290-038) into seven (7) parcels to allow for the sale/leasing of the proposed buildings.

The Downtown Center (DC) District Municipal Code development standards require that new parcels be a minimum size of 10,000 square feet and have a minimum lot depth of 100 and width of 100 feet. All seven (7) proposed lots exceed the minimum requirements.

#### **Master Plot Plan**

The Proposed Project consists of a Master Plot Plan application for the development of an 8.4-acre Commercial Center with seven (7) buildings totaling approximately 89,805 square feet. The proposed commercial/retail/office center includes a 6-pump gas station with a 3,995 square foot convenience store; two (2) drive-thru food pads totaling 5,810 square feet; one (1) commercial/office building totaling 40,000 square feet; and two (2) medical/office buildings totaling 32,000 square feet, along with associated parking, landscaping, and off-site improvements.

All on-site and off-site improvements are conditioned to be completed with the first building, including all landscaping.

#### **Plot Plans**

The Proposed Project consists of three (3) Plot Plans: PEN23-0081 and PEN23-0082 for two medical office buildings (16,000 square feet each); PEN23-0083 for a retail building (8,000 square feet).

#### **Conditional Use Permits**

The Proposed Project consists of three (3) Conditional Use Permits: PEN20-0110 for a drive-thru restaurant (3,500 square feet), PEN20-0110 for a second drive-thru

restaurant (2,310 square feet), and PEN03-0112 for a fuel station with a convenience store with beer, wine, and spirits sales.

The City's Municipal Code allows for auto service stations and restaurants with drive-throughs within the Downtown Center (DC) District, subject to the approval of a CUP.

A CUP allows the City to impose special development requirements to ensure that certain uses will not be detrimental to the Proposed Project's surrounding properties. A CUP also allows the City to ensure that conditionally permitted uses are compatible with existing land uses.

The following summarizes the Project's design elements that are intended to minimize impacts on the residential districts to the east and south:

- A. Perimeter landscape parkways, fences, and screening tree rows along the site's property lines.
- B. A six-foot decorative block wall along the east property line.

The Proposed Project as designed and conditioned satisfies all requirements of the General Plan and the Municipal Code.

### **Site and Surrounding Area**

The Project Site is relatively flat vacant land located on the northeast corner of Cactus Avenue and Nason Street within the Downtown Center (DC) District. The property directly to the north of the Project Site is also vacant within the Downtown Center (DC) District. Existing single-family homes are located directly east and south with a zoning of Residential Agricultural 2 (RA2) District. Directly west is a medical building and a vacant lot adjacent to the Riverside University Health System Medical Center, also within the Downtown Center (DC) District.

### **Access/Parking**

Proposed Project access is from three (3) new driveways: two (2) on Cactus Avenue and one (1) on Nason Street. Driveways are right-in and right-out except for one (1) full-access driveway on Cactus Avenue. The north driveway on Nason Street is currently signalized and will allow for inbound movements only per the project design.

The Project, as designed, will incorporate reciprocal access and parking. The Proposed Project includes a total of 442 parking spaces, consistent with Municipal Code requirements.

### **Design/Landscaping**

The Proposed Project includes four (4) approximately 28-foot tall one-story commercial buildings, one (1) approximately 47-foot tall, 3-story commercial/office building, and two (2) approximately 35-foot tall 2-story medical/office buildings. The proposed Building elevations present a modern-influenced architectural style. The exterior finishes include

a combination of stucco and plaster finishes in earth-tone colors, brick veneer, metal trim, metal awnings, and spandrel glass. Tower elements and various wall finishes with different wall planes break up the massing and add focal points to the buildings.

The Proposed Project, as designed, conforms to all development standards of the Downtown Center (DC) District and the design guidelines for commercial developments prescribed in the City's Municipal Code and City Landscape Standards.

The landscape elements of the Proposed Project will include the landscape setback along Nason Street and Cactus Avenue to include street trees and shrubs, with on-site trees and shrubs in the internal site and parking lot landscape areas designed per the Landscape Requirements.

## **REVIEW PROCESS**

As part of the standard review process, all appropriate outside agencies have considered the Proposed Project. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project was deemed complete.

## **ENVIRONMENTAL**

An Initial Study was prepared by ECORP Consulting Services, Inc. in compliance with the California Environmental Quality Act (CEQA) and its guidelines. The Initial Study examined the potential impacts of the Proposed Project on the environment. The Initial Study/Mitigated Negative Declaration (IS/MND) serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will have a less than significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: Air Quality Impact Analysis, Biological Resources Assessment, Cultural Resource Report, Noise Impact Assessment, a Phase I Environmental Site Assessment, and a Traffic Report Addendum. Copies of the appendices to the IS/MND can be accessed from the link attached to this staff report. The documents can be reviewed at City Hall during operating hours.

Mitigation measures are recommended for the Proposed Project in the following areas: Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Noise, and Transportation, all of which are incorporated into the Mitigation Monitoring and Reporting Program (MMRP). The measures for cultural resources have been included to address input from the Tribal governments. The measures are intended to ensure that potential resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study and with the implementation of the proposed mitigation measures, the Proposed Project will not cause any significant impacts to the environment.

The public comment period for the Notice of Availability of the Initial Study/Mitigated Negative Declaration began on June 14, 2023, and ended on July 5, 2023, (State Clearing House Number 2023050246) which satisfies the required 20-day review period

required for this project. As of the preparation of this staff report, no comments have been received. Written comments received after the preparation of this staff report will be provided at the public hearing.

### **NOTIFICATION**

Consistent with the City Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper. As of the preparation of this staff report, no public comments have been received regarding the proposed project.

### **REVIEW AGENCY COMMENTS**

Staff has coordinated with outside agencies where applicable, as is the standard review process for these development applications.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

A. **ADOPT** Resolution No. 2023-32, attached hereto, and thereby:

1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Master Plot Plan (PEN21-0289), Plot Plans (PEN23-0081, PEN23-0082, and PEN23-0083), Conditional Use Permits (PEN20-0110, PEN20-0111, and PEN20-0112), and Tentative Parcel Map No. 37942 (PEN21-0288), on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the proposed Project's potential environmental impacts; and
2. **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Project, which consists of Master Plot Plan (PEN21-0289), Plot Plans (PEN23-0081, PEN23-0082, and PEN23-0083), Conditional Use Permits (PEN20-0110, PEN20-0111, and PEN20-0112), and Tentative Parcel Map No. 37942 (PEN21-0288), pursuant to CEQA and the CEQA Guidelines.

B. **ADOPT** Resolution No. 2023-33 attached hereto, and thereby:

1. **APPROVING** Master Plot Plan (PEN21-0289), Plot Plans (PEN23-0081, PEN23-0082, and PEN23-0083), Conditional Use Permits (PEN20-0110, PEN20-0111, and PEN20-0112), and Tentative Parcel Map No. 37942 (PEN21-0288), based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2023-33.

Prepared by:  
Julia Descoteaux  
Associate Planner

Approved by:  
Sean P. Kelleher  
Acting Community Development Director

## **ATTACHMENTS**

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

1. Resolution No. 2023-32 IS/MND/MMRP
2. Exhibit A to Resolution No. 2023-32
3. Appendix A - Air Quality GHG Energy
4. Appendix B - Biological Technical Report with Flysheet
5. Appendix C - Cultural Resource Inventory Report with Flysheet
6. Appendix D - Noise Impact Assessment
7. Appendix E - Phase I ESA with Flysheet
8. Appendix F - Traffic Report Addendum and VMT Memo with Flysheet
9. Public Comment Letter
10. Exhibit B to Resolution No. 2023-32
11. Resolution No. 2023-33
12. Project Plans 1 of 2
13. Project Plans 2 of 2
14. Zoning Map

## RESOLUTION NUMBER 2023-32

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR A COMMERCIAL/OFFICE CENTER INCLUDING A MASTER PLOT PLAN (PEN21-0289), PLOT PLANS (PEN23-0081, PEN23-0082, AND PEN23-0083), CONDITIONAL USE PERMITS (PEN20-0110, PEN20-0110, AND PEN20-0112, AND TENTATIVE PARCEL MAP NO. 37942 (PEN21-0288) LOCATED ON THE NORTHEAST CORNER OF CACTUS AVENUE AND NASON STREET, (APN: 486-290-038)**

**WHEREAS**, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for local projects that are subject to requirements of the California Environmental Quality Act (CEQA<sup>1</sup>) and CEQA Guidelines<sup>2</sup>; and

**WHEREAS**, Winchester Associates for MV Cactus 9 (“Applicant”) has submitted applications for a Master Plot Plan (PEN21-0289), Plot Plans (PEN23-0081, PEN23-0082, and PEN23-0083), Conditional Use Permits (PEN20-0110, PEN20-0111, and PEN20-0112), and Tentative Parcel Map No. 37942 (PEN21-0288) for an approximately 8.4-acre commercial center with associated public improvements (“Proposed Project”) located on the northeast corner of Cactus Avenue and Nason Street (APN: 486-290-038) (“Project Site”); and

**WHEREAS**, Planning Division Staff completed an Initial Study (environmental assessment) for the Proposed Project and based on the environmental assessment, recommend adoption of a Mitigated Negative Declaration (“MND”) and a Mitigation Monitoring and Reporting Program (“MMRP”) in accordance with Section 6 (ND Procedures) of the City’s Rules and Procedures for the Implementation of the California Environmental Quality Act and the requirements of CEQA the CEQA Guidelines Sections 15070 – 15075; and

**WHEREAS**, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for a period of 20 days commencing on June 14, 2023, through July 5, 2023; and

**WHEREAS**, in compliance with CEQA and the CEQA Guidelines, an MMRP, which is a program for monitoring and reporting on the Proposed Project’s mitigation measures was prepared for the Proposed Project and circulated with the MND; and

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387



**WHEREAS**, on July 13, 2023, a duly noticed public hearing was conducted by the Planning Commission to consider the approval of the Proposed Project's MND and MMRP and approval of the Proposed Project; and

**WHEREAS**, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the MND and the MMRP prepared for the Proposed Project has reduced the potential impact of the Proposed Project to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will significantly affect the environment in a manner that otherwise would require the preparation and certification of an Environmental Impact Report.

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

**Section 1. Recitals and Exhibits**

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

**Section 2. Evidence**

That the Planning Commission has considered all of the evidence submitted into the Administrative Record for the MND and MMRP, including, but not limited to, the following:

- (a) Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Proposed Project, attached hereto as Exhibit A;
- (b) Notice of Intent to Adopt a Mitigated Negative Declaration, attached hereto as Exhibit B;
- (c) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing; and
- (d) Testimony, comments, and correspondence from all persons that were provided at, or prior to, the public hearing.

**Section 3. Findings**

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

- (a) That all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRP, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the

- environment that would otherwise require the preparation and certification of an Environmental Impact Report;
- (b) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been completed in compliance with CEQA and the CEQA Guidelines and are consistent with the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;
  - (c) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program represent the independent judgment and analysis of the Planning Commission and the City as the lead agency for the Proposed Project; and
  - (d) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are adequate to serve as the required CEQA environmental documentation for the Proposed Project.

**Section 4. Adoption**

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby adopts the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program attached hereto as Exhibit A.

**Section 5. Repeal of Conflicting Provisions**

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

**Section 6. Severability**

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

**Section 7. Effective Date**

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

**Section 8. Certification**

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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**PASSED AND ADOPTED THIS 13<sup>TH</sup> DAY OF JULY 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

\_\_\_\_\_  
Alvin DeJohnette,  
Chairperson

ATTEST:

\_\_\_\_\_  
Sean P. Kelleher,  
Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven B. Quintanilla,  
Interim City Attorney

Exhibits:

Exhibit A: Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

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

JASON E. UHLEY  
General Manager-Chief Engineer



1995 MARKET STREET  
RIVERSIDE, CA 92501  
951.955.1200  
951.788.9965 FAX  
www.reflood.org

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

251704

July 3, 2023

City of Moreno Valley  
Community Development Department Planning Division  
Post Office Box 88005  
Moreno Valley, CA 92552-0805

Attention: Mr. James Troyer

Re: PEN 21-0289, PEN 21-0288, PEN 20-0110,  
PEN 20-0111, PEN 20-0112 and  
APN 486-290-038

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received June 16, 2023. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, \_\_\_\_\_. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- If this project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

City of Moreno Valley  
 Re: PEN 21-0289, PEN 21-0288, PEN 20-0110,  
 PEN 20-0111, PEN 20-0112 and  
 APN 486-290-038

- 2 -

July 3, 2023

251704

Attachment: Public Comment Letter (5917) : Master Plot Plan for the Cactus Avenue and Nason Street Commercial Office Retail Development

- This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Moreno Master Drainage Plan Line I. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments on January 28, 2022 are still valid.

#### GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,



AMY MCNEILL  
 Engineering Project Manager

Attachments

c: Riverside County Planning Department  
 Attn: Timothy Wheeler

EM:mm

**Exhibit B**

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

**CITY OF MORENO VALLEY  
NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION**

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

**Project:** Master Plot Plan (PEN21-0289)  
Tentative Parcel Map (PEN21-0288)  
Conditional Use Permits (PEN20-0110, PEN20-0111, and PEN20-0112)

**Applicant:** Daniel Slawson, Winchester Associates, Inc.

**Property Owners:** MV Cactus 9, LLC.

**APN:** 486-290-038

**Location:** Northeast corner of Cactus Avenue and Nason Street

**Proposal:** The applicant is requesting approval of the following entitlements: 1) Master Plot Plan (PEN21-0289), 2) Tentative Parcel Map No. 37942 (PEN21-0288), and 3) three Conditional Use Permits (PEN20-0110-0112) for the development of a commercial office and retail development with seven (7) buildings on approximately 8.4 acres in the Downtown Center (DC) Zoning District.

**Council District:** 3

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

**Project Description:** The Cactus Avenue and Nason Street Commercial Office and Retail Development Project would construct approximately 89,805 square feet of commercial retail/office space on approximately 8.4 acres located on the northeast corner of Nason Street and Cactus Avenue. The proposed project includes seven (7) buildings consisting of three (3) mixed-use medical/office buildings; two (2) drive-through food services buildings; one (1) retail/restaurant building; one (1) convenience store with fuel service; and associated parking lots with on-site and off-site improvements.

The project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Document Availability:** The IS/MND and all documents incorporated and/or referenced therein, can be reviewed during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.) at the City of Moreno Valley Planning Division counter, located at 14177 Frederick Street, Moreno Valley, CA 92553. The documents may also be reviewed on the City's website at <http://www.moreno-valley.ca.us/cdd/documents/about-projects.html>

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

**Comment Deadline:** Pursuant to Section 15105(b) of the CEQA Guidelines, the City has established a 20-day public review period for the Initial Study/Mitigated Negative Declaration which begins June 14, 2023 and ends July 5, 2023. Written comments on the Initial Study/Mitigated Negative Declaration must be received at the City of Moreno Valley Community Development Department by no later than the conclusion of the 20-day review period, 5:30 p.m. on July 5, 2023. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

James Troyer, Case Planner  
14177 Frederick Street  
Post Office Box 88005  
Moreno Valley, California 92552 Phone: (951) 413-3206  
Email: [planningnotices@moval.org](mailto:planningnotices@moval.org)

Press-Enterprise

June 14, 2023

Sean Kelleher  
Acting Community Development Director  
Community Development Department

Newspaper

Date of Publication

## RESOLUTION NUMBER 2023-33

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 37942 (PEN21-0288), MASTER PLOT PLAN (PEN21-0289), PLOT PLANS (PEN23-0081, PEN23-0082, PEN23-0083), AND CONDITIONAL USE PERMITS (PEN20-0110, PEN20-0111, PEN20-0112) FOR A COMMERCIAL/OFFICE CENTER LOCATED ON THE NORTHEAST CORNER OF CACTUS AVENUE BOULEVARD AND NASON STREET, (APN: 486-290-038)**

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

**WHEREAS**, Winchester Associates for MV Cactus 9, (“Applicant”) has submitted applications for a Tentative Parcel Map No. 37942 (PEN21-0288) to subdivide one (1) existing parcel into seven (7) parcels for a Commercial/Office Center Development on approximately 8.4 acres with associated public improvements, a Master Plot Plan PEN21-0289 for an approximately 8.4-acre Commercial Center (89,805 SF); a CUP PEN20-0112 for a 6-pump service station with an ancillary convenience store (3,995 SF); a CUP PEN20-0111 for a Fast Food Pad (2,310 SF); a CUP PEN20-0110 for a Fast Food Pad (3,500 SF); a Plot Plan PEN23-0081 medical office building #1 (16,000 SF); Plot Plan PEN23-0082 for medical office building #2 (16,000 SF); Master Plot Plan PEN21-0289 for Office Building #3 (40,000 SF) (“Proposed Project”); located at the northeast corner of Cactus Avenue and Nason Street (APN: 486-290-038) (“Project Site”); and

**WHEREAS**, the Proposed Project has been evaluated in accordance with Chapter 9.14 (Land Divisions) of Title 9 (Planning & Zoning), Section 9.02.070 (Plot Plan) and 9.02.060 (Conditional Use Permits) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, and other applicable laws and regulations; and

**WHEREAS**, Chapter 9.14 (Land Division) of the Moreno Valley Municipal Code imposes conditions of approval upon projects for which a Tentative Parcel Map is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the Project Site is used, and any other conditions as may be deemed necessary to protect the public health, safety, and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

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



**WHEREAS**, Section 9.02.020 (Permitted Uses) provides that Auto Service Stations, Fast Food Restaurants with drive-throughs are allowed within the Downtown Center (DC) District, with a properly secured conditional use permit approved through the Planning Commission when the use is located 300 feet or less from a residential zone or use; and

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

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

**WHEREAS**, consistent with the requirements of Chapter 9.14 (Land Divisions) , Section 9.02.060 (Conditional Use Permits) and Section 9.02.070 (Plot Plan) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Tentative Tract Map No. 37942 (PEN21-0288), Conditional Use Permits PEN20-0110, PEN20-0111, PEN20-0112 (“CUP”), Master Plot Plan (PEN21-0289) and Plot Plans (PEN23-0081, PEN23-0082, PEN23-0083), which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety, and welfare and to ensure the proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

**WHEREAS**, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for July 13, 2023, and notice thereof was duly published, posted, and mailed to all property owners of record within 600 feet of the Project Site; and

**WHEREAS**, on July 13, 2023, the public hearing to consider the Proposed Project was duly conducted by the Planning Commission, at which time all interested persons were provided with an opportunity to testify and present evidence; and

**WHEREAS**, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.14.070 of the Municipal Code and set

forth herein could be made concerning the Proposed Project as conditioned by Conditions of Approval; and

**WHEREAS**, on July 13, 2023, in accordance with the provisions of the California Environmental Quality Act (CEQA<sup>1</sup>) and CEQA Guidelines<sup>2</sup>, the Planning Commission approved Resolution 2023-32, certifying a Mitigated Negative Declaration and approving the Mitigation Monitoring and Reporting Program for the Proposed Project.

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

**Section 1. Recitals and Exhibits**

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

**Section 2. Notice**

That pursuant to Government Code Section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

**Section 3. Evidence**

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

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for Tentative Tract Map No. 37942 (PEN21-0288) including Resolution No. 2023-34, and all documents, records, and references contained therein;
- (d) Conditions of Approval for Tentative Tract Map No. 37942 (PEN21-00288), attached as Exhibit A;
- (e) Application for Master Plot Plan (PEN21-0289) and Plot Plans (PEN23-0081, PEN23-0082, PEN23-0083, including Resolution No. 2023-33 and all documents, records, and references contained therein;

<sup>1</sup> Public Resources Code §§ 21000-21177

<sup>2</sup> 14 California Code of Regulations §§15000-15387

- (f) Conditions of Approval for Master Plot Plan (PEN21-0289) and Plot Plans (PEN23-0081, PEN23-0082, PEN23-0082, attached hereto as Exhibits B, C, D, and E;
- (g) Application for the approval of Conditional Use Permits (PEN20-0110, PEN20-0111, PEN20-0112) and all documents, records, and references contained therein;
- (h) Conditions of Approval for Conditional Use Permits (PEN20-0110, PEN20-0111, PEN20-0112) attached hereto as Exhibits F, G, and H;
- (i) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing;
- (j) Testimony, and/or comments from Applicant and its representatives during the public hearing; and
- (k) Testimony and/or comments from all persons provided in written format or correspondence, at, or prior to, the public hearing.

#### **Section 4. Findings**

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, Planning Commission hereby approves the Proposed Project subject to the following findings:

- (a) The Proposed land division is consistent with applicable General and Specific Plans;
- (b) The proposed project complies with all applicable zoning and other regulations;
- (c) The proposed project will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
- (d) The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity;
- (e) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- (f) That the Project Site is physically suitable for the type of development;
- (g) That the Project Site of the proposed land division is physically suitable for the proposed density of the development;
- (h) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- (i) That the design of the subdivision or type of improvements is not likely to cause serious public health problems;
- (j) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;
- (k) That the requirements of CEQA have been satisfied;
- (l) That the proposed land division is not subject to the Williamson Act pursuant to the California Land Conservation Act of 1965;

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Resolution No. 2023-33  
July 13, 2023

- (m) That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city;
- (n) That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and
- (o) That the effect of the Proposed Project on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

### **Section 5. Approval**

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby approves the Proposed Project subject to the Conditions of Approval for Tentative Parcel Map No. 37942 (PEN21-0188), attached hereto and Exhibit A, Master Plot Plan (PEN21-0289) and Plot Plans (PEN23-0081, PEN23-0082, PEN23-0083, attached hereto as Exhibits B, C, D, and E. and Conditions of Approval for Conditional Use Permits PEN20-0110, PEN20-0111, PEN20-0112, attached hereto as Exhibits F, G, and H.

### **Section 6. Repeal of Conflicting Provisions**

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

### **Section 7. Severability**

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

### **Section 8. Effective Date**

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

### **Section 9. Certification**

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

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**PASSED AND ADOPTED THIS 13th day of July 2023.**

CITY OF MORENO VALLEY  
PLANNING COMMISSION

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Alvin DeJohnette, Chairperson

ATTEST:

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Sean P. Kelleher,  
Acting Community Development Director

APPROVED AS TO FORM:

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Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: Tentative Tract Map No. 37942 (PEN21-0289) Conditions of Approval  
 Exhibit B: Master Plot Plan (PEN21-0289) Conditions of Approval  
 Exhibit C: Plot Plan (PEN23-0081) Conditions of Approval  
 Exhibit D: Plot Plan (PEN23-0082) Conditions of Approval  
 Exhibit E: Plot Plan (PEN23-0083) Conditions of Approval  
 Exhibit F: Conditional Use Permit (PEN20-0110) Conditions of Approval  
 Exhibit G: Conditional Use Permit (PEN20-0111) Conditions of Approval  
 Exhibit H: Conditional Use Permit (PEN20-0112) Conditions of Approval

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 Resolution No. 2023-33  
 July 13, 2023

Exhibit A

**Tentative Tract Map 37942 (PEN21-0288) Conditions of Approval**

**CONDITIONS OF APPROVAL**

Tentative Parcel Map (PEN21-0288)

Page 1

CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Tentative Parcel Map (PEN21-0288)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT****Planning Division**

1. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.
2. 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.
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)

**CONDITIONS OF APPROVAL**

Tentative Parcel Map (PEN21-0288)

Page 2

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. 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 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.
7. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.

