

PLANNING COMMISSION RESOLUTION 2006-029

**RESOLUTION OF THE OF THE PLANNING COMMISSION
OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING
DEVELOPMENT PLANS FOR PHASE 2 OF A SHOPPING
CENTER LOCATED ON THE NORTH SIDE OF HIGHWAY
111, BETWEEN JEFFERSON STREET AND DUNE PALMS
ROAD**

**CASE: SITE DEVELOPMENT PERMIT 2006-862
APPLICANT: HIGHLAND LA QUINTA, LLC**

WHEREAS, the Planning Commission of the City of La Quinta, California did, on the 8th day of August, 2006, hold a duly noticed Public Hearing to consider a request by Highland La Quinta, LLC for approval of architectural and landscaping plans for three commercial buildings in phase 2 of the Dunes Business Park in the CR (Regional Commercial) zone district, more particularly described as:

APN: Portion of 649-020-014

WHEREAS, the Community Development Department published a public hearing notice in the Desert Sun newspaper on July 29, 2006 as prescribed by the Municipal Code. Public hearing notices were also mailed to all property owners within 500 feet of the site; and

WHEREAS, the La Quinta Community Development Department has determined that the request has been previously assessed in conjunction with Environmental Assessment 2005-553 prepared for Site Development Permit 2005-822 which was certified by the Planning Commission on June 14, 2005. No changed circumstances or conditions are proposed, or new information has been submitted which would trigger the preparation of a subsequent environmental review pursuant to Public Resources Code Section 21166; and

WHEREAS, at the Public Hearing upon hearing and considering all testimony and arguments of all interested persons desiring to be heard, said Planning Commission did make the following Mandatory Findings to justify approval of said Site Development Permit:

1. The General Plan designates the project area as Regional Commercial. The proposed commercial buildings are consistent with this land use designation.
2. The proposed commercial buildings are designed to comply with the Zoning Code requirements, including, but not limited to, height limits, parking, and lot coverage.

3. The Community Development Department has determined this project has previously been assessed with a Negative Declaration of Environmental Impact certified, and no further environmental review is required.
4. The architectural design of the project, including, but not limited to the architectural style, scale, building mass, materials, colors, architectural details, roof style, and other architectural elements are compatible with the surrounding development and with the quality of design prevalent in the City.
5. The site design of the project, including, but not limited to project entries, interior circulation, pedestrian and bicycle access, pedestrian amenities, screening of equipment and trash enclosures, exterior lighting, and other site design elements are compatible with surrounding development and with the quality of design prevalent in the City.
6. Project conceptual landscaping, including, but not limited to the location, type, size, color, texture, and coverage of plant materials has been designed and conditioned to provide relief, compliment buildings, visually emphasize prominent design elements and vistas, screen undesirable views, provide a harmonious transition between adjacent land uses and between development and open space, provide an overall unifying influence, enhance the visual continuity of the project, and compliment the surrounding project area, ensuring lower maintenance and water use.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of La Quinta, California as follows:

1. That the above recitations are true and correct and constitute the findings of said Planning Commission in this case; and
2. That it does hereby approve Site Development Permit 2006-862, for the reasons set forth in this Resolution and subject to the attached Conditions of Approval.

PASSED, APPROVED, and ADOPTED at a regular meeting of the La Quinta Planning Commission, held on this 8th day of August, 2006, by the following vote, to wit:

Planning Commission Resolution 2006-029
Site Development Permit 2006-862
Highland La Quinta, LLC
Adopted: August 8, 2006
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AYES: Commissioners Alderson, Barrows, Daniels, Engle, and Chairman Quill

NOES: None

ABSENT: None

ABSTAIN: None

PAUL QUILL, Chairman
City of La Quinta, California

ATTEST:

DOUGLAS R. EVANS
Community Development Director
City of La Quinta, California

Planning Commission Resolution 2006-029 _____
Conditions of Approval - Final
Site Development Permit 2006-862
Highland La Quinta, LLC
Adopted: August 8, 2006

GENERAL

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Site Development Permit. The City shall have sole discretion in selecting its defense counsel.

