

EXHIBIT A
CITY OF TEMECULA
DRAFT CONDITIONS OF APPROVAL

Planning Application No.: PA23-0329

Project Description: A Development Plan for an approximately 48,846 square foot Mercedes-Benz Sprinter Dealership that includes maintenance and repair services and an employee fitness center located at 40900 Temecula Center Drive.

Assessor's Parcel No.: 916-400-025

MSHCP Category: Per Development Agreement No. 2002-026470

DIF Category: Per Development Agreement No. 2002-026470

TUMF Category: Per Development Agreement No. 2002-026470

Quimby Category: NA (non-residential)

New Street In-lieu of Fee: NA (project not located in Uptown Specific Plan area)

Approval Date: June 18, 2025

Expiration Date: June 18, 2028

PLANNING DIVISION

Within 48 Hours of the Approval

1. Applicant Filing Notice of Exemption.

APPLICANT ACTION REQUIRED:

The applicant/developer is responsible for filing the Notice of Exemption as required under Public Resources Code Section 21152 and California Code of Regulations Section 15062 within 48 hours of the project approval. If within said 48-hour period the applicant/ developer has not filed the Notice of Exemption as required above, the approval for the project granted shall be void due to failure of this condition. Failure to submit the Notice of Exemption will result in an extended period of time for legal challenges.

FEES:

Fees for the Notice of Exemption include the Fifty Dollar County (\$50.00) administrative fee. The County of Riverside charges additional fees for credit card transactions.

FILING:

The City shall provide the applicant with a Notice of Exemption within 24 hours of approval via email. If the applicant/developer has not received the Notice of Exemption within 24 hours of approval, they shall contact the case Planner immediately. All CEQA documents must be filed online with the Riverside County Assessor – County Clerk- Recorder. A direct link to the CEQA filings page is available at TemeculaCA.gov/CEQA.

COPY OF FILINGS:

The applicant shall provide the City with a digital copy of the required filings within 48 hours.

General Requirements

2. Indemnification of the City. Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees, Incurred by the City. The Applicant shall defend, indemnify, and hold harmless the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") from and against any claims, damages, actions, causes of actions, lawsuits, suits, proceedings, losses, judgments, costs, and expenses (including, without limitation, attorneys' fees or court costs) in any manner arising out of or incident to the Planning Commission's actions, this approval and the City Council's actions, related entitlements, or the City's environmental review thereof. The Applicant shall pay and satisfy any judgment, award or decree that may be rendered against City or the other Indemnitees in any such suit, action, or other legal proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the Applicant of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City or the Indemnitees. The City shall have the right to select counsel of its choice. The Applicant shall reimburse the City, and the other Indemnitees, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Nothing in this condition shall be construed to require the Applicant to indemnify Indemnitees for any claim arising from the sole negligence or willful misconduct of the Indemnitees. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the approval, the City shall estimate its expenses for the litigation. The Applicant shall deposit said amount with the City or, at the discretion of the City, enter into an agreement with the City to pay such expenses as they become due.

3. Expiration. This approval shall be used within three years of the approval date; otherwise, it shall become null and void. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter diligently pursued to completion, or the beginning of substantial utilization contemplated by this approval, or use of a property in conformance with a Conditional Use Permit.

A modification made to an approved development plan does not affect the original approval date of a development plan.

4. Time Extension. The Director of Community Development may, upon an application being filed prior to expiration, and for good cause, grant a time extension of up to five extensions of time, one year at a time.

A modification made to an approved development plan does not affect the original approval date of a development plan.

5. Consistency with Specific Plans. This project and all subsequent projects within this site shall be consistent with Specific Plan No. 13.

6. Block Wall Coating. All perimeter constructed block walls in the public view shall be finished with an anti-graffiti coating and shall provide documentation confirming the installation of the coating.

7. Consistency with Development Agreements. The project and all subsequent projects within this site shall be subject to Development Agreement No. (enter DA # 2002-026470).

8. Signage Permits. A separate building permit shall be required for all signage.

9. Landscape Maintenance. Landscaping installed for the project shall be continuously maintained to the reasonable satisfaction of the Director of Community Development. If it is determined that the landscaping is not being maintained, the Director of Community Development shall have the authority to require the property owner to bring the landscaping into conformance with the approved landscape plan. The continued maintenance of all landscaped areas shall be the responsibility of the developer or any successors in interest.

10. Graffiti. All graffiti shall be removed within 24 hours on telecommunication towers, equipment, walls, or other structures.

11. Burrowing Owl Study Submittal. A Burrowing Owl Study shall be submitted prior to plan check approval for the grading permit. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.

12. Water Quality and Drainage. Other than stormwater, it is illegal to allow liquids, gels, powders, sediment, fertilizers, landscape debris, and waste from entering the storm drain system or from leaving the property. To ensure compliance with this Condition of Approval:

- a. Spills and leaks shall be cleaned up immediately.
- b. Do not wash, maintain, or repair vehicles onsite.
- c. Do not hose down parking areas, sidewalks, alleys, or gutters.
- d. Ensure that all materials and products stored outside are protected from rain.
- e. Ensure all trash bins are covered at all times.

13. Paint Inspection. The applicant shall paint a three-foot-by-three-foot section of the building for Planning Division inspection, prior to commencing painting of the building.

14. Materials and Colors. The Conditions of Approval specified in this resolution, to the extent specific items, materials, equipment, techniques, finishes or similar matters are specified, shall be deemed satisfied by City staff's prior approval of the use or utilization of an item, material, equipment, finish or technique that City staff determines to be the substantial equivalent of that required by the Conditions of Approval. Staff may elect to reject the request to substitute, in which case the real party in interest may appeal, after payment of the regular cost of an appeal, the decision to the Planning Commission for its decision.

Material	Color
Curtainwall	Black Anodized Aluminum
ACM	Focus Black
ACM	Platinum Mica
Cement Plaster	Midnight Metallic Finish
Cement Plaster	Snow White
Stucco	To match existing Mercedes building

15. Modifications or Revisions. The developer shall obtain City approval for any modifications or revisions to the approval of this project.
16. Trash Enclosures. The trash enclosures shall be large enough to accommodate a recycling bin, as well as regular solid waste containers.
17. Trash Enclosures. Trash enclosures shall be provided to house all trash receptacles utilized on the site. These shall be clearly labeled on the site plan.
18. Roof Mounted Mechanical Equipment Screening. The applicant shall be required to fully screen roof mounted equipment from public view, including views from any adjacent properties, within the project site and public right of ways. If upon final inspection it is determined that any roof equipment or backs of building parapet walls are visible from any portion of adjacent properties, within the project site or public right of ways, the developer shall provide screening that shall be reviewed and approved by the Director of Community Development.
19. Construction and Demolition Debris. The developer shall contact the City's franchised solid waste hauler for disposal of construction and demolition debris and shall provide the Planning Division verification of arrangements made with the City's franchise solid waste hauler for disposal of construction and demolition debris. Only the City's franchisee may haul demolition and construction debris.
20. Public Art Ordinance. The applicant shall comply with the requirements of the City's Public Art Ordinance as defined in Chapter 5.08 of the Temecula Municipal Code.
21. Property Maintenance. All parkways, including within the right-of-way, entryway median, landscaping, walls, fencing, recreational facilities, and on-site lighting shall be maintained by the property owner or maintenance association.
22. Silent Paging System. Due to the project location adjacent to residential neighborhoods a silent paging system throughout the project site shall be implemented. No loudspeakers shall be used as part of daily business operations.

Prior to Issuance of Grading Permit

23. Placement of Transformer. Provide the Planning Division with a copy of the underground water plans and electrical plans for verification of proper placement of transformer(s) and double detector check valves prior to final agreement with the utility companies.
24. Placement of Double Detector Check Valves. Double detector check valves shall be installed at locations that minimize their visibility from the public right-of-way, subject to review and approval by the Director of Community Development.
25. Archaeological/Cultural Resources Grading Note. The following shall be included in the Notes Section of the Grading Plan: "If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Director of Community Development at their sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/ cultural resource, the Director of Community Development shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Director of Community Development shall notify the property owner that no further excavation or development may take place until a mitigation plan, or other corrective measures have been approved by the Director of Community Development."
26. Discovery of Cultural Resources. The following shall be included in the Notes Section of the Grading Plan: "If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease, and the qualified archaeologist and the Pechanga monitor shall investigate the find, and make recommendations as to treatment."
27. Archaeological Monitoring Notes. The following shall be included in the Notes Section of the Grading Plan: "A qualified archaeological monitor will be present and will have the authority to stop and redirect grading activities, in consultation with the Pechanga Tribe and their designated monitors, to evaluate the significance of any archaeological resources discovered on the property."
28. Tribal Monitoring Notes. The following shall be included in the Notes Section of the Grading Plan: "A Pechanga Tribal monitor will be present and will have the authority to stop and redirect grading activities, in consultation with the project archaeologist and their designated monitors, to evaluate the significance of any potential resources discovered on the property."
29. Relinquishment of Cultural Resources. The following shall be included in the Notes Section of the Grading Plan: "The landowner agrees to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project area, to the Pechanga Tribe for proper treatment and disposition."
30. Preservation of Sacred Sites. The following shall be included in the Notes Section of the Grading Plan: "All sacred sites are to be avoided and preserved."

