

EXHIBIT A
CITY OF TEMECULA
DRAFT CONDITIONS OF APPROVAL

Planning Application No.: PA21-0793

Project Description: A Development Plan for an approximately 5,708 square foot restaurant with outdoor patio located at 29363 Rancho California Rd.

Assessor's Parcel No.: 944-330-011

MSHCP Category: Commercial

DIF Category: Service Commercial

TUMF Category: Service Commercial/Office

Quimby Category: N/A (non-residential project)

New Street In-lieu of Fee: N/A (project not located in Uptown Temecula Specific Plan area)

Approval Date: November 17, 2021

Expiration Date: November 17, 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 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.

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 (5) 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 the Rancho Highlands 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. Signage Permits. A separate building permit shall be required for all signage.

8. 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.

9. Graffiti. All graffiti shall be removed within 24 hours on telecommunication towers, equipment, walls, or other structures.

10. Water Quality and Drainage. Other than stormwater, it is illegal to allow liquids, gels, powders, sediment, fertilizers, landscape debris, and waste from entering the storm drain system or from leaving the property. To ensure compliance with this Condition of Approval:
- a. Spills and leaks shall be cleaned up immediately.
 - b. Do not wash, maintain, or repair vehicles onsite.
 - c. Do not hose down parking areas, sidewalks, alleys, or gutters.
 - d. Ensure that all materials and products stored outside are protected from rain.
 - e. Ensure all trash bins are covered at all times.

11. 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.

Material	Color
Paint	Black Tar
Paint	Country Redwood
Paint	Hasbrouck Brown
Paint	Marsh Brown
Stain	Walnut
Stone	Coronado Stone (Old Country Rubble Blend)
Siding	Hardie Plank P-13
Siding	Hardie Plank P-16
Brick	Quaker Blend Velor
Roof	Standing Seam Metal Galvalume Finish

12. Modifications or Revisions. The permittee shall obtain City approval for any modifications or revisions to the approval of this project.
13. Trash Enclosures. The trash enclosures shall be large enough to accommodate a recycling bin, as well as regular solid waste containers.
14. 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.
15. 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.

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. Public Art Ordinance. The applicant shall comply with the requirements of the City's Public Art Ordinance as defined in Chapter 5.08 of the Temecula Municipal Code.
18. 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 Grading Permit

19. Placement of Transformer. Provide the Planning Division with a copy of the underground water plans and electrical plans for verification of proper placement of transformer(s) and double detector check valves prior to final agreement with the utility companies.
20. Placement of Double Detector Check Valves. Double detector check valves shall be installed at locations that minimize their visibility from the public right-of-way, subject to review and approval by the Director of Community Development.
21. Archaeological/Cultural Resources Grading Note. The following shall be included in the Notes Section of the Grading Plan: "If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Director of Community Development at his/her sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/ cultural resource, the Planning Director shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Planning Director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Planning Director."
22. Discovery of Cultural Resources. The following shall be included in the Notes Section of the Grading Plan: "If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease, and the qualified archaeologist and the Pechanga monitor shall investigate the find, and make recommendations as to treatment."
23. Archaeological Monitoring Notes. The following shall be included in the Notes Section of the Grading Plan: "A qualified archaeological monitor will be present and will have the authority to stop and redirect grading activities, in consultation with the Pechanga Tribe and their designated monitors, to evaluate the significance of any archaeological resources discovered on the property."
24. Tribal Monitoring Notes. The following shall be included in the Notes Section of the Grading Plan: "A Pechanga Tribal monitor will be present during grading of the detention system and its utility connection and will have the authority to stop and redirect grading activities, in consultation with the project archaeologist and their designated monitors, to evaluate the significance of any potential resources discovered on the property."

25. Relinquishment of Cultural Resources. The following shall be included in the Notes Section of the Grading Plan: "The landowner agrees to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project area, to the Pechanga Tribe for proper treatment and disposition."
26. Preservation of Sacred Sites. The following shall be included in the Notes Section of the Grading Plan: "All sacred sites are to be avoided and preserved."
27. Geotechnical Report. A updated geotechnical report per the Leighton Consulting, Inc letter dated June 27, 2021 shall be submitted, reviewed, and approved prior to the issuance of a grading permit.
28. Archaeologist Retained. Prior to beginning project construction, the Project Applicant shall retain a Riverside County qualified/City of Temecula approved archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation (See PL-4). The archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Pechanga Tribe in order to evaluate the significance of any potential resources discovered on the property. Pechanga and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the limited authority to stop and redirect grading activities should an inadvertent cultural resource be identified. The archaeologist shall provide a final monitoring report at the end of all earthmoving activities to the City of Temecula, the Pechanga Tribe and the Eastern Information Center at UC, Riverside.
29. Human Remains. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in these conditions.

