

CITY COUNCIL RESOLUTION 89-117
CONDITIONS OF APPROVAL
TENTATIVE TRACT 24889
OCTOBER 17, 1989

GENERAL

1. Tentative Tract Map No. 24889 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 two years after the original date of approval by the City Council, unless approved for extension pursuant to the City of La Quinta Land Division Ordinance.
3. Tentative Tract Map No. 24889 shall comply with all applicable conditions and requirements of Specific Plan No. 85-006, "Oak Tree West", as amended and in effect at the time of recordation.
4. The final map shall conform substantially with the approved Tentative Map (Exhibit "A") as contained in the Planning and Development Department's file for Tentative Tract Map 24889 and the following conditions of approval, which conditions shall take precedence in the event of any conflict with the provisions of the Tentative Tract Map.
5. Approval of this Tentative Tract Map shall be subject to approval of GPA 89-026, SP 85-006 (Amendment 1), and CZ 89-045 by the City Council.

PUBLIC SERVICES AND UTILITIES

6. Fire protection shall be provided at the time of development in accordance with the requirements of the Municipal Code and City Fire Marshal.
7. All requirements and conditions of the Coachella Valley Water District shall be complied with.

MISCELLANEOUS

8. The Applicant acknowledges that the City has formed 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.

9. As no building will occur until future subdivision(s) of land, the final map shall give constructive notice. This notice must appear on the record map with wording approved by the City Engineer, said wording to be similar to the following: "No building permits shall be issued until the recording of a subsequent final condominium map. Improvement conditions will be imposed and security posted at the time the subsequent final map is approved. Survey monument bonds will still be required if corners are not set at time map records."
10. The Applicant understands that this approval is for a land division only, and that separate development approvals, such as plot plans, use permits, zone changes, and tract maps, as applicable and as deemed necessary by the Planning and Development Department, will be required prior to any development actions, including grading activities other than those associated with development of the golf course areas.
11. Tentative Tract Map No. 24889 shall be recorded prior to any future development being established or overlay tracts being recorded.
12. The Applicant shall pay the required processing and plan checking fees as are current at the time the work is being accomplished by City personnel or subcontractors for the Planning, Building, or Engineering Divisions.

ENGINEERING

13. A common area lot shall be established for that area between the tract perimeter wall and street right-of-way for Jefferson Street, 52nd Avenue, Calle Rondo, Calle Tampico, Park Avenue. Landscape maintenance responsibility of the total common lot and street landscape parkway shall be the responsibility of the development.
14. 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.
15. All traffic, circulation, and drainage conditions placed on Specific Plan 85-006 shall apply except where specifically modified by the conditions for this tentative subdivision map.
16. DELETED BY CITY COUNCIL OCTOBER 17, 1989.
17. DELETED BY CITY COUNCIL OCTOBER 17, 1989.

- **16. The Schedule B street improvements required by the La Quinta Municipal Code for the street improvements in the right-of-way contiguous to the subdivision and for the interior private streets are waived, provided the final subdivision map clearly states in a conspicuous location that:

"This map exists only for the purpose to provide a means for financing, and conveyance of property to parties (typically builders or developers) with adequate resources to construct, or post security for, improvements needed in the common areas adjoining and leading to the purchased lot(s). No building permits will be issued until a subsequent land division map is filed and recorded in accordance with the conditions and security posting requirements of said future map."

19. DELETED BY PLANNING COMMISSION ON SEPTEMBER 12, 1989.

17. Applicant shall dedicate all necessary public street right-of-way and utility easements for the following streets:

- o Jefferson: 60-foot half-width.
- o 52nd Ave: 120-foot full-width. (See Note)
- o Calle Rondo: 30-foot half-width/suitable conforms.
- o Tampico: 30-foot half-width/suitable conforms.
- o Park Ave: 30-foot half-width/suitable conforms.

NOTE: The 120-foot figure may be reduced to 110 feet, pending the outcome of proposed General Plan Amendment.

