

City of La Quinta

CITY COUNCIL MEETING: August 4, 2015

STAFF REPORT

AGENDA TITLE: ADOPT RESOLUTION TO APPROVE TIME EXTENSION FOR TENTATIVE TRACT MAP AND REMOVE A CONDITION FROM CONDITIONS OF APPROVAL TO ELIMINATE AGE RESTRICTION FOR PROJECT LOCATED AT MONROE STREET AND AVENUE 61 [NO FURTHER ENVIRONMENTAL ANALYSIS REQUIRED]. APPLICANT: MONROE DATES, LLC

RECOMMENDATION

Adopt a resolution approving a one-year time extension for Tentative Tract Map 31434; and remove Condition No. 84 from the Conditions of Approval to eliminate the age restriction.

EXECUTIVE SUMMARY

- A one-year time extension has been requested by Monroe Dates, LLC for Tentative Tract Map 31434 (a subdivision of approximately 30.2 acres into 94 single-family lots, located west of Monroe Street at the end of Avenue 61).
- The extension request is based on the applicant's hardship in the marketing/sale of the property due to a Condition of Approval which limits future residents to age 55 years and older.
- The applicant is also requesting that the age restriction that limits sales to people 55 years and older be eliminated.

FISCAL IMPACT - None

BACKGROUND

On February 17, 2008, City Council approved Tentative Tract Map 31434 for the subdivision of two parcels of approximately 30.2 acres into 94 single-family residential lots. Environmental Assessment 2008-597, General Plan Amendment 2008-116, and Zone Change 2008-136 were approved in conjunction with this Tentative Tract Map. The project is surrounded on the north, south and west by Trilogy Country Club, and the undeveloped Palizada subdivision and vacant land is located to the east.

At the January 27, 2009 Planning Commission meeting, several homeowners from Trilogy desired a guarantee of the adult nature of the project, resulting in the addition of Condition No. 84, which provides that the project be limited to active adults age 55 years or older.

The applicant requests that this condition be removed, citing a hardship in marketing and selling the property with this age restriction. A request to extend the term of the tentative map allows the applicant to request changes to the conditions of approval, subject to public notification and consideration at a public hearing held by the City

Council. So in addition to requesting that the age restriction be removed, the applicant is requesting a time extension that would extend the term to March 17, 2017. This is the first of three, one-year time extensions that the applicant is eligible to receive. The approval of the requested time extension will extend the life of the map to March 17, 2018.

The applicant organized a community meeting on July 28, 2015 at the La Quinta Museum to provide the public with information about the project, and to further discuss the applicant's request to remove the current age restriction of the project to 55 years of age and older. Approximately 30 community members attended the meeting, primarily homeowners in Trilogy at La Quinta. Several homeowners were opposed to the removal of the age restriction at this time, when approximately two-thirds of Trilogy homeowners are away for the summer. Two homeowners spoke in favor of the project and expressed no concern for the removal of the age restriction.

AGENCY & PUBLIC REVIEW

Public Notice:

This project was advertised in *The Desert Sun* newspaper on July 24, 2015. A comment letter was received by the Imperial Irrigation District with respect to standard conditions related to development of the site. The comments have been added as conditions of approval of the project (Condition Nos. 89-93). Any written comments received subsequent to this report will be provided at the City Council hearing.

ENVIRONMENTAL REVIEW

No further environmental review of the proposed time extension is required under CEQA as a mitigated negative declaration was approved under Environmental Assessment 2008-597 by the City Council on March 17, 2009 (Resolution No. 2009-024) and there are no new circumstances with this proposal that warrant additional environmental review.

ALTERNATIVES

Council may deny the time extension and removal of Condition No. 84; however, staff recommends the City Council approve the time extension and removal of Condition No. 84.