31. Burrowing Owl Grading Note. The following shall be included in the Notes Section of the Grading Plan: "No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Public Works. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Division approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist." If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.
32. Environmental Health Clearance. Clearance from the Riverside County Department of Environmental Health shall be obtained prior to the issuance of any future building permit on the project site.
33. Sensitivity Training. Prior to any ground disturbing activities associated with the Project, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance.

Prior to Issuance of Building Permit

34. Transportation Uniform Mitigation Fee (TUMF). The Western Riverside County of Governments administers and collects the Transportation Uniform Mitigation Fee (TUMF). The City of Temecula adopted an ordinance on March 31, 2003, for a Riverside County area wide Transportation Uniform Mitigation Fee (TUMF). This project is subject to payment of these fees at the time of building permit issuance (paid to WRCOG). The fees are subject to the provisions of Chapter 15.08 of the Temecula Municipal Code and the fee schedule in effect at the time of building permit issuance. Additional information on payment, fees, and points of contact can be found at <http://www.wrcog.ca.us/174/TUMF>
35. Development Impact Fee (DIF). The developer shall comply with the provisions of Title 15, Chapter 15.06 of the Temecula Municipal Code and all its resolutions by paying the appropriate City fee. Developers may request an audit of impact fees and/or may request notice for meetings related to the fee account or fund information.
36. Construction Landscaping and Irrigation Plans. Construction Landscaping and Irrigation Plans shall be reviewed and approved by the Planning Division. These plans shall be submitted as a separate submittal, not as part of the building plans or other plan set. These plans shall conform to the approved conceptual landscape plan, or as amended by these conditions. The location, number, height and spread, water usage or KC value, genus, species, and container size of the plants shall be shown. The plans shall be consistent with the Water Efficient Ordinance and Water Storage Contingency Plan per the Rancho California Water District. The plans shall be accompanied by the appropriate filing fee (per the City of Temecula Fee Schedule at time of submittal) and one copy of the approved Grading Plan.

37. Landscaping Site Inspections. The Landscaping and Irrigation Plans shall include a note stating, "Three landscape site inspections are required. The first inspection will be conducted at installation of irrigation while trenches are open. This will verify that irrigation equipment and layout is per plan specifications and details. Any adjustments or discrepancies in actual conditions will be addressed at this time and will require an approval to continue. Where applicable, a mainline pressure check will also be conducted. This will verify that the irrigation mainline is capable of being pressurized to 150 psi for a minimum period of two hours without loss of pressure. The second inspection will verify that all irrigation systems are operating properly, and to verify that all plantings have been installed consistent with the approved construction landscape plans. The third inspection will verify property landscape maintenance for release of the one-year landscape maintenance bond." The applicant/owner shall contact the Planning Division to schedule inspections.
38. Agronomic Soils Report. The Landscaping and Irrigation Plans shall include a note on the plans stating, "The contractor shall provide two copies of an agronomic soils report at the first irrigation inspection."
39. Water Usage Calculations. The Landscaping and Irrigation Plans shall include water usage calculations per Chapter 17.32 of the Development Code (Water Efficient Ordinance), the total cost estimate of plantings and irrigation (in accordance with approved plan). Applicant shall use evapotranspiration (ET_o) factor of 0.70 for calculating the maximum allowable water budget.
40. Landscape Maintenance Program. A landscape maintenance program shall be submitted to the Planning Division for approval. The landscape maintenance program shall detail the proper maintenance of all proposed plant materials to assure proper growth and landscape development for the long-term esthetics of the property. The approved maintenance program shall be provided to the landscape maintenance contractor who shall be responsible to carry out the detailed program.
41. Specifications of Landscape Maintenance Program. Specifications of the landscape maintenance program shall indicate, "Three landscape site inspections are required. The first inspection will be conducted at installation of irrigation while trenches are open. This will verify that irrigation equipment and layout is per plan specifications and details. Any adjustments or discrepancies in actual conditions will be addressed at this time and will require an approval to continue. Where applicable, a mainline pressure check will also be conducted. This will verify that the irrigation mainline is capable of being pressurized to 150 psi for a minimum period of two hours without loss of pressure. The second inspection will verify that all irrigation systems are operating properly, and to verify that all plantings have been installed consistent with the approved construction landscape plans. The third inspection will verify property landscape maintenance for release of the one-year landscape maintenance bond." The applicant/owner shall contact the Planning Division to schedule inspections.
42. Irrigation. The landscaping plans shall include automatic irrigation for all landscaped areas and complete screening of all ground mounted equipment from view of the public from streets and adjacent property for private common areas; front yards and slopes within individual lots; shrub planting to completely screen perimeter walls adjacent to a public right-of-way equal to 66 feet or larger; and, all landscaping excluding City maintained areas and front yard landscaping which shall include, but may not be limited to, private slopes and common areas.
43. Precise Grading Plans. Precise Grading Plans shall be consistent with the approved rough grading plans including all structural setback measurements.

44. WQMP Landscape Compliance. The construction landscape plans shall be consistent with Appendix A, Table 31 of the Low Impact Development (LID) Manual for Southern California for plant materials and treatment facilities, and shall reference the approved precise grading plan for WQMP features.
45. Utility Screening. All utilities shall be screened from public view. Landscape construction drawings shall show and label all utilities and provide appropriate screening. Provide a three-foot clear zone around fire check detectors as required by the Fire Department before starting the screen. Group utilities together in order to reduce intrusion. Screening of utilities is not to look like an after-thought. Plan planting beds and design around utilities. Locate all light poles on plans and ensure that there are no conflicts with trees.
46. Site Lighting. The following shall be shown within the Construction Drawings:
 - i. The project shall provide step-down lighting as the project is adjacent to residential neighborhoods. The step-down lighting shall occur each evening between the following intervals: 6:00 P.M., 7:30 P.M., and 10:30 P.M.
 - ii. Site lighting systems and showroom lighting shall be grouped into control zones to allow for open, closing, and night light/security lighting schemes. All control groups shall be controlled by an automatic lighting control system utilizing a time clock, photocell, and low voltage relays.
47. Employee/Customer Parking. A parking plan showing the location of designated on site employee and customer parking spaces shall be submitted for review to the planning department. These parking spaces shall be designated by painting and labeling of the curb or on the asphalt. Details of the spaces and/or signage shall be included on the construction drawings and will be inspected prior to the issuance of the Certificate of Occupancy.

Prior to Release of Power, Building Occupancy or Any Use Allowed by This Permit

48. Screening of Loading Areas. The applicant shall be required to fully screen all loading facilities from public view by a solid architectural decorated masonry wall no less than six feet in height. Wall treatments shall occur on both sides.
49. Landscape Installation Consistent with Construction Plans. All required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Director of Community Development. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order.
50. Performance Securities. Performance securities, in amounts to be determined by the Director of Community Development, to guarantee the maintenance of the plantings in accordance with the approved construction landscape and irrigation plan, shall be filed with the Planning Division for a period of one year from final Certificate of Occupancy. After that year, if the landscaping and irrigation system have been maintained in a condition satisfactory to the Director of Community Development, the bond shall be released upon request by the applicant.
51. Installation of Site Improvements. All site improvements, including but not limited to, parking areas and striping shall be installed.
52. Compliance with Conditions of Approval. All of the foregoing conditions shall be complied with prior to occupancy or any use allowed by this approval.

Outside Agencies

53. Flood Protection. Flood protection shall be provided in accordance with the Riverside County Flood Control Districts transmittal dated September 14, 2023, a copy of which is attached. The fee is made payable to the Riverside County Flood Control Water District by either a cashier's check or money order, prior to the issuance of a grading permit (unless deferred to a later date by the District), based upon the prevailing area drainage plan fee.
54. Compliance with Regional Conservation Authority. The applicant shall comply with the conditions set forth in the Regional Conservation Authority's Joint Project Review letter (JPR#23-08-29-01) dated September 25, 2023, a copy of which is attached.
55. Compliance with Geotechnical. The applicant shall comply with the recommendations set forth in the Leighton Consulting transmittal dated September 5, 2023, a copy of which is attached.