Special Conditions

8. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
9. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.
10. Prior to grading plan approval, decorative block walls shall be provided along the street side for all corner lots. (MC 9.08.070)
11. Prior to recordation of the final map, the form of deed restriction or open space easement (secured by Development Agreement or other form) binding on the land, the subdivider, and/or future land owners which shall prohibit an increase in the number of lots within the Hillside Residential District shall be submitted to and approved by the Planning Division. The map shall then be recorded with the approved restriction in place.



**CONDITIONS OF APPROVAL**

Tentative Parcel Map (PEN21-0288)

Page 3

12. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)
13. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
14. A drought tolerant landscape palette shall be utilized throughout the tract in compliance with the City's Landscape Requirements. (9.17)
15. Prior to recordation of the final map, final median enhancement/landscape/irrigation plans shall be submitted to and approved by the Planning Division, and Public Works Department - Special Districts Division for review and approval by each division. (GP - Circulation Master Plan)
16. 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).

17. Prior to issuance of building permit issuance, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to and approved by the Planning Division for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All

**CONDITIONS OF APPROVAL**

Tentative Parcel Map (PEN21-0288)

Page 4

- detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative (e.g. split face, color variation, pattern variation, or as approved by the Planning Official) wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins more than 18 inches in depth.
18. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)
  19. Prior to the issuance of grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.
  20. Prior to any site disturbance and/or grading plan submittal, and or final map recordation, a mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant/owner. No City permit or approval shall be issued until such fee is paid. (CEQA)
  21. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord.)
  22. Prior to grading plan approval, wall and fence plans shall be submitted to and approved by the Planning Division to include a six (6) foot high solid decorative (e.g. split face, color variation, pattern variation, or as approved by the Planning Official) block wall along the all tract perimeters.
  23. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
  24. 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: The name and address of the development and the developer's name and address to include a 24-hour emergency phone number.
  25. Prior to issuance of grading permits, the developer shall pay the applicable

**CONDITIONS OF APPROVAL**

Tentative Parcel Map (PEN21-0288)

Page 5

Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee.

26. Prior to recordation of the final subdivision map, the following documents shall be submitted to and approved by the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:
- a. The document to convey title
  - b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

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

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

- a. The developer and homeowners association shall promote the use of native plants and trees and drought tolerant species.
  - b. All lots designated for open space and or detention basins, shall be included as an easement to, and maintained by a Homeowners Association (HOA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite HOA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.
  - c. Maintenance of any and all common facilities.
  - d. A conservation easement for lettered lots shall be recorded on the deed of the property and shown on the final map. Said easement shall include access restrictions prohibiting motorized vehicles from these areas.
  - e. Oleander plants or trees shall be prohibited on open space lots adjacent to multi-use trails.
27. Prior to approval of any grading permit, a tree plan shall be submitted to and approved by the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24

**CONDITIONS OF APPROVAL**

Tentative Parcel Map (PEN21-0288)

Page 6

- inch box, and meet a ratio of three replacement trees for each mature tree removed or as approved by the Planning Official. (GP Objective 4.4, 4.5, DG)
28. All undeveloped portions of the site in perpetuity shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
  29. 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.
  30. Prior to grading plan approval, wall and fence plans shall be submitted to and approved by the Planning Division subject to the City's Municipal Code including the following:
    - A. A solid decorative (e.g. split face, color variation, pattern variation, or as approved by the Planning Official) block wall with pilasters and a cap is required along the east property line/perimeter of the project site, adjacent to single-family.
  31. The site is approved for a Parcel Map to subdivide the approximate 8.4-acre parcel into seven (7) lots within the Master Plot Plan shopping center PEN21-0289. The Parcel Map shall include reciprocal access for all parcels. A change or modification will require a separate review.
  32. The Preliminary Grading Plan will be revised to match the approved site plan dated April 6, 2023 during the Grading Plan submittal/review process.

Building Division

33. 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.
34. 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.
35. Contact the Building Safety Division for permit application submittal requirements.
36. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.

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37. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
38. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
39. 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.
40. 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.
41. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
42. 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)
43. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
  - a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
 The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services

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Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FIRE DEPARTMENT****Fire Prevention Bureau**

44. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
45. 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)
46. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
47. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
48. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
49. 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)
50. Prior to issuance of building permits, plans specifying the required structural materials for building construction in high fire hazard severity zones shall be submitted to the Fire Prevention Bureau for approval. (CFC, 4905)
51. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])

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52. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
53. 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.
54. 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.
55. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
56. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
57. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
58. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
59. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and

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- constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
60. 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)
  61. 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)
  62. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
  63. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
  64. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
  65. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
  66. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  67. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.



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68. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
69. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
70. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
71. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
72. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed

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statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT****Moreno Valley Utility**

73. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
74. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

75. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place.

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

**PUBLIC WORKS DEPARTMENT****Land Development**

76. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
77. 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]
78. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
79. 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

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- 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.
80. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
  81. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
  82. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
  83. 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]
  84. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
  85. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
  86. The proposed private storm drain system shall connect to the proposed

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underground infiltration basin on the south side of the property. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.

87. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:
- a. Map (recording prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan prior to grading permit issuance);
  - d. Street, Storm Drain, Sewer, Water (prior to encroachment permit issuance);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Easements, offers of dedication (prior to occupancy release);
  - h. As-Built revision for all plans (prior to occupancy release).
88. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).
89. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California

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Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

90. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
91. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, Bio-Swales.
92. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
93. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be

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submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

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

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

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

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

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

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

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

94. 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.

95. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted

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for review and approved by the City Engineer per the current submittal requirements.

96. 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.
97. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
98. 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.
99. 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.
100. 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

101. 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)]
102. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
103. 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)]
104. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be



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

Prior to Map Approval

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

**CONDITIONS OF APPROVAL**

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113. 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 shall establish a Property Owners Association (POA) to finance the maintenance of the “Water Quality BMPs”.

Prior to Improvement Plan Approval

114. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
115. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
116. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
117. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
118. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
119. Any missing or deficient existing improvements along the project frontage within the Public Right-of-Way shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
120. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to

**CONDITIONS OF APPROVAL**

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be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

121. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
122. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

Prior to Encroachment Permit

123. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
124. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

125. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
126. For all subdivision projects, the map shall be recorded (excluding model homes).  
[MC 9.14.190]

**CONDITIONS OF APPROVAL**

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127. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
- (a) The necessary street right of way dedication on the north side of Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.
  - (c) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.
128. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
129. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).

Prior to Occupancy

130. 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.
131. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
132. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
- a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.
  - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

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133. Prior to occupancy, the following improvements shall be completed:  
 Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's south frontage. Improvements on Cactus Avenue just to the east of the project may be required for transition, alignment, and/or drainage purposes, as directed by the City Engineer. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.  
 Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
134. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
135. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
136. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.

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e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.

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

137. Prior to occupancy, the following improvements shall be completed:

Nason Street (100' R/W / 76' CC: Divided Arterial, City Standard No. MVSI-104A-1 (modified)) shall be constructed to achieve a varying half-width of 47' along the entire project's west frontage.

Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-104A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.

138. Prior to occupancy, the following improvements shall be completed:

The four existing ADA ramps at the intersection of Nason Street and Cactus Avenue and at the intersection of Nason Street and East Hospital Road shall be reconstructed to be compliant with current ADA standards, as applicable. An existing maintenance easement west of the intersection of Nason Street and East Hospital Road allows for necessary reconstruction work.

Special Districts Division

139. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.

140. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation

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

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

141. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

An alternative to satisfying this condition will be identified at such time as a special

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financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

142. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.
143. CFD 2014-01. Prior to City Council action authorizing the recordation of the map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for a) Street Lighting Services for capital improvements, energy charges, and maintenance and/or b) if a landscaped median is required, Landscape Maintenance Services for public parkway, traffic circle, open space, and/or median landscaping on Cactus Avenue.

This condition must be fully satisfied prior to issuance of the 1st Building Permit. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing



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

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

144. Park Maintenance Funding. Prior to City Council action authorizing the recordation of the map, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

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

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual

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- obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.
145. Approved Landscape Plans. If a landscaped median is required, for those areas to be maintained by the City and prior to the issuance of the 1st Building Permit, Planning, Landscape Services and Transportation Engineering staff, at a minimum, shall review and approve the final median, parkway, slope, traffic circle and/or open space landscape/irrigation plans as designated on the tentative map or in these Conditions of Approval.
  146. Right of Way Water Quality BMP Maintenance. The ongoing maintenance of any water quality BMP (e.g. Bioswale) constructed in the public right of way shall be the responsibility of a property owner association or the property owner.
  147. Maintenance Period. If a landscaped median is required, the Developer, or the Developer's successors or assignees shall be responsible for all parkway, traffic circle, open space and/or median landscape maintenance and utility costs, etc. for a period no less than one (1) year commencing from the time all items of work have been completed to the satisfaction of Landscape Services staff as per the City of Moreno Valley Public Works Department Landscape Design Guidelines, or until such time as the City accepts maintenance responsibilities.
  148. Independent Utilities. Parkway, median, slope, traffic circle and/or open space landscape areas included within a special financing district are required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining utility systems with existing or future landscape areas that are not within the same CFD 2014-01 tax rate layers or funding program (e.g. NPDES) will not be permitted.
  149. Landscape Inspection Fees. If a landscaped median is required, inspection fees for the monitoring of landscape installation associated with the City of Moreno Valley maintained landscaping are due prior to the required pre-construction meeting. (MC 3.32.040)
  150. Landscape Guidelines. Plans for parkway, median, slope, traffic circle, and/or open space landscape areas designated in the project's Conditions of Approval for incorporation into a City Coordinated landscape maintenance program, shall be prepared and submitted in accordance with the City of Moreno Valley Public Works Department Landscape Design Guidelines. The guidelines are available on the City's website at [www.moval.org](http://www.moval.org) or from Landscape Services (951.413.3480 or SDLandscape@moval.org).
  151. Maintenance Responsibility. The ongoing maintenance of any landscaping required

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to be installed behind the curb shall be the responsibility of the property owner.

152. Landscape Plan Check Fees. Plan check fees for review of parkway/median, open space, and/or traffic circle landscape plans for improvements that shall be maintained by the City of Moreno Valley are due upon the first plan submittal. (MC 3.32.040)
153. Parkway, open space, traffic circle, and/or median landscaping specified in the project's Conditions of Approval shall be constructed in compliance with the approved landscape plans and completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.
154. If a landscaped median is required, mylars of the landscape and irrigation plans shall be submitted on hanging tab to Landscape Services.

Transportation Engineering Division

155. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
156. Nason Street is classified as a Divided Major Arterial along the project frontage. Any improvements undertaken by this project shall be consistent with the City's standards. Communication conduit shall be installed along the project frontage per City Standard Plan No. MVSI-186-0.
157. Cactus Avenue is classified and shall be improved as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any necessary transitions shall be constructed to match to adjacent improvements.
158. Final map, grading plans, and street improvement plans shall be consistent with the approved site plan dated April 6, 2023.
159. Access at the project driveways shall be as follows:
  - North driveway on Nason Street (currently signalized): inbound movements only.
  - South driveway on Nason Street: right-turn in/out only
  - West driveway on Cactus Avenue: full access
  - East driveway on Cactus Avenue: right-turn in/out only
160. Any modifications to the existing traffic signal at the intersection of Nason Street and Cactus Avenue shall be in conformance with the California Manual on uniform Traffic Control Devices (CA MUTCD) and city standards.
161. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City

**CONDITIONS OF APPROVAL**

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Standard Plan No. MVSI-164A, B, C-0.

162. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
163. Prior to final approval of street improvement plans, traffic signal modification plan shall be prepared for the existing traffic signal at the intersection of Nason Street/Hospital Road. Modifications may include, but are not limited to, signal head replacement, new signal poles/mast arms, new traffic detector loops or video/radar detection system, etc. Specific modifications shall be determined during the plan check review.
164. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plan - Section 4 and California Manual on Uniform Traffic Control Devices (CAMUTCD). Plans shall provide a 150-ft westbound let-turn storage lane at the intersection of Cactus Avenue and Nason Street.
165. A copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include a section that will encourage employers to promote telecommuting or alternative/flexible work schedules, as identified in mitigation measure TRANS-3.
166. Prior to the final approval of the street improvement plans, the intersection of Nason Street and Cactus Avenue shall be designed to provide the following (at a minimum):
  - Northbound: two left-turn lanes, two through lanes, and one right-turn lane;
  - Southbound: one left-turn lane, two through lanes, and one right-turn lane;
  - Eastbound: one left-turn lane, one through lane, and one right-turn lane;
  - Westbound: one left-turn lane, one though lane, and one shared through/right-turn lane.
167. All public improvement plans required for this project shall be approved by the City Engineer prior to map approval and the Developer shall guarantee the completion of all related improvements required for this project as required by the Land Development Division.
168. All transportation mitigation measures shall be satisfied, except TRANS-1 and TRANS-2. TRANS-1 and TRANS-2 are no longer applicable due to changes to CEQA guidelines associated with Senate Bill 743.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

169. This project is subject to current Development Impact Fees.

**Exhibit B**

**Master Plot Plan (PEN21-0289) Conditions of Approval**

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Plot Plan (PEN21-0289)

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Plot Plan (PEN21-0289)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
2. 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.
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. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the

**CONDITIONS OF APPROVAL**

Plot Plan (PEN21-0289)

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current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. To reduce single event noise impacts to below the level of 55 dBA beyond the boundaries of the property, delivery operations shall be limited to between the hours of       am and       pm. Loading or unloading activities shall be conducted from the truck bays or designated loading. (MC 9.10.140,)
11. Drive-up or drive-through speaker system shall not be detectable above daytime 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.

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Plot Plan (PEN21-0289)

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(MC9.09.080 C.6 and 9.10.140)

12. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
13. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
14. The site has been approved for a Master Plot Plan for the development of the Cactus Avenue and Nason Street Commercial Office and Retail Development project to include approximately 89, 805 square feet of development with seven buildings. Development includes:
  - PEN21-0289, Master Plot Plan includes Office/Medical Building 3 (approximately 40,000 square feet).
  - Plot Plan PEN23-0081, Medical/Office Building 1 (approximately 16,000 square feet).
  - Plot Plan PEN23-0082, Medical/Office Building 2 (approximately 16,000 square feet).
  - Plot Plan PEN23-0083 for Pad B, a retail/restaurant building (approximately 8,000 square feet).
  - Conditional Use Permit PEN20-0110 Pad A, a fast-food restaurant with a drive-through (approximately 3,500 square feet).
  - Conditional Use Permit PEN20-0111 Pad C, a fast-food restaurant with a drive-through (approximately 2,310 square feet).
  - Conditional Use Permit PEN20-0112, for a fuel station with convenience store with beer, wine, and spirits sales.

This Master Plot Plan includes all on-site and off-site improvements with reciprocal access, per the approved plans and Municipal Code Requirements. All improvements are required with the first building. A change or modification shall require separate approval. For the Conditional Use Permits, violation(s) may result in revocation of the Conditional Use Permit.
15. 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.)
16. The Preliminary Grading Plan will be revised to match the approved site plan dated April 6, 2023 during the Grading Plan submittal/review process.

Prior to Grading Permit

17. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.



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18. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
19. Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division and Public Works Department - Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW-Special Districts.
20. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
22. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
23. 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]
24. Prior to the issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for the Planning Division review and approval as follows:
  - a. A maximum 6-foot-high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

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- d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070)
25. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
  - b. The developer's name, address, and a 24-hour emergency telephone number.
26. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
27. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
28. 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.
29. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan as submitted with the Building and Safety submittal, or as a 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)
30. Prior to the 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 a parking lot for screening.
  - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Diamond planters shall be provided every 3 parking stalls where required.
  - d. Drought tolerant landscape shall be used. No sod shall be installed
  - e. Street trees shall be provided every 40 feet on-center.
  - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30)

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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 the first building final or certificate of any occupancy permits.

31. 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)
32. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
33. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
34. 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.
35. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans,

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an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

36. 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

37. 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).
38. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
39. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

40. 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.
41. 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.
42. Contact the Building Safety Division for permit application submittal requirements.
43. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in The 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
44. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m(except for holidays which occur on weekdays), eight a.m.

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- to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
45. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
  46. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
  47. 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.
  48. 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.
  49. The proposed non-residential project shall comply with the California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
  50. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
  51. 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)
  52. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
    - a) have an active permit with the California Department of Tax and Fee

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Administration (CDTFA),

b) must be registered as a retailer, not consumer, of materials, and

c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**ECONOMIC DEVELOPMENT DEPARTMENT (EDD)**

53. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
54. 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.
55. New Moreno Valley businesses are encouraged to hire local residents.
56. 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.
57. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

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

**FIRE DEPARTMENT****Fire Prevention Bureau**

58. All Fire Department access roads or driveways shall not exceed 12 percent grade.

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(CFC 503.2.7 and MVMC 8.36.060[G])

59. 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)
60. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
61. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
62. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
63. 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 MVL 440A-0 through MVL 440C-0)
64. 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])
65. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
66. 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

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- Valley Fire Department prior to beginning construction. They shall be maintained accessible.
67. 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.
  68. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
  69. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
  70. A fire extinguisher with a minimum rating of 3A:40BC shall be mounted in an accessible location within the cell site enclosure next to the fueled generator.
  71. 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])
  72. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
  73. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
  74. 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)
  75. 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



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- shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
76. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
  77. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
  78. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
  79. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
  80. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
  81. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  82. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
  83. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
  84. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

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85. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
86. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
87. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

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Moreno Valley Utility

88. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
89. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

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

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**PUBLIC WORKS DEPARTMENT****Land Development**

91. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
92. 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]
93. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
94. 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

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that all operations and activities are in conformance with these conditions.

95. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
96. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
97. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
98. 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]
99. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
100. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
101. The proposed private storm drain system shall connect to the proposed underground infiltration basin on the south side of the property. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.

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102. 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. Map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan prior to grading permit issuance);
  - d. Street, Storm Drain, Sewer, Water (prior to encroachment permit issuance);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Easements, offers of dedication (prior to occupancy release).
  - h. As-Built revision for all plans (prior to occupancy release).
103. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).
104. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that

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sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

105. Resolution of all drainage issues shall be as approved by the City Engineer.
106. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
107. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, Bio-Swales.
108. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
109. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements

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for BMPs and sources of funding for BMP implementation.

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

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

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

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

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

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

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

110. 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.

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



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112. 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.
113. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
114. 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.
115. 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.
116. 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.

Prior to Grading Permit

117. 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)]
118. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
119. 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)]
120. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

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121. 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.

Prior to Improvement Plan Approval

122. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
123. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
124. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
125. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
126. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
127. Any missing or deficient existing improvements along the project frontage within the Public Right-of-Way shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
128. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

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129. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
130. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
131. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

Prior to Encroachment Permit

132. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
133. Any work performed within public right-of-way requires an encroachment permit.
134. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

135. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of

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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.

136. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
137. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
138. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
139. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
  - (a) The necessary street right of way dedication on the north side of Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.
  - (c) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

Prior to Occupancy

140. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
141. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
  - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

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- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
  
- 142. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
  
- 143. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
  
- 144. Prior to occupancy, the following improvements shall be completed:  
 Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's south frontage. Improvements on Cactus Avenue just to the east of the project may be required for transition, alignment, and/or drainage purposes, as directed by the City Engineer. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.  
 Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
  
- 145. Prior to occupancy, the following improvements shall be completed:  
 The four existing ADA ramps at the intersection of Nason Street and Cactus Avenue and at the intersection of Nason Street and East Hospital Road shall be reconstructed to be compliant with current ADA standards, as applicable. An existing maintenance easement west of the intersection of Nason Street and East

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Hospital Road allows for necessary reconstruction work.

146. 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.
147. Nason Street (100' R/W / 76' CC: Divided Arterial, City Standard No. MVSI-104A-1 (modified)) shall be constructed to achieve a varying half-width of 47' along the entire project's west frontage.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-104A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.
148. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - f. Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

149. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
150. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate

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the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

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election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to satisfy this condition.

152. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

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

153. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and



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

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

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

154. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
155. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
156. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into

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or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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

Transportation Engineering Division

157. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
158. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for commercial driveway approaches and as shown on the approved site plan, dated April 6, 2023.
159. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
160. Nason Street is classified as a Divided Major Arterial along the project frontage. Any improvements undertaken by this project shall be consistent with the City's standards. Communication conduit shall be installed along the project frontage per City Standard Plan No. MVSI-186-0.
161. Cactus Avenue is classified and shall be improved as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any necessary transitions shall be constructed to match to adjacent improvements.
162. Access at the project driveways shall be as follows:
  - North driveway on Nason Street (currently signalized): inbound movements only.
  - South driveway on Nason Street: right-turn in/out only
  - West driveway on Cactus Avenue: full access
  - East driveway on Cactus Avenue: right-turn in/out only

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163. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be required for plan approval by the City Traffic Engineer.
164. Prior to issuance of a certificate of occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
165. Prior to issuance of a certificate of occupancy, all signing and striping shall be installed per current City Standards and the approved plans.
166. Prior to issuance of a certificate of occupancy, the applicant shall make a fair-share contribution to the City of Moreno Valley for the additional southbound right-turn lane at the intersection of Nason Street and Iris Avenue, as identified in the traffic analysis.
167. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
168. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
169. Prior to final approval of street improvement plans, traffic signal modification plan shall be prepared for the existing traffic signal at the intersection of Nason Street/Hospital Road. Modifications may include, but are not limited to, signal head replacement, new signal poles/mast arms, new traffic detector loops or video/radar detection system, etc. Specific modifications shall be determined during the plan check review.
170. Prior to the final approval of the street improvement plans, the intersection of Nason Street and Cactus Avenue shall be designed to provide the following (at a minimum):
  - Northbound: two left-turn lanes, two through lanes, and one right-turn lane;
  - Southbound: one left-turn lane, two through lanes, and one right-turn lane;
  - Eastbound: one left-turn lane, one through lane, and one right-turn lane;
  - Westbound: one left-turn lane, one though lane, and one shared through/right-turn lane.
171. Any modifications to the existing traffic signal at the intersection of Nason Street and Cactus Avenue shall be in conformance with the California Manual on uniform Traffic Control Devices (CA MUTCD) and city standards.
172. Final map, grading plans, and street improvement plans shall be consistent with the approved site plan dated April 6, 2023.

