

**CITY COUNCIL RESOLUTION NO. 2001-129
CONDITIONS OF APPROVAL - FINAL
SPECIFIC PLAN 2000-042, AMENDMENT #1
LA QUINTA ARTS FOUNDATION
OCTOBER 16, 2001**

1. The applicant 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. 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. All Conditions of Approval for Specific Plan 2000-042, City Council Resolution 2000-035, adopted on May 23, 2000, shall remain in full force and effect, except as modified herein.
3. The berm shall be elevated by one foot along the south boundary and flexibility shall be given to the required slope ratio.
4. The lighting shall only be allowed during events with security lighting, as needed.
41. The applicant shall provide landscape improvements in landscape setbacks and in on-site areas as revised below:

The landscape architect shall modify the landscape plan by increasing the size of the trees to a minimum 24-inch box with a 2-inch caliper and 8-feet in height along the Washington Street frontage, the south boundary adjacent to Laguna de la Paz, and within all parking lot tree wells and end-row planters. The Community Development Department staff shall work with the landscape architect to ensure that the placement of trees and shrubs adequately screen the light fixtures from neighboring residences.
62. A "Banner Plan" which identifies the ultimate location of all 37 on-site banners, shall be submitted for review and approval with the first Site Development Permit application. All minor use permit applications for the proposed project shall be consistent with the approved Banner Plan.
 - A. The applicant agrees to be bounded by any amendment to the City's Sign Ordinance.

- B. The following restrictions shall apply to the Banner Plan in the Specific Plan. Of the 37 permitted banners, no more than nine banners may be displayed in the area of the site which is east of the festival ground, the amphitheater, and the future building pad. No banners shall be displayed within the two front parking lots or within the artist parking lot. All banners shall be subject to the size and spacing requirements of the Specific Plan. All banners displayed within the landscape setback along Washington Street shall not exceed 8 feet in height. All banners displayed within the festival grounds, the amphitheater, or the future building site shall be placed no higher than the top of the adjacent tent structure. This limitation shall not apply to the placement of banners on structures, such as building elevations, in which case, the previously approved banner program shall apply. Except as provided in this condition, the banners located in the festival grounds shall be placed so that they are not visible from the homes within Laguna de la Paz. All banners permitted under the Banner Plan shall be installed not more than 30-days in advance of an event and shall be removed within seven days after the event.
65. The Lighting Plan for the site shall be as shown on the drawing of October 11, 2001, Drawing # 2. The number of light fixtures shall be equal to or less in number than what is shown on the plan. No light fixtures on the site shall exceed 12 feet in height above adjacent grade. Those light fixtures within the all four parking areas and flanking the access road to the artist parking lot (approximately 86 in total) shall have Illuminating Engineering Society ("IES") full cutoff luminaries. The pole design for these light fixtures shall be simple, clean and thin, and shall be painted a color which blends into the background. The design of the light fixtures shall be subject to the approval of the City, with input from the City's lighting consultant. The light fixtures along the entry driveway and along the western edge of the two front parking lots (approximately 43 in total) shall be decorative in style. The Arts Foundation shall meet and confer with representatives of the Laguna de la Paz Homeowners Association regarding the design and selection of the decorative light fixtures. The decorative light fixtures shall be subject to the approval of the City, with input from the City's lighting consultant. The decorative light fixtures shall have IES semi-cutoff luminaries. The bollard lighting shown on the plan shall not exceed 48 inches in height above the adjacent grade. The lighting shall be only used during events with security lighting allowed as needed.

67. The Specific Plan and subsequent Site Development Permit application for the artists' parking lot shall be amended to provide for 380 parking spaces, designed to meet City dimensional standards. Alternatively, 100 parallel parking spaces may be provided along the rear access road, by widening the road to a 36 foot width, minimum.

No trucks larger than a single-frame truck, 20 feet in length bumper to bumper, shall be permitted to park in the artist parking lot, or along the access road leading thereto. Larger vehicles may load and unload in that area, and then shall be directed to the area along the northern portion of the site, to park.