PUBLIC WORKS DEPARTMENT

General Requirements

56. Conditions of Approval. The developer shall comply with all Conditions of Approval, the Engineering and Construction Manual and all City codes/standards at no cost to any governmental agency.
57. Entitlement Approval. The developer shall comply with the approved site plan, the conceptual Water Quality Management Plan (WQMP) and other relevant documents approved during entitlement. Any significant omission to the representation of site conditions may require the plans to be resubmitted for further review and revision.
58. Precise Grading Permit. A precise grading permit for on site improvements (outside of public right-of-way) shall be obtained from Public Works.
59. Haul Route Permit. A haul route permit may be required when soils are moved on public roadways to or from a grading site. The developer/contractor is to verify if the permit is required. If so, he shall comply with all conditions and requirements per the City's Engineering and Construction Manual and as directed by Public Works.
60. Encroachment Permits. Prior to commencement of any applicable construction, encroachment permit(s) are required and shall be obtained from Public Works for public offsite improvements.
61. Landscaped Plans (for parkways). The developer:
 - a. shall contact the Park/Landscape Maintenance Supervisor for a pre-design meeting to discuss design parameters. The design shall be in conformance with the Temecula Community Services District's Landscape Standards
 - b. shall set a pre-construction meeting with the appropriate parties including Public Works and Building & Safety, prior to start of work. The developer shall comply with the Public Works' review and inspection process
 - c. his successor or assignee, shall be responsible for the maintenance of the landscaped parkways until such time Public Works accepts that responsibility.
62. Private Drainage Facilities. All onsite drainage and water quality facilities shall be privately maintained.
63. Parkway Landscaping. All parkway landscaping areas shall be privately maintained.

Prior to Issuance of a Grading Permit

64. Environmental Constraint Sheet (ECS). The developer shall comply with all constraints per the recorded ECS with any underlying maps related to the subject property.

65. Grading/Erosion & Sediment Control Plan. The developer shall submit a grading/erosion & sediment control plan(s) to be reviewed and approved by Public Works. All plans shall be coordinated for consistency with adjacent projects and existing improvements contiguous to the site. The approved plan shall include all construction-phase pollution-prevention controls to adequately address non-permitted runoff. Refer to the City's Engineering & Construction Manual at: www.TemeculaCA.gov/ECM
66. Erosion & Sediment Control Securities. The developer shall comply with the provisions of Chapter 18, Section 18.24.140 of the Temecula Municipal Code by posting security and entering into an agreement to guarantee the erosion & sediment control improvements.
67. NPDES General Permit Compliance. The developer shall obtain project coverage under the State National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities and shall provide the following:
- a. A copy of the Waste Discharge Identification Number (WDID) issued by the State Water Resources Control Board (SWRCB);
 - b. The project's Risk Level (RL) determination number; and
 - c. The name, contact information and certification number of the Qualified SWPPP Developer (QSD)
- Pursuant to the State Water Resources Control Board (SWRCB) requirements and City's storm water ordinance, a Storm Water Pollution Prevention Plan (SWPPP) shall be generated and submitted to the Board. Throughout the project duration, the SWPPP shall be routinely updated and readily available (onsite) to the State and City. Review www.cabmphandbooks.com for SWPPP guidelines. Refer to the following link: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml
68. Water Quality Management Plan (WQMP) and O&M Agreement. The developer shall submit a final WQMP (prepared by a registered professional engineer) with the initial grading plan submittal, based on the conceptual WQMP from the entitlement process. It must receive acceptance by Public Works. A copy of the final project-specific WQMP must be kept onsite at all times. In addition, a completed WQMP Operation and Maintenance (O&M) Agreement shall be submitted for review and approval. Upon approval from City staff, the applicant shall record the O&M agreement at the County Recorder's Office in Temecula. Refer to the WQMP template and agreement link: www.TemeculaCA.gov/WQMP. As part of the WQMP approval, the Engineer of Record shall report and certify BMP construction per City of Temecula NPDES requirements. Should the project require Alternative Compliance, the developer is responsible for execution of an approved Alternative Compliance Agreement.
69. Area Drainage Plan (ADP) Fee to RCFC&WCD. The developer shall demonstrate to the City that the flood mitigation charge (ADP fee) has been paid to RCFC&WCD. If the full ADP fee has already been credited to this property, no new charge will be required.
70. Drainage. All applicable drainage shall be depicted on the grading plan and properly accommodated with onsite drainage improvements and water quality facilities, which shall be privately maintained. Alterations to existing drainage patterns or concentration and/or diverting flows is not allowed unless the developer constructs adequate drainage improvements and obtains the necessary permissions from the downstream property owners. All drainage leaving the site shall be conveyed into a public storm drain system, if possible. The creation of new cross lot drainage is not permitted.

71. Drainage Study. A drainage study shall be prepared by a registered civil engineer and submitted to Public Works with the initial grading plan check in accordance with City, Riverside County and engineering standards. The study shall identify storm water runoff quantities (to mitigate the 10 and 100-year storm event for 24 hour storm duration peak flow) from the development of this site and upstream of the site. It shall identify all existing or proposed offsite or onsite, public or private, drainage facilities intended to discharge this runoff. Runoff shall be conveyed to an adequate outfall capable of receiving the storm water runoff without damage to public or private property. The study shall include a capacity analysis verifying the adequacy of all facilities. Any upgrading or upsizing of drainage facilities necessary to convey the storm water runoff shall be provided as part of development of this project.
72. Soils Report. A soils report, prepared by a registered soil or civil engineer, shall be submitted to Public Works with the initial grading plan submittal. The report shall address the site's soil conditions and provide recommendations for the construction of engineered structures and preliminary pavement sections.
73. Letter of Permission/Easement. The developer shall obtain documents (letters of permission or easements) for any offsite work performed on adjoining properties. The document's format is as directed by, and shall be submitted to, Public Works for acceptance. The document information shall be noted on the approved grading plan.
74. Sight Distance. The developer shall limit landscaping in the corner cut-off area of all street intersections and adjacent to driveways to provide for minimum sight distance and visibility.
75. American Disability Act. The developer shall ensure that all frontage areas to the proposed development within the public right of way are ADA compliant. Any sidewalk within the public right of way found to be non-compliant shall be the responsibility of the property owner to be removed and replaced with ADA compliant sidewalk per the Streets and Highway Code Section 5610.

Prior to Issuance of Encroachment Permit(s)

76. Public Utility Agency Work. The developer shall submit all relevant documentation due to encroaching within City right-of-way; and is responsible for any associated costs and for making arrangements with each applicable public utility agency.
77. Traffic Control Plans. A construction area traffic control plan (TCP) will be required for lane closures and detours or other disruptions to traffic circulation; and shall be reviewed and approved by Public Works. The TCP shall be designed by a registered civil or traffic engineer in conformance with the latest edition of the Caltrans Manual on Uniform Traffic Control Devices (MUTCD) and City standards.
78. Improvement Plans. All improvement plans (including but not limited to street, storm drain, traffic) shall be reviewed and approved by Public Works.
79. Street Trenching. All street trenches shall conform to City Standard No. 407; refer to the City's Paving Notes.

Prior to Issuance of Building Permit(s)

80. Certifications. Certifications are required from the registered civil engineer-of-record certifying the building pad elevation(s) per the approved plans and from the soil's engineer-of-record certifying compaction of the building pad(s).

Prior to Issuance of a Certificate of Occupancy

81. Completion of Improvements. The developer shall complete all work per the approved plans and Conditions of Approval to the satisfaction of the City Engineer. This includes all on site work (including water quality facilities), public improvements and the executed WQMP Operation and Maintenance agreement.
82. Utility Agency Clearances. The developer shall receive written clearance from applicable utility agencies (i.e., Rancho California and Eastern Municipal Water Districts, etc.) for the completion of their respective facilities and provide to Public Works.
83. Replacement of Damaged Improvements/Monuments. Any appurtenance damaged or broken during development shall be repaired or removed and replaced to the satisfaction of Public Works. Any survey monuments damaged or destroyed shall be reset per City Standards by a qualified professional pursuant to the California Business and Professional Code Section 8771.
84. Certifications. All necessary certifications and clearances from engineers, utility companies and public agencies shall be submitted as required by Public Works.

BUILDING AND SAFETY DIVISION

General Requirements

85. Final Building and Safety Conditions. Final Building and Safety conditions will be addressed when building construction plans are submitted to Building and Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
86. Compliance with Code. All design components shall comply with applicable provisions of the most current edition of the California Building, Plumbing and Mechanical Codes; California Electrical Code; California Administrative Code, Title 24 Energy Code, California Title 24 Disabled Access Regulations, and Temecula Municipal Code as identified in Title 15 of the Temecula Municipal Code.
87. ADA Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
 - a. Disabled access from the public way to the main entrance of the building.
 - b. Van accessible parking located as close as possible to the main entrance of the building.
 - c. Accessible path of travel from parking to the furthest point of improvement.
 - d. Path of accessibility from parking to furthest point of improvement.
 - e. Accessible path of travel from public right-of-way to all public areas on site, such as trash enclosures, clubhouses, and picnic areas.
88. County of Riverside Mount Palomar Ordinance. Applicant shall submit, at time of plan review, a complete exterior site lighting plan showing compliance with County of Riverside Mount Palomar Ordinance Number 655 for the regulation of light pollution. All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building and Safety Division. Any outside lighting shall be hooded and aimed not to shine directly upon adjoining property or public rights-of-way. All exterior LED light fixtures shall be 3,000 kelvin or below.
89. Street Addressing. Applicant must obtain street addressing for all proposed buildings by requesting street addressing and submitting a site plan for commercial or multi-family residential projects or a recorded final map for single-family residential projects.
90. Clearance from TVUSD. A receipt or clearance letter from the Temecula Valley Unified School District shall be submitted to the Building and Safety Department to ensure the payment or exemption from School Mitigation Fees.

91. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
92. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits. Solid covers are required over new and existing trash enclosures.
93. Demolition. Demolition permits require separate approvals and permits.
94. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits.
95. Hours of Construction. Signage shall be prominently posted at the entrance to the project, indicating the hours of construction, as allowed by the City of Temecula Code Section 9.20.060, for any site within one-quarter mile of an occupied residence. The permitted hours of construction are Monday through Saturday from 7:00 a.m. to 6:30 p.m. No work is permitted on Sundays and nationally recognized Government Holidays.
96. House Electrical Meter. Provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.
97. Protection of Drains and Penetration. Protection of joints and penetrations in fire resistance-rated assemblies shall not be concealed from view until inspected for all designed fire protection. Required fire seals/fire barriers in fire assemblies at fire resistant penetrations shall be installed by individuals with classification or certification covering the installation of these systems. Provide certification for the installation of each area and certification of compliance for Building Official's approval.

FIRE PREVENTION

General Requirements

98. Fire Hydrants. The Fire Prevention Bureau is required to set minimum fire hydrant distances per CFC Appendix C. Super fire hydrants (6" x 4" x (2) 2 ½" outlets) shall be located on fire access roads and adjacent public streets. For all Commercial projects hydrants shall be spaced at 350 feet apart, and shall be located no more than 210 feet from any point on the street or Fire Department access road(s) frontage to a hydrant. The required fire flow shall be available from any adjacent hydrant(s) in the system. The fire line may be required to be a looped system. The upgrade of existing fire hydrants may be required (CFC Appendix C and Temecula Municipal Code Section 15.16.020).
99. Fire Hydrant Clearance. As required by the California Fire Code, when any portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. (CFC Chapter 5).
100. Fire Dept. Plan Review. Final fire and life safety conditions will be addressed when building plans are reviewed by the Fire Prevention Bureau. These conditions will be based on occupancy, use, the California Building Code (CBC), California Fire Code (CFC), and related codes which are in force at the time of building plan submittal.

101. Fire Flow. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial and residential buildings per CFC Appendix B. The developer shall provide for this project, a water system capable of delivering 2,400 GPM at 20-PSI residual operating pressure for a 4-hour duration for commercial projects. The fire flow as given above has taken into account all information as provided. (CFC Appendix B and Temecula Municipal Code Section 15.16.020).

Prior to Issuance of Grading Permit(s)

102. Access Road Widths. Fire Department vehicle access roads shall have an unobstructed width of not less than 24 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
103. Two Point Access. This development shall maintain two points of access, via all-weather surface roads, as approved by the Fire Prevention Bureau (CFC Chapter 5).
104. All Weather Access Roads. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be with a surface to provide all-weather driving capabilities. Access roads shall be 80,000 lbs. GVW with a minimum of AC thickness of .25 feet of asphalt or cement. In accordance with Section 3310.1, prior to building construction, all locations where structures are to be built shall have fire apparatus access roads. (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
105. Gradient of Access Roads. The gradient for fire apparatus access roads shall not exceed 15 percent (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
106. Turning Radius. Dead end roadways and streets in excess of 150 feet which have not been completed shall have a turnaround capable of accommodating fire apparatus (CFC Chapter 5 and Temecula Municipal Code 15.16.020).
107. All Weather Access Roads. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be with a surface to provide all-weather driving capabilities. Access roads shall be 80,000 lbs. GVW with a minimum of AC thickness of .25 feet. In accordance with Section 3310.1, prior to building construction, all locations where structures are to be built shall have fire apparatus access roads. (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).

Prior to Issuance of Building Permit(s)

108. Required Submittals (Fire Underground Water). The developer shall submit electronic copies of the water system plans to the Fire Prevention Bureau for approval prior to installation for all private water systems pertaining to the fire service loop. Plans shall be signed by a registered civil engineer, contain a Fire Prevention Bureau approval signature block, and conform to hydrant type, location, spacing and minimum fire flow standards as outlined in the conditions of approval. Hydraulic calculations will be required with the underground submittal to ensure fire flow requirements are being met for the on-site hydrants. The plans must be submitted and approved prior to building permit being issued (CFC Chapter 33 and Chapter 5).
109. Required Submittals (Fire Sprinkler Systems). Fire sprinkler plans shall be submitted electronically to the Fire Prevention Bureau for approval. Fire sprinkler plans must be submitted by the installing contractor to the Fire Prevention Bureau. These plans must be submitted prior to the issuance of building permit.

110. Required Submittals (Fire Alarm Systems). Fire alarm plans shall be submitted electronically to the Fire Prevention Bureau for approval. Fire alarm plans must be submitted by the installing contractor to the Fire Prevention Bureau. The fire alarm system is required to have a dedicated circuit from the house panel. These plans must be submitted prior to the issuance of building permit.

Prior to Issuance of Certificate of Occupancy

111. Gates and Access. All manual and electronic gates on required Fire Department access roads or gates obstructing Fire Department building access shall be provided with the Knox Rapid entry system for emergency access by firefighting personnel (CFC Chapter 5).
112. High Piled Stock (Proposed). Buildings housing high-piles combustible stock shall comply with the provisions of California Fire Code Chapter 32 and all applicable National Fire Protection Association standards. The storage of high-piled combustible stock may require structural design considerations or modifications to the building. Fire protection and life safety features may include some or all of the following: an automatic fire sprinkler system(s) designed for a specific commodity class and storage arrangement, hose stations, alarm systems, smoke vents, draft curtains, Fire Department access doors and Fire Department access roads (CFC Chapter 32 and Temecula Municipal Code Section 15.16.020).
113. Hydrant Verification. Hydrant locations shall be identified by the installation of reflective markers (blue dots) (Temecula Municipal Code Section 15.16.020).
114. Knox Box. A "Knox-Box" shall be provided. The Knox-Box shall be installed a minimum of six feet in height and be located to the right side of the fire riser sprinkler room (CFC Chapter 5).
115. Addressing. New buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Commercial buildings shall have a minimum of 12-inch numbers. (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
116. Site Plan. The applicant shall prepare and submit to the Fire Department for approval, a site plan designating fire lanes with appropriate lane painting and/or signs (CFC Chapter 5).
117. Additional Submittals (Fire Above/Below Ground Tanks). The developer/applicant shall be responsible for obtaining underground and/or aboveground tank permits for the storage of combustible liquids, flammable liquids or any other hazardous materials from both the County Health Department and Fire Prevention Bureau. Any above ground storage tanks used for the storage of flammable or combustible liquids will require a permit from fire and also from building and safety. (CFC Chapter 57 and Temecula Municipal Code Section 15.16.020).
118. Additional Submittals (Hazardous Materials). The applicant shall submit for review and approval by the City Fire Department a Hazardous Material Inventory Statement and Fire Department Technical Report. A full hazardous materials inventory report and color-coded floor plan is required for any building storing or using hazardous materials (CFC Chapters 1 and 50 through 67 and Temecula Municipal Code Section 15.16.020).
119. File Format Requirements. A simple plot plan and a simple floor plan, each as an electronic file of the .DWG format, must be submitted to the Fire Prevention Bureau. Contact Fire Prevention for approval of alternative file formats which may be acceptable

POLICE DEPARTMENT

General Requirements

120. Defensible Plants. Applicant shall ensure any landscaping surrounding buildings is kept at a height of no more than three feet, or below the ground floor windowsills. Plants, hedges, and shrubbery shall be defensible plants to prevent would-be intruders from breaking into the buildings utilizing lower-level windows.
121. Landscape Height. The applicant shall ensure all landscaping surrounding all buildings are kept at a height of no more than three feet or below the ground floor windowsills. Plants, hedges and shrubbery shall be defensible plants to deter would-be intruders from breaking into the buildings utilizing lower level windows.
122. Tree Pruning. The applicant shall ensure all trees surrounding all building rooftops be kept at a distance to deter roof accessibility by "would-be burglars." Since trees also act as a natural ladder, the branches must be pruned to have a six-foot clearance from the buildings.
123. Exterior Door Lighting. All exterior doors shall have a vandal resistant light fixture installed above the door. The doors shall be illuminated with a minimum one-foot candle illumination at ground level, evenly dispersed.
124. Exterior Building Lighting. All lighting affixed to the exterior of buildings shall be wall mounted light fixtures to provide sufficient lighting during hours of darkness.
125. Hardware. All doors, windows, locking mechanisms, hinges, and other miscellaneous hardware shall be commercial or institution grade.
126. Graffiti. Any graffiti painted or marked upon the buildings or other structures must be removed or painted over within 24 hours of being discovered. Report all such crimes to the Temecula Police 24-hour dispatch Center at (951) 696-HELP
127. Alarm System. Upon completion of construction, the buildings shall have a monitored alarm system installed and monitored 24 hours a day by a designated private alarm company to notify the Temecula Police Department of any intrusion. All multi-tenant offices/suites/businesses located within a specific building shall have their own alarm system. This condition is not applicable if the business is opened 24/7.
128. ADA Parking. All disabled parking stalls on the premises shall be marked in accordance with Section 22511.8 of the California Vehicle Code.
129. Contact. Any questions regarding these conditions should be directed to the CORE Team of the Temecula Sheriff's Station at (951) 694-6480.

