

GENERAL

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Site Development Permit. The City shall have sole discretion in selecting its defense counsel.

The City shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.

2. Per Zoning Code Section 9.210.010 H. establishment of the use allowed by this Site Development Permit shall expire one year from its effective date, unless extended pursuant to Section 9.200.100.
3. This Site Development Permit shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), and Chapter 13 of the La Quinta Municipal Code ("LQMC"). All Conditions of Approval for Specific Plan 2005-075, Conditional Use Permit 2005-833 and Tentative Parcel Map No. 33960 apply to this Site Development Permit.

The City of La Quinta's Municipal Code can be accessed on the City's Web Site at www.la-quinta.org.

4. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies (if required):
 - Fire Marshal
 - Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Improvement Permit)
 - Community Development Department
 - Riverside Co. Environmental Health Department
 - Desert Sands Unified School District
 - Coachella Valley Water District (CVWD)
 - Imperial Irrigation District (IID)
 - California Water Quality Control Board (CWQCB)
 - SunLine Transit Agency
 - SCAQMD Coachella Valley
 - Caltrans

The applicant is responsible for all requirements of the permits and/or clearances from the above listed agencies, if applicable. When the requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting those improvements plans for City approval.

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If previous permits are not applicable or in effect, a project-specific NPDES construction permit must be obtained by the applicant; and who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI"), prior to the issuance of a grading or site construction permit by the City.

5. The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit, Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water), LQMC; Riverside County Ordinance No. 457; and the State Water Resources Control Board's Order No. 99-08-DWQ.
 - A. For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP").

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.
 - B. The applicant's SWPPP shall be approved by the City Engineer prior to any on or off-site grading being done in relation to this project.
 - C. The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.
 - D. The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs") (8.70.020 (Definitions), LQMC):
 - 1) Temporary Soil Stabilization (erosion control).
 - 2) Temporary Sediment Control.
 - 3) Wind Erosion Control.
 - 4) Tracking Control.
 - 5) Non-Storm Water Management.
 - 6) Waste Management and Materials Pollution Control.
 - E. All erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.
 - F. The approved SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City.
6. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).
7. Approval of this Site Development Permit shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following conditions of approval.

PROPERTY RIGHTS

8. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements. Said conferred rights shall also include grant of access easement to the City of La Quinta for the purpose of graffiti removal by City staff or assigned agent in perpetuity and agreement to the method to remove graffiti and to paint over to best match existing. The applicant shall establish the aforementioned requirements in the CC&R's for the development or other agreements as approved by the City Engineer.
9. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Highway 111 (Major Arterial – State Highway, 140' Right-of-Way) – No additional right-of-way is required along the Site Development Permit boundary on Highway 111 as per the recorded Parcel Map No. 33960.
10. The required perimeter landscaping setbacks along all public rights-of-way as follows have been dedicated on Parcel Map No. 33960:
 - A. Highway 111 (Major Arterial – State Highway) - 50-foot from the R/W-P/L.

The setback requirements shall apply to all frontages including, but not limited to, remainder parcels and sites dedicated for utility purposes.

Where public facilities (e.g., sidewalks) are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.
11. Direct vehicular access to Highway 111 from lots with frontage along Highway 111 is restricted, except for those access points identified on Parcel Map No. 33960, or as otherwise conditioned in these conditions of approval.
12. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur.
13. The applicant shall provide reciprocal access easements necessary for the adjoining parcel(s) for access to proposed parking and access drive associated with this Site Development Permit. Additionally, the applicant shall enter into a maintenance agreement with Costco and/or other parcel owners/occupants for the perpetual maintenance of the parking areas and drive aisles within Parcel Map No. 33960.

STREET AND TRAFFIC IMPROVEMENTS

14. The applicant shall construct the following street improvements to conform with the General Plan

(street type noted in parentheses.)