Prior to Issuance of Building Permit

30. Transportation Uniform Mitigation Fee (TUMF). The Western Riverside County of Governments administers and collects the Transportation Uniform Mitigation Fee (TUMF). The City of Temecula adopted an ordinance on March 31, 2003 for a Riverside County area wide Transportation Uniform Mitigation Fee (TUMF). This project is subject to payment of these fees at the time of building permit issuance (paid to WRCOG). The fees are subject to the provisions of Chapter 15.08 of the Temecula Municipal Code and the fee schedule in effect at the time of building permit issuance. Additional information on payment, fees, and points of contact can be found at <http://www.wrcog.ca.us/174/TUMF>
31. 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.

32. Construction Landscaping and Irrigation Plans. Four (4) copies of Construction Landscaping and Irrigation Plans shall be reviewed and approved by the Planning Division. These plans shall be submitted as a separate submittal, not as part of the building plans or other plan set. These plans shall conform to the approved conceptual landscape plan, or as amended by these conditions. The location, number, height and spread, water usage or KC value, genus, species, and container size of the plants shall be shown. The plans shall be consistent with the Water Efficient Ordinance and Water Storage Contingency Plan per the Rancho California Water District. The plans shall be accompanied by the appropriate filing fee (per the City of Temecula Fee Schedule at time of submittal) and one copy of the approved Grading Plan.
33. Landscaping Site Inspections. The Landscaping and Irrigation Plans shall include a note stating, "Three landscape site inspections are required. The first inspection will be conducted at installation of irrigation while trenches are open. This will verify that irrigation equipment and layout is per plan specifications and details. Any adjustments or discrepancies in actual conditions will be addressed at this time and will require an approval to continue. Where applicable, a mainline pressure check will also be conducted. This will verify that the irrigation mainline is capable of being pressurized to 150 psi for a minimum period of two hours without loss of pressure. The second inspection will verify that all irrigation systems are operating properly, and to verify that all plantings have been installed consistent with the approved construction landscape plans. The third inspection will verify property landscape maintenance for release of the one-year landscape maintenance bond." The applicant/owner shall contact the Planning Division to schedule inspections.
34. Agronomic Soils Report. The Landscaping and Irrigation Plans shall include a note on the plans stating, "The contractor shall provide two copies of an agronomic soils report at the first irrigation inspection."
35. Water Usage Calculations. The Landscaping and Irrigation Plans shall include water usage calculations per Chapter 17.32 of the Development Code (Water Efficient Ordinance) and the total cost estimate of plantings and irrigation (in accordance with approved plan). Applicant shall use evapotranspiration (ET_o) factor of 0.70 for calculating the maximum allowable water budget.
36. Landscape Maintenance Program. A landscape maintenance program shall be submitted to the Planning Division for approval. The landscape maintenance program shall detail the proper maintenance of all proposed plant materials to assure proper growth and landscape development for the long-term esthetics of the property. The approved maintenance program shall be provided to the landscape maintenance contractor who shall be responsible to carry out the detailed program.
37. Specifications of Landscape Maintenance Program. Specifications of the landscape maintenance program shall indicate, "Three landscape site inspections are required. The first inspection will be conducted at installation of irrigation while trenches are open. This will verify that irrigation equipment and layout is per plan specifications and details. Any adjustments or discrepancies in actual conditions will be addressed at this time and will require an approval to continue. Where applicable, a mainline pressure check will also be conducted. This will verify that the irrigation mainline is capable of being pressurized to 150 psi for a minimum period of two hours without loss of pressure. The second inspection will verify that all irrigation systems are operating properly, and to verify that all plantings have been installed consistent with the approved construction landscape plans. The third inspection will verify property landscape maintenance for release of the one-year landscape maintenance bond." The applicant/owner shall contact the Planning Division to schedule inspections.

38. Irrigation. The landscaping plans shall include automatic irrigation for all landscaped areas and complete screening of all ground mounted equipment from view of the public from streets and adjacent property for private common areas; front yards and slopes within individual lots; shrub planting to completely screen perimeter walls adjacent to a public right-of-way equal to 66 feet or larger; and, all landscaping excluding City maintained areas and front yard landscaping which shall include, but may not be limited to, private slopes and common areas.
39. Precise Grading Plans. Precise Grading Plans shall be consistent with the approved rough grading plans including all structural setback measurements.
40. Building Construction Plans for Outdoor Areas. Building Construction Plans shall include detailed outdoor areas (including but not limited to trellises, decorative furniture, fountains, hardscape, etc. to match the style of the building subject to the approval of the Director of Community Development.
41. WQMP Landscape Compliance. The construction landscape plans shall be consistent with Appendix A, Table 31 of the Low Impact Development (LID) Manual for Southern California for plant materials and treatment facilities, and shall reference the approved precise grading plan for WQMP features.
42. Utility Screening. All utilities shall be screened from public view. Landscape construction drawings shall show and label all utilities and provide appropriate screening. Provide a three-foot clear zone around fire check detectors as required by the Fire Department before starting the screen. Group utilities together in order to reduce intrusion. Screening of utilities is not to look like an after-thought. Plan planting beds and design around utilities. Locate all light poles on plans and ensure that there are no conflicts with trees.

