

CONDITIONS OF APPROVAL

PROJECT: PA 2020-92/CUP 2023-16/CDR 2023-06
PROJECT NAME: Riverside/Lincoln Commercial
PROJECT LOCATION: APNs: 379-111-017, 018, 019, and 020
(Previous APN: 379-111-014)
APPROVAL DATE: April 16, 2024
EFFECTIVE DATE: May 14, 2024
EXPIRATION DATE: April 16, 2026

GENERAL

1. Conditional Use Permit (CUP) No. 2023-16 proposes to establish a 16-pump gasoline-dispensing station (with anticipated throughput of 1.5 million to 1.7 million gallons of fuel per year) with a 4,291 square foot sq. ft. canopy, beer and wine sales (Type 20), self-storage facility (three (3) buildings 38,016 sq. ft. in total) and a 4,456 sq. ft. drive thru-restaurant. Commercial Design Review (CDR) No. 2023-06 proposes building design and construction of a 4,650 sq. ft. convenience store, 4,291 sq. ft. canopy, 38,016 sq. ft. self-storage facility, 4,456 sq. ft. drive-thru restaurant, 3,979 sq. ft. self-serve carwash, 221 parking stalls, and landscaping and related site improvements on an approximately 6.36-acre site. The project site is located at the southwest corner of Lincoln Street and Riverside Drive (APNs: 379-111-017, 018, 019, and 020 (Previous APN: 379-111-014)).
2. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Officials, Officers, Employees, Agents, and its Consultants (Indemnitees) from any claim, action, or proceeding against the Indemnitees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning the approval, implementation, and construction of CUP 2023-16, and CDR 2023-06, which action is bought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167, including the approval, extension, or modification of CUP 2023-16, and CDR 2023-06 or any of the proceedings, acts or determinations taken, done, or made prior to the decision, or to determine the reasonableness, legality or validity of any condition attached thereto. The Applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by Indemnitees and costs of suit, claim or litigation, including without limitation attorneys' fees, penalties and other costs, liabilities and expenses incurred by Indemnitees in connection with such proceeding. The City will promptly notify the applicant of any such claim, action, or proceeding against the City. If the project is challenged in court, the City and the applicant shall enter into formal defense and indemnity agreement, consistent with this condition.
3. Within 30 days of project approval, the applicant shall sign and complete an "Acknowledgment of Conditions" and shall return the executed original to the Community Development Department for inclusion in the case records.

PLANNING DIVISION

4. Conditional Use Permit No. 2023-16 shall lapse and become void two years following the date on which the conditional use permit became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the conditional use permit is

- issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the conditional use permit approval pursuant to subsections (a), (b), and (c) of Lake Elsinore Municipal Code (LEMC) Section 17.415.070.D.2. Subject to the provisions of LEMC Section 17.415.070.I, a conditional use permit granted pursuant to the provisions of this section shall run with the land and shall continue to be valid upon a change of ownership of the site or structure, which was the subject of the Conditional Use Permit application.
5. Commercial Design Review No. 2023-06 shall lapse and become void two years following the date on which the design review became effective, unless one of the following: (1) prior to the expiration of two years, a building permit related to the design review is issued and construction commenced and diligently pursued toward completion; or (2) prior to the expiration of two years, the applicant has applied for and has been granted an extension of the design review approval pursuant to subsections (1) and (2) of Lake Elsinore Municipal Code (LEMC) Section 17.415.050.I.1. Notwithstanding conditions to the contrary, a design review granted pursuant to LEMC Section 17.415.050.I.2 shall run with the land for this two-year period, subject to any approved extensions, and shall continue to be valid upon a change of ownership of the site, which was the subject of the design review application.
 6. An application for modification, expansion or other change in a Conditional Use Permit shall be reviewed according to the provisions of the Section 17.415.070 of the LEMC, in a similar manner as a new application.
 7. If operation of this use triggers concerns related to parking, noise, traffic, or other impacts, at the discretion of the Community Development Director, this Conditional Use Permit may be referred back to the Planning Commission for subsequent review at a Public Hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said Conditional Use Permit.
 8. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
 9. All Conditions of Approval shall be reproduced on page one of building plans prior to their acceptance by the Building and Safety Division, Community Development Department. All Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy.
 10. All future development proposals shall be reviewed by the City on a project-by-project basis. If determined necessary by the Community Development Director or designee, additional environmental analysis will be required.
 11. Any proposed minor revisions to approved plans shall be reviewed and approved by the Community Development Director or designee. Any proposed substantial revisions to the approved plans shall be reviewed according to the provisions of the Municipal Code in a similar manner as a new application.
 12. Provisions of the City's Noise Ordinance (LEMC Chapter 17.176) shall be satisfied during all site preparation and construction activity. Site preparation activity and construction shall not commence before 7:00 AM and shall cease no later than 5:00 PM, Monday through Friday. Only finish work and similar interior construction may be conducted on Saturdays and may commence no earlier than 8:00 am and shall cease no later than 4:00 p.m. Construction activity shall not take place on Sunday, or any Legal Holidays.