A. OFF-SITE STREETS

- 1) Highway 111 (Major Arterial – State Highway; 140'R/W):

No additional widening on the south side of the street along all frontage adjacent to the Site Development Permit boundary to its ultimate width on the south side as specified in the General Plan and per Conditions of Approval for Specific Plan 2005-075, Conditional Use Permit 2005-833 and Tentative Parcel Map No. 33960 are required of this Site Development Permit.

PARKING LOTS and ACCESS POINTS

15. The design of parking facilities shall conform to LQMC Chapter 9.150 (Parking). In particular, the following are conditioned with this approval.

- A. Accessibility routes to public streets and adjacent development shall be shown on the Precise Grading Plan.
- B. Cross slopes should be a maximum of 2% where ADA accessibility is required including accessibility routes between buildings.
- C. Building access points shall be shown on the Precise Grading Plans to better evaluate ADA accessibility issues.
- D. Parking stall lengths shall be according to LQMC Chapter 9.150 and be a minimum of 17 feet in length for standard parking stalls and 18 feet for handicapped parking stall or as approved by the City Engineer.
- E. Drive aisles between parking stalls shall be a minimum of 26 feet with egress drive aisles a minimum of 28 feet or as approved by the City Engineer.
- F. Drive-thru aisles shall be a minimum of 12 feet along straight away portions and increased to a minimum 14 feet at bends (to accommodate turning movements). The minimum dimensions shall be paved roadway surface. Additionally for the drive-thru proposed at Building D, a seven-car minimum stacking capacity is required from the order window to the drive-thru entrance off of the east-west drive aisle or as approved by the City Engineer. Additionally, the applicant shall construct signage and pavement markings to prevent vehicles blocking this east-west drive aisle as approved by the City Engineer.

Entry drives, main interior circulation routes, corner cutbacks, bus turnouts, dedicated turn lanes, ADA accessibility route to public streets and other features shown on the approved construction plans, may require additional street widths and other improvements as may be determined by the City Engineer.

16. General access points and turning movements of traffic to off site public streets are limited to the access locations approved for Parcel Map No. 33960 and these conditions of approval.
17. The applicant shall make their best effort to work with Costco to reconstruct existing curb and

gutter along the Costco main entry drive and the secondary access road along the easterly property line of Parcel Map No. 33960 to provide for the proposed access to the Site Development Permit site as well as to provide smoother curvature to the existing curb and gutter as required by the City Engineer. Additionally, the applicant may be required to adjust or reconstruct existing drainage facilities due to the aforementioned improvements.

18. The applicant shall make their best effort to work with Costco to reconstruct the existing median of the Costco main entry drive to provide for a left turn lane into the second drive south of Highway 111 on the east side while maintaining positive restriction for left turn movements in and out of the first drive south of Highway 111 on the west side. The applicant shall also restripe existing pavement delineation as required in the plan check process. All items listed in this condition shall be as approved by the City Engineer.
19. The applicant shall make their best effort to work with Costco to increase the corner radius at the southeasterly corner of the easterly access drive and the Costco parcel near Building A to a minimum of 35 feet to handle large vehicle turning movements. ~~or as approved by the City Engineer.~~ Additionally, the proposed improvements shall provide for positive physical delineation to prevent abrupt alignment changes.
20. The applicant shall reconstruct the existing corner at Building E to provide for large vehicle turning movements. At a minimum, the radius shall be 25 feet or as approved by the City Engineer.
21. The applicant shall design street pavement sections using CalTrans' design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections shall be as follows:

Parking Lot & Aisles (Low Traffic)	3.0" a.c./4.5" c.a.b.
Parking Lot & Aisles (High Traffic)	4.5" a.c./5.5" c.a.b.
Loading Areas	6" P.C.C./4" c.a.b.

or the approved equivalents of alternate materials.

22. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphalt concrete and Portland cement concrete. The submittal shall include test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include recent (less than six months old at the time of construction) aggregate gradation test results confirming that design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs are approved.
23. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks. Mid-block street lighting is not required.
24. Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.

