

**CITY COUNCIL RESOLUTION NO. 2001-85
CONDITIONS OF APPROVAL - ADOPTED
SPECIFIC PLAN 121-E, AMENDMENT #5 - KSL LAND DEVELOPMENT
JUNE 19, 2001**

GENERAL

1. 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 Specific Plan. 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.

2. 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
- Desert Sands Unified School District
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)

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.

3. 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.
4. Applicant shall provide an easement of sufficient width to allow the construction of a retaining wall to be extended from the applicant's retaining wall adjacent to Eisenhower Drive.
5. Right of way dedications required of this development include:

A. PUBLIC STREETS

1. Eisenhower Drive (Primary Arterial) - 50-foot half of the 100-foot right of way.
2. Avenue 50 (Primary Arterial) - 50-foot half of the 100-foot right of way, measured from the existing improvement construction centerline.

B. PRIVATE STREETS

1. Residential (Street Lots A-F): 31-foot minimum width with roll-type curb (providing minimum travel width of 28-feet, measured gutter flow-line to gutter flow-line). Right of way may be reduced to 29-feet with vertical curbs. On-street parking is prohibited provided and the applicant must make provision for ongoing enforcement of the restriction.
2. Private Gated Entry: 82-feet or as required to provide adequate egress and turn-around for non-admitted visitors, as approved by the City Engineer.
3. Emergency Access (Lot G): 25-foot.

C. CULS DE SAC

1. Public or Private: Use Riverside County Standard 800 (symmetric) or 800A (offset) with 39-foot radius for vertical curbs and 41-foot radius for rolled curbs to provide travel radius of 38-feet measured gutter flow-line to gutter flow-line, or larger.
6. Right of way geometry for knuckle turns and corner cut-backs shall conform with Riverside County Standard Drawings #801 and #805 respectively unless otherwise approved by the City Engineer.
7. Dedications shall include additional widths as necessary for the existing bus turnout on Avenue 50.
8. Dedications shall include additional widths as necessary for dedicated right and left turn lanes, and other features contained in the approved construction plans.

The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit. Projects disturbing 5 or more acres, or smaller projects which are part of a larger project disturbing 5 or more acres require a project-specific NPDES permit. The applicant shall submit a copy of the CWQCB acknowledgment of the applicant's Notice of Intent (NOI) prior to issuance of a grading or site construction permit. The applicant shall ensure that the required Storm Water Pollution Protection Plan (SWPPP) is available for inspection at the project site.

9. The applicant shall dedicate ten-foot public utility easements contiguous with and along both sides of all private streets. The easements may be reduced to five feet with the express concurrence of IID.
10. The applicant shall create perimeter setbacks and meandering walls along public rights of way as follows (listed setback depth is the average depth if meandering wall design is approved):
 - A. Eisenhower Drive (Primary Arterial): 20-feet.
 - B. Avenue 50 (Primary Arterial): 20-feet.

The setback requirement applies to all frontage including, but not limited to, remainder parcels and sites dedicated for utility purposes.

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

11. The applicant shall dedicate easements necessary for placement of and access to utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas.

LANDSCAPING

12. The applicant shall provide landscaping in required setbacks, retention basins, common lots, and park areas.
13. 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.

14. 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.

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS

Prior to issuance of a grading permit or 30 days after City Council approval, whichever occurs first, the Specific Plan shall be modified as follows:

15. The words "resort residential" shall be deleted from the first paragraph of page 2.16 of the Specific Plan.
16. Common area pool and clubhouse facility shall be listed separately in Table 2, page 2.17 of the Specific Plan.
17. The Residential Development Standards Table on Page 3.10 shall be amended to read "Minimum Lot Size: 6,500 square feet not abutting golf course, 6000 square feet on the golf course, and minimum livable square footage is 1900 square feet, excluding garages.
18. The Specific Plan shall be amended to include clubhouse buildings, subject to Site Development Permit approval, in the permitted use section of Planning Area II.
19. Tandem parking in the garage shall be allowed to meet the parking requirement for four bedroom houses.
20. The landscaping palette (Table 8, page 2.59) shall be amended to include all plants listed in the "Suggested Plant Material Palette -- La Quinta Resort and Club/Esperanza Village."
21. All mitigation measures in Addendum to EIR #41 shall be incorporated into the Specific Plan by this reference.

22. Prior to final inspection of the tenth house, the permanent employee parking facilities located at Calle Tampico and Avenida Bermudas shall have been completed to the satisfaction of the City, shall be fully accessible to La Quinta Resort and Club employees, and shall have shuttle service established.
23. Planning Area III shall be allowed to have a zero lot line for swimming pools.