

PLANNING COMMISSION RESOLUTION 2004-103

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING DEVELOPMENT PLANS FOR THREE COMMERCIAL BUILDINGS (PAD 4 & 6, AND REVISED SHOP 3) CONSISTING OF 5,270, 5,038, AND 9,865 SQUARE FEET IN WASHINGTON PARK COMMERCIAL CENTER

**CASE NO.: SITE DEVELOPMENT PERMIT 2004-817
WASHINGTON 111, LTD**

WHEREAS, the Planning Commission of the City of La Quinta did on the 14th day of December, 2004, hold a duly noticed public hearing to consider the request of Washington 111, LTD for approval of development plans for construction of three commercial buildings located on the east side of Washington Street and south of Simon Drive, more particularly described as:

Parcel Map 30903, Parcel No. 3

WHEREAS, the Architecture and Landscape Review Committee of the City of La Quinta did on the 3rd day of November, 2004, hold a duly noticed public meeting to consider a request for review of development plans for Site Development Permit (SDP) 2004-817; and

WHEREAS, said Site Development Permit has complied with the requirements of "The Rules to Implement the California Environmental Quality Act of 1970" as amended (Resolution 83-63). The City Council certified Environmental Assessment 2002-072 for Specific Plan 1987-011, Amendment No 4, Washington Park. No changed circumstances or conditions and no new information is proposed which would trigger the preparation of a subsequent environmental assessment pursuant to Public Resources Code Section 21166.

WHEREAS, at said public hearing upon hearing and considering all testimony and arguments, if any, of all interested persons desiring to be heard, said Planning Commission did find the following facts and reasons to justify approving the Site Development Permit:

1. The project is consistent with the General Plan in that the property proposed for the commercial project is designated as Regional Commercial.
2. This project has been designed to be consistent with the provisions of the Zoning Code, or amended as allowed in the applicable Specific Plan.
4. The site design of the project is appropriate for the use in that it has been designed with the appropriate parking and vehicular access, and provided with adequate landscaping.

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

1. That the above recitations are true and correct and constitute the findings of the Planning Commission in this case.
2. That it does hereby approve the above-described Site Development Permit request for the reasons set forth in this Resolution, subject to the attached conditions.


PASSED, APPROVED and ADOPTED at a regular meeting of the La Quinta Planning Commission held on this 14th day of December, 2004, by the following vote to wit:

AYES: Commissioner Daniels, Krieger, Ladner, Quill, and Chairman Kirk

NOES: None


ABSTAIN: None

ABSENT: None



TOM KIRK, Chairman
City of La Quinta, California

ATTEST:



THOMAS P. GENOVESE, City Manager/
Interim Community Development Director
City of La Quinta, California

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GENERAL

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Site Development Permit. The City shall have sole discretion in selecting its defense counsel.

The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

2. This Site Development Permit 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:

- Fire Marshal
- Public Works Department (Grading Permit, Improvement Permit)
- Community Development Department
- Riverside Co. Environmental Health Department
- Desert Sands Unified School District
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)
- SunLine Transit Agency
- SCAQMD 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.

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If previous permits are not in effect for Specific Plan 87-011, Amendment No. 4, Parcel Map No. 30903 or Parcel Map No. 32683, a project-specific NPDES construction permit must be obtained by the applicant; and 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, Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water), LQMC; Riverside County Ordinance No. 457; 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") (8.70.020 (Definitions), LQMC):
- 1) Temporary Soil Stabilization (erosion control).
 - 2) Temporary Sediment Control.
 - 3) Wind Erosion Control.
 - 4) Tracking Control.
 - 5) Non-Storm Water Management.

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- 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.
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).

PROPERTY RIGHTS

6. 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.
7. The applicant shall offer for dedication all public street right-of-ways in conformance with the City's General Plan, Municipal Code, Specific Plan 87-011, Amendment No. 4, Parcel Map No. 30903 or Parcel Map No. 32683, and as required by the City Engineer.
8. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Washington Street (Augmented Major Arterial, 132' ROW) - The standard 66 feet from the centerline of Washington Street for a total 132-foot ultimate developed right of way as per approved Specific Plan 1987-011, Amendment No. 4 and Parcel Map Nos. 30903 and referenced to Quit Claim deed per instrument 164281 and 164314.

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- 2) Simon Drive (Non-conforming Local Street, 88' ROW) - No additional right of way dedication is required.

9. 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

10. When the City Engineer determines that access rights to the proposed street right-of-ways shown on the approved Specific Plan 87-011, Amendment No. 4, Parcel Map No. 30903 or Parcel Map No. 32683, the applicant shall grant the necessary right-of-ways within 60 days of a written request by the City.
11. The applicant shall create perimeter landscaping setbacks along all public right-of-ways as follows:
 - A. Washington Street (Augmented Major Arterial) - 20-foot from the R/W-P/L.
 - B. Simon Drive (Non-conforming Local Street)- 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.