Report prepared by: Gabriel Perez, Planning Manager

Report approved by: Frank J. Spevacek, City Manager

Attachments: 1. Vicinity Map
2. Tentative Tract Map 31434

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING A TIME EXTENSION FOR TENTATIVE TRACT MAP 31434 AND REMOVING CONDITION NO. 84 FROM THE CONDITIONS OF APPROVAL TO ELIMINATE THE AGE RESTRICTION OF LIMITING RESIDENTS TO 55 YEARS AND OLDER

**CASE NO.: TENTATIVE TRACT MAP 15-0005
APPLICANT: MONROE DATES, LLC**

WHEREAS, The City Council of the City of La Quinta, California, did on the 4th day of August, hold a duly noticed Public Hearings to consider the request of MONROE DATES, LLC., to approve a one-year time extension for Tentative Tract Map 31434 and removal of condition no. 84 from the conditions of approval to eliminate the age restriction of 55 years and older for residents of the project consisting of a subdivision of 30.2± acres into 94 single-family residential lots and other miscellaneous lots, located on the west side of Monroe Street at the west termination of Avenue 61, more particularly described as:

APN's: 764-280-014 and 764-270-015

WHEREAS, The City Council of the City of La Quinta, California, did on the 17th day of March, 2009, hold a duly noticed Public Hearing to consider the request of MONROE DATES, LLC., for the subdivision of 30.2± acres into 94 single-family residential lots and other miscellaneous lots and did adopt Resolution 2009-024; and,

WHEREAS, the Planning Director conducted an Initial Study (Environmental Assessment 2008-597) and determined that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures for EA 2008-597 incorporated into the Project approval will mitigate or reduce any potential impacts to a level of non-significance; and,

WHEREAS, the Community Development Director has determined that the removal of condition no. 84 will not create any new environmental impacts that required additional review in the Initial Study (Environmental Assessment 2008-597) pursuant to the California Environmental Quality Act; and,

WHEREAS, at said Public Hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, said City Council did make the following Mandatory Findings to justify approval of Tentative Tract Map 2015-0005:

1. The Tentative Tract Map and its improvement and design, are consistent with the General Plan in that its street design and lots are in conformance with applicable goals, policies, and will provide adequate infrastructure and public utilities.
2. The design of the subdivision and its proposed improvements are not likely to create environmental damage or substantially and avoidably injure wildlife or their habitat because the site does not contain significant biological resources.
3. The design of the subdivision and subsequent improvements are not likely to cause serious public health problems because the construction of 94 residential units will not have considerable cumulative impacts. The project is consistent with the General Plan, and the potential impacts associated with General Plan build out.
4. The design of the subdivision and the proposed types of improvements will not conflict with easements acquired by the public at large, 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 the adjacent public street (Monroe Street).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, California, as follows:

1. That the above recitations are true and constitute the findings of the City Council in this case;
2. That the City Council does hereby approve Tentative Tract Map 2015-0005 for a one-year time extension of Tentative Tract Map 31434 for the reasons set forth in this Resolution, subject to the attached Conditions of Approval.

PASSED, APPROVED, and ADOPTED at a regular meeting of the La Quinta City Council, held on this 4th day of August, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution No. 2015-XXX
Tentative Tract Map 2015-0005
Applicant: Monroe Dates, LLC
Adopted: August 4, 2015
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LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

Resolution No. 2015-XXX
Conditions of Approval – Recommended
Tentative Tract Map 2015-0005
Applicant: Monroe Dates, LLC
Adopted: August 4, 2015

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 Tract 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 Tract 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.

3. 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:

- Riverside County Fire Marshal (comments on file in Planning Department)
- Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Improvement Permit)
- Planning 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
- South Coast Air Quality Management District Coachella Valley

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

A project-specific NPDES construction permit must be obtained by the applicant; who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.

4. The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit, 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; the California Regional Water Quality Control Board – Colorado River Basin Region Board Order No. R7-2008-0001 and the State Water Resources Control Board's Order No. 99-08-DWQ.

A. For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.

B. The applicant's SWPPP shall be approved by the City Engineer prior to any on or off-site grading being done in relation to this project.

C. The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.

D. The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs") (LQMC Section 8.70.020 (Definitions)):

- 1) Temporary Soil Stabilization (erosion control).
- 2) Temporary Sediment Control.
- 3) Wind Erosion Control.

