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City of La Quinta

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August 14, 1995

Ms. Peggy Reyes
Finance & Construction Analyst
82-879 Highway 111
Indio, CA 92201


SUBJECT: Public Use Permit (PUP) 95-016

Dear Peggy:

The Planning Commission approved PUP 95-016 on August 8, 1995 subject to conditions (attached). The City Council will consider the Planning Commission action and hopefully the Development Agreement for the sale of the agency property to the District, on September 19, 1995.

Should you have any questions or concerns, please feel free to contact me.

Very truly yours,



Jerry Herman
Community Development Director

JH:pjs

c: City Manager
City Attorney
Jack Matlock
Frank Spevacek



CONDITIONS OF APPROVAL - APPROVED
PUBLIC USE PERMIT 95-016 - DESERT SANDS UNIFIED SCHOOL DISTRICT
AUGUST 8, 1995

GENERAL

1. The development of this site shall be in conformance with exhibits approved and on file in the Community Development Department for Public Use Permit 95-016, unless otherwise amended by the following conditions.
2. The approved Public Use Permit shall be used within one year after the Planning Commission approval; otherwise it shall become null and void and have no effect whatsoever. "Be used" means the beginning of substantial construction which is allowed by this approval, not including grading which is to be begun within one year and thereafter, diligently pursued to completion. A time extension as allowed by the municipal code of one year may be requested 30-days prior to the expiration date.
3. An exterior lighting plan for the building, parking lot and outdoor storage area shall be approved by the Community Development Department prior to issuance of any off-site grading and improvement permits. The exterior lights shall be down-shining lights without dropped lenses. Parking lot pole lighting shall be limited to a height of 25-feet unless allowed higher with the use of light shields.
4. Recycling bins and trash bins with enclosures shall be provided to the satisfaction of Waste Management of the Desert and the City of La Quinta. Verification of approval shall be granted to the City prior to construction of any trash enclosures.
5. Desert Sands Unified School District shall retain a qualified archaeologist to prepare a mitigation and monitoring plan for artifact location and recovery. Prior archaeological studies for this site as well as other unrecorded information, shall be analyzed prior to the preparation of the plan.

The plan shall be submitted to the Coachella Valley Archaeological Society (CVAS) for a two-week review and comment period. At a minimum, the plan shall: 1) identify the means for digging test pits; 2) allow sharing the information with the CVAS; and 3) provide for further testing if the preliminary results show significant materials are present.

The final plan shall be submitted to the Community Development Department for final review and approval.

Prior to the issuance of a grading permit, the developer shall have retained a qualified cultural resources management firm and completed the testing and data recovery as noted in the plan. The management firm shall monitor the grading activity as required by the plan or testing results.

A list of the qualified archaeological monitor(s), cultural resources management firm employees, and any assistant(s)/representative(s) shall be submitted to the Community Development Department. The list shall provide the current address and phone number for each monitor. The designated monitors may be changed from time to time, but no such change shall be effective unless served by registered or certified mail on the Community Development Department.

The designated monitors or their authorized representatives shall have the authority to temporarily divert, redirect or halt grading activity to allow recovery of resources. In the event of discovery or recognition of any human remains, there shall be no further grading, excavation or disturbance of the site or any nearby areas reasonably suspect to overlie adjacent human remains until appropriate mitigation measures are completed.

Upon completion of the data recovery, the Developer shall cause three copies of the final report containing the data analysis to be prepared and published and submitted to the Community Development Department.

6. Prior to issuance of any off-site grading and improvement permits the applicant shall obtain clearances from the following agencies:
 - Fire Marshal
 - Coachella Valley Water District
 - Imperial Irrigation District
 - California Regional Water Quality Control Board (NPDES Permit)

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

7. Applicant shall comply with the CEQA mitigation monitoring plan for Public Use Permit 95-016, on file in the Community Development Department.
8. Prior to occupation of the project site for construction or grading purposes, the applicant shall submit and receive approval of a Fugitive Dust Control Plan prepared in accordance with Chapter 6.16 of the La Quinta Municipal Code.

9. Prior to installation of any on-site identification signs, said signs shall be reviewed and approved by the Community Development Department.
10. The developer shall submit to the Community Development Director a transportation demand management plan for review and approval to ensure compliance with Chapter 9.162 of the Municipal Code. A plan approved by the South Coast Air Quality Management District shall be deemed adequate to meet this requirement.

