

**PLANNING COMMISSION RESOLUTION 2008-008
CONDITIONS OF APPROVAL – FINAL
SITE DEVELOPMENT PERMIT 2007-901
WASHINGTON PARK PARKING LOT & LANSCAPING
FEBRUARY 26, 2008**

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. This Site Development Permit shall comply with the requirements of the La Quinta Municipal Code, Specific Plan 87-011 Amendment #4, and Tentative Parcel Map No's. 30903 and 32683.

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

3. This Site Development Permit is valid for two years from the February 26, 2008 date of approval, expiring on February 26, 2010 unless an extension is applied for and granted by the Planning Commission pursuant to Section 9.200.080 of the La Quinta Municipal Code.

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:

- Fire Marshal
- Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Improvement Permit)
- Planning 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)

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- SunLine Transit Agency
- South Coast Air Quality Management District Coachella Valley

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

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.

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- 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.

PROPERTY RIGHTS

- 6. 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.

Direct vehicular access to Washington Street and Avenue 47 are restricted (Parcel 2 of Parcel Map No. 30903); except for the access point identified on the Parcel Map Nos. 30903 and 32683 and Amended Parcel Map No. 32683-3. Pursuant to the aforementioned, the applicant shall enter into reciprocal access agreement with abutting parcel owners and/or establish said easement via future subdivision of Parcel Map No. 30903.

- 7. 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.
- 8. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the Tentative Parcel Map and the date of recording of any Final Map, unless such easement is approved by the City Engineer.

PARKING LOTS and ACCESS POINTS

- 9. The design of parking facilities shall conform to LQMC Chapter 9.150 and in

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particular the following:

- A. The parking stall and aisle widths and the double hairpin stripe parking stall design.
- 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. Accessibility routes to public streets and adjacent development shall be shown on the Precise Grading Plan.
- E. Parking stall lengths shall be according to LQMC Chapter 9.150 and be a minimum of 17 feet in length with a 2-foot overhang or 19 feet with no overhang for standard parking stalls and 18 feet with a 2-foot overhang for handicapped parking stall or 20 feet with no overhang or as approved by the City Engineer. One van accessible handicapped parking stall is required per 8 handicapped parking stalls.
- F. Drive aisles between parking stalls shall be a minimum of 26 feet with access drive aisles and a minimum of 28 feet for circulation drive aisles and to include truck routes as shown on the Site Development Plan site plan or 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.

- 10. As truck routes are not provided with this submittal, the applicant shall redesign the parking layout and to increase curb radii to provide for adequate accessibility for larger delivery vehicles to loading areas and circulation aisles accessing the Site Development Permit site from the entry off of Washington Street and La Quinta Center Drive.
- 11. The following Conditions of Approval are placed on the Site Development Permit No. 2007-901 per the Precise Grading Plans for Washington Park Retail Center Phase 4 Parcel 2 of Parcel Map No. 30903 presently in for plan check under Plan Check No. 07184:

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- A. Realign the circulation drive aisle from the Washington Street entry to the La Quinta Centre Drive to provide a smoother throat connection at La Quinta Centre Drive.
 - B. Redesign the north/south parking drive aisle west of Shops 6 to provide a less abrupt change in alignment as approved by the City Engineer.
 - C. As the circulation drive aisles around Sub 6, 7 and 8 access the loading areas, these stalls shall be designated employee parking only as approved by the City Engineer.
12. The applicant shall re-locate and revise the identified ADA path of travel located extending across the center of the southernmost parking area. The path of travel shall consist of a sidewalk with landscaping located adjacent and parallel to the driving aisle. Final design and location shall be approved by the Planning Director.
13. 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.
14. 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.
15. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, and sidewalks.
16. 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

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stamped and signed by qualified engineers.

17. Tubular-steel “ribbon-type” or other securable, foundation-inset bicycle parking racks shall be provided, as per Section 9.150.060 of the Parking Ordinance. Bicycle racks shall be placed upon a hard surface in a shaded location out of the way of pedestrian flows. Final placement shall be approved by the Planning Department.
18. The applicant shall provide pedestrian connectivity with sidewalk access between Avenue 47 and Washington Street and the future building pads. Final design and location of the sidewalks shall be reviewed and approved by the Planning Director.

IMPROVEMENT PLANS

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

19. 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.
20. 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 Commercial Precise Grading Plans 1" = 20' Horizontal
 - B. PM10 Plan 1" = 40' Horizontal
 - C. SWPPP 1" = 40' Horizontal

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.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and notes the 2001 California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety

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Department. A copy of the reviewed assessment shall be submitted to the Engineering Department in conjunction with the necessary plans when submitted for plan checking.

“On-Site Commercial 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.

21. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the “Plans, Notes and Design Guidance” section of the Public Works Department at the City website (www.laquinta.org). Please navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.
22. The applicant shall furnish a complete set of mylars of all approved improvement plans to the City Engineer.

At the completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall update the mylars in order to reflect the as-built conditions.