13. No individual signs are approved as part of this approval. The applicant or designee shall submit an application for a sign permit, pay appropriate fees and receive approval from the Community Development Department for any sign(s) installed at the project site. **OR** The applicant shall submit a sign program for review and approval of the Planning Commission prior to installation. Sign plans submitted to the City for review shall incorporate City identification signs.
14. In accordance with Section 17.112.090.O. of the LEMC, establishments engaged in the concurrent sale of motor vehicle fuel with alcoholic beverages shall abide by the following requirements:
 - a. No beer or wine shall be displayed within five feet of the cash register or the front door.
 - b. No advertisement of alcoholic beverages shall be displayed at motor fuel islands.
 - c. No sale of alcoholic beverages shall be made from a drive-in window.
 - d. No display or sale of beer or wine shall be made from an ice tub.
 - e. No beer or wine advertising shall be located on motor fuel islands and no self-illuminated advertising for beer or wine shall be located on buildings or windows.
 - f. Employees on duty between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age to sell beer and wine.
15. Graffiti shall be removed within 24 hours.
16. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.
17. No outside overnight storage of inoperable vehicles shall occur at the site.
18. Since the project is proposed to be completed in phases, unimproved portions of the property should be maintained and kept in good repair as noted on the phasing plan exhibit.
19. All roof mounted or ground support air conditioning units or other mechanical equipment incidental to development shall be architecturally screened or shielded by landscaping so that they are not visible from neighboring property or public streets. Any roof mounted central swamp coolers shall also be screened, and the Community Development Director, prior to issuance of building permit shall approve screening plan.
20. The property address (in numerals at least six inches high) shall be displayed near the entrance and be easily visible from the front of the subject property and public right-of-way.
21. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
22. If any of the conditions of approval set forth herein fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny or further condition issuance of all future building permits, deny revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

Prior to Issuance of Grading Permits/Building Permits

23. The applicant shall pay all applicable City fees, including but not limited to Development Impact Fees (DIF) and MSHCP Fees per LEMC Section 16.85, at the rate in effect at the time of payment.
24. All roof mounted or ground support air conditioning units or other mechanical equipment incidental to development shall be architecturally screened or shielded by landscaping so that they are not visible from neighboring property or public streets. Any roof mounted central swamp coolers shall also be screened, and the Community Development Director, prior to issuance of building permit shall approve screening plan.
25. Prior to issuance of Building Permit, the Applicant shall submit a photometric study to the Community Development Department for review and approval. The plan shall ensure that all exterior on-site lighting are shielded and directed on-site so as not to create glare onto neighboring properties and streets or allow illumination above the horizontal plane of the fixture.
26. Prior to the issuance of a Building Permit, all exterior wall mounted and freestanding light fixtures shall be submitted for review and approval by the Director of Community Development, or their designee. Light fixtures shall compliment the architectural style of the buildings onsite.
27. Prior to the issuance of a Building Permit, the color, finish and pattern of all decorative paving onsite shall be submitted for review and approval by the Director of Community Development, or their designee.
28. Prior to issuance of a building permit, Final Landscaping / Irrigation Detail Plans shall be submitted along with appropriate fees for review and approval by the Community Development Director or designee.
 - a. All planting areas shall have permanent and automatic sprinkler system with 50% plant coverage using a drip irrigation method.
 - b. Mature specimen trees shall be planted on locations visible from public views.
 - c. All planting areas shall be separated from paved areas with a six inch (6") high and six inch (6") wide concrete curb. Runoff shall be allowed from paved areas into landscape areas.
 - d. Planting within fifteen feet (15') of ingress/egress points shall be no higher than twenty-four inches (24").
 - e. Landscape planters shall be planted with an appropriate parking lot shade tree pursuant to the LEMC and Landscape Design Guidelines.
 - f. No required tree planting bed shall be less than 5 feet wide.
 - g. Root barriers shall be installed for all trees planted within 10 feet of hardscape areas to include sidewalks.
 - h. Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
 - i. The landscape plan shall provide for ground cover, shrubs, and trees and meet all requirements of the City's adopted Landscape Guidelines.
 - j. All landscape improvements shall be bonded 100% for material and labor for two years from installation sign-off by the City. Release of the landscaping bond shall be requested

