

**RESOLUTION NO. 2000-37
CONDITIONS OF APPROVAL - FINAL
SITE DEVELOPMENT PERMIT 97-607, AMENDMENT #1
KSL DESERT RESORTS, INC.
MAY 2, 2000**

GENERAL

1. The use of this site shall be in conformance with the approved exhibits contained in Site Development Permit 97-607, Amendment #1, unless otherwise amended by the following conditions.
2. Amendment #1 permits construction of a 21 parking space lot and eight additional spaces on or adjacent to Avenida Obregon.
3. The approved Site Development Permit Amendment shall be used within one year of the date of approval; otherwise, it shall become null and void and of no effect whatsoever.

"Used" means the issuance of a building permit or beginning of demolition for installation of the parking. A time extension may be requested as permitted in the La Quinta Zoning Code Section 9.200.080.

4. The subdivider 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 tentative map or any final map thereunder. The City shall have sole discretion in selecting its defense counsel.

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

5. Final working drawings for the parking lot and additional spaces, substantially conforming to this approval, including all revisions required by the permit shall be submitted to the Community Development Department for approval prior to issuance of a demolition permit by the Building and Safety Department.
6. Prior to the issuance of a demolition, 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 Water District (CVWD)
- Imperial Irrigation District (IID)

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.

7. The project shall incorporate the latest technology in recycling and other means of reducing the amount of waste requiring disposal (land filing), during demolition, construction, and upon site development/operation.
 - A) prior to issuance of a demolition/building permit, the applicant shall provide proof to the Community Development Department that a recycling company and program has been established for the recycling of construction/demolition debris.
 - B) If the applicant can successfully demonstrate that current provisions exist to meet the requirements of the California Solid Waste Reuse and Recycling Access Act of 1991, the Community Development Director may waive, modify, or delete the requirements of this condition.
8. Site and other applicable plans shall be revised pursuant to requirements of the Historic Preservation Commission prior to issuance of first building permit for "residential specific plan" units.
9. All applicable conditions of Specific Plan 121E, Amendment #4, and Tentative Tract 28545 and 29702, and Parcel Map 29724 shall be met.
10. Exterior walkway lighting shall be provided. Lighting to be low profile and comply with Municipal Code and not cause annoyance to surrounding properties. Plan to be approved by Community Development Department prior to issuance of building permit.

FIRE MARSHAL

11. Fire apparatus roads shall be provided for every building when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building or facility. This requirement shall be complied with prior to issuance of a building permit.
12. Other requirements of the Fire Marshal shall be determined during the plan check process.

FEES

13. 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.
14. The applicant shall comply with the terms and requirements of the development impact fee program in effect at the time of issuance of building permits.

MISCELLANEOUS

15. Prior to final map approval of Tentative Tract Map 29702 by the City Council, the applicant/developer shall demonstrate that all parking facilities required by Tentative Tract Map 29702 and provided by this approval are guaranteed for a period of at least as long as the permitted use in accordance with Section 9.150.030 (B 3 a-c) of the Zoning Code.
16. Parking provided by this approval shall be to fulfil the parking requirements for Tentative Tract 29702 and Tract 28545 (Resort Homes).
17. Final landscaping and irrigation plans for the area adjacent to the new wall along Avenida Obregon shall be submitted to the Community Development Department for approval prior to issuance of the building permit for the wall. Landscaping to include eleven relocated or new specimen (minimum 60" box size) citrus trees to replace those removed to install the parking spaces.