LANDSCAPING

11. Final landscaping and irrigation plan shall be reviewed and approved by the Community Development Department prior to issuance of an off-site grading and improvement permit. Emitter or drip irrigation systems shall be utilized to the greatest extent possible. Landscaping shall comply with City of La Quinta Ordinance 220.
12. That final landscaping and irrigation plans shall be reviewed and approved by the Agricultural Commissioner and Coachella Valley Water District prior to issuance of an off-site grading and improvement permit.
13. That any required utility boxes, pads, meters, etc. shall be shown on the final landscaping plans to ensure that they are properly treated and screened. Compliance with utility company safety distance requirements shall be complied with.
14. All landscaping within perimeter street right-of-way shall be reviewed and approved by the Engineering Department prior to issuance of an off-site grading and improvement permit.
15. That a combination of berming and shrub planting shall be provided along Dune Palms Road and 48th Avenue to provide screening of the parking lot surface from adjacent streets.

FIRE MARSHAL'S CONDITIONS

16. Provide or show there exists a water system capable of delivering 1500 gpm for a 2-hour duration at 20 psi residual operating pressure which must be available before any combustible material is placed on the job site. Fire flow is based on buildings being area separated and equipped with automatic fire sprinklers.

17. A combination of on-site and off-site Super fire hydrants, on a looped system (6" x 4" x 2-1/2") will be located not less than 25' or more than 165' from any portion of the buildings as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrants in the system.
18. Prior to building construction, 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".
19. Install a complete fire sprinkler system per NFPA 13 Ordinary Hazard Occupancy, Group I. The post indicator valve and fire department connection shall be located to the front within 50' of a hydrant, and a minimum of 25' from the building.
20. System plans must be submitted to the Fire Department for review, along with a plan/inspection fee. The approved plans, with Fire Department job card must be at the job site for all inspections.
21. If the building is used for high piled/rack storage, the building construction and fire sprinkler system must meet NFPA 231C and Article 81 of the 1991 UFC.
22. Install a manual pull, smoke detection and voice evacuation fire alarm system as required by the Uniform Building Code/Riverside County Fire Department and National Fire Protection Association Standards 72.
23. Install panic hardware exit signs as per Chapter 33 of the Uniform Building Code.
24. Applicant/developer shall be responsible for obtaining under ground/above ground tank permits from both the County Health and Fire Departments.
25. Install portable fire extinguisher's per NFPA, Pamphlet #10, but not less than 2A10BC in rating. Contact certified extinguisher company for proper placement of equipment.
26. Install a Hood/Duct automatic fire extinguishing system. System plans must be submitted, along with a plan check/inspection fee, to the Fire Department for review.

27. Install Knox Key Lock boxes, Models 4400, 3200 or 1300, mounted per recommended standard of the Knox Company. Plans must be submitted to the Fire Department for approval of mounting location/position and operating standards. Special forms are available from this office for the ordering of the key Switch, this form must be authorized and signed by this office for the correctly coded system to be purchased.
28. If the building/facility is protected with a fire alarm system or burglar alarm system, the lock boxes will require "tamper" monitoring.
29. If the facility requires Hazardous Materials Reporting (Material Safety Data sheets) the Knox Haz Mat Data and Key Storage Cabinet, Model 1220 or 1300 with tamper switches shall be used.
30. Whenever access into private property is controlled through use of gates, barriers, guard houses or similar means, provision shall be made to facilitate access by emergency vehicles in a manner approved by the Fire Department. All controlled access devices that are power operated shall have a Knox Box over-ride system capable of opening the gate when activated by a special key located in emergency vehicles. Devices shall be equipped with backup power facilities to operate in the event of power failure. All controlled access devices that are not power operated shall also be approved by the Fire Department. Minimum opening width shall be 16' with a minimum vertical clearance of 15'.
31. These conditions are subject to change with adoption of new codes, ordinances, laws, or when construction has not started within twelve (12) months of approval.
32. Specific conditions for each occupancy group will be addressed when building plans are reviewed. A plan check fee must be paid to the Fire Department at the time building plans are submitted.

PROPERTY RIGHTS

33. The applicant shall grant or acquire public 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 City Engineer. Approved deeds shall be executed and recorded prior to issuance of any off-site grading, or improvement permits.

Required deeds and/or acquisitions include:

- A. Dune Palms Road adjacent to the property to be developed - Right of way as indicated in Exhibits 1 and 2.
- B. Avenue adjacent to the property to be developed - Primary Arterial - Half of 110-foot right of way.