- by the applicant at the end of the required two years with approval/acceptance reviewed by the Landscape Consultant and approved by the Community Development Director or Designee.
- k. All landscaping and irrigation shall be installed within affected portion of any phase at the time a Certificate of Occupancy is requested for any building.
 - l. Final landscape plan must be consistent with approved site plan.
 - m. Final landscape plans to include planting and irrigation details.
 - n. Final landscape plans shall include drought tolerant planting consistent with Elsinore Valley Municipal Water District standards subject to plan check and approval by the City's landscape plan check consultant.
 - o. No turf shall be permitted.
 - p. Final landscape plans shall include plant palette selection that will complement adjacent properties such as the Launch Pointe.
29. Landscaping installed for the project shall be continuously maintained to the reasonable satisfaction of the Community Development Director. 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.
30. The proposed location of on-site construction trailers shall be approved by the Community Development Director or designee. A cash bond of \$1,000 shall be required for any construction trailers placed on the site and used during construction. Bonds will be released after removal of trailers and restoration of the site to an acceptable state, subject to approval of the Community Development Director or designee. Such trailer(s) shall be fully on private property and outside the public right of way.
31. Prior to building permit issuance, the applicant shall initiate and complete Covenants, Conditions and Restrictions (CC&Rs) which shall be approved by the City. All CC&R documents that address including, but not limited to, reciprocal easements, shall be submitted for review and approval by City Planning, Engineering and the City Attorney and upon City approval shall be recorded. Such documents shall include Covenants, Conditions and Restrictions (CC&Rs).
- All landscaping, all drainage basins, and common areas including but not limited to parking areas and drive aisles, shall be maintained in accordance with the CC&Rs.
 - Provisions to restrict parking upon other than approved and developed parking spaces shall be written into the CC&Rs for the project.

BUILDING DIVISION

General Conditions

32. 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.
33. Compliance with Code. All design components shall comply with applicable provisions of the 2022 edition of the California Building, Plumbing and Mechanical Codes: 2022 California

Electrical Code; California Administrative Code, 2022 California Energy Codes, 2022 California Green Building Standards, California Title 24 Disabled Access Regulations, and Lake Elsinore Municipal Code.

34. Disabled Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
 - a. All ground floor units to be adaptable.
 - b. Disabled access from the public way to the entrance of the building.
 - c. Van accessible parking located as close as possible to the main entry.
 - d. Path of accessibility from parking to furthest point of improvement.
 - e. Path of travel from public right-of-way to all public areas on site, such as clubhouse, trash enclosure, tot lots and picnic areas.
35. 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. It takes 10 days to issue address and notify other agencies. Please contact Sonia Salazar at ssalazar@lake-elsinore.org or 951-674-3124 X 277.
36. Clearance from LEUSD. A receipt or clearance letter from the Lake Elsinore School District shall be submitted to the Building and Safety Department evidencing the payment or exemption from School Mitigation Fees.
37. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
38. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
39. Sewer and Water Plan Approvals. On-site sewer and water plans will require separate approvals and permits. Septic systems will need to be approved from Riverside County Environmental Health Department before permit issuance.
40. House Electrical Meter. Applicant shall provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.

At Plan Review Submittal

41. Submitting Plans and Calculations. Applicant must submit to Building and Safety four (4) complete sets of plans and two (2) sets of supporting calculations for review and approval including:
 - a. An electrical plan including load calculations and panel schedule, plumbing schematic, and mechanical plan applicable to scope of work.
 - b. A Sound Transmission Control Study in accordance with the provisions of Section 5.507 of the 2022 edition of the California Building Code.
 - c. A precise grading plan to verify accessibility for the persons with disabilities.

- d. Truss calculations that have been stamped by the engineer of record of the building and the truss manufacturer engineer.

Prior to Issuance of Grading Permit(s)

42. Onsite Water and Sewer Plans. Onsite water and sewer plans, submitted separately from the building plans, shall be submitted to Building and Safety for review and approval.
43. Demolition Permits. A demolition permit shall be obtained if there is an existing structure to be removed as part of the project.

Prior to Issuance of Building Permit(s)

44. Plans Require Stamp of Registered Professional. Applicant shall provide appropriate stamp of a registered professional with original signature on the plans. Provide C.D. of approved plans to the Building Division.

Prior to Beginning of Construction

45. Pre-Construction Meeting. A pre-construction meeting is required with the building inspector prior to the start of the building construction.

