



City of La Quinta

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June 17, 2009

Mr. Richard Frick
REA La Quinta, LLC
4000 Union Pacific Avenue
City of Commerce, CA 90023

Subject: Planning Commission Action on SDP 2006-868, Extension #1

Dear Mr. Frick,

The Planning Commission at its meeting of June 9, 2009, approved your request for a one year time extension of Site Development Permit 2006-868 for a commercial building in Jefferson Plaza. The Commission adopted Resolution 2009-016, on a 5-0 vote, subject to the attached Conditions of Approval. Please note the approval is valid for one year. Attached is a copy of the Resolution (unsigned) and Conditions of Approval. Should you wish to have a signed copy of the Resolution, please contact Monika Radeva (760 777-7125) after June 23.

This action is final unless appealed to the City Council within 15 days of the action. Please contact us should you wish to appeal.

Should you have any questions, please call me at (760) 777-7064.

Very Truly Yours,

STAN SAWA
Principal Planner

Encl.

C. ~~Public Works Department~~
Carlos Olivares, KKE Architects



PLANNING COMMISSION RESOLUTION 2009-016

**RESOLUTION OF THE OF THE PLANNING COMMISSION
OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING A
ONE YEAR EXTENSION OF DEVELOPMENT PLANS FOR A
5,723 SQUARE FOOT FREESTANDING BUILDING ON THE
NORTH SIDE OF HIGHWAY 111, 1000'± WEST OF
JEFFERSON STREET**

**CASE: SITE DEVELOPMENT PERMIT 2006-868,
EXTENSION #1
APPLICANT: REA LA QUINTA, LLC**

WHEREAS, the Planning Commission of the City of La Quinta, California did, on the 9TH day of June, 2009, hold a duly noticed Public Hearing to consider a request by REA La Quinta, LLC for approval of a one year extension of time for architectural and landscaping plans for a 5,723 square foot commercial building in the CR (Regional Commercial) zone district located on the north side of Highway 111, 1000'± west of Jefferson Street, more particularly described as:

APN: 600-010-023

WHEREAS, the Planning Commission of the City of La Quinta, California did, on the 12TH day of June, 2007, adopt Resolution 2007-025, approving this Site Development Permit, subject to Conditions; and

WHEREAS, the Planning Department published a public hearing notice in the Desert Sun newspaper on May 29, 2009 as prescribed by the Municipal Code. Public hearing notices were also mailed to all property owners within 500 feet of the site; and

WHEREAS, The Planning Department has determined that the request has been previously assessed in conjunction with Environmental Assessment 96-325 prepared for Specific Plan 96-027 which was certified by the City Council. No changed circumstances or conditions are proposed, or new information has been submitted which would trigger the preparation of a subsequent Environmental review pursuant to Public Resources Code Section 21166; and

WHEREAS, at the Public Hearing upon hearing and considering all testimony and arguments of all interested persons desiring to be heard, said Planning Commission did make the following Mandatory Findings to justify approval a one year extension of said Site Development Permit:

1. An extension of time is warranted because the findings as noted below can still be made and apply to this request.

2. The General Plan designates the project area as Regional Commercial. The proposed commercial building is consistent with this land use designation.
3. The proposed commercial building is designed to comply with the Zoning Code requirements, including, but not limited to, height limits, parking, and lot coverage, etc.
4. The Planning Department has determined this project has previously been assessed with a Negative Declaration of Environmental Impact certified, and no further environmental review is required.
5. The architectural design of the project, including, but not limited to the architectural style, scale, building mass, materials, colors, architectural details, roof style, and other architectural elements are compatible with the surrounding development and with the quality of design prevalent in the City.
6. The site design of the project, including, but not limited to project entries, interior circulation, pedestrian and bicycle access, pedestrian amenities, screening of equipment and trash enclosures, exterior lighting, and other site design elements are compatible with surrounding development and with the quality of design prevalent in the City.
7. Project conceptual landscaping, including, but not limited to the location, type, size, color, texture, and coverage of plant materials has been designed and conditioned to provide relief, compliment buildings, visually emphasize prominent design elements and vistas, screen undesirable views, provide a harmonious transition between adjacent land uses and between development and open space, provide an overall unifying influence, enhance the visual continuity of the project, and compliment the surrounding project area, ensuring lower maintenance and water use.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of La Quinta, California as follows:

1. That the above recitations are true and correct and constitute the findings of said Planning Commission in this case; and

Planning Commission Resolution 2009-016
Site Development Permit 2006-868, Extension #1
REA La Quinta, LLC
Adopted: June 9, 2009
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2. That it does hereby approve a one year extension of time for Site Development Permit 2006-868, for the reasons set forth in this Resolution and subject to the attached Conditions of Approval.

