

CONDITIONS OF APPROVAL

(New text underlined and deletions in ~~strikethrough~~)

PROJECT: PA 2016-112 (MCA 2017-02, CUP 2018-03, CDR 2016-17)
PROJECT NAME: Kassab Travel Center
PROJECT LOCATION: APNs: 378-030-007 and 009
APPROVAL DATE: July 14, 2020
EFFECTIVE DATE: July 14, 2020
EOT1 APPROVAL DATE: July 22, 2022
EOT2 APPROVAL DATE: December 12, 2023
EXPIRATION DATE: July 14, 2024

GENERAL

1. Planning Application No. 2016-112 (Municipal Code Amendment No. 2017-02, Conditional Use Permit No. 2018-03 and Commercial Design Review No. 2016-17) is a proposal to establish a new travel center consisting of an 8,360 square foot (SF) convenience store with concurrent sale of alcoholic beverages (Type 21 ABC), three (3) quick serve restaurants, two (2) covered gas dispensing areas (with a maximum throughput of 5.8 million gallons of gasoline per year) totaling 6,092 SF, and a free-standing 2,543 SF fast-food restaurant with a drive-through on a 2.39 net acre site after right-of-way dedication. The Project will provide 59 total vehicular parking spaces. In addition, the Project will provide three (3) RV parking spaces and a service loading area along the northern property line. The amendment to the Municipal Code would allow for drive-through establishments as a use subject to approval of a Conditional Use Permit in the Commercial Manufacturing (C-M) Zone. The Project site is located on a currently vacant site is located near the southwest corner of Riverside Drive and Collier Avenue (APNs: 378-030-007 and 009).
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 approval, implementation and construction of Municipal Code Amendment No. 2017-02, Conditional Use Permit No. 2018-03, and Commercial Design Review No. 2016-17, including the approval, extension or modification of Municipal Code Amendment No. 2017-02, Conditional Use Permit No. 2018-03, and Commercial Design Review No. 2016-17 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.

In furtherance of this condition of approval No.2, the applicant shall pay City for its costs and expenses, including attorney fees, incurred in connection with the matter of CCOLE,

LLC v. City of Lake Elsinore *et al* (Case No. RIC 2003238). Payment shall be made upon receipt of an invoice, but in any event not later than issuance of a grading permit.

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.
4. ~~The applicant shall submit a check in the amount of \$2,456.75 made payable to the County of Riverside for the filing of a Notice of Determination. The check shall be submitted to the Planning Division for processing within 48 hours of the project's approval.~~

PLANNING DIVISION

5. Commercial Design Review No. 2016-17 shall lapse and become void on July 14, 2024 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. Conditional Use Permit No. 2018-03 shall lapse and become void on July 14, 2024 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.
7. 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.
8. If operation of this use violates any condition of the Conditional Use Permit, 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.
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 and release of utilities.

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. Grading plan revisions shall be reviewed by the City Engineer.
12. The applicant shall provide all project-related on-site and off-site improvements as required by these Conditions of Approval.
13. 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.
14. 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.
15. An eight-foot high split-face CMU wall with columns shall be constructed along the project's interior property lines (along the northwest and southwest property lines) as shown on the site Plan. If a double wall condition would result, the developer shall make a good faith effort work with the adjoining property owners to provide a single wall. Developer shall notify, by mail, all contiguous property owners at least 30 days prior to the removal of any existing walls/fences along the project perimeter.
16. All materials and colors depicted on the approved plans shall be used. If the applicant wishes to modify any of the approved materials or colors depicted on the plans, the applicant shall submit a proposal setting forth the modifications for review by the Community Development Director or his designee.
17. 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.

18. 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.
19. Graffiti shall be removed within 24 hours.
20. The applicant shall comply with all applicable City Codes and Ordinances.

