



## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Angelica Frausto-Lupo, Community Development Director

**AGENDA DATE:** February 17, 2026

**TITLE:** **APPEAL OF PLANNING COMMISSION'S DENIAL OF GENERAL PLAN AMENDMENT (PEN24-0023), CHANGE OF ZONE (PEN24-0024), CONDITIONAL USE PERMIT (PEN24-0022), AND TENTATIVE TRACT MAP NO. 37858 (PEN24-0021) (REPORT OF: COMMUNITY DEVELOPMENT) (DISTRICT 3)**

**TITLE SUMMARY:** Appeal of Planning Commission's Denial of General Plan Amendment (PEN24-0023), Change of Zone (PEN24-0024), Conditional Use Permit (PEN24-0022), and Tentative Tract Map No. 37858 (PEN24-0021) for the Development of a 37-Lot Single-Family Residential Planned Unit Development.

**DISTRICT:** District 3

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### Recommendation(s)

That the City Council:

1. AFFIRM AND UPHOLD the Planning Commission's denial of the Proposed Project by:
  - A. Adopting Resolution No. 2026-[next in order] affirming and upholding the Planning Commission's denial of the Proposed Project consisting of General Plan Amendment (PEN24-0023), Change of Zone (PEN24-0024), Conditional Use Permit (PEN24-0022), and Tentative Tract Map No. 37858 (PEN24-0021) for the Development of a 37-Lot Single-Family Residential Planned Unit Development (Appeal PAA26-0001); or

2. REVERSE the Planning Commission's denial of the Proposed Project by:

A. Adopting Resolution No. 2026-[next in order]:

i. Approving and adopting the Initial Study/Mitigated Negative Declaration prepared for the Proposed Project, on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the City Council acting on behalf of the Lead Agency 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

ii. Approving and adopting the Mitigation Monitoring and Reporting Program prepared for the Proposed Project.

B. Adopting Resolution No. 2026-[next in order]:

i. Approving General Plan Amendment (PEN24-0023) based on the Recitals, Evidence contained in the Administrative Record and Findings as set forth in Resolution No. 2026-[next in order] and any necessary and corresponding amendment to the City's Zoning Atlas to reflect the proposed changes in the zoning classification and/or redistricting associated with the General Plan Amendment; and

ii. Approving Conditional Use Permit (PEN24-0022) and Tentative Tract Map No. 37858 (PEN24-0021) based on the Recitals, Evidence contained in the Administrative Record and Findings as set forth in Resolution No. 2026-[next in order].

C. Introducing Ordinance No. [next in order] approving Change of Zone (PEN24-0024) and corresponding amendment to the City's Zoning Atlas and the conditions of approval, based on the Recitals, Evidence and Findings contained in the Administrative Record of the proceedings.

## **BACKGROUND**

An Appeal was filed by Shay Mueller of RC Hobbs Companies, (the "Appellant"), appealing the Planning Commission's denial of the Appellant's "Proposed Project" consisting of applications for a General Plan Amendment to change the existing land use designation to Residential (R10) with a Zone Change to change the zoning designation to Residential Single-Family 10 (RS10) District, as well as a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) and a Tentative Tract Map (TTM) for a 4.81-acre site that will be subdivided into 37 single-family residential lots, on the northeast corner of Cactus Avenue and Bradshaw Circle, east of Moreno Beach Drive ("Project Site").

The purpose of the PUD is to establish flexible standards to encourage innovation in housing types and provide amenities not generally found in suburban subdivisions, such as common open spaces and recreational areas. The GPA, along with the CZ, will allow

for the change of the current land use designation from Residential 5 to Residential 10 and the zoning designation from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District, which allows for a maximum density of 10 dwelling units per acre.

On January 8, 2026, the Proposed Project was considered by the Planning Commission at a duly noticed public hearing. The Planning Commission voted 5-1 to deny the requested General Plan Amendment (PEN24-0023) and Change of Zone (PEN24-0024), which effectively resulted in denial of the Proposed Project, since approval of the General Plan Amendment (PEN24-0023) and Change of Zone (PEN24-0024) are prerequisites to approving the Proposed Project's Conditional Use Permit (PEN24-0022), and Tentative Tract Map (PEN24-0021).