The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

2. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies:

- Fire Marshal
- Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Improvement Permit)
- Community Development Department
- Riverside Co. Environmental Health Department
- Desert Sands Unified School District
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)
- SunLine Transit Agency
- SCAQMD Coachella Valley
- CalTrans

The applicant is responsible for all requirements of the permits and/or clearances from the above listed agencies. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting those improvements plans for City approval.

3. A project-specific NPDES construction permit must be obtained by the applicant; and who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.

4. The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit, Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water), LQMC; Riverside County Ordinance No. 457; and the State Water Resources Control Board's Order No. 99-08-DWQ. Additionally, the applicant shall comply with Conditions of Approval for Parcel Map No. 31143.

A. For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.

B. The applicant's SWPPP shall be approved by the City Engineer prior to any on or off-site grading being done in relation to this project.

C. The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.

D. The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs") (8.70.020 (Definitions), LQMC):

- 1) Temporary Soil Stabilization (erosion control).
- 2) Temporary Sediment Control.
- 3) Wind Erosion Control.
- 4) Tracking Control.
- 5) Non-Storm Water Management.
- 6) Waste Management and Materials Pollution Control.

E. All erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.

F. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.

5. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

PROPERTY RIGHTS

6. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.

7. The applicant shall offer for dedication all public street right-of-ways in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.

8. The public street right-of-way offers for dedication required for this development include:

A. PUBLIC STREETS

1) Highway 111 (Major Arterial – State Highway, 140' ROW) – No additional right-of-way is required for the standard 70 feet from the centerline of Highway 111 for a total 140-foot ultimate developed right-of-way except for additional right-of-way for an exclusive right turn only/deceleration lane at the shared entry at the westerly property line as determined by Caltrans and as conditioned under STREET AND TRAFFIC IMPROVEMENTS. Additional right-of-way is required at curb returns along Highway 111 per La Quinta Standard 225 or as required by the City Engineer.

9. Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved construction plans.

Pursuant to this requirement, the Applicant shall include in the submittal packet containing the draft final map submitted for map checking, an offsite street geometric layout, drawn at 1" equals 40 feet, detailing the following design aspects: median curb line, outside curb line, lane line alignment including lane widths, left turn lanes, deceleration lane(s) and bus stop turnout(s). The geometric layout shall be accompanied with sufficient professional engineering studies to confirm the

appropriate length of all proposed turn pockets and auxiliary lanes that may impact the right-of-way dedication required of the project and the associated landscape setback requirement,

10. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:

- A. Highway 111 - 50-foot from the R/W-P/L.

The setback requirements shall apply to all frontages including, but not limited to, remainder parcels and sites dedicated for utility purposes.

Where public facilities (e.g., sidewalks) are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Parcel Map.

11. At locations where the onsite finished grade adjacent to the landscaped setback lot has an elevation differential with respect to the arterial street top of curb exceeding 5-feet, the applicant shall comply with, and accommodate, the maximum slope gradients in the parkway/setback area and meandering sidewalk requirements by either: 1) increasing the landscape setback size as needed, or 2) installing retaining walls between the sidewalk and the back of the landscaped area as needed.
12. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, and common areas on the Parcel Map.
13. Direct vehicular access to Highway 111 from lots with frontage along Highway 111 is restricted except for those access points identified on the tentative parcel map, or as otherwise conditioned in these conditions of approval. The vehicular access restriction shall be shown on the recorded parcel map.
14. The applicant shall grant any easements necessary for the adjoining parcel(s) to construct and use the shared entry drive on Highway 111.
15. If the approved access drives are located in whole or in part on the adjoining parcel(s), the applicant shall furnish proof of easements for construction and use of drives on those parcels, including the recordation of a reciprocal access agreement.
16. When the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved Parcel Map No. 31143, the applicant shall grant the necessary right-of-ways within 60 days of a written request by the City.

17. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur.
18. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the Tentative Tract Map and the date of recording of any Final Map, unless such easement is approved by the City Engineer.
19. The applicant shall provide reciprocal easements necessary for the adjoining parcel(s) to construct and use the shared entry drive to Highway 111 along the west property line of Parcel Map No. 31143 as well as to proposed parking and access drive associated with this Site Development Permit.

IMPROVEMENT AGREEMENTS

20. When improvements are phased through a "Phasing Plan," or an administrative approval (e.g., Site Development Permits), all off-site improvements and common on-site improvements (e.g., backbone utilities, retention basins, perimeter walls, landscaping and gates) shall be constructed prior to the issuance of any permits in the first phase of the development, or as otherwise approved by the City Engineer unless said improvements are secured under Tentative Parcel Map 31143.

Improvements and obligations required of each subsequent phase shall be completed prior to the occupancy of permanent buildings within such latter phase, or as otherwise approved by the City Engineer.

In the event the applicant fails to construct the improvements for the development, or fails to satisfy its obligations for the development in a timely manner, pursuant to the approved phasing plan, the City shall have the right to halt issuance of all permits, and/or final inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

21. Should the applicant fail to construct the improvements for the development, or fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

IMPROVEMENT PLANS

As used throughout these Conditions of Approval, professional titles such as "engineer," "surveyor," and "architect," refer to persons currently certified or licensed to practice their respective professions in the State of California.

22. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with the provisions of Section 13.24.040 (Improvement Plans), LQMC.
23. The following improvement plans shall be prepared and submitted for review and approval by the Public Works Department. A separate set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. Note, the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.

A. On-Site Commercial Precise Grading Plan 1" = 30' Horizontal

B. On-Site Storm Drainage Plans

1" = 40' Horizontal, 1" = 4' Vertical

C. PM10 Plan 1" = 40' Horizontal

NOTE: Items A through C to be submitted concurrently. On-Site Storm Drainage Plans shall include all necessary connections to the Storm Drain

D. Off-Site Street Improvement/Storm Drain Plan

1" = 40' Horizontal, 1" = 4' Vertical

E. Off-Site Signing & Striping Plan 1" = 40' Horizontal

F. Perimeter Landscaping Plan 1" = 20' Horizontal

G. Meandering Sidewalk Plan 1" = 20' Horizontal

NOTE: Items D through G to be submitted concurrently if not plans have not been submitted for said improvements under Parcel Map No. 31143. Caltrans approval required for all work within Highway 111 right-of-way.

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

The applicant shall prepare an accessibility assessment on annotated print of the building floor plan identifying every building egress and notes the 2001 California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety Department. A copy of the reviewed assessment shall be submitted to the Engineering Department

in conjunction with this Site Development Plan when it is submitted for plan checking.

"Precise Grading" plans shall normally include all on-site surface improvements including but not necessarily limited to finish grades for curbs & gutters, building floor elevations, parking lot improvements and ADA requirements, retaining and perimeter walls, etc. ADA accessibility to public streets, adjacent buildings and existing and proposed handicap parking shall be shown on the Precise Grading Plans at a scale to be determined by the Public Works Department. Precise Grading Plans shall also require approval by the Community Development and Building and Safety Departments.

24. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the Online Engineering Library at the City website (www.la-quinta.org). Navigate to the Public Works Department home page and look for the Online Engineering Library hyperlink.
25. The applicant shall furnish a complete set of the AutoCAD files of all approved improvement plans on a storage media acceptable to the City Engineer. The files shall be saved in a standard AutoCAD format so they may be fully retrievable through a basic AutoCAD program.

At the completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall update the AutoCAD files in order to reflect the as-built conditions.

Where the improvement plans were not produced in a standard AutoCAD format, or a file format that can be converted to an AutoCAD format, the City Engineer will accept raster-image files of the plans.

GRADING

26. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
27. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.
28. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
 - A. A grading plan prepared by a qualified engineer,
 - B. A preliminary geotechnical ("soils") report prepared by a qualified engineer,

- C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC, and
- D. A Best Management Practices report prepared in accordance with Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls), LQMC.

