GENERAL

 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. This Site Development Permit shall comply with the requirements of the La Quinta Municipal Code, Specific Plan 98-032, Plot Plan 93-504, and Tentative Tract Map No's. 27728 and 28650.

The City of La Quinta's Municipal Code can be accessed on the City's Web Site at www.la-quinta.org.

- 3. This Site Development Permit is valid for two years from the March 25, 2008 date of approval, expiring on March 25, 2010 unless an extension is applied for and granted by the Planning Commission pursuant to Section 9.200.080 of the La Quinta Municipal Code.
- 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:
 - Fire Marshal
 - 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

When applicable, 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.

PROPERTY RIGHTS

- 5. 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.
- 6. As the proposed Site Development Permit does not access or abut any City of La Quinta public streets, no City of La Quinta public street right-of-way offers for dedication are required for this development.
 - However, access to Cahuilla Park Road as per the previously approved Plot Plan 93-504 exists and therefore, any requirements from the abutting land owner shall be applicable. Direct vehicular access to Cahuilla Park Road is restricted to the existing gated access by the approved Plot Plan 93-504 per Plan Set No.(PSN) 93049.
- 7. No private street right-of-way offers for dedication are required for this development.
- 8. 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.

STREET AND TRAFFIC IMPROVEMENTS

- 9. The applicant shall comply with the provisions of Sections 13.24.060 (Street Improvements) and 13.24.070 (Street Design Generally).
- 10. The applicant shall construct the following street improvements to conform with the General Plan street type noted in parentheses.

A. OFF-SITE STREETS

 As the proposed project does not access or abut any City public streets, no City public street widening is required for this development.

However, access to Cahuilla Park Road per the previously approved Plot Plan 93-504 exists and therefore, any requirements from the abutting land owner shall be applicable. Direct vehicular access to Cahuilla Park Road is restricted to the existing gated access per the approved Plot Plan 93-504 per Plan Set No. 93049.

B. PRIVATE STREETS

- Tom Fazio Lane North. No additional street widening is required for this Site Development Permit.
- 11. 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.

PARKING LOTS and ACCESS POINTS

- 12. The design of parking facilities shall conform to LQMC Chapter 9.150 and in particular the following:
 - A. The parking stall and aisle widths and the double hairpin stripe parking stall design.
 - B. Cross slopes should be a maximum of 2% where ADA accessibility is required including accessibility routes between buildings.

- C. Building access points shall be shown on the Precise Grading Plans to better evaluate ADA accessibility issues.
- D. Parking stall lengths shall be according to LQMC Chapter 9.150 and be a minimum of 17 feet in length with a 2-foot overhang for standard parking stalls and 18 feet with a 2-foot overhang for handicapped parking stall or as approved by the City Engineer. One van accessible handicapped parking stall is required per 8 handicapped parking stalls.
- E. Drive aisles between parking stalls shall be a minimum of 26 feet with access drive aisles to Public Streets a minimum of 30 feet as shown on the Site Development Plan site plan or as approved by the City Engineer.
- 13. General access points and turning movements of traffic to on site private streets are limited to the existing driveway to Tom Fazio Lane North as approved for Plot Plan 93-504 per PSN 93049 and these conditions of approval. The applicant shall submit exhibits that demonstrate the adequacy of the proposed design for larger truck and emergency response vehicles to access the proposed southeast expansion area and as approved by the City Engineer and the Fire Marshal.
- 14. 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:

Parking Lot & Aisles (Low Traffic)

3.0" a.c./4.5" c.a.b.

Parking Lot & Aisles (High Traffic)

4.5" a.c./5.5" c.a.b.

Loading Areas 6" P.C.C./4" c.a.b.

or the approved equivalents of alternate materials.

15. 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.

16. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks.

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.

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.

- 17. 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 Section 13.24.040 (Improvement Plans), LQMC.
- 18. 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 Precise Grading Plan Horizontal

1" = 20'

B. PM10 Plan

1" = 40' Horizontal

NOTE: A through B to be submitted concurrently.

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.

"Precise Grading" plans shall normally include all on-site surface improvements including but not necessarily limited to finish grades for curbs & gutters, building floor elevations, parking lot improvements and ADA requirements, retaining and perimeter walls, etc. ADA accessibility to public streets, adjacent buildings and existing handicap parking shall be shown on the Precise Grading Plans at a scale to be determined by the Public Works Department.