The General Plan Amendment (PEN24-0023) and Change of Zone were denied based on the following findings:

- (a) Since the City is a general law city, any zoning ordinance must be consistent with its general plan, so that all land uses and zoning ordinances must be compatible with the objectives, policies, general land uses, and programs specified in the plan;
- (b) The proposed general plan amendment is not in the public interest since the City is currently preparing a comprehensive general plan update, which is anticipated to be considered by the City Council in February or March 2026 with the proposed zoning of the subject site remaining Residential 5 (R5) which has been analyzed under the draft EIR for the general plan update as being zoned Residential 5 (R5);
- (c) Changing the land use designation of the Project Site from Residential 5 (R5) to Residential 10 (R10) would be detrimental to the public interest and convenience, and welfare of the City in that it would be inconsistent with existing low-density residential development adjacent to the west of the proposed project site;
- (d) Increasing the residential zoning density for the project site is not necessary for meeting the City's regional housing needs assessment objectives with respect to affordable housing;
- (e) The proposed general plan amendment is not in the City's best interest in that the City's Pro-Housing Jurisdiction designation received from the California Department of Housing and Community Development is based on the Project Site being zoned (R5) rather than (R10);
- (f) The proposed General Plan Amendment will not promote public safety in that it can potentially add more traffic to Cactus Avenue, which is currently not built out to accommodate traffic based on the proposed (R10) zoning of the Project Site;
- (g) The proposed General Plan Amendment and Change of Zone will not promote public safety in that it will potentially add increased traffic to Bradshaw Circle that

would jeopardize emergency access to the community of 8 homes located adjacent to Buvan Court, which is accessed via Bradshaw Circle;

- (h) The proposed Change of Zone is inconsistent with the General Plan as set forth in the Findings of Denial of the General Plan Amendment;
- (i) The proposed Change of Zone will adversely affect the public safety and general welfare in that higher-density development will add more traffic to Cactus Avenue, which is currently not built out to standards to accommodate traffic based on the proposed increase in density of the project site.

Pursuant to Moreno Valley Municipal Code (MVMC) Section 9.02.240 (Appeals), the Appellant has provided a letter attached to this report stating the specific reasons for the appeal and providing justification for: 1) the Proposed Project's consistency with the goals, objectives, policies and programs of the General Plan; and 2) how the Proposed Project will not adversely affect the public health, safety, or general welfare.

### **SCOPE AND STANDARD OF REVIEW**

Pursuant to MVMC Section 9.02.040 (General Plan Amendments), the City Council is vested with the authority to approve General Plan Amendments. However, Section 9.02.040 further provides that the Planning Commission's action recommending disapproval of a proposed General Plan Amendment, regardless of how such amendment was initiated, shall be final unless appealed to the City Council within ten (10) consecutive calendar days after the Planning Commission's recommended disapproval. The Planning Commission's action was taken on January 8, 2026, and the Appellant filed its appeal on January 12, 2026, within the 10-day appeal period.

Section 9.02.040 additionally provides that the City Council may approve, approve with modifications, or disapprove any proposed General Plan Amendment. However, prior to any final City Council action regarding the General Plan Amendment, if there is any substantial modification proposed by the City Council that was not previously considered by the Planning Commission, the proposed substantial modification must first be referred to the Planning Commission for its recommendation.

