

**PLANNING COMMISSION RESOLUTION 96-041
CONDITIONS OF APPROVAL - FINAL
SITE DEVELOPMENT PERMIT 96-598
WILLIAM WARREN GROUP
DECEMBER 10, 1996**

GENERAL

1. Site Development Permit 96-598 (SDP 96-598) shall be developed in compliance with these conditions and all approved site plan, elevation, color, materials, and other approved exhibits submitted for this application. In the event of any conflicts between these conditions and the provisions of SDP 96-598, the conditions shall take precedence.
2. Upon their approval by the City Council, the City Clerk is authorized to file these Conditions of Approval with the Riverside County Recorder for recordation against the property(ies) to which they apply.
3. SDP 96-598 shall comply with all applicable conditions and/or mitigation measures for the following related approvals:

- Environmental Assessment 96-332

In the event of any conflict(s) between approval conditions and/or provisions of these approvals, the Community Development Director shall determine precedence.

4. This approval shall expire one year after it's effective date, as determined pursuant to Section 9.200.060.C of the Zoning Code, unless extended pursuant to the provisions of Section 9.200.080. The validity of other related applications, as identified in Condition #3, shall not be a consideration in determining extension provisions.
5. The applicant shall obtain permits and/or clearances from the following public agencies, as needed:
 - Fire Marshal
 - Building and Safety Department
 - Public Works Department (Grading Permit, Improvement/Encroachment Permits)
 - Community Development Department
 - Riverside County Environmental Health Department
 - Desert Sands Unified School District
 - Coachella Valley Water District
 - Southern California Gas Company
 - Imperial Irrigation District
 - California Regional Water Quality Control Board (NPDES Permit)
 - Waste Management of the Desert

The applicant is responsible for any requirements of these permits or clearance from those jurisdictions. If the requirements include approval of improvement plans, the applicant shall furnish proof of said approvals prior to obtaining City approvals of the plans.

For projects requiring NPDES construction permits, the applicant shall include a copy of the application for the Notice of Intent with grading plans submitted for plan checking. Prior to issuance of a grading or site construction permit, the applicant shall submit a copy of an approved Storm Water Pollution Protection Plan.

6. A plan for the provision of refuse storage and recycling locations and facilities shall be submitted to the Community Development Department for review/approval prior to any Certificate of Occupancy. Said plan shall prepare in accordance with City standards as set forth in Section 9.100.200 of the Zoning Code, and submitted with a written clearance from Waster Management of the Desert as to locations and design detail provisions.
7. Handicap access and facilities shall be provided in accordance with Federal (ADA), State and local requirements. Handicap accessible parking shall generally conform with the approved exhibits for SDP 96-598.
8. All aspects of this project (plan preparation, all construction phases, operations, etc.) Shall be subject to and comply with the adopted Mitigation Monitoring Program and Negative Declaration (EA 96-332), as certified by the La Quinta Planning Commission.
9. All parking area civil plans and improvements shall be developed in accordance with the standards set forth in applicable portions of Section 9.150.080 of the Zoning Code.
10. Prior to issuance of any land disturbance permit, the applicant shall pay the required mitigation fees for the Coachella Valley Fringe-Toed Lizard Habitat Conservation Program, as adopted by the City, in the amount of \$600 per acre of disturbed land.
11. Within three days of approval by the Planning Commission the applicant shall submit the State required Fish and Game Environmental fee of \$1,328.00 (\$1,250 fee plus \$78 handling fee) to the Community Development Department. A check shall be made out to the "County of Riverside" and will be forwarded to the County of Riverside for processing.
12. All roof and wall mounted mechanical type equipment shall be installed or screened with architecturally compatible material so as not to be visible from surrounding properties and streets to the satisfaction of the Community Development Director. Working drawings showing all proposed equipment and how they will be screened shall be submitted and approved prior to issuance of a building permit.
13. All conditions and requirements of the Coachella Valley Water District shall be met, per their letter dated October 23, 1996, on file in the Community Development Department.

