

**RESOLUTION NO. 2001-60**  
**CONDITIONS OF APPROVAL - FINAL**  
SPECIFIC PLAN 94-025, AMENDMENT #1  
AGIOTAGE LIMITED  
JUNE 5, 2001

**Exhibit AA@**

**GENERAL**

1. The developer/property owner 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 including but not limited to indemnifying and holding harmless the City from any challenge regarding SP 94-025 (Amendment #1), FEIR 94-287 Addendum, CUP 99-047 and TPM 28617 and any other challenge pertaining to this project. This indemnification shall include any award toward attorney's fees. The City of La Quinta shall have the right to select its defense counsel in its sole discretion.
2. Specific Plan 94-025 (Amendment #1) shall comply with the requirements and standards of the State Subdivision Map Act and the City of La Quinta Land Division Ordinance, unless otherwise modified by the following conditions.
3. The development shall comply with Exhibit "A" of Specific Plan 94-025 (Amendment #1) and those exhibits contained in the Final EIR and Addendum and the following conditions, which shall take precedence in the event of any conflicts with the provisions of the Specific Plan.
4. The approved Specific Plan text on file with the Community Development Department shall be revised to incorporate the following conditions. Four copies of the final document shall be submitted after final approval by the City Council with an additional copy being unbound.

**LANDSCAPING**

5. Seventy-percent of the trees planted in the parkway shall be specimen trees (e.g., 24"- and 36"-boxes) having a minimum caliper size of 1.5- to 2.0-inches. Specimen trees shall be a minimum of 10 feet tall measured from the top of the container.
6. Landscape and irrigation plans for landscaped lots, landscape setback areas, medians, common retention basins, and park facilities 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 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.

7. Desert or native plant species and drought resistant planting materials shall be required for at least 90% of common planting areas. Provisions shall also be made for planting materials which provide forage and nesting areas for nearby wildlife. No building permits shall be issued for Parcel 3 houses until landscaping improvements are installed along the private hillside road.

#### **FIRE DEPARTMENT**

8. All water mains and fire hydrants providing the required fire flows shall be constructed in accordance with the City Fire Code in effect at the time of development.
9. The level of service required for this project shall be aligned with the criteria for Catalog II-Urban as outlined in the Fire Protection Master Plan and as follows:
  - A. Fire station located within three miles.
  - B. Receipt of full "first alarm" assignment within 15 minutes.

Impacts to the Fire Department are generally due to the increased number of emergency and public service calls generated by additional buildings and human population. A fiscal analysis for this project shall identify a funding source to mitigate any impacts associated with any capital costs and the annual operating costs necessary for an increased level of service. Said analysis shall be subject to review and approval by the Riverside County Fire Department and the City of La Quinta.

#### **PROPOSED TEXT DOCUMENT CHANGES**

10. Add to Page 22 (Circulation Section) -
  1. The following minimum street improvements shall be constructed to conform with the General Plan street type noted in parentheses:

A. OFF-SITE STREETS

1. 58th Avenue, Jefferson Street and 62nd Avenue in accordance with the Jefferson Street Alignment Plan.

Development of Phases II and III, as defined in the "Phasing Plan" diagram of this specific plan, shall not begin until at least two lanes of the realigned streets have been installed from 58th Avenue to the south line of Section 29.

2. Jefferson Street (adjacent to this development) -
  - a. Improvement section as determined by the Jefferson Street Alignment Plan. If the City finds it necessary to revise or abandon the Jefferson Street specific alignment contemplated at the time of approval of this specific plan, the applicant shall revise this specific plan as required by the City to fully address revised access routing.
  - b. Construct 76-foot improvement (travel width, excluding curbs) plus 6-foot sidewalk on east side of street and 10-foot multi-use trail on west side of street (design to be approved by City).

B. PRIVATE STREETS AND CUL DE SAC

1. Residential - Street widths shall comply with the requirements of the Circulation Element (Table CIR-2) of the General Plan.
  2. Collector (\$300 homes or 3,000 vehicles per day) - 40-feet wide.
2. Access points and turning movements of traffic shall be restricted to locations shown on the Circulation diagram of the specific plan, subject to review by the Planning Commission and City Council during review of the subdivision map applications.

3. The applicant shall make provisions for continuous, perpetual maintenance of all required improvements unless and until expressly released from said responsibility by the City. This shall include formation of a homeowner's association or other arrangement acceptable to the City for maintenance of retention basins, common areas, Open Space lettered lots, and perimeter walls and landscaping.
11. Modify Page 17 (First paragraph, Last sentence) as follows: When custom lots are proposed in the northwestern corner of the site, and will gain emergency access through The Quarry and primary access from Jefferson Street via a 28-foot wide private road (curb to curb) pursuant to the design standards of Tentative Parcel Map 28617 and Conditional Use Permit 99-047.
12. The applicant shall dedicate 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.

Dedication required by this development include:

1. Jefferson Street - Full width right of way pursuant to the Jefferson Street Alignment Plan made part of/or adopted with General Plan Amendment 95-048.
2. PRIVATE STREETS  
  
Residential: 29-foot width. On-street parking is prohibited and provisions shall be made for adequate off-street parking for residents and visitors. The CC&R's shall contain language requiring the Homeowner's Association to provide for ongoing enforcement of the restrictions.
13. The applicant shall create a 10-foot wide Multi-Purpose Easement within the required 20-foot landscape easement on the west side of Jefferson Street.