

FINAL CONDITIONS OF APPROVAL

MEETING DATE: October 2, 2018

TITLE: Development Agreement for the Mission Creek Trails Residential Subdivision

CASE NO: DA No. 02-18

PREPARED BY: Scott Taschner, Senior City Planner

REVIEWED BY: Daniel Porras, Community Development Director

APPROVED BY: City Council

Project Specific Conditions

1. The applicant/developer shall construct the park after the completion of the 250 homes (rather than after completion the 500 homes) **(recommendation from Planning Commission to Council, and added by the City Council on September 18, 2018).**
2. The applicant/developer shall add a walking trail/greenbelt within the 500-foot buffer area that backs up to the Sand to Snow National Monument **(recommendation from Planning Commission to Council, and added by the City Council on September 18, 2018).**
3. The homes that back up to the buffer area shall be single-family and single-story, and 30% of the residences shall have California rooms incorporated into the rear of the units **(recommendation from Planning Commission to Council, and added by the City Council on September 18, 2018)**
4. The applicant/developer shall donate a minimum of 1 acre of land for a visitor center, with a \$30,000 cash donation for construction of the visitor center **(modified by the City Council on Sept 18, 2018)**
5. The maximum building height throughout the project shall be 35 feet **(added by the City Council on September 18, 2018)**
6. The development agreement entitlement shall be contingent upon future approval of the tract maps **(added by the City Council on September 18, 2018).**
7. The future project shall not exceed a total density of 1,998 dwelling units.

8. This entitlement is for the Development Agreement (DA 02-18) only. Any and all future entitlements for subdivision and/or development of the property shall require the appropriate applications and review process.

Standard Administrative Conditions

9. Applicant/Developer shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings, including those involving environmental issues, against the City to attack, set aside, void, annul, and/or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning the entitlement application. City shall promptly notify both the Applicant/Developer and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
10. All development on the Project Site shall be in compliance with all applicable provisions of the City's Municipal Code as well as all applicable provisions of the adopted Building and Fire Codes. All new development/construction shall obtain Planning Department Entitlements and all necessary building permits and comply with the requirements of the Planning, Building, and Fire Departments.
11. The development of the Project on the Project Site shall be in substantial compliance with the exhibits contained in the project file for DA No. 02-18 as shown in all Exhibits attached hereto and incorporated herein by this reference.
12. Within fifteen (15) days of final approval (expiration of the appeal period, October 17, 2018) by the City Council, the Applicant/Developer shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This approval shall become void, and any privilege, permit, or other authorization granted under these entitlements if compliance with this condition has not been undertaken within the specified time limits.
13. The Applicant / Developer shall deliver within 5 (five) working days after the appeal period (15 days) to the Community Development Department a cashier's check, money order, or other acceptable form of payment made payable to

“Riverside County” in the amount of \$3,219.00 (\$3,168.00 EIR + \$50, Fish & Wildlife, + \$1, copy) for filing of the Addendum to the FEIR and required pursuant to California Code of Regulations Section 15075. Any additional fees that may be attributed to the required filing of environmental documents shall be paid by the Applicant/Developer. If Applicant/Developer has not delivered to the Community Development Department the check as required above, the approval for the project granted shall be void by reason of failure of condition (Fish and Game Code Section 711.4(c)).