Prior to Issuance of Grading Permits/Building Permits

21. The applicant shall pay all applicable City fees, including but not limited to: Development Impact Fees (DIF), Fire Facilities Fees, and Traffic Infrastructure Fees (TIF) per LEMC Section 16.74, Transportation Uniform Mitigation Fees (TUMF) per LEMC Section 16.83, Area Drainage Fees per LEMC Section 16.72, MSHCP Fees per LEMC Section 16.85, Stephens Kangaroo Habitat Fee (K-Rat) per Chapter 19.04 of LEMC, Capital Improvement Impact/Mitigation Fees, and Plan Check and Permit fees, at the rate in effect at the time of payment. Prior to the issuance of a grading permit, the applicant shall have paid the City those costs and expenses, including attorney fees, incurred in connection with the matter of CCOLE, LLC v. City of Lake Elsinore et al (Case No. RIC 2003238) as required by Condition No. 2, above.
22. 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.
23. The project shall connect to sewer and meet all requirements of the Elsinore Valley Municipal Water District (EVMWD). The applicant shall submit water and sewer plans to the EVMWD and shall incorporate all district conditions and standards.
24. 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.
25. The applicant shall construct trash enclosure(s) with a decorative roof to match the colors, materials and design of the project architecture.
26. A uniform hardscape and street furniture design including seating benches, trash receptacles, free-standing potted plants, bike racks, light bollards, etc., shall be utilized and be compatible with the architectural style. Detailed designs shall be submitted for Planning Division review and approval prior to the issuance of building permits.
27. 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.
28. 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.

29. 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.
30. Prior to issuance of a building permit, Final Landscaping / Irrigation Detail Plans (one full size set along with a PDF copy) 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. 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.
 - c. Planting within fifteen feet (15') of ingress/egress points shall be no higher than twenty-four inches (24").
 - d. Landscape planters shall be planted with an appropriate parking lot shade tree pursuant to the LEMC and Landscape Design Guidelines.
 - e. No required tree planting bed shall be less than 5 feet wide.
 - f. Root barriers shall be installed for all trees planted within 10 feet of hardscape areas to include sidewalks.
 - g. Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
 - h. The landscape plan shall provide for ground cover, shrubs, and trees and meet all requirements of the City's adopted Landscape Guidelines.
 - i. 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.
 - j. 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.
 - k. Final landscape plan must be consistent with approved site plan.
 - l. Final landscape plans to include planting and irrigation details.
 - m. 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.
 - n. No turf shall be permitted.
31. 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.
32. 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.

33. 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.

BUILDING DIVISION

General Conditions

34. Final Building and Safety Conditions. Final Building and Safety Conditions will be addressed when building construction plans are submitted to Building and Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
35. Compliance with Code. All design components shall comply with applicable provisions of the 2019 2022 edition of the California Building, Plumbing and Mechanical Codes; 2019 2022 California Electrical Code; California Administrative Code, 2019 2022 California Energy Codes, 2019 2022 California Green Building Standards, California Title 24 Disabled Access Regulations, and Lake Elsinore Municipal Code.
36. Green Measures. The application shall provide 10% voluntary green measures on the project, as stipulated by the 2019 2022 California Green Building Standards.
37. 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.
38. Street Addressing. Applicant must obtain street addressing for all proposed buildings by requesting street addressing and submitting a site plan for commercial or multi-family residential projects or a recorded final map for single- family residential projects. It takes 10 days to issue address and notify other agencies.
39. 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.
40. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.

41. Obtaining Separate Approvals and Permits. Trash enclosures, patio covers, light standards, and any block walls will require separate approvals and permits.
42. 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.
43. 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

44. 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 the Section 1207, of the 2019 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)

45. 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.
46. 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)

47. 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

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

ENGINEERING DIVISION

General Conditions

49. All slopes and landscaping within public right-of-way shall be maintained by the property owner or property owner's association or another maintenance entity approved by the City Council. All slopes outside the public right-of-way shall be owned and maintained by property owner or property owner's association.
50. In accordance with the City's Franchise Agreement for waste disposal & 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.
51. Developer shall mitigate to prevent any flooding and/or erosion downstream caused by development of the site and or diversion of drainage.
52. The developer shall provide a copy of an encroachment permit or any approval documents from Caltrans for encroaching, grading, or discharging into Caltrans right of way.
53. All required hydrology and hydraulic, and seismic reports shall be prepared by a Registered Civil Engineer. All required soils and geology reports shall be prepared by a Registered Geotechnical Engineer.

