

## EXHIBIT A

### CITY OF TEMECULA

#### DRAFT CONDITIONS OF APPROVAL

|                                   |   |
|-----------------------------------|---|
| <b>Planning Application No.:</b>  | PA19-1165   |
| <b>Project Description:</b>       | A Conditional Use Permit for Temecula Valley Lexus for an approximately 54,383 square foot automobile dealership that includes sales, service, and parts storage located at 42081 DLR Drive |
| <b>Assessor's Parcel No.:</b>     | 921-730-064   |
| <b>MSHCP Category:</b>            | Commercial  |
| <b>DIF Category:</b>              | Retail Commercial   |
| <b>TUMF Category:</b>             | Retail Commercial   |
| <b>Quimby Category:</b>           | N/A (non-residential development)   |
| <b>New Street In-lieu of Fee:</b> | N/A (project not located in Uptown Temecula Specific Plan area)   |
| <b>Approval Date:</b>             | December 30, 2019   |
| <b>Expiration Date:</b>           | December 30, 2021   |

#### PLANNING DIVISION

##### General Requirements

1. Indemnification of the City. The applicant and owner of the real property subject to this condition shall hereby agree to indemnify, protect, hold harmless, and defend the City and its attorneys from any and all claims, actions, awards, judgments, or proceedings against the City to attack, set aside, annul, or seek monetary damages resulting, directly or indirectly, from any action in furtherance of and the approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning the Planning Application. The City shall be deemed for purposes of this condition, to include any agency or instrumentality thereof, or any of its elected or appointed officials, officers, employees, consultants, contractors, legal counsel, and agents. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves the right to take any and all action the City deems to be in the best interest of the City and its citizens in regards to such defense.
2. Expiration. This approval shall be used within two years of the approval date; otherwise, it shall become null and void. By use is meant 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.

3. 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 three one year extensions of time, one year at a time.
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 permittee shall obtain City approval for any modifications or revisions to the approval of this project.
6. Statement of Operations. The applicant shall comply with their Statement of Operations dated August 22, 2019, on file with the Planning Division, unless a conflict exists between the Statement of Operations and these Conditions of Approval, in which case the Conditions of Approval control.
7. Revocation of CUP. This Conditional Use Permit may be revoked pursuant to Section 17.03.080 of the City's Development Code.
8. City Review and Modification of CUP. The City, its Director of Community Development, Planning Commission, and City Council retain and reserve the right and jurisdiction to review and modify this Conditional Use Permit (including the Conditions of Approval) based on changed circumstances. Changed circumstances include, but are not limited to, the modification of business, a change in scope, emphasis, size of nature of the business, and the expansion, alteration, reconfiguration or change of use. The reservation of right to review any Conditional Use Permit granted or approved or conditionally approved hereunder by the City, its Director of Community Development, Planning Commission and City Council is in addition to, and not in-lieu of, the right of the City, its Director of Community Development, Planning Commission, and City Council to review, revoke or modify any Conditional Use Permit approved or conditionally approved hereunder for any violations of the conditions imposed on such Conditional Use Permit or for the maintenance of any nuisance condition or other code violation thereon.