130. Crime Prevention Through Environmental Design. Crime prevention through environmental design as developed by the National Crime Prevention Institute (NCPI) supports the concept that “the proper design and effective use of the built environment can lead to a reduction in the fear and incidence of crime and an improvement in the quality of life.” The nine primary strategies that support this concept are included as conditions below: a. Provide clear border definition of controlled space. Examples of border definition may include fences, shrubbery or signs in exterior areas. Within a building, the arrangement of furniture and color definition can serve as a means of identifying controlled space. b. Provide clearly marked transitional zones. Persons need to be able to identify when they are moving from public to semi-public to private space. c. Gathering or congregating areas to be located or designated in locations where there is good surveillance and access control. d. Place safe activities in unsafe locations. Safe activities attract normal users to a location and subsequently render the location less attractive to abnormal users due to observation and possible intervention. e. Place unsafe activities in safe locations. Placing unsafe activities in areas of natural surveillance or controlled access will help overcome risk and make the users of the areas feel safer. f. Redesign the use of space to provide natural barriers. Separate activities that may conflict with each other (outdoor basketball court and children’s play area, for example) by distance, natural terrain or other functions to avoid such conflict. g. Improve scheduling of space. The timing in the use of space can reduce the risk for normal users and cause abnormal users to be of greater risk of surveillance and intervention. h. Redesign space to increase the perception of natural surveillance. Abnormal users need to be aware of the risk of detection and possible intervention. Windows and clear lines-of-sight serve to provide such a perception of surveillance. i. Overcome distance and isolation. This strategy may be accomplished through improved communications (portable two-way radios, for example) and design efficiencies, such as the location of restrooms in a public building.
131. Business Security Survey. Businesses desiring a business security survey of their location can contact the Crime Prevention and Plans Unit of the Temecula Police Department at (951) 695-2773.



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

252829

September 14, 2023

City of Temecula
Community Development Department
41000 Main Street
Temecula CA 92590

Attention: Scott Cooper

Re: PA 23-0329, APN 916-400-025

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 September 13, 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.
- ☐ This project proposes channels, storm drains larger than 36 inches in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, and 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.

- ☒ This project is located within the limits of the District's Murrieta Creek (☐Murrieta Valley ☐Temecula Valley ☐Santa Gertrudis Valley ☒Warm Springs Valley) 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, _____. 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 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, the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require 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

ec: Riverside County Planning Department
Attn: Timothy Wheeler

EM:mm



RCA Joint Project Review (JPR) Findings

JPR 23-08-29-01

Date: 09/25/23

Project Information

Permittee:	<u>City of Temecula</u>
Case Information:	<u>PA23-0329 / Mercedes Sprinter</u>
Site Acreage:	<u>3.07 acres (permanent), of which 0.2 acres are located within the Criteria Area¹</u>
Portion of Site Proposed for MSHCP Conservation Area:	<u>0 acres</u>

Criteria Consistency Review

Consistency Conclusion: The project is consistent with both the Criteria and Other Plan requirements with implementation of the measures presented in these Findings (including any within the project information provided to the Regional Conservation Authority by the Permittee for this JPR).

Applicable Core/Linkage: Proposed Constrained Linkage 15
Area Plan: Southwest Area Plan

APN	Sub-Unit	Cell Group	Cell
916-400-025	SU5 - French Valley/ Lower Sedco Hills	N/A	6407

Project Information

- Project Documentation.** JPR submittal materials provided by the Permittee included a JPR Application Form (August 23, 2023) and a Habitat Assessment for Mercedes Benz-Sprinter Van Center Project prepared by Psomas (*Assessment*, September 11, 2023).
- Project Location.** The proposed project is located in the City of Temecula, north of Temecula Center Drive and west of Ynez Road (Exhibit A). It is located in the southwestern portion of the MSHCP Area (Exhibit B).

¹ Joint Project Review (JPR) only occurs within MSHCP Criteria Cells. Any portion of the project that extends beyond the Criteria is not included as part of this JPR review nor these Findings.



RCA Joint Project Review (JPR) Findings

JPR 23-08-29-01

Date: 09/25/23

- c. **Project Description.** The proposed project will expand the existing Mercedes Benz of Temecula parking lot to the east and involves the construction of a showroom, support offices, parts and service department, service and detail center, wellness gym, and a parking structure.

The site is currently undeveloped and is surrounded by vacant lands and Warm Springs Creek to the north, Temecula Center Drive and vacant land to the south, Ynez Road and residential housing to the east, and commercial developments to the west. The topography of the site is relatively flat with an elevation of approximately 1,100 feet above mean sea level (AMSL).

The proposed project would result in 3.07 acres of permanent impacts, of which 0.2 acre is located within MSHCP Criteria Area, specifically, Cell 6407 (Exhibit E). As such, only the 0.2-acre proposed development is the subject of these JPR Findings (hereafter referred to as “**project site**”). It should be noted that JPR 09-10-05-01 (Jackson Avenue Extension Project), a completed roadway expansion project site, overlaps the proposed project site. However, there are no MSHCP conflicts with this overlap. The proposed project does not include any off-site improvements. The project is not adjacent to any existing conservation area, and no fuel modification or weed abatement zones are proposed.

According to the *Assessment*, vegetation communities within the project site contain non-native ruderal and landscaped ornamental species. MSHCP baseline vegetation communities (1994) within the site consists of grassland (Exhibit C). Soil series within the project site predominantly include Hanford coarse sandy loam, 2 to 8 percent slopes, with a small portion of Ramona and Buren loams, 5 to 25 percent slopes, severely eroded (Exhibit D). None of these soils are directly related to or support Narrow Endemic Plant Species or Criteria Area Plant Species; furthermore, the project site doesn't occur within any MSHCP plant survey areas (refer to Section 6.1.3 and 6.3.2 below).

Relation to Reserve Assembly

- a. **Reserve Assembly Summary.** As stated in Section 3.2.3 of the MSHCP, “Proposed Constrained Linkage 15 is located in the southwestern region of the Plan Area. This Constrained Linkage consists of a portion of Lower Warm Springs Creek, from just east of the I-15 freeway to Proposed Core 2 (Antelope Valley). The Linkage provides Live-In Habitat for species such as western pond turtle and Los Angeles pocket mouse and also provides important linkage area for bobcat. This Linkage contains one of the highest P/A ratios of all MSHCP Constrained Linkages (160 feet per acre), and contains a relatively small proportion of its area as interior area (approximately 30 acres of the total 180 acres). In addition, existing urban Development constrains much of the Linkage, and planned land uses surrounding the Linkage include city (Murrieta) and community Development. For these reasons, special care must be taken to maintain high quality Habitat within the Linkage and along the edges for species sensitive to Edge Effects. Guidelines Pertaining to Urban/Wildlands Interface for the management of edge factors such as lighting, urban runoff, toxics, and domestic predators are presented in Section 6.1 of this document [MSHCP].”

The 0.2-acre project site is located within Cell 6407. As stated in Section 3.3.15 of the MSHCP, “Conservation within this Cell will contribute to assembly of Proposed Constrained Linkage 15. Conservation within this Cell will focus on Riversidean alluvial fan sage scrub habitat along Warm Springs Creek and adjacent grassland habitat. Areas conserved within this Cell will be connected to grassland and Riversidean alluvial fan sage scrub habitat proposed for conservation in Cell #6409 to the west. Conservation within this Cell will be approximately 5% of the Cell focusing in the western portion of the Cell.”

Cell 6407 totals 164 acres. Using the goal of 5%, approximately 8.2 acres are described for conservation within this Cell. To date, 150 acres within the Cell have been developed, or are approved for development, which includes the 0.2-acre proposed project acreage, and 0.8 acre of covered roads acreage. There are approximately 5 acres within the Cell that are proposed for conservation (through JPR 13-10-28-01), all of which are located within the area described for conservation. Therefore, to achieve the Cell goal of approximately 8.2 acres, and with 5 acres proposed for conservation to date, 3.2 acres are still needed for conservation. There are approximately 9 undeveloped acres within the Cell, of which 6 acres are potentially available along Warm Springs Creek, within the area described for conservation and that would functionally contribute. The remaining 3 acres of undeveloped land is fragmented by existing roadways and other development and therefore would not functionally contribute to Proposed Constrained Linkage 15. In summary, with 5 acres proposed for conservation to date and 6 undeveloped acres potentially available for conservation that could also functionally contribute to Proposed Constrained Linkage 15 (totaling approximately 11 acres), Cell 6407 could achieve the goal of 8.2 acres of conservation. Therefore, the project would not impede the conservation goals for Proposed Constrained Linkage 15, nor result in issues regarding fragmentation.