Prior to Release of Power, Building Occupancy or Any Use Allowed by This Permit

43. Screening of Loading Areas. The applicant shall be required to screen all loading areas and roof mounted mechanical equipment from view of the all residences and public right-of-ways. If upon final inspection it is determined that any mechanical equipment, roof equipment or backs of building parapet walls are visible from any portion of the public right-of-way adjacent to the project site, the developer shall provide screening by constructing a sloping tile covered mansard roof element or other screening reviewed and approved by the Director of Community Development.
44. Landscape Installation Consistent with Construction Plans. All required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Director of Community Development. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order.
45. Performance Securities. Performance securities, in amounts to be determined by the Director of Community Development, to guarantee the maintenance of the plantings in accordance with the approved construction landscape and irrigation plan, shall be filed with the Planning Division for a period of one year from final Certificate of Occupancy. After that year, if the landscaping and irrigation system have been maintained in a condition satisfactory to the Director of Community Development, the bond shall be released upon request by the applicant.
46. Installation of Site Improvements. All site improvements, including but not limited to, parking areas and striping shall be installed.
47. Compliance with Conditions of Approval. All of the foregoing conditions shall be complied with prior to occupancy or any use allowed by this permit.

Outside Agencies

48. Flood Protection. Flood protection shall be provided in accordance with the Riverside County Flood Control District's transmittal dated June 25, 2021, a copy of which is attached. The fee is made payable to the Riverside County Flood Control Water District by either a cashier's check or money order, prior to the issuance of a grading permit (unless deferred to a later date by the District), based upon the prevailing area drainage plan fee.
49. Compliance with Dept. of Environmental Health. The applicant shall comply with the recommendations set forth in the County of Riverside Department of Environmental Health's transmittal dated August 2, 2021, a copy of which is attached.
50. Compliance with EMWD. The applicant shall comply with the recommendations set forth in the Eastern Municipal Water District's transmittal dated July 15, 2021, a copy of which is attached.
51. Compliance with RCWD. The applicant shall comply with the recommendations set forth in the Rancho California Water District's transmittal dated July 19, 2021, a copy of which is attached.
52. Geotechnical Compliance. The applicant shall comply with the recommendations set forth in the Leighton Consulting, Inc. transmittal dated June 27, 2021, a copy of which is attached.

PUBLIC WORKS DEPARTMENT

General Requirements

53. 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.
54. Entitlement Approval. The developer shall comply with the approved site plan, the conceptual Water Quality Management Plan (WQMP) 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.
55. Precise Grading Permit. A precise grading permit for on site improvements (outside of public right-of-way) shall be obtained from Public Works.
56. Haul Route Permit. A haul route permit may be required when soils are moved on public roadways to or from a grading site. The developer/contractor is to verify if the permit is required. If so, he shall comply with all conditions and requirements per the City's Engineering and Construction Manual and as directed by Public Works.
57. 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.
58. Private Drainage Facilities. All onsite drainage and water quality facilities shall be privately maintained.

Prior to Issuance of a Grading Permit

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

60. 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
61. 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.
62. NPDES General Permit Compliance. The developer shall obtain project coverage under the State National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities and shall provide the following:
- a. A copy of the Waste Discharge Identification Number (WDID) issued by the State Water Resources Control Board (SWRCB);
 - b. The project's Risk Level (RL) determination number; and
 - c. The name, contact information and certification number of the Qualified SWPPP Developer (QSD)
- Pursuant to the State Water Resources Control Board (SWRCB) requirements and City's storm water ordinance, a Storm Water Pollution Prevention Plan (SWPPP) shall be generated and submitted to the Board. Throughout the project duration, the SWPPP shall be routinely updated and readily available (onsite) to the State and City. Review www.cabmphandbooks.com for SWPPP guidelines. Refer to the following link: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml
63. Water Quality Management Plan (WQMP) and O&M Agreement. The developer shall submit a final WQMP (prepared by a registered professional engineer) with the initial grading plan submittal, based on the conceptual WQMP from the entitlement process. It must receive acceptance by Public Works. A copy of the final project-specific WQMP must be kept onsite at all times. In addition, a completed WQMP Operation and Maintenance (O&M) Agreement shall be submitted for review and approval. Upon approval from City staff, the applicant shall record the O&M agreement at the County Recorder's Office in Temecula. Refer to the WQMP template and agreement link: www.TemeculaCA.gov/WQMP. As part of the WQMP approval, the Engineer of Record shall report and certify BMP construction per City of Temecula NPDES requirements. Should the project require Alternative Compliance, the developer is responsible for execution of an approved Alternative Compliance Agreement.
64. Drainage. All applicable drainage shall be depicted on the grading plan and properly accommodated with onsite drainage improvements and water quality facilities, which shall be privately maintained. Alterations to existing drainage patterns or concentration and/or diverting flows is not allowed unless the developer constructs adequate drainage improvements and obtains the necessary permissions from the downstream property owners. All drainage leaving the site shall be conveyed into a public storm drain system, if possible. The creation of new cross lot drainage is not permitted.

