

EXHIBIT A

CITY OF TEMECULA

FINAL CONDITIONS OF APPROVAL

Planning Application No.:	PA20-1478
Project Description:	A modification application to a development plan to add a 235 square foot hallway, a new tower element to the south facade and updated paint and materials on the Del Taco restaurant located at 27453 Ynez Road.
Assessor's Parcel No.:	921-260-024
MSHCP Category:	N/A (Existing Building and Parking Lot)
DIF Category:	Commercial
TUMF Category:	Commercial
Quimby Category:	N/A (Not a Residential Project)
New Street In-lieu of Fee:	N/A (Not Located Within the Uptown Temecula Specific Plan)
Approval Date:	April 21, 2021
Expiration Date:	April 21, 2024

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 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.

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 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. Signage Permits. A separate building permit shall be required for all signage.
6. 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.
7. Graffiti. All graffiti shall be removed within 24 hours on telecommunication towers, equipment, walls, or other structures.
8. Paint Maintenance. The applicant shall utilize a paint that is designed to permanently adhere to the all surfaces including the exterior doors. The painted surfaces shall be maintained in a continuous manner and shall be free of cracking, peeling, and any other signs of disrepair to the satisfaction of the Community Development Department.
9. 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.

The mansard roof of the building will be removed to reveal a squared off façade. A tower element will be incorporated at the south corner of the building to break up the flat elevations of the building. The exterior walls will be furnished with sconces between windows, a metal flashing trim, a new stone veneer base, and finishes to match the current national Del Taco prototype design. The exterior paint scheme includes earth tone including Sherwin Williams Luau Green, Java Brown, Chinese Red, and Modern Gray.

10. Modifications or Revisions. The permittee shall obtain City approval for any modifications or revisions to the approval of this project.
11. Covered Trash Enclosures. All trash enclosures on site shall include a solid cover and the construction plans shall include all details of the trash enclosures, including the solid cover prior to building permit issuance.
12. Phased Construction. If construction is phased, a construction staging area plan or phasing plan for construction equipment and trash shall be approved by the Director of Community Development.
13. 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.

14. 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.

Prior to Issuance of Building Permit

15. 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.

BUILDING AND SAFETY DIVISION

General Requirements

16. 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.
17. 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.
18. 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.
19. 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.
20. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
21. 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.
22. Demolition. Demolition permits require separate approvals and permits.
23. 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 Municipal Ordinance 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.

FIRE PREVENTION

General Requirements

24. Fire Requirement. Building is non-sprinklered. If any changes occur to the cooking equipment, a permit will be required for the hood system. No other permits are required by fire.