Finally, if the City Council is inclined to reverse the Planning Commission's decision, it must make the following findings:

1. That the proposed General Plan Amendment is consistent with existing goals, objectives, policies, and programs of the General Plan;
2. That the proposed General Plan Amendment will not adversely affect the public health, safety, or general welfare.
3. That the proposed Change of Zone amendment is consistent with the general plan and its goals, objectives, policies, and programs, and with any applicable specific plan;
4. That the proposed Change of Zone amendment will not adversely affect the public health, safety, or general welfare; and

5. That the proposed Change of Zone amendment is consistent with the purposes and intent of Title 9 (Planning & Zoning).

## **SUMMARY**

Shay Mueller of RC Hobbs Company (“Applicant”) is appealing the Planning Commission’s denial of the Proposed Project’s General Plan Amendment (PEN24-0023) to change the land use designation of the Project Site from Residential 5 (R5) to Residential 10 (R10) and Change of Zone (PEN24-0024) to change the zoning of the Project Site from Residential 5 (R5) District to Residential Single-Family (RS10) District, which effectively resulted in the denial of the Proposed Project’s Conditional Use Permit (PEN24-0022) for a Planned Unit Development with associated amenities and public improvements and Tentative Tract Map No. 37858 (PEN24-0021) to subdivide a 4.81-acre site into thirty-seven (37) single-family residential lots, located at the northeast corner of Cactus Avenue and Bradshaw Circle (APNs: 478-090-018, 478-090-024 and 478-090-025) (“Project Site”).

## **PROJECT DESCRIPTION**

The Proposed Project consists of a General Plan Amendment to change the existing land use designation of the Project Site to Residential (R10), a Change of Zone to change the zoning designation of the Project Site to Residential Single-Family 10 (RS10) District, a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) and a Tentative Tract Map (TTM) to subdivide the 4.81-acre Project Site into 37 single-family residential lots, on property located at the northeast corner of Cactus Avenue and Bradshaw Circle.

### **General Plan Amendment**

A General Plan Amendment (GPA) application was submitted to change the land use designation of the Project Site from Residential 5 (R5) to Residential 10 (R10). The purpose of the R10 land use designation is to provide for a variety of residential products and to encourage innovation in housing types with amenities not generally found in suburban subdivisions, such as common open spaces and recreational areas. The R10 land use designation allows for a maximum density of 10.0 dwelling units per acre.

### **Change of Zone**

A Change of Zone (CZ) application was submitted to rezone the Project Site from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District. Under the Proposed Project’s current Residential (R5) District, a maximum of 5.0 units per net acre is allowed; however, as proposed, the Proposed Project would allow for 7.9 units per net acre. To obtain the desired units per gross acre, a Change of Zone is required to rezone the Project Site to Residential Single-Family 10 (RS10) District, which allows up to 10.0 units per net acre, thereby allowing the proposed 7.9 units. The Residential Single-Family 10 (RS10) District is intended to provide residential development on small single-family lots with amenities not generally found in suburban subdivisions and allows a maximum density of 10 units per acre.

## Planned Unit Development

The Proposed Project includes a Conditional Use Permit (CUP) for a Planned Unit Development (PUD), which allows the proposed development to establish unique criteria for standards such as setbacks, lot size, lot width, lot depth, and building separation. Flexible development standards are allowed in exchange for a higher level of detail and amenities within the Proposed Project than typically are required for standard residential development. As proposed, the Proposed Project is consistent with the PUD standards as outlined in Section 9.03.060 (Planned Unit Developments) of Title 9 (Planning & Zoning) of the City's Municipal Code.

Planned Unit Developments (PUDs) encourage housing that is varied in type, design, form of ownership, and size. The Proposed Project offers three architectural styles (Spanish, French, and Traditional) and floor plans with varying building designs and rooflines. The newly formed residential lots will range in size from 3,047 to 5,016 square feet.

## Tentative Tract Map

The Proposed Tentative Tract Map No. (TTM) 37858 has been designed consistent with the PUD standards and will subdivide three contiguous parcels totaling 4.81 acres, into 37 single-family residential and lettered (common area) lots. As proposed, two bioretention drainage basins (Lots A and Lot B) are located along the western portion of the Project Site, including a linear 3-foot-wide drainage ditch (Lot C) located along the eastern property line, a landscape easement (Lot D) located along the south perimeter boundary line, and an approximately 10,983 square-foot open space recreation lot (Lot E) located near the center of the residential development, including landscaping, walkways, a playground, basketball court, and covered seating areas. The Proposed Project includes private yards within the single-family residential lots and a total of 15,961 square feet of open space. The Proposed Project complies with the City's development standards for Tentative Tract Maps.