65. Drainage Study. A drainage study shall be prepared by a registered civil engineer and submitted to Public Works with the initial grading plan check in accordance with City, Riverside County and engineering standards. The study shall identify storm water runoff quantities (to mitigate the 10 and 100-year storm event for 24 hour storm duration peak flow) from the development of this site and upstream of the site. It shall identify all existing or proposed offsite or onsite, public or private, drainage facilities intended to discharge this runoff. Runoff shall be conveyed to an adequate outfall capable of receiving the storm water runoff without damage to public or private property. The study shall include a capacity analysis verifying the adequacy of all facilities. Any upgrading or upsizing of drainage facilities necessary to convey the storm water runoff shall be provided as part of development of this project.
66. Soils Report. A soils report, prepared by a registered soil or civil engineer, shall be submitted to Public Works with the initial grading plan submittal. The report shall address the site's soil conditions and provide recommendations for the construction of engineered structures and preliminary pavement sections.
67. 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.
68. 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)

69. 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.
70. Traffic Control Plans. A construction area traffic control plan (TCP) will be required for lane closures and detours or other disruptions to traffic circulation; and shall be reviewed and approved by Public Works. The TCP shall be designed by a registered civil or traffic engineer in conformance with the latest edition of the Caltrans Manual on Uniform Traffic Control Devices (MUTCD) and City standards.
71. Improvement Plans. All improvement plans (including but not limited to street, storm drain, traffic) shall be reviewed and approved by Public Works.
72. Street Trenching. All street trenches shall conform to City Standard No. 407; refer to the City's Paving Notes.

Prior to Issuance of Building Permit(s)

73. Certifications. Certifications are required from the registered civil engineer-of-record certifying the building pad elevation(s) per the approved plans and from the soil's engineer-of-record certifying compaction of the building pad(s).

Prior to Issuance of a Certificate of Occupancy

74. 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.

75. Utility Agency Clearances. The developer shall receive written clearance from applicable utility agencies (i.e., Rancho California and Eastern Municipal Water Districts, etc.) for the completion of their respective facilities and provide to Public Works.
76. 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.
77. Certifications. All necessary certifications and clearances from engineers, utility companies and public agencies shall be submitted as required by Public Works.

FIRE PREVENTION

General Requirements

78. Fire Hydrants. The Fire Prevention Bureau is required to set minimum fire hydrant distances per CFC Appendix C. Standard fire hydrants (6" x 4" x (2) 2 ½" outlets) shall be located on fire access roads and adjacent public streets. For all Commercial projects hydrants shall be spaced at 350 feet apart, and shall be located no more than 210 feet from any point on the street or Fire Department access road(s) frontage to a hydrant. The required fire flow shall be available from any adjacent hydrant(s) in the system. The fire line may be required to be a looped system. The upgrade of existing fire hydrants may be required (CFC Appendix C and Temecula Municipal Code Section 15.16.020).
79. Fire Dept. Plan Review. Final fire and life safety conditions will be addressed when building plans are reviewed by the Fire Prevention Bureau. These conditions will be based on occupancy, use, the California Building Code (CBC), California Fire Code (CFC), and related codes which are in force at the time of building plan submittal.
80. Fire Flow. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial and residential buildings per CFC Appendix B. The developer shall provide for this project, a water system capable of delivering 2,500 GPM at 20-PSI residual operating pressure for a 4-hour duration for commercial projects. The fire flow as given above has taken into account all information as provided. (CFC Appendix B and Temecula Municipal Code Section 15.16.020).

Prior to Issuance of Grading Permit(s)

81. Access Road Widths. Fire Department vehicle access roads shall have an unobstructed width of not less than 24 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
82. All Weather Access Roads. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be with a surface to provide all-weather driving capabilities. Access roads shall be 60,000 lbs. GVW with a minimum of AC thickness of .25 feet. In accordance with Section 3310.1, prior to building construction, all locations where structures are to be built shall have fire apparatus access roads. (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
83. Gradient of Access Roads. The gradient for fire apparatus access roads shall not exceed 15 percent (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).

Prior to Issuance of Building Permit(s)

84. Required Submittals (Fire Underground Water). The developer shall furnish three copies of the water system plans to the Fire Prevention Bureau for approval prior to installation for all private water systems pertaining to the fire service loop. Plans shall be signed by a registered civil engineer, contain a Fire Prevention Bureau approval signature block, and conform to hydrant type, location, spacing and minimum fire flow standards. Hydraulic calculations will be required with the underground submittal to ensure fire flow requirements are being met for the on-site hydrants. The plans must be submitted and approved prior to building permit being issued.
85. Required Submittals (Fire Sprinkler Systems). Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval. Three sets of sprinkler plans must be submitted by the installing contractor to the Fire Prevention Bureau. These plans must be submitted prior to the issuance of building permit.
86. Required Submittals (Fire Alarm Systems). Fire alarm plans shall be submitted to the Fire Prevention Bureau for approval. Three sets of alarm plans must be submitted by the installing contractor to the Fire Prevention Bureau. The fire alarm system is required to have a dedicated circuit from the house panel. These plans must be submitted prior to the issuance of building permit.