**CONDITIONS OF APPROVAL**

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173. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plan - Section 4 and California Manual on Uniform Traffic Control Devices (CAMUTCD). Plans shall provide a 150-ft westbound let-turn storage lane at the intersection of Cactus Avenue and Nason Street.
174. A copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include a section that will encourage employers to promote telecommuting or alternative/flexible work schedules, as identified in mitigation measure TRANS-3.
175. All transportation mitigation measures shall be satisfied, except TRANS-1 and TRANS-2. TRANS-1 and TRANS-2 are no longer applicable due to changes to CEQA guidelines associated with Senate Bill 743.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

176. This project is subject to current Development Impact Fees.

Exhibit C

**Plot Plan (PEN23-0081) Conditions of Approval**

**CONDITIONS OF APPROVAL**

Plot Plan (PEN23-0081)

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Plot Plan (PEN23-0081)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
2. 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.
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. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the

**CONDITIONS OF APPROVAL**

Plot Plan (PEN23-0081)

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current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. To reduce single event noise impacts to below the level of 55 dBA beyond the boundaries of the property, delivery operations shall be limited to between the hours of       am and       pm. Loading or unloading activities shall be conducted from the truck bays or designated loading. (MC 9.10.140,)
11. Drive-up or drive-through speaker system shall not be detectable above daytime 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.

**CONDITIONS OF APPROVAL**

Plot Plan (PEN23-0081)

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(MC9.09.080 C.6 and 9.10.140)

12. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
13. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
14. The site has been approved for a Master Plot Plan for the development of the Cactus Avenue and Nason Street Commercial Office and Retail Development project to include approximately 89, 805 square feet of development with seven buildings. Development includes:
  - PEN21-0289, Master Plot Plan includes Office/Medical Building 3 (approximately 40,000 square feet).
  - Plot Plan PEN23-0081, Medical/Office Building 1 (approximately 16,000 square feet).
  - Plot Plan PEN23-0082, Medical/Office Building 2 (approximately 16,000 square feet).
  - Plot Plan PEN23-0083 for Pad B, a retail/restaurant building (approximately 8,000 square feet).
  - Conditional Use Permit PEN20-0110 Pad A, a fast-food restaurant with a drive-through (approximately 3,500 square feet).
  - Conditional Use Permit PEN20-0111 Pad C, a fast-food restaurant with a drive-through (approximately 2,310 square feet).
  - Conditional Use Permit PEN20-0112, for a fuel station with convenience store with beer, wine, and spirits sales.

This Master Plot Plan includes all on-site and off-site improvements with reciprocal access, per the approved plans and Municipal Code Requirements. All improvements are required with the first building. A change or modification shall require separate approval. For the Conditional Use Permits, violation(s) may result in revocation of the Conditional Use Permit.
15. 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.)
16. The Preliminary Grading Plan will be revised to match the approved site plan dated April 6, 2023 during the Grading Plan submittal/review process.

Prior to Grading Permit

17. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.



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Plot Plan (PEN23-0081)

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18. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
19. Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division and Public Works Department - Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW-Special Districts.
20. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
22. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
23. 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]
24. Prior to the issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for the Planning Division review and approval as follows:
  - a. A maximum 6-foot-high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

**CONDITIONS OF APPROVAL**

Plot Plan (PEN23-0081)

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- d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070)
25. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
  - b. The developer's name, address, and a 24-hour emergency telephone number.
26. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
27. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
28. 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.
29. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan as submitted with the Building and Safety submittal, or as a 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)
30. Prior to the 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 a parking lot for screening.
  - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Diamond planters shall be provided every 3 parking stalls where required.
  - d. Drought tolerant landscape shall be used. No sod shall be installed
  - e. Street trees shall be provided every 40 feet on-center.
  - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30)

**CONDITIONS OF APPROVAL**

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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 the first building final or certificate of any occupancy permits.

31. 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)
32. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
33. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
34. 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.
35. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans,

**CONDITIONS OF APPROVAL**

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an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

36. 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

37. 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).
38. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
39. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

40. 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.
41. 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.
42. Contact the Building Safety Division for permit application submittal requirements.
43. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in The 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
44. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m(except for holidays which occur on weekdays), eight a.m.

**CONDITIONS OF APPROVAL**

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- to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
45. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
  46. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
  47. 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.
  48. 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.
  49. The proposed non-residential project shall comply with the California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
  50. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
  51. 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)
  52. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
    - a) have an active permit with the California Department of Tax and Fee

**CONDITIONS OF APPROVAL**

Plot Plan (PEN23-0081)

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Administration (CDTFA),

b) must be registered as a retailer, not consumer, of materials, and

c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**ECONOMIC DEVELOPMENT DEPARTMENT (EDD)**

53. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
54. 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.
55. New Moreno Valley businesses are encouraged to hire local residents.
56. 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.
57. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

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

**FIRE DEPARTMENT****Fire Prevention Bureau**

58. All Fire Department access roads or driveways shall not exceed 12 percent grade.

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(CFC 503.2.7 and MVMC 8.36.060[G])

59. 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)
60. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
61. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
62. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
63. 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 MVL 440A-0 through MVL 440C-0)
64. 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])
65. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
66. 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

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- Valley Fire Department prior to beginning construction. They shall be maintained accessible.
67. 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.
  68. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
  69. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
  70. A fire extinguisher with a minimum rating of 3A:40BC shall be mounted in an accessible location within the cell site enclosure next to the fueled generator.
  71. 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])
  72. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
  73. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
  74. 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)
  75. 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



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- shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
76. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
  77. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
  78. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
  79. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
  80. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
  81. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  82. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
  83. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
  84. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

**CONDITIONS OF APPROVAL**

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85. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
86. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
87. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

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Moreno Valley Utility

88. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
89. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

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

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**PUBLIC WORKS DEPARTMENT****Land Development**

91. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
92. 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]
93. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
94. 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

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that all operations and activities are in conformance with these conditions.

95. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
96. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
97. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
98. 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]
99. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
100. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
101. The proposed private storm drain system shall connect to the proposed underground infiltration basin on the south side of the property. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.

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102. 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. Map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan prior to grading permit issuance);
  - d. Street, Storm Drain, Sewer, Water (prior to encroachment permit issuance);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Easements, offers of dedication (prior to occupancy release).
  - h. As-Built revision for all plans (prior to occupancy release).
103. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).
104. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that

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sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

105. Resolution of all drainage issues shall be as approved by the City Engineer.
106. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
107. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, Bio-Swales.
108. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
109. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements

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for BMPs and sources of funding for BMP implementation.

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

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

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

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

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

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

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

110. 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.

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



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112. 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.
113. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
114. 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.
115. 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.
116. 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.

Prior to Grading Permit

117. 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)]
118. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
119. 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)]
120. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

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121. 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.

Prior to Improvement Plan Approval

122. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
123. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
124. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
125. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
126. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
127. Any missing or deficient existing improvements along the project frontage within the Public Right-of-Way shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
128. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

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129. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
130. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
131. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

Prior to Encroachment Permit

132. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
133. Any work performed within public right-of-way requires an encroachment permit.
134. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

135. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of

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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.

136. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
137. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
138. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
139. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
  - (a) The necessary street right of way dedication on the north side of Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.
  - (c) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

Prior to Occupancy

140. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
141. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
  - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

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- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
  
- 142. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
  
- 143. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
  
- 144. Prior to occupancy, the following improvements shall be completed:  
 Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's south frontage. Improvements on Cactus Avenue just to the east of the project may be required for transition, alignment, and/or drainage purposes, as directed by the City Engineer. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.  
 Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
  
- 145. Prior to occupancy, the following improvements shall be completed:  
 The four existing ADA ramps at the intersection of Nason Street and Cactus Avenue and at the intersection of Nason Street and East Hospital Road shall be reconstructed to be compliant with current ADA standards, as applicable. An existing maintenance easement west of the intersection of Nason Street and East

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Hospital Road allows for necessary reconstruction work.

146. 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.
147. Nason Street (100' R/W / 76' CC: Divided Arterial, City Standard No. MVSI-104A-1 (modified)) shall be constructed to achieve a varying half-width of 47' along the entire project's west frontage.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-104A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.
148. The Developer shall comply with the following water quality related items:
- Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

149. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
150. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate

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the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

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election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to satisfy this condition.

152. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

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

153. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and



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

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

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

154. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
155. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
156. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into

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or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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

Transportation Engineering Division

157. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
158. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for commercial driveway approaches and as shown on the approved site plan, dated April 6, 2023.
159. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
160. Nason Street is classified as a Divided Major Arterial along the project frontage. Any improvements undertaken by this project shall be consistent with the City's standards. Communication conduit shall be installed along the project frontage per City Standard Plan No. MVSI-186-0.
161. Cactus Avenue is classified and shall be improved as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any necessary transitions shall be constructed to match to adjacent improvements.
162. Access at the project driveways shall be as follows:
  - North driveway on Nason Street (currently signalized): inbound movements only.
  - South driveway on Nason Street: right-turn in/out only
  - West driveway on Cactus Avenue: full access
  - East driveway on Cactus Avenue: right-turn in/out only

**CONDITIONS OF APPROVAL**

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163. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be required for plan approval by the City Traffic Engineer.
164. Prior to issuance of a certificate of occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
165. Prior to issuance of a certificate of occupancy, all signing and striping shall be installed per current City Standards and the approved plans.
166. Prior to issuance of a certificate of occupancy, the applicant shall make a fair-share contribution to the City of Moreno Valley for the additional southbound right-turn lane at the intersection of Nason Street and Iris Avenue, as identified in the traffic analysis.
167. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
168. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
169. Prior to final approval of street improvement plans, traffic signal modification plan shall be prepared for the existing traffic signal at the intersection of Nason Street/Hospital Road. Modifications may include, but are not limited to, signal head replacement, new signal poles/mast arms, new traffic detector loops or video/radar detection system, etc. Specific modifications shall be determined during the plan check review.
170. Prior to the final approval of the street improvement plans, the intersection of Nason Street and Cactus Avenue shall be designed to provide the following (at a minimum):
  - Northbound: two left-turn lanes, two through lanes, and one right-turn lane;
  - Southbound: one left-turn lane, two through lanes, and one right-turn lane;
  - Eastbound: one left-turn lane, one through lane, and one right-turn lane;
  - Westbound: one left-turn lane, one through lane, and one shared through/right-turn lane.
171. Any modifications to the existing traffic signal at the intersection of Nason Street and Cactus Avenue shall be in conformance with the California Manual on uniform Traffic Control Devices (CA MUTCD) and city standards.
172. Final map, grading plans, and street improvement plans shall be consistent with the approved site plan dated April 6, 2023.

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173. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plan - Section 4 and California Manual on Uniform Traffic Control Devices (CAMUTCD). Plans shall provide a 150-ft westbound let-turn storage lane at the intersection of Cactus Avenue and Nason Street.
174. A copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include a section that will encourage employers to promote telecommuting or alternative/flexible work schedules, as identified in mitigation measure TRANS-3.
175. All transportation mitigation measures shall be satisfied, except TRANS-1 and TRANS-2. TRANS-1 and TRANS-2 are no longer applicable due to changes to CEQA guidelines associated with Senate Bill 743.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

176. This project is subject to current Development Impact Fees.

Exhibit D

**Plot Plan (PEN23-0082) Conditions of Approval**

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Plot Plan (PEN21-0082)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
2. 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.
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. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the

**CONDITIONS OF APPROVAL**

Plot Plan (PEN23-0082)

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current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. To reduce single event noise impacts to below the level of 55 dBA beyond the boundaries of the property, delivery operations shall be limited to between the hours of       am and       pm. Loading or unloading activities shall be conducted from the truck bays or designated loading. (MC 9.10.140,)
11. Drive-up or drive-through speaker system shall not be detectable above daytime 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.

**CONDITIONS OF APPROVAL**

Plot Plan (PEN23-0082)

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(MC9.09.080 C.6 and 9.10.140)

12. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
13. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
14. The site has been approved for a Master Plot Plan for the development of the Cactus Avenue and Nason Street Commercial Office and Retail Development project to include approximately 89, 805 square feet of development with seven buildings. Development includes:
  - PEN21-0289, Master Plot Plan includes Office/Medical Building 3 (approximately 40,000 square feet).
  - Plot Plan PEN23-0081, Medical/Office Building 1 (approximately 16,000 square feet).
  - Plot Plan PEN23-0082, Medical/Office Building 2 (approximately 16,000 square feet).
  - Plot Plan PEN23-0083 for Pad B, a retail/restaurant building (approximately 8,000 square feet).
  - Conditional Use Permit PEN20-0110 Pad A, a fast-food restaurant with a drive-through (approximately 3,500 square feet).
  - Conditional Use Permit PEN20-0111 Pad C, a fast-food restaurant with a drive-through (approximately 2,310 square feet).
  - Conditional Use Permit PEN20-0112, for a fuel station with convenience store with beer, wine, and spirits sales.

This Master Plot Plan includes all on-site and off-site improvements with reciprocal access, per the approved plans and Municipal Code Requirements. All improvements are required with the first building. A change or modification shall require separate approval. For the Conditional Use Permits, violation(s) may result in revocation of the Conditional Use Permit.
15. 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.)
16. The Preliminary Grading Plan will be revised to match the approved site plan dated April 6, 2023 during the Grading Plan submittal/review process.

Prior to Grading Permit

17. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.



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18. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
19. Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division and Public Works Department - Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW-Special Districts.
20. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
22. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
23. 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]
24. Prior to the issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for the Planning Division review and approval as follows:
  - a. A maximum 6-foot-high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

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- d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070)
25. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
  - b. The developer's name, address, and a 24-hour emergency telephone number.
26. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
27. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
28. 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.
29. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan as submitted with the Building and Safety submittal, or as a 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)
30. Prior to the 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 a parking lot for screening.
  - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Diamond planters shall be provided every 3 parking stalls where required.
  - d. Drought tolerant landscape shall be used. No sod shall be installed
  - e. Street trees shall be provided every 40 feet on-center.
  - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30)

**CONDITIONS OF APPROVAL**

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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 the first building final or certificate of any occupancy permits.

31. 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)
32. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
33. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
34. 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.
35. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans,

**CONDITIONS OF APPROVAL**

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an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

36. 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

37. 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).
38. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
39. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

40. 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.
41. 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.
42. Contact the Building Safety Division for permit application submittal requirements.
43. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in The 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
44. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m(except for holidays which occur on weekdays), eight a.m.

**CONDITIONS OF APPROVAL**

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- to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
45. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
  46. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
  47. 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.
  48. 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.
  49. The proposed non-residential project shall comply with the California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
  50. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
  51. 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)
  52. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
    - a) have an active permit with the California Department of Tax and Fee

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Administration (CDTFA),

b) must be registered as a retailer, not consumer, of materials, and

c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**ECONOMIC DEVELOPMENT DEPARTMENT (EDD)**

53. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
54. 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.
55. New Moreno Valley businesses are encouraged to hire local residents.
56. 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.
57. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

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

**FIRE DEPARTMENT****Fire Prevention Bureau**

58. All Fire Department access roads or driveways shall not exceed 12 percent grade.

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(CFC 503.2.7 and MVMC 8.36.060[G])

59. 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)
60. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
61. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
62. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
63. 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 MVL 440A-0 through MVL 440C-0)
64. 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])
65. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
66. 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

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- Valley Fire Department prior to beginning construction. They shall be maintained accessible.
67. 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.
  68. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
  69. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
  70. A fire extinguisher with a minimum rating of 3A:40BC shall be mounted in an accessible location within the cell site enclosure next to the fueled generator.
  71. 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])
  72. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
  73. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
  74. 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)
  75. 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



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- shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
76. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
  77. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
  78. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
  79. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
  80. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
  81. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  82. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
  83. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
  84. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

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85. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
86. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
87. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

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Moreno Valley Utility

88. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
89. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

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

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**PUBLIC WORKS DEPARTMENT****Land Development**

91. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
92. 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]
93. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
94. 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

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that all operations and activities are in conformance with these conditions.

95. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
96. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
97. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
98. 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]
99. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
100. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
101. The proposed private storm drain system shall connect to the proposed underground infiltration basin on the south side of the property. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.

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102. 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. Map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan prior to grading permit issuance);
  - d. Street, Storm Drain, Sewer, Water (prior to encroachment permit issuance);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Easements, offers of dedication (prior to occupancy release).
  - h. As-Built revision for all plans (prior to occupancy release).
103. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).
104. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that

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sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

105. Resolution of all drainage issues shall be as approved by the City Engineer.
106. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
107. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, Bio-Swales.
108. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
109. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements

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for BMPs and sources of funding for BMP implementation.

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

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

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

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

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

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

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

110. 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.

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



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112. 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.
113. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
114. 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.
115. 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.
116. 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.

Prior to Grading Permit

117. 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)]
118. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
119. 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)]
120. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

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121. 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.

Prior to Improvement Plan Approval

122. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
123. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
124. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
125. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
126. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
127. Any missing or deficient existing improvements along the project frontage within the Public Right-of-Way shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
128. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

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129. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
130. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
131. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

Prior to Encroachment Permit

132. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
133. Any work performed within public right-of-way requires an encroachment permit.
134. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

135. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of

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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.

136. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
137. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
138. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
139. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
  - (a) The necessary street right of way dedication on the north side of Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.
  - (c) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

Prior to Occupancy

140. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
141. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
  - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

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- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
  
- 142. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
  
- 143. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
  
- 144. Prior to occupancy, the following improvements shall be completed:  
 Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's south frontage. Improvements on Cactus Avenue just to the east of the project may be required for transition, alignment, and/or drainage purposes, as directed by the City Engineer. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.  
 Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
  
- 145. Prior to occupancy, the following improvements shall be completed:  
 The four existing ADA ramps at the intersection of Nason Street and Cactus Avenue and at the intersection of Nason Street and East Hospital Road shall be reconstructed to be compliant with current ADA standards, as applicable. An existing maintenance easement west of the intersection of Nason Street and East

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Hospital Road allows for necessary reconstruction work.

146. 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.
147. Nason Street (100' R/W / 76' CC: Divided Arterial, City Standard No. MVSI-104A-1 (modified)) shall be constructed to achieve a varying half-width of 47' along the entire project's west frontage.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-104A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.
148. The Developer shall comply with the following water quality related items:
- Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

149. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
150. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate

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the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

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election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to satisfy this condition.

152. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

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

153. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and



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

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

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

154. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
155. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
156. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into

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or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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

Transportation Engineering Division

157. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
158. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for commercial driveway approaches and as shown on the approved site plan, dated April 6, 2023.
159. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
160. Nason Street is classified as a Divided Major Arterial along the project frontage. Any improvements undertaken by this project shall be consistent with the City's standards. Communication conduit shall be installed along the project frontage per City Standard Plan No. MVSI-186-0.
161. Cactus Avenue is classified and shall be improved as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any necessary transitions shall be constructed to match to adjacent improvements.
162. Access at the project driveways shall be as follows:
  - North driveway on Nason Street (currently signalized): inbound movements only.
  - South driveway on Nason Street: right-turn in/out only
  - West driveway on Cactus Avenue: full access
  - East driveway on Cactus Avenue: right-turn in/out only

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163. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be required for plan approval by the City Traffic Engineer.
164. Prior to issuance of a certificate of occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
165. Prior to issuance of a certificate of occupancy, all signing and striping shall be installed per current City Standards and the approved plans.
166. Prior to issuance of a certificate of occupancy, the applicant shall make a fair-share contribution to the City of Moreno Valley for the additional southbound right-turn lane at the intersection of Nason Street and Iris Avenue, as identified in the traffic analysis.
167. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
168. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
169. Prior to final approval of street improvement plans, traffic signal modification plan shall be prepared for the existing traffic signal at the intersection of Nason Street/Hospital Road. Modifications may include, but are not limited to, signal head replacement, new signal poles/mast arms, new traffic detector loops or video/radar detection system, etc. Specific modifications shall be determined during the plan check review.
170. Prior to the final approval of the street improvement plans, the intersection of Nason Street and Cactus Avenue shall be designed to provide the following (at a minimum):
  - Northbound: two left-turn lanes, two through lanes, and one right-turn lane;
  - Southbound: one left-turn lane, two through lanes, and one right-turn lane;
  - Eastbound: one left-turn lane, one through lane, and one right-turn lane;
  - Westbound: one left-turn lane, one through lane, and one shared through/right-turn lane.
171. Any modifications to the existing traffic signal at the intersection of Nason Street and Cactus Avenue shall be in conformance with the California Manual on uniform Traffic Control Devices (CA MUTCD) and city standards.
172. Final map, grading plans, and street improvement plans shall be consistent with the approved site plan dated April 6, 2023.

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173. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plan - Section 4 and California Manual on Uniform Traffic Control Devices (CAMUTCD). Plans shall provide a 150-ft westbound let-turn storage lane at the intersection of Cactus Avenue and Nason Street.
174. A copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include a section that will encourage employers to promote telecommuting or alternative/flexible work schedules, as identified in mitigation measure TRANS-3.
175. All transportation mitigation measures shall be satisfied, except TRANS-1 and TRANS-2. TRANS-1 and TRANS-2 are no longer applicable due to changes to CEQA guidelines associated with Senate Bill 743.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

176. This project is subject to current Development Impact Fees.

Exhibit E

**Plot Plan (PEN23-0083) Conditions of Approval**

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Plot Plan (PEN23-0083)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
2. 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.
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. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the

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current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. To reduce single event noise impacts to below the level of 55 dBA beyond the boundaries of the property, delivery operations shall be limited to between the hours of       am and       pm. Loading or unloading activities shall be conducted from the truck bays or designated loading. (MC 9.10.140,)
11. Drive-up or drive-through speaker system shall not be detectable above daytime 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.

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(MC9.09.080 C.6 and 9.10.140)

12. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
13. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
14. The site has been approved for a Master Plot Plan for the development of the Cactus Avenue and Nason Street Commercial Office and Retail Development project to include approximately 89, 805 square feet of development with seven buildings. Development includes:
  - PEN21-0289, Master Plot Plan includes Office/Medical Building 3 (approximately 40,000 square feet).
  - Plot Plan PEN23-0081, Medical/Office Building 1 (approximately 16,000 square feet).
  - Plot Plan PEN23-0082, Medical/Office Building 2 (approximately 16,000 square feet).
  - Plot Plan PEN23-0083 for Pad B, a retail/restaurant building (approximately 8,000 square feet).
  - Conditional Use Permit PEN20-0110 Pad A, a fast-food restaurant with a drive-through (approximately 3,500 square feet).
  - Conditional Use Permit PEN20-0111 Pad C, a fast-food restaurant with a drive-through (approximately 2,310 square feet).
  - Conditional Use Permit PEN20-0112, for a fuel station with convenience store with beer, wine, and spirits sales.

This Master Plot Plan includes all on-site and off-site improvements with reciprocal access, per the approved plans and Municipal Code Requirements. All improvements are required with the first building. A change or modification shall require separate approval. For the Conditional Use Permits, violation(s) may result in revocation of the Conditional Use Permit.
15. 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.)
16. The Preliminary Grading Plan will be revised to match the approved site plan dated April 6, 2023 during the Grading Plan submittal/review process.

Prior to Grading Permit

17. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.



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18. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
19. Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division and Public Works Department - Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW-Special Districts.
20. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
22. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
23. 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]
24. Prior to the issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for the Planning Division review and approval as follows:
  - a. A maximum 6-foot-high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

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- d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070)
25. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
  - b. The developer's name, address, and a 24-hour emergency telephone number.
26. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
27. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
28. 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.
29. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan as submitted with the Building and Safety submittal, or as a 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)
30. Prior to the 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 a parking lot for screening.
  - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Diamond planters shall be provided every 3 parking stalls where required.
  - d. Drought tolerant landscape shall be used. No sod shall be installed
  - e. Street trees shall be provided every 40 feet on-center.
  - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30)

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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 the first building final or certificate of any occupancy permits.