IMPROVEMENT PLANS

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As used throughout these Conditions of Approval, professional titles such as “engineer,” “surveyor,” and “architect,” refer to persons currently certified or licensed to practice their respective professions in the State of California.

25. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with the provisions of Section 13.24.040 (Improvement Plans), LQMC.
26. The following improvement plans shall be prepared and submitted for review and approval by the Public Works Department. A separate set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. Note, the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.
 - A. On-Site Precise Grading/Storm Drain Plan 1" = 40' Horizontal
Note: Storm Drain Plan to be 1" = 40' Horizontal, 1" = 4' Vertical.
 - B. PM10 Plan 1" = 40' Horizontal
 - C. SWPPP 1" = 40' Horizontal

NOTE: A through C to be submitted concurrently.

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

All On-Site Signing & Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, and Raised Pavement Markers (including Blue RPMs at fire hydrants) per Public Works Standard Plans and/or as approved by the Engineering Department.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and that notes the most current California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety Department. A copy of the reviewed assessment shall be submitted to the Engineering Department in conjunction with the Precise Grading Plan when it is submitted for plan checking.

In addition to the normal set of improvement plans, a “Precise Grading” plan is required to be submitted for approval by the Building Official and the City Engineer.

“Precise Grading” plans shall normally include all on-site surface improvements including but not necessarily limited to finish grades for curbs & gutters, building floor elevations, parking lot improvements and ADA requirements.

27. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the Online Engineering Library at the City website (www.la-quinta.org). Please navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.

PRECISE GRADING

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28. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
29. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.
30. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
 - A. A precise grading plan prepared by a qualified engineer,
 - B. A preliminary geotechnical (“soils”) report prepared by a qualified engineer,
 - C. A Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC, and
 - D. A Best Management Practices report prepared in accordance with Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls), LQMC.

All grading shall conform to the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by a soils engineer, or by an engineering geologist.

The applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit.

31. The applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such other erosion control measures, as were approved in the Fugitive Dust Control Plan.
32. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus three tenths of a foot from the elevations shown on the approved Site Development Permit site plan, the applicant shall submit the proposed grading changes to the City Staff for a substantial conformance finding review.
33. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor with applicable compaction tests and over excavation documentation.

Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

DRAINAGE

34. Stormwater handling shall conform with the approved hydrology and drainage report for Tentative Parcel Map No. 33960 and as modified for this Site Development Permit. Nuisance water shall be retained on site. Nuisance water shall be disposed of per approved methods contained in Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for

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Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements.

35. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
36. If required by CVWD, when an applicant proposes discharge of storm water directly, or indirectly, into the La Quinta Evacuation Channel, the applicant shall indemnify the City from the costs of any sampling and testing of the development's drainage discharge which may be required under the City's NPDES Permit or other City- or area-wide pollution prevention program, and for any other obligations and/or expenses which may arise from such discharge. The applicant is advised that he/she may be required by the District to construct required discharge treatment BMP's per the NPDES Permit per Supplement A. The indemnification shall be executed and furnished to the City prior to the issuance of any grading, construction or building permit, and shall be binding on all heirs, executors, administrators, assigns, and successors in interest in the land within this tentative parcel map excepting therefrom those portions required to be dedicated or deeded for public use. The form of the indemnification shall be acceptable to the City Attorney. The 100-year storm water HGL shall be at 48 foot elevation \pm or as determined by CVWD.

If CVWD does not approve discharge of stormwater from this Site Development Permit Project through the existing drainage system into the La Quinta Evacuation Channel or the applicant chooses not to indemnify the City as described above, then the applicant is conditioned to retain stormwater and nuisance water on site per the following conditions