- 4) Tracking Control.
 - 5) Non-Storm Water Management.
 - 6) Waste Management and Materials Pollution Control.
- E. All erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.
- F. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
- Additionally, the applicant shall comply with applicable provisions for post construction runoff per the City’s NPDES stormwater discharge permit, 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.
- G. For post-construction urban runoff from New Development and Redevelopment 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.
- H. The applicant shall implement the WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2008-001 utilizing BMPs approved by the City Engineer.
- I. The applicant shall submit a Final WQMP after approved entitlement and concurrent with the initial Grading Plan submittal for approval by the City Engineer.
5. 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).

6. Approval of this Tentative Tract Map shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in these conditions of approval.

PROPERTY RIGHTS

7. 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.
8. Pursuant to the aforementioned condition, conferred rights shall include approvals from the master developer or the HOA 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 private streets that access public streets and open space/drainage facilities of the master development.
9. The applicant shall offer for dedication on the Final Map all public street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
10. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Monroe Street (Modified Secondary Arterial C per General Plan Amendment 08-112; 88' R/W – The standard 44 feet from the centerline shall be modified per GPA 2008-112 along all frontages adjacent to the Tentative Map boundary to its ultimate width on the west side as specified in the General Plan Amendment 08-112 and the requirements of these conditions. The required R/W shall be modified as required to facilitate road and lane transitions as approved by the City Engineer. The following right of way dedications shall be applicable to this tentative tract map to accommodate improvements conditioned under STREET AND TRAFFIC IMPROVEMENTS:
 - a) The street right of way dedication shall be located fifty five feet (55') west of the centerline of Monroe Street from the

existing westerly right of way on Monroe Street adjacent to Tract Map No. 30023-2 to the Monroe Street primary entry except where additional street width is needed to accommodate a deceleration/right turn only lane at the Monroe Street primary entry. The street right of way shall be located sixty three feet (63') west of the centerline of Monroe Street for a length of 194' north of the primary entry BCR plus an additional 120' reverse taper connecting the deceleration/right turn only lane to the street right of way located 55' west of the centerline.

The street right of way south of the Monroe Street primary entry shall be located forty seven feet (47') west of the centerline of Monroe Street except for a 165' taper to transition to the existing 44' westerly right of way adjacent to Tract Map No. 30023-5.

11. The applicant shall retain for private use on the Final Map all private street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
12. The private street rights-of-way to be retained for private use required for this development include:
 - A. PRIVATE STREETS
 - 1) LOTS A THROUGH G - Private Residential Streets measured at gutter flow line to gutter flow line shall have a 36-foot travel width with parking permitted on both sides; except the travel width may be reduced to 32 feet with parking restricted to one side at the east end of LOT D and the west end of LOT C and provided there is adequate off-street parking for residents and visitors, and the applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed

by the Engineering and Planning Departments and approved by the Planning Department prior to recordation of the Final Map.
 - B. CUL DE SACS
 - 1) The cul de sac shall conform to the shape shown on the tentative map with a 38-foot curb radius at the bulb or larger as shown on the

tentative map.

Curve radii for curbs at all street intersections shall not be less than 25 feet.

13. 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.

Pursuant to this requirement, the Applicant shall include in the submittal packet containing the draft final map submitted for map checking, an offsite street geometric layout, drawn at 1" equals 40 feet, detailing the following design aspects: median curb line, outside curb line, lane line alignment including lane widths, left turn lanes, deceleration lane(s) and bus stop turnout(s). The geometric layout shall be accompanied with sufficient professional engineering studies to confirm the appropriate length of all proposed turn pockets and auxiliary lanes that may impact the right of way dedication required of the project and the associated landscape setback requirement

14. When the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved Tentative Tract Map are necessary prior to approval of the Final Map dedicating such rights-of-way, the applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.
15. The applicant shall offer for dedication on the Final Map a ten-foot wide public utility easement contiguous with, and along both sides of all private streets.
16. The applicant shall create perimeter landscaping setbacks along all public rights-of-way as follows:

- A. Monroe Street (Secondary Arterial) - 10-foot from the R/W-P/L.

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

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

17. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas on the Final Map.