31. 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)
32. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
33. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
34. 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.
35. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans,

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an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

36. 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

37. 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).
38. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
39. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

40. 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.
41. 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.
42. Contact the Building Safety Division for permit application submittal requirements.
43. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in The 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
44. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m.

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- to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
45. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
  46. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
  47. 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.
  48. 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.
  49. The proposed non-residential project shall comply with the California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
  50. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
  51. 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)
  52. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
    - a) have an active permit with the California Department of Tax and Fee

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Administration (CDTFA),

b) must be registered as a retailer, not consumer, of materials, and

c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**ECONOMIC DEVELOPMENT DEPARTMENT (EDD)**

53. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
54. 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.
55. New Moreno Valley businesses are encouraged to hire local residents.
56. 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.
57. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

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

**FIRE DEPARTMENT****Fire Prevention Bureau**

58. All Fire Department access roads or driveways shall not exceed 12 percent grade.

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(CFC 503.2.7 and MVMC 8.36.060[G])

59. 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)
60. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
61. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
62. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
63. 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 MVL 440A-0 through MVL 440C-0)
64. 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])
65. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
66. 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

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- Valley Fire Department prior to beginning construction. They shall be maintained accessible.
67. 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.
  68. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
  69. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
  70. A fire extinguisher with a minimum rating of 3A:40BC shall be mounted in an accessible location within the cell site enclosure next to the fueled generator.
  71. 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])
  72. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
  73. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
  74. 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)
  75. 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



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- shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
76. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
  77. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
  78. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
  79. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
  80. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
  81. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  82. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
  83. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
  84. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

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85. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
86. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
87. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

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Moreno Valley Utility

88. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
89. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

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

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**PUBLIC WORKS DEPARTMENT****Land Development**

91. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
92. 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]
93. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
94. 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

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that all operations and activities are in conformance with these conditions.

95. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
96. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
97. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
98. 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]
99. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
100. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
101. The proposed private storm drain system shall connect to the proposed underground infiltration basin on the south side of the property. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.

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102. 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. Map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan prior to grading permit issuance);
  - d. Street, Storm Drain, Sewer, Water (prior to encroachment permit issuance);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Easements, offers of dedication (prior to occupancy release).
  - h. As-Built revision for all plans (prior to occupancy release).
103. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).
104. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that

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sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

105. Resolution of all drainage issues shall be as approved by the City Engineer.
106. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
107. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, Bio-Swales.
108. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
109. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements

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for BMPs and sources of funding for BMP implementation.

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

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

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

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

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

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

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

110. 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.

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



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112. 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.
113. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
114. 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.
115. 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.
116. 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.

Prior to Grading Permit

117. 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)]
118. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
119. 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)]
120. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

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121. 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.

Prior to Improvement Plan Approval

122. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
123. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
124. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
125. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
126. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
127. Any missing or deficient existing improvements along the project frontage within the Public Right-of-Way shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
128. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

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129. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
130. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
131. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

Prior to Encroachment Permit

132. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
133. Any work performed within public right-of-way requires an encroachment permit.
134. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

135. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of

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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.

136. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
137. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
138. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
139. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
  - (a) The necessary street right of way dedication on the north side of Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.
  - (c) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

Prior to Occupancy

140. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
141. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
  - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

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- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
  
- 142. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
  
- 143. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
  
- 144. Prior to occupancy, the following improvements shall be completed:  
 Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's south frontage. Improvements on Cactus Avenue just to the east of the project may be required for transition, alignment, and/or drainage purposes, as directed by the City Engineer. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.  
 Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
  
- 145. Prior to occupancy, the following improvements shall be completed:  
 The four existing ADA ramps at the intersection of Nason Street and Cactus Avenue and at the intersection of Nason Street and East Hospital Road shall be reconstructed to be compliant with current ADA standards, as applicable. An existing maintenance easement west of the intersection of Nason Street and East

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Hospital Road allows for necessary reconstruction work.

146. 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.
147. Nason Street (100' R/W / 76' CC: Divided Arterial, City Standard No. MVSI-104A-1 (modified)) shall be constructed to achieve a varying half-width of 47' along the entire project's west frontage.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-104A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.
148. The Developer shall comply with the following water quality related items:
- Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

149. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
150. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate

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the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

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election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to satisfy this condition.

152. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

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

153. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and



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

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

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

154. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
155. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
156. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into

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or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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

Transportation Engineering Division

157. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
158. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for commercial driveway approaches and as shown on the approved site plan, dated April 6, 2023.
159. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
160. Nason Street is classified as a Divided Major Arterial along the project frontage. Any improvements undertaken by this project shall be consistent with the City's standards. Communication conduit shall be installed along the project frontage per City Standard Plan No. MVSI-186-0.
161. Cactus Avenue is classified and shall be improved as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any necessary transitions shall be constructed to match to adjacent improvements.
162. Access at the project driveways shall be as follows:
  - North driveway on Nason Street (currently signalized): inbound movements only.
  - South driveway on Nason Street: right-turn in/out only
  - West driveway on Cactus Avenue: full access
  - East driveway on Cactus Avenue: right-turn in/out only

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163. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be required for plan approval by the City Traffic Engineer.
164. Prior to issuance of a certificate of occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
165. Prior to issuance of a certificate of occupancy, all signing and striping shall be installed per current City Standards and the approved plans.
166. Prior to issuance of a certificate of occupancy, the applicant shall make a fair-share contribution to the City of Moreno Valley for the additional southbound right-turn lane at the intersection of Nason Street and Iris Avenue, as identified in the traffic analysis.
167. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
168. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
169. Prior to final approval of street improvement plans, traffic signal modification plan shall be prepared for the existing traffic signal at the intersection of Nason Street/Hospital Road. Modifications may include, but are not limited to, signal head replacement, new signal poles/mast arms, new traffic detector loops or video/radar detection system, etc. Specific modifications shall be determined during the plan check review.
170. Prior to the final approval of the street improvement plans, the intersection of Nason Street and Cactus Avenue shall be designed to provide the following (at a minimum):
  - Northbound: two left-turn lanes, two through lanes, and one right-turn lane;
  - Southbound: one left-turn lane, two through lanes, and one right-turn lane;
  - Eastbound: one left-turn lane, one through lane, and one right-turn lane;
  - Westbound: one left-turn lane, one though lane, and one shared through/right-turn lane.
171. Any modifications to the existing traffic signal at the intersection of Nason Street and Cactus Avenue shall be in conformance with the California Manual on uniform Traffic Control Devices (CA MUTCD) and city standards.
172. Final map, grading plans, and street improvement plans shall be consistent with the approved site plan dated April 6, 2023.

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173. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plan - Section 4 and California Manual on Uniform Traffic Control Devices (CAMUTCD). Plans shall provide a 150-ft westbound let-turn storage lane at the intersection of Cactus Avenue and Nason Street.
174. A copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include a section that will encourage employers to promote telecommuting or alternative/flexible work schedules, as identified in mitigation measure TRANS-3.
175. All transportation mitigation measures shall be satisfied, except TRANS-1 and TRANS-2. TRANS-1 and TRANS-2 are no longer applicable due to changes to CEQA guidelines associated with Senate Bill 743.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

176. This project is subject to current Development Impact Fees.

Exhibit F

**Conditional Use Permit (PEN20-0110) Conditions of Approval**

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CITY OF MORENO VALLEY  
 CONDITIONS OF APPROVAL  
 Plot Plan (PEN20-0110)

EFFECTIVE DATE:

EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
2. 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.
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. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the

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current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. To reduce single event noise impacts to below the level of 55 dBA beyond the boundaries of the property, delivery operations shall be limited to between the hours of       am and       pm. Loading or unloading activities shall be conducted from the truck bays or designated loading. (MC 9.10.140,)
11. Drive-up or drive-through speaker system shall not be detectable above daytime 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.

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(MC9.09.080 C.6 and 9.10.140)

12. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
13. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
14. The site has been approved for a Master Plot Plan for the development of the Cactus Avenue and Nason Street Commercial Office and Retail Development project to include approximately 89, 805 square feet of development with seven buildings. Development includes:
  - PEN21-0289, Master Plot Plan includes Office/Medical Building 3 (approximately 40,000 square feet).
  - Plot Plan PEN23-0081, Medical/Office Building 1 (approximately 16,000 square feet).
  - Plot Plan PEN23-0082, Medical/Office Building 2 (approximately 16,000 square feet).
  - Plot Plan PEN23-0083 for Pad B, a retail/restaurant building (approximately 8,000 square feet).
  - Conditional Use Permit PEN20-0110 Pad A, a fast-food restaurant with a drive-through (approximately 3,500 square feet).
  - Conditional Use Permit PEN20-0111 Pad C, a fast-food restaurant with a drive-through (approximately 2,310 square feet).
  - Conditional Use Permit PEN20-0112, for a fuel station with convenience store with beer, wine, and spirits sales.

This Master Plot Plan includes all on-site and off-site improvements with reciprocal access, per the approved plans and Municipal Code Requirements. All improvements are required with the first building. A change or modification shall require separate approval. For the Conditional Use Permits, violation(s) may result in revocation of the Conditional Use Permit.
15. 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.)
16. The Preliminary Grading Plan will be revised to match the approved site plan dated April 6, 2023 during the Grading Plan submittal/review process.

Prior to Grading Permit

17. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.



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18. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
19. Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division and Public Works Department - Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW-Special Districts.
20. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
22. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
23. 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]
24. Prior to the issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for the Planning Division review and approval as follows:
  - a. A maximum 6-foot-high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

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- d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070)
25. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
  - b. The developer's name, address, and a 24-hour emergency telephone number.
26. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
27. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
28. 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.
29. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan as submitted with the Building and Safety submittal, or as a 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)
30. Prior to the 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 a parking lot for screening.
  - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Diamond planters shall be provided every 3 parking stalls where required.
  - d. Drought tolerant landscape shall be used. No sod shall be installed
  - e. Street trees shall be provided every 40 feet on-center.
  - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30)

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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 the first building final or certificate of any occupancy permits.

31. 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)
32. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
33. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
34. 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.
35. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans,

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an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

36. 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

37. 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).
38. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
39. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

40. 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.
41. 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.
42. Contact the Building Safety Division for permit application submittal requirements.
43. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in The 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
44. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m(except for holidays which occur on weekdays), eight a.m.

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- to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
45. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
  46. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
  47. 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.
  48. 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.
  49. The proposed non-residential project shall comply with the California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
  50. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
  51. 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)
  52. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
    - a) have an active permit with the California Department of Tax and Fee

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Administration (CDTFA),

b) must be registered as a retailer, not consumer, of materials, and

c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**ECONOMIC DEVELOPMENT DEPARTMENT (EDD)**

53. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
54. 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.
55. New Moreno Valley businesses are encouraged to hire local residents.
56. 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.
57. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

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

**FIRE DEPARTMENT****Fire Prevention Bureau**

58. All Fire Department access roads or driveways shall not exceed 12 percent grade.

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(CFC 503.2.7 and MVMC 8.36.060[G])

59. 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)
60. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
61. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
62. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
63. 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 MVL 440A-0 through MVL 440C-0)
64. 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])
65. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
66. 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

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- Valley Fire Department prior to beginning construction. They shall be maintained accessible.
67. 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.
  68. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
  69. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
  70. A fire extinguisher with a minimum rating of 3A:40BC shall be mounted in an accessible location within the cell site enclosure next to the fueled generator.
  71. 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])
  72. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
  73. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
  74. 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)
  75. 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



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- shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
76. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
  77. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
  78. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
  79. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
  80. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
  81. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  82. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
  83. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
  84. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

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85. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
86. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
87. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

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Moreno Valley Utility

88. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
89. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

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

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**PUBLIC WORKS DEPARTMENT****Land Development**

91. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
92. 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]
93. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
94. 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

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that all operations and activities are in conformance with these conditions.

95. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
96. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
97. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
98. 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]
99. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
100. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
101. The proposed private storm drain system shall connect to the proposed underground infiltration basin on the south side of the property. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.

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102. 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. Map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan prior to grading permit issuance);
  - d. Street, Storm Drain, Sewer, Water (prior to encroachment permit issuance);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Easements, offers of dedication (prior to occupancy release).
  - h. As-Built revision for all plans (prior to occupancy release).
103. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).
104. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that

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sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

105. Resolution of all drainage issues shall be as approved by the City Engineer.
106. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
107. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, Bio-Swales.
108. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
109. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements

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for BMPs and sources of funding for BMP implementation.

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

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

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

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

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

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

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

110. 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.

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



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112. 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.
113. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
114. 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.
115. 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.
116. 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.

Prior to Grading Permit

117. 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)]
118. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
119. 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)]
120. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

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121. 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.

Prior to Improvement Plan Approval

122. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
123. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
124. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
125. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
126. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
127. Any missing or deficient existing improvements along the project frontage within the Public Right-of-Way shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
128. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

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129. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
130. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
131. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

Prior to Encroachment Permit

132. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
133. Any work performed within public right-of-way requires an encroachment permit.
134. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

135. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of

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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.

136. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
137. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
138. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
139. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
  - (a) The necessary street right of way dedication on the north side of Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.
  - (c) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

Prior to Occupancy

140. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
141. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
  - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

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- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
  
- 142. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
  
- 143. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
  
- 144. Prior to occupancy, the following improvements shall be completed:  
 Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's south frontage. Improvements on Cactus Avenue just to the east of the project may be required for transition, alignment, and/or drainage purposes, as directed by the City Engineer. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.  
 Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
  
- 145. Prior to occupancy, the following improvements shall be completed:  
 The four existing ADA ramps at the intersection of Nason Street and Cactus Avenue and at the intersection of Nason Street and East Hospital Road shall be reconstructed to be compliant with current ADA standards, as applicable. An existing maintenance easement west of the intersection of Nason Street and East

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Hospital Road allows for necessary reconstruction work.

146. 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.
147. Nason Street (100' R/W / 76' CC: Divided Arterial, City Standard No. MVSI-104A-1 (modified)) shall be constructed to achieve a varying half-width of 47' along the entire project's west frontage.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-104A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.
148. The Developer shall comply with the following water quality related items:
- Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

149. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
150. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate

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the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

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election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to satisfy this condition.

152. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

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

153. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and



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

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

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

154. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
155. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
156. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into

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or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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

Transportation Engineering Division

157. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
158. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for commercial driveway approaches and as shown on the approved site plan, dated April 6, 2023.
159. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
160. Nason Street is classified as a Divided Major Arterial along the project frontage. Any improvements undertaken by this project shall be consistent with the City's standards. Communication conduit shall be installed along the project frontage per City Standard Plan No. MVSI-186-0.
161. Cactus Avenue is classified and shall be improved as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any necessary transitions shall be constructed to match to adjacent improvements.
162. Access at the project driveways shall be as follows:
  - North driveway on Nason Street (currently signalized): inbound movements only.
  - South driveway on Nason Street: right-turn in/out only
  - West driveway on Cactus Avenue: full access
  - East driveway on Cactus Avenue: right-turn in/out only

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163. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be required for plan approval by the City Traffic Engineer.
164. Prior to issuance of a certificate of occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
165. Prior to issuance of a certificate of occupancy, all signing and striping shall be installed per current City Standards and the approved plans.
166. Prior to issuance of a certificate of occupancy, the applicant shall make a fair-share contribution to the City of Moreno Valley for the additional southbound right-turn lane at the intersection of Nason Street and Iris Avenue, as identified in the traffic analysis.
167. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
168. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
169. Prior to final approval of street improvement plans, traffic signal modification plan shall be prepared for the existing traffic signal at the intersection of Nason Street/Hospital Road. Modifications may include, but are not limited to, signal head replacement, new signal poles/mast arms, new traffic detector loops or video/radar detection system, etc. Specific modifications shall be determined during the plan check review.
170. Prior to the final approval of the street improvement plans, the intersection of Nason Street and Cactus Avenue shall be designed to provide the following (at a minimum):
  - Northbound: two left-turn lanes, two through lanes, and one right-turn lane;
  - Southbound: one left-turn lane, two through lanes, and one right-turn lane;
  - Eastbound: one left-turn lane, one through lane, and one right-turn lane;
  - Westbound: one left-turn lane, one through lane, and one shared through/right-turn lane.
171. Any modifications to the existing traffic signal at the intersection of Nason Street and Cactus Avenue shall be in conformance with the California Manual on uniform Traffic Control Devices (CA MUTCD) and city standards.
172. Final map, grading plans, and street improvement plans shall be consistent with the approved site plan dated April 6, 2023.

**CONDITIONS OF APPROVAL**

Plot Plan (PEN20-0110)

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173. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plan - Section 4 and California Manual on Uniform Traffic Control Devices (CAMUTCD). Plans shall provide a 150-ft westbound let-turn storage lane at the intersection of Cactus Avenue and Nason Street.
174. A copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include a section that will encourage employers to promote telecommuting or alternative/flexible work schedules, as identified in mitigation measure TRANS-3.
175. All transportation mitigation measures shall be satisfied, except TRANS-1 and TRANS-2. TRANS-1 and TRANS-2 are no longer applicable due to changes to CEQA guidelines associated with Senate Bill 743.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

176. This project is subject to current Development Impact Fees.

**Exhibit G**

**Conditional Use Permit (PEN20-0111) Conditions of Approval**

**CONDITIONS OF APPROVAL**

Conditional Use Permit  
(PEN20-0111)  
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CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
Conditional Use Permit  
(PEN20-0111)

EFFECTIVE DATE:  
EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT****Planning Division**

1. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
2. 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.
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. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the

**CONDITIONS OF APPROVAL**

CUP (PEN20-0111)

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current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. To reduce single event noise impacts to below the level of 55 dBA beyond the boundaries of the property, delivery operations shall be limited to between the hours of       am and       pm. Loading or unloading activities shall be conducted from the truck bays or designated loading. (MC 9.10.140,)
11. Drive-up or drive-through speaker system shall not be detectable above daytime 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.

**CONDITIONS OF APPROVAL**

CUP (PEN20-0111)

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(MC9.09.080 C.6 and 9.10.140)

12. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
13. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
14. The site has been approved for a Master Plot Plan for the development of the Cactus Avenue and Nason Street Commercial Office and Retail Development project to include approximately 89, 805 square feet of development with seven buildings. Development includes:
  - PEN21-0289, Master Plot Plan includes Office/Medical Building 3 (approximately 40,000 square feet).
  - Plot Plan PEN23-0081, Medical/Office Building 1 (approximately 16,000 square feet).
  - Plot Plan PEN23-0082, Medical/Office Building 2 (approximately 16,000 square feet).
  - Plot Plan PEN23-0083 for Pad B, a retail/restaurant building (approximately 8,000 square feet).
  - Conditional Use Permit PEN20-0110 Pad A, a fast-food restaurant with a drive-through (approximately 3,500 square feet).
  - Conditional Use Permit PEN20-0111 Pad C, a fast-food restaurant with a drive-through (approximately 2,310 square feet).
  - Conditional Use Permit PEN20-0112, for a fuel station with convenience store with beer, wine, and spirits sales.

This Master Plot Plan includes all on-site and off-site improvements with reciprocal access, per the approved plans and Municipal Code Requirements. All improvements are required with the first building. A change or modification shall require separate approval. For the Conditional Use Permits, violation(s) may result in revocation of the Conditional Use Permit.
15. 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.)
16. The Preliminary Grading Plan will be revised to match the approved site plan dated April 6, 2023 during the Grading Plan submittal/review process.

Prior to Grading Permit

17. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.



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18. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
19. Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division and Public Works Department - Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW-Special Districts.
20. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
22. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
23. 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]
24. Prior to the issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for the Planning Division review and approval as follows:
  - a. A maximum 6-foot-high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

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- d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070)
25. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
  - b. The developer's name, address, and a 24-hour emergency telephone number.
26. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
27. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
28. 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.
29. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan as submitted with the Building and Safety submittal, or as a 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)
30. Prior to the 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 a parking lot for screening.
  - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Diamond planters shall be provided every 3 parking stalls where required.
  - d. Drought tolerant landscape shall be used. No sod shall be installed
  - e. Street trees shall be provided every 40 feet on-center.
  - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30)

**CONDITIONS OF APPROVAL**

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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 the first building final or certificate of any occupancy permits.

31. 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)
32. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
33. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
34. 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.
35. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans,

**CONDITIONS OF APPROVAL**

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an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

36. 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

37. 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).
38. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
39. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

40. 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.
41. 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.
42. Contact the Building Safety Division for permit application submittal requirements.
43. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in The 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
44. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m(except for holidays which occur on weekdays), eight a.m.

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- to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
45. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
  46. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
  47. 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.
  48. 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.
  49. The proposed non-residential project shall comply with the California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
  50. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
  51. 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)
  52. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
    - a) have an active permit with the California Department of Tax and Fee

**CONDITIONS OF APPROVAL**

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Administration (CDTFA),

b) must be registered as a retailer, not consumer, of materials, and

c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**ECONOMIC DEVELOPMENT DEPARTMENT (EDD)**

53. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
54. 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.
55. New Moreno Valley businesses are encouraged to hire local residents.
56. 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.
57. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

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

**FIRE DEPARTMENT****Fire Prevention Bureau**

58. All Fire Department access roads or driveways shall not exceed 12 percent grade.

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(CFC 503.2.7 and MVMC 8.36.060[G])

59. 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)
60. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
61. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
62. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
63. 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 MVL 440A-0 through MVL 440C-0)
64. 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])
65. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
66. 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

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- Valley Fire Department prior to beginning construction. They shall be maintained accessible.
67. 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.
  68. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
  69. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
  70. A fire extinguisher with a minimum rating of 3A:40BC shall be mounted in an accessible location within the cell site enclosure next to the fueled generator.
  71. 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])
  72. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
  73. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
  74. 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)
  75. 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



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- shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
76. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
  77. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
  78. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
  79. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
  80. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
  81. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  82. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
  83. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
  84. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

**CONDITIONS OF APPROVAL**

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85. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
86. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
87. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

**CONDITIONS OF APPROVAL**

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Moreno Valley Utility

88. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
89. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

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

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**PUBLIC WORKS DEPARTMENT****Land Development**

91. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
92. 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]
93. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
94. 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

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that all operations and activities are in conformance with these conditions.

95. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
96. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
97. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
98. 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]
99. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
100. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
101. The proposed private storm drain system shall connect to the proposed underground infiltration basin on the south side of the property. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.

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102. 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. Map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan prior to grading permit issuance);
  - d. Street, Storm Drain, Sewer, Water (prior to encroachment permit issuance);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Easements, offers of dedication (prior to occupancy release).
  - h. As-Built revision for all plans (prior to occupancy release).
103. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).
104. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that

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sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

105. Resolution of all drainage issues shall be as approved by the City Engineer.
106. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
107. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, Bio-Swales.
108. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
109. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements

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for BMPs and sources of funding for BMP implementation.

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

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

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

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

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

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

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

110. 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.

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



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112. 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.
113. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
114. 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.
115. 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.
116. 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.

