

CONDITIONS OF APPROVAL - THE HERITAGE CLUB
TENTATIVE TRACT MAP NO. 21880 - EXTENSION #2
CITY COUNCIL RESOLUTION NO. 89-125
NOVEMBER 7, 1989

* Indicates condition revised.

+ Indicates new condition.

GENERAL

1. Tentative Tract Map No. 21880 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.
2. This tentative tract map approval shall expire as provided by Government Code Section 66452.6 or other applicable sections, unless approved for extension pursuant to the City of La Quinta Land Division Ordinance.
3. Tract phasing plans, including phasing of public improvements, shall be submitted for review and approval by the City Engineer and the Planning and Development Department.
4. Prior to the issuance of a grading (a) or building (b) permit for construction of any building or use contemplated by this approval, the Applicant shall obtain permits and/or clearances from the following public agencies:
 - City Fire Marshal (a)
 - Public Works Department (a,b)
 - Planning and Development Department (a,b)
 - Riverside Co. Environmental Health Department. (b)
 - Desert Sands Unified School District (b)
 - Coachella Valley Water District (a,b)
 - Imperial Irrigation District (b)

Evidence of said permits or clearances from the above mentioned agencies shall be presented to the Building Division at the time of the application for a building permit for the use contemplated herewith.

5. This approval shall be in compliance with all applicable conditions and applicable provisions of Specific Plan Nos. 85-005A and 85-005B, Street Vacation Nos. 85-007A and 85-007B, the Washington Street Corridor Specific Plan.

GRADING AND DRAINAGE

6. The Applicant shall utilize dust control measures in accordance with the Municipal Code and the Uniform Building Code and subject to the approval of the City Engineer.
7. The Applicant shall have prepared a grading plan that is prepared by a Registered Civil Engineer, who will be required to certify that the constructed conditions at the rough grade state are as per the approved plans and grading permit. This is required prior to issuance of building permits. Certification at the final grade stage and verification of pad elevations is also required prior to final approval of grading construction.
8. Prior to issuance of grading permits, the Applicant shall submit to the Planning and Development Department the following detailed components of the grading plan for review and approval:
 - A. Design of the area of R-1 zoned lots shall incorporate natural elements and any necessary specialized grading technique and design features to minimize potential adverse effects of hillside grading and of views from the exterior of the project.
9. A thorough preliminary engineering geological and soils engineering investigation shall be done and the report submitted for review along with the grading plan. The report's recommendations shall be incorporated into the grading plan design prior to grading plan approval. The soils engineer and/or the engineering geologist must certify to the adequacy of the grading plan. Pursuant to Section 11568 of the Business and Professions Code, the soils report certification shall be indicated on the final subdivision map.
10. Applicant shall comply with provisions of the Master Plan of Drainage, including payment of fees required therewith, and the City's flood protection ordinance. Drainage disposal facilities shall be provided as required by the City Engineer. Drainage facilities along 52nd Avenue shall be constructed and drainage easements dedicated as required by the City Engineer.

TRAFFIC AND CIRCULATION

11. The Applicant shall comply with the following requirements of the City Engineer:

A. The Applicant shall dedicate all necessary public street and utility easements as required by the City Engineer.

1. 52nd Avenue:

(a.) 110-foot total right-of-way from west project boundary to 400' west of Washington Street.

*(b.) 120-foot total right-of-way from 400-feet west of Washington to east project boundary.

*The 120-foot dimension may be reduced to 110-feet pending outcome of proposed General Plan Amendment.

(c.) Intersection at Washington Street as required by the City Engineer.

(d.) Avenue 52 has an alignment problem in the vicinity of Avenida Bermudas as currently proposed by the 1985 Specific Plan. In order to correct the problem and some other undesirable attributes of the 1985 Specific Plan alignment, some realignment of Avenue 52 may be required within the boundaries of Tract #21880. The City is currently studying the situation and will publicly release its findings as soon as practical. The Applicant acknowledges the unsettled state of affairs, and agrees to comply with the forthcoming revised alignment, when formally adopted, to whatever extent required.

2. Avenida Bermudas: 50-foot half-street right-of-way.

3. Washington Street: Intersection at 52nd Avenue as required by City Engineer.

4. So as to insure the orderly development of the new alignment of Avenue 52 per the intent of the Avenue 52 Referendum, Washington Street and Avenue 52 Specific Plans, the Applicant/Developer shall dedicate right-of-way from the easterly tract boundary to Washington Street. The width shall be determined by the City Engineer and dedicated within 90 days of the City Engineer's request for said dedication.

B. That the Applicant shall construct street improvements to the requirements of the City Engineer and the La Quinta Municipal Code (LQMC).