- 19. 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.
- 20. The applicant shall furnish a complete set of the mylars of all approved improvement plans on a storage media acceptable to the City Engineer.
- 21. 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 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 Engineer Of Record may submit a letter attesting to said fact to the City Engineer in lieu of As-Built mylars submittal.

PRECISE GRADING

- 22. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LOMC.
- 23. 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.
- 24. 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 or architect,
- B. A preliminary geotechnical ("soils") report prepared by a qualified engineer,
- C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC, and
- D. A Best Management Practices report prepared in accordance with Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls), LQMC.

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.

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.

- 25. 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.
- 26. 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 Preliminary Grading Plan submitted with this Site Development Permit, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
- 27. Prior to the issuance of a building permit for any building lot, the applicant shall provide a pad elevation and geotechnical certification stamped and signed by a qualified engineer or surveyor, as applicable.

DRAINAGE

28. 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 or as approved by the City Engineer. 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.

- 29. 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. The applicant and/or his design professional shall design and install a Maxwell IV or equal drywell system designed with geotechnical information for the site as required and approved by the City Engineer. Additionally, the applicant shall reconstruct any existing drywell or inlet accordingly.
- 30. 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.
- 31. 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.
- 32. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
- 33. 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.

UTILITIES

34. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.

- 35. 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.
- 36. 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.

MAINTENANCE

- 37. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
- 38. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks.
- 39. As a condition of this Site Development Permit, the applicant shall perform weekly street sweeping maintenance within the existing and proposed Maintenance Facility pavement area and Tom Fazio North abutting the Maintenance Facility to within 200 feet of the driveway access to Tom Fazio North.

FEES AND DEPOSITS

40. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. 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.

CONSTRUCTION

41. All trash enclosures, block walls, and materials storage bins shall be painted a color consistent with the buildings. The perimeter wall along Cahuilla Park Road

shall be repainted.

- 42. The Planning Commission permits the applicant's request to maintain the existing block wall along Tom Fazio Lane at 4 feet in height, when measured from the street side. The Planning Commission discussed this item during their March 25, 2008 public hearing and suggested this wall be raised to a 6 foot height.
- 43. The sight-obstructing entry gate shall be painted to match the adjacent wall.

LANDSCAPE AND IRRIGATION

- 44. The applicant shall comply with Sections 9.60.240 (Landscaping), 13.24.130 (Landscaping Setbacks), & 13.24.140 (Landscaping Plans), LQMC.
- 45. The applicant shall provide landscaping in the required setbacks, retention basins, common lots, and perimeter areas.
- 46. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.
- 47. Final landscaping and irrigation plans shall be prepared by a licensed landscape professional, shall be reviewed by the ALRC 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, including perimeter landscaping, and be in compliance with Chapter 8.13 (Water Efficient Landscaping) of the Municipal Code and the Coachella Valley Water District's Landscaping and Irrigation Design Ordinance. 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. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Planning Director.

Note: Final landscaping plans are not approved for construction until approved and signed by the Planning Director.

48. 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.

- 49. All landscaping used for screening purposes shall consist of larger specimens having significant foliage.
- 50. Mechanical equipment shall be screened by a wall, landscaping with significant foliage, or combination of the two, of a sufficient height and/or density to fully screen such equipment.
- 51. The applicant shall work with staff to provide a natural-looking erosion-resistant groundcover and provide updated and enhanced screening landscaping for the entire maintenance yard perimeter along Cahuilla Park Road and Tom Fazio Lane. The applicant shall remove the Oleanders and replace them with native plant species compatible with the surrounding landscaping. The applicant shall provide staff with a revised conceptual landscaping plan for review prior to formal submittal of the Final Landscaping Plans.
- 52. Should any landscaping utilized for screening purposes be deemed insufficient by the Planning Director following an initial period of growth, the applicant shall replace or provide additional landscaping with significant foliage.

OUTDOOR LIGHTING

- 53. Exterior lighting shall comply with Section 9.100.150 (Outdoor Lighting) of the La Quinta Municipal Code.
- 54. All lighting fixtures shall be fitted with a visor or shield to reflect lighting away from adjacent residences and the street. Final outdoor lighting design shall be reviewed and approved by the Planning Director.