18. Direct vehicular access to Monroe Street from lots with frontage along Monroe Street is restricted, except for those access points identified on the tentative tract map, or as otherwise conditioned in these conditions of approval. The vehicular access restriction shall be shown on the recorded final tract map.
19. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur.
20. 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 Tract Map and the date of recording of any Final Map, unless such easement is approved by the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

21. The applicant shall comply with the provisions of LQMC Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (Access for Individual Properties and Development) for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.
22. The applicant shall construct the following street improvements to conform with the General Plan (street type noted in parentheses.)

A. OFF-SITE STREETS

- 1) Monroe Street (Modified Secondary Arterial C per General Plan Amendment 08-112; 88' R/W:

Widen the west side of the street along all frontages adjacent to the Tentative Map boundary to its ultimate width on the west side as specified in the General Plan Amendment 08-112 modified as required to facilitate road and lane transitions and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's modified urban arterial design standard. The following street improvements shall be applicable to this tentative tract map:

- a) The west curb face shall be constructed by the applicant and located forty three feet (43') west of the centerline of Monroe Street from the existing westerly curb face on Monroe Street adjacent to Tract Map No. 30023-2 to the Monroe Street

primary entry except where additional street width is needed to accommodate a deceleration/right turn only lane at the Monroe Street primary entry. The west curb face shall be located fifty one feet (51') west of the centerline of Monroe Street for a length of 194' north of the primary entry BCR plus an additional 120' reverse taper connecting the deceleration/right turn only lane to the curb line located 43' west of the centerline.

The west curb face south of the Monroe Street primary entry shall be constructed by the applicant and located thirty five feet (35') west of the centerline of Monroe Street except for a 165' taper to transition to the existing 32' westerly curb face adjacent to Tract Map No. 30023-5.

Other required improvements in the Monroe Street right-of-way and/or adjacent landscape setback area include:

- b) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- c) 8-foot wide meandering sidewalk. The meandering sidewalk shall have an arrhythmic horizontal layout that utilizes concave and convex curves with respect to the curb line that touches the back of curb at intervals not to exceed 250 feet. The sidewalk curvature radii should vary between 50 and 300 feet and at each point of reverse curvature, the radius should change to assist in creating the arrhythmic layout. The sidewalk shall meander into the landscape setback lot and approach within 5 feet of the perimeter wall at intervals not to exceed 250 feet.
- d) Install raised landscaped median island on Monroe Street as depicted on Tentative Tract Map No. 31434 dated January 7, 2009 and as approved by the City Engineer. The median shall terminate at the northerly end of the development's frontage with appropriate transitions to join existing improvements to the north. The median shall join the existing median to the south of the project on Monroe Street and maintain an exclusive left turn pocket for northbound traffic at the Monroe Street primary entry.

Any work that must be accomplished east of the Monroe Street centerline will require concurrent review and approval by the County of Riverside.

- e) Widen the east side of the street along all frontages adjacent to the Tentative Map boundary to provide 14 feet of pavement for a northbound lane east of the aforementioned raised landscaped median. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural County road design standard to the La Quinta Primary Arterial Standard including required transitions.
- f) Establish a benchmark in the Monroe Street right of way and file a record of the benchmark with the County of Riverside.
- g) The applicant shall install the traffic signal at the project's main entry (Monroe Street at Lot A) when warrants are met. Applicant is responsible for 50 % of the cost to design and install the traffic signal.

Other developments that may contribute to the cost for design and installation of the traffic signal at Monroe Street and Primary Entry/Avenue 61 intersection are 1) Tract Map No.31733 for 25%, and 2) Riverside County (future development at the south east corner of Monroe Street and Avenue 61) for 25%.

- h) Install traffic signal interconnection and loop detection conduit and pull boxes for future traffic signal installations at Avenues 60 and 62 along the project frontage.

The applicant shall extend improvements beyond the subdivision boundaries to ensure they safely integrate with existing improvements (e.g., grading; traffic control devices and/or transitions in alignment, elevation or dimensions of streets and sidewalks).

The applicant is responsible for construction of all improvements mentioned above. The development is eligible for reimbursement from the City's Development Impact Fee fund in accordance with policies established for that program. Traffic signal improvements identified in the DIF Study may be eligible for reimbursement not to exceed 50% of the DIF amount of \$430,000 or \$215,000.

The applicant is responsible for the remaining cost of the improvements.