1. 52nd Avenue: Full width, plus a minimum of two lanes from the west project boundary to Avenida Bermudas. If improvements from the west project boundary to Avenida Bermudas have been installed by others, the Applicant/Subdivider shall be relieved of this condition; but, if the Applicant/Subdivider installs said improvements as a part of this tract, he shall be eligible for reimbursement of construction costs consistent with any City policy or program in existence at that time.
- *2. Avenida Bermudas: Half-width, plus an 8-foot wide combination sidewalk/bikeway in the east parkway.
3. Private Streets: As set forth herein.
- +4. Avenue 52 and Avenida Bermudas: if any street improvements required under these Conditions of Approval, except as otherwise provided in Condition 11.B.1, have been constructed by a third party or the City before the Applicant constructs said improvements, the Applicant shall reimburse the third party or City for the incurred costs. If the third party has been reimbursed by the City for the improvements, the Applicant shall reimburse the City for said costs.

C. That the Applicant shall have prepared street improvement plans (for public and private streets) that are prepared by a Registered Civil Engineer. Street improvements, including traffic signs and markings, and raised median islands (if required by the City General Plan) shall conform to City standards as determined by the City Engineer and adopted by the LQMC (3" AC over 4" Class 2 Base Minimum for residential streets). Street design shall take into account the subgrade soil strength, the anticipated traffic loading, and street design life.

D. All utilities will be installed and trenches compacted to the City's standards prior to construction of any streets. The soils engineer shall provide the necessary compaction test reports for review by the City Engineer.

12. Applicant shall dedicate vehicle access rights, except at street intersections, to 52nd Avenue and Avenida Bermudas.
13. Applicant shall install traffic signal at Washington Street and 52nd Avenue.
14. Applicant shall comply with the following requirements for private street improvements:
 - A. "A" Street shall be aligned to connect to the new precise centerline of Washington Street.
 - B. Tract entry streets shall provide two entrance and two exit lanes with a minimum 24-foot each way.
 - C. The width of all interior streets, which have units along both sides of the roadway, excluding cul-de-sacs, shall have a minimum pavement width of 36-feet.
15. Applicant shall provide a bicycle/pedestrian link between 52nd Avenue and Avenida Nuestra near Calle Rondo.

TRACT AND BUILDING DESIGN

16. Development of the project site shall comply with Exhibit A, as contained in the Planning and Development Department's file for Tentative Tract No. 21880, and the following conditions, which conditions shall take precedence in the event of any conflict with the provisions of the tentative tract map.
17. A minimum 20-foot landscaped setback shall be required along 52nd Avenue and Avenida Bermudas. Design of these setbacks shall be approved by the Planning Commission and shall be consistent with the 52nd Avenue Specific Plan and any applicable approvals/conditions as set forth in Condition #5.
 - A. The minimum setback may be modified to an "average" if a meandering or curvilinear wall design is used.
 - B. The setback area shall be established as a separate common lot and be maintained as set forth in Condition No. 17.(C.), unless an alternative method is approved by the Planning and Development Department.

- C. A Landscape Maintenance and Lighting District shall be formed to maintain medians on 52nd Avenue and landscape and wall improvements on the northerly side of 52nd. Applicant shall establish, through its Homeowners Association, provisions to maintain the parking and setback areas along the south side of 52nd and the east side of Bermudas contiguous to the project. These provisions shall allow the City to take over maintenance if not adequately performed.
 - D. The Applicant is encouraged to minimize steep slope designs within the perimeter landscaping setback areas along 52nd Avenue and Avenida Bermudas. In no case shall these areas have slopes or berming in excess of 33 percent as measured from the top of the crown of the street elevation.
18. This approval authorizes the construction of a golf clubhouse, tennis building with tennis courts, gatehouses, and a maintenance facility at the general locations shown on Exhibit A, as amended by these conditions. These buildings' specific locations, design, height, and size shall be subject to separate plot plan approval by the Planning Commission.
19. The development of custom, single-family lots shall be governed by the following:
- A. The Applicant shall establish a Design Review Committee to review and approve all development within Tentative Tract No. 21880. The main objectives of this Committee shall be to assure that building architecture, building materials and colors, building height and setbacks, and landscape design follow appropriate design themes throughout the tract.
 - B. Applicant shall establish within the CC&R's site design standards appropriate to estate and villa lots, including but not limited to, front, side and rear setbacks, lot coverage, etc. Standards shall be reviewed by the Planning and Development Department as part of its review of the CC&R's, but be no less restrictive than the R-1 or R-2 Zone standards, as appropriate.
 - C. Prior to issuance of an occupancy permit for any house within Tentative Tract No. 21880, landscaping/groundcover shall be installed and appropriately maintained. Type of planting, method of installation, and maintenance techniques shall be subject to plan approval by the Planning and Development Department.