PASSED, APPROVED, and ADOPTED at a regular meeting of the La Quinta Planning Commission, held on this 9th day of June, 2009 by the following vote, to wit:

AYES: Commissioners Barrows, Quill, Weber, Wilkinson, and Chairman Alderson

NOES: None

ABSENT: None

ABSTAIN: None

ED ALDERSON, Chairman
City of La Quinta, California

ATTEST:

LES JOHNSON, Planning Director
City of La Quinta, California

Planning Commission Resolution 2009-016
Conditions of Approval - Final
Site Development Permit 2006-868, Extension #1
REA La Quinta, LLC
Adopted: June 16, 2009

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 all Conditions of Approval for Specific Plan 96-027 and Tentative Parcel Map No. 28573 applicable to this Site Development Permit.

This site development permit shall expire on June 12, 2010.

3. 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)
- 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)
- SunLine Transit Agency
- SCAQMD Coachella Valley
- Colorado River Regional Water Quality Control Board (RWQCB)

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.

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.

4. The applicant shall comply with applicable provisions of the City's NPDES storm water discharge permit, LQMC Sections 8.70.010 et seq. (Storm Water Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; the California Regional Water Quality Control Board - Colorado River Basin Region Board Order No. R7-2008-0001 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 Storm Water 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") (LQMC Section 8.70.020 (Definitions)):

- 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.

Additionally, the applicant shall comply with applicable provisions for post construction runoff per the City's NPDES storm water discharge permit, LQMC Sections 8.70.010 et seq. (Storm Water Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; and the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001.

- G. For post-construction urban runoff from New Development and Redevelopment Projects, the applicant shall implement requirements of the NPDES permit for the design, construction and perpetual operation and maintenance of BMPs per the approved Water Quality Management Plan (WQMP) for the project as required by the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001. The applicant shall document and establish required association maintenance responsibilities within the recorded CC&R's.
 - H. The applicant shall implement the WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2008-001 utilizing BMPs approved by the City Engineer.
- 5. 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).
 - 6. 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

- 7. 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. Pursuant to the aforementioned, the applicant shall submit an "AUTHORIZATION TO REMOVE GRAFFITI FROM PRIVATE PROPERTY" form located at the Public Works Department Counter prior to Certificate of Occupancy.

8. The applicant shall offer for dedication or other development application all public street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer. Dedication of Right of Way and Landscape setbacks shall utilize contracts, approved by the City Attorney, for perpetual maintenance, as applicable. The applicant shall offer for dedication those easements necessary for the operation and maintenance of Depot Drive and placement of, and access to, utilities, landscaping, structures, drainage basins and other improvements including modifications for WQMP requirements.
9. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Highway 111 (Dedication per Parcel Map No. 28573 of 86' from Highway 111 centerline) – No additional right-of-way is required along the Site Development Permit boundary on Highway 111 as per the recorded Parcel Map No. 28573.
10. The applicant shall retain for private use on the Final Map all private access easements in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
11. The access easement to be retained for private use required for this development include:
 - A. PRIVATE ENTRY DRIVE (DEPOT DRIVE)
 - 1) Depot Drive
 - a) No additional easement dedication is required of this Site Development Permit.
12. The required perimeter landscaping setbacks along all public rights-of-way as follows:

- A. Highway 111 (per Parcel Map No. 28573) - 17-foot from the R/W-P/L to match existing perimeter landscape for parcels to the east.

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.

13. Direct vehicular access to Highway 111 is restricted, except for those access points identified on Parcel Map No. 28573, or as otherwise conditioned in these conditions of approval.
14. 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.
15. 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 other parcel owners/occupants for the perpetual maintenance of the parking areas and drive aisles within Parcel Map No. 28573.

