

PLANNING COMMISSION RESOLUTION 2003-072  
SDP 03-781/KLEINE BUILDING & DEVELOPMENT, INC.  
CONDITIONS OF APPROVAL – FINAL  
SEPTEMBER 9, 2003

GENERAL

1. The use of this site shall be in conformance with the approved exhibits contained in Site Development Permit 2003-780 & 2003-781, unless otherwise amended by the following conditions.
2. All public agency letters received for this case are made part of the case file documents for plan checking processes.
3. These approved Site Development Permits shall be “used” within two years of approval, otherwise, they shall become null and void and of no effect whatsoever.

“Used” means the issuance of a building permit. A time extension may be requested as permitted in Municipal Code Section 9.200.080 (D).

4. The applicant agrees to defend, indemnify, and hold harmless the City of La Quinta (the “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 developer of any claim, action or proceeding and shall cooperate fully in the defense.

5. Prior to the issuance of a grading, construction or building permit, the applicant shall obtain permits and/or clearances from the following public agencies:

- Fire Marshal
- Public Works Department (Grading Permit, Improvement Permit)
- Community Development Department
- Riverside Co. Environmental Health Department
- Coachella Valley 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 any requirements of the permits or clearances from those jurisdictions. If the requirements include approval of improvement plans, applicant shall furnish proof of said approvals prior to obtaining City approval of the plans.

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6. 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.
7. 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

8. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for 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.
9. The applicant shall dedicate or grant public and private street right of way and utility easements in conformance with the City's General Plan, Municipal Code, applicable specific plans, and as required by the City Engineer.
10. Right of way dedications required of this development include:
  - A. PUBLIC STREETS
    - 1) Corporate Centre Drive (Collector, 64-foot ROW) – No additional right of way dedication is required.
    - 2) Commerce Court (Cul-de-sac, 64-foot ROW) – No additional right of way dedication is required.
11. 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.
12. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:
  - A. Corporate Centre Drive (Collector) - 10-foot from the ROW-P/L.
  - B. Commerce Court (Cul De Sac) - 10-foot from the ROW-P/L.

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The listed setback depth shall be the average depth where a meandering wall design is approved.

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

### 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.

13. "Site Development Plans" shall normally include all surface improvements, including but not limited to: parking lot improvements, finish grades, curbs & gutters, ADA requirements, retaining and perimeter walls, etc.

Site Development Plan: 1" = 30' Horizontal

Plans for improvements not listed above shall be in formats approved by the City Engineer.

14. The City may maintain standard plans, details and/or construction notes for elements of construction. For a fee established by City Resolution, the applicant may acquire standard plan and/or detail sheets from the City.
15. When final plans are approved by the City, the applicant shall furnish accurate AutoCad files of the complete, approved plans on storage media acceptable to the City Engineer. The files shall utilize standard AutoCad menu items so they may be fully retrieved into a basic AutoCad program. At the completion of construction and prior to final acceptance of improvements, the applicant shall update the files to reflect as-constructed conditions.

If the plans were not produced in AutoCad or a file format which can be converted to AutoCad, the City Engineer may accept raster-image files of the plans.

### IMPROVEMENT AGREEMENT

16. In the event that any of the improvements required herein are constructed by the City, the applicant shall, at the time of approval of the development or building permit, reimburse the City for the cost of those improvements.

### GRADING

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17. Prior to occupation of the project site for construction purposes, the applicant shall submit and receive approval of a Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, LQMC. The applicant shall furnish security, in a form acceptable to the City, in an amount sufficient to guarantee compliance with the provisions of the permit.
18. The applicant shall maintain graded, undeveloped land to prevent wind and water erosion of soils. The land shall be planted with interim landscaping or provided with other erosion control measures approved by the Community Development and Public Works Departments.
19. Prior to issuance of building permits, the applicant shall provide building pad certifications stamped and signed by qualified engineers or surveyors. The certification shall list the approved elevation, the actual elevation, the difference between the two, if any, and pad compaction.

DRAINAGE

20. Stormwater handling shall conform with the approved hydrology and drainage plan for **Tentative Parcel Map 29351**. Nuisance water shall be retained on site and disposed of in a manner acceptable to the City Engineer.
21. If the applicant proposes discharge of stormwater directly or indirectly to 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 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 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 CC&Rs for meeting these potential obligations.

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UTILITIES

22. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within the right of way and all above-ground utility structures including, but not limited to, traffic signal cabinets, electrical vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
23. 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 trench compaction for approval of the City Engineer.

PARKING LOTS AND LIGHTING

24. The design of parking facilities shall conform to LQMC Chapter 9.150 (Parking).

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.