Fees

54. The developer shall pay all Development Impact Fees, Plan Check and Permit fees (LEMC 16.34) prior to the issuance of a building permit consistent with Condition 21. Applicable Engineering Division assessed, Development Impact Fees include: Stephens Kangaroo Habitat Fee (K-Rat), Traffic Infrastructure Fee (TIF), Transportation Uniform Mitigation Fee (TUMF), and Area Drainage Fee (~~Arroyo del Toro~~, #2 Temescal Wash Zone).
55. Mitigation Fees will be assessed at the prevalent rate at time of payment in full.

STORM WATER MANAGEMENT / POLLUTION PREVENTION / NPDES

Design

56. The project is responsible for complying with the Santa Ana Region NPDES Permits as warranted based on the nature of development and/or activity. These Permits include:
 - General Permit – Construction
 - Deminimus Discharges
 - MS4
57. A Water Quality Management Plan (WQMP) (preliminary and final) are required and shall be prepared using the Santa Ana Region 8 approved template and guidance and submitted for review and approval to the City.
58. The Final WQMP shall be in substantial compliance with the approved preliminary WQMP and shall be approved by the City prior to precise grading plan approval and issuance of ANY permit for construction.
59. 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.
 - HCOC – demonstrate that discharge flow rates, velocities, duration and volume for the post construction condition from a 2 year and 10 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.
 - 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 of water quality facilities by a registered civil engineer. The City format shall be used.
60. The 2010 SAR MS4 Permit requires implementation of LID Principles and LID Site Design, where feasible, to treat the pollutants of concern identified for the project, in the following manner (from highest to lowest priority): (Section XII.E.2, XII.E.3, and XII.E.7).
- Preventatives measures (these are mostly non-structural measures, e.g., minimizing impervious areas, conserving natural areas, minimizing directly connected impervious areas, etc.)
 - The Project shall in the order presented, infiltrate, harvest and use, evapotranspire and/or bio-treat the Design Capture Volume (DCV).
 - The Project shall consider a properly engineered and maintained bio-treatment system only if infiltration, harvesting and use and evapotranspiration cannot be feasibly implemented at the project site.
 - Any portion of the DCV that is not infiltrated, harvested and used, evapo-transpired, and/or bio-treated shall be treated and discharged in accordance with the requirements set forth in Section XII.G.
61. Parking lot landscaping areas shall be designed to provide for treatment, retention or infiltration of runoff.
62. Project hardscape areas shall be designed and constructed to provide for drainage into adjacent landscape.
63. The project shall implement State Water Quality Control Board and City approved full capture trash devices. This shall include installation of connector pipe screens on all onsite catch basins and all offsite catch basins to which the project discharges.

64. Trash enclosure shall be covered and bermed to prevent discharge.
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 Division.
66. All storm drain inlet facilities shall be appropriately marked "Only Rain in the Storm Drain" using the City authorized marker.
67. The project shall use either volume-based and/or flow-based criteria for sizing BMPs in accordance with NPDES Permit Provision XII.D.4.

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 of the grading plan submittal to demonstrate compliance with the City's NPDES Program and state water quality regulations for grading and construction activities. The Erosion and Sediment Control Plan shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into local drainages or waters by wind, rain, tracking, or dispersion. The plan shall also describe how the project will ensure that all BMPs will be maintained during construction of any future right of ways. A copy of the plan shall be incorporated into the SWPPP and 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 BMP's 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.
 - Provide documentation of annexation into a CFD for funding of 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 (commercial/industrial) or POA as appropriate.
 - 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 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 applicant 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 Marshall, prior to the issuance of any Certificates of Use and Occupancy.
73. Industrial Facilities – Subject to California's General Permit for Stormwater Discharges Associated with Industrial Activity as defined by Standard Industrial Classification (SIC) Code.
- Prior to grading or building permit close-out and/or the issuance of a certificate of use and occupancy, the applicant 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.