STREET AND TRAFFIC IMPROVEMENTS

16. 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):

The City of La Quinta will widen Highway 111 along the development's southern boundary as well as design and construct a deceleration/right turn lane on Highway 111 at Depot Drive with the proposed Highway 111 Corridor Capital Improvements Project from Adams Street to Jefferson Street to its ultimate width on the north side as specified in the General Plan. No additional widening on the north side of the street along all frontage adjacent to this Site Development Permit is required.

Improvements to be performed by the City of La Quinta in the Highway 111 right-of-way and/or adjacent landscape setback area includes:

- a) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.

Improvements required of the applicant in the Highway 111 right-of-way and/or adjacent landscape setback area include:

- b) Construction of an 8-foot meandering, bollard lighted sidewalk along its Highway 111 boundary. The meandering sidewalk shall have an arrhythmic horizontal layout that utilizes concave and convex curves with respect to the curb line that either touches the back of curb or approaches within five feet of the curb at intervals not to exceed 250 feet. The sidewalk curvature radii should vary between 50 and 300 feet and at each point of reverse curvature, the radius should change to assist in creating the arrhythmic layout. The sidewalk shall meander into the landscape setback lot and approach within 5 feet of the perimeter wall at intervals not to exceed 250 feet. The design shall minimize back of curb contact points.

The applicant shall construct a sidewalk to connect the Highway 111 meandering sidewalk to the proposed building as approved by the City Engineer. Additionally, the applicant shall construct an ADA path of travel from the store front along the northerly property line to connect with ADA path of travel to the existing buildings at the north end of Parcel Maps 28573 and 34123.

- c) Relocate the existing monument sign at the northeasterly corner of Highway 111 and Depot Drive.

B. PRIVATE ENTRY DRIVE (DEPOT DRIVE)

- 1) Eliminate the existing split phase Depot Drive signal configuration and reconfigure the Depot Drive signal for optimized eight phase Highway 111 coordination and install related appurtenances, including but not limited to curb extensions and restriping, as required and as approved by the City Engineer.

The applicant shall construct all offsite improvements prior to Building Occupancy.

Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks.

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 engineers registered in California.

PARKING LOTS and ACCESS POINTS

17. The design of parking facilities shall conform to LQMC Chapter 9.150 (Parking) and in 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 for standard parking stalls and 18 feet with a 2-foot overhang for handicapped parking stall 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 to Public Streets a minimum of 30 feet 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.

18. General access points and turning movements of traffic to off site public streets are limited to the access locations approved for Parcel Map No. 28573 and these conditions of approval.
19. 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.

20. 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.
21. 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.
22. 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

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.

23. 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.
24. 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 Plan 1" = 30' Horizontal
 - B. PM10 Plan 1" = 40' Horizontal
 - C. Storm Water Pollution Prevention Plan 1" = 40' Horizontal
 - D. WQMP (Plan submitted in Report Form)

The Precise Grading Plan shall include: Storm Drain/Underground Retention.

NOTE: A and D 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 Off-Site Plan & Profile Street Plans and Signing & Striping Plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or a distance sufficient to show any required design transitions.

The Precise Grading Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Raised Pavement Markers (including Blue RPMs at fire hydrants) and Street Name Signs per Public Works Standard Plans and/or as approved by the Engineering Department.

"Rough Grading" plans shall normally include perimeter walls with Top of Wall & Top of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

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 2007 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 Site Development Plan when it is submitted for plan checking.

In addition to the normal set of improvement plans, a "Site Development" plan is required to be submitted for approval by the Building Official, Planning Director and the City Engineer.

"Site Development" 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.

25. 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.
26. The applicant shall furnish a complete set of mylars of all approved improvement plans to the City Engineer.
27. Upon completion of construction, and prior to the final acceptance of the improvements by the City, the applicant shall furnish the City with reproducible record drawings or equal according to Engineering Bulletin 09-01.

PRECISE GRADING

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 their 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 five 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.

34. If not completed, grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform with the requirements of LQMC Section 9.60.240(F) except as otherwise modified by this condition requirement. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the backslope (i.e. the slope at the back of the landscape lot) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six feet (6') of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1. All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18") behind the curb.