Rights of way shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, etc.

- 34. The applicant shall grant public utility easements contiguous with and along both sides of all private streets. The easement widths, when added to street right of way, shall make available a 10-foot-wide strip, parallel with and outside of street improvements, for installation of utilities.
- 35. The applicant shall create setback areas or lots, of minimum width as noted (generally 20' in front of lots, 10' side, and 5' rear), adjacent to the following street rights of way:
 - A. Dune Palms Road - 20 feet
 - B. 48th Avenue - 20 feet

Minimum widths may be used as average widths for meandering wall designs.

- 36. Street right of way geometry for cul-de-sacs, knuckle turns and corner cut-backs shall conform with Riverside County Standard Drawings #800, #801, and #805 respectively unless otherwise approved by the City Engineer.
- 37. The applicant shall grant or acquire any easements necessary for placement of and access to utility lines and structures, park lands, drainage basins, common areas, and mailbox clusters.
- 38. The applicant shall cause no easements to be granted or recorded over any portion of this property between the date of approval by the City Council and the date of recording of any final map(s) covering the same portion of the property unless such easements are approved by the City Engineer.

39. Where sidewalks, bikepaths, and/or equestrian trails are required or contemplated, the applicant shall grant blanket easements over required landscape setbacks for those purposes.
40. The applicant shall vacate vehicle access rights to the following streets:

Dune Palms Road and 48th Avenue

Access to these streets shall be restricted to street intersections at approved access locations.

IMPROVEMENT PLANS

41. Improvement plans submitted to the City for plan checking shall be submitted on 24" x 36" media in the categories of "Rough Grading," "Precise Grading," "Streets & Drainage," and "Landscaping." All plans shall have signature blocks for the City Engineer and 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 City Engineer'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.

42. The City may maintain digitized standard plans for elements of construction. For a fee established by City resolution, the developer may acquire the standard plan computer files or standard plan sheets prepared by the City.

When final plans are approved by the City, the developer shall furnish accurate computer files of the complete, approved plans on storage media and in program format acceptable the City Engineer.

OFF-SITE IMPROVEMENT SECURITY

43. The applicant shall construct off-site grading and improvements and/or satisfy obligations, or shall provide security for said off-site improvements and obligations prior to issuance of off-site grading or improvement permits.

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

44. If improvements are secured, the applicant shall provide approved estimates of the improvement costs. The estimates shall comply with the schedule of unit costs adopted by City resolution or ordinance. For items not contained in the City's schedule of costs, estimates shall meet the approval of the City Engineer.

Estimates for utilities and other improvements under the jurisdiction of outside agencies shall be approved by those agencies.

GRADING

45. Graded but undeveloped land shall be maintained to prevent dust and blowsand 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.
46. The applicant shall comply with the City's flood protection ordinance.
47. A thorough preliminary engineering, geological and soils engineering investigation shall be conducted. The report of the investigation ("the soils report") shall be submitted with the grading plan.
48. A grading plan shall be prepared by a registered civil engineer and must meet the approval of the City Engineer 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.

49. Prior to issuance of any off-site grading and improvement permits the applicant shall provide a separate document bearing the seal and signature of a California registered civil engineer, geotechnical engineer, or surveyor that lists actual building pad elevations. The document shall, for each building pad in the

development, state the pad elevation approved on the grading plan, the as-built elevation, and shall clearly identify the difference, if any. The data shall be organized by development phase and lot number and shall be cumulative if the data is submitted at different times.

DRAINAGE

50. Stormwater falling on site during the peak 24-hour period of a 100-year storm shall be retained on site unless otherwise approved by the City Engineer. The tributary drainage area for which the developer is responsible shall extend to the centerline of adjacent public streets.
51. In design of retention facilities, the basin percolation rate shall be considered to be zero unless the applicant provides site-specific data that indicates otherwise.

A trickling sand filter and leachfield of a design approved by the City Engineer 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.
52. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
53. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow outlet and into the historic drainage relief route.
54. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
55. If any portion of the 100-year, 24-hour storm flow from this development is to be conveyed directly or indirectly to the Whitewater Storm Evacuation Channel or the La Quinta Evacuation Channel or will otherwise drain to water bodies subject to the NPDES, the applicant may be required to design and install first-flush storage, oil/water separation devices, or other screening or pretreatment method(s) to minimize the potential for conveyance of stormwater contamination to off-site locations. Drainage to off-site locations and methods of treatment or screening shall meet the approval of the City Engineer and CVWD.