UTILITIES

74. All provisions for the relocation of utility company facilities (power poles, vaults, etc.) out of the roadway shall be the responsibility of the property owner or his agent.
75. All overhead utilities shall be undergrounded in accordance with Chapter 12.16 of the Lake Elsinore Municipal Code (LEMC).
76. Underground water rights shall be dedicated to the City pursuant to the provisions of Section 16.52.030 (LEMC), and consistent with the City's agreement with the Elsinore Valley Municipal Water District.
77. The developer shall apply for, obtain and submit to the City Engineering Department prior to grading permit issuance a letter from Southern California Edison (SCE) indicating that the construction activity will not interfere with existing SCE facilities (aka SCE NIL).

78. The developer shall submit a copy of the "Will Serve" letter prior to grading permit issuance 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 and volume etc.

IMPROVEMENTS

Design

79. Sight distance into and out of the project location shall comply with CALTRANS Standards.
80. The developer shall install permanent bench marks per City of Lake Elsinore Standards and at locations to be determined by City Engineer.
81. The developer shall install blue dot markers in the roadway at a right angle to Fire Hydrant locations per Lake Elsinore Standards.
82. The developer shall coordinate with Riverside Transit Authority for location and installation of bus transit facilities.
83. 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.
84. All drainage facilities in this project shall be constructed to Riverside County Flood Control District Standards.
85. 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 onsite 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-yr 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 24hour storm duration shall be analyzed to determine the detention basin capacities necessary to accomplish the desired results.
86. 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.
87. Roof drains shall not be allowed to outlet directly through coring in the street curb. Roofs should drain to a landscaped area.
88. The site shall be planned and developed to keep surface water from entering buildings (California Green Building Standards Code 4.106.3).
89. 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.

90. The owner shall dedicate in fee title to the City right-of-way along Collier Avenue adjacent to the property frontage for a total right-of-way of 50' wide from centerline to the project property line.
91. The owner shall dedicate in fee title to the City right-of-way along Riverside Drive adjacent to the property frontage for a total right-of-way of 60' wide from centerline to the project property line.
92. The developer shall construct street improvements on Collier Avenue such that the ultimate right-of-way width conforms to General Plan right-of-way cross sections. The cross section of roadway improvements with a raised median, thermoplastic "Do Not Block" markings, parkway and streetlights shall be consistent with the Final Adopted Initial Study/Mitigated Negative Declaration.
93. The developer shall construct street improvements on Riverside Drive such that the ultimate right-of-way width conforms to General Plan right-of-way cross sections. The cross section of roadway improvements with a raised median, parkway and streetlights shall be consistent with the Final Adopted Initial Study/Mitigated Negative Declaration.
94. The developer shall implement mitigation measures identified in the Traffic Analysis revised March 2019, as specified in Chapters 9 and 10 of this Study to the satisfaction of the City Engineer.
95. ~~The developer shall construct the all way stop at the intersection of Collier Avenue and Nichols Road.~~
96. The developer shall modify the existing traffic signal to accommodate the new improvements.
97. The developer shall restripe the southbound approach at Collier Avenue/Riverside Drive to consist of one right lane and one shared left lane in order to construct an additional northbound left turn lane for the Collier Avenue driveway.
98. Street improvement plans shall be prepared by a Registered Civil Engineer and the plans shall include curb and gutter, striping, sidewalk, ac pavement, street lighting, median, and drainage improvements.
99. The developer shall provide fair share costs, as approved by the City Engineer, as detailed in Table 27, and the Summary, of the IS/MND revised September 2019:
 - I-15 SB Ramps/Central Ave (SR 74) – Install 3rd EB lane and 2nd dual left turn lane
 - Dexter Avenue/Central Ave(SR 74) – Change NB left turn phasing to protected-permitted
 - Collier Avenue/Central Ave (SR 74) – Restripe two southbound through lanes to one southbound through and one southbound through left lane
 - Gunnerson Street/Strickland Avenue/Riverside Dr. (SR 74) – Convert to signalized intersection
 - Riverside Drive, west of Collier Avenue

