

EXHIBIT A
CITY OF TEMECULA
DRAFT CONDITIONS OF APPROVAL

Planning Application No.: PA21-0641

Project Description: VR Center Building F MOD: a Modification Application to a Development Plan for facade and site changes including a new outdoor patio area, new walkway, relocated accessible parking and a trash enclosure for the Vail Ranch Center building located at 31845 Temecula Parkway, Building F

Assessor's Parcel No.: 961-080-008

MSHCP Category: N/A (Existing Building and Graded Site)

DIF Category: N/A (Existing Building)

TUMF Category: N/A (Existing Building)

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

New Street In-lieu of Fee: N/A (Not Located Within the Uptown Temecula Specific Plan)

Approval Date: September 1, 2021

Expiration Date: September 1, 2024

PLANNING DIVISION

Within 48 Hours of the Approval

1. Filing Notice of Exemption. The applicant/developer shall deliver to the Planning Division a cashiers 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 three 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. 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.
6. Signage Permits. A separate building permit shall be required for all signage.
7. 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.
8. Graffiti. All graffiti shall be removed within 24 hours on telecommunication towers, equipment, walls, or other structures.
9. 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.

10. 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.
New stucco facade and trim incorporating Sherwin Williams Paint called "Birdseye Maple" for the primary color, "Crystalline" for the secondary paint color, and a dark trim paint named "After the Storm"
Wood Trellis/Rafters with rough sawn texture and stained to match SW "Jute Brown"
Wrought iron railing/fence along enclosed outdoor patio area painted to match dark building trim
11. Modifications or Revisions. The permittee shall obtain City approval for any modifications or revisions to the approval of this project.
12. 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.
13. 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.
15. 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.
16. 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.
17. 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.
18. Landscaping Prior to Occupancy. All landscaping shall be installed prior to occupancy to ensure there was no net loss of landscape area on the site.
19. 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.
20. Water Efficient Landscape. Landscaping installed shall remain consistent with the plant list and water efficiency calculations per Chapter 17.32 of the Temecula Municipal Code.

Prior to Issuance of Building Permit

21. Building Construction Plans for Outdoor Areas. Building Construction Plans shall include detailed outdoor areas (including but not limited to trellises, decorative furniture, fountains, hardscape, landscape planters, etc.) to match the style of the building subject to the approval of the Director of Community Development.

PUBLIC WORKS DEPARTMENT

General Requirements

22. 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.
23. Entitlement Approval. The developer shall comply with the approved site plan 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.
24. Precise Grading Permit. A precise grading permit for on site improvements (outside of public right-of-way) shall be obtained from Public Works.
25. 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.

Prior to Issuance of a Grading Permit

26. Environmental Constraint Sheet (ECS). The developer shall comply with all constraints per the recorded ECS with any underlying maps related to the subject property.
27. 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
28. 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.
29. 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.
30. 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)

31. 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.

Prior to Issuance of a Certificate of Occupancy

32. 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.

33. 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.

BUILDING AND SAFETY DIVISION

General Requirements

34. 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.
35. 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.
36. ADA Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
- Disabled access from the public way to the main entrance of the building.
 - Van accessible parking located as close as possible to the main entrance of the building.
 - Accessible path of travel from parking to the furthest point of improvement.
 - Path of accessibility from parking to furthest point of improvement.
 - Accessible path of travel from public right-of-way to all public areas on site, such as trash enclosures, clubhouses, and picnic areas.
37. 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.
38. 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.
39. 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.
40. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
41. 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.
42. Demolition. Demolition permits require separate approvals and permits.
43. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits.

44. 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.

FIRE PREVENTION

General Requirements

45. Fire Requirement. 1. Any changes to the existing fire sprinkler system will require a sprinkler tenant improvement permit from a licensed C-16 sprinkler contractor. Plans and permits will be required to be submitted and approved.
2. Any changes to the existing fire alarm system will require a fire alarm tenant improvement permit from a licensed C-10 fire alarm contractor. Plans and permits will be required to be submitted and approved.