- b. **Rough Step.** The proposed project is within Rough Step Unit 6. As stated in Section 4 of the MSHCP 2021 Annual Report, “Rough Step Unit 6 encompasses 101,542 acres within the south-central region of western Riverside County and includes Antelope Valley, Warm Springs Creek, Paloma Creek, Lake Skinner, Johnson Ranch, and Diamond Valley Lake (see Figure 4-7, Rough Step Unit #6). This Rough Step Unit is bound by Interstate 15 to the northwest, Bundy Canyon Road and Olive Avenue to the north, and Palm Avenue to the west. Only that portion within Criteria Cells is tracked by Rough Step and not all vegetation or land cover within a Rough Step Unit has acreage goals. In Rough Step Unit 6 there are 10 vegetation/land cover types, but only four have Rough Step acreage goals; coastal sage scrub; grasslands; riparian scrub, woodland, forest; and woodlands and forests. *Table 4-9, Rough Step Unit 6 Acreage Totals* provides the losses and gains and resulting allowable development acreage for each of the five vegetation communities with acreage goals.””

Baseline vegetation (1994) for the area of the site located within Criteria Cell 6407 consists of grassland (Exhibit C). Although the 2022 Annual Report has not been finalized, the remaining development allowance for grassland for Rough Step 6 is 299 acres of grassland. As of the end of 2022, this unit remains in Rough Step. Based on the above discussion, the proposed project does not conflict with Rough Step.



RCA Joint Project Review (JPR) Findings

JPR 23-08-29-01

Date: 09/25/23

The Rough Step Unit 6 development allowance may have changed by the time this project submits for a grading permit. As such, the RCA provides the following required Measure to ensure the City does not exceed Rough Step allowances:

ROUGH STEP MEASURE. In accordance with MSHCP Volume I, Section 6.7, it is the Permittees responsibility that *[if the rough step rule is not met during any analysis period (performed annually by the Regional Conservation Authority [RCA]), the Permittees must conserve appropriate lands supporting a specified vegetation community within the analysis unit to bring the Plan back into the parameters of the rule prior to authorizing additional loss of the vegetation community for which the rule was not achieved.* The Permittee is encouraged to consult with the RCA on current rough step allowances prior to working with project applicants developing grading plans. The Permittee must not cause additional loss of any rough step vegetation that is out of balance. Prior to issuance of a grading permit, the Permittee will confirm with the RCA that the Project will not impact out-of-balance Rough Step vegetation in the applicable Rough Step unit.

Other Plan Requirements (MSHCP Volume I)

Section 6.1.2 – Was Riparian/Riverine/Vernal Pool Mapping or Information Provided?

Yes. There are no Riparian/Riverine resources on the project site. There are no vernal pools on the project site, and the soils and topography present on the site do not support habitat considered suitable for fairy shrimp. There is no suitable riparian bird habitat on the project site.

Section 6.1.3 – Was Narrow Endemic Plant Species Survey Information Provided?

Yes. The project site is not located within a Narrow Endemic Plant Species Survey Area.

Section 6.3.2 – Was Additional Survey Information Provided?

Yes. The project site is not located in a Criteria Area Species Survey Area for plants. The project site is not located in Additional Survey Needs and Procedures Areas for amphibians or small mammals. The project site does not support Delhi sands (Exhibit D) or in areas that would trigger additional review for Delhi sands flower-loving fly. However, the project site is located in an Additional Survey Needs and Procedures Area for burrowing owl.

Section 6.1.4 – Was Information Pertaining to Urban/Wildland Interface Guidelines Provided?

Yes. The property is not located adjacent to existing or proposed conservation areas.

Comments on Other Plan Requirements:

- a. **Section 6.1.2.** The following discusses each requirement under this policy.

Riparian/Riverine. According to the *Assessment*, the project site was evaluated for riparian/riverine features on June 27, 2023. The project site did not contain riparian vegetation or definable riparian/riverine features. There were no indications of hydrology, hydric soils, or hydrophytic vegetation that support riparian/riverine areas. According to the *Assessment*, riparian/riverine resources are absent from the project site. Based upon this information, the proposed project will not result in impacts to riparian/riverine resources.

Vernal Pools/Fairy Shrimp. According to the *Assessment*, the project site lacks suitable soils and hydrology to support vernal pools. There was no on-site evidence of clay soils, hardpan, bedrock or other impermeable soils observed that support vernal pool features. No evidence of vernal pools, seasonal depressions, seasonally inundated road ruts or other wetland features that would support fairy shrimp were observed on the project site. Due to the absence of suitable fairy shrimp habitat, focused surveys were not warranted.

Riparian Birds. According to the *Assessment*, vegetation present on the project site consists of ruderal and ornamental vegetation. Therefore, due to the absence of suitable riparian habitat that would support riparian birds, focused surveys were not warranted.

Based on the information provided in the *Assessment*, the project demonstrates consistency with Section 6.1.2 of the MSHCP.

- b. **Section 6.1.3 NEPSSA Plants.** The project site is not located in a Narrow Endemic Plant Species Survey Area.

Based on the information provided in the *Assessment*, the project demonstrates consistency with Section 6.1.3 of the MSHCP.

- c. **Section 6.3.2. Additional Survey Needs and Procedures.** The project site is not located in a Criteria Area Species Survey Area for plants. The project site is not located in Additional Survey Needs and Procedures Areas for amphibians or small mammals. The following describes Additional Survey Needs and Procedures applicable to the proposed project:

Burrowing Owl. The project site is located within the Additional Survey Needs and Procedures Area for burrowing owl. In accordance with the County of Riverside's Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area (County of Riverside 2006), a Step I Habitat Assessment was conducted on June 27, 2023, within the project site and within an additional 500-foot buffer around the site. According to the *Assessment*, suitable habitat was detected within the project site in the form of ruderal vegetation composed of non-native weedy species. Due to the presence of suitable habitat, a Step II-A Focused Burrow Survey was conducted concurrently. One suitable burrow was present on the project site; however, it was actively occupied by a California ground squirrel and was therefore determined not occupied by burrowing owl. The project site lacks potentially suitable manmade structures such as earthen berms, cement, asphalt, rock, or wood debris piles, or openings beneath cement or asphalt pavement. Therefore, due to the lack of suitable/occupiable burrows, Step II-B Focused Burrowing Owl Surveys were not conducted.

However, because suitable habitat for burrowing owl is present on the site, and owls could colonize the site prior to the start of construction, the following measure is applicable to the project:

BURROWING OWL MEASURE. Due to the presence of potentially suitable habitat, a 30-day pre-construction survey for burrowing owls is required prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.) to ensure that no owls have colonized the site in the days or weeks preceding the ground-disturbing activities. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform the Regional Conservation Authority (RCA) and the Wildlife Agencies, and will need to coordinate further with RCA and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure burrowing owl has not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary.

Based on the information provided by in the *Assessment*, the project demonstrates consistency with Section 6.3.2 of the MSHCP.

- d. **Section 6.1.4. Urban/Wildlands Interface Guidelines.** Although the project site is not directly adjacent to any MSHCP Conservation Areas, it is essential to preserve the integrity of areas targeted for conservation in proximity to the project site. Therefore, the Permittee should take into consideration the guidelines contained in Section 6.1.4 related to controlling adverse effects for development adjacent to MSHCP Conservation Areas in their actions relative to the project. Therefore, the Permittee should include the following measures as project conditions of approval, as applicable:

SECTION 6.1.4 MEASURE.

- i. **Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas. Best Management Practices (BMPs) will be implemented to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm downstream biological resources or ecosystems.**
- ii. **Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.**

- iii. Night lighting shall be directed away from the MSHCP Conservation Area and the avoided area on site to protect species from direct night lighting.
 - iv. Proposed noise-generating land uses affecting the MSHCP Conservation Area, including designated avoidance areas, shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.
 - v. Avoid use of invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans for the portions of the project that are adjacent to the MSHCP Conservation Area, including avoidance areas. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas and designated avoidance areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features.
 - vi. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into existing and future MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.
 - vii. Manufactured slopes associated with proposed site development shall not extend into the MSHCP Conservation Area.
 - viii. Weed abatement and fuel modification activities are not permitted in the Conservation Area, including designated avoidance areas.
- e. **Appendix C.** The following best management practices (BMPs), as applicable, shall be implemented for the duration of construction:

APPENDIX C MEASURE.

- i. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.

