

CITY COUNCIL RESOLUTION NO. 2003-016

EXHIBIT AA@

CONDITIONS OF APPROVAL - FINAL

SITE DEVELOPMENT PERMIT 2002-756, RADIO ACTIVE

DAVID AND JAMIE REULMAN

MARCH 4, 2003

GENERAL

1. The applicant agrees to defend, indemnify, and hold harmless the City of La Quinta (the 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. Prior to the issuance of any permit by the City, the applicant shall obtain the necessary permits and/or clearances from the following agencies:

- C Fire Marshal
- C Public Works Department (Grading Permit, Improvement Permit)
- C Community Development Department
- C Desert Sands Unified School District
- C Coachella Valley Water District (CVWD)
- C Imperial Irrigation District (IID)
- C California Water Quality Control Board (CWQCB)

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, applicant shall furnish proof of such approvals when submitting the improvement plans for City approval.

3. Unless a building permit is acquired within one year, this permit shall expire as set forth in Section 9.210.010 of the Zoning Code unless a time extension is applied for and granted by the Planning Commission. The City of La Quinta's Municipal Code can be accessed on the City's Web site at www.la-quinta.org.

LANDSCAPING

4. The applicant shall comply with Sections 9.90.040 (Table of Development Standards) & 9.100.040 (Landscaping), LQMC.
5. The applicant shall provide landscaping in the required setbacks.
6. Landscape and irrigation plans for landscaped lots and setbacks shall be signed and stamped by a licensed landscape architect.

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.

7. 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.
8. The final landscaping plan shall indicate the following design elements:
 - A. The trees used throughout the site shall be eight to ten feet in height with a minimum container size of 24" and a minimum trunk caliper size of 1.5-inch per Specific Plan 99-036.
 - B. 50% of the parking lot surfaces shall be shaded by trees or permanent structures.
 - C. Additional triangular tree wells shall be included along the north side of the building within the parking lot to assist with the compliance of Item B.
 - D. Small planters on the north side of the building may be eliminated during the preparation of the final working drawings.
 - E. 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.

MAINTENANCE

9. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
10. 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

11. 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.

FIRE DEPARTMENT

Conditions are subject to change with adoption of new codes, ordinances, laws, or when building permits are not obtained within twelve (12) months. Final conditions will be addressed when architectural building plans are reviewed. A plan check fee must be paid to the Fire Department at the time building plans are submitted. All questions regarding the meaning of the Fire Department conditions should be referred to the Fire Department Planning & Engineering staff at (760) 863-8886.

12. Approved super fire hydrants, shall be located not less than 25 feet nor more than 165 feet from any portion of the first floor building as measured along vehicular travel ways.
13. Blue dot reflectors shall be placed in the street 8-inches from centerline of the side that the fire hydrant is on, identify the fire hydrant locations.
14. City of La Quinta ordinance requires all commercial buildings 5,000 sq. ft. or larger to be fully sprinkled (NFPA 13 Standard). Sprinkler plans will need to be submitted to the Fire Department. Area separation walls may not be used to reduce the need for sprinklers.
15. Any turns, or turnaround areas, require a minimum 38-foot turning radius.
16. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
17. A minimum dimension for access roads is 20 feet clear and unobstructed width and a minimum vertical clearance of 13'-6" in height.
18. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material being placed on the site. Two sets of water plans are to be submitted to the Fire Department for approval.
19. The developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.
20. Building plans shall be submitted to the Fire Department for plan review to run concurrent with the City plan check.

SHERIFF'S DEPARTMENT

All questions regarding the meaning of the public safety conditions should be referred to Senior Deputy Andy Gerrard at (760) 863-8950.

21. Prior to construction of any building structure, a material storage area shall be established and enclosed by a six-foot high chain link fence.
22. A list of serial and/or license numbers of stored on-site equipment shall be kept in the construction office along with a list of contractors (e.g., addresses, phone numbers, etc.).
23. Roof access ladders shall be located inside the building.
24. All exterior light fixtures shall be tamper resistant and placed high enough to discourage vandalism.
25. The building address shall be clearly visible from the street using 12" high internally illuminated letters. The building address shall be posted on the rear of the building in 4" high letters.
26. Additional security measures as outlined in the police departments memo of December 12, 2002, shall be met unless impractical.

MISCELLANEOUS

27. All public agency letters received for this case are made part of the case file documents for plan checking processes.
28. Prior to issuance of a building permit, the following items shall be taken care of:
 - A. Parking lot lighting shall be adequately shielded to prevent glare from being cast onto adjacent properties and placed so that tree growth does not interfere with the lighting needs of the site.
 - B. All roof mounted mechanical equipment shall be screened by roof parapets so that they cannot be viewed from adjacent properties. Prior to occupancy of the proposed building complex, a visual inspection shall be made by the Community Development Department from all sides of the building from a distance of 800 feet to confirm that the parapets conceal any roof mounted equipment.
 - C. Pursuant to Section 9.160.050 (Table 9-19) of the Zoning Ordinance, no more than two permanent building identification signs shall be allowed, provided the signs are oriented to be viewed from adjacent streets. Each building sign shall be limited to 25 square feet to ensure that no more than 50 square feet

of sign area is permitted for this single tenant building. Future building identification signs may be internally illuminated using channel-style letters. Final building sign exhibits shall be submitted to the Community Development Department along with the filing of a Sign Permit Application and required application fees during the preparation of the final construction plans.

- D. One bicycle storage rack shall be installed.
29. Minor amendments to the plans shall be approved by the Community Development Director. Major changes to the overall design of the development shall required Planning Commission review.
 30. In the event that the permittee violates or fails to comply with any of the Conditions of Approval of this permit, no further permits, licenses, approvals, certificates of occupancy shall be issued until such violation has been fully remedied.