18. Applicant shall record permanent public access easements on all lots created in the subdivision for private streets.
- *19. In order to improve access between Washington Street and this subdivision for traffic with trip ends in the subdivision, and to provide for orderly development along Avenue 52 east of Washington Street to the eastern edge of Tract Map #24889, the Applicant shall make every effort to obtain a 60-foot** wide easement for public street purposes from the adjoining property owner to the west.

The Applicant may seek reimbursement for the improvements for that section of Avenue 52 east of Washington Street to the western edge of Tract # 24889 in the following manner.

1. Prior to January 1, 1992, the Applicant shall seek direct reimbursement, from the developer of the property that provides the easement.

2. After January 1, 1992, the Applicant may seek reimbursement from the City consistent with any policy or program in existence at that time.

It shall be understood by all parties involved in providing the easement that the City intends to condition the future development of the property adjoining Tract #24890 to affect reimbursement for costs relevant to same incurred by the Applicant or City whichever is carrying the cost at the time. If the Applicant is unable to obtain the easement, the following condition shall apply:

- A. The intersection of "new" Avenue 52 with "old" Avenue 52 shall be configured in a manner that the two intersect at 90 degree angles. The curve on "new" Avenue 52 that leads into the intersection shall have a minimum radius.
 - B. In addition to the right-of-way required for the ultimate alignment of Avenue 52, the Applicant shall dedicate additional right-of-way as needed, to accommodate the interim intersection configuration.
 - C. Traffic signals shall be installed when traffic counts warrant the need, as determined in accordance with the collective conditions of approval for this tract. The Applicant shall be 100% responsible for the cost of the signals; the City will administer the design and installation.
20. The Applicant is hereby granted an exception in accordance with La Quinta Municipal Code 13.12.010 for relief from the 300-foot minimum centerline curve radius. As a minimum, the Applicant shall clearly state in a conspicuous location on the final subdivision map that:

"Builders and developers who purchase lots in this subdivision will be required to state in the CC&Rs passed to the homeowners association charged with maintaining the private streets that said streets do not meet minimum horizontal curve standards for public streets and therefore shall always remain as private streets subject to the quality of maintenance provided by the homeowners association."

**21. Prior to issuance of an encroachment permit, the Applicant shall enter into a license agreement with the City to provide for maintenance, liability insurance coverage, and other relevant concerns that may be identified, and as needed, for the tunnel that is proposed for placement under the pavement in the Jefferson Street right-of-way. The agreement, which will be subject to approval of both the Applicant and appropriate City officials, will be prepared by the City at the Applicant's expense.

22. Applicant shall provide street grades that are 9.35 percent or greater, unless demonstrated by engineering design, and approved by the City Engineer, that drainage is adequate and the minimum gradient cannot be satisfactorily obtained.

23. The Applicant shall vacate vehicle access rights to all public streets except for selected private streets that may intersect 52nd Avenue and Jefferson Street at location and in a manner approved by the City Engineer.

Additional exceptions where vehicle access rights to public streets may be retained are as follows:

a. The golf course maintenance facility located adjacent to 52nd Avenue and Calle Rondo may enjoy direct access to 52nd Avenue and Calle Rondo, but the 52nd Avenue access shall be right-turn-in/right-turn-out only.

b. The CVWD well site located adjacent to Calle Rondo and Calle Tampico may enjoy direct access to either street, but not both.

c. Gated emergency access to interior private streets from Jefferson Street and Park Avenue shall be provided in accordance with the requirements of the City Engineer and City Fire Marshal.

27. DELETED BY PLANNING COMMISSION ON SEPTEMBER 12, 1989.

24. The Applicant shall provide a 20-foot-wide and a 10-foot-wide landscaped setback lot, respectively, on the 52nd Avenue and Calle Rondo frontages adjacent to the golf course maintenance facility.

* Formerly Condition 20, amended by Planning Commission 9/12/89.

** Amended by City Council on October 17, 1989.

*** The 60-foot dimension may be reduced to 55-feet pending the outcome of proposed General Plan Amendment.