**PRECISE GRADING FOR PRECISE GRADING & STORM DRAIN PLANS FOR
WASHINGTON PARK RETAIL CENTER PHASE 4 (PCN 07184)**

23. The applicant shall comply with the provisions of Section 13.24.050 (Grading Improvements), LQMC.
24. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a precise grading permit approved by the City Engineer.
25. To obtain an approved precise 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 Fugitive Dust Control Plan prepared in accordance with Chapter 6.16, (Fugitive Dust Control), LQMC, and
 - C. 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.

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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.

26. 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.

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.

27. The applicant shall provide and maintain a dustless groundcover at the location of all vacant future building pads adjacent to the parking area. The temporary groundcover material shall be reviewed and approved by the Public Works Director and Planning Director.

DRAINAGE

28. Stormwater handling shall be revised as necessary and approved by the City Engineer to conform to the approved hydrology and drainage reports for Washington Park Development to include Parcel Maps Nos. 30903 and 32863. The applicant is hereby notified that future site modifications may be necessary including, but not limited to lot and street reconfiguration. Verification of the proposed storm water retention system is subject to review and approval by the City Engineer. If the proposed retention capacity or pass through storm water flow is found to be inadequate during final design, the applicant shall revise what is currently proposed in the preliminary hydrology study and make adjustments to the site layout as needed to accommodate the increased retention/detention or pass through capacity required to satisfy the safety issues of the Public Works Department. Pursuant to the aforementioned, the applicant may be required to construct additional underground and above ground drainage facilities to convey on site and off site storm water.
29. The applicant shall comply with the provisions of LQMC Section 13.24.120 (Drainage), 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

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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 the 3 hour, 6 hour or 24 hour event producing the greatest total run off.

30. 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.
31. 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 to the satisfaction of the City Engineer.
32. Stormwater may not be retained in landscaped parkways or landscaped setback lots for new retention areas not previously authorized by Specific Plan 97-029, Amendment 4.
33. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
34. 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.
35. If the applicant gains CVWD approval to discharge storm water directly, or indirectly, into the Coachella Valley Stormwater 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 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 there from those portions required to be dedicated or deeded for public use. The form of the indemnification shall be acceptable to the City Attorney. If such discharge is approved for this development, the applicant shall make provisions in the final development CC&R's for meeting these potential obligations. The 100-year storm water HGL shall be 3 feet below the channel lining and 2 feet below the Project Storm HGL.

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UTILITIES

36. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
37. 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.
38. 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

39. 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. If on-site streets in residential developments are initially constructed with partial pavement thickness, the applicant shall complete the pavement prior to final inspections of the last two within the development or when directed by the City, whichever comes first.
40. The applicant shall be required to install a guard railing above the retaining wall. The applicant shall provide a minimum 2 foot overhang between the curb and the wall for all parking spaces facing the retaining wall. Final design and approval shall be made by the Planning Director.
41. All screening walls identified on the plans shall be reviewed and approved with their respective future Site Development Permit applications.
42. All colors, light fixtures, and building materials shall be consistent with those utilized by the previous phases of Washington Park.

LANDSCAPE AND IRRIGATION

43. The applicant shall comply with Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans), LQMC.

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44. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
45. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect.
46. Final landscaping and irrigation plans shall be prepared by a licensed landscape professional, shall be reviewed by the ALRC and Public Works Director, and approved by the Planning Director prior to issuance of the first building permit. An application for Final Landscape Plan Check shall be submitted to the Planning 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 and the Coachella Valley Water District's Landscaping and Irrigation Design Ordinance. 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 Planning Department. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Planning Director.

Note: Final landscaping plans are not approved for construction until approved and signed by the Planning Director.

47. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Planning Director.
48. 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.
49. Landscaping placed between the rear of all future building pads and the Washington Street and/or Avenue 47 street frontage shall be revisited and reviewed with future Washington Park Site Development Permits. All perimeter landscaping adjacent to the rear of any future building pads shall consist of larger specimens having significant foliage for screening purposes.
50. Any ground-mounted mechanical equipment shall be screened by a wall, landscaping with significant foliage, or combination of the two, of a sufficient height and/or density to fully screen such equipment above its horizontal plane.
51. Should any landscaping utilized for screening purposes be deemed insufficient by

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the Planning Director following an initial period of growth, the applicant shall replace or provide additional landscaping with significant foliage.

52. All trees planted within the parking lot shall consist of a 2.5 inch caliper specimen with a 10 foot height and having significant foliage. All trees shall meet or exceed the parking lot shading requirement referenced under Section 9.150.080 of the Parking Ordinance.
53. The applicant shall provide either hanging or climbing landscaping with significant foliage over the face of the retaining wall.
54. No outdoor water features shall be permitted under this Site Development Permit.

OUTDOOR LIGHTING

55. Exterior lighting shall comply with Section 9.100.150 (Outdoor Lighting) of the La Quinta Municipal Code.
56. All freestanding lighting fixtures, including along Avenue 47 and adjacent parking areas, shall be limited to 18 feet in height and be fitted with a visor or shield to reflect lighting away from the street. Final outdoor lighting design shall be reviewed and approved by the Planning Director.

MAINTENANCE

57. The applicant shall comply with the provisions of Section 13.24.160 (Maintenance), LQMC.
58. 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

59. 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.
60. 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).