All grading shall conform to the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by a soils engineer, or by an engineering geologist.

A statement shall appear on applicable improvement plans that a soils report has been prepared in accordance with the California Health & Safety Code § 17953.

The applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit.

- 29. The applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such other erosion control measures, as were approved in the Fugitive Dust Control Plan.
- 30. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform with pad elevations shown on the Site Development Permit Plan, unless the pad elevations have other requirements imposed elsewhere in these Conditions of Approval.
- 31. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus three tenths of a foot from the elevations shown on the approved Tentative Parcel Map, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
- 32. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor.

Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

DRAINAGE

- 33. Stormwater handling shall conform with the approved hydrology and drainage report for Parcel Map No. 31143 and as revised for this site development permit. As the

applicant proposes discharge of storm water directly, or indirectly, into the Coachella Valley Stormwater Channel, the applicant shall indemnify the City from the costs of any sampling and testing of the development's drainage discharge which may be required under the City's NPDES Permit or other City- or area-wide pollution prevention program, and for any other obligations and/or expenses which may arise from such discharge. The indemnification shall be executed and furnished to the City prior to the issuance of any grading, construction or building permit, and shall be binding on all heirs, executors, administrators, assigns, and successors in interest in the land within the overlying tentative parcel map and this site development permit excepting therefrom those portions required to be dedicated or deeded for public use. The form of the indemnification shall be acceptable to the City Attorney. If such discharge is approved for this development, the applicant shall make provisions in the final development CC&Rs for meeting these potential obligations.

34. Nuisance water shall be retained onsite and disposed of via an underground percolation improvement approved by the City Engineer.
35. Storm drainage historically received from adjoining property shall be received and handled accordingly on-site or passed through into the historic downstream drainage relief route.

UTILITIES

36. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
37. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
38. Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground.

All existing utility lines attached to joint use 92 KV transmission power poles are exempt from the requirement to be placed underground.

39. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

40. The applicant shall comply with the provisions of Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (Access For Individual Properties And Development), LQMC for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.

41. The applicant shall construct the following street improvements to conform with the General Plan (street type noted in parentheses.)

A. OFF-SITE STREETS

- 1) Highway 111 (Major Arterial – State Highway, 140' ROW)

The City of La Quinta will widen Highway 111 along the development's boundary with the proposed Highway 111 Capital Improvement Project from Adams Street to Jefferson Street to its ultimate width on the north side as specified in the General Plan and the requirements of these conditions. The north curb face shall be located fifty eight feet (58') north of the centerline, except at locations where additional street width is needed to accommodate:

- a. Bus turnout as required by the SunLine Transit Agency and as approved by Caltrans.
- b. A deceleration/right turn only lane at Highway 111 Shared Entry located at the west property line. The north curb face shall be located per the requirements of Caltrans. As a minimum, the required right-of-way shall be for a length of 485 feet plus a variable dedication of an additional 150 feet or as determined during the Public Works Department Plan Review and as approved by Caltrans.

Other improvements to be constructed by the proposed Highway 111 Capital Improvement Project mentioned above are the following:

- c. A 24 - foot wide raised landscaped median along the entire boundary of the Tentative Parcel Map.

Street Improvements required by this development in the Highway 111 right-of-way and/or adjacent landscape setback area includes:

- d. An 8-foot wide meandering sidewalk. The meandering sidewalk shall have an arrhythmic horizontal layout that utilizes concave and convex curves with respect to the curb line that either touches the back of curb or approaches within five feet of the

curb at intervals not to exceed 250 feet. The sidewalk curvature radii should vary between 50 and 300 feet and at each point of reverse curvature, the radius should change to assist in creating the arrhythmic layout. The sidewalk shall meander into the landscape setback lot and approach within 5 feet of the perimeter wall at intervals not to exceed 250 feet.

- e. Install Bus Shelter per City of La Quinta Standard at the proposed bus turnout with power and water. The applicant shall provide perpetual water and power service at its expense.