25. The applicant shall maintain a reciprocal parking agreement for shared driveways across property lines.
26. The applicant will be required to meet the City's "Dark Sky" Ordinance and prevent light glare from projecting onto adjacent properties and the public right-of-way by shielding the lighting fixtures.
27. 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.

LANDSCAPING

28. The applicant shall provide landscaping in required setbacks, common lots, and

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park areas. In addition, the applicant shall provide a low block wall, three feet in height and additional landscaping along the site frontage to screen the parking lot from public view.

29. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.

The applicant shall submit plans for approval by the Community Development Department prior to plan checking by the Public Works Department. When plan checking is complete, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner prior to submitting for signature by the City Engineer. Plans are not approved for construction until signed by the City Engineer.

30. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn shall be minimized with no lawn or spray irrigation within 18 inches of curbs along public streets.

#### QUALITY ASSURANCE

31. The applicant shall employ construction quality-assurance measures which meet the approval of the City Engineer.
32. The applicant shall employ or retain qualified civil engineers, geotechnical engineers, surveyors, or other appropriate professionals to provide sufficient construction supervision to be able to furnish and sign accurate record drawings.
33. The applicant shall arrange and bear the cost of measurement, sampling and testing procedures not included in the City's inspection program but required by the City as evidence that construction materials and methods comply with plans, specifications and applicable regulations.
34. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all improvement plans which were signed by the City. Each sheet shall be clearly marked "Record Drawings," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy of the drawings. The applicant shall revise the CAD or raster-image files previously submitted to the City to reflect as-constructed conditions.

#### MAINTENANCE

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35. The applicant shall make provisions for continuous, perpetual maintenance of all on-site improvements, perimeter landscaping, access drives, and sidewalks. The applicant shall maintain required public improvements until expressly released from this responsibility by the appropriate public agency.

FEES AND DEPOSITS

36. The applicant shall pay the City's established fees for plan checking and construction inspection. Fee amounts shall be those in effect when the applicant makes application for plan checking and permits.
37. 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).

COACHELLA VALLEY WATER DISTRICT

38. The site shall be annexed to Improvement District Nos. 55 and 82 of the district for sanitation service.
39. Grading, landscaping and irrigation plans shall be submitted to the Coachella Valley Water District for review to ensure efficient water management techniques.
40. Appropriate fees shall be paid to the Coachella Valley Water District in accordance with their current regulations for service to the site.

RIVERSIDE COUNTY FIRE DEPARTMENT

41. Approved super fire hydrants, shall be spaced every 330 feet and shall be located not less than 25 feet nor more than 165 feet from any portion of the buildings as measured along vehicular travel ways.
42. Blue dot reflectors shall be placed in the street 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
43. Fire Department connections shall be not less than 25 feet nor more than 50 feet from a fire hydrant and shall be located on the street side of the buildings.
44. Building plans shall be submitted to the Fire Department for plan review to run concurrent with the City plan check.

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45. Water plans for the fire protection system (fire hydrants, fdc, etc.) shall be submitted to the Fire Department for approval prior to issuance of a building permit.
46. City of La Quinta ordinance requires all commercial buildings 5,000 sq. ft. or larger to be fully sprinkled, NFPA 13 Standard. Sprinkler plans will need to be submitted to the Fire Department for approval.
47. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material being placed on an individual lot.
48. Fire Department street access shall come to within 150 feet of all portions of the 1<sup>st</sup>. floor of all buildings, by path of exterior travel.
49. Any commercial operation that produces grease-laden vapors will require a Hood/duct system for fire protection. (Restaurants, drive-thru's, etc.)
50. The applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs. Streets shall be a minimum 20 feet wide with a height of 13'6" clear and unobstructed.
51. Install a KNOX key box on each commercial suite. (Contact the Fire Department for an application)
52. Install portable fire extinguishers as required by the California Fire Code.

DESERT SANDS UNIFIED SCHOOL DISTRICT

53. The applicant will be required to pay a school mitigation fee at the time a building permit is issued.

COMMUNITY DEVELOPMENT DEPARTMENT

54. The applicant shall submit a Planned Sign Program for any signs associated with the buildings to be reviewed and approved by the Planning Commission.
55. The applicant shall comply with the Mitigation Monitoring Program in connection to the certified Mitigated Negative Declaration for Specific Plan 99-036 (La Quinta Corporate Centre).

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56. The prefabricated metal structures for the covered parking areas shall be painted to match the building colors.
57. The applicant shall have the option of choosing either of the two color combinations proposed for the buildings, which are in the project file.
58. The applicant shall eliminate the cobblestone in the triangular landscaped areas near the building frontages and replace them with additional decomposed granite and landscaping.
59. The applicant shall coordinate with the Community Development Department on the architectural accents of the building in order to provide relief of the structural massing.