

**CITY COUNCIL RESOLUTION NO. 2006-048
CONDITIONS OF APPROVAL - FINAL
SPECIFIC PLAN 2005-076
CASA LA QUINTA - BORREGO RESORT HOLDINGS, INC.
MAY 2, 2006**

EXHIBIT "A"

GENERAL CONDITIONS OF APPROVAL

1. Specific Plan 2005-076 (SP 2005-076) shall be developed in compliance with these conditions, and the approved Specific Plan document. In the event of any conflicts between these conditions and the provisions of SP 2005-076, these conditions shall take precedence.
2. 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 Specific Plan or any application thereunder. The City shall have sole discretion in selecting its defense counsel.
3. All changes to the Specific Plan which are required under these conditions shall be incorporated into a revised document to ensure consistency. All other applicable conditions of approval for Tentative Tract Map 34038, Village Use Permit 2005-030, and any subsequent amendment(s), shall be incorporated into the revised text for SP 2005-076 as appendices. The project proponent shall submit five (5) copies of the amended Specific Plan documents within 30 days of City Council approval of the Specific Plan, or prior to issuance of a grading permit, whichever occurs first.
4. SP 2005-076 shall comply with all applicable conditions and/or mitigation measures for the following related approvals:
 - Environmental Assessment 2005-552
 - Tentative Tract Map 34038
 - Village Use Permit 2005-030

In the event of any conflict(s) between approval conditions and/or provisions of these approvals, the Community Development Director shall determine precedence.

5. Minor changes, as determined by the Community Development Director to be consistent with the intent and purpose of the Specific Plan, may be approved. Examples include modifications to landscaping materials and/or design, parking and circulation arrangements not involving reductions in

required standards beyond those identified in the Specific Plan, minor site, building height, area or other revisions necessary due to changes in technical plan aspects such as drainage, street improvements, grading, etc. Such changes may be approved on a staff-level basis and shall not constitute a requirement to amend the Specific Plan. Consideration for any modifications shall be requested in writing to the Director and submitted with appropriate graphic and/or textual documentation in order to make a determination on the request.

6. The Specific Plan document for SP 2005-076 (Casa La Quinta), as dated February 10, 2006, shall be revised in conformance with the following:
 - A. The conditions of approval for this specific plan, as well as those for TT 34038 and VUP 2005-030, shall be incorporated into the specific plan document as appendices. Include all appendices as noted in the document; i.e. Appendix E is referenced on Page 12 but is not listed in Table of Contents. Please address all discrepancies with the final specific plan document.
 - B. Include case number and brief description of all application actions taken to allow approval of the Specific Plan.
 - C. Page 5, Section 1.4 – change the text reference to the number of APN's for the site, from six to eight. Section 1.4.1, correct "Corral mountains" as "Coral", as well as on Page 32 under Site Design and Activity Space.
 - D. Page 8, Section 2.2, Proposal 1 – Add language pertaining to engineering design changes which may affect the height of the building may be considered as minor changes not requiring amendment of the specific plan or its related applications. When quantifiable, changes shall not exceed a 5% change from the provisions of the approved plans (see also Condition 5).
 - E. Page 9, Existing Land Use – Revise for Embassy Suites as a four-story structure.
 - F. Page 15, Section 4.7 – In Setbacks table, eliminate column "Setback from Centerline of Street". Indicate (by footnote, etc.) 20-foot setback along Calle Tampico as a Landscape Setback required by the La Quinta General Plan. Figure 13 (preliminary grading plan) shall be revised to reflect this and any other related revisions.

- G. Page 17, Section 4.10 - Revise last sentence to change the 15% slope reference to a 12% grade break or vertical curve approvable by the City Engineer. Add language to acknowledge that potential design changes may occur in meeting this and other more specific construction standards, to include building height.
- H. Page 20, Section 4.21 - CC&R's shall include perpetual maintenance of perimeter landscaping and sidewalks, as well as on-site common areas.
- I. Page 20, Section 4.22.1 - An exhibit shall be provided in the specific plan to more clearly delineate the areas described as "Buffer/Transition Zones". These areas shall be subject to review along with landscape plans submitted for plan check. The landscape palette in Appendix C shall act as a master plant material listing for the project, and all subsequent landscape plans shall be reviewed for consistency against this palette.
- J. The Phoenix Robeleni (Pygmy Date Palm) is under quarantine and may be used only if supplied from a local nursery. Include an approval of the master plant list from CVWD and the Riverside County Agricultural Commissioner's office, as part of the Appendix C plant listing, in the final specific plan document.
- K. Page 23, Section 5.3 - Revise fourth sentence to read, "Avenida Villa on the west and Avenida Navarro on the east are both designated as Local Streets."
- L. Page 30, Flooding and Hydrology - A letter of map revision (LOMA) was issued by FEMA in January, 2006. This revision affects the site and has changed the flood zone designation from AO to X. This information shall be incorporated in the final specific plan document.
- M. Page 32, Site Design and Activity Space - Paragraph 2 shows unit size range as $\pm 1,500$ to $\pm 3,100$, change this to match Page 16, Section 4.9.1; second paragraph which shows $\pm 1,500$ to $\pm 3,300$.

7. The applicant shall submit a streetscape program for review by the ALRC and Planning Commission. The program shall include provisions for street trees, paving materials and address the potential for redesign of existing street curb lines, to incorporate planter pockets for street trees with on-street parking. This program shall be submitted with the final landscape plans for all exterior project areas, and is hereby incorporated by reference into the conditions of approval for Tentative Tract 34038 and Village Use Permit 2005-030.