

**CITY COUNCIL RESOLUTION 2005-086  
 CONDITIONS OF APPROVAL – FINAL  
 SPECIFIC PLAN 2001-055, AMENDMENT #2  
 CP DEVELOPMENT LA QUINTA, LLC  
 ADOPTED: NOVEMBER 1, 2005**

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. Within 30 days of final approval of this Specific Plan by the City Council, two draft revised copies of this Specific Plan incorporating the following Conditions of Approval in the appropriate sections shall be submitted to the Community Development Department for approval. Upon approval of the draft Specific Plan by the Community Development Department, five copies of the final Specific plan shall be submitted to the Community Development Department.
3. Change on Page 5. Amend the first paragraph of Zoning and Development Standards for "Land Use Areas 1 through 4" to "Land Use Areas I through IV" for consistency.
4. Change on Page 6. Add the following to Setbacks:

<i>Standard</i>	<i>requirement</i>
Minimum perimeter building/landscape set back (in ft.) from Seeley Street	20 ft.

5. Change on Page 7. For A. Purpose: and MEDIUM DENSITY RESIDENTIAL (RM) DEVELOPMENT STANDARDS, change number of allowed residential units from 90 to 60 (per amended Development Agreement).
6. Change on Page 9. For MEDIUM DESITY RESIDENTIAL (RM) DEVELOPMENT STANDARDS, revise the last paragraph to read "Streets shall be 32' measured gutter flow line to gutter flow line with no parking on one side of the street."

7. Change on Page 16. Section 3 Development Plan. The following shall be added to the first paragraph under Circulation at the end:

The traffic impact analysis shall be revised with future Site Development Permit applications to reflect the changes in Land Use Areas as proposed by this Specific Plan Amendment No. 2.

8. Change on Page 21. Under Phasing, the construction of Seeley Drive shall be shown as a part of Phase I.
7. Change on Exhibit B1. The Land Use Area IV to reflect any reconfiguration of Lots 8 through 12.
8. Change on Exhibit B-2, Concept Plan – Medical and Surgical Center. An additional access driveway to the proposed facility to enhance access to the surgical center in the back portion of the development shall be provided. Future Site Development Permit application for the Medical and Surgical Center will require additional circulation information and possible relocation of entrance driveways and driveway aisles for a better internal circulation pattern.
9. Change Exhibit B3 to reflect the building/landscape setback required on Seeley Drive of 20 feet. Additionally, adjustment of the parking lot configuration will be required in future Site Development Permit entitlement to provide for safe sight distance at the driveway at the Seeley Drive and Miles Avenue corner.

Additionally, the Site Development Permit entitlement for the Casitas may require reconfiguration of the added Casitas complex to require off-street internal vehicular circulation to the hotel area.

10. Change Exhibit F to reflect Private Residential Drive at 32' measured gutter flow line to gutter flow line with no parking on one side of the street.
11. The new casitas' and medical complex require approval of a Site Development Permit application.
12. The building envelope of the medical office complex adjacent to the existing adjacent residences shall be designed to conform with the line-of-sight exhibit, dated October 11, 2005, presented to the Planning Commission, and on file in the Community Development Department.

**ORDINANCE NO. 422**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY, BY REZONING CERTAIN PROPERTIES FROM MEDIUM DENSITY RESIDENTIAL TO TOURIST COMMERCIAL AND FROM TOURIST COMMERCIAL TO OFFICE COMMERCIAL LOCATED SOUTHEAST OF THE INTERSECTION OF WASHINGTON STREET AND MILES AVENUE WITHIN THE CENTRE POINTE PROJECT**

**CASE NO. ZONE CHANGE 2005-125  
CP DEVELOPMENT LA QUINTA, LLC**

The City Council of the City of La Quinta does ordain as follows:

**SECTION 1.** The La Quinta Official Zoning Map is hereby amended by rezoning properties located southeast of the intersection of Washington Street and Miles Avenue in the Centre Pointe project. The properties for such rezoning are shown and depicted on the map attached hereto, and made a part of this Ordinance.

**SECTION 2. ENVIRONMENTAL.** The Zone Change has complied with the requirements of "The Rules to Implement the California Environmental Quality Act of 1970" as amended (Resolution 83-68), in that the La Quinta Community Development Department has completed Environmental Assessment (EA) 2005-551, an Addendum to EA 2001-436. The Addendum to the previously certified Mitigated Negative Declaration of environmental impact has been certified by the City Council.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 4. POSTING.** The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council; shall certify to the adoption and posting of this Ordinance; and shall cause this Ordinance and its certification, together with proof of posting, to be entered into the Book of Ordinances of this City.

**PASSED, APPROVED, and ADOPTED** at a regular meeting of the La Quinta City Council held on this 15<sup>th</sup> day of November, 2005, by the following vote:

Ordinance No. 422  
Zone Change 2005-125  
CP Development La Quinta, LLC  
Adopted: November 15, 2005  
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**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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DON ADOLPH, Mayor  
City of La Quinta, California

**ATTEST:**

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JUNE S. GREEK, CMC, City Clerk  
City of La Quinta, California  
(CITY SEAL)

**APPROVED AS TO FORM:**

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M. KATHERINE JENSON, City Attorney  
City of La Quinta, California

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF LA QUINTA )

I, JUNE S. GREEK, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 423 which was introduced at a regular meeting on the 1<sup>ST</sup> day of November, 2005, and was adopted at a regular meeting held on the 15<sup>th</sup> day of November, 2005, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in City Council Resolution 98-109.

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JUNE S. GREEK, CMC, City Clerk  
City of La Quinta, California

#### DECLARATION OF POSTING

I, JUNE S. GREEK, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on \_\_\_\_\_, pursuant to Council Resolution.

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JUNE S. GREEK, CMC, City Clerk  
City of La Quinta, California

ORDINANCE NO. 422  
ZONE CHANGE 2005-125  
ADOPTED: NOVEMBER 1, 2005

# EXHIBIT "A"

## THE CENTRE POINTE PROJECT