B. PRIVATE STREETS

- 1) Private Residential Streets measured at gutter flow line to gutter flow line shall have a 36-foot travel width. The travel width may be reduced to 32 feet with parking restricted to one side, and 28 feet if on-street parking is prohibited and provided there is adequate off-street parking for residents and visitors, and the applicant establishes provisions for ongoing enforcement of the parking restriction in the CC&R's. The CC&R's shall be reviewed by the Public Works and Planning Departments and approved by the Planning Department prior to recordation.
- 2) The location of driveways of corner lots shall not be located within the curb return and away from the intersection when possible.

C. PRIVATE CUL DE SACS

- 1) They shall be constructed according to the lay-out shown on the tentative map with 38-foot curb radius or greater at the bulb similar to the layout shown on the rough grading plan.
23. All gated entries shall provide for a three-car minimum stacking capacity for inbound traffic to be a minimum length of 62 feet from call box to the street; and shall provide for a full turn-around outlet for non-accepted vehicles.

Where a gated entry is proposed, the applicant shall submit a detailed exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the development can safely make a full turn-around (minimum radius to be 24 feet) out onto the main street from the gated entry. Pursuant to said condition, there shall be a minimum of twenty five feet width provided at the turn-around opening provided.

Two lanes of traffic shall be provided on the entry side of each gated entry, one lane shall be dedicated for residents, and one lane for visitors. The two travel lanes shall be a minimum of 20 feet of total paved roadway surface or as approved by the Fire Department.

Entry drives, main interior circulation routes, standard knuckles, corner cutbacks, bus turnouts, dedicated turn lanes and other features shown on the approved

construction plans, may require additional street widths as may be determined by the City Engineer.

24. The applicant shall design street pavement sections using CalTrans' design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections shall be as follows:

Residential	3.0" a.c./4.5" c.a.b.
Secondary Arterial	4.0" a.c./6.0" c.a.b.
Primary Arterial	4.5" a.c./6.0" c.a.b.

or the approved equivalents of alternate materials.

25. 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.
26. General access points and turning movements of traffic are limited to the following:
- A. Primary Entry (Monroe Street): All turn movements in and out are permitted.
 - B. Emergency Access (Monroe Street): Right turn movements in and out are permitted. Left turn movements in and out are prohibited.
27. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks. Mid-block street lighting is not required.
28. Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.

29. Prior to the City’s approval of a Final Map, the applicant shall furnish mylars of the Final Map that were approved by the City’s map checker. The Final Map shall be 1” = 40’ scale.

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.

30. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with the provisions of LQMC Section 13.24.040 (Improvement Plans).
31. The following improvement plans shall be prepared and submitted for review and approval by the Public Works Department. A separate set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. Note, the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.

- A. On-Site Rough Grading Plan 1" = 40' Horizontal
- B. PM10 Plan 1" = 40' Horizontal
- C. SWPPP 1" = 40' Horizontal
- D. WQMP (Plan submitted in Report Form)

NOTE: A through D to be submitted concurrently.

- E. On-Site Street Improvements/Signing & Striping/Storm Drain Plan
1" = 40' Horizontal,
1"= 4' Vertical Off-Site
- F. Off-Site Street Improvement/Storm Drain Plan
1" = 40' Horizontal
1" = 4' Vertical

G. Off-Site Signing & Striping Plan 1" = 40' Horizontal

The Off-Site street improvement plans shall have separate plan sheet(s) (drawn at 20 scale) that show the meandering sidewalk, mounding, and berming design in the combined parkway and landscape setback area.

NOTE: E through G to be submitted concurrently.

(Separate Storm Drain Plans if applicable)

The following plans shall be submitted to the Building and Safety Department for review and approval. The plans shall utilize the minimum scale specified, unless otherwise authorized by the Building and Safety Director in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. Note, the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.

H. On-Site Residential Precise Grading Plan 1" = 30' Horizontal

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

All Off-Site Plan & Profile Street Plans and Signing & Striping Plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or a distance sufficient to show any required design transitions.

All On-Site Signing & Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Raised Pavement Markers (including Blue RPMs at fire hydrants) and Street Name Signs per Public Works Standard Plans and/or as approved by the Engineering Department.