Prior to Issuance of Certificate of Occupancy

87. Gates and Access. All manual and electronic gates on required Fire Department access roads or gates obstructing Fire Department building access shall be provided with the Knox Rapid entry system for emergency access by firefighting personnel (CFC Chapter 5).
88. Hydrant Verification. Hydrant locations shall be identified by the installation of reflective markers (blue dots) (Temecula Municipal Code Section 15.16.020).
89. Addressing. New buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Commercial buildings shall have a minimum of 12-inch numbers with suite numbers being a minimum of six inches in size. All suites shall have a minimum of 6-inch high letters and/or numbers on both the front and rear doors. (CFC Chapter 5 and Temecula Municipal Code Section 15.16.020).
90. Knox Box. A "Knox-Box" shall be provided. The Knox-Box shall be installed a minimum of six feet in height and be located to the right side of the fire riser sprinkler room (CFC Chapter 5).
91. Site Plan. Prior to final inspection of any building, the applicant shall prepare and submit to the Fire Department for approval, a site plan designating fire lanes with appropriate lane painting and/or signs (CFC Chapter 5)
92. File Format Requirements. A simple plot plan and a simple floor plan, each as an electronic file of the .DWG format, must be submitted to the Fire Prevention Bureau. Contact Fire Prevention for approval of alternative file formats which may be acceptable

POLICE DEPARTMENT

General Requirements

93. Landscape Height. The applicant shall ensure all landscaping surrounding all buildings are kept at a height of no more than three feet or below the ground floor window sills. Plants, hedges and shrubbery shall be defensible plants to deter would-be intruders from breaking into the buildings utilizing lower level windows.

94. Tree Pruning. The applicant shall ensure all trees surrounding all building rooftops be kept at a distance to deter roof accessibility by “would-be burglars.” Since trees also act as a natural ladder, the branches must be pruned to have a six-foot clearance from the buildings.
95. Berm Height. Berms shall not exceed three feet in height.
96. Parking Lot Lighting. All parking lot lighting shall be energy saving and minimized after hours of darkness and in compliance with Title 24, Part 6, of the California Code of Regulations.
97. Exterior Door Lighting. All exterior doors shall have a vandal resistant light fixture installed above the door. The doors shall be illuminated with a minimum one-foot candle illumination at ground level, evenly dispersed.
98. Exterior Building Lighting. All lighting affixed to the exterior of buildings shall be wall mounted light fixtures to provide sufficient lighting during hours of darkness.
99. Outdoor Lighting During Non-Business Hours. The applicant shall comply with the Governor’s order to address the power crisis. This order became effective March 18, 2001 calling for a substantial reduction from businesses to cut usage during non-business hours. The order, in part, states, “All California retail establishments, including, but not limited to, shopping centers, auto malls and dealerships, shall substantially reduce maximum outdoor lighting capability during non-business hours except as necessary for the health and safety of the public, employees or property.” Failure to comply with this order following a warning by law enforcement officials shall be punishable as a misdemeanor with a fine not to exceed \$1,000 in accordance with Title 24, Part 6, of the California Code of Regulations.
100. Commercial or Institutional Grade Hardware. All doors, windows, locking mechanisms, hinges, and other miscellaneous hardware shall be commercial or institution grade.
101. Graffiti Removal. Any graffiti painted or marked upon the buildings must be removed or painted over within 24 hours of being discovered. Report all such crimes to the Temecula Police 24-hour dispatch Center at (951) 696-HELP.
102. Alarm System. Upon completion of construction, the buildings shall have a monitored alarm system installed and monitored 24 hours a day by a designated private alarm company to notify the Temecula Police Department of any intrusion. All multi-tenant offices/suites/businesses located within a specific building shall have their own alarm system. This condition is not applicable if the business is opened 24/7.
103. Roof Hatches. All roof hatches shall be painted “International Orange.”
104. Rooftop Addressing. The construction plans shall indicate the application of painted rooftop addressing plotted on a nine-inch grid pattern with 45-inch tall numerals spaced nine inches apart. The numerals shall be painted with a standard nine-inch paint roller using fluorescent yellow paint applied over a contrasting background. The address shall be oriented to the street and placed as closely as possible to the edge of the building closest to the street.
105. ADA Parking. All disabled parking stalls on the premises shall be marked in accordance with Section 22511.8 of the California Vehicle Code.

106. 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.
107. 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.
108. Questions Regarding Conditions. Any questions regarding these conditions should be directed to the Temecula Police Department Crime Prevention and Plans Unit at (951) 695-2773.