## Site/Surrounding Area

The Project Site is approximately 4.81-acres, located at the northeast corner of the intersection of Bradshaw Circle and Cactus Avenue.

Surrounding land uses to the north of the Project Site are developed with existing single-family residential dwellings within the Residential Single Family 5 (R5) and Residential Single Family 10 (RS10) Districts, and with a combination of developed, vacant and unimproved development within the R5 and R10 Districts to the west and east, and Specific Plan 193 Medium Low Density Residential to the south.

## Access/Parking

The Proposed Project's vehicular access will be via two driveways on Bradshaw Circle, which will connect to the development's internal roadways. Access to the dwelling units will be provided via private driveways off internal roads. The Proposed Project provides

pedestrian paths for non-vehicular onsite circulation and for connection to existing sidewalks and bike lanes adjacent to the Proposed Project. The Proposed Project will also provide garages, driveways, and on-street parking. Each residence includes a two-car garage, with a minimum of two driveway parking spaces.

Bradshaw Circle will be improved with new paving, curbs, gutters and street lighting. These off-site street improvements will provide improved access to the Project Site and surrounding properties. The Proposed Project includes dedication of the Bradshaw Circle right-of-way to the City of Moreno Valley.

### **Design/Landscaping**

The PUD guidelines include three different two-story floor plans and three different architectural styles: Spanish, French, or Traditional, with multi-level rooflines, and an earth-tone color scheme. Exterior designs include stucco finishes, detailed roof elements, and decorative windows and doors. The amenities for the Proposed Project include a playground, basketball court, and covered seating areas with barbecue grills and enhanced landscape walkways.

The PUD includes typical plot plan configurations for the new homes and typical front yard landscaping. The Proposed Project's Homeowners Association (HOA) will perform all common area maintenance throughout the Project Site. The proposed landscape consists of typical street trees along all public streets and drought-tolerant shade trees, shrubs, and groundcover. Turf would be provided in active-use areas in common open spaces. The Proposed Project, as designed, meets the City's minimum landscape requirements.

Outdoor lighting will include wall-mounted fixtures and pole-mounted lights along the proposed internal roads. The proposed common/recreation area will have accent/security lighting throughout.

### **REVIEW PROCESS**

All appropriate outside agencies have considered the Proposed Project as part of the standard review process. The Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project's submittals were determined to be complete.

### **ENVIRONMENTAL**

An Initial Study was prepared by EPD Solutions, Inc. in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study examined the potential impacts of the Proposed Project. The Initial Study/Mitigated Negative Declaration (IS/MND) provides information in support of the finding that a Mitigated Negative Declaration (MND) serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment, in that all the potential impacts of the Proposed Project, as mitigated, have been reduced to levels of

insignificance. Technical studies prepared in support of the IS/MND include the following: Air Quality, Greenhouse Gas, and Energy Impact Study, Biological Technical Report, MSHCP Focused Burrowing Owl Survey, Phase I Cultural Resources Investigation and Paleontological Overview, Preliminary Soil Investigation, Phase I Environmental Site Assessment, Preliminary Hydrology Report, Preliminary Project Specific Water Quality Management Plan, Noise Impact Analysis, and Trip Generation and VMT Screening Analysis.

Mitigation measures are recommended for the Proposed Project in the following areas: Biological Resources, Cultural Resources, Geology and Soils, and Tribal Cultural Resources, which are incorporated in the Mitigation Monitoring and Reporting Program (MMRP) that will be used to identify and track the mitigation measures. The measures for cultural resources have been included to address input from the Tribal governments. The measures are intended to ensure that potential cultural resources that might be discovered are protected. Based on the Initial Study and the proposed mitigation measures, the Proposed Project will not cause a significant impact to the environment.