14. A comprehensive sign program shall be submitted for review and approval by the Planning Commission as a business item prior to establishment of any permanent signs. The sign program will comply with provisions of Chapter 9.160 (Signs) of the Zoning Code and be designed to be compatible with the project's architectural design.
15. All exterior lighting, except landscaping lighting, shall be down-shining, mounted on exterior walls of buildings and not extend above the fascia of the building. Lighting plans including fixtures shall be approved by the Community Development Department prior to issuance of building permits.
16. Provisions shall be made to comply with the terms and requirements of the City's adopted Infrastructure Fee program in effect at the time of issuance of building permits.
17. The project shall adhere to seismic reinforcement and other construction requirements as specified in the Uniform Building Code.
18. Prior to any soil disturbance or grading activity(ies), the developer shall secure approval of a Fugitive Dust Control Plan (FDCP). The plan shall address all proposed development areas, as well as those areas which may be disturbed by activity but scheduled for later development. The FDCP shall be submitted with any clearing, grading, or other site activity request which will disturb, or is related to development of the site.
19. The applicant shall have a qualified archaeological monitor on site during any grading or earth disturbing activity. The monitor is authorized to temporarily divert or stop equipment and work in order to investigate exposed cultural deposits. A final archaeological report shall be submitted to the Community Development Department prior to issuance of the Certificate of Occupancy.

PROPERTY RIGHTS

20. All required easements, rights of way and other property rights shall be granted prior to issuance of a grading, improvement or building permit for this development.
21. The applicant shall grant public and private street right of way and utility easements in conformance with the City's General Plan, Municipal Code, applicable specific plans, and as required by the Director of Public Works.
22. Property rights required of this development include:

A. Adams Street - 44-foot half of 88-foot right-of-way

Right-of-way grants shall include additional width as necessary to accommodate improvements shown on the approved improvement plans.

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

IMPROVEMENT PLANS

24. Improvement plans submitted to the City for plan checking shall be submitted on 24" x 36" media. On-site plans shall be submitted in the categories of "Grading, Paving and Drainage" and "Precise Grading and Plot Plan." Off-site improvements shall be submitted in the categories of "Grading," "Streets & Drainage," and "Landscaping." The "Precise Grading and Plot Plan" shall have signature blocks for the Community Development Director and the Building Official. All other plans shall have signature blocks for the Director of Public Works. Plans are not approved for construction until they are signed.

"Streets and Drainage" plans shall normally include signals, sidewalks, bike paths, gates and entryways, and parking lots. If water and sewer plans are included on the street and drainage plans, the plans shall have an additional signature block for the Coachella Valley Water District (CVWD). The combined plans shall be signed by CVWD prior to their submittal for the Director of Public Work's signature.

"Landscaping" plans shall normally include landscape improvements, irrigation, lighting, and perimeter walls.

Plans for improvements not listed above shall be in formats approved by the City Engineer.

25. The City may maintain standard plans, details and/or construction notes for elements of construction. For a fee established by City resolution, the applicant may acquire standard plan and/or detail sheets from the City.
26. When final plans are approved by the City, and prior to issuance of grading, improvement or building permits, the applicant shall furnish accurate computer files of the complete, approved off-site improvement plans on storage media and in a program format acceptable to the Director of Public Works. At the completion of construction and prior to final acceptance of improvements, the applicant shall update the files to reflect as-constructed conditions including approved revisions to the plans.

IMPROVEMENT AGREEMENT

27. The applicant shall construct improvements and/or satisfy obligations, or enter into a secured agreement to construct improvements and/or satisfy obligations required by the City prior to issuance of a grading, improvement or building permit. For secured agreements, security provided, and the release thereof, shall conform with Chapter 13, LQMC.

Improvements to be made or agreed to shall include removal of any existing structures or obstructions which are not part of the proposed improvements.

28. If improvements are secured, the applicant shall provide approved estimates of improvement costs. Estimates shall comply with the schedule of unit costs adopted by City resolution or ordinance. For items not listed in the City's schedule, estimates shall meet the approval of the Director of Public Works.
29. If the applicant desires to phase improvements and obligations required by the Conditions of Approval and secure those phases separately, a phasing plan shall be submitted to the Public Works Department for review and approval by the Director of Public Works.

The applicant shall complete required improvements and satisfy obligations as set forth in the approved phasing plan. Improvements and obligations required of each phase shall be completed and satisfied prior to occupancy of permanent buildings within the phase unless a construction sequencing plan for that phase is approved by the Director of Public Works.