- Collier Avenue, south of Riverside Drive
100. The developer shall provide signing and striping plans for the required improvements of this project. The plans shall also incorporate traffic calming measures.
101. If existing improvements are to be modified, the existing improvement plans on file shall be modified accordingly and approved by the City Engineer **prior to issuance of building permit.**

Permitting/Construction

102. An Encroachment Permit shall be obtained prior to any work on City and/or State right-of-way. The developer shall submit the permit application, required fees and executed agreements, security and other required documentation prior to issuance.
103. A Caltrans encroachment permit will be required prior to any work on Riverside Drive.
104. All compaction reports, grade certifications, monument certifications (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.
105. All streets shall be constructed per Lake Elsinore City Standards and/or applicable specific plan. Any deviation from City standards shall be approved by the City Engineer.

Acceptance of Improvements

106. A portion of the required improvements for this development may be covered under the Traffic Impact Fee (TIF) or Traffic Uniform Mitigation Fee (TUMF) program. Request for reimbursement or credits shall be approved by the City Engineer and based on allowable costs in the fee program and availability of funds.
107. The developer shall submit a written request with a copy of the recorded Notice of Completion for acceptance to the City Engineer.
108. As-built plans shall be completed and signed by the City Engineer.

GRADING

Design:

109. A grading plan signed and stamped by a California Registered Civil Engineer shall be submitted for City review and approval for all addition and/or movement of soil (grading) on the site. The plan shall include separate sheets for erosion control, haul route and traffic control. The grading submittal shall include all supporting documentation and be prepared using City standard title block, standard drawings and design manual (available at www.lake-elsinore.org).
110. All grading plan contours shall extend to minimum of 50 feet beyond property lines to indicate existing drainage pattern.
111. The grading plan shall show that no structures, landscaping, or equipment are located near

the project entrances that could reduce sight distance.

112. 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 approved by the City Engineer.
113. The developer 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.

Permit/Construction:

114. Developer shall execute and submit grading and erosion control agreement, post grading security and pay permit fees as a condition of grading permit issuance.
115. A preconstruction meeting with the City Engineering Inspector (Engineering Department) is required prior to commencement of ANY grading activity.
116. Prior to commencement of grading operations, developer is to provide to the City with a map of all proposed haul routes to be used for movement of export material. All such routes shall be subject to the review and approval of the City Engineer. Haul route shall be submitted prior to issuance of a grading permit. Hauling in excess of 5,000 cy shall be approved by City Council. (LEMC 15.72.065)
117. Export sites located within the Lake Elsinore City limits must have an active grading permit.
118. Applicant to provide to the City a video record of the condition of all proposed public City haul roads. In the event of damage to such roads, applicant shall pay full cost of restoring public roads to the baseline condition. A bond may be required to ensure payment of damages to the public right-of-way, subject to the approval of the City Engineer.
119. All grading shall be done under the supervision of a geotechnical engineer. Slopes steeper than 2 to 1 shall be evaluated for stability and proper erosion control and approved by the City.
120. Obtain from City Planning Division an approved environmental clearance document and submit to the Engineering Department. This approval shall identify and clear all proposed grading activity anticipated for this project.
121. Developer shall pay all grading permit applicable processing, permit, security and development fees including those fees identified in Conditions 21 and 55 and any applicable development agreement.

PRIOR TO ISSUANCE OF BUILDING PERMIT

122. Provide final soils, geology and seismic report, including recommendations for parameters for seismic design of buildings, and walls prior to building permit.
123. The developer shall participate in "fair share" payment of offsite improvements as described in Table 19 of the final IS/MND to the satisfaction of the City Engineer.