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12. Direct vehicular access to Washington Street and Simon Drive from lots with frontage along Washington Street and Simon Drive are restricted, except for those access points identified on the approved Specific Plan 87-011, Amendment No. 4, Parcel Map No. 30903 or Parcel Map No. 32683, or as otherwise conditioned in these conditions of approval.
13. 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.
14. The applicant shall enter into a written encroachment/and or access agreements across and through abutting parcels and submit such documentation to with the City of La Quinta prior to occupancy.
15. The applicant shall be a member of a Commercial Business Owners Association (or City approved equal) formed by all Parcel Owners of Parcel Map No. 32683 for the perpetual maintenance of the common parking areas.
16. Prior to issuance of a building permit, applicant shall provide written evidence of a Reciprocal Parking Agreement.

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.

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- A. On-Site Commercial Precise Grading Plan 1" = 30' Horizontal
- B. PM10 Plan 1" = 40' Horizontal
- C. SWPPP 1" = 40' Horizontal

Note. A thru C 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.

The applicant shall prepare an accessibility assessment on annotated print of the building floor plan identifying every building egress and notes the 2001 California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety Department. A copy of the reviewed assessment shall be submitted to the Engineering Department in conjunction with the Site Development Plan when it is submitted for plan checking.

"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 and proposed handicap parking shall be shown on the Precise Grading Plans at a scale to be determined by the Public Works Department. Precise Grading Plans shall also require approval by the Community Development and Building and Safety Departments.

- 19. The City maintains standard plans, detail sheets and/or construction notes for elements of construction on the Public Works Online Engineering Library at http://www.la-quinta.org/publicworks/tract1/z_onlinelibrary/0_intropage.htm.
- 20. The applicant shall furnish a complete set of the AutoCAD files of all approved improvement plans on a storage media acceptable to the City Engineer. The files shall be saved in a standard AutoCAD format so they may be fully retrievable through a basic AutoCAD program.

At the completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall update the AutoCAD files in order to reflect the as-built conditions.

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Where the improvement plans were not produced in a standard AutoCAD format, or a file format that can be converted to an AutoCAD format, the City Engineer will accept raster-image files of the plans.

IMPROVEMENT SECURITY AGREEMENTS

21. 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

22. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
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,
 - 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.

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A statement shall appear on applicable improvement plans 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.

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. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform with pad elevations shown on the Site Development Permit Plan, unless the pad elevations have other requirements imposed elsewhere in these Conditions of Approval.
27. The applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development.

Building pad elevations on contiguous interior lots shall not differ by more than three feet except for lots that do not share a common parking lot frontage, where the differential shall not exceed five feet.

Where compliance within the above stated limits is impractical, the City may consider alternatives that are shown to minimize safety concerns, maintenance difficulties and neighboring-owner dissatisfaction with the grade differential.

28. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus three tenths of a foot 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.
29. 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.

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

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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

Stormwater handling shall conform to the approved hydrology and drainage report for Specific Plan 87-011, Amendment No. 4 and Parcel Map No. 30903 and as amended for Parcel Map No. 32683. The tributary drainage area shall extend to the centerline of adjacent public streets and in particular to stormwater handling for Washington Street along the Site Development Permit boundary.

30. Nuisance water shall be disposed of in a trickling sand filter and leach field or equivalent system approved by the City Engineer. The sand filter and leach field shall be designed to contain first flush storm water and nuisance water surges from landscape area, commercial activity and off-site street nuisance water. The sand filter design shall be per La Quinta Standard 370 with the equivalent of 137.2 gph of water feed per sand filter to accept the abovementioned nuisance water requirements. Leach line requirements are 1.108 feet of leach line per gph of flow.
31. 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 Section 9.100.040(B)(7), LQMC.
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.
34. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

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UTILITIES

35. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
36. 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.
37. 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.

STREET AND TRAFFIC IMPROVEMENTS

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

A. OFF-SITE STREETS

- 1) Washington Street (Augmented Major Arterial; 132' R/W):

Widen the east side of the street along all frontage adjacent to the Parcel Map boundary to its ultimate width on the east side as specified in the General Plan, Specific Plan 87-011, Amendment No. 4, Parcel Map No. 30903 or Parcel Map No. 32683 and the requirements of these conditions. The east curb face shall be located forty-eight feet (48') east of the centerline, except at locations where additional street width is needed to accommodate:

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- a) City of La Quinta Bus Shelter and bus turnout per City Standard approximately 100 feet north of the south entry drive with power and water. The applicant shall provide perpetual water and power service at its expense.
- b) A deceleration/right turn only lane on Washington Street at the North Secondary Entry. The east curb face shall be located fifty-eight feet (58') east of the centerline and length to be determined by a traffic study prepared for the applicant by a licensed traffic engineer per Engineering Bulletin # 03-08. As a minimum, the required right of way shall be for a length of 100 feet plus a variable dedication of an additional 50 feet.

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

- c) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- d) 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 either touches the back of curb or approaches within five feet of the 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.

- 2) Simon Drive (Non-conforming Local Street; 88' R/W):
 - a) No additional street widening is required.

