



# City of La Quinta

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June 25, 2013

Mr. Michael Shovlin  
One Eleven La Quinta, LLC  
46-753 Adams Street  
La Quinta, CA 92253

**SUBJECT: TENTATIVE PARCEL MAP 36531  
ONE ELEVEN LA QUINTA COMMERCIAL CENTER**

Dear Mr. Shovlin:

The Community Development Director, at the Director's Hearing of June 24, 2013, has approved your request for Tentative Parcel Map 36531, subject to the attached conditions of approval.

This action is final unless appealed to the Planning Commission within 10 days of the date of this letter.

If you have any questions, please contact me at (760) 777-7125.

Sincerely,

  
JAY WUU  
Associate Planner



**FINDINGS AND CONDITIONS OF APPROVAL – FINAL  
TENTATIVE PARCEL MAP 36531  
ONE ELEVEN LA QUINA, LLC  
JUNE 24, 2013**

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**FINDINGS**

- A. The proposed tentative parcel map is consistent with the city General Plan and One Eleven La Quinta Specific Plan. The proposed map conforms to the design guidelines and standards of the General Plan for General Commercial designated properties, as set forth in the Land Use Element, in that it will facilitate the construction of additional retail options while maintaining commercial development standards including setbacks, pad elevations, and other design and performance standards that assure a high quality of development.
- B. The design or improvement of the proposed tentative parcel map is consistent with the city General Plan and One Eleven La Quinta Specific Plan in that its street and parcel design are in conformance with applicable goals, policies, and development standards, and will provide adequate infrastructure and public utilities.
- C. The design of the tentative parcel map and the proposed improvements are not likely to cause substantial environmental damage nor substantially injure fish or wildlife or their habitat. The City of La Quinta Community Development Department has determined that this project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15315 Class 15 (Minor Land Divisions).
- D. The design of the tentative parcel map and the proposed improvements are not likely to cause serious public health problems. As conditioned, the proposed tentative parcel map will not result in any increased hazard to public health or welfare, as the design has been reviewed by the appropriate responsible agencies for health and safety issues, with none identified.
- E. The site of the proposed tentative parcel map is physically suitable for the type of development and proposed density of development. As conditioned, the proposed design of the subdivision is physically compatible with the site with regards to level topography for the type of land use designation and potential development of the subject property, and in consideration of existing commercial development in the surrounding area.
- F. As conditioned, the proposed tentative parcel map is consistent with all applicable provisions of this title and the La Quinta Zoning Ordinance, including,

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but not limited to, minimum lot area requirements, any other applicable provisions of this code, and the Subdivision Map Act.

- G. As conditioned, the design of the tentative parcel map will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision, for access through or use of the property within the subdivision in that none presently exist and access is provided within the project and to adjacent public streets.

**CONDITIONS OF APPROVAL**

**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 Tentative Parcel Map, or any Final Map recorded thereunder. 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. This Tentative Parcel Map, and any Final Map recorded thereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), and Chapter 13 of the La Quinta Municipal Code ("LQMC").

The City of La Quinta's Municipal Code can be accessed on the City's Web Site at [www.la-quinta.org](http://www.la-quinta.org).

3. This Tentative Parcel Map shall expire on June 24, 2015, two years from the date of Director's Hearing approval, unless recorded or granted a time extension pursuant to the requirements of La Quinta Municipal Code 9.200.080 (Permit expiration and time extensions).
4. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies, if required:

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- Riverside County Fire Marshal
- La Quinta Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Water Quality Management Plan (WQMP) Exemption Form – Whitewater River Region, Improvement Permit)
- La Quinta Community Development Department
- Riverside Co. Environmental Health Department
- Desert Sands Unified School District (DSUSD)
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Regional Water Quality Control Board (CRWQCB)
- State Water Resources Control Board
- SunLine Transit Agency (SunLine)
- South Coast Air Quality Management District Coachella Valley (SCAQMD)

The applicant is responsible for all requirements of the permits and/or clearances from the above listed agencies. When these requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting those improvements plans for City approval.