ENGINEERING DEPARTMENT

GENERAL

46. All new submittals for plan check or permit shall be made using the City's online Citizen Self-Service Portal (CSSP).
47. All engineering plans shall be prepared by a Registered Civil Engineer using the City's standard title block, Design Manual guidance, Lake Elsinore Municipal Code, California Building Code, Riverside County Flood Control Standards, and City and Caltrans Standards unless otherwise noted or approved by City staff.
48. All required soils, geotechnical, hydrology/hydraulic, and seismic reports shall be prepared by a Registered Civil Engineer and Soils Engineer, as applicable.
49. In accordance with the City's Franchise Agreement for waste disposal and recycling, the developer shall be required to contract with CR&R Inc. for removal and disposal of all waste material, debris, vegetation and other rubbish generated during cleaning, demolition, clear and grubbing or all other phases of construction.
50. All open space landscaping, and slopes except for public parks and schools and flood control district facilities, outside the public right-of-way shall be owned and maintained by the property owner or property owner's association. Documentation of maintenance responsibility shall be recorded prior to occupancy.
51. Applicant shall submit a detailed hydrology and hydraulic study for review for the sufficient containment and conveyance of the storm water to a safe and adequate point as approved by the City Engineer.

52. All Public Works requirements shall be complied with as a condition of development as specified in the Lake Elsinore Municipal Code (LEMC) and Lake Elsinore Public Works Standard Plans.
53. Phasing plan, if any, shall be approved by the City Engineer prior to issuance of any permits.
54. The site will accommodate all construction activity, building activity, vehicles, etc. No staging on public streets, or private property belonging to others shall be conducted without the written permission of the property owner.
55. Minimum good housekeeping and erosion and sediment control Best Management Practices (BMPs) as identified by the City shall be implemented by all projects.

FEES

56. Applicant shall pay all applicable permit application and Engineering assessed fees, including without limitation plan check and construction inspection fees, at the prevalent rate at time of payment in full.
57. Applicant shall pay all applicable Mitigation and Development Impact Fees at the prevalent rate at time of payment in full. Fees are subject to change. Mitigation and Development Impact Fees include without limitation:
 - a. Master Drainage Plan Fee – Due prior to Grading Permit issuance.
 - b. Traffic Infrastructure Fee (TIF) – Due prior to Building Permit issuance
 - c. Transportation Uniform Mitigation Fee (TUMF) – Due prior to Occupancy
 - d. Fair Share/In-Lieu Fees calculated on a project basis.

STORM WATER MANAGEMENT / POLLUTION PREVENTION / NPDES

Design

58. The project is responsible for complying with the latest Santa Ana Region National Pollutant Discharge Elimination System (NPDES) Permits as warranted based on the nature of development and/or activity.
59. A Final Water Quality Management Plan (WQMP) will be required and shall be prepared using the Santa Ana Region of Riverside County Guidance Document and approved template and submitted for review and approval to the City. The Final WQMP shall be approved by the City prior rough grading plan approval or issuance of any permit for construction.
60. The Final WQMP shall document the following:
 - Detailed site and project description.
 - Potential stormwater pollutants.
 - Post-development drainage characteristics.
 - Low Impact Development (LID) BMP selection and analysis.
 - Structural and non-structural source control BMPs.
 - Treatment Control BMPs.

- Site design and drainage plan (BMP Exhibit).
 - Documentation of how vector issues are addressed in the BMP design, operation and maintenance.
 - GIS Decimal Minute Longitude and Latitude coordinates for all LID and Treatment Control BMP locations.
 - Hydraulic Conditions of Concern (HCOC) – demonstrate that discharge flow rates, velocities, duration and volume for the post construction condition from a 2-year, 24-hour rainfall event will not cause adverse impacts on downstream erosion and receiving waters, or measures are implemented to mitigate significant adverse impacts downstream public facilities and water bodies. Evaluation documentation shall include pre- and post-development hydrograph volumes, time of concentration and peak discharge velocities, construction of sediment budgets, and a sediment transport analysis. If HCOC applies, the project shall implement measures to limit disturbance of natural water bodies and drainage systems; conserve natural areas; protect slopes and channels; and minimize significant impacts from urban runoff. (Note the facilities may need to be larger due to flood mitigation for the 10-year, 6- and 24-hour rain events).
 - Operations and Maintenance (O&M) Plan and Agreement (using City approved form and/or CC&Rs) as well as documentation of formation of funding district for long term maintenance costs.
61. The existing Final WQMP shall be resubmitted for plan check and approval through the CSSP.
62. Parking lot landscaping areas shall be designed to provide for treatment, retention or infiltration of runoff.
63. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
64. Project trash enclosure shall be covered, bermed, and designed to divert drainage from adjoining paved areas and regularly maintained.
65. If CEQA identifies resources requiring Clean Water Act Section 401 Permitting, the applicant shall obtain certification through the Santa Ana Regional Water Quality Control Board and provide a copy to the Engineering Department.
66. All storm drain inlet facilities shall be appropriately marked “Only Rain in the Storm Drain” using the City authorized marker.
67. All restaurants and commercial food handling facilities must provide an area for the washing/steam cleaning of equipment and accessories. The area must be self-contained, equipped with a grease trap, and properly connected to a sanitary sewer. If the wash area is located outdoors, it must be covered, paved have secondary containment, and be connected to the sanitary sewer or other appropriately permitted disposal facility. Plan Requirements: The Owner/Applicant shall incorporate these food facility requirements into project design and depict on plans, including detail plans as needed.