- ii. **Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.**
- iii. **The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.**
- iv. **The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.**
- v. **Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.**
- vi. **Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian species identified in MSHCP Global Species Objective No. 7.**
- vii. **When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing or other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments off site. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.**
- viii. **Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFG [CDFW], RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.**
- ix. **Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.**



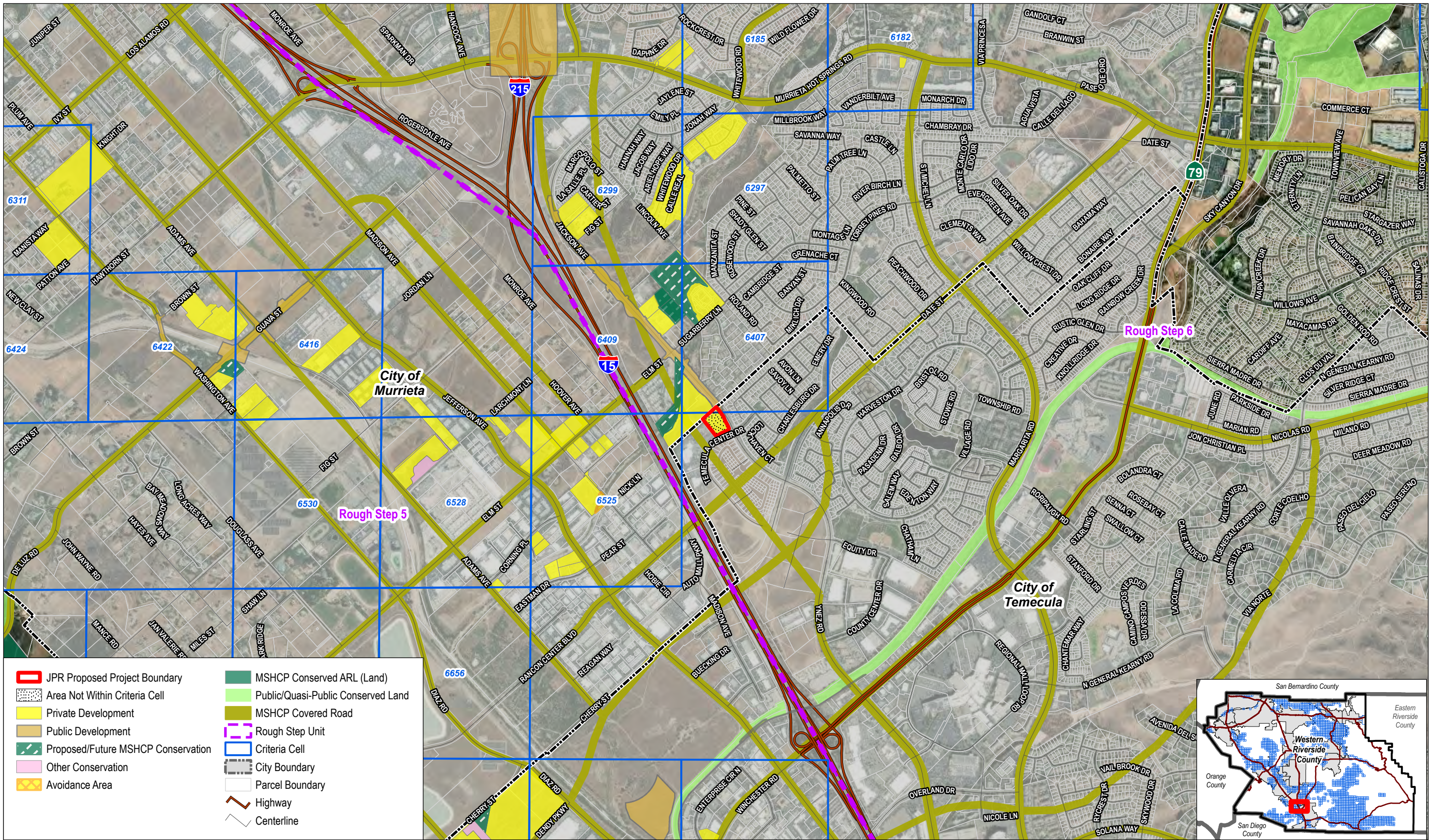
RCA Joint Project Review (JPR) Findings

JPR 23-08-29-01

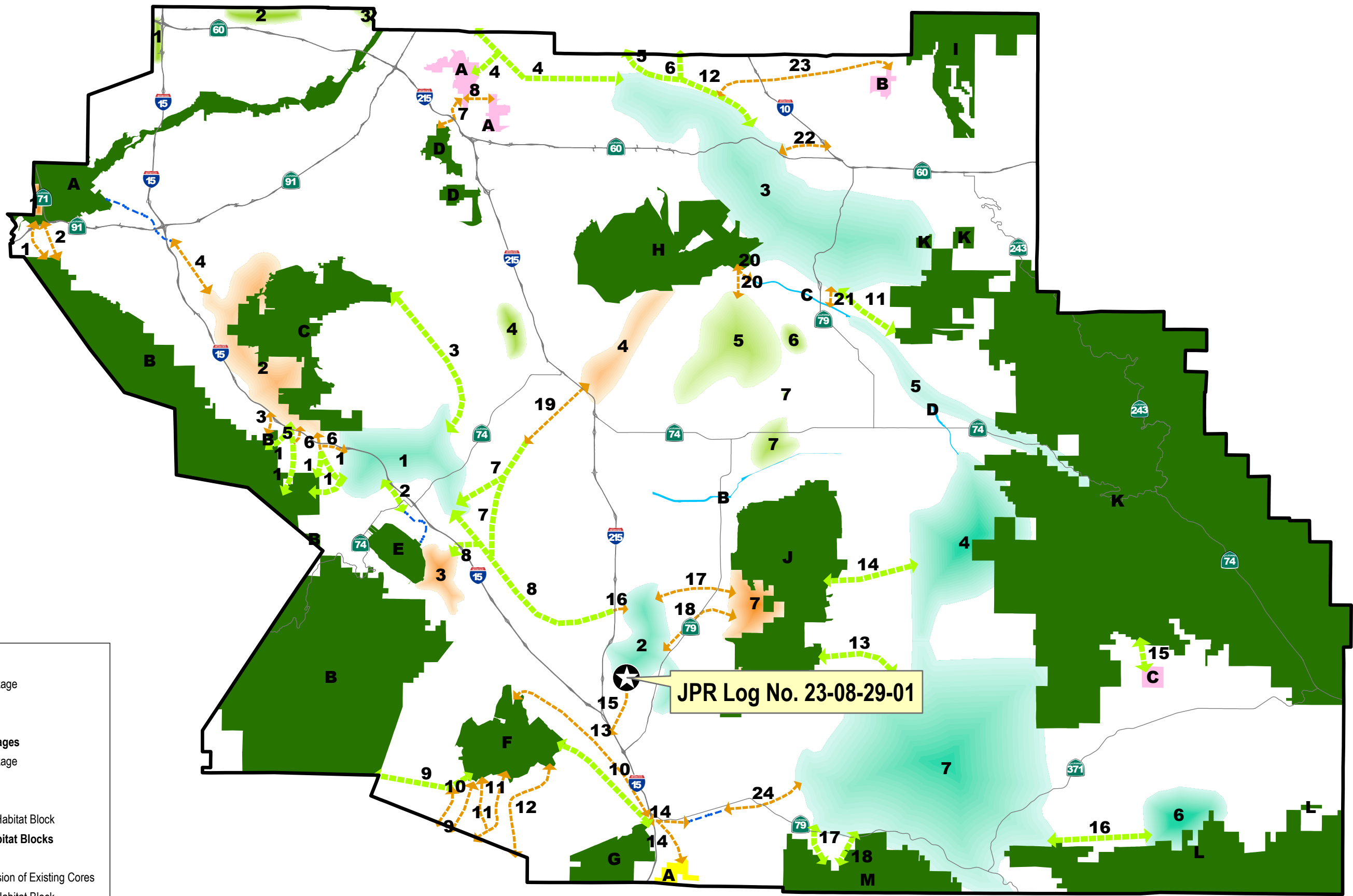
Date: 09/25/23

- x. The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.**
- xi. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.**
- xii. Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.**
- xiii. To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).**
- xiv. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.**
- xv. The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions, including these BMPs.**

CT/TC



SOURCE: Western Riverside County Regional Conservation Authority 2022; County of Riverside 2022; Esri Basemap 2022. Map created on 9/14/2023.