“Rough Grading” plans shall normally include perimeter walls with Top Of Wall & Top Of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

32. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the “Plans, Notes and Design Guidance” section of the Public Works Department at the City website (www.la-quinta.org). Please navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.

33. The applicant shall furnish a complete set of the mylars of all approved improvement plans on a storage media acceptable to the City Engineer.
34. Upon completion of construction, and prior to final acceptance of the improvements by the City, the applicant shall furnish the City with reproducible record drawings of all improvement plans which were approved by the City. Each sheet shall be clearly marked "Record Drawing," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all approved mylars previously submitted to the City, revised to reflect the as-built conditions. The applicant shall employ or retain the Engineer Of Record (EOR) during the construction phase of the project so that the EOR can make site visits in support of preparing As Built drawings. However, if subsequent approved revisions have been approved by the City Engineer and reflect said "As-Built" conditions, the EOR may submit a letter attesting to said fact to the City Engineer in lieu of mylar submittal.

IMPROVEMENT SECURITY AGREEMENTS

35. Prior to approval of any Final Map, the applicant shall construct all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement ("SIA") guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.
36. Any Subdivision Improvement Agreement ("SIA") entered into by and between the applicant and the City of La Quinta, for the purpose of guaranteeing the completion of any improvements related to this Tentative Tract Map, shall comply with the provisions of LQMC Chapter 13.28 (Improvement Security).
37. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.
38. Depending on the timing of the development of this Tentative Tract Map, and the status of the off-site improvements at the time, the applicant may be required to:
 - A. Construct certain off-site improvements.
 - B. Construct additional off-site improvements, subject to the reimbursement of its costs by others.

- C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map.
- D. Secure the costs for future improvements that are to be made by others.
- E. To agree to any combination of these actions, as the City may require.

Off-Site Improvements should be completed on a first priority basis. The applicant shall complete Off-Site Improvements in the first phase of construction or by the issuance of the 20 % Building Permit or the nineteenth Building Permit issued.

In the event that any of the improvements required for this development are constructed by the City, the applicant shall, prior to the approval of the Final Map, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

39. If the applicant elects to utilize the secured agreement alternative, the applicant shall submit detailed construction cost estimates for all proposed on-site and off-site improvements, including an estimate for the final survey monumentation, for checking and approval by the City Engineer. Such estimates shall conform to the unit cost schedule adopted by City resolution, or ordinance.

For items not listed in the City's unit cost schedule, the proposed unit costs shall be approved by the City Engineer.

At the time the applicant submits its detailed construction cost estimates for conditional approval of the Final Map by the City Council, the applicant shall also submit one copy each of an 8-1/2" x 11" reduction of each page of the Final Map, along with a copy of an 8-1/2" x 11" Vicinity Map.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies and submitted to the City along with the applicant's detailed cost estimates.

Security will not be required for telephone, natural gas, or cable T.V. improvements.

40. Should the applicant fail to construct the improvements for the development, or fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

GRADING

41. The applicant shall comply with the provisions of LQMC Section 13.24.050 (Grading Improvements).
42. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.
43. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
 - A. A grading plan prepared by a qualified engineer,
 - B. A preliminary geotechnical (“soils”) report prepared by a qualified engineer,
 - C. A Fugitive Dust Control Plan prepared in accordance with LQMC Chapter 6.16, (Fugitive Dust Control), and
 - D. A Best Management Practices report prepared in accordance with LQMC Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls). Additionally, the applicant shall follow requirements of the approved WQMP for the development.

All grading shall conform to the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by a soils engineer, or by an engineering geologist.

A statement shall appear on the Final Map that a soils report has been prepared in accordance with the California Health & Safety Code § 17953.

The applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit.

44. The applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such other erosion control measures, as were approved in the Fugitive Dust Control Plan.
45. Grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform with the requirements of LQMC Section 9.60.240(F)

except as otherwise modified by this condition requirement. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the backslope (i.e. the slope at the back of the landscape lot) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six feet (6') of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1. All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18") behind the curb.

46. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform with pad elevations shown on the tentative map, unless the pad elevations have other requirements imposed elsewhere in these Conditions of Approval.
47. Building pad elevations of perimeter lots shall not differ by more than one foot higher from the building pads in adjacent developments.
48. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus five tenths of a foot (0.5') from the elevations shown on the approved Tentative Tract Map, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
49. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor with applicable compaction tests and over excavation documentation.

Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

DRAINAGE

50. The applicant shall comply with the provisions of LQMC Section 13.24.120 (Drainage), Retention Basin Design Criteria, Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements. More specifically, stormwater falling on site during the 100 year storm shall be retained within the development, unless otherwise approved

by the City Engineer. The design storm shall be either the 1 hour, 3 hour, 6 hour or 24 hour event producing the greatest total run off.

51. Nuisance water shall be retained on site. Nuisance water shall be disposed of per approved methods contained in Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements.
52. In design of retention facilities, the maximum percolation rate shall be two inches per hour. The percolation rate will be considered to be zero unless the applicant provides site specific data indicating otherwise and as approved by the City Engineer.
53. The project shall be designed to accommodate purging and blowoff water (through underground piping and/or retention facilities) from any on-site or adjacent well sites granted or dedicated to the local water utility authority as a requirement for development of this property.
54. No fence or wall shall be constructed around any retention basin unless approved by the Planning Director and the City Engineer.
55. For on-site above ground common retention basins, retention depth shall be according to Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems. Side slopes shall not exceed 3:1 and shall be planted with maintenance free ground cover. Additionally, retention basin widths shall be not less than 20 feet at the bottom of the basin.
56. Stormwater may not be retained in landscaped parkways or landscaped setback lots. Only incidental storm water (precipitation which directly falls onto the setback) will be permitted to be retained in the landscape setback areas. The perimeter setback and parkway areas in the street right-of-way shall be shaped with berms and mounds, pursuant to LQMC Section 9.100.040(B)(7).
57. The design of the development shall not cause any increase in flood boundaries and levels in any area outside the development.
58. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow and into the historic drainage relief route.
59. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

60. The applicant shall comply with the provisions of LQMC Section 13.24.110 (Utilities).
61. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
62. Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground.

All existing utility lines attached to joint use 92 KV transmission power poles are exempt from the requirement to be placed underground.

63. Underground 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 all utility trench compaction for approval by the City Engineer.

CONSTRUCTION

64. The City will conduct final inspections of habitable buildings only when the buildings have improved street and (if required) sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices, pavement markings and street name signs. If on-site streets in residential developments are initially constructed with partial pavement thickness, the applicant shall complete the pavement prior to final inspections of the last ten percent of homes within the development or when directed by the City, whichever comes first.

LANDSCAPE AND IRRIGATION

65. The applicant shall comply with LQMC Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans).
66. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.

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

68. The final landscaping and irrigation plans shall be prepared by a licensed landscape professional, be reviewed by the Architecture and Landscape Review Committee and Public Works Director, and approved by the Planning Director prior to issuance of the first building permit. An application for Final Landscape Plan Check shall be submitted to the Planning Department for final landscape plan review. Said plans shall include all landscaping associated with this project and be in compliance with Chapter 8.13 (Water Efficient Landscaping) of the Municipal Code. The landscape and irrigation plans shall be approved by the Coachella Valley Water District and Riverside County Agriculture Commissioner prior to submittal of the final plans to the Planning Department.

Final landscape plans for on-site planting shall be reviewed by the ALRC and approved by the Planning Director prior to issuance of first building permit. Final plans shall include all landscaping associated with this project.

NOTE: Plans are not approved for construction until signed by both the Planning Director.

69. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Planning Director. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 24 inches of curbs along public streets.

70. The applicant or his agent has the responsibility for proper sight distance requirements per guidelines in the AASHTO “A Policy on Geometric Design of Highways and Streets, 5th Edition” or latest, in the design and/or installation of all landscaping and appurtenances abutting and within the private and public street right-of-way. Said appurtenances shall include any IID transformers and above ground utility equipment installed by any utility purveyor.

71. The approximately 12 full grown Washingtonia fan palms that exist near the northeast quadrant of the site along Monroe Street shall be retained and incorporated into the landscape near the project entry and/or in the retention basin bottoms or edges unless determined by a licensed arborist that they cannot be retained and transplanted.