Construction

68. A Storm Water Pollution Prevention Plan (SWPPP) (as required by the NPDES General

Construction Permit) and compliance with the Green Building Code for sediment and erosion control are required for this project.

69. Prior to grading or building permit for construction or demolition and/or weed abatement activity, projects subject to coverage under the NPDES General Construction Permit shall demonstrate that compliance with the permit has been obtained by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing to the satisfaction of the City Engineer. A copy of the SWPPP shall be kept at the project site, updated, and be available for review upon request.
70. Erosion & Sediment Control – Prior to the issuance of any grading or building permit for construction or demolition, the applicant shall submit for review and approval by the City Engineer, an Erosion and Sediment Control Plan as a separate sheet(s) of the grading plan submittal to demonstrate compliance with the City’s NPDES Program and state water quality regulations for grading and construction activities. A copy of the plan shall be incorporated into the SWPPP, kept updated as needed to address changing circumstances of the project site, be kept at the project site, and available for review upon request.

Post-Construction

71. Prior to the issuance of a certificate of use and/or occupancy, the applicant shall demonstrate compliance with applicable NPDES permits for construction, industrial/commercial, MS4, etc. to include:
 - Demonstrate that the project has complied with all non-structural BMPs described in the project’s WQMP.
 - Provide signed, notarized certification from the Engineer of Work that the structural BMPs identified in the project’s WQMP are installed in conformance with approved plans and specifications and operational.
 - Submit a copy of the fully executed, recorded City approved Operations and Maintenance (O&M) Plan and Agreement for all structural BMPs or a copy of the recorded City approved CC&R.
 - The Operation and Maintenance (O&M) Plan and Agreement and/or CC&R’s shall: (1) describe the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identify the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; (3) describe the mechanism for funding the long-term operation and maintenance of the referenced BMPs; and (4) provide for annual certification for water quality facilities by a Registered Civil Engineer. The City format shall be used.
 - Provide documentation of annexation into a CFD for funding facilities to be maintained by the City.
 - Demonstrate that copies of the project’s approved WQMP (with recorded O&M Plan or CC&R’s attached) are available for each of the initial occupants.
 - Agree to pay for a Special Investigation from the City of Lake Elsinore for a date twelve (12) months after the issuance of a Certificate of Use and/or Occupancy for the project to verify compliance with the approved WQMP and O&M Plan. A signed/sealed certification from the Engineer of Work dated 12 months after the Certificate of Occupancy will be considered in lieu of a Special Investigation by the City.
 - Provide the City with a digital .pdf copy of the Final WQMP.

72. Chemical Management – Prior to the issuance of building permits for any tank or pipeline, the uses of said tank or pipeline shall be identified and the developer shall submit a Chemical Management Plan in addition to a WQMP with all appropriate measures for chemical management (including, but not limited to, storage emergency response, employee training, spill contingencies and disposal) in a manner meeting the satisfaction of the Manager, Permit Intake, in consultation with the Riverside County Fire Department and wastewater agencies, as appropriate, to ensure implementation of each agency’s respective requirements. A copy of the approved “Chemical Management Plans” shall be furnished to the Fire Marshal prior to the issuance of any Certificates of Use and Occupancy.

