



## CITY OF MURRIETA

January 27, 2009

Fiedler Group  
2322 W. 3<sup>rd</sup> Street  
Los Angeles, CA 90057  
Attn: Wayne Watkins

**Subject: Substantial Conformance No. 2008-2695 to Development Plan 01-141 (23751  
Washington Avenue – Ralphs Grocery Store Gas Station)**

Dear Mr. Watkins:

We are pleased to inform you that the upgrades to the existing fueling system and relocation of the existing vent riser with the mounting and installation of a new veeder root vapor polisher has been deemed in substantial conformance with the original Development Plan for the Ralphs Gas Station located at 23751 Washington Ave. This determination is subject to the attached conditions of approval dated January 27, 2009.

If you do not agree with the conditions of approval, you may file an appeal to the Planning Commission in accordance with Section 16.78-(Appeals) of the Development Code. An appeal must be filed with the City by February 6, 2009.

If you have any questions concerning this matter please do not hesitate to call your project planner, Leticia Newell at (951) 461-6092.

Sincerely,

  
Mary E. Lanier  
Planning Director

Att: Conditions of Approval

**CONDITIONS OF APPROVAL  
FOR  
SUBSTANTIAL CONFORMANCE 008-2695  
TO DEVELOPMENT PLAN 01-141  
January 27, 2009**

**GENERAL:**

1. The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Murrieta, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning this approval Substantial Conformance 2008-2695. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
2. Any fees due the City of Murrieta for processing this project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City
3. The substantial conformance is for the relocation of an existing vent riser and the addition of a veeder root vapor polisher to be mounted to the relocated vent riser. The project is to include upgrades to the existing fueling system and additional landscaping as shown on exhibits approved January 27, 2009.
4. All original conditions of approval for Development Plan 01-141 shall remain in effect unless modified herein.

**PLANNING DEPARTMENT:**

5. All elevations, colors, materials, site plan and equipment location must be in substantial conformance with those shown on APPROVED PLANS, dated January 27, 2009.
6. The Planning Department shall be contacted 72 hours in advance for a final inspection at the completion of proposed work.

**LANDSCAPE ARCHITECT:**

7. Three copies of revised construction landscaping plans shall be submitted to the Planning Department and approved. A licensed Landscape Architect shall prepare the plans.
8. The above-described plans shall be in substantial conformance with the approved landscape plans designed by the original project landscape architect for the Plaza De Oro shopping Center and as approved by the City Landscape Architect, City Administrative Staff, Planning Commission and/or City Council. Notes, details, and specifications shall be included.
9. All revised landscape and irrigation plans shall be consistent with Title 16.28 of the Murrieta

Municipal Code as approved on the original project landscape plans for the Plaza De Oro shopping Center.

10. Landscape plans shall be drawn at a scale of 20 feet equal to 1 foot or larger. The City Landscape Architect will not accept plans drawn in 30 feet scale or smaller without prior approval.
11. Plant materials shall be installed from 5 gallon size containers and as directed by the City Landscape Architect.
12. All ground covers shall be installed from living plant materials.
13. All planting that is damaged due to moving of the vent pipes or planting that is not in conformance with the approved landscape plans for the center shall be replaced at the direction of the City of Murrieta Landscape Architect and in accordance with the approved landscape plans prepared by Alhambra Group for Development Plan 01-141. Planting locations shall be modified as required to accommodate the space for the vent pipes. Shrubs shall be planted, choosing from the original plant palette, which will grow between 48 inches and 60 inches in vertical height.
14. All existing drip irrigation, that is damaged due to moving of the vent pipes or is not in conformance with the approved irrigation plans for the center, shall be replaced at the direction of the City of Murrieta Landscape Architect and in accordance with the approved landscape plans prepared by Alhambra Group for Development Plan 01-141. The existing drip irrigation shall be routed around the space for the vent pipes.
15. All planting that is not in conformance with the originally approved landscape plans shall be replaced in accordance with the approved landscape plans unless otherwise directed by the City of Murrieta Landscape Architect.
16. All fertilizers and soil amendments used during planting preparation and installation shall be derived from organic-based materials as a best management practice for storm water source control.
17. A 3" layer of bark mulch shall be applied to all shrub planting areas that are disturbed or directly adjacent to the vent pipes within 30 feet.
18. All existing landscaping on the site shall be in a viable condition of landscape maintenance that is acceptable to the City of Murrieta in accordance with the Development Code.
19. All bollards shall be painted an approved bronze neutral color.
20. All exposed vent pipes shall be painted an approved bronze neutral color.

**Prior to Construction:**

21. The City Landscape Architect shall meet with the job site superintendent and the landscape contractor for a pre-job meeting. No landscaping or site work shall occur prior to the meeting.

22. No cutting of existing tree roots shall occur without approval and observation from the City Landscape Architect.

**Prior to the acceptance from the City of Murrieta Building Division:**

23. All required landscaping and irrigation systems shall be installed in a condition acceptable to the City. The owner's Landscape Architect shall provide inspection of the landscaping. The owner's Landscape Architect shall provide the City with a Certificate of Compliance stating that the landscaping was installed per the approved plans. The City will review the Certificate of Compliance and conduct inspections to ensure that the landscape installation is in compliance with the approved landscape plans.

**BUILDING & SAFETY DEPARTMENT:**

24. Building permits shall be obtained from the Building & Safety Dept. for the proposed work and shall comply with the current California Building Codes (CBC), and related Codes and Ordinances of the City of Murrieta.

**POLICE DEPARTMENT:**

25. The petitioner (s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he has control.
26. Graffiti shall be removed from the exterior walls of the premises within 24 hours of discovery at the expense of the owner or property manager.

**END OF CONDITIONS**