The cost burden of Highway 111 Improvements (Items a through c) is predicated on the development timing of the applicant. If the applicant's development precedes the proposed Highway 111 Capital Improvement Project, the applicant shall design and construct Items a through e or provide interim street improvements along Highway 111 as required by Caltrans and the City of La Quinta. The applicant shall bond for improvements (Items a and e) mentioned above to remain in effect until the Highway 111 improvements (Items a through c) are completed by the City of La Quinta or the applicant at which time the applicant shall construct said improvements (Items d and e).

- 42. The applicant shall design street pavement sections using CalTrans' design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections shall be as follows:

Parking Lot & Aisles (Low Traffic)

3.0" a.c./4.5" c.a.b.

or the approved equivalents of alternate materials.

- 43. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphalt concrete and Portland cement concrete. The submittal shall include test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include recent (less than six months old at the time of construction) aggregate gradation test results confirming that design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs are approved.
- 44. Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer. Improvement plans for streets and parking areas shall be stamped and signed by qualified engineers.
- 45. The applicant shall advise any prospective buyer of any parcel on this Site Development Permit of its continuing obligation to maintain all sidewalks located in

the public right-of-way adjacent to its property in a good state of repair pursuant to Streets & Highways Code Section 5610.

PARKING LOTS and ACCESS POINTS

46. The design of parking facilities shall conform to LQMC Chapter 9.150 (Parking). In particular, the following are conditioned with this approval.
- A. Accessibility routes to public streets and adjacent development shall be shown on the Precise Grading Plan.
 - B. Cross slopes should be a maximum of 2% where ADA accessibility is required including accessibility routes between buildings.
 - C. Building access points shall be shown on the Precise Grading Plans to better evaluate ADA accessibility issues.
 - D. Drive aisles shall be a minimum of 26 feet.
 - E. Drive-thru aisles shall be a minimum of 12 feet along straight away portions and increased to a minimum 14 feet at bends (to accommodate turning movements). Pursuant to this condition, the throat to the drive-thru for Proposed Retail 1 may require additional widening to address said turning movements.

Entry drives, main interior circulation routes, corner cutbacks, bus turnouts, dedicated turn lanes, ADA accessibility route to public streets and other features shown on the approved construction plans, may require additional street widths and other improvements as may be determined by the City Engineer.

47. General access points and turning movements of traffic to off site public streets are limited to the access locations approved in the approved Parcel Map No. 31143 and these conditions of approval.

LANDSCAPING

48. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
49. The applicant shall provide landscaping in the required setbacks, retention basins, and common lots.
50. Landscape and irrigation plans for landscaped lots and setbacks, medians, and retention basins shall be signed and stamped by a licensed landscape architect.

51. If deemed necessary by the Community Development Director to prevent soil erosion and provide acceptable slope (maximum 3:1) a short block retaining wall for the planter along the east property line shall be constructed.
52. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 18 inches of curbs along public streets.
53. Final landscape plans shall be reviewed by the Architectural and Landscape Review Committee (ALRC) and approved by the Community Development Director prior to issuance of first building permit. Final plans shall include all landscaping associated with this project including Highway 111 perimeter landscaping. Landscape, berm and screen wall design along Highway 111 (drive-thru lanes to curb) shall be reviewed by the Planning Commission prior to ALRC review. Prior to the Community Development Director approval CVWD and Riverside County Agricultural Commissioner approval shall be submitted to the Community Development Director.
54. The following landscaping revisions shall implemented with the final landscape plans:
 - A. Parking lot tree wells shall be a minimum 6'x6' in size. Palm Springs Gold Fines or equal shall cover all planter areas.
 - B. Shrub planting on top of berms shall be sufficient to provide eventual drive-through lane screening.
 - C. The trees south of the buildings adjacent to Highway 111 shall be a minimum of 36" box size.
 - D. The 4' high decorative screen wall along Highway 111 shall be extended for the southerly 1/3 length of the landscape planter along the west side of the westerly most drive-thru lane to adequately screen the drive-thru from the driveway and Highway 111.
 - E. Berm and/or wall heights proposed for screening of the drive-thru lanes shall be a minimum of 5' in height measured from finished grade of adjacent drive-thru lanes.
 - F. The east side of Building 3 shall include shrubs that will have a minimum height of 3'-4' high.