UTILITIES

73. All arrangements for relocation of utility company facilities (power poles, vaults, etc.) out of the roadway shall be the responsibility of the applicant, property owner, and/or his agent. Overhead utilities (34.5 kV or lower) shall be undergrounded (LEMC Section 16.64).
74. Applicant shall apply for, obtain and submit to the City Engineering Department a letter from Southern California Edison (SCE) indicating that the construction activity will not interfere with existing SCE facilities. Non-Interference Letter (NIL) shall be provided prior to issuance of a grading permit.
75. Submit a “Will Serve” letter to the City Engineering Department from the applicable water agency stating that water and sewer arrangements have been made for this project and specify the technical data for the water service at the location, such as water pressure, volume, etc. Will Serve letters shall be provided prior to issuance of Grading Permit.

IMPROVEMENTS

76. Project will be responsible for the following improvements prior to the issuance of a certificate of use and/or occupancy:
- a. The developer shall implement the project design features and mitigation measures identified in Section 10 of the Traffic Impact Analysis dated September 17, 2020, to the satisfaction of the City Engineer:
 1. Restripe median to provide two-way left turn lane on Lincoln Street between the project driveway and Flannery Street/Robin Drive.
 2. Construct the northbound approach to consist of one through lane and one two-way left turn lane on Lincoln Street at project driveway.
 3. Construct the southbound approach to consist of one shared through/right turn lane on Lincoln Street at project driveway.
 4. Construct the eastbound approach (project driveway) to consist of one inbound lane and one shared left/right turn lane with stop-control on Lincoln Street at project driveway.
 5. Construct the southbound approach (project driveway) to consist of one right turn only lane with stop-control at project driveway at Riverside Drive.
 6. Construct eastbound approach to consist of one through lane at project driveway at Riverside Drive.
 7. Construct westbound approach to consist of one shared through/right turn lane at project driveway at Riverside Drive.

8. Restripe the southbound approach to consist of two left turn lanes and one shared through/right turn lane at Lincoln Street and Riverside Drive.
 9. Construct a northbound left turn lane and restripe shared left/through/right turn lane to a shared through/right turn lane at Lincoln Street and Riverside Drive.
 10. Convert north-south traffic signal phasing from permitted to protected at Lincoln Street and Riverside Drive.
 11. Construct a second receiving lane on the east leg of the intersection at Lincoln Street and Riverside Drive.
- b. Developer shall construct ultimate half-width street improvements on Lincoln Street in conformance to the City General Plan Roadway Cross Sections for a Collector Highway.
 1. Note that the sidewalks are required to be 5 feet minimum with a landscape area 5 feet in width consistent with the City's General Plan roadway cross section.
 - c. Developer shall construct ultimate half-width street improvements on Riverside Drive in conformance to the City General Plan Roadway Cross Sections for an Urban Arterial Highway. Encroachment Permit from Caltrans will be required prior to any work done in the State right-of-way along Riverside Drive (State Route 74).
 1. Note that the sidewalks are required to be 6 feet minimum with the landscape area 6 feet in width consistent with the City's General Plan roadway cross section.
 - d. Developer shall construct the half-width street improvements for the cul-de-sac on Flannery Street.
 - e. Developer shall construct only one commercial driveway along Riverside Drive in accordance with Caltrans requirements unless otherwise approved by Caltrans and at the discretion of the City of Lake Elsinore.
 - f. Developer shall provide public street lighting consistent with the City Standards. Streetlight system shall be designed as an LS-2B system. Streetlight plans shall be submitted for City review and approval through CSSP.
77. Developer shall submit traffic signal, signing and striping plans for City review and approval through CSSP.
 78. Improvements shall be designed and constructed to City and Caltrans Standards and City Codes (LEMC 12.04, 16.34), or as directed or approved by the City Engineer.
 79. If existing improvements are to be modified, the existing improvement plans on file shall be revised accordingly and approved by the City Engineer prior to issuance of a building permit.
 80. Sight distance into and out of the project location shall comply with City of Lake Elsinore and Caltrans Standards.
 81. An Encroachment Permit is required for all work to be done in the public right-of-way. Upon approval of engineered plans, the requirements outlined in these COAs and the permit issue letter shall be met prior to Encroachment Permit issuance.
 82. 10-year storm runoff shall be contained within the curb and the 100-year storm runoff shall be contained within the street right-of-way. When either of these criteria are exceeded,

drainage facilities shall be provided.