- D. All roof-mounted equipment shall be screened from view at all sides by design of the house. All ground-mounted mechanical equipment shall be screened from view by methods approved by the Planning and Development Department.
 - E. No two-story units shall be allowed on a lot any portion of which is within 200-feet of 52nd Avenue, Avenida Bermudas, or common property lines with the Desert Club of La Quinta. No two-story units shall be allowed within the R-1 Zoned portion of the site unless appropriate zoning changes are approved.
20. Provision shall be made for a significant viewing opportunity on both sides of the main project entrance at 52nd and Washington through the use of landscaping, lakes, fence design and setbacks. Provision shall also be made on Avenida Bermudas near both intersections of "I" Street with "C" Street and give consideration to the former site of the maintenance building (Revision #1) located at the northwest corner of the project site (the area generally lying south of the existing 52nd Avenue alignment and east of Avenida Bermudas) for extensive wall setback and landscaping to enhance views, but open fencing shall not be required.
21. Any minor changes in lot mix, or size lot, lines, or shapes, or street alignments, shall be approved by the Planning and Development Department.

PUBLIC SERVICES AND UTILITIES

22. The Applicant shall comply with the requirements of the City Fire Marshal, who may approve alternate means of compliance where deemed appropriate and equivalent to these standards:
- A. Install Super fire hydrants, (6" x 4" x 2-1/2" x 2-1/2") located no less than 25 feet from any building nor more than 165 feet from any lot frontage. Hydrants shall be spaced not more than 330 feet apart as measured along approved vehicular travelways. Minimum fire flow shall be 2500 gpm for two hours duration at 20 psi.
 - B. Cul-de-sacs longer than 150 feet shall have a minimum turning diameter of 90 feet. Cul-de-sacs shall be no longer than 550 feet unless provided with an approved emergency alternate access or other appropriate fire protection approved by the Fire Marshal.

- C. Applicant/Developer shall furnish two (2) copies of the water system plans to the fire department for review. Plans shall conform to fire hydrant types, location and spacing, and, the system shall meet the fire flow requirements. Plans shall be signed/approved by a registered civil engineer and the local water company with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department."
 - D. Prior to arrival of combustible materials on the site, the above conditions (a and b) must be operating.
 - E. Interior street widths shall be a minimum of 36 feet.
23. The Applicant shall comply with the requirements of the Coachella Valley Water District (CVWD) as follows:
- A. The water and sewage disposal system for the project shall be installed in accordance with the requirements of the City and CVWD.
 - B. Tentative Tract No. 21880 shall be annexed to Improvement District No. 55 of the Coachella Valley Water District for sanitation service.
 - C. Where there are identified conflicts with existing Coachella Valley Water District facilities, the City shall withhold permits until satisfactory arrangements have been made with the District.
 - D. The alignment and size of the stormwater facilities, including any needed off-site facilities, shall be in accordance with plans approved by CVWD in conjunction with the La Quinta Redevelopment Project.
 - 1. Applicant shall provide easements without compensation for these stormwater facilities in accordance with the signed agreement with the City of La Quinta and Coachella Valley Water District.
 - 2. Actual construction of stormwater facilities shall be subject to reimbursement from redevelopment agency funds to the extent that construction is part of the regional stormwater facility system and in accordance with any signed agreement.

24. Applicant shall install "dry" stormwater facilities on Avenida Bermudas in conjunction with the installation of street improvements. These facilities shall include catch basins, culverts, and other improvements to connect these facilities to the regional system, pursuant to plans approved by CVWD and the City of La Quinta.
- A. Applicant shall provide easements without compensation for these facilities in accordance with the Applicant's signed agreement with the City of La Quinta and Coachella Valley Water District.
 - B. Actual construction of local stormwater facilities shall be subject to reimbursement by any assessment district (or similar funding mechanism) if such is implemented to the extent that construction is for facilities to accept off-site local drainage.
 - C. Applicant shall comply with his signed agreement with the City to accept local drainage from the developed area to the west.
25. The Applicant shall comply with the following requirements regarding fire station facilities:
- A. Prior to the recordation of the final map, the Applicant shall dedicate to the City a one acre site for a fire station, at a location approved by the Riverside County Fire Department and the City.
 - B. The Applicant shall prepare and submit building plans for the proposed station for the review and approval by Riverside County Fire Department and the City.
 - C. The Applicant shall make a payment of \$100,000 to provide for the partial construction of the fire station. This contribution shall be used as a credit for fire facilities infrastructure fees until those fees exceed the amount of the credit.
26. All utility improvements shall be installed underground.
27. In order to mitigate impacts on public schools, the Applicant shall comply with the following:
- A. Prior to the issuance of any building permits, the Application shall provide the Planning and Development Department with written clearance from the DSUSD stating that the per-unit impact fees have been paid.

