

**CITY COUNCIL RESOLUTION 2004-071
CONDITIONS OF APPROVAL - FINAL
SITE DEVELOPMENT PERMIT 2004-809
ROBERT SELAN – WATERMARK VILLAS
JULY 6, 2004**

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. The applicant shall comply with all applicable conditions and/or mitigation measures, which are incorporated by reference herein, for the following related approvals:
 - Environmental Assessment 2003-486
 - Specific Plan 2003-069
 - Tentative Tract Map 31798

In the event of any conflict(s) between approval conditions and/or provisions of these approvals, the Community Development Director shall determine precedence. No development permits will be issued until compliance with these conditions has been achieved.

3. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain the necessary clearances and/or permits from the following agencies:
 - Fire Marshal
 - Public Works Department (Grading Permit, 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

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 improvement plans for City approval.

FEES AND DEPOSITS

4. Provisions shall be made to comply with the terms and requirements of the City's adopted Art in Public Places program in effect at the time of issuance of building permits.
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).

LANDSCAPING

6. Landscape plans as required under the approvals for Tract 31798 and Specific Plan 2003-069 shall include lighting locations and details of all proposed fixtures and mounting. Berms and walls shall be subject to review under the City's applicable development standards in effect at the time of plan submittal.
7. The applicant shall incorporate those measures as outlined in the letter on file dated December 10, 2003, prepared by the Citrus Course Homeowner Association, into the landscape plans, as appropriate. If any measure set forth in said letter conflicts with other City requirements and/or standards, alternative methods of compliance shall be investigated that are commensurate with the original standards, and in the absence of any commensurate alternative, the City standard(s) shall take precedence.

In addition, the applicant shall provide 36 inch box trees in lieu of the 24 inch box trees indicated on the landscape plans and as requested by the Citrus Course Homeowner Association in the letter dated June 21, 2004.

8. Landscape and irrigation plans (three copies) shall be signed and stamped by a licensed landscape architect, or professional landscape designer, subject to the rules and regulations of Chapter 8.13 of the Municipal Code. The applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to submittal of the final plans to the Community Development Department. Plans are not approved for construction until signed by the Community Development Department.

BUILDING DESIGN

9. The applicant shall submit detailed building lighting plans to include exterior fixture details. The lighting plan shall be approved by the Community Development Department prior to issuance of any building permits.
10. Final locations of all structures submitted for plan check shall be reviewed against and meet all setback standards of the RMH zoning district.
11. Provide covered parking for the 7 stalls immediately south of duplex unit. An additional 34 stalls shall be located along the clubhouse access road and at the existing stall locations. All stalls shall be designed in accordance with Chapter 9.150 (Parking) of the LQMC, to include double hairpin striping.
12. All roof-mounted mechanical equipment must be screened within or otherwise integral to the roof structure, using compatible architectural materials and treatments, so as to not be visible from surrounding properties and streets. Working drawings showing all such equipment and locations shall be submitted to the Building and Safety Department along with construction plan submittal for building permits. Method and design of screening must be approved by the Community Development Department prior to any issuance of building permits related to structures requiring such screening.
13. Applicant shall submit a design and text for a plaque, to designate the historic background of the site as one of the early Valley date groves. The plaque's design, content, materials and mounting/location shall be subject to review by the City as deemed appropriate. Applicant may apply the costs of the plaque to offset Arts in Public Places fees, in accordance with the procedures set forth in Chapter 2.65, LQMC.