83. A drainage study shall be provided. The study shall identify the following: identify storm water runoff from and upstream of the site, show existing and proposed off-site and on-site drainage facilities, and include a capacity analysis verifying the adequacy of the facilities. The drainage system shall be designed to ensure that runoff from a 10-year storm of 6-hours or 24-hours duration under developed condition is equal or less than the runoff under existing conditions of the same storm frequency. Both 6-hour and 24-hour storm duration shall be analyzed to determine the detention basin capacities necessary to accomplish the desired results.
84. All natural drainage traversing the site shall be conveyed through the site, or shall be collected and conveyed by a method approved by the City Engineer. All off-site drainage, if different from historic flow, shall be conveyed to a public facility.
85. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
86. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
87. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by the development of the site and/or diversion of drainage.
88. All existing and new storm drain inlet facilities to which the project discharges shall be fitted with full trash capture devices. The device selected shall be approved by the State of California and City of Lake Elsinore. Off-site facilities shall be maintained by the City with maintenance funded through a CFD or other City authorized assessment.

Permitting/Construction

89. An encroachment permit shall be obtained prior to any work on City right-of-way. The developer shall submit the permit application, required fees, and executed agreements, security and other required documentation prior to issuance.
90. All compaction reports, grade certification, monument certification (with tie notes delineated on 8 ½ X 11" Mylar) shall be submitted to the Engineering Department before final inspection of public works improvements will be scheduled and approved.

PRIOR TO GRADING PERMIT

Design

91. A grading plan signed and stamped by a California licensed Civil Engineer shall be submitted for City review and approval for all addition and/or movement of soil (grading) on site. The plan shall include separate sheets for erosion control, haul route and traffic control as applicable.
92. If the grading plan identifies alterations in the existing drainage patterns as they exit the site, a Hydrology and Hydraulic Report for review and approval by City Engineer shall be required prior to issuance of grading permits. All grading that modifies the existing flow patterns

and/or topography shall be in compliance with Federal, State and Local law and be approved by the City Engineer.

93. The applicant shall obtain all necessary off-site easements and/or permits for off-site grading and the applicant shall accept drainage from the adjacent property owners.
94. All natural drainage traversing the site (historic flow) shall be conveyed through the site in a manner consistent with the historic flow or to one or a combination of the following: to a public facility; accepted by adjacent property owners by a letter of drainage acceptance; or conveyed to a drainage easement as approved by the City Engineer.
95. A Soil/Geotechnical Report is required for any land disturbance. In conjunction, a seismic study shall be submitted to identify earthquake faults, liquefaction and/or subsidence zones present on-site. A certified letter from a Registered Geologist or Geotechnical Engineer shall be submitted confirming the absence of this hazard prior to grading permit.

Permitting/Construction

96. A preconstruction meeting with the City Engineering Inspector (Engineering Department) is required prior to commencement of any grading activity.
97. All grading shall be done under the supervision of a licensed geotechnical engineer. Slopes steeper than 2 to 1 shall be evaluated for stability and proper erosion control and approved by the City.
98. Applicant shall execute and submit grading and erosion control agreement, post grading security, and pay permit fees as a condition of grading permit issuance.
99. No grading shall be performed without obtaining a grading permit. A grading permit does not include the construction of retaining walls or other structures for which a building permit is required.
100. Hauling in excess of 5,000 cubic yards shall be approved by the City Council (LEMC 15.72.065). Prior to commencement of grading operations, a haul route shall be approved prior to issuance of a grading permit.
101. Approval of the project Final Water Quality Management Plan (WQMP) for post construction shall be received prior to issuance of a grading permit.
102. Applicant shall obtain applicable environmental clearance from the Planning Department and submit applicable clearance document to the Engineering Department. This approval shall specify that the project complies with any and all required environmental mitigation triggered by the proposed grading activity.

PRIOR TO BUILDING PERMIT

103. Applicant shall provide soils, geology and seismic report, including recommendations for parameters for seismic design of buildings, and walls prior to building permit.
104. All public improvement, traffic signal, signing and striping plans shall be completed and approved by the City Engineer.

105. All required public right-of-way dedications and easements prepared by separate instruments shall be prepared by the applicant or his agent and shall be submitted to the Engineering Department for review and approval prior to issuance of the building permit.

PRIOR TO OCCUPANCY / FINAL APPROVAL

106. All public improvements shall be constructed in accordance with the approved plans or as condition of this development to the satisfaction of the City Engineer prior to first occupancy.
107. All required signing, striping and traffic control devices on-site and off-site shall be installed.
108. In the event of damage to City roads from hauling or other construction related activity, applicant shall repair or pay the cost of restoring the public roads to the baseline condition.
109. Proof of acceptance of maintenance responsibility of slopes, open spaces, landscape areas, and drainage facilities shall be provided.
110. Final soil report showing compliance with recommendations, compaction reports, grade certifications, monument certification (with tie notes delineated on 8 ½" X 11" mylar) shall be submitted in .tif format on USB flash drive or electronically to the Engineering Department before final inspection will be scheduled.
111. As-built plans for all approved plan sets shall be submitted for review and approval by the City. The Developer is responsible for revising the original mylar plans. Once the original mylars have been approved, the applicant shall provide the City an electronic copy of the "as-built" plans in .tif format.
112. All final studies and reports shall be submitted in .tif format on a flash drive or delivered electronically. Studies and reports include, soils, seismic, hydrology, grading, WQMP, etc.
113. Applicant shall pay all outstanding applicable processing and development fees prior to occupancy and/or final approval.
114. Applicant shall submit documentation pursuant to City's Security Release handout.