MAINTENANCE

72. The applicant shall comply with the provisions of LQMC Section 13.24.160 (Maintenance).
73. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, including but not limited to retention basins, WQMP BMPs, perimeter landscaping, access drives, and sidewalks.

FEES AND DEPOSITS

74. The applicant shall comply with the provisions of La Quinta Municipal Code 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.
75. 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).
76. Quimby Act in-lieu fees, as specified in Chapter 13.48, of the Municipal Code shall be paid to the City prior to approval of the Final Map by the City Council.
77. The applicant shall pay the Coachella Valley Multi-Species Habitat Conservation Plan/Natural Community Habitat Conservation Plan Mitigation Fee, in accordance with Chapter 3.34 of the Municipal Code.
78. On the day after City Council approval of the Tentative Tract Map, a check made out to the “County of Riverside” for \$2057. shall be delivered to the Planning Department for the environmental Notice of Determination fee.

MISCELLANEOUS

79. Perimeter, front yard and common area landscaping, active and/or passive recreation area(s), entry gate, perimeter wall, and home plans shall be approved under a Site Development Permit.
80. A hard surface walking path (minimum 4’ wide) shall be established within Lot H (open space/retention basin). The walking path route should tie in with and include the retention basin access between Lots 78 and 79 as well as provide

connection to the easterly private road. Passive use amenities such as a gazebo, benches, etc. shall be included. Plans shall be included as part of the landscaping plans with the walking path and amenities design and location approved by the Planning Director.

81. Lots 24 and 25 shall provide a minimum 15' interior side yard setback on the side adjacent to the project boundary. Lot 54 shall have a 20' interior side yard setback on the side adjacent to the project boundary.
82. A rolled or similar curb shall be used throughout the project.
83. Minimum four foot wide sidewalks shall be provided adjacent to the street curbs, except in areas adjacent to the retention basin where the required walking pathways are provided.
- ~~84. As proposed per the application submitted by the applicant and reiterated at the time of the Planning Commission hearing, the project shall be age-restricted to 55 years and older as defined by the State Department of Real Estate. Said age-restriction shall be included in the Conditions, Covenants, and Restrictions (CC and R's) with the CC and R's reviewed and approved by the City Attorney prior to final approval of the Final Map by the City Council.~~
85. All structures in the project shall be limited to one story in height.
86. This Tentative Tract Map shall expire two years after City Council 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).
87. Approval and development of this subdivision is subject to all Mitigation Measures included in EA 2008-897 as certified, in association with this project.
88. The following amenities as noted in Monroe Dates, LLC's letter dated March 9, 2009, on file in the Planning Department, shall be provided unless noted as optional:
 - A. Shade structure, picnic table, bar-b-que, drinking fountain
 - B. Play structure, swings (*optional amenity*)
 - C. Bocci ball court
 - D. Exercise/fitness course

- E. Basketball court (half court)
- F. Walking path
- G. Open turf area
- H. Park benches
- I. Dog park (with fencing, water fountain, shade structure, benches, clean-up facility, and turf as the primary base material for the play area)

Specifics for these amenities shall be included in the Site Development Permit processed for the approval of the house and landscaping plans.

IMPERIAL IRRIGATION DISTRICT

- 89. Developer is required to provide rights-of-way and easements for the distribution line extensions (conduit system, cable and underground structures) needed to serve this project.**
- 90. Power line extension to serve this development will be made in accordance with IID regulation No. 15 and Regulation No. 2. The final cost will be determined once the applicant submits a customer proposal application and final design completed.**
- 91. Applicant should contact IID Energy La Quinta Division Customer Operations, 91-600 Avenue 58, La Quinta, CA 92253, telephone (760)398-5890 or (760)398-5841, for further information regarding electrical service for the project and/or any additional IID electrical infrastructure that may needed to service this project.**
- 92. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on circumstances). A copy of the IID encroachment permit application and instructions for its completion can be found at the IID website. The IID Real estate Section should be contacted at (760)339-9239 for**

additional information regarding encroachment permits or agreements.

- 93. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental documentation is amended and environmental impacts are fully mitigated. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**

ATTACHMENT 1