5. Permits issued under this approval shall be subject to the provisions of the Development Impact Fee and Transportation Uniform Mitigation Fee programs in effect at the time of issuance of building permit(s).
6. Approval of this Tentative Parcel Map shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following conditions of approval.
7. Developer shall reimburse the City, within thirty (30) days of presentment of the invoice, all costs and actual attorney's fees incurred by the City Attorney to review, negotiate and/or modify any documents or instruments required by these conditions, if Developer requests that the City modify or revise any documents or instruments prepared initially by the City to effect these conditions. This obligation shall be paid in the time noted above without deduction or offset and Developer's failure to make such payment shall be a material breach of the Conditions of Approval.
8. Developer shall reimburse the City, within thirty (30) days of presentment of the

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invoice, all costs and actual consultant's fees incurred by the City for engineering and/or surveying consultants to review and/or modify any documents or instruments required by this project. This obligation shall be paid in the time noted above without deduction or offset and Developer's failure to make such payment shall be a material breach of the Conditions of Approval.

**PROPERTY RIGHTS**

9. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the 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. Said conferred rights shall also include grant of access easement to the City of La Quinta for the purpose of graffiti removal by City staff or assigned agent in perpetuity and agreement to the method to remove graffiti and to paint over to best match existing. The applicant shall establish the aforementioned requirements in the right of way documents for the development or other agreements as approved by the City Engineer. Pursuant to the aforementioned, the applicant shall submit and execute an "AUTHORIZATION TO REMOVE GRAFFITI FROM PRIVATE PROPERTY" form located at the Public Works Department Counter prior to Certificate of Occupancy of future development.
10. Pursuant to the aforementioned condition, conferred rights shall include approvals from the master developer over easements and other property rights necessary for construction and proper functioning of the proposed development not limited to access rights over proposed and/or existing parking, access aisles that access public streets and open space/drainage facilities of the development. Said rights shall also include reciprocal access and reciprocal parking rights over all parcels within Tentative Parcel Map 36531 and easements for utility lines crossing through multiple parcels to the satisfaction of the City Engineer.
11. Where public facilities are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.
12. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins,

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mailbox clusters, park lands, and common areas on the Final Map.

13. Direct vehicular access to Highway 111 is restricted, except for those access points identified on the tentative parcel map, or as otherwise conditioned in these conditions of approval. The vehicular access restriction shall be shown on the recorded final parcel map.
14. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the Tentative Parcel Map and the date of recording of any Final Map, unless such easement is approved by the City Engineer.

FINAL MAPS

15. Prior to the City's approval of a Final Map, the applicant shall furnish accurate mylars of the Final Map that were approved by the City's map checker on a storage media acceptable to the City Engineer. The Final Map shall be 1" = 40' scale.
16. The easterly property line of Parcel 5 of Tentative Parcel Map No 36531 shall be verified and may need to be revised to 398.86'.

MAINTENANCE

17. The applicant shall comply with the provisions of LQMC Section 13.24.160 (Maintenance).
18. The applicant shall make provisions for the continuous and perpetual maintenance of common areas, perimeter landscaping up to the curb, access drives, sidewalks, and stormwater BMPs.

FEES AND DEPOSITS

19. The applicant shall comply with the provisions of LQMC Section 13.24.180 (Fees and Deposits). These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.

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**DRAINAGE**

20. The applicant shall comply with applicable provisions for post construction runoff per the City's NPDES stormwater discharge permit, or as approved by the City Engineer. The provisions include LQMC Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; and the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001 and the State Water Resources Control Board's Order No. 2009-0009-DWQ and Order No. 2010-0014-DWQ or the most current order that is in effect.
- A. For post-construction urban runoff from New Development and Redevelopments Projects, the applicant shall implement requirements of the NPDES permit for the design, construction and perpetual operation and maintenance of BMPs per the approved Water Quality Management Plan (WQMP) for the project as required by the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001 or the current order that is in effect.
- B. The applicant shall implement the WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2008-001 or the current order that is in effect utilizing BMPs approved by the City Engineer. A project specific WQMP shall be provided which incorporates Site Design and Treatment BMPs utilizing first flush infiltration as a preferred method of NPDES Permit Compliance for Whitewater River receiving water, as applicable.
- C. The developer shall execute and record a Stormwater Management/BMP Facilities Agreement that provides for the perpetual maintenance and operation of stormwater BMPs.