124. The owner shall process through the City Engineering Division for plan check and approval a parcel merger.
125. All required public right-of-way dedications and easements shall be prepared by the developer or his agent and shall be submitted to the Engineering Division for review and approval prior to issuance of building permit.
126. Prior to issuance of certificates of use and occupancy or building permits for individual tenant improvements or construction permits for a tank or pipeline, uses shall be identified and, for specified uses (where the proposed improvements will store, generate or handle hazardous materials in quantities that will require permitting and inspection once operational), the developer shall propose plans and measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal) to the satisfaction of the County/City Building Official(s).
127. All street improvement plans, traffic signal plans, signing and striping plans shall be completed and approved by the City Engineer.
128. The developer shall pay all Capital Improvement TIF and Master Drainage Fees and Plan Check fees (LEMC 16.34).

PRIOR TO OCCUPANCY

129. The traffic signal shall be modified and operational.
130. All signing and striping and traffic control devices for the required improvements of this development shall be installed.
131. The parcel merger shall be recorded.
132. All public improvements shall be completed in accordance with the approved plans or as condition of this development to the satisfaction of the City Engineer.
133. The fair share cost of future improvements as a condition of this development shall be paid.
134. All water and sewer improvements shall be completed in accordance with Water District requirements.
135. Proof of acceptance of maintenance responsibility of slopes, open spaces, landscape areas, and drainage facilities shall be provided.
136. TUMF fees shall be paid. The TUMF fees shall be the effective rate at the time of payment in full in accordance with the LEMC.
137. As-built plans for all approved plan sets shall be submitted for review and approval by the City. The developer/developer/owner is responsible for revising the original mylar plans.
138. In the event of damage to City roads from hauling or other construction related activity, applicant shall pay full cost of restoring public roads to the baseline condition.
139. All final studies and reports, grade certifications, monument certifications (with tie notes

delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on a CD/DVD. Studies and reports include, Soils, Seismic, Hydrology, Hydraulics, Grading, SWPPP, WQMP, etc.

140. All plan sets and recorded maps shall be digitized and provided on CD/DVD as follows:

- Final Map(s) - GIS Shape files* and .tif of recorded map.
- Improvement Plans – GIS Shape files* and .tif of approved as built mylar.
- Grading Plans - .tif of approved as built mylar.

*GIS Shape files must be in projected Coordinate System: NAD 83 State Plane California Zone VI U.S. Fleet.

141. Final soil report showing compliance with recommendations, compaction reports, grade certifications, monument certifications (with tie notes delineated on 8 ½ x 11" mylar) shall be submitted in .tif format on CD to the Engineering Division before final inspection will be scheduled.

142. All required public right-of-way dedications and/or easements shall be recorded with a recorded copy provided to the City.

143. Documentation of responsibility for slope maintenance along right-of-ways and open spaces to be maintained by the property owner or other entity shall be provided in a recordable format and recorded prior to occupancy/final.

144. In the event of damage to City roads from hauling or other construction related activity, applicant shall pay full cost of restoring public roads to the baseline condition.

145. Certificates or permits may be ministerially withheld if features needed to properly manage chemicals cannot be incorporated into a previously completed building, center, or complex.

146. Developer shall pay all outstanding applicable processing and development fees including but not all inclusive: TUMF, MSHCP, TIF, Stephens Kangaroo Rat Habitat and area drainage prior to occupancy/final approval.

CITY OF LAKE ELSINORE FIRE MARSHAL

147. 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.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

148. Prior to issuance of a grading permit, the applicant shall submit an application to the Department of Administrative Services approval of the Final Map, Parcel Map, Design Review, Conditional Use Permit or building permit (as applicable), to initiate annexation process the applicant shall annex 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

149. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring & Reporting Program for the Mitigated Negative Declaration (Environmental Review No. 2018-02; SCH # 2019029048) 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 December 12, 2023. I also acknowledge that all Conditions shall be met as indicated.

Date: _____

Applicant's Signature: _____

Print Name: _____

Address: _____

Phone Number: _____