Prior to Grading Permit

117. 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)]
118. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
119. 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)]
120. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

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121. 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.

Prior to Improvement Plan Approval

122. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
123. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
124. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
125. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
126. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
127. Any missing or deficient existing improvements along the project frontage within the Public Right-of-Way shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
128. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

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129. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
130. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
131. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

Prior to Encroachment Permit

132. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
133. Any work performed within public right-of-way requires an encroachment permit.
134. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

135. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of

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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.

136. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
137. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
138. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
139. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
  - (a) The necessary street right of way dedication on the north side of Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.
  - (c) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

Prior to Occupancy

140. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
141. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
  - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

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- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
  
- 142. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
  
- 143. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
  
- 144. Prior to occupancy, the following improvements shall be completed:  
 Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's south frontage. Improvements on Cactus Avenue just to the east of the project may be required for transition, alignment, and/or drainage purposes, as directed by the City Engineer. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.  
 Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
  
- 145. Prior to occupancy, the following improvements shall be completed:  
 The four existing ADA ramps at the intersection of Nason Street and Cactus Avenue and at the intersection of Nason Street and East Hospital Road shall be reconstructed to be compliant with current ADA standards, as applicable. An existing maintenance easement west of the intersection of Nason Street and East

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Hospital Road allows for necessary reconstruction work.

146. 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.
147. Nason Street (100' R/W / 76' CC: Divided Arterial, City Standard No. MVSI-104A-1 (modified)) shall be constructed to achieve a varying half-width of 47' along the entire project's west frontage.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-104A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.
148. The Developer shall comply with the following water quality related items:
- Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

149. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
150. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate

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the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

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election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to satisfy this condition.

152. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

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

153. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and



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

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

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

154. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
155. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
156. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into

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or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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

Transportation Engineering Division

157. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
158. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for commercial driveway approaches and as shown on the approved site plan, dated April 6, 2023.
159. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
160. Nason Street is classified as a Divided Major Arterial along the project frontage. Any improvements undertaken by this project shall be consistent with the City's standards. Communication conduit shall be installed along the project frontage per City Standard Plan No. MVSI-186-0.
161. Cactus Avenue is classified and shall be improved as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any necessary transitions shall be constructed to match to adjacent improvements.
162. Access at the project driveways shall be as follows:
  - North driveway on Nason Street (currently signalized): inbound movements only.
  - South driveway on Nason Street: right-turn in/out only
  - West driveway on Cactus Avenue: full access
  - East driveway on Cactus Avenue: right-turn in/out only

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163. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be required for plan approval by the City Traffic Engineer.
164. Prior to issuance of a certificate of occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
165. Prior to issuance of a certificate of occupancy, all signing and striping shall be installed per current City Standards and the approved plans.
166. Prior to issuance of a certificate of occupancy, the applicant shall make a fair-share contribution to the City of Moreno Valley for the additional southbound right-turn lane at the intersection of Nason Street and Iris Avenue, as identified in the traffic analysis.
167. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
168. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
169. Prior to final approval of street improvement plans, traffic signal modification plan shall be prepared for the existing traffic signal at the intersection of Nason Street/Hospital Road. Modifications may include, but are not limited to, signal head replacement, new signal poles/mast arms, new traffic detector loops or video/radar detection system, etc. Specific modifications shall be determined during the plan check review.
170. Prior to the final approval of the street improvement plans, the intersection of Nason Street and Cactus Avenue shall be designed to provide the following (at a minimum):
  - Northbound: two left-turn lanes, two through lanes, and one right-turn lane;
  - Southbound: one left-turn lane, two through lanes, and one right-turn lane;
  - Eastbound: one left-turn lane, one through lane, and one right-turn lane;
  - Westbound: one left-turn lane, one though lane, and one shared through/right-turn lane.
171. Any modifications to the existing traffic signal at the intersection of Nason Street and Cactus Avenue shall be in conformance with the California Manual on uniform Traffic Control Devices (CA MUTCD) and city standards.
172. Final map, grading plans, and street improvement plans shall be consistent with the approved site plan dated April 6, 2023.

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173. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plan - Section 4 and California Manual on Uniform Traffic Control Devices (CAMUTCD). Plans shall provide a 150-ft westbound let-turn storage lane at the intersection of Cactus Avenue and Nason Street.
174. A copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include a section that will encourage employers to promote telecommuting or alternative/flexible work schedules, as identified in mitigation measure TRANS-3.
175. All transportation mitigation measures shall be satisfied, except TRANS-1 and TRANS-2. TRANS-1 and TRANS-2 are no longer applicable due to changes to CEQA guidelines associated with Senate Bill 743.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

176. This project is subject to current Development Impact Fees.

Exhibit H

Conditional Use Permit (PEN20-0112), Conditions of Approval

**CONDITIONS OF APPROVAL**

Conditional Use Permit  
(PEN20-0112)  
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CITY OF MORENO VALLEY  
CONDITIONS OF APPROVAL  
Conditional Use Permit  
(PEN20-0112)

EFFECTIVE DATE:  
EXPIRATION DATE:

**COMMUNITY DEVELOPMENT DEPARTMENT**Planning Division

1. In accordance with the Developer's obligation to defend, indemnify and hold harmless the City, including but not limited to as set forth in more detail in the Project's Conditions of Approval, Moreno Valley Municipal Code Section 9.02.310 (Indemnification of City for Discretionary Approvals), and the Project application, Developer shall enter into an Advanced Funding Agreement with the City no later than ten (10) calendar days from Planning Commission's approval of the Project. A copy of said Agreement is on file with the Community Development Director.
2. 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.
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. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the

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current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)
8. Any signs indicated on the submitted plans are not included with this approval. Any signs, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag), require separate application and approval by the Planning Division. No signs are permitted in the public right of way. (MC 9.12)
9. All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

10. To reduce single event noise impacts to below the level of 55 dBA beyond the boundaries of the property, delivery operations shall be limited to between the hours of       am and       pm. Loading or unloading activities shall be conducted from the truck bays or designated loading. (MC 9.10.140,)
11. Drive-up or drive-through speaker system shall not be detectable above daytime 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.

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(MC9.09.080 C.6 and 9.10.140)

12. The shopping center parking lot lighting shall be maintained in good repair and shall comply with the Municipal Code lighting standards.
13. The Police Chief may require the business owner to provide future security within the restaurant and the shopping center parking lot to address issues that arise from the operation of the business.
14. The site has been approved for a Master Plot Plan for the development of the Cactus Avenue and Nason Street Commercial Office and Retail Development project to include approximately 89, 805 square feet of development with seven buildings. Development includes:
  - PEN21-0289, Master Plot Plan includes Office/Medical Building 3 (approximately 40,000 square feet).
  - Plot Plan PEN23-0081, Medical/Office Building 1 (approximately 16,000 square feet).
  - Plot Plan PEN23-0082, Medical/Office Building 2 (approximately 16,000 square feet).
  - Plot Plan PEN23-0083 for Pad B, a retail/restaurant building (approximately 8,000 square feet).
  - Conditional Use Permit PEN20-0110 Pad A, a fast-food restaurant with a drive-through (approximately 3,500 square feet).
  - Conditional Use Permit PEN20-0111 Pad C, a fast-food restaurant with a drive-through (approximately 2,310 square feet).
  - Conditional Use Permit PEN20-0112, for a fuel station with convenience store w/ beer, wine, and spirits sales.

This Master Plot Plan includes all on-site and off-site improvements with reciprocal access, per the approved plans and Municipal Code Requirements. All improvements are required with the first building. A change or modification shall require separate approval. For the Conditional Use Permits, violation(s) may result in revocation of the Conditional Use Permit.
15. 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.)
16. The Preliminary Grading Plan will be revised to match the approved site plan dated April 6, 2023 during the Grading Plan submittal/review process.

Prior to Grading Permit

17. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.



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18. Prior to the issuance of grading permits, decorative (e.g. colored/scored concrete or as approve by the Planning Official) pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses or commercial/industrial buildings with open space and/or parking. and/or the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)
19. Prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Planning Division and Public Works Department - Special Districts for review and approval by each division. (GP - Circulation Master Plan) Timing of installation shall be determined by PW-Special Districts.
20. Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)
21. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
22. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
23. 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]
24. Prior to the issuance of grading permits, the developer shall submit wall/fence plans to the Building and Safety Division for the Planning Division review and approval as follows:
  - a. A maximum 6-foot-high solid decorative block perimeter wall with pilasters and a cap shall be required adjacent to all residential zoned areas.
  - b. 3-foot high decorative wall, solid hedge, or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
  - c. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

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- d. Walls and fences for visual screening are required when there are adjacent residential uses or residentially zone property. The height, placement, and design will be based on a site-specific review of the project. All walls are subject to the approval of the Planning Official. (MC 9.08.070)
25. Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:
- a. The name (if applicable) and address of the development.
  - b. The developer's name, address, and a 24-hour emergency telephone number.
26. Prior to issuance of grading permits, the location of the trash enclosure shall be included on the plans.
27. Prior to issuance of any building permit, all Conditions of Approval and Mitigation Measures shall be printed on the building plans.
28. 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.
29. Prior to the issuance of building permits, proposed covered trash enclosures shall be included in the Planning review of the Fence and Wall plan as submitted with the Building and Safety submittal, or as a 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)
30. Prior to the 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 a parking lot for screening.
  - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
  - c. Diamond planters shall be provided every 3 parking stalls where required.
  - d. Drought tolerant landscape shall be used. No sod shall be installed
  - e. Street trees shall be provided every 40 feet on-center.
  - f. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30)

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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 the first building final or certificate of any occupancy permits.

31. 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)
32. Prior to issuance of a building permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
33. Prior to building final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
34. 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.
35. Detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be included in the Building Plans for review by the Planning Division. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans,

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an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

36. 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

37. 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).
38. Prior to building final, Planning approved/stamped landscape plans shall be provided to the Community Development Department – Planning Division on a CD disk.
39. Prior to building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

40. 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.
41. 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.
42. Contact the Building Safety Division for permit application submittal requirements.
43. All new buildings 10,000 square feet and over, shall include building commissioning in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (OPR). All requirements in The 2016 California Green Building Standards Code, sections 5.410.2 - 5.410.2.6 must be met.
44. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m(except for holidays which occur on weekdays), eight a.m.

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- to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
45. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
  46. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
  47. 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.
  48. 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.
  49. The proposed non-residential project shall comply with the California Green Building Standards Code, Section 5.106.5.3, mandatory requirements for Electric Vehicle Charging Station (EVCS).
  50. The proposed project's occupancy shall be classified by the Building Official and must comply with exiting, occupancy separation(s) and minimum plumbing fixture requirements. Minimum plumbing fixtures shall be provided per the California Plumbing Code, Table 422.1. The occupant load and occupancy classification shall be determined in accordance with the California Building Code.
  51. 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)
  52. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.  
The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
    - a) have an active permit with the California Department of Tax and Fee

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Administration (CDTFA),

b) must be registered as a retailer, not consumer, of materials, and

c) have an executed contract over \$5 million to install materials at the jobsite.

The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**ECONOMIC DEVELOPMENT DEPARTMENT (EDD)**

53. New Moreno Valley businesses may work with the Economic Development Department to coordinate job recruitment fairs.
54. 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.
55. New Moreno Valley businesses are encouraged to hire local residents.
56. 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.
57. New Moreno Valley businesses may utilize the workforce recruitment services provided by the Moreno Valley Business & Employment Resource Center (“BERC”).

The BERC offers free assistance to Moreno Valley businesses recruiting and training potential employees. Complimentary services include:

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

**FIRE DEPARTMENT****Fire Prevention Bureau**

58. All Fire Department access roads or driveways shall not exceed 12 percent grade.

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(CFC 503.2.7 and MVMC 8.36.060[G])

59. 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)
60. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
61. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
62. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
63. 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 MVL 440A-0 through MVL 440C-0)
64. 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])
65. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
66. 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

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- Valley Fire Department prior to beginning construction. They shall be maintained accessible.
67. 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.
  68. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)
  69. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
  70. A fire extinguisher with a minimum rating of 3A:40BC shall be mounted in an accessible location within the cell site enclosure next to the fueled generator.
  71. 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])
  72. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9, MVMC 8.36.100[D])
  73. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
  74. 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)
  75. 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



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- shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
76. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
  77. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
  78. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
  79. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)
  80. Plans for private water mains supplying fire sprinkler systems and/or private fire hydrants shall be submitted to the Fire Prevention Bureau for approval. (CFC 105 and CFC 3312.1)
  81. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
  82. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
  83. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
  84. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

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85. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
86. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
87. The appropriation from local tax from construction contracts to the local jurisdiction of the specific construction job site is hereby required. This is accomplished by a contractor or subcontractor obtaining a construction site sub-permit for the job site. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are subject to this condition.
- The qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to obtain a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor shall provide the City of Moreno Valley Finance and Management Services Department with a list of subcontractors associated with the project along with a copy of their sub-permit that shows their CDTFA account number or a signed statement that sales and use tax does not apply to their portion of the project.

**FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**

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Moreno Valley Utility

88. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
89. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and/or concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

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

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

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

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**PUBLIC WORKS DEPARTMENT****Land Development**

91. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
92. 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]
93. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
94. 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

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that all operations and activities are in conformance with these conditions.

95. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
96. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]
97. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
98. 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]
99. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
100. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
101. The proposed private storm drain system shall connect to the proposed underground infiltration basin on the south side of the property. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.

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102. 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. Map (recordation prior to building permit issuance);
  - b. Rough grading w/ erosion control plan (prior to grading permit issuance);
  - c. Precise grading w/ erosion control plan prior to grading permit issuance);
  - d. Street, Storm Drain, Sewer, Water (prior to encroachment permit issuance);
  - e. Final drainage study (prior to grading plan approval);
  - f. Final WQMP (prior to grading plan approval);
  - g. Easements, offers of dedication (prior to occupancy release).
  - h. As-Built revision for all plans (prior to occupancy release).
103. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).
104. Local tax from construction contracts may be allocated to the local jurisdiction of the specific construction jobsite. This is accomplished by a contractor or subcontractor electing to obtain a construction site sub-permit for the jobsite. The contractors, or subcontracts, that have individual contracts with a value of \$5 million or more are eligible for this election. This qualifying contract price applies to each contract or subcontract for work performed at the jobsite, and not to the total value of the prime contract. In order to be eligible for a jobsite sub-permit, the contractor or subcontractor must meet the following criteria:
- a) have an active permit with the California Department of Tax and Fee Administration (CDTFA),
  - b) must be registered as a retailer, not consumer, of materials, and
  - c) have an executed contract over \$5 million to install materials at the jobsite.
- The \$5 million threshold applies to individual contracts held by a contractor or subcontractor and not the total project value. The Prime Contractor will require that the subcontractors or other contractors exercise their option to obtain a California Department of Tax & Fee Administration construction site sub-permit for the jobsite and allocate all eligible use tax payments to the City of Moreno Valley. Prior to any Notice to Proceed(s), the Prime Contractor will require that the subcontractor or other contractors provide the City of Moreno Valley with either a copy of their sub-permit that shows their CDTFA account number or a signed statement that

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sales and use tax does not apply to their portion of the project. The Prime Contractor will provide the City with a list of subcontractors associated with the project.

Prior to Grading Plan Approval

105. Resolution of all drainage issues shall be as approved by the City Engineer.
106. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
107. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, Bio-Swales.
108. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
  - b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
  - c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
  - d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.
- A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.
109. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements

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for BMPs and sources of funding for BMP implementation.

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

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

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

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

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

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

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

110. 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.

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



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112. 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.
113. The developer shall submit recorded slope easements from adjacent property owners in all areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.
114. 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.
115. 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.
116. 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.

Prior to Grading Permit

117. 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)]
118. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
119. 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)]
120. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

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121. 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.

Prior to Improvement Plan Approval

122. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
123. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
124. The design plan and profile shall be based upon a centerline, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer.
125. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
126. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
127. Any missing or deficient existing improvements along the project frontage within the Public Right-of-Way shall be constructed or secured for construction. The City Engineer may require the ultimate structural section for pavement to half-street width plus 18 feet or provide core test results confirming that existing pavement section is per current City Standards; additional signing & striping to accommodate increased traffic imposed by the development, etc.
128. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

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129. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
130. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
131. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

Prior to Encroachment Permit

132. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
133. Any work performed within public right-of-way requires an encroachment permit.
134. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]

Prior to Building Permit

135. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of

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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.

136. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
137. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer (excluding models homes).
138. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.
139. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:
  - (a) The necessary street right of way dedication on the north side of Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) along the project frontage.
  - (b) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.
  - (c) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

Prior to Occupancy

140. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
141. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
  - a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

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- b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
  - c. City-owned utilities.
  - d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.
  
- 142. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
  - a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
  - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
  
- 143. For commercial, industrial and multi-family projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
  
- 144. Prior to occupancy, the following improvements shall be completed:  
 Cactus Avenue (88' R/W / 64' CC: Minor Arterial, City Standard No. MVSI-105A-2) shall be constructed to achieve a half-width of 32' plus 18' beyond centerline, along the entire project's south frontage. Improvements on Cactus Avenue just to the east of the project may be required for transition, alignment, and/or drainage purposes, as directed by the City Engineer. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition /joins to existing, street lights, pedestrian ramps, and dry and wet utilities.  
 Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-105A-2. Any missing or deficient improvements along the project's south frontage shall be constructed prior to issuance of a certificate of occupancy.
  
- 145. Prior to occupancy, the following improvements shall be completed:  
 The four existing ADA ramps at the intersection of Nason Street and Cactus Avenue and at the intersection of Nason Street and East Hospital Road shall be reconstructed to be compliant with current ADA standards, as applicable. An existing maintenance easement west of the intersection of Nason Street and East

**CONDITIONS OF APPROVAL**

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Hospital Road allows for necessary reconstruction work.

146. 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.
147. Nason Street (100' R/W / 76' CC: Divided Arterial, City Standard No. MVSI-104A-1 (modified)) shall be constructed to achieve a varying half-width of 47' along the entire project's west frontage.  
Prior to improvement plan approval, the developer shall provide to the City Engineer the results of coring tests confirming that said existing pavement section has been constructed per City Standard No. MVSI-104A-1. Any missing or deficient improvements along the project's west frontage shall be constructed prior to issuance of a certificate of occupancy.
148. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
  - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
  - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
  - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
  - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
  - f. Obtain approval and complete installation of the irrigation and landscaping.

Special Districts Division

149. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed to the Special Districts Administration at 951.413.3470 or SDAdmin@moval.org.
150. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate

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the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

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

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

**CONDITIONS OF APPROVAL**

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election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at [SDAdmin@moval.org](mailto:SDAdmin@moval.org) to satisfy this condition.

152. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

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

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

153. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and



**CONDITIONS OF APPROVAL**

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

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

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

154. Bioretention Basin Maintenance. The ongoing maintenance of any bioretention basin, or other like water quality BMP constructed in the public right of way, shall be the responsibility of a property owner association or the property owner.
155. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
156. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for Street Lighting Services for capital improvements, energy charges, and maintenance.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into

**CONDITIONS OF APPROVAL**

CUP (PEN20-0112)

Page 29

or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

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

Transportation Engineering Division

157. Conditions of approval may be modified or added if a phasing plan is submitted for this development.
158. Project driveways shall conform to City of Moreno Valley Standard Plans No. MVSI-112C-0 for commercial driveway approaches and as shown on the approved site plan, dated April 6, 2023.
159. All proposed on-site traffic signing and striping should be accordance with the latest California Manual on Uniform Traffic Control Devices (CAMUTCD).
160. Nason Street is classified as a Divided Major Arterial along the project frontage. Any improvements undertaken by this project shall be consistent with the City's standards. Communication conduit shall be installed along the project frontage per City Standard Plan No. MVSI-186-0.
161. Cactus Avenue is classified and shall be improved as a Minor Arterial (88'RW/64'CC) per City Standard Plan No. MVSI-105A-2. Any necessary transitions shall be constructed to match to adjacent improvements.
162. Access at the project driveways shall be as follows:
  - North driveway on Nason Street (currently signalized): inbound movements only.
  - South driveway on Nason Street: right-turn in/out only
  - West driveway on Cactus Avenue: full access
  - East driveway on Cactus Avenue: right-turn in/out only

**CONDITIONS OF APPROVAL**

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163. Prior to issuance of an encroachment permit for work within the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer shall be required for plan approval by the City Traffic Engineer.
164. Prior to issuance of a certificate of occupancy, all approved street improvements shall be installed to the satisfaction of the City Engineer.
165. Prior to issuance of a certificate of occupancy, all signing and striping shall be installed per current City Standards and the approved plans.
166. Prior to issuance of a certificate of occupancy, the applicant shall make a fair-share contribution to the City of Moreno Valley for the additional southbound right-turn lane at the intersection of Nason Street and Iris Avenue, as identified in the traffic analysis.
167. Prior to final approval of any landscaping or monument sign plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
168. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets within the project area.
169. Prior to final approval of street improvement plans, traffic signal modification plan shall be prepared for the existing traffic signal at the intersection of Nason Street/Hospital Road. Modifications may include, but are not limited to, signal head replacement, new signal poles/mast arms, new traffic detector loops or video/radar detection system, etc. Specific modifications shall be determined during the plan check review.
170. Prior to the final approval of the street improvement plans, the intersection of Nason Street and Cactus Avenue shall be designed to provide the following (at a minimum):
  - Northbound: two left-turn lanes, two through lanes, and one right-turn lane;
  - Southbound: one left-turn lane, two through lanes, and one right-turn lane;
  - Eastbound: one left-turn lane, one through lane, and one right-turn lane;
  - Westbound: one left-turn lane, one through lane, and one shared through/right-turn lane.
171. Any modifications to the existing traffic signal at the intersection of Nason Street and Cactus Avenue shall be in conformance with the California Manual on uniform Traffic Control Devices (CA MUTCD) and city standards.
172. Final map, grading plans, and street improvement plans shall be consistent with the approved site plan dated April 6, 2023.

**CONDITIONS OF APPROVAL**

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173. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plan - Section 4 and California Manual on Uniform Traffic Control Devices (CAMUTCD). Plans shall provide a 150-ft westbound let-turn storage lane at the intersection of Cactus Avenue and Nason Street.
174. A copy of the Covenants, Conditions and Restrictions (CC&Rs) shall be submitted for review by the City Engineer. The CC&Rs shall include a section that will encourage employers to promote telecommuting or alternative/flexible work schedules, as identified in mitigation measure TRANS-3.
175. All transportation mitigation measures shall be satisfied, except TRANS-1 and TRANS-2. TRANS-1 and TRANS-2 are no longer applicable due to changes to CEQA guidelines associated with Senate Bill 743.