WALLS, FENCING, SCREENING, AND LANDSCAPING

28. Prior to the issuance of building permits, the Applicant shall submit to the Planning and Development Department, for review and approval, a plan (or plans) showing the following:
- A. Landscaping, including revisions to plant types, sizes, spacing, and locations as required by these conditions, or proposed by the Applicant.
 - B. Landscape irrigation system.
 - C. Location and design detail of any proposed and/or required walls.
 - D. Location and design of sidewalks on-site and on adjacent streets.
 - E. Exterior lighting plan.

The approved landscaping and improvements shall be installed prior to the issuance of any Certificate of Occupancy. The landscaping shall be maintained in a healthy, viable condition for the life of the project. Landscaping within 10 feet of all entry roadways shall not exceed 30 inches in height. Landscaping shall not interfere with vehicle overhand areas.

29. Desert or native plant species and drought resistant planing materials shall be encouraged to be incorporated into the landscaping plans for the site. Provision shall also be made for planting materials which provide forage and nesting areas for nearby wildlife.
30. Adequate provision shall be made for continuous maintenance of all landscaping and related features.
31. A minimum six-foot-high, solid, masonry wall shall be provided along the west, north, and a portion of the east project perimeters of the project, except for the perimeter adjacent to the mountains where fencing, if any, shall be designed so as to permit wildlife to enter the site. Fencing shall be prohibited along the project portions which abut the mountain areas to permit unobstructed wildlife migration. The exact location, design, and materials shall be subject to review and approval by the Planning and Development Department.
32. All lighting facilities shall be designed to minimize light and glare impacts to surrounding property and shall be subject to review and approval by the Planning and Development Department.

33. The existing trees on the site shall be incorporated into the design wherever feasible. All grading, construction and related operations for this project shall be in compliance with the approval for tree retention, dated 11/18/86.

MANAGEMENT

34. Prior to the recordation of the final map, the Applicant shall submit to the Planning Director the following documents which shall demonstrate to the satisfaction of the City that the open space/recreation areas and private streets and drives shall be maintained in accordance with the intent and purpose of this approval.
- A. The document to convey title;
 - B. Covenants, Conditions, and Restrictions to be recorded; and,
 - C. Management and maintenance agreement to be entered into with the unit/lot owners of this land division.

The approved Covenants, Conditions, and Restrictions shall be recorded at the same time that the final subdivision map is recorded.

A homeowners association, with the unqualified right to assess the owners of the individual units for reasonable maintenance costs, shall be established and continuously maintained. The association shall have the right to lien the property of any owners who default in the payment of their assessments. Such lien shall not be subordinate to any encumbrance other than a first deed of trust, provided that such deed of trust is made in good faith and for value and is of record prior to the lien of the homeowners association.

MISCELLANEOUS

35. Appropriate approvals shall be secured prior to establishing any construction or sales facilities, and/or signs on the subject property.
36. The Applicant acknowledges that the City is considering a City-wide Landscape and Lighting District and by recording a subdivision map agrees to be included in the District. Any assessments will be done on a benefit basis as required by law.
37. Prior to the issuance of any grading permits, the Applicant shall contract with the UC-Riverside Archaeological Research Unit to complete the resource study and collection at the following sites:

- A. CA-Riv-2823: Recover information and preserve rock cairns where possible.
- B. CA-Riv-2824: Conduct date recovery excavations.
- C. CA-Riv-2826: Move some of the seed milling features to an interpretative setting elsewhere within the project.
- D. CA-Riv-2827: Conduct additional testing and, on the basis of this testing, conduct recovery excavations if warranted.
- E. CA-Riv-1179: Conduct data recovery excavations.

Applicant shall provide verification to the Planning and Development Department of completion of this task.

The developer shall retain a qualified archaeologist immediately and take appropriate mitigation measures when any archaeological remains or artifacts are encountered during project development.

- 38. The Applicant shall pay the required processing, plan checking, and inspection fees as are current at the time the work is being accomplished by City personnel or subcontractors for the Planning and Development, or Engineering Departments.
- 39. Applicant shall submit plans for street lighting along roads, if any, for review and approval by the Planning and Development Department.
- 40. The developer of this subdivision of land shall cause no easements to be granted or recorded over any portion of this property between the date of approval by the City Council and the date of recording of the final map without the approval of the City Engineer.
- 41. The Developer/Subdivider shall provide a 30-foot-wide access easement from the realigned 52nd Avenue to the old 52nd Avenue along the eastern boundary of the "Desert Club" property. The Developer/Subdivider shall provide the "Desert Club" owners access, improvement and maintenance rights over said easement. Also, the City of La Quinta shall be granted public right of pass and repass over said easement.
- 42. Prior to recordation of any portion of Tract Map No. 21880, the Applicant shall submit for review and approval by the City Engineer and Planning Director plans which relocate the maintenance facility entrance and associated frontage road improvements to an appropriate location which will minimize traffic hazards and conflicts on Avenida Bermudas and Calle Arroba to the extent feasible.

*43. 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.