The 30-day public comment period for the Notice of Intent (NOI) of the Initial Study/Mitigated Negative Declaration began on October 17, 2025, and ended on November 17, 2025 (State Clearing House Number 2025100768). Comment letters received from Airport Land Use Commission (ALUC), Eastern Municipal Water District (EMWD), Riverside County Flood Control and SoCal Gas are attached to the Staff Report. Written comments received after the preparation of this staff report will be provided at the public hearing.

## **ALTERNATIVES**

1. Affirm and uphold the Planning Commission's decision to deny the Proposed Project.
2. Reverse the Planning Commission's decision to deny the Proposed Project by adopting the Resolution adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; adopting the Resolution approving General Plan Amendment (PEN24-0023); adopting the Ordinance approving Change of Zone (PEN24-0024); adopting the Resolution approving Conditional Use Permit (PEN24-0022) and Tentative Tract Map No. 37858 (PEN24-0021) based on the findings set forth in the above-reference Resolutions and the Administrative Record.

## **NOTIFICATION**

Consistent with the applicable Moreno Valley Municipal Code provisions and exceeding the posting and distance requirement of applicable state law, a public notice was sent to all property owners of record within 600 feet of the Project Site, and notices were posted on the Project Site and published in the Press Enterprise Newspaper, at least 10 days prior to the Appeal Hearing. As of the preparation of this Staff Report, no public comment has been received regarding the Proposed Project.

## **FISCAL IMPACT**

Not Applicable.

## **PREPARATION OF STAFF REPORT**

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## **CITY COUNCIL GOALS**

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

Public Facilities and Capital Projects: Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Public Safety: Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Revenue Diversification and Preservation: Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

## **CITY COUNCIL STRATEGIC PRIORITIES**

- 1. Economic Development**
- 2. Public Safety**
- 3. Library**
- 4. Infrastructure**
- 5. Beautification, Community Engagement, and Quality of Life**
- 6. Youth Programs**

## Report Approval Details

Document Title:	STAFFREPORT_CDD_BRADSHAWCOLLECTION_sbq_final.docx
Attachments:	<ul style="list-style-type: none"> <li>- Appeal Letter.pdf</li> <li>- CC_RESOLUTION NO. 2026-XX_Denying Appeal PAA26-0001_sbq_final.docx</li> <li>- CC_RESOLUTION NO. 2026-XX_Adopting ISMND MMRP_Draft sbq_final.docx</li> <li>- EXHIBIT A_RESOLUTION NO. 2026-XX_ISMND.pdf</li> <li>- Appendix A. AQ, GHG, and Energy Impact Study.pdf</li> <li>- Appendix B. Biological Technical Report.pdf</li> <li>- Appendix C. Burrowing Owl Survey.pdf</li> <li>- Appendix D. Cultural Assessment.pdf</li> <li>- Appendix E. Preliminary Soil Investigation.pdf</li> <li>- Appendix F. Phase I Environmental Site Assessment.pdf</li> <li>- Appendix G. Preliminary Hydrology Report.pdf</li> <li>- Appendix H. Preliminary WQMP.pdf</li> <li>- Appendix I. Noise Impact Analysis.pdf</li> <li>- Appendix J. VMT Analysis.pdf</li> <li>- EXHIBIT B_RESOLUTION NO. 2026-XX_NOI to Adopt Mitigated NEG DEC.pdf</li> <li>- EXHIBIT C_RESOLUTION NO. 2026-XX_MMRP.pdf</li> <li>- CC_RESOLUTION NO. 2026-XX_Approving Appeal PAA26-0001_sbq_final.docx</li> <li>- EXHIBIT A_RESOLUTION NO. 2026-XX_GPA Land Use Designation Map.pdf</li> <li>- EXHIBIT B_RESOLUTION NO. 2026-XX_Conditions of Approval (CUP TTM).pdf</li> <li>- EXHIBIT A_ORDINANCE NO. XXX_Change of Zone Atlas Pg 101.pdf</li> <li>- Project Plans.pdf</li> <li>- CC_ORDINANCE NO. XXX_Change of Zone_Bradshaw Collection_sbq_final.docx</li> <li>- PC Public Comments.pdf</li> </ul>
Final Approval Date:	Feb 11, 2026

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

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