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

238885

June 25, 2021

City of Temecula
Community Development Department
41000 Main Street
Temecula, CA 92590

Attention: Scott Cooper

Re: PA 21-0793, APN 944-330-011

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan Check city land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received June 17, 2021. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- ☒ This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- ☐ This project involves District proposed Master Drainage Plan facilities, namely, _____. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- ☐ This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension of the adopted Murrieta Creek Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- ☒ This project is located within the limits of the District's Murrieta Creek (☐Murrieta Valley ☒ Temecula Valley ☐ Santa Gertrudis Valley ☐ Warm Springs Valley) Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional

impervious surface area, applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

- ☐ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, _____. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- ☐ The District's previous comments are still valid.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation, or other final approval of the project and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

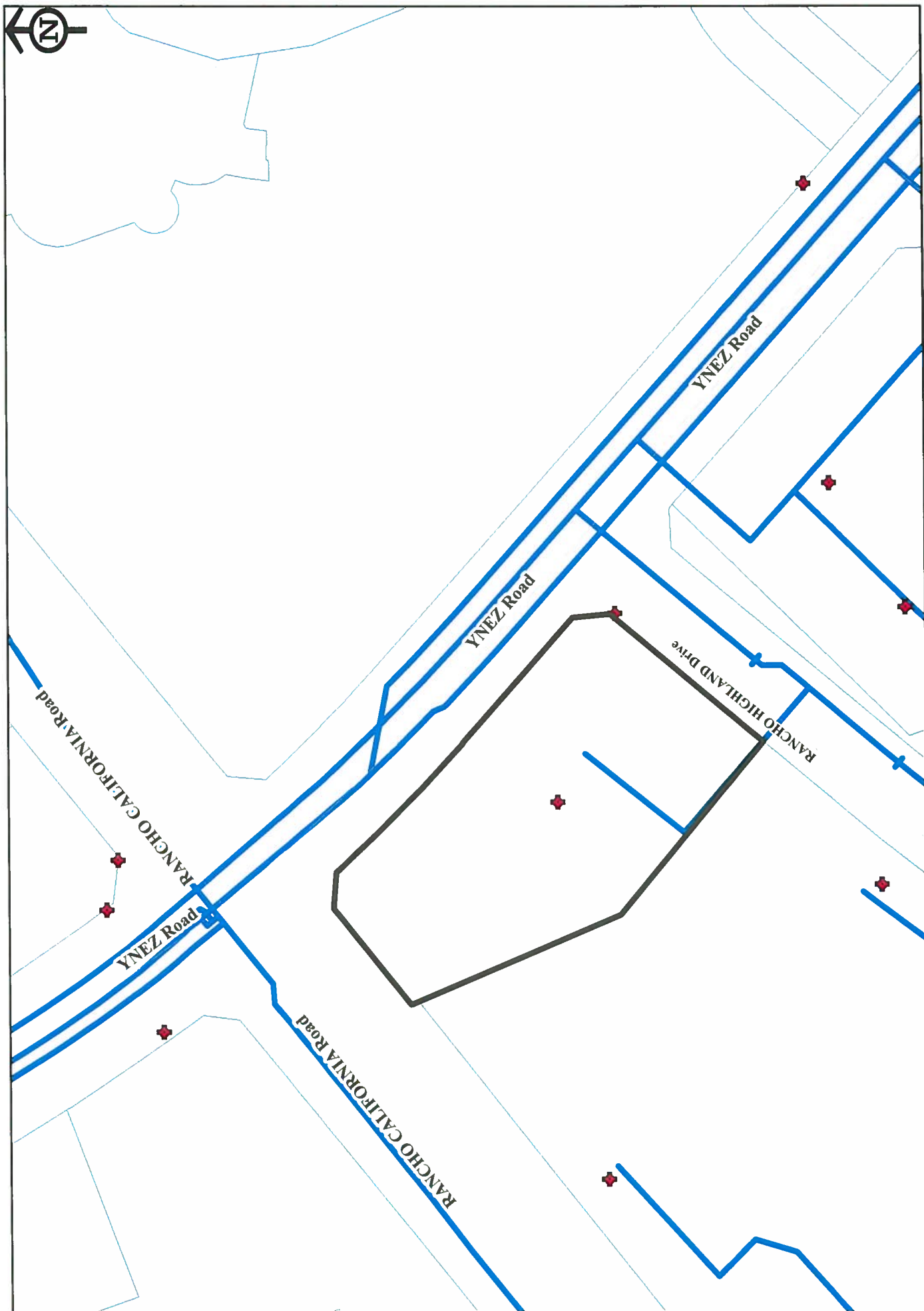
Very truly yours,



DEBORAH DE CHAMBEAU
Engineering Project Manager

ec: Riverside County Planning Department
Attn: Phayvanh Nanthavongdouangsy

SLJ:rlp





County of Riverside
DEPARTMENT OF ENVIRONMENTAL HEALTH

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909
KEITH JONES, DIRECTOR

August 2, 2021

City of Temecula
Planning Department
Attn: Scott Cooper
41000 Main Street
Temecula CA 92590

**SUBJECT: CITY OF TEMECULA – PA21-0793 LONGHORN STEAKHOUSE DP
(APN:944-330-011)**

Dear Mr. Cooper:

The project listed in the subject heading is proposing a development plan for an approximately 5,710 SF restaurant with outdoor patio located at 29363 Rancho California Road, in the city of Temecula.