**PARKS & COMMUNITY SERVICES DEPARTMENT**

176. This project is subject to current Development Impact Fees.

### PROJECT SUMMARY

LAND AREA: 41-368,000 SF, 8.4 ACRE  
 PRIVATE STREET AREA: 5,600-368,000= 362,400 8.32 ACRE

AFN: 486 290 038

ZONE: DC COMMUNITY COMMERCIAL

LOT COVERAGE: 89,805 SF / 362,400 SF = 24.76%  
 (EXCLUDES PUMP CANOPY)

F.A.R.: 17,805 SF. PADS A-C + C STORE  
 32,000 SF. (B1 + B2)  
 40,000 SF. B3  
 89,805 SF. = (24.75 %)

LAND TO BUILDING RATIO: 4:1

PROPOSED PAD BUILDINGS:  
 PAD A FOOD 3,500 SF.  
 PAD B RETAIL 5,000 SF.  
 PAD B FOOD 3,000 SF.  
 PAD C FOOD 2,310 SF.  
 C-STORE / RETAIL 3,995 SF.  
 TOTAL FOOD/RETAIL 17,805 SF.

PROPOSED COMMERCIAL/OFFICE BUILDINGS:  
 2 STORY MED BUILDING #1 16,000 SF.  
 2 STORY MED BUILDING #2 16,000 SF.  
 3 STORY BUILDING #3 40,000 SF.  
 MED/OFFICE  
 TOTAL COMM/ED/OFFICE 72,000 SF.

PARKING REQUIRED:  
 PAD A FOOD 10/1000 @ 3500 SF.= 35 STALLS  
 PAD B RETAIL 45/1000 @ 5000 SF.= 22 STALLS  
 PAD B FOOD 10/1000 @ 3000 SF.= 30 STALLS  
 PAD C FOOD 10/1000 @ 2310 SF.= 23 STALLS  
 C-STORE / RETAIL 45/1000 @ 3,995 SF.= 18 STALLS  
 MED. OFFICE BUILDING #1 & #2 45/1000 @ 32,000 SF.= 144 STALLS  
 OFFICE BUILDING #3 4/1000 @ 20,000 SF.= 80 STALLS  
 OFFICE 45/1000 @ 20,000 SF.= 90 STALLS  
 TOTAL REQUIRED: 442 STALLS

PARKING PROVIDED:  
 PAD A FOOD 35 STALLS  
 PAD B RETAIL 52 STALLS  
 PAD C FOOD 23 STALLS  
 C-STORE / RETAIL 18 STALLS  
 MED. OFFICE BUILDING #1 & #2 144 STALLS  
 OFFICE BUILDING #3 170 STALLS  
 TOTAL PROVIDED: 442 STALLS  
 (NO COMPACT STALLS ALLOWED)  
 WR = WATER RETENTION AREAS

REQUIRED SHORT-TERM & LONG-TERM BICYCLE STALLS (5% OF 448 STALLS).  
 SHORT TERM BICYCLE: 22 STALLS  
 LONG TERM BICYCLE: 22 STALLS  
 TOTAL: 44 STALLS

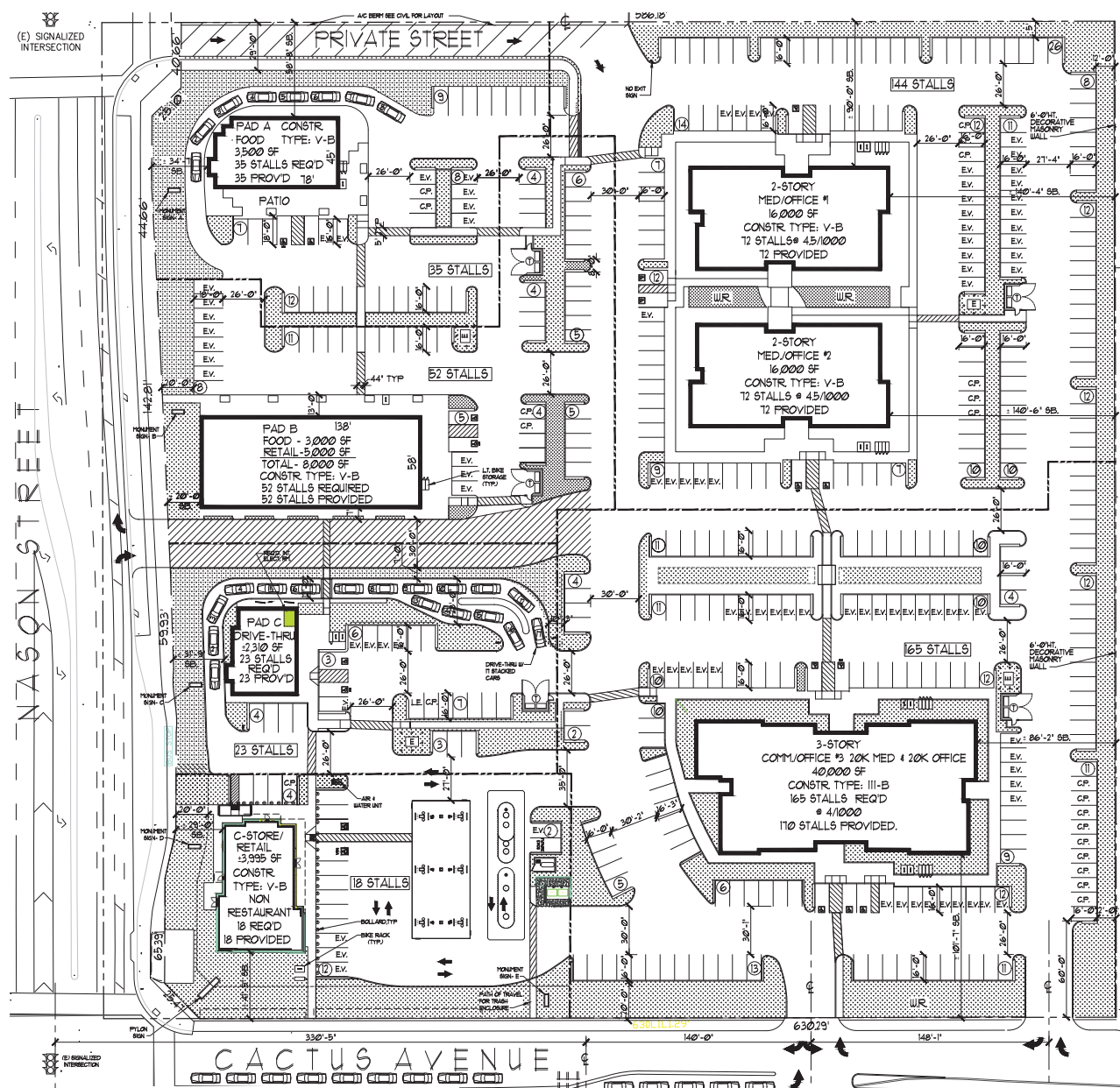
DISCLAIMER: THE DIGITAL CONCEPT CADD SITE PLAN GROUP (RED) IS FOR THE USE ONLY BY HUITT-ZOLLER CIVIL ENGINEERING DOCUMENTS ON THE PROJECT. MEA RED HERS AND HAVE USE IS GRANTED TO HUITT-ZOLLERS, INC. ONLY; USE OF THE DIGITAL CA NOT GRANTED BY RED.

ADA REQUIRE	2
PAD A FOOD	2
PAD B RETAIL	1
PAD C FOOD	1
C-STORE / RETI	6
MED. OFFICE B	6
#1 & #2	19 STALLS
OFFICE BUILDI	211 VAN) STALLS
TOTAL REQUIRE	211 VAN) STALLS
ADA PROVIDE	211 VAN) STALLS
PAD A FOOD	211 VAN) STALLS
PAD B RETAIL	211 VAN) STALLS
PAD C FOOD	211 VAN) STALLS
C-STORE / RETI	211 VAN) STALLS
MED. OFFICE BU	6(2VAN) STALLS
#1 & #2	6(1 VAN) STALLS
OFFICE BUILDI	20 STALLS
TOTAL PROVID	
EV PARKING S	
PAD A FOOD	7
PAD B RETAIL	10
PAD C FOOD	5
C-STORE / RETI	4
MED. OFFICE E	29
#1 & #2	34
OFFICE BUILDI	89
TOTAL PROVID	
EV REQUIRED:	89

LEGEND:

CP.	CA	
EV.	EL	VEHICLES
	SH	31 BICYCLE STALL
	LC	1 BICYCLE STALL

Attachment: Project Plans 1 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street



### NASON STREET AND CACTUS AVENUE CONCEPT PLAN MORENO VALLEY, RIVERSIDE COUNTY, CA

UPDATED: 04/06/23

R-E-D Architectura  
 PLANNING ARCHITECTURE  
 3436 VERDUGO ROAD, SUITE 200, GLENDALE  
 P. 818.957.7765 ■ 818.957



**SOUTH ELEVATION**  
SCALE : 1/8"=1'-0"



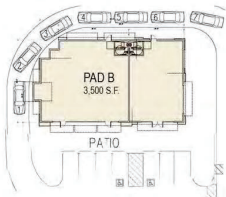
**EAST ELEVATION**  
SCALE : 1/8"=1'-0"



**NORTH ELEVATION**  
SCALE : 1/8"=1'-0"



**WEST ELEVATION**  
SCALE : 1/8"=1'-0"



**FLOOR PLAN**  
SCALE: 1/32"=1'-0"

**MATERIAL LEGEND:**

- 1) PLASTER FINISH
- 2) BRICK VENEER
- 3) STOREFRONT
- 4) METAL TRIM / CANOPY / OVERHANG
- 5) METAL AWNINGS
- 6) GFRC BUILDING BASE AND MOULDING
- 7) SPANDREL GLASS
- 8) STEEL LATTICE
- 9) METAL SIDINGS ACCENT
- 10) WOOD DOOR
- 11) EXTERIOR LIGHT FIXTURE

**FINISH LEGEND:**

- A) SW 0050 "CLASSIC LIGHT BUFF" BY SHERWIN WILLIAMS
- B) SW 6148 "WOOL SKEIN" BY SHERWIN WILLIAMS
- C) SW 7038 "TONY TAUPE" BY SHERWIN WILLIAMS
- D) SW 6135 "ECRU" BY SHERWIN WILLIAMS
- E) V951 "WHITE" BY VIRACON
- F) #27 "TORINO" SAND FINISH BY PACIFIC STONE
- G) #40 "BIANCO" SAND FINISH BY PACIFIC STONE
- H) BELCREST 560 THIN BRICK BY BELDEN BRICK CO
- I) CORTEN METAL AWNINGS
- J) 6" DARK FIR METAL SIDINGS ACCENT BY LONGBOARD
- K) FAUX WOOD METAL AWNINGS BY B & C AWNINGS
- L) DARK BRONZE (50) METAL SHEETS BY METAL SALES
- M) DARK BRONZE ANODIZED BY KAWNEER
- N) STEEL GREEN SCREEN
- O) 21" HIGH COASTAL BLACK, FUSE OUTDOOR WALL SCENCE BY LITHOLOGY
- P) 77002 NANTUCKET BY SIMPSON DOOR COMPANY



**KEY PLAN**

Attachment: Project Plans 1 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street

**ELEVATIONS - PAD A & PAD C**

**NASON STREET AND CACTUS AVENUE  
MORENO VALLEY, RIVERSIDE COUNTY, CA**

DATE: 06.06.2022  
PROJECT NUMBER: 486.1801.01

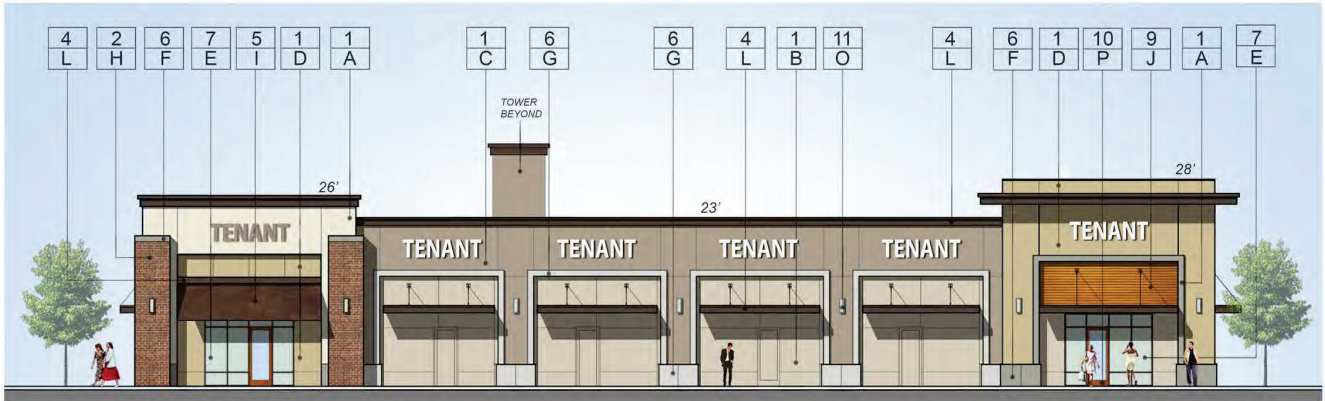
**R-E-D Architectural Group**  
PLANNING ■ ARCHITECTURE ■ INTERIORS  
3436 N. VERDUGO ROAD, SUITE 200, MORENO VALLEY, CA 91208  
P 918.957.7765 ■ 918.957.7767



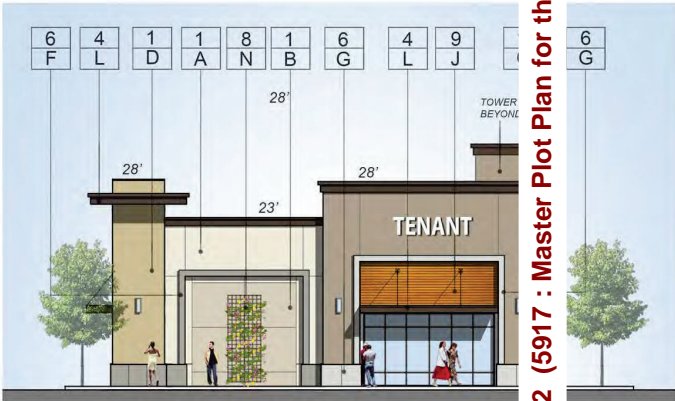
**NORTH ELEVATION**  
SCALE : 1/8"=1'-0"



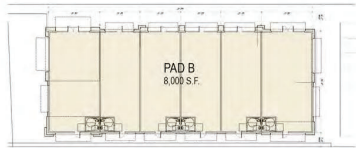
**WEST ELEVATION**  
SCALE : 1/8"=1'-0"



**SOUTH ELEVATION**  
SCALE : 1/8"=1'-0"



**EAST ELEVATION**  
SCALE : 1/8"=1'-0"



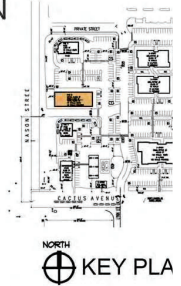
**FLOOR PLAN**  
SCALE: 1/32"=1'-0"

**MATERIAL LEGEND:**

- 1) PLASTER FINISH
- 2) BRICK VENEER
- 3) STOREFRONT
- 4) METAL TRIM / CANOPY / OVERHANG
- 5) METAL AWNINGS
- 6) GFRC BUILDING BASE AND MOULDING
- 7) SPANDREL GLASS
- 8) STEEL LATTICE
- 9) METAL SIDINGS ACCENT
- 10) WOOD DOOR
- 11) EXTERIOR LIGHT FIXTURE

**FINISH LEGEND:**

- A) SW 0050 "CLASSIC LIGHT BUFF" BY SHERWIN WILLIAMS
- B) SW 6148 "WOOL SKEIN" BY SHERWIN WILLIAMS
- C) SW 7038 "TONY TAUPE" BY SHERWIN WILLIAMS
- D) SW 6135 "ECRU" BY SHERWIN WILLIAMS
- E) V951 "WHITE" BY VIRACON
- F) #27 "TORINO" SAND FINISH BY PACIFIC STONE
- G) #40 "BIANCO" SAND FINISH BY PACIFIC STONE
- H) BELCREST 560 THIN BRICK BY BELDEN BRICK CO.
- I) CORTEN METAL AWNINGS
- J) 6" DARK FIR METAL SIDINGS ACCENT BY LONGBOARD
- K) FAUX WOOD METAL AWNINGS BY B & C AWNINGS
- L) DARK BRONZE (50) METAL SHEETS BY METAL SALES
- M) DARK BRONZE ANODIZED BY KAWNEER
- N) STEEL GREEN SCREEN
- O) 21" HIGH COASTAL BLACK, FUSE OUTDOOR WALL SCENCE BY LITHOLOGY
- P) 77002 NANTUCKET BY SIMPSON DOOR COMPANY



**KEY PLAN**

Attachment: Project Plans 1 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street

**ELEVATIONS - PAD B**

**NASON STREET AND CACTUS AVENUE  
MORENO VALLEY, RIVERSIDE COUNTY, CA**

DATE: 06.06.2022  
PROJECT NUMBER: 486.1801.01

**R-E-D Architectural Group**  
PLANNING ■ ARCHITECTURE ■ INTERIORS  
3436 N. VERDUGO ROAD, SUITE 200, MORENO VALLEY, CA 91208  
P 918 957 7765 ■ 918 957 7766

**COLORS & MATERIALS**



A) SW 0050  
"CLASSIC LIGHT BUFF"  
BY SHERWIN WILLIAMS



B) SW 6148  
"WOOL SKEIN"  
BY SHERWIN WILLIAMS



C) SW 7038  
"TONY TAUPE"  
BY SHERWIN WILLIAMS



D) SW 6135  
"ECRU"  
BY SHERWIN WILLIAMS



E) V951 WHITE  
BY VIRACON



F) #27 TORINO  
SAND FINISH BY  
PACIFIC STONE



G) #40 BIANCO  
SAND FINISH BY  
PACIFIC STONE



H) BELCREST 560  
THIN BRICK BY  
BELDEN BRICK CO.



I) CORTEN METAL  
AWNINGS



J) 6" DARK FIR METAL  
SIDINGS ACCENT  
BY LONGBOARD



K) FAUX WOOD METAL  
AWNINGS BY B & C  
AWNINGS



L) DARK BRONZE (50)  
METAL SHEETS BY  
METAL SALES



M) DARK BRONZE  
ANODIZED BY  
KAWNEER



N) GREEN SCREEN



O) 21" H COASTAL BLK  
FUSE OUTDOOR WALL  
SCONCE BY LIGHTOLOGY



P) 77002 NANTUCKET BY  
SIMPSON DOOR COMPANY

**MATERIAL LEGEND:**

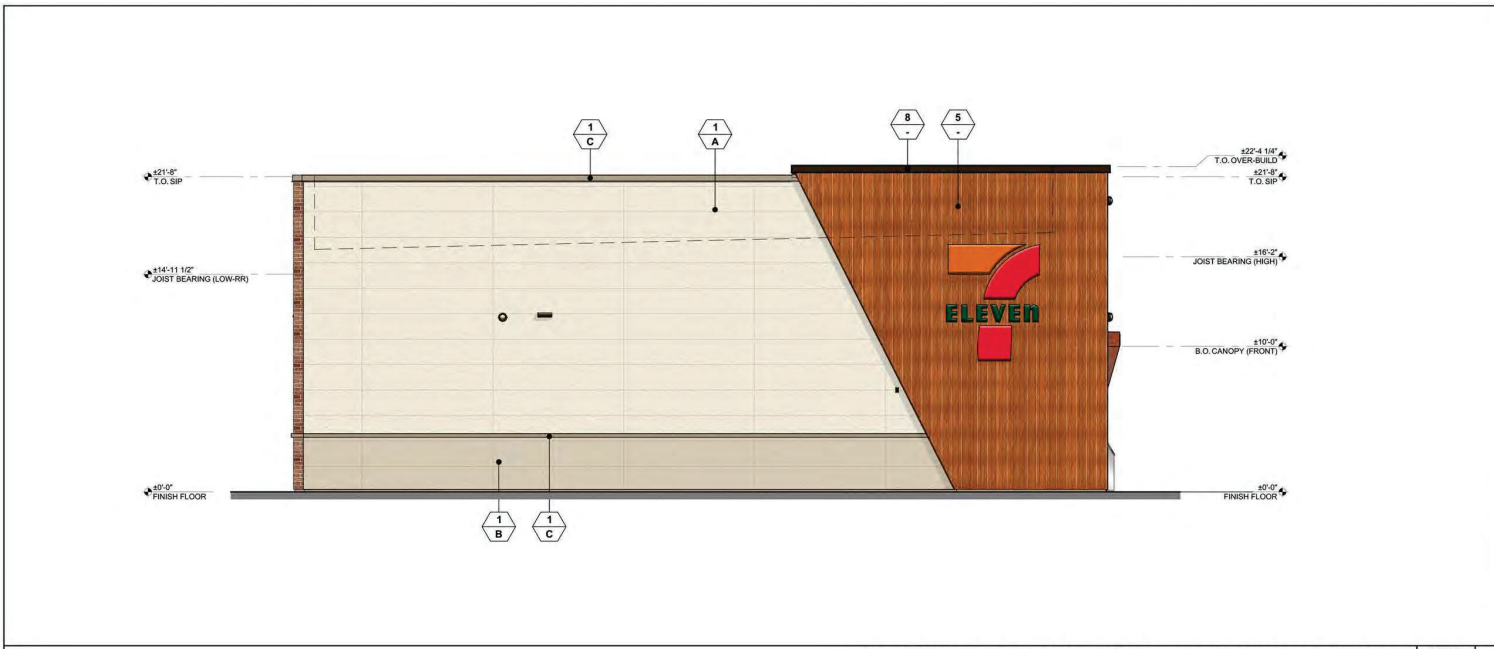
- 1) PLASTER FINISH
- 2) BRICK VENEER
- 3) STOREFRONT
- 4) METAL TRIM / CANOPY / OVERHANG
- 5) METAL AWNINGS
- 6) GFRC BUILDING BASE AND MOULDING
- 7) SPANDREL GLASS
- 8) STEEL LATTICE
- 9) METAL SIDINGS ACCENT
- 10) WOOD DOOR
- 11) EXTERIOR LIGHT FIXTURE