37. The applicant shall comply with the provisions of Section 13.24.120 (Drainage), LQMC, Retention Basin Design Criteria, Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements. More specifically, stormwater falling on site during the 100 year storm shall be retained within the development, unless otherwise approved by the City Engineer. The design storm shall be either the 3 hour, 6 hour or 24 hour event (which ever produces the greatest total run off).
38. Nuisance water shall be retained on site. Nuisance water shall be disposed of per approved methods contained in Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements.
39. In design of retention facilities, the maximum percolation rate shall be two inches per hour. The percolation rate will be considered to be zero unless the applicant provides site specific data indicating otherwise as approved by the City Engineer.
40. No fence or wall shall be constructed around any retention basin unless approved by the Community Development Director and the City Engineer.
41. For on-site above ground common retention basins, retention depth shall be according to Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems. Side slopes shall not exceed 3:1 and shall be planted with maintenance free ground cover. Additionally, retention basin widths shall be not less than 20 feet at the bottom of the basin unless approved by the City Engineer.

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42. Stormwater may not be retained in landscaped parkways or landscaped setback lots. Only incidental storm water (precipitation which directly falls onto the setback) will be permitted to be retained in the landscape setback areas. The perimeter setback and parkway areas in the street right-of-way shall be shaped with berms and mounds, pursuant to Section 9.100.040(B)(7), LQMC.
43. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
44. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow and into the historic drainage relief route.
45. Storm drainage historically received from adjoining properties shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

46. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
47. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
48. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer.

CONSTRUCTION

49. The City will conduct final inspections of habitable buildings only when the buildings have improved street and (if required) sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices, pavement markings and street name signs.

LANDSCAPE AND IRRIGATION

50. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.
51. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
52. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.

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53. Final landscaping and irrigation plans (and precise grading plans relevant to landscape areas) shall be prepared by a licensed landscape professional and shall be reviewed by the ALRC and approved by the Community Development Director prior to issuance of the first building permit. An application for Final Landscape Plan Check shall be submitted to the Community Development Department for final landscape plan review. Said plans shall include all landscaping associated with this project, including perimeter landscaping, and be in compliance with Chapter 8.13 (Water Efficient Landscaping) of the Municipal Code. The landscape and irrigation plans shall be approved by the Coachella Valley Water District and Riverside County Agriculture Commissioner prior to submittal of the final plans to the Community Development Department.

NOTE: Plans are not approved for construction until signed by the Community Development Director.

54. Specific design and material information proposed for all wall and permanent seating in the proposed outdoor seating areas shall be provided and reviewed in conjunction with the final landscaping and irrigation plans.
55. The applicant or his agent has the responsibility for proper sight distance requirements per guidelines in the AASHTO "A Policy on Geometric Design of Highways and Streets, 5th Edition or latest, in the design and/or installation of all landscaping and appurtenances abutting and within the private and public street right-of-way.
56. Landscape plans as required under the approvals for Parcel Map 33960 and Specific Plan 2005-075 shall include lighting locations and details of all proposed fixtures and mounting. Berms and Walls shall be subject to review under the City's applicable development standards.
57. Landscape and irrigation plans (three copies) shall be signed and stamped by a licensed landscape architect, or professional landscape designer, subject to the rules and regulations of the Municipal Code.
58. The applicant shall make provisions for the continuous and perpetual maintenance of all private-onsite improvement, perimeter landscaping, access drives, and sidewalks.
59. If deemed necessary by the Community Development Director to prevent soil erosion and provide acceptable slope (maximum 3:1) a short block retaining wall may be required.
60. The applicant shall ensure that landscaping plans and utility plans are coordinated to provide visual screening of aboveground utility structures.

QUALITY ASSURANCE

61. The applicant shall employ construction quality-assurance measures that meet with the approval of the City Engineer.
62. The applicant shall employ, or retain, qualified engineers, surveyors, and such other appropriate professionals as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
63. The applicant shall arrange for, and bear the cost of, all measurements, sampling and testing procedures not included in the City's inspection program, but which may be required by the City,

as evidence that the construction materials and methods employed comply with the plans, specifications and other applicable regulations.

64. Upon completion of construction, the applicant shall furnish the City with reproducible record drawings of all improvement plans which were approved by the City. Each sheet shall be clearly marked "Record Drawing," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings.