Other required improvements in the Simon Drive right of way and/or adjacent landscape setback area include:

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- b) Construct a raised median at the 90 degree bend of Simon Drive to restrict left turn movements into and out of Parcel 4 as approved by the City Engineer.
- c) The applicant shall remove and replace the existing sidewalk as needed at all locations where it is cracked, uneven at joints, or otherwise damaged pursuant to Streets & Highways Code Section 5610. This requirement applies to all sidewalk located in the public right of way adjacent to the property being developed.

The applicant shall maintain all sidewalk located in the public right of way adjacent to its property in a good state of repair pursuant to Streets & Highways Code Section 5610 if such responsibility is not transferred to the Commercial Property Owners Association or covered by any CC&Rs established by the Washington Park development.

40. General access points and turning movements of traffic are limited to the following:

A. Washington Street

- 1) Primary South Entry - Right turn movements in and out and left turn movements in are permitted. Left turn movements out are prohibited.
- 2) Secondary North Entry - Right turn movements in and out are permitted. Left turn movements in and out are prohibited.

B. Simon Drive

- 1) Westerly Entry - Full turn movements are permitted.
- 2) Easterly Entry - Right turn movements in and out are permitted. Left turn movements in and out are prohibited.

41. 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:

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Parking Lot Areas (except high traffic areas)	3.0"a.c / 4.5"	c.a.b.
Parking Lot Areas (High traffic Areas)	5.5" a.c./6.5"	c.a.b.

or the approved equivalents of alternate materials.

42. 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.
43. 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.
44. The applicant shall remove and replace the existing sidewalk as needed at all locations where it is cracked, uneven at joints, or otherwise damaged pursuant to Streets & Highways Code Section 5610. This requirement applies to all sidewalk located in the public right of way adjacent to the property being developed.
45. The applicant shall advise any prospective buyer of any parcel on this Site Development Permit of its continuing obligation to maintain all sidewalk located in the public right of way adjacent to its property in a good state of repair pursuant to Streets & Highways Code Section 5610.

PARKING LOTS and ACCESS POINTS

46. The design of parking facilities shall conform to LQMC Chapter 9.150 (Parking). In particular, the following are conditioned with this approval.
 - A. 4-foot clearance for ADA accessibility across all sidewalk areas shall be provided excluding 2-foot overhang for parked vehicle. Wheel stops or additional sidewalk width shall be provided when called for in the precise grading plan approval.

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- B. Parking spaces at the end of parking aisles against curb or wall shall be widened by two additional feet.
- C. Accessibility routes to other buildings and public streets shall be shown on the precise grading plan.
- D. Cross slopes should be a maximum of 2% where ADA accessibility is required including accessibility routes between buildings.
- E. Building access points shall be shown on the Precise Grading Plans to better evaluate ADA accessibility issues.
- F. If flush curbs are proposed for the proposed buildings, truncated domes shall be installed where required.

Entry drives, main interior circulation routes, corner cutbacks, bus turnouts, dedicated turn lanes, ADA accessibility route to public streets and other features shown on the approved construction plans, may require additional street widths and other improvements as may be determined by the City Engineer.

CONSTRUCTION

- 47. 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.

LANDSCAPING

- 48. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
- 49. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
- 50. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.

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51. The applicant shall submit the landscape plans for approval by the Community Development Department (CDD), prior to plan checking by the Public Works Department. When plan checking has been completed by CDD, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to submittal for signature by the City Engineer.

NOTE: Plans are not approved for construction until signed by the City Engineer.

52. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 18 inches of curbs along public streets.

QUALITY ASSURANCE

53. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
54. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
55. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City, as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.
56. Upon completion of construction, 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 AutoCAD or raster-image files previously submitted to the City, revised to reflect the as-built conditions.

MAINTENANCE

57. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.

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58. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks.

FEES AND DEPOSITS

59. 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.
60. 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).

COMMUNITY DEVELOPMENT

61. The planter areas adjacent to the parking lot shall have type of material to allow a pedestrian walkway in the landscape.
62. A trellis shall be added to northwest elevation of Pad 6.
63. In the landscape plan an alternate tree to the mesquite tree should be considered.
64. Provide alternative design of decorative paving treatment that extends into the drive aisle for Shop 3 for the use of vehicles and pedestrians. Provide Community Development Director evidence that decorative paving can be maintained in an adequate manner (i.e. not to fade), or installation shall not be permitted.

FIRE DEPARTMENT

65. Final conditions will be addressed when building plans are reviewed. Prior to issuance of a building permit, applicant shall review building plans with the Fire

**PLANNING COMMISSION RESOLUTION 2004- 103
CONDITIONS OF APPROVAL - FINAL
SITE DEVELOPMENT PERMIT 2004-817
WASHINGTON PARK 111, LTD. - THREE RETAIL BUILDINGS
ADOPTED: DECEMBER 14, 2004**

Department. Fire Department plan check is to run concurrent with the City plan check. Specific fire protection measures will be determined at the time of plan check.

SHERIFF DEPARTMENT

66. Final conditions will be addressed when building plans are reviewed. Prior to issuance of a building permit, applicant shall review building plans with the Sheriff's Department regarding Vehicle Code requirements, defensible space, and other law enforcement and public safety concerns. All questions regarding the Sheriff's Department should be directed to the Deputy at (760) 863-8950.