**FINISH LEGEND:**

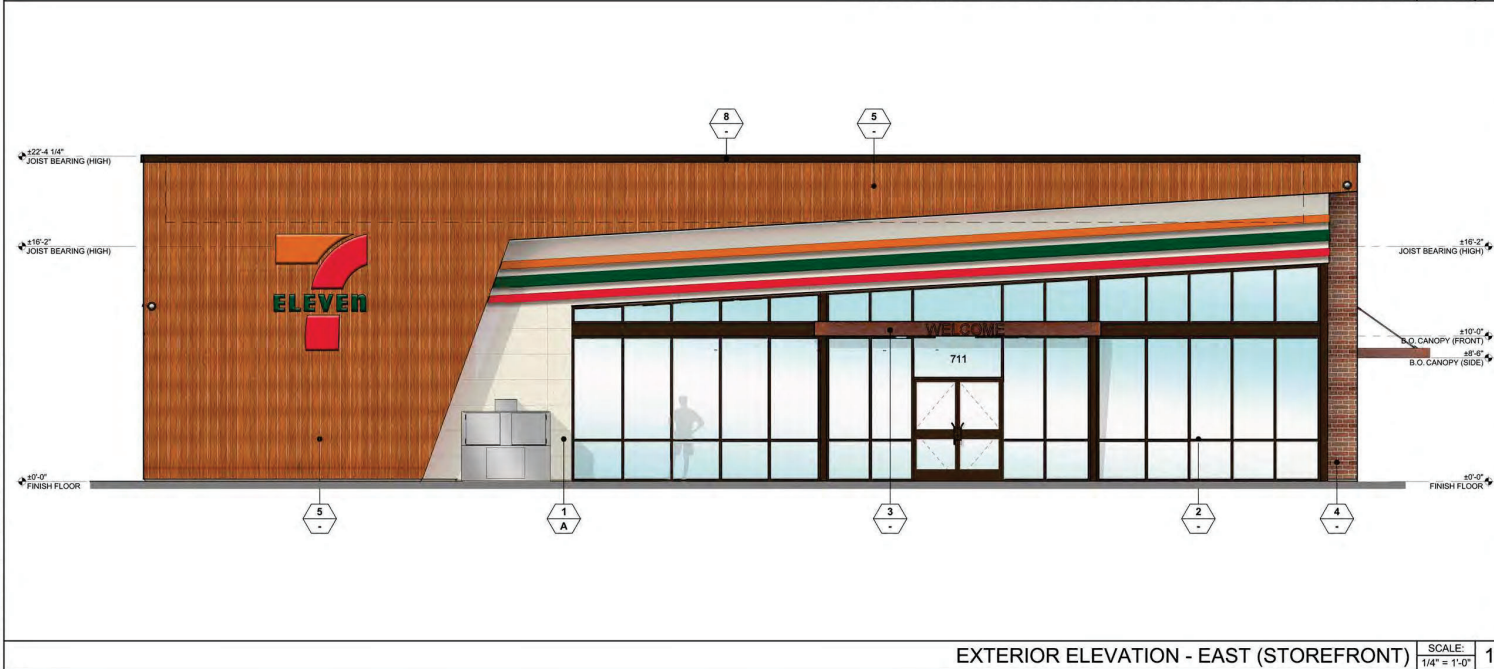
- A) SW 0050 "CLASSIC LIGHT BUFF" BY SHERWIN WILLIAMS
- B) SW 6148 "WOOL SKEIN" BY SHERWIN WILLIAMS
- C) SW 7038 "TONY TAUPE" BY SHERWIN WILLIAMS
- D) SW 6135 "ECRU" BY SHERWIN WILLIAMS
- E) V951 "WHITE" BY VIRACON
- F) #27 "TORINO" SAND FINISH BY PACIFIC STONE
- G) #40 "BIANCO" SAND FINISH BY PACIFIC STONE
- H) BELCREST 560 THIN BRICK BY BELDEN BRICK CO.
- I) CORTEN METAL AWNINGS
- J) 6" DARK FIR METAL SIDINGS ACCENT BY LONGBOARD
- K) FAUX WOOD METAL AWNINGS BY B & C AWNINGS
- L) DARK BRONZE (50) METAL SHEETS BY METAL SALES
- M) DARK BRONZE ANODIZED BY KAWNEER
- N) STEEL GREEN SCREEN
- O) 21" HIGH COASTAL BLACK, FUSE OUTDOOR WALL SCONCE BY LIGHTOLOGY
- P) 77002 NANTUCKET BY SIMPSON DOOR COMPANY

Attachment: Project Plans 1 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street





EXTERIOR ELEVATION - SOUTH (FACING CACTUS AVE.) SCALE: 1/4" = 1'-0" 2



EXTERIOR ELEVATION - EAST (STOREFRONT) SCALE: 1/4" = 1'-0" 1

MATERIAL SAMPLES

CLASSIC LIGHT BUFF - SW0050 SHERWIN WILLIAMS	DARK FIR 6" LONGBOARD SIDING
WOOL SKEIN SW6148 SHERWIN WILLIAMS	BELCREST 560 THIN BR BELDEN BRICK CO.
TONY TAUPE SW7038 SHERWIN WILLIAMS	ANODIZED DARK BRON KAWNEER
CORTEN METAL AWNING	PANTONE PQ-440C BOLLARD COVER, TY

FINISHES

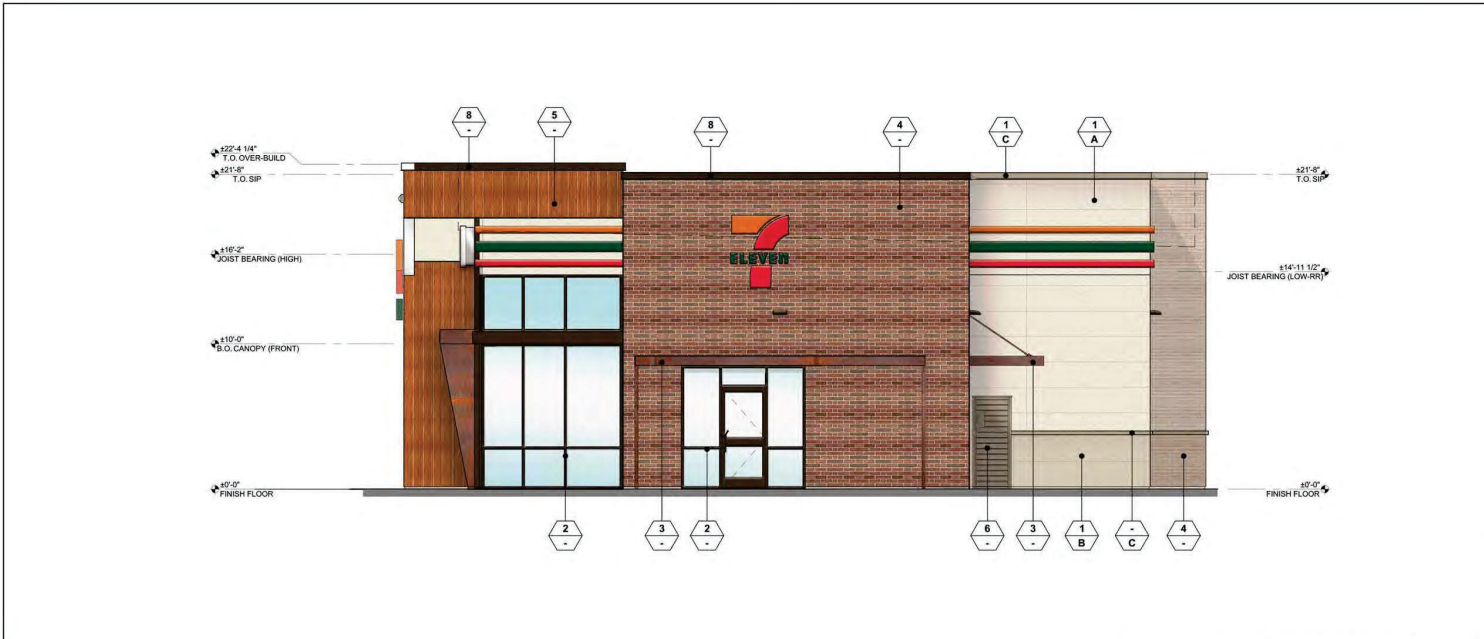
- 1 - EXTERIOR CEMENT PLASTER OVER 3.4# EXP. DIAMOND MESH OVER "TYVEK" COMMERCIAL WRAP OVER 15# BUILDING PAPERS  
MFR: LA HABRA STUCCO  
A LIGHT DASH MACHINE APPLY
- 2 - ALUMINUM STOREFRONT FRAME SYSTEM  
FINISH: DARK BRONZE ANODIZED  
MFR: KAWNEER
- 3 - ALUMINUM CANOPY  
FINISH: CORTEN DARK BRONZE  
MFR: T.B.D.
- 4 - THIN BRICK VENEER  
FINISH: BELCREST 560  
MFR: BELDEN BRICK CO.
- 5 - FAUX WOOD METAL SIDING  
FINISH: DARK FIR METAL LONGBOARD  
MFR: T.B.D.
- 6 - METAL ELECTRICAL SWITCHGEAR CABINET  
FINISH: T.B.D.  
MFR: T.B.D.
- 7 - PARKING BOLLARD PLASTIC COVER  
FINISH: BROWN - PANTONE 'PQ-440C'  
MFR: T.B.D.
- 8 - PRE-FINISHED METAL COPING & COMPRESSION EDGE  
FINISH: MEDIUM BRONZE  
MFR: DURO-LAST

MATERIAL SAMPLES

CLASSIC LIGHT BUFF - SW 0050 SHERWIN WILLIAMS	TONY TAUPE - SW 7038 SHERWIN WILLIAMS
WOOL SKEIN - SW 6148 SHERWIN WILLIAMS	

Attachment: Project Plans 1 of 2 (5917) : Master Plot Plan for the Cactus Avenue and Nason Street

<p>7-ELEVEN, INC. 3200 HICKORY RD. IRVING, TEXAS 75063 7-ELEVEN #1044705 NASON ST. &amp; CACTUS AVE. MIDLAND VALLEY, CA 92555</p>		<p>EXTERIOR ELEVATIONS</p>	
<p>Job#: SET1410</p>	<p>Scale: AS NOTED</p>	<p>Date: 03/21/2022</p>	<p>Drawn By: KJ</p>
<p>Checked By: LR</p>	<p>06</p>		
<p>SHEET:</p>			



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

MATERIAL SAMPLES

*CLASSIC LIGHT BUFF' SW0050 SHERWIN WILLIAMS	DARK FIR 6" LONGBOARD SIDING
'WOOL SKEIN' SW6148 SHERWIN WILLIAMS	BELCREST 560 THIN BR BELDEN BRICK CO.
'TONY TAUPE' SW7038 SHERWIN WILLIAMS	ANODIZED DARK BRON KAWNEER
CORTEN METAL AWNING	PANTONE PQ-440C BOLLARD COVER, TYF



EXTERIOR ELEVATION - WEST (FACING NASON ST.) SCALE: 1/4" = 1'-0" 1

FINISHES

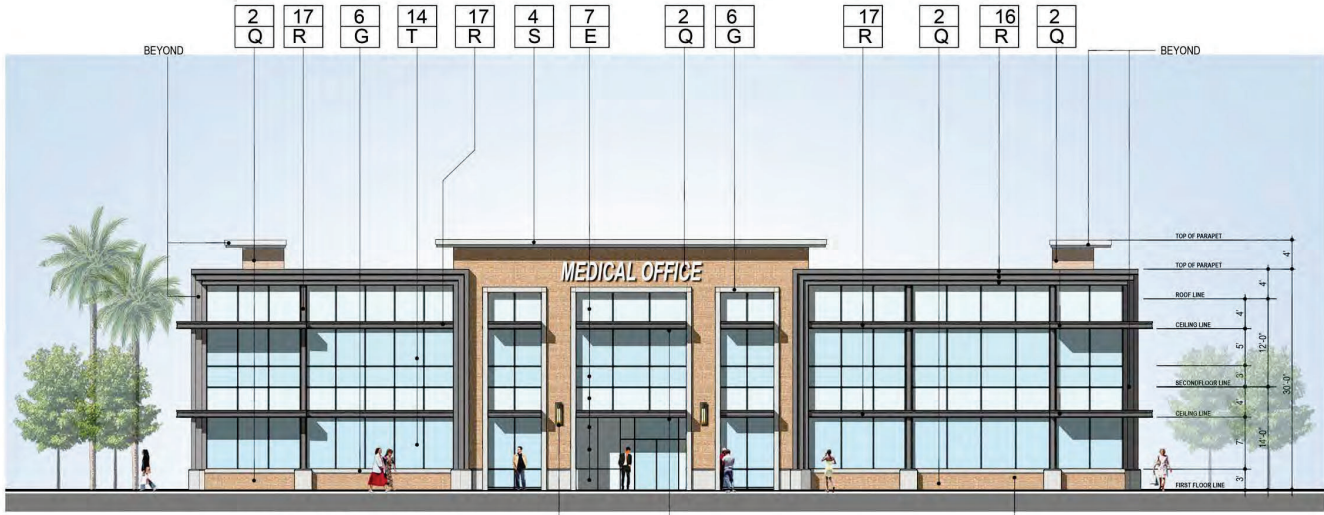
- 1 - 2" EXTERIOR CEMENT PLASTER OVER 3.4# EXP. DIAMOND MESH OVER 'TYVEK' COMMERCIAL WRAP OVER 15# BUILDING PAPERS  
MFR: LA HABRA STUCCO  
A LIGHT DASH MACHINE APPLY
- 2 - ALUMINUM STOREFRONT FRAME SYSTEM  
FINISH: DARK BRONZE ANODIZED  
MFR: KAWNEER
- 3 - ALUMINUM CANOPY  
FINISH: CORTEN DARK BRONZE  
MFR: T.B.D.
- 4 - THIN BRICK VENEER  
FINISH: BELCREST 560  
MFR: BELDEN BRICK CO.
- 5 - FAUX WOOD METAL SIDING  
FINISH: DARK FIR METAL  
MFR: LONGBOARD
- 6 - GALVANIZED SHEET METAL COPING; PAINTED  
FINISH: T.B.D.  
MFR: T.B.D.
- 7 - PARKING BOLLARD PLASTIC COVER  
FINISH: BROWN - PANTONE 'PQ-440C'  
MFR: T.B.D.
- 8 - PRE-FINISHED METAL COPING & COMPRESSION EDGE  
FINISH: MEDIUM BRONZE  
MFR: DURO-LAST

MATERIAL SAMPLES

CLASSIC LIGHT BUFF - SW 0050 SHERWIN WILLIAMS	TONY TAUPE - SW 7038 SHERWIN WILLIAMS
WOOL SKEIN - SW 6148 SHERWIN WILLIAMS	

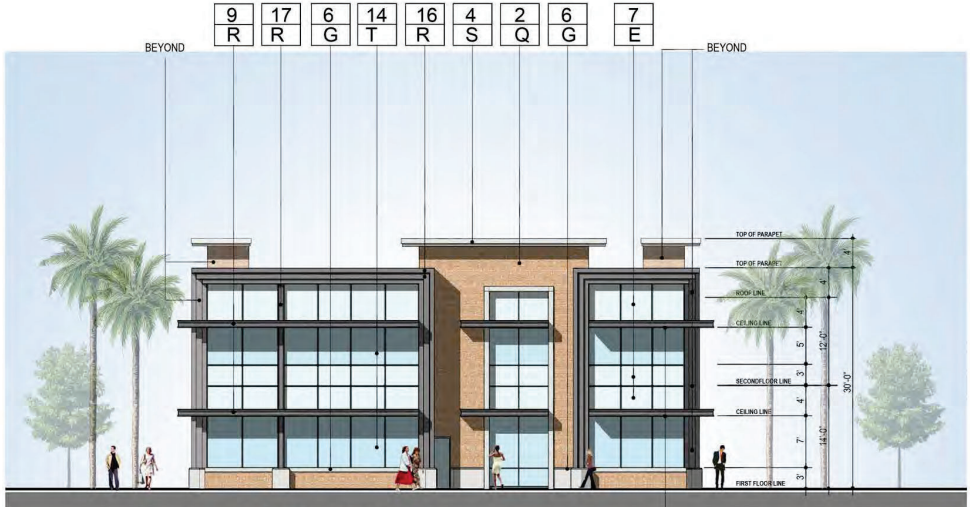
Attachment: Project Plans 1 of 2 (5917) : Master Plot Plan for the Cactus Avenue and Nason Street

<p>7-ELEVEN, INC. 3200 HACKBERRY RD. IRVING, TEXAS 75063</p> <p>7-ELEVEN #1044705 7000 N. TROBROOK DRIVE MORNING VALLEY, CA 92555</p>	<p>EXTERIOR ELEVATIONS</p>
<p>700 N. TROBROOK DRIVE SUNNYVALE, CA 95088</p> <p>717.660.0077 www.7-eleven.com</p> <p>LAIT Since 1960</p>	<p>Job#: SE11410</p> <p>Scale: AS NOTED</p> <p>Date: 03/21/2022</p> <p>Drawn By: KJ</p> <p>Checked By: LR</p>
<p>© 2017 A ASSOCIATES 2022 ALL RIGHTS RESERVED</p>	<p>07</p>



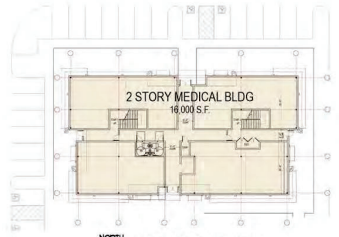
**NORTH ELEVATION**  
SCALE : 1/8"=1'-0"

11 O  
9 J CANOPY CEILING FINISH TYP.  
6 G

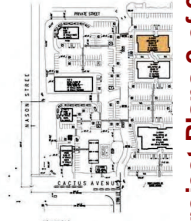


**WEST ELEVATION**  
SCALE : 1/8"=1'-0"

9 J CANOPY CEILING FINISH TYP.



**FLOOR PLAN**  
SCALE: 1/32"=1'-0"



**KEY PLAN**

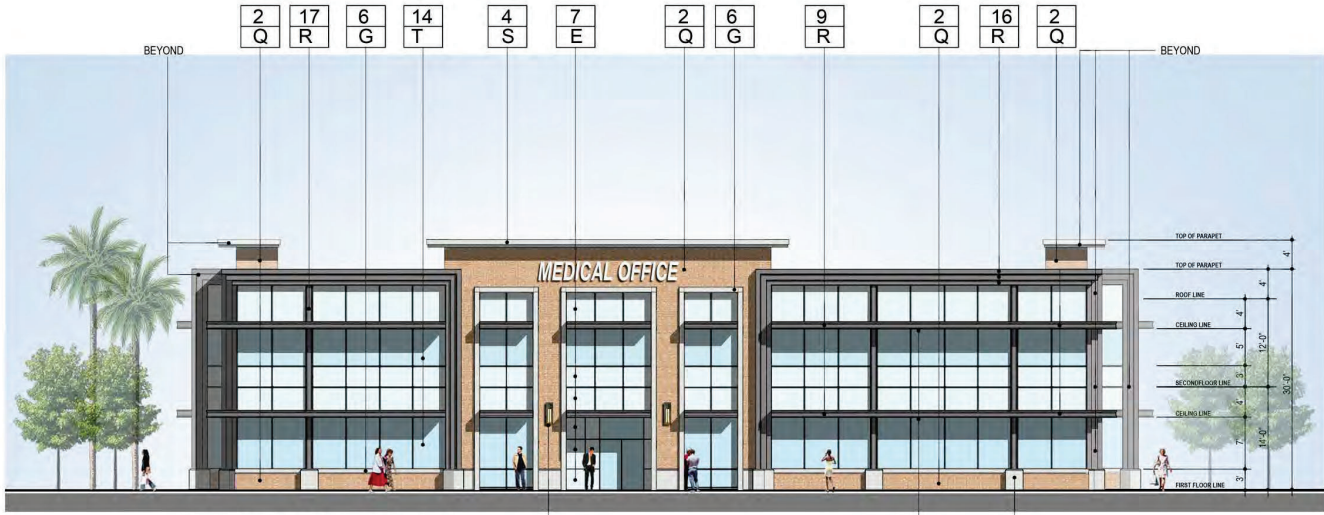
**MATERIAL LEGEND:**

- 1) PLASTER FINISH
- 2) BRICK VENEER
- 3) STOREFRONT
- 4) METAL TRIM / CANOPY / OVERHANG
- 5) METAL AWNINGS
- 6) GFRG BUILDING BASE AND MOULDING
- 7) BUTT- JOINT FRITTED SPANDREL GLASS
- 8) STEEL LATTICE
- 9) METAL CANOPIES
- 10) WOOD DOOR
- 11) EXTERIOR LIGHT FIXTURE
- 12) CONCRETE MASONRY UNIT
- 13) STEEL TUBE / CHANNEL CANOPY / CHAIR
- 14) BUTT- JOINT VISION GLASS
- 15) GLASS GUARDRAIL W/ 2" ROUND ALUM
- 16) FIBER COMPOSITE PAINTED ACCENT PA
- 17) BREAK METAL ENCLOSURE PAINTED BA

**FINISH LEGEND:**

- A) SW 0050 "CLASSIC LIGHT BUFF" BY SHERWIN
- B) SW 6148 "WOOL SKEIN" BY SHERWIN WILLIAMS
- C) SW 7038 "TONY TAUPE" BY SHERWIN WILLIAMS
- D) SW 6135 "ECRU" BY SHERWIN WILLIAMS
- E) V951 "WHITE" BY VIRACON
- F) #16 "GRIGIO" SAND FINISH BY PACIFIC STON
- G) #40 "BIANCO" SAND FINISH BY PACIFIC STON
- H) BELCREST 560 THIN BRICK BY BELDEN BRICK
- I) CORTEN METAL AWNINGS
- J) 6" DARK FIR METAL SIDINGS ACCENT BY LO
- K) FAUX WOOD METAL AWNINGS BY B & C AW
- L) DARK BRONZE (50) METAL SHEETS BY MET
- M) DARK BRONZE ANODIZED BY KAWNEER
- N) STEEL GREEN SCREEN
- O) 21" HIGH COASTAL BLACK, FUSE OUTDOOR WALL SCNCE BY LITHOL
- P) 77002 NANTUCKET BY SIMPSON DOOR COM
- Q) 2-1/4" MODULAR COMMERCIAL BRICK "GOLDEN BUFF" BY INTERSTATE BRICK
- R) SW 6256 "SERIOUS GRAY" BY SHERWIN WIL
- S) SW 6182 "ETHEREAL" BY SHERWIN WILLIAM
- T) VISION GLASS BY VIRACON
- U) CITYSCAPE BY BERRIDGE

Attachment: Project Plans 2 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street



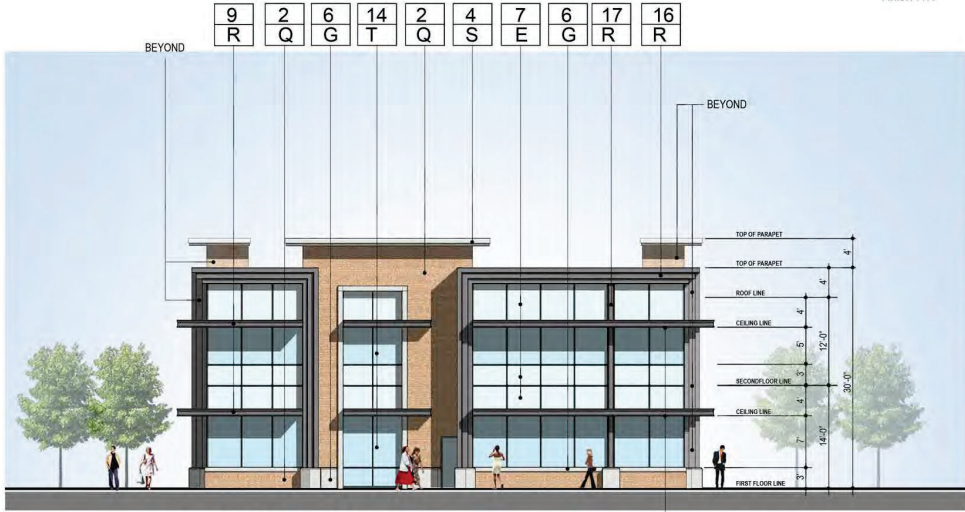
**SOUTH ELEVATION**  
SCALE : 1/8"=1'-0"

11  
O

9  
J

CANOPY CEILING  
FINISH TYP.