- G. The Highway 111 perimeter landscaping shall be revised as needed to incorporate these conditions and ensure a consistent and compatible landscape design along the street. A dense hedge of 3'-4' high shrubs shall be planted within the Highway 111 perimeter adjacent to the parking spaces between Buildings 2 and 3 for screening.
- H. Vine plantings shall be provided on the east, west, and south sides of Buildings 1 and 2, including on trellis' where possible.

QUALITY ASSURANCE

- 55. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
- 56. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
- 57. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.
- 58. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans which were approved by the City. Each sheet shall be clearly marked "Record Drawing," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

MAINTENANCE

- 59. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
- 60. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks.

FEES AND DEPOSITS

- 61. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. These fees include all deposits and fees required by the City for

plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.

62. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

COMMUNITY DEVELOPMENT DEPARTMENT

63. The following architectural changes shall be incorporated into the final architectural plans:
- A. Depths of architectural projections for north, east and west elevations of the proposed buildings shall be increased to a depth of 3 feet or greater except for the east side of Building 3. South building elevation projections shall be increased to a depth of 4 feet or greater. The floor plans, site plan, grading plans and elevation plans shall be revised, as necessary to ensure compliance with this condition. Revised plans are to be submitted for Community Development Director for approval prior to review of precise grading plans.
 - B. The trellis structures shall be constructed of metal or a composite material.
 - C. All buildings within 150' of Highway 111 are limited to 22' in height, except for non-structural architectural features.
64. These buildings shall use the same sign program as that approved for Phase 1.
65. The development plans shall be submitted to the Fire Marshal for review and approval prior to submission to the City for plan check.
66. Exterior building wall lighting shall be down-shining with shielded fixtures to the satisfaction of the Community Development Department.
67. Parking lot lighting shall be down-shining, shielded fixtures and match those used in the Phase 1 project.
68. All applicable conditions of SDP 2005-822 and Mitigation measures of Environmental Assessment 2005-553 shall be complied with.
69. Per Zoning Code Section 9.210.010 H. establishment of the use allowed by this Site Development Permit shall expire one year from its effective date, unless extended pursuant to Section 9.200.100.



CITY OF LA QUINTA
LA QUINTA POLICE
82-695 DR. CARREON BLVD., INDIO CA.

(760) 863-8990



July 3, 2006

Stan Sawa, Principal Planner
City of La Quinta
P.O. Box 1504
La Quinta, CA 92253

RE: Site Development Permit SDP 2006-862

Dear Sir,

Thank you for the opportunity to comment on the above described plan. The following issues of concern related to public safety and law enforcement are presented.

PRE-CONSTRUCTION AND CONSTRUCTION PHASES:

Construction Site:

Prior to construction on any structure, a material storage area should be established and enclosed by a six foot chain link fence to minimize theft of materials and/or equipment.

It is recommended that a list of serial and/or license numbers of equipment stored at the location be maintained both, at the site and any off-site main office. Thefts and burglaries of building materials, fixtures, and appliances from construction storage areas and structures under construction are on the rise.

To reduce thefts and burglaries during the construction of this project, the developer and builder need to provide site security. The La Quinta Police Department recommends the developer and builder use bonded security guards licensed by the State of California Bureau of Security & Investigative Services Department to handle project security.

The public, and non-essential employees, should be restricted in access to the construction areas.

Current emergency contact information for the project should be kept on file with the La Quinta Police Department.

The developer and/or builders' name, address and phone number should be conspicuously posted at the construction site. Visibility into the construction site should not be intentionally hampered. Areas actually under construction should be lit during hours of darkness. All entrances and exits should be clearly marked.