CITY OF LAKE ELSINORE FIRE MARSHAL

115. The applicant/operator shall comply with all requirements of the Riverside County Fire Department Lake Elsinore Office of the Fire Marshal. Questions should be directed to the Riverside County Fire Department, Lake Elsinore Office of the Fire Marshal at 130 S. Main St., Lake Elsinore, CA 92530. Phone: (951) 671-3124 Ext. 225.
116. Deferred submittals, for any fire systems, shall be identified on all subsequent plans.
117. If applicable, gates must meet Fire Department Standards at the time of building permit application.
118. The applicant or developer shall provide fire hydrants in accordance with the following:
- Prior to placing any combustibles on site, provide an approved water source for

- firefighting purposes.
 - Required fire flow is estimated to be 2375 GPM at 20 PSI for a 2-hour duration based on 2022 California Fire Code and 31,935 square foot building area with Type V=B construction and buildings having a fire sprinkler system. The minimum fire flow shall be based on the largest single structure on the parcel and the verified construction type.
 - Fire flow shall be determined by the building of the single largest square footage. The minimum fire flow will be 1500 GPM at 20 PSI for a 2-hour duration, per the 2022 California Fire Code.
119. In all new buildings and structures which are 5,000 square feet or greater, an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where Sections 903.2.1 – 903.2.21 of the California Fire Code have more restrictive requirements than those listed below, the more restrictive requirements shall take precedence.
120. Prior to issuance of Building Permits, the applicant/developer shall provide the Office of the Fire Marshal with an approved site plan for Fire Lanes and signage. (CFC 501.3)
121. Each parcel shall have independent access to the circulating roadway. Shared access shall be documented, and reciprocal access agreements or dedicated access shall be established.
122. The fire apparatus access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW. The fire apparatus access road or temporary access road shall be reviewed and approved by the Office of the Fire Marshal and in place during the time of construction. (CFC 501.4)
123. The minimum inside turning radius for an access road shall be 24 feet. The minimum outside turning radius shall be 45 feet. As fire apparatus are unable to negotiate tight “S” curves, a 60-foot straight leg must be provided between these types of compound-turns or the radii and/or road width must be increased accordingly.
124. Prior to building permit issuance, install the approved water system, approved access roads, and contact the Fire Department for a verification inspection.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Annex into the City of Lake Elsinore Community Facilities District No. 2015-2 (Maintenance Services)

125. Prior to issuance of a grading permit, the applicant shall submit an application to the Department of Administrative Services to initiate the annexation process into the Community Facilities District No. 2015-2 (Maintenance Services) or current Community Facilities District in place at the time of annexation to fund the on-going operation and maintenance of the public right-of-way landscaped areas and neighborhood parks to be maintained by the City and for street lights in the public right-of-way for which the City will pay for electricity and a maintenance fee to Southern California Edison, including parkways, street maintenance, open space and public storm drains constructed within the development and federal NPDES requirements to offset the annual negative fiscal impacts of the project. The annexation process shall be completed prior to issuance of the first certificate of occupancy for the project. Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project with respect to Maintenance Services.

Applicant shall make a non-refundable deposit of \$15,000 or at the current rate in place at the time of annexation toward the cost of annexation, formation or other mitigation process, as applicable.

MITIGATION MONITORING AND REPORTING PROGRAM

126. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring & Reporting Program for the Mitigated Negative Declaration (Environmental Review No. 2020-05; SCH # 2021010316) prepared for the Project.
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I hereby state that I acknowledge receipt of the approved Conditions of Approval for the above named project and do hereby agree to accept and abide by all Conditions of Approval as approved by the City Council of the City of Lake Elsinore on TBD. I also acknowledge that all Conditions shall be met as indicated.

Date: **May 15 2024**

Applicant's Signature: 

Print Name: **Ilan Golcheh**

Address: **1180 S Beverly dr. LA CA 90035 Suite 300**

Phone Number: **3109232594**