In accordance with the agreement between the County of Riverside, Department of Environmental Health (DEH) and the City of Temecula, DEH offers the following comments for the project(s) listed in the subject heading of this letter:

POTABLE WATER AND SANITARY SEWER

This project is proposing to receive potable water from Rancho California Water District (RCWD) and sanitary sewer service from Eastern Municipal Water District (EMWD). It is the responsibility of the developer to ensure that all requirements to obtain potable water and sanitary sewer service are met with EMWD, as well as, all other applicable agencies.

As the agency providing sewer service, EMWD shall also have the responsibility to implement any grease interceptor requirements, including sizing capacity and other structural specifications if necessary.

All existing septic systems and/or wells shall be properly removed or abandoned under permit with DEH.

ENVIRONMENTAL CLEANUP PROGRAM

Based on the information provided in the environmental assessment document submitted, and with the provision that the information was accurate and representative of site conditions, RCDEH-ECP (Riverside County Department of Environmental Health – Environmental Cleanup Program) concludes no further environmental assessment is required for this project.

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

HAZARDOUS MATERIALS MANAGEMENT BRANCH (HMMB)

Prior to conducting a building permit final, the facility shall require a business emergency plan for the storage of any hazardous materials, greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances. If further review of the site indicates additional environmental health issues, HMMB reserves the right to regulate the business in accordance with applicable County Ordinances.

Please contact HMMB at (951) 358-5055 to obtain information regarding any additional requirements.

DISTRICT ENVIRONMENTAL SERVICES – PUBLIC/SEMI-PUBLIC FOOD/POOL FACILITY

Prior to issuance of a building permit, the applicant shall be required to contact DEH District Environmental Services to determine the appropriate food plan check and/or permitting requirements. For further information, please call (951) 461-0284.

County of Riverside, Department of Environmental Health
District Environmental Services - Murrieta Office
38740 Sky Canyon Drive, Suite "A"
Murrieta CA 92563

Please contact your local DES office located in Murrieta at (951)461-0284.

Should you have any further questions or require further assistance, please contact me by email at kakim@rivco.org or by phone at (951) 955-8980.

Sincerely,
Kristine Kim, Supervising REHS
Department of Environmental Health

July 15, 2021



Attn: Nina Raey
RSI Group, Inc.
3187-A Airway Avenue
Costa Mesa, CA 92626

Subject: SAN 53 – Will Serve – WS 20210000774 - APN: 944-330-011

Eastern Municipal Water District (EMWD) is willing to provide sewer services to the subject project. The provisions of service are contingent upon the developer completing the necessary arrangements in accordance with EMWD rules and regulations. EMWD expects the developer to provide proper notification when a water demand assessment is required pursuant to Senate Bill 221 and/or 610. EMWD expects the developer to coordinate with the approving agency for the proper notification. Further arrangements for service from EMWD may also include plan check, facility construction, inspection, jurisdictional annexation, and payment of financial participation charges. The developer is advised to contact EMWD's Development Services Department early in the entitlement process to determine the necessary arrangements for service, and to receive direction on the preparation of facility Design Conditions, which is required prior to final engineering.

EMWD's ability to serve is subject to limiting conditions, such as regulatory requirements, legal issues, or conditions beyond EMWD's control.

Expiration – one year from date of issue

Thank you for your cooperation in serving our mutual customers. If you have any questions, please call me at (951) 928-3777, extension 4420.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sambo Lay", is positioned above the printed name and title.

Sambo Lay, MS, PE
Associate Civil Engineer II
Development Services Department
Eastern Municipal Water District

SL:lm

Board of Directors
Philip E. Paule, Vice President Jeff Armstrong Stephen J. Corona Randy A. Record David J. Slawson

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300
T 951.928.3777 • F 951.928.6177 www.emwd.org



**Rancho
Water**

July 19, 2021

Case Planner
County of Riverside
Department of Environmental Health
Post Office Box 7909
Riverside, CA 92513-7909

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CFO/Treasurer

Jason A. Martin
Director of Administration

Eileen Dienzo
Director of Human Resources

Kelli E. Garcia
District Secretary

James B. Gilpin
Best Best & Krieger LLP
General Counsel

SUBJECT: WATER AVAILABILITY
29363 RANCHO CALIFORNIA ROAD
PARCEL NO. 3 OF PARCEL MAP NO. 23624; PA21-0793
APN 944-330-011
[LAND OF M & H INVESTORS, LLC.]

Dear Case Planner:

Please be advised that the above-referenced project/property is located within the service boundaries of Rancho California Water District (Rancho Water/District). The subject project/property fronts an existing 12-inch diameter water pipeline (1305 Pressure Zone) within Rancho Highland Drive and an existing 8-inch diameter water pipeline (1305 Pressure Zone) on site. The subject project/property also fronts two (2) existing 48-inch diameter water pipelines (1305 Pressure Zone), an existing 16-inch diameter water pipeline (1305 Pressure Zone) within Ynez Road, and an existing 20-inch diameter water pipeline (1305 Pressure Zone) within Rancho California Road. Please refer to the enclosed exhibit map.