ADDRESSING:

An address monument should be erected. The monument should be illuminated during the hours of darkness and positioned so as to be readable from main vehicular or pedestrian access points. Positioning the address numbers at a strategic and elevated section of the building will facilitate unhampered views of the address from vehicular and pedestrian vantage points.

Roof-top addressing, (for use by the police helicopter), should be applied in a contrasting color. A minimum lettering size of 1' X 4' should be utilized. In the event of a critical incident at the location, the use of roof-top addressing accelerates a pinpoint response from law enforcement air support and the accurate mobilization of ground units.

Industrial and commercial buildings shall have the doors clearly marked with numbers corresponding to the appropriate alarm zone.

LIGHTING:

Parking lots and associated driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall have adequate security lighting. The lighting shall be of sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises from at least 25 feet away during the hours of darkness and provide a safe & secure environment for all persons, property, and vehicles on site.

Security lighting should be installed in such a manner as to prevent tampering or damage.

All exterior doors should have their own light source which will adequately illuminate entry / exit areas at all hours in order to make any person on the

premises clearly visible and to provide adequate illumination for persons entering and exiting the building

LANDSCAPING:

Landscaping shall be of the appropriate type and situated in locations to maximize observation while providing the desired degree of aesthetics. Defensive landscaping materials are encouraged along fence and property lines and under vulnerable windows.

FENCING / ACCESS CONTROL:

When applicable, perimeter fencing of open design, such as wrought iron, tubular steel, or densely meshed and heavy-posted chain link should be installed in order to establish territoriality and defensible space, while maintaining natural surveillance.

ROOF TOP OPENINGS:

All hatchway openings on the roof of any building are to be properly secured from the building interior. Roof top ladders are to be incorporated into the interior design. All roof top openings are to be incorporated into the building security system. Outside pin-type hinges on all hatchway openings shall have non-removable pins.

LINE OF SIGHT / NATURAL SURVEILLANCE:

Wide-angled peepholes should be incorporated into all solid doors where visual scrutiny to the door from public or private space is compromised.

Trash enclosures should be located away from the buildings/garages and not hinder needed surveillance.

Other line of sight obstructions including recessed doorways, alcoves, etc., should be avoided on building exterior walls.

SECURITY SYSTEMS:

Comprehensive security systems, silent or audible, should be provided, including digital security cameras.

PARKING ISSUES:

Have exterior visitor parking spaces located close to the structure as possible to allow in-line sight from occupants. Make sure trees do not block views to the parking areas.

GRAFFITI REDUCTION TIPS:

Prior to occupancy, the surface walls, fences, building, logo monuments, etc. should be graffiti resistant either via surface composition, applied paint types and/or planned shielding by landscaping or plants. Wrought iron fencing has proven to be effective in reducing graffiti.

Should the community development department, developer or construction staff have any questions regarding the listed law enforcement and public safety concerns, please contact Community Services Officer Thomas Fowler at 760-863-8950.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter Meyer', with a stylized flourish extending to the left.

Walter Meyer, Captain
Chief of Police



ESTABLISHED IN 1918 AS A PUBLIC AGENCY

COACHELLA VALLEY WATER DISTRICT

POST OFFICE BOX 1058 • COACHELLA, CALIFORNIA 92236 • TELEPHONE (760) 398-2651 • FAX (760) 398-3711

DIRECTORS:

JOHN W. MCFADDEN, PRESIDENT
 PETER NELSON, VICE PRESIDENT
 TELLIS CODEKAS
 RUSSELL KITAHARA
 PATRICIA A. LARSON

April 2, 2003

OFFICERS:

STEVEN B. ROBBINS, INTERIM
 GENERAL MANAGER-CHIEF ENGINEER
 JULIA FERNANDEZ, SECRETARY
 REDWINE AND SHERRILL, ATTORNEYS

File: 0163.1
 050729-1

Planning Commission
 City of La Quinta
 Post Office Box 1504
 La Quinta, California 92253

Gentlemen:

Subject: Parcel Map No. 31143

This area is designated Zone X on Federal Flood Insurance rate maps which are in effect at this time by the Federal Emergency Management Agency.