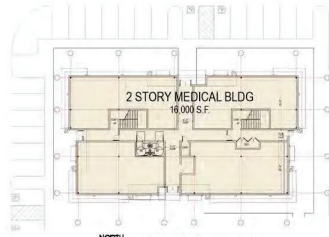
6  
G



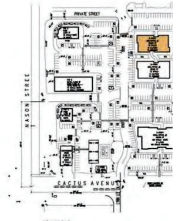
**EAST ELEVATION**  
SCALE : 1/8"=1'-0"

9  
J

CANOPY CEILING  
FINISH TYP.



**FLOOR PLAN**  
SCALE: 1/32"=1'-0"



**KEY PLAN**

**MATERIAL LEGEND:**

- 1) PLASTER FINISH
- 2) BRICK VENEER
- 3) STOREFRONT
- 4) METAL TRIM / CANOPY / OVERHANG
- 5) METAL AWNINGS
- 6) GFRC BUILDING BASE AND MOULDING
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Attachment: Project Plans 2 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street

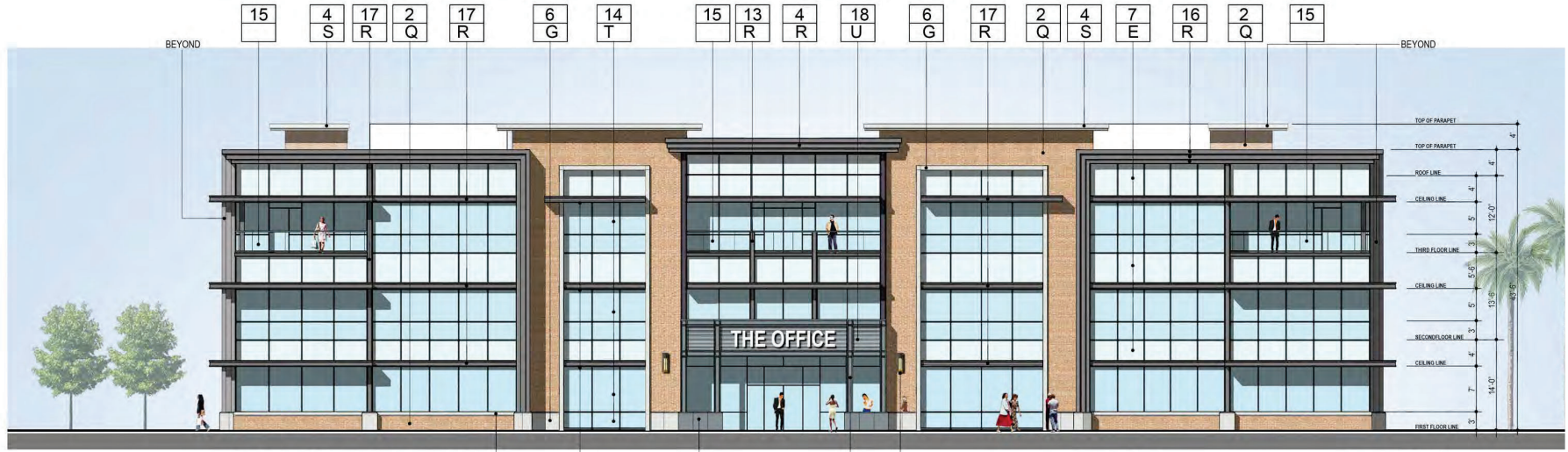


RED PROJECT NUMBER: 486.1801.01

**SOUTH & EAST ELEVATIONS - 3 STORY OFFICE BUILDING**  
**NASON STREET AND CACTUS AVENUE CONCEPT PLAN**  
**MORENO VALLEY, RIVERSIDE COUNTY, CA**

DATE: 11/18/21

**R-E-D Architectural Group**  
PLANNING ARCHITECTURE INTERIORS  
3436 VERDUGO ROAD, SUITE 200, GLENTELE, CA 91208  
P 818.957.7765 F 818.957.7766



**NORTH ELEVATION**  
SCALE : 1/8"=1'-0"

6 G 9 J CANOPY CEILING FINISH TYP. 6 F 13 R 11 O

**MATERIAL LEGEND:**

- 1) PLASTER FINISH
- 2) BRICK VENEER
- 3) STOREFRONT
- 4) METAL TRIM / CANOPY / OVERHANG
- 5) METAL AWNINGS
- 6) GFRC BUILDING BASE AND MOULDING
- 7) BUTT- JOINT FRITTED SPANDREL GLASS
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- 12) CONCRETE MASONRY UNIT
- 13) STEEL TUBE / CHANNEL CANOPY / CHANNEL BAND
- 14) BUTT- JOINT VISION GLASS
- 15) GLASS GUARDRAIL W/ 2" ROUND ALUM RAILING
- 16) FIBER COMPOSITE PAINTED ACCENT PANELS
- 17) BREAK METAL ENCLOSURE PAINTED BAND
- 18) METAL CLADDING PAINTED

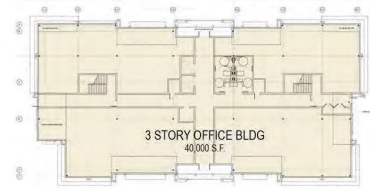
**FINISH LEGEND:**

- A) SW 0050 "CLASSIC LIGHT BUFF" BY SHERWIN
- B) SW 6148 "WOOL SKEIN" BY SHERWIN WILLIAMS
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- P) 77002 NANTUCKET BY SIMPSON DOOR CO
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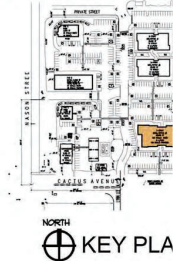


**WEST ELEVATION**  
SCALE : 1/8"=1'-0"

9 J CANOPY CEILING FINISH TYP.



**FLOOR PLAN**  
SCALE: 1/32"=1'-0"



**KEY PLAN**



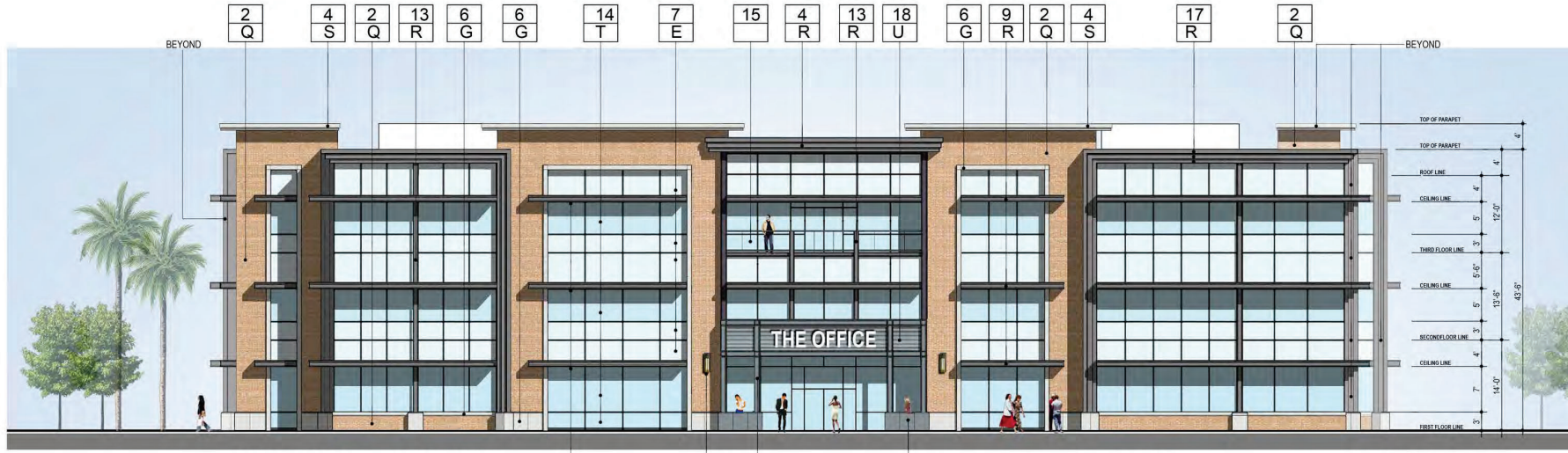
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P 818.957.7765 ■ 818 7 F

Attachment: Project Plans 2 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street



**SOUTH ELEVATION**  
SCALE : 1/8"=1'-0"

9 J CANOPY CEILING FINISH TYP. 11 O 13 R 6 F

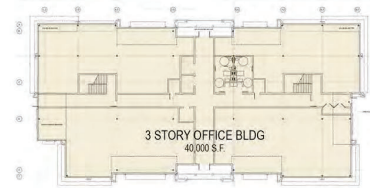
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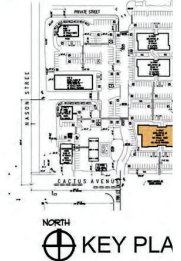


**EAST ELEVATION**  
SCALE : 1/8"=1'-0"

9 J CANOPY CEILING FINISH TYP.



**FLOOR PLAN**  
SCALE: 1/32"=1'-0"



**KEY PLAN**



RED PROJECT NUMBER: 486.1801.01

**SOUTH & EAST ELEVATIONS - 3 STORY OFFICE BUILDING**  
**NASON STREET AND CACTUS AVENUE CONCEPT PLAN**  
**MORENO VALLEY, RIVERSIDE COUNTY, CA**

DATE: 11/18/21

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3436 VERDUGO ROAD, SUITE 200, GLENVIEW, CA 91208  
P 818.957.7765 ■ 818.910.9100

Attachment: Project Plans 2 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street

**COLORS & MATERIALS**



A) SW 0050  
"CLASSIC LIGHT BUFF"  
BY SHERWIN WILLIAMS



B) SW 6148  
"WOOL SKEIN"  
BY SHERWIN WILLIAMS



C) SW 7038  
"TONY TAUPE"  
BY SHERWIN WILLIAMS



D) SW 6135  
"ECRU"  
BY SHERWIN WILLIAMS



E) V951 WHITE  
BY VIRACON



F) #16 GRIGIO  
SAND FINISH BY  
PACIFIC STONE



G) #40 BIANCO  
SAND FINISH BY  
PACIFIC STONE



H) BELCREST 560  
THIN BRICK BY  
BELDEN BRICK CO.



I) CORTEN METAL  
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J) 6" DARK FIR METAL  
SIDINGS  
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K) FAUX WOOD METAL  
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Q) 2-1/4" MODULAR  
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INTERSTATE BRICK



R) SW 6256  
"SERIOUS GRAY"  
BY SHERWIN WILLIAMS



S) SW 6182  
"ETHEREAL"  
BY SHERWIN WILLIAMS



T) VISION GLASS  
BY VIRACON



U) ZINC GRAY  
BY BERRIDGE

**MATERIAL LEGEND:**

- 1) PLASTER FINISH
- 2) BRICK VENEER
- 3) STOREFRONT
- 4) METAL TRIM / CANOPY / OVERHANG
- 5) METAL AWNINGS
- 6) GFRG BUILDING BASE AND MOULDING
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- 11) EXTERIOR LIGHT FIXTURE
- 12) CONCRETE MASONRY UNIT
- 13) STEEL COLUMN / CHANNEL CANOPY
- 14) BUTT- JOINT VISION GLASS
- 15) GLASS GUARDRAIL W/ 2" ROUND ALUMINUM RAILING
- 16) FIBER COMPOSITE PAINTED ACCENT PANELS
- 17) BREAK METAL ENCLOSURE PAINTED
- 18) METAL CLADDING PAINTED

**FINISH LEGEND:**

- A) SW 0050 "CLASSIC LIGHT BUFF" BY SHERWIN WILLIAMS
- B) SW 6148 "WOOL SKEIN" BY SHERWIN WILLIAMS
- C) SW 7038 "TONY TAUPE" BY SHERWIN WILLIAMS
- D) SW 6135 "ECRU" BY SHERWIN WILLIAMS
- E) V951 "WHITE" BY VIRACON
- F) #16 "GRIGIO" SAND FINISH BY PACIFIC STONE
- G) #40 "BIANCO" SAND FINISH BY PACIFIC STONE
- H) BELCREST 560 THIN BRICK BY BELDEN BRICK CO.
- I) CORTEN METAL AWNINGS
- J) 6" DARK FIR METAL SIDINGS ACCENT BY LONGBOARD
- K) FAUX WOOD METAL AWNINGS BY B & C AWNINGS
- L) DARK BRONZE (50) METAL SHEETS BY METAL SALES
- M) DARK BRONZE ANODIZED BY KAWNEER
- N) STEEL GREEN SCREEN
- O) 21" HIGH COASTAL BLACK, FUSE OUTDOOR WALL SCONCE BY LIGHTOLOGY
- P) 77002 NANTUCKET BY SIMPSON DOOR COMPANY
- Q) 2-1/4" MODULAR COMMERCIAL BRICK "GOLDEN BUFF" BY INTERSTATE BRICK
- R) SW 6256 "SERIOUS GRAY" BY SHERWIN WILLIAMS
- S) SW 6182 "ETHEREAL" BY SHERWIN WILLIAMS
- T) VISION GLASS BY VIRACON
- U) ZINC GRAY BY BERRIDGE

Attachment: Project Plans 2 of 2 (5917 : Master Plot Plan for the Cactus Avenue and Nason Street







**PLANT PALETTE**  
Sunset Zone: 9  
Symbol  
TREES

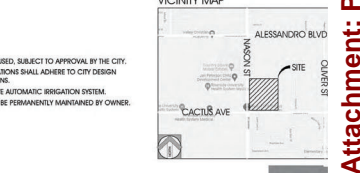
Symbol	Botanical Name	Common Name	WUCOLS Region 4
	<i>Cedrus deodara</i>	Deodar Cedar	M
	<i>Chituba l. 'Pink Dawn'</i>	Pink Dawn Chituba	M
	<i>Cinnamomum camphora</i>	Camphor Tree	M
	<i>Fraxinus o. 'Raywood'</i>	Raywood Ash	M
	<i>Geleera parviflora</i>	Australian Willow	M
	<i>Grigolo b. 'Pincaton Sentry'</i>	Pincaton Sentry Grigolo	M
	<i>Gleditsia nectarifera</i>	Honey Locust	Lo
	<i>Koeleria paniculata</i>	Golden Rain Tree	Lo
	<i>Pinus contorta</i>	Canary Island Pine	M
	<i>Pinus caleyana 'Chandler'</i>	Chandler's Pear	M
	<i>Quercus coccoloba</i>	Scarlet Oak	M
	<i>Rhoisophora l. 'Majestic Beauty'</i>	Majestic Beauty Hawthorn	Lo
	<i>Rhus kneri</i>	Alfalfa Sumac	Lo

**SHRUBS**

Symbol	Botanical Name	Common Name	WUCOLS Region 4
	<i>Abies Blue Elf</i>	Blue Elf Abies	Low
	<i>Argemone flabida</i>	Kingpin Flower	Low
	<i>Arctostaphylos densiflora</i>	Sonoma Manzanita	Low
	<i>Baccharis p. 'Steno-Ambrosia'</i>	Blue Grama	Low
	<i>Callitriche californica</i>	Raja Fairy Duff	Low
	<i>Castilleja v. 'Little John'</i>	Dwarf Broomrape	Low
	<i>Coprosma californica</i>	Bush Anemone	Low
	<i>Cornus Druryi</i>	Red Australian Fuchsia	Low
	<i>Dianella 'Baby Blue'</i>	Baby Blue Dianella	Mod
	<i>Diarrhea 'Little Rev'</i>	Little Rev Dianella	Mod
	<i>Dierma 'Coeur de Lion'</i>	Pink Heart of Heaven	Mod
	<i>Hesperaloe parviflora</i>	Red Yucca	Low
	<i>Lavandula stoechas</i>	Spanish Lavender	Low
	<i>Lantana m. 'New Gold'</i>	Swing Lantana New Gold	Low
	<i>Myoporum parviflorum</i>	Creeching Myoporum	Low
	<i>Punica granatum 'Nand'</i>	Dwarf Pomegranate	Low
	<i>Rhynchosis c. 'Fire Chief'</i>	Red Coffee Berry	Low
	<i>Sakia Greggii 'Hot Lips'</i>	Hot Lips Sakia	Low
	<i>Senecio 'mandarin'</i>	Blue Chalk Senecio	Low
	<i>Silya heterophylla</i>	Australian Bluebell Creeper	Low
	<i>Westringia Blue Gem'</i>	Blue Gem Coast Rosemary	Low
	<i>Ficus purpurea</i>	Creeching Fig	Low
	<i>Macadamia linguic-otti</i>	Coffin Claw Vine	Low

**SCREEN SHRUBS**

Symbol	Botanical Name	Common Name	WUCOLS Region 4
	<i>Alseodaphne hughesii</i>	Blue Hibiscus	Low
	<i>Alseodaphne grandiflora</i>	Alseodaphne	Mod
	<i>Banksia l. 'Atropurpurea'</i>	Red Banksia	Low
	<i>Banksia l. 'Japanica'</i>	Japanese Banksia	Mod
	<i>Eleocharis purpurascens</i>	Silverberry	Mod
	<i>Escallonia alba</i>	Bush Anemone	Low
	<i>Eucalyptus 'Sundance'</i>	Sundance Eucalyptus	Low
	<i>Grewia 'Hazel'</i>	Hazel Grewia	Mod
	<i>Hedera 'Hedgehog'</i>	Hedgehog Hedera	Mod
	<i>Myrica c. compacta</i>	Dwarf Myrica	Mod
	<i>Myrica c. officinalis</i>	Alfalfa Rosewood	Mod
	<i>Plumbago australis</i>	Cape Plumbago	Mod



**LANDSCAPE TABULATION**

REQUIRED LANDSCAPE TOTAL SITE AREA:	368,000 SF
REQUIRED LANDSCAPE AREA (10% TO 50% PARKING SPACING):	36,800 SF
PROVIDED LANDSCAPE AREA:	87,948 SF
SHADING TREES (1 TREE PER 4 STALLS, 436 STALLS):	109
OR 50% MIN. SHADING PROVIDED TREES:	255

PLANT MATERIAL NOT LISTED MAY BE USED, SUBJECT TO APPROVAL BY THE CITY. ALL LANDSCAPE PLANTS AND INSTALLATIONS SHALL ADHERE TO CITY DESIGN GUIDELINES, CODES AND REGULATIONS. ALL LANDSCAPE AREAS SHALL RECEIVE AUTOMATIC IRRIGATION SYSTEM. ALL LANDSCAPE INSTALLATION SHALL BE PERMANENTLY MAINTAINED BY OWNER.

**R-E-D Architectural Group**  
3436 VERDUGO RD, SUITE 200  
GLENDALE, CA

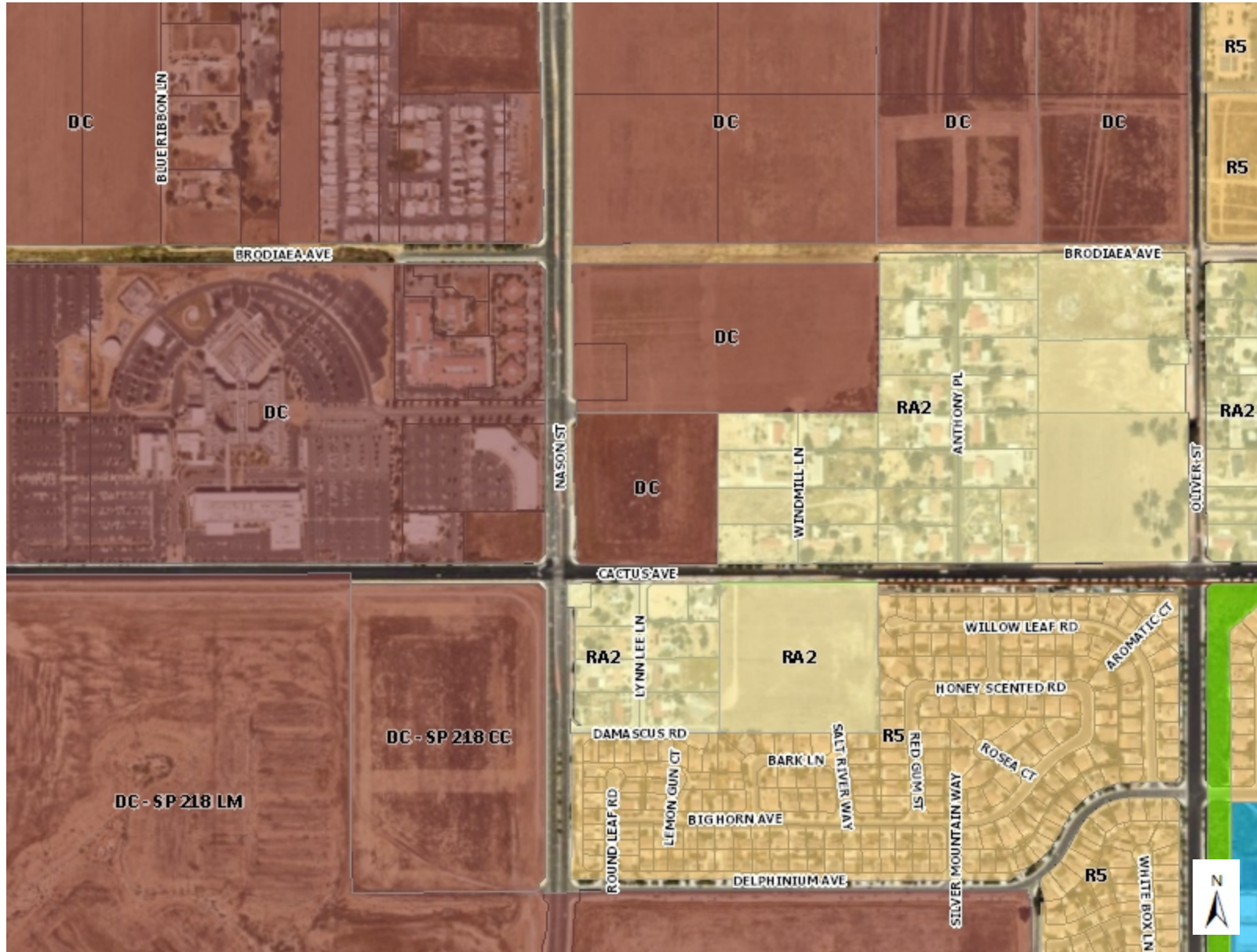
**CONCEPTUAL LANDSCAPE PLAN - OVERALL SITE PLAN**  
**MORENO VALLEY MIXED USE**  
NEC OF CACTUS AVE AND NASON ST  
MORENO VALLEY, CA



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COSTA MESA - ALEXANDRO - SAN JOSE - LAS VEGAS

Attachment: Project Plans 2 of 2 (5917) : Master Plot Plan for the Cactus Avenue and Nason Street

# Zoning Map - DC



### Legend

#### Zoning

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

#### Master Plan of Trails

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

#### Road Labels

- Parcels
- Image Source: Nearmap

### Notes:

1,261.9      0      630.96      1,261.9 Feet

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