Water service to the subject project/property exists (under Account No. 3102097, Location No. 2001777) for landscape only. Additions or modifications to water service arrangements are subject to the Rules and Regulations (governing) Water System Facilities and Service, as well as the completion of financial arrangements between Rancho Water and the property owner.

Water service to individual lots will require the extension of water facilities within dedicated public and/or private right-of-ways. Individual water meters will be required for each lot and/or project unit, including separate water services/meters for domestic service, fire service, and landscape irrigation service, as applicable. Beginning in 2018, newly constructed multi-unit residential structures are required to measure the quantity of water supplied to each individual residential dwelling unit.

Where private on-site water facilities (for water service, fire service, irrigation, or other purpose) will cross or will be shared amongst multiple lots/project units (**only by special variance of the Rules and Regulations**), and/or where such 'common' facilities will be owned and maintained by a Property Owners' Association, Rancho Water requires execution and recordation of a *Reciprocal Easement and Maintenance Agreement* or equivalent document of covenants, codes, and restrictions.

Water availability is contingent upon the property owner(s) signing an Agency Agreement that assigns water management rights, if any, to Rancho Water. **In addition, water availability is subject to water supply shortage contingency measures in effect (pursuant to Rancho Water's Water Shortage Contingency Plan or other applicable ordinances and policy), and/or the adoption of a required Water Supply Assessment for the development, as determined by the Lead Agency.**

There is no recycled water currently available within the limits established by Resolution 2007-10-5. Should recycled water become available in the future, the project/property may be required to retrofit its facilities to make use of this availability in accordance with Resolution 2007-10-5. Recycled water service, therefore, would be available upon construction of any required on-site and/or off-site recycled water facilities and the completion of financial arrangements between Rancho Water and the property owner. Requirements for the use of recycled water are available from Rancho Water.

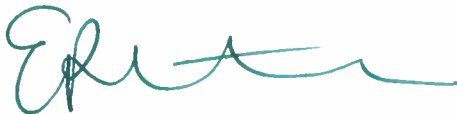
As soon as feasible, and prior to the preparation of California Environmental Quality Act (CEQA) documents, the project proponent should contact Rancho Water for a determination of existing water system capability, based upon project-specific demands and/or fire flow requirements, as well as a determination of proposed water facilities configuration. If new facilities are required for service, fire protection, or other purposes, the project proponent should contact Rancho Water for an assessment of project-specific fees and requirements.

Sewer service to the subject project/property, if available, would be provided by Eastern Municipal Water District. If no sewer service is currently available to the subject project/property, all proposed waste discharge systems must comply with the State Water Resources Control Board, health department, and/or other requirements as they relate to the protection of groundwater quality, pursuant to Rancho Water's Groundwater Protection Policy.

If you should have any questions or need additional information, please contact an Engineering Technician at the District office at (951) 296-6900.

Sincerely,

RANCHO CALIFORNIA WATER DISTRICT



Erica Peter
Senior Engineering Technician

Enclosure: Exhibit Map

cc: Jeff Kirshberg, Water Resources Manager
Corry Smith, Engineering Services Supervisor
Land of M & H Investors, LLC

21\EP:rm038\F450\FEG

Rancho California Water District

42135 Winchester Road • Post Office Box 9017 • Temecula, California 92589-9017 • (951) 296-6900 • FAX (951) 296-6860 • www.ranchowater.com



June 27, 2021

Project No. 11760.024

CITY OF TEMECULA, PLANNING DEPARTMENT
4100 Main Street
Temecula, CA 92590

Attention: Mr. Scott Cooper, Associate Planner

**Subject: Geotechnical Peer Review #2
Proposed Longhorn Steakhouse (PA21-0793)
28363 Rancho California Rd., Temecula, California**

References: Geotechnical Investigation, Proposed Longhorn Steakhouse Development, 29363 Rancho California road, Temecula, CA 92590, by Intertek PSI, dated April 23, 2021, Project No. 0066-2056.

Geotechnical Response to Leighton Consulting, Inc. Geotechnical Peer Review Dated 6/25/21, Rancho California road, Temecula, CA 92590, by Intertek PSI, dated April 23, 2021, Project No. 0066-2056

In accordance with your request, we performed our peer review of the above referenced geotechnical reports. The main purpose of our review is to confirm that the submitted reports are in general compliance with the requirements of the 2019 California Building Code, applicable Local and State technical guidelines, and standard of care typically used in this area and for this type of construction. In our opinion, the above report and subsequent response have adequately addressed our comments. However, we still recommend that the geotechnical report be updated to require the contractor to submit prior to construction detailed procedures of the selected ground improvement method along with a verification criterion to be approved by the geotechnical consultant.

We appreciate this opportunity to be of service to City and please do not hesitate to us if you have any question.

Respectfully submitted,

LEIGHTON CONSULTING, INC.



Robert F. Riha, CEG 1921
Senior Principal Geologist



Simon I. Saïd, PE, GE 2641
Principal Engineer



Distribution: (1) Addressee (PDF copy via email)