FIRE DEPARTMENT

- 55. Provide or show there exists a water system capable of delivering a fire flow 1500 gallons per minute for a two hours duration at 20 psi residual operating pressure, which must be available before any combustible material is placed on the construction site.
- 56. Approved accessible on-site Super fire hydrants shall be located not to exceed 330 feet apart in any direction and within any portion of the facility or of an

exterior wall of the first story of the building is located more than 150 feet from fire apparatus as measured by an approved route around the complex, exterior of the facility or building, and no portion of a building further than 165 feet from a fire hydrant. Fire hydrants shall provide the required fire flow.

- 57. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.
- 58. Prior to issuance of building permits, the water system for fire protection must be provided as approved by the Fire Department and the local water authority.
- 59. The Applicant/Developer shall mount blue dot retro-reflectors pavement markers on private streets, public streets and driveways to indicated location of the fire hydrant. It should be 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
- 60. Fire Apparatus access road shall be in compliance with the Riverside County Fire Department Standard number 06-05 (located at www.rvcfire.org). Access lanes will not have an up, or downgrade of more than 15%. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 80 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface so as to provide all weather driving capabilities.
- 61. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provision for the turn around capabilities of fire apparatus.
- 62. Driveway loops, fire apparatus access lanes and entrance curb radius should be designed to adequately allow access of emergency fire vehicles. The applicant or developer shall include in the building plans the required fire lanes and include the appropriate lane printing and/or signs.
- 63. An approved Fire Department access key lock box (Minimum Knox Box 3200 series model) shall be installed next to the approved Fire Department access

door to the building. If the buildings are protected with an alarm system, the lock box shall be required to have tampered monitoring. Required order forms and installation standards may be obtain at the Fire Department.

- 64. Display street numbers in a prominent location on the address side of building(s) and/or rear access if applicable. Numbers and letters shall be a minimum of 12" in height for building(s) up to 25' in height. In complexes with alpha designations, letter size must match numbers. All addressing must be legible, of a contrasting color, and adequately illuminated to be visible from street at all hours.
- 65. Install a complete commercial fire sprinkler system (per NFPA 13 2002 Edition). Fire sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project Structural Engineer to certify with a "wet signature", that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The PIV and FCD shall be located to the front, within 25 to 50 feet of hydrant, and a minimum of 25 feet from the building(s). Sprinkler riser room must have indicating exterior and/or interior door signs. A C-16 licensed contactor must submit plans, along with current \$307.00 deposit based fee, to the Fire Department for review and approval prior to installation. Guideline handouts are available for the Fire Department.
- 66. Install an alarm monitoring system for fire sprinkler system(s) with 100 or more heads (20 or more in Group I, Division 1.1 and 1.2 occupancies). Valve monitoring, water-flow alarm and trouble signals shall be automatically transmitted to an approved central station, remote station or proprietary monitoring station in accordance with 2001 CBC, Sec. 904.3.1. An approved audible sprinkler flow alarm shall be provided on the exterior in an approved location and also in the interior in a normally occupied location. A C-10 licensed contractor must submit plans designed in accordance with NFPA 72, 2002 Edition, along with the current \$192.00 deposit based fee, to the Fire Department for review and approval prior to installation. Guideline handouts are available from the Fire Department.
- 67. Install a portable fire extinguisher, with a minimum rating of 2A-10BC, for every 3,000 sq. ft. and/or 75 feet of travel distance. Fire extinguishers shall be mounted 3.5 to 5 ft above finished floor, measured to the top of the extinguisher. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM

service tags affixed.

- 68. No hazardous materials shall be stored and/or used within the building, which exceeds quantities listed in UBC Table 3-D and 3-E. No class I, II or IIIA of combustible/flammable liquid shall be used in any amount in the building.
- 69. Exit designs, exit signs, door hardware, exit markers, exit doors, and exit path marking shall be installed per the 2001 California Building Code.
- 70. Electrical room doors if applicable shall be posted "ELECTRICAL ROOM" on outside of door.
- 71. Access shall be provided to all mechanical equipment located on the roof as required be the Mechanical Code.
- 72. Air handling systems supplying air in excess of 2000 cubic feet per minute to enclosed spaces within buildings shall be equipped with an automatic shutoff. Ref CMC 609.0
- 73. Gate(s) shall be automatic or manual operated. Install Knox key operated switches, series KS-2P with dust cover, mounted per recommended standard of the Knox Company. Building plans shall include mounting location/position and operating standards for Fire Department approval. Special forms are available from the Fire Department office for ordering the Key Switch.