

EXHIBIT A
CITY OF TEMECULA
DRAFT CONDITIONS OF APPROVAL

Planning Application No.: PA16-0966

Project Description: Hilton Garden Inn CUP: A Conditional Use Permit for Hilton Garden Inn to obtain a Type 70 ABC License (On Sale General – Restrictive). The site is located approximately 900 feet north of Rancho California Road on Jefferson Avenue.

Assessor's Parcel No.: 921-060-056

MSHCP Category: N/A (No New Grading or Square Footage)

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

TUMF Category: Per WRCOG Requirements

Quimby Category: N/A (Non-Residential Project)

New Street In-lieu of Fee: N/A (No New Square Footage)

Approval Date: January 20, 2021

Expiration Date: January 20, 2023

PLANNING DIVISION

Within 48 Hours of the Approval

1. Filing Notice of Exemption. The applicant/developer shall deliver to the Planning Division a cashier's check or money order made payable to the County Clerk in the amount of Fifty Dollars (\$50.00) for the County administrative fee, to enable the City to file the Notice of Exemption as provided under Public Resources Code Section 21152 and California Code of Regulations Section 15062. If within said 48-hour period the applicant/ developer has not delivered to the Planning Division the check as required above, the approval for the project granted shall be void by reason of failure of condition (Fish and Wildlife Code Section 711.4(c)).

General Requirements

2. 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.
3. Expiration. This approval shall be used within two 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 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.
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. 14 (Uptown Temecula Specific Plan).
6. 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.
7. Modifications or Revisions. The permittee shall obtain City approval for any modifications or revisions to the approval of this project.
8. Food Service. The hotel shall serve a full menu at all hours that alcohol is served.
9. Statement of Operations. The applicant shall comply with their Statement of Operations submitted December 21, 2020, 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.
10. Revocation of CUP. This Conditional Use Permit may be revoked pursuant to Section 17.03.080 of the City's Development Code.

11. 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.
12. Posting of Local Transportation Providers. An 8.5" x 11" (or larger) sign listing local transportation service providers and corresponding telephone numbers shall be posted at a conspicuous location within the building. Information to assist in the compilation of this sign may be obtained through the Temecula Valley Chamber of Commerce at (951) 676-5090.
13. Termination of Alcohol Sales. The last call indicating the termination of the sale of alcohol shall be no less than one half (1/2) hour prior to closing for all nights of operation.

POLICE DEPARTMENT

General Requirements

14. Consumption of Alcoholic Beverages in Public Prohibited. The applicant shall comply with Temecula Municipal Code Section 9.14.010, Consumption of Alcoholic Beverages in Public Prohibited.
15. Acceptable Forms of Identification. As noted above, only a valid government issued identification card issued by a Federal, State, County or City agency is acceptable, providing it complies with Section 25660 of the Business and Profession Code (B&P), which includes the following requirements: (a) name of person; (b) date of birth; (c) physical description; (d) photograph; (e) currently valid (not expired). It is the responsibility of the business owner and any person who serves or sells alcohol to be aware of current laws and regulations pertaining to alcoholic beverages.
16. Identification Verification. Applicant shall have a positive means of identifying those who are over age 21, such as a wristband. No alcohol shall be sold or made available to any person under the age of 21, nor shall any person under the age of 21 be permitted to consume any alcohol under any circumstances.
17. Employee Training for Identification Checks. The applicant shall ensure all employees involved with the sales, service and identification checks for the purpose of any sales of alcoholic beverages is trained in the proper procedures and identification checks. The Temecula Police Department provides free training for all employers and employees involved in the service and sales of alcoholic beverages. It is the responsibility of the applicant to set up a training session for all new employees. Contact the Crime Prevention and Plans Unit at (951) 506-5132 to set up a training date. Training must be completed prior to the grand opening of this business and periodic updated training when new employees/ management are hired.
19. Questions Regarding Conditions. Any questions regarding these conditions should be directed to the Temecula Police Department Crime Prevention and Plans Unit at (951) 506-5132.

20. Compliance with State Department of Alcoholic Beverage Control. Any business that serves or sells any type of alcoholic beverages will comply with all guidelines within the Business and Profession Codes and all other guidelines associated with the State Department of Alcoholic Beverage Control.
21. Inspections and Training. Contact the Temecula Police Department for inspections and training for both employees and owners. This includes special events held at business locations where alcohol will be served for a fee and the event is open to the general public.
22. 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.
23. 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.