UTILITIES

- 56. All existing and proposed utilities within or immediately 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.
- 57. In the off-site areas where hardscape surface improvements are planned, underground utilities shall be installed prior to construction of the surface improvements. The applicant shall provide certified reports of utility trench compaction tests for approval of the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

- 58. Applicant shall provide a traffic study prepared by a registered traffic engineer for submittal to Caltrans to justify installation of the traffic signal at the Dune Palms Road/Highway 111 intersection.
- 59. Improvement plans for all on- and off-site streets and access gates shall be prepared by a registered civil engineer. Improvements shall be designed and constructed in accordance with the La Quinta Municipal Code, adopted Standard Drawings, and as approved by the City Engineer.

Street pavement sections shall be based on a Caltrans design procedure 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"/4.5"
Collector	4.0"/5.00"
Secondary Arterial	4.0"/6.00"
Primary Arterial	4.5"/6.00"
Major Arterial	5.5"/6.50"

If the applicant proposes to construct a partial pavement section which will be subjected to traffic, the partial section shall be designed with the 20-year design strength.

- 60. Improvements shall include all appurtenances such as traffic signs, channelization markings, raised medians if required, street name signs, sidewalks, and mailbox clusters approved in design and location by the U.S. Post Office and the City Engineer. Mid-block street lighting is not required.

61. The following minimum street improvements shall be constructed to conform with the General Plan street type noted in parentheses:
- A. Dune Palms Road (Primary Arterial) - Construction shall be in accordance with Exhibits 1, 2 and 3. Except for intersection improvements, construction of portions of the roadway beyond site boundaries shall be subject to compensation by the City or adjacent landowners as may be agreed to by the applicant and the City.
 - B. Traffic Signal at Highway 111 and Dune Palms Road - Construction shall be subject to compensation by the City or adjacent landowners as may be agreed to by the applicant and the City.

Main entry streets and drives, 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 City Engineer.

62. Access points and turning movements of traffic shall be restricted as follows:
- A. Two access/egress drives on Dune Palms Road centered approximately 425 and 1,375 feet north of the current centerline intersection with 48th Avenue plus a third drive at the north end of this property.
 - B. One access/egress drive at the east end of this property's frontage on 48th Avenue.

Prior to occupancy of permanent buildings within the development, the applicant shall install traffic control devices and street name signs along access roads to those buildings.

LANDSCAPING-ENGINEERING

63. The applicant shall provide landscape improvements in the landscape setbacks along Dune Palms and 48th Avenue.
64. Landscape and irrigation plans for landscaped lots, landscape setback areas, medians and common retention basins, shall be prepared by a licensed landscape architect.

65. Landscape and irrigation plans shall be approved by the Community Development Director. Landscape and irrigation construction plans shall be submitted to the Public Works Department for review and approval by the City Engineer. The plans are not approved for construction until they have been approved and signed by the City Engineer, the Coachella Valley Water District, and the Riverside County Agricultural Commissioner.
66. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn shall be minimized with no lawn or spray irrigation within 5-feet of curbs along public streets.
67. Slopes shall not exceed 3:1 in perimeter setbacks, medians and other publicly- or commonly-maintained landscape areas.
68. Unless otherwise approved by the City Engineer, common basins and park areas shall be designed with a turf grass surface which can be mowed with standard tractor-mounted equipment.
69. The applicant shall ensure that landscaping plans and utility plans are coordinated to provide visual screening of aboveground utility structures.

PUBLIC SERVICES

70. The applicant shall provide public transit amenities as required by Sunline Transit and/or the City Engineer. These amenities shall include, as a minimum, a bus turnout location and passenger waiting shelter along the following street(s):
 - A. Dune Palms Road or other streets which serve the project.

The precise location, timing, and character of the turnout and shelter shall be as determined by Sunline Transit, the City Engineer, and Desert Sands Unified School District.

QUALITY ASSURANCE

71. The applicant shall employ or retain California registered civil engineers, geotechnical engineers, or surveyors, as appropriate, who will provide, or have his or her agents provide, sufficient supervision and verification of the construction to be able to furnish and sign accurate record drawings and certify compliance of all work with approved plans, specifications and applicable codes.

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72. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all plans which were signed by the City Engineer. 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.