SOURCE: Western Riverside County Regional Conservation Authority (WRC-RCA). Map created on 8/30/2023



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Permittee: City of Temecula
PA23-0329/Mercedes Sprinter

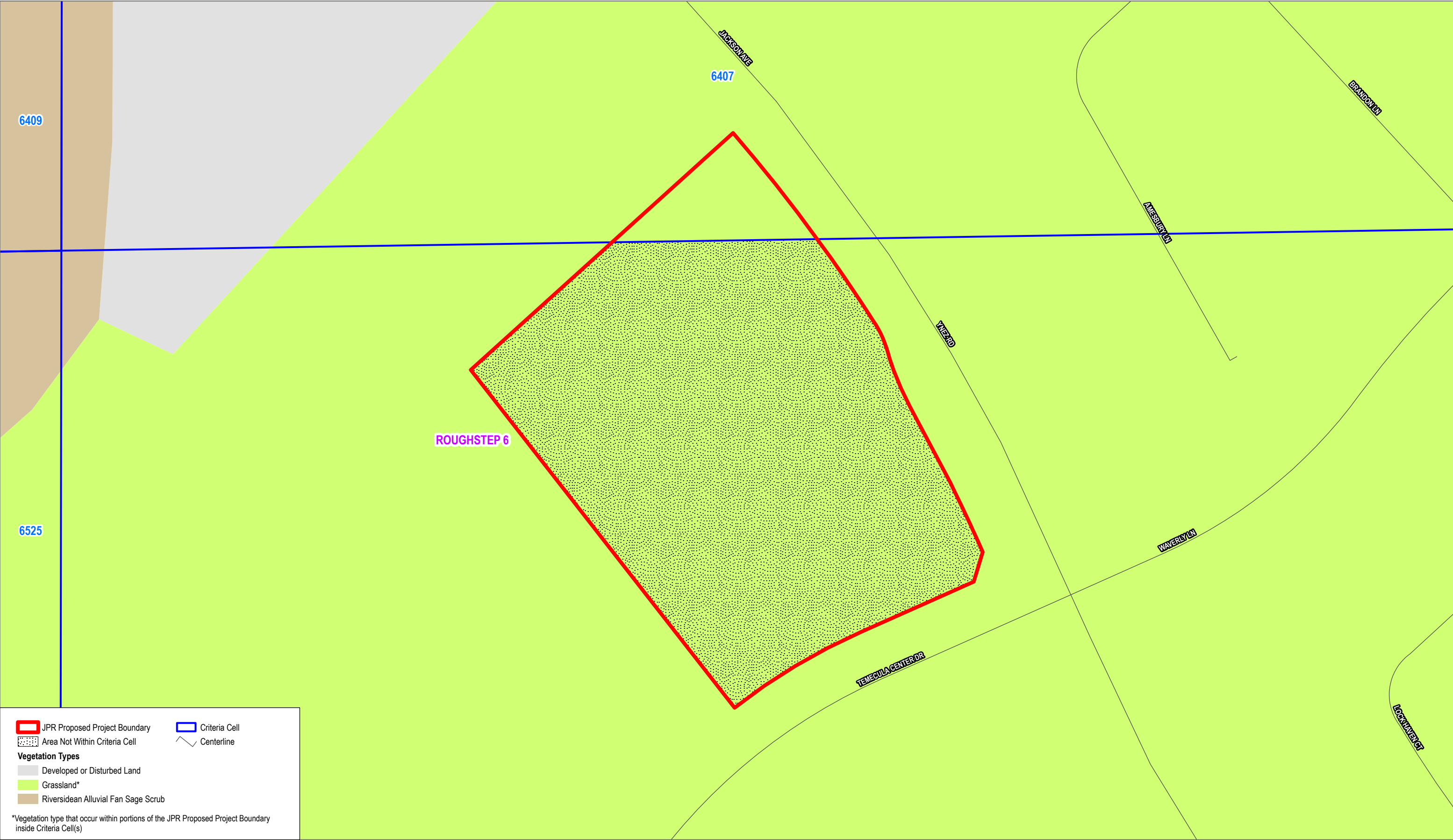


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JPR Log No. 23-08-29-01 - Vicinity Map with MSHCP Schematic Cores and Linkages

EXHIBIT B

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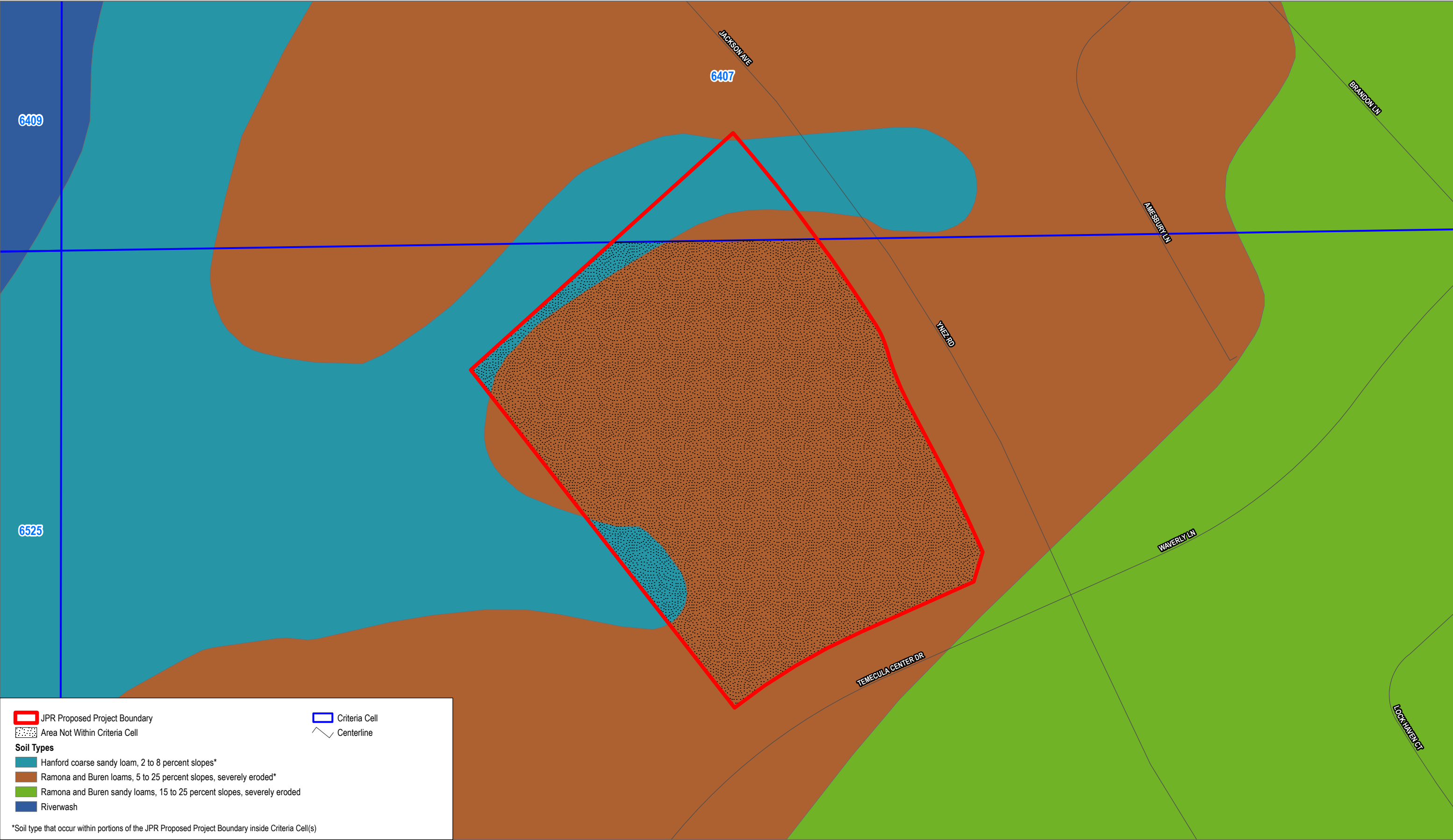
SOURCE: WRC-RCA MSHCP Baseline Vegetation (1994). Map created on 9/11/2023.



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SOURCE: Western Riverside County Regional Conservation Authority 2023; County of Riverside 2023; USDA/NRCS Soils 2020



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Permittee: City of Temecula
PA23-0329/Mercedes Sprinter



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SOURCE: Western Riverside County Regional Conservation Authority 2023; County of Riverside 2023; Esri Basemap 2023. Map created on 9/13/2023.



Leighton Consulting, Inc.

A Leighton Group Company

September 5, 2023

Project No. 11760.047

City of Temecula, Planning Department
4100 Main Street
Temecula, CA 92590

Attention: Mr. Scott Cooper, Senior Planner II

**Subject: Geotechnical Peer Review_ Final
Proposed Sprinter Van Center Mercedes-Benz of Temecula
40910 Temecula Center Drive, Temecula, California, PA23-0329**

Reference: Preliminary Soil Investigation Report, Proposed Sprinter Van Center at Mercedes-Benz of Temecula, 40910 Temecula Center Drive, Temecula, California 92591, by Geo-Etka, Inc. Project No.: FP-12059-23, dated June 28, 2023, Revised August 31, 2023

In accordance with your request, we performed a peer review of the above referenced geotechnical report to confirm compliance with the requirements of the 2022 California Building Code, applicable Local and State technical guidelines, and standard of care typically used in this area and for this type of construction. Based on this review, it is our opinion that the referenced geotechnical report is considered adequate for the intended use. Please note that our opinion/ peer review is to help the City in their technical review process of the submitted report and the consultant remains solely responsible for their findings and recommendations.

We appreciate this opportunity to be of service to City and please do not hesitate to us if you have any question.

Respectfully submitted,

LEIGHTON CONSULTING, INC.

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Distribution: (1) Addressee (PDF copy via email)