

CITY OF TEMECULA

CONDITIONS OF APPROVAL ACCEPTANCE

Planning Application Number: PA26-0266

Parcel Number(s):

922-034-022

By signing below, I/we have agreed to the following Conditions of Approval, including (but not limited to) any referenced documents, local, state, or federal regulations, statement of operations, hours of operation, floor plans, site plans, and Conditions that may require the payment or reimbursement of fees, as described. I/we have read the attached Conditions of Approval and understand them. I/we also understand that violations or non-compliance with these Conditions of Approval, may delay a project, and/or result in the revocation of a permit in accordance with the Temecula Municipal Code. I/we are also responsible for disclosing these Conditions of Approval to any successive owners/operators. I/we agree and commit to the City of Temecula that I/we will implement and abide by the Conditions of Approval, including any indemnification requirements imposed by those conditions.

Property Owner Printed Name

Property Owner Signature & Date

Applicant Printed Name

Applicant Signature & Date

EXHIBIT
CITY OF TEMECULA
DRAFT CONDITIONS OF APPROVAL

Planning Application No.: PA26-0266

Project Description: The sixth Extension of Time application for previously approved Development Plan (PA17-0854) for a four-story hotel with underground parking located approximately 50 feet southwest of Mercedes Street on the south side of 4th Street.

Assessor's Parcel No.: 922-034-022

MSHCP Category: N/A (No New Grading)

DIF Category: N/A (No New Square Footage)

TUMF Category: N/A (No New Square Footage)

Quimby Category: N/A (Not a Residential Project)

New Street In-lieu of Fee: N/A (Project is not located within the Uptown Temecula Specific Plan)

Approval Date: August 11, 2026

Expiration Date: April 18, 2028

PLANNING DIVISION
General Requirements

1. 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.

2. Expiration. This approval shall be used by April 18, 2028; otherwise, it shall become null and void. Use means the beginning of substantial construction contemplated by this approval within the two-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.

3. Time Extension. Per the Conditions of Approval for the original Development Plan (PA17-0854), extensions beyond the fifth extension of time may be granted by the City Council at a public hearing. A seventh extension of time request must be received before the sixth one expires on April 18, 2028. The Temecula City Council must approve this request through a public hearing.

4. Conformance with Approved Plans. The development of the premises shall substantially conform to the approved site plan and elevations contained on file with the Planning Division.

5. Modifications or Revisions. The developer shall obtain City approval for any modifications or revisions to the approval of this project.

6. Previous Conditions of Approval. All previous Conditions of Approval from PA17-0854 shall remain in full effect unless superseded herein.

PUBLIC WORKS DEPARTMENT

General Requirements

7. Conditions of Approval. The Applicant shall comply with all the underlying Conditions of Approval for PA17-0854 (Development Plan - 4th Street Hotel) as approved on April 18, 2018, and all subsequent approvals.

FIRE PREVENTION

Extension of Time

8. Requirements. Having valid conditions in place and appearing that no changes are being made that affect life safety all conditions previously placed on the project, and all codes and regulation in affect at the time of building permit application will be in full force and effect.
9. Life Safety Standards. The project will of course be subject to the applicable fire and life safety standards in place in the law at the time building and related permits are issued.