There may be erosion of the banks of the Coachella Valley Stormwater Channel during periods of unusual rainfall and discharge. The developer shall construct concrete slope protection on the bank(s) of the stormwater channel to prevent erosion. Plans for concrete slope protection shall be submitted to the District for review. Slope protection shall extend a minimum of 300 feet upstream of the most upstream structure on the site.

Stormwater runoff from this area may be diverted to the Coachella Valley Stormwater Channel. Nuisance flows or other nonstormwater generated runoff may not be discharged into the Coachella Valley Stormwater Channel.

Plans for stormwater protective works shall be submitted to the District for review.

A portion of this area is adjacent to the right-of-way of the Coachella Valley Stormwater Channel. We request that the developer be required to install suitable facilities to prohibit access to this right-of-way.

The District will furnish domestic water and sanitation service to this area in accordance with the current regulations of this District. These regulations provide for the payment of certain fees and charges by the subdivider and said fees and charges are subject to change.

TRUE CONSERVATION
 USE WATER WISELY

Planning Commission
City of La Quinta

-2-

April 2, 2003

This area shall be annexed to Improvement District Nos. 55 and 82 of the District for sanitation service.

The District requires restaurants to install a grease interceptor, including a sample box, sanitary tee and running trap with cleanout, prior to any discharge to its sanitation facilities. The size of the grease interceptor will be determined by the Riverside County Environmental Health Department and approved by the District. Installation of the interceptor will be inspected by the District.

The District requires detail, repair and lube auto shops and car washes to install an oil and sand separator, including a sample box, sanitary tee and running trap with cleanout, prior to any discharge to its sanitation facilities. The size of the oil and sand separator will be determined by the Riverside County Environmental Health Department and approved by the District. Installation of the oil and sand separator will be inspected by the District.

The District requires laundromats and commercial establishments with laundry facilities to install a lint trap. The size of the lint trap will be determined by the Riverside County Environmental Health Department and approved by the District. Installation of the lint trap will be inspected by the District.

Plans for grading, landscaping and irrigation systems shall be submitted to the District for review. This review is for ensuring efficient water management.

If you have any questions please call Dan Charlton, Stormwater Engineer, extension 2316.

Yours very truly,

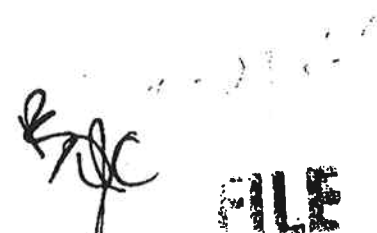


Dan Parks
Director of Engineering

cc: Jeff Johnson
Riverside County Department of Public Health
82-675 Highway 111, CAC Building, Second Floor, Room 209
Indio, California 92201

bc: Don Ackley
Jim Zimmerman

DC:md\eng\sw\mar\pm31143





ESTABLISHED IN 1918 AS A PUBLIC AGENCY

**COACHELLA VALLEY WATER DISTRICT
ENGINEERING DEPARTMENT**

POST OFFICE BOX 1058, COACHELLA, CA 92236 – TELEPHONE (760) 398-2651 – FAX (760) 391-9637

Fax

To: Stan Stawa-City of La Quinta **From:** Tyme Fruscella

Fax: 760-777-1233 **Pages:** 3 (Including Cover)

Phone: 760-777-7125 **Date:** 7/7/06

Re: Site Development Permit **CC:**

2006-862

Urgent For Review Please Comment Please Reply Original to follow by mail

Stan

Please refer to the District's letter dated April 2, 2003 for our comments on Site Development Permit 2006-862.

Please note that the developer shall obtain an encroachment permit from the District prior to any construction within the right-of-way of the Coachella Valley Stormwater Channel. This includes, but is not limited to, surface improvements, drainage inlets, landscaping and roadways.

If you have any additional questions please call (760) 398-2651 x 2229.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tyme Fruscella', written over a faint circular stamp.

Tyme Fruscella
Assistant Stormwater Engineer
Coachella Valley Water District