GRADING

30. Graded, undeveloped land shall be maintained to prevent dust and blows and nuisances. The land shall be planted with interim landscaping or provided with other wind and water erosion control measures approved by the Community Development and Public Works Departments.
31. The applicant shall comply with the City's Flood Protection Ordinance.
32. The applicant shall conduct a thorough preliminary geological and soils engineering investigation and shall submit the report of the investigation ("the soils report") with the grading plan.
33. A grading plan, which may be combined with the on-site paving and drainage plan, shall be prepared by a registered civil engineer and must meet the approval of the Director of Public Works prior to issuance of a grading permit. The grading plan shall conform with the recommendations of the soils report and shall be certified as adequate by a soils engineer or an engineering geologist.
34. Prior to issuance of building permits, the applicant shall provide a separate document, bearing the seal and signature of a California registered civil engineer or surveyor, that lists actual building pad elevations. The document shall list the pad elevation approved on the grading plan, the as-built elevation, and the difference between the two, if any.

DRAINAGE

35. The applicant shall provide channel lining along the south bank of the Whitewater Storm Channel as required by CVWD.
36. Stormwater falling on site during the peak 24-hour period of a 100-year storm shall be retained within the development unless drainage to the Whitewater Storm Channel is approved by CVWD. The tributary drainage area shall extend to the centerline of public streets adjacent to the development.

37. Nuisance water (and storm water if drainage to the Whitewater Channel is not approved) shall be retained in retention basin(s) or other approved retention/infiltration system(s). In design of retention facilities, the soil percolation rate shall be considered to be zero unless the applicant provides site-specific data that indicates otherwise.
38. If retention is in an open basin, a trickling sand filter and leach field of a design approved by the Director of Public Works shall be installed to percolate nuisance water. The sand filter and leach field shall be sized to percolate 22 gallons per day per 1,000 square feet of drainage area.
39. Retention basin slopes shall not exceed 3:1 and depth shall not exceed six feet.
40. No fence or wall shall be constructed around retention basins except as approved by the Community Development Director and the Director of Public Works.
41. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

42. All existing and proposed utilities within or adjacent to the proposed development shall be installed underground. High-voltage power lines which the power authority will not accept underground are exempt from this requirement.
43. In areas where hardscape surface improvements are planned, underground utilities shall be installed prior to construction of surface improvements. The applicant shall provide certified reports of utility trench compaction tests for approval of the Director of Public Works.

STREET AND TRAFFIC IMPROVEMENTS

44. The following minimum street improvements shall be constructed to conform with the General Plan street type noted in parentheses:
 - A. Adams Street - Secondary Arterial:
 1. Street Improvements - The applicant shall complete improvements to Adams Street including 32-foot half-width street improvements and eight-foot sidewalk.
 - B. Site Access Improvements:
 1. The southerly access drive shall be located opposite the Wal-Mart drive on the west side of Adams Street.
 2. The design and location of the northerly "Emergency Only" access drive is subject to approval of the Director of Public Works as to vertical sight distance for safe access and egress of vehicles.

Bus turnouts, acceleration/deceleration lanes, and/or other features contained in the approved construction plans may warrant additional street widths, raised medians or other mitigation measures as determined by the Director of Public Works.

The Director of Public Works may require improvements extending beyond development boundaries such as, but not limited to, pavement elevation transitions, street width transitions, or other incidental work which will ensure that newly constructed improvements are safely integrated with existing improvements and conform with the City's standards and practices.

45. Access points and turning movements of traffic shall be restricted to one 30-foot southerly drive opposite the Wal-Mart drive which shall have unrestricted turning movements and a 30-foot maximum width northerly drive for emergency use only.
46. Improvements shall include all appurtenances such as traffic signs, channelization markings and street name signs.
47. Street pavement sections shall be based on a Caltrans design for a 20-year life and shall consider soil strength and anticipated traffic loading (including site and building construction traffic). The minimum pavement sections shall be as follows:

Residential & Parking Areas	3.0" a.c./4.50" a.b.
Collector	4.0"/5.00"
Secondary Arterial	4.0"/6.00"
Primary Arterial	4.5"/6.00"
Major Arterial	5.5"/6.50"

The applicant shall submit mix designs for road base, Portland cement concrete and asphalt concrete, including complete mix design lab results, for review and approval by the City. Construction operations shall not be scheduled until mix designs are approved.

48. The applicant shall provide public transit amenities as required by Sunline Transit and/or the Director of Public Works.

LANDSCAPING

49. The applicant shall provide landscape improvements in the perimeter setback areas along Adams Street.
50. Landscape and irrigation plans for landscaped lots, landscape setback areas, medians, and retention basins shall be prepared by a licensed landscape architect.

