

**RESOLUTION 97-76  
CONDITIONS OF APPROVAL - RECOMMENDED  
SITE DEVELOPMENT PERMIT 97-607  
KSL DESERT RESORTS, INCORPORATED  
SEPTEMBER 16, 1997**

**GENERAL**

1. The use of this site shall be in conformance with the approved exhibits contained in Site Development Permit 97-607, unless otherwise amended by the following conditions.
2. The approved Site Development Permit shall be used within two years of the date of approval, otherwise, it shall become null and void and of no effect whatsoever.

"Used" means the issuance of a building permit. A time extension may be requested as permitted in Municipal Code Section 9.200.080D.

3. Developer agrees to indemnify, defend, and hold harmless the City of La Quinta in the event of any legal claim or litigation arising out of the City's approval of this project. The City of La Quinta shall have the right to select its defense counsel in its sole discretion.
4. The project shall incorporate the latest technology in recycling and other means of reducing the amount of waste requiring disposal (land filing), during demolition, construction, and upon site development/operation.
  - A) prior to issuance of a demolition/building permit, the applicant shall provide proof to the Community Development Department that a recycling company and program has been established for the recycling of construction/demolition debris.
  - B) If the applicant can successfully demonstrate that current provisions exist to meet the requirements of the California Solid Waste Reuse and Recycling Access Act of 1991, the Community Development Director may waive, modify, or delete the requirements of this condition.

5. The applicant shall obtain permits and/or clearances from the following public agencies; as needed:
- 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 (per letter of June 25, 1997, on file in Community Development Department)
  - 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 approval 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 the proposed Storm Water Pollution Protection Plan for review by the Public Works Department.

6. 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.
7. The project may be phased if a phasing plan is submitted to the Community Development Department prior to issuance of a building permit.
8. A six foot high, decorative block wall shall be constructed, if not already existing, starting on the west side of Avenida Obregon, at the south end of the project site, wrapping around towards the west along the perimeter of the proposed residential units, north on the east side of Calle Mazatlan to the end of the project parking lot and beginning of the Tennis Villas, and then east to the beginning of the first tennis court. Perimeter walls to be completed with first phase of resort residential specific plan units, to the satisfaction of the Community Development Department. Phase II building permits shall not be issued until perimeter wall improvements are completed.

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9. All new head-in parking spaces shown on east side of Avenida Obregon shall be provided at the time of demolition of the adjacent 82 space parking lot.
10. The windows on the Spa building shall be revised to provide variety in shape and orientation.
11. Existing trees shall be retained or relocated whenever possible. Final landscaping plans, in compliance with all applicable City requirements shall be approved prior to issuance of first building permit authorized by this approval.
12. Site and other applicable plans shall be revised pursuant to requirements of the Historic Preservation Commission prior to issuance of first building permit for "residential specific plan" units.
13. All applicable conditions of Specific Plan 121E, Amendment #4, and Tentative Tract 28545 shall be met.
14. Exterior walkway lighting shall be provided. Lighting to be low profile and comply with Municipal Code and not cause annoyance to surrounding properties. Plan to be approved by Community Development Department prior to issuance of building permit.

#### FIRE MARSHAL

15. Fire apparatus roads shall be provided for every building when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building or facility. This requirement shall be complied with prior to issuance of a building permit.
16. Other requirements of the Fire Marshal shall be determined during the plan check process.

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MISCELLANEOUS

17. Prior to issuance of any building permit for structures approved by Site Development Permit 97-607, the developer shall complete the golf maintenance facilities on Avenida Carranza in accordance with CUP 96-024, or any Planning Commission approved amendment thereto.