LIGHTING

65. A photometric lighting plan shall be completed for all exterior lighting proposed for the site and submitted to the Community Development Department for review and approval. Cut sheets for all fixtures shall be included with the Plan. Said Plan shall be submitted prior to issuance of any building permits and no lighting shall be installed prior to Plan approval. Exterior lighting for the project shall comply with Sections 9.60.160 and 9.100.150 of the Zoning Ordinance.

MAINTENANCE

66. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
67. The applicant shall make provisions for the continuous and perpetual maintenance of all private on-site improvements, perimeter landscaping, access drives, and sidewalks.

FEES AND DEPOSITS

68. The applicant shall comply with the provisions of Section 13.24.180 (Fees and Deposits), LQMC. These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.
69. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).

FIRE MARSHALL

70. Final conditions will be addressed when complete building plans are reviewed. Prior to issuance of a building permit, applicant shall review building plans with the Fire Department. All questions regarding the Fire Department should be directed to the Fire Safety Specialist at (760) 863-8886.

SHERRIF'S DEPARTMENT

71. Final conditions will be addressed when building plans are reviewed. Prior to issuance of a building permit, applicant shall review building plans with the Sheriff's Department regarding Vehicle Code requirements, defensible space, and other law enforcement and public safety concerns. All questions regarding the Sheriff's Department should be directed to the Deputy at (760) 863-8950.

COMMUNITY DEVELOPMENT

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72. SDP 2006-874 shall comply with all applicable conditions and/or mitigation measures for the following:
- Environmental Impact Report 2005-539
 - Specific Plan 2005-075
 - Parcel Map 33960

In the event of any conflict(s) between approval conditions and/or provisions of these approvals, the Community Development Director shall determine precedence. No development permits will be issued until compliance with these conditions has been achieved.

73. All trees shall be installed with a minimum of a 24 inch box size with a minimum two inch caliper; and medium shrubs shall be installed with a minimum five gallon size.
74. There shall be a five foot setback between sidewalks and any “spiky plants” as listed on the landscape plan.
75. A Temporary Use Permit shall be required prior to placement of construction materials or trailers on site.
76. All public agency letters received for this case are made part of the case file documents for plan checking purposes.
77. The applicant shall bring all graphic panels back to the ALRC and Planning Commission or approval if it is determined that said graphic panels are not determined to be public art. The ALRC and Planning Commission shall determine if the final graphic proposal is compatible with the building and site designs; no advertising or product representation will be allowed.
78. Building A shall be relocated 5 feet west of the location identified on the site plan dated 1/31/07 for a total setback of 10’6” from the easterly driveway. Additional landscaping consistent with the landscaping palette shall be provided in this area and included on the final landscaping plans.
79. Building E shall be relocated 4’ 3” east of the location identified on the site plan dated 1/31/07 for a total setback of 15 feet from the main driveway. Additional landscaping consistent with the landscaping palette shall be provided in this area and included on the final landscaping plans.
80. The screen wall for the Building A loading area shall be extended an additional 20 feet south from the dimension identified on the site plan date 1/31/07. Landscaping shall be provided between said screen wall and the easterly drive consistent with the screen wall landscaping proposed immediately to the north.
81. The applicant shall provide a linear hedge for the following elevations:
- East elevation of Building “E”
 - South elevation of Building “H”
82. The Gleditsia Tricanthos “Sunburst” trees and Gelsemium Sempervirens vines shall be deleted and replaced with low maintenance varieties appropriate for the local climate.
83. Material information and color samples proposed for all decorative surface treatments proposed at driveway entrances and walkways shall be reviewed and approved by the Community

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84. All mechanical equipment on roof tops shall be screened from view by parapet walls; this includes air conditioning units and fans and blower hoods for food service cooking.
85. No signage is permitted with this approval. A separate permit from the Community Development Department is required for any temporary or permanent signs.
86. Material information and color samples proposed for all decorative surface treatments proposed at driveway entrances and walkways shall be reviewed and approved by the Community Development Director.