Landscape and irrigation plans shall be approved by the Community Development Department. Landscape and irrigation construction plans shall be submitted to the Public Works Department for review and approval by the Director of Public Works. The plans are not approved for construction until they have been approved and signed by the Director of Public Works, the Coachella Valley Water District, and the Riverside County Agricultural Commissioner.

51. Slopes shall not exceed 5:1 within public rights of way and 3:1 in landscape areas outside the right-of-way.
52. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Director of Public Works. Use of lawn shall be minimized with no lawn or spray irrigation within 5-feet of curbs along public streets.
53. The applicant shall ensure that landscaping plans and utility plans are coordinated to provide visual screening of above-ground utility structures.
54. Landscape materials shall be maintained as planted in perpetuity. Any dead, dying, or missing landscaping shall be replaced within 30 days pursuant to the approved plans.
55. All Jacaranda acutifolia trees shown on approved preliminary landscaping plans shall be 36-inch box in size with tree caliper per industry standards. The trees on the north and south side shall be 36-inch box in size with tree caliper per industry standards and planted in clusters (generally not in front of architectural articulations) and shall be shown on final landscape plan. Washingtonia robustas shall be minimum 15-feet high (brown trunk height).
56. Trees on the north, south, and east sides shall be emitter irrigated, with ground cover to be a minimum three inches deep decorative gravel ground cover (no plant ground cover).
57. Additional five gallon shrubs shall be provided along Adams Street and in the planter in Building "B".

QUALITY ASSURANCE

58. The applicant shall employ construction quality-assurance measures which meet the approval of the Director of Public Works.
59. The applicant shall employ or retain California registered civil engineers, geotechnical engineers, or surveyors, as appropriate, who will provide, or have their agents provide, sufficient supervision and verification of the construction to be able to furnish and sign accurate record drawings.
60. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all plans which were signed by the Director of Public Works. Each sheet of the drawings shall have the words "Record Drawings," "As-Built" or "As-Constructed" clearly

marked on each sheet and be stamped and signed by the engineer or surveyor certifying to the accuracy of the drawings. The applicant shall revise the improvement plan computer files previously submitted to the City to reflect the as-constructed condition.

FEES AND DEPOSITS

61. The applicant shall pay all deposits and fees required by the City for plan checking and construction inspection. Deposit and fee amounts shall be those in effect when the applicant makes application for plan checking and permits.

FIRE DEPARTMENT

62. Provide or show there exists a water system capable of delivering 1500 gpm for a two hour duration at 20 psi residual operating pressure which must be available before any combustible material is placed on the job site.
63. A combination of on-site and off-site Super fire hydrants, on a looped system (6" X 4" X 2½") will be located not less than 25-feet or more than 165-feet from any portion of the buildings as measured along approved vehicular travelways. The required fire flow shall be available from any adjacent hydrants in the system.
64. Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate the location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department.
65. Prior to the issuance of a building permit, the applicant/developer shall furnish one blue line copy of the water system plans to the Fire Department for review. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans must be signed by a registered Civil Engineer and the local water company with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department."
66. The required water system including fire hydrants, shall be installed and operational prior to the start of construction.
67. Install a complete fire sprinkler system per NFPA 13 Ordinance Hazard Occupancy, Group _____. The post indicator valve and Fire Department connection shall be located to the front within 50-feet of a hydrant, and a minimum of 25-feet from the building.
68. Install a supervised water flow fire alarm system as required by the UBC/Riverside County Fire Department and National Fire Protection Association Standard 72.
69. Install portable fire extinguishers per NFPA, Pamphlet #10, but not less than 2A10BC in rating. Contact certified extinguisher company for proper placement of equipment.

70. Install Knox Key operated switches on access gates, series KS-2P with dust cover, mounted per recommended standard of Knox Company. Plans must be submitted to the Fire Department for approval of mounting location/position and operating standards. Special forms are available from the Fire Department office for the ordering of the Key Switch, this form must be authorized and signed by the Fire Department for the correctly coded system to be purchased.

MISCELLANEOUS

71. Emergency access gate at the north end of the site shall be solid metal, with color to match adjacent buildings.

BONDS

72. Applicant shall pay for 330-feet of 8-foot wide bike path to be constructed in the CVWD Storm Channel right-of-way. Actual payment shall be deferred and bonded until the bike path is constructed by the City or its designee.

ARCHITECTURAL

73. The architectural pop-outs of Building "A" along Adams Street shall be provided with additional five foot minimum setback by deleting storage space. Revised preliminary plan showing revision shall be submitted to the Community Development Department for approval prior to final plan preparation.