

EXHIBIT E:
CONDITIONS OF APPROVAL

PLANNING DIVISION

1. Project 17-0001265 (Development Review, Tentative Tract Map No. 74896, Planned Development No. 17-01, Development Agreement, and Development Review) allows for the construction of a mixed-use project consisting of 573 residential units; 1,067 square feet of commercial retail space, and 307 room hotel.
2. The commercial spaces may accommodate as allowable uses retail, restaurant, commercial services, and personal services as listed in Attachment A, attached hereto and incorporated herein by reference.
3. Development and operations on the Project site shall remain in substantial conformance with the Planned Development Plans approved by the City Council and dated month/day/year ("the plans") and included herein as Attachment A on file with the Planning Division. The Project shall conform to the plans as approved by the City Council, The plans shall be in substantial conformance with the Conditions of Approval, unless otherwise modified by the City Council as part of their approval. A minor modification may be granted for minimal changes in the placement or size of structures, or of the design, materials, or colors of structures and may be approved by the Community Development (CDD) Director or his/her designee.
4. At the issuance of building permits, Applicant shall purchase approximately 15,000 square feet of City-owned property adjacent to the Project site for \$70 per square foot, pursuant to a mutually satisfactory purchase and sale agreement as prepared by the City attorney.
5. Applicant shall comply with all Federal, State, and local laws. Violations or convictions of any of those laws in connection with the use could lead to revocation of this permit after written notice to Applicant, a reasonable opportunity to cure, and failure to cure. This requirement includes all applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including SCAQMD Rule 1166.
6. Subject to the provisions of Article 7 of the Development Agreement, Project No. 17-0001265 (Planned Development, DA, Master Business Sign Program and Development Review) may be modified or revoked by the City should it be determined that the proposed uses as permitted by this approval or conditions under which they were permitted are detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity or if the use is maintained so as to constitute a public nuisance, or if there has been a violation of these Conditions or the Agreement.