DRAINAGE

35. Stormwater handling shall conform with the approved hydrology and drainage report for Tentative Parcel Map No. 28753 and the Jefferson Plaza 99 Cent Store Precise Grading and Storm Drain Plans, 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 Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements.
36. The design of the development shall not cause any increase in flood boundaries, levels or frequencies in any area outside the development.
37. If permitted by CVWD, when an applicant proposes discharge of 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 applicant is required to retrofit the existing storm drain facility on site and construct required discharge treatment BMP's per the NPDES Permit per Supplement A but at a minimum shall install a CDS Technologies, Inc. Unit or equal system as approved by the City Engineer. 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 Site Development Permit 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. If such discharge is approved for this development, the applicant shall make provisions for meeting these obligations. The 100-year storm water Hydraulic Grade Line (HGL) shall be as determined by CVWD.
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. Storm water 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 LQMC Section 9.100.040(B)(7).
40. 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.
41. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

42. The applicant shall comply with the provisions of Section 13.24.110 (Utilities), LQMC.
43. 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.
44. Underground utilities shall be installed prior to overlaying 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. Additionally, grease traps and the maintenance thereof shall be located so as to not conflict with access aisles/entrances.

CONSTRUCTION

45. 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

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

47. The applicant shall provide landscaping in the required setbacks, retention basins, common lots and park areas.
48. Landscape and irrigation plans for landscaped lots and setbacks, medians, retention basins, and parks shall be signed and stamped by a licensed landscape architect. Additionally, Lighting bollards shall be installed by the applicant per City of La Quinta specifications.
49. The applicant shall submit the landscape plans for approval by the Planning Department and green sheet sign off by the Public Works Department. When plan checking has been completed by the Planning Department, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to submittal for signature by the Planning Director. However landscape plans for landscaped median on public streets shall be approved by the both the Planning Director and the City Engineer. Where City Engineer approval is not required, the applicant shall submit for a green sheet approval by the Public Works Department.

Final landscape plans for on-site planting shall be reviewed by the Architectural and Landscaping Review Committee and approved by the Planning Director. Said review and approval shall occur prior to issuance of first building permit unless the Planning Director determines extenuating circumstances exist which justify an alternative processing schedule. Final plans shall include all landscaping associated with this project. Irrigation design and water use shall comply with the efficiency requirements of Chapter 8.13 of the Municipal Code.

NOTE: Plans are not approved for construction until signed by both the Planning Director and/or the City Engineer.

50. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Planning Director. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 18 inches of curbs along public streets.
51. 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.
52. A vine shall be provided on the west side of the trash enclosure.
53. Provide substitute plant for Ocotillo (*Fouquieria splendens*) on east side of building because plant requires full sun.

54. Shrubs on north side of building shall have open branching characteristics and maximum 3' height to ensure traffic visibility.
55. The Chilean Mesquites shall be replaced with an alternate deep rooting canopy tree appropriate for parking lots.
56. Sod rather than stolons shall be used in turf areas. The turf at the east end of the perimeter area shall be shaped to blend in with any turf to the east.

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).

FIRE DEPARTMENT

61. Provide or show there exists a water system capable of delivering a fire flow 2500 gallons per minute for a two hours duration at 20 psi residual operating pressure, which must be available before any combustible material is placed on the project site.
62. Approved accessible on site fire hydrants shall be located not to exceed 330 feet apart in any direction as measured by an approved route around the complex, exterior of the facility or building, and no portion of a building further than 165 feet from a fire hydrant. Fire hydrants shall provide the required fire flow.
63. Prior to building plan approval and construction, applicant/developer shall furnish two copies of the water system fire hydrant plans to Fire Department for review and approval. Plans shall be signed by a registered civil engineer, and shall confirm hydrant type, location, spacing, and minimum fire flow. Once plans are signed and

approved by the local water authority, the originals shall be presented to the Fire Department for review and approval.

64. Prior to issuance of building permits, the water system for fire protection must be provided as approved by the Fire Department and the local water authority.
65. Applicant/Developer shall mount blue dot retro-reflectors pavement markers on private streets, public streets and driveways to indicated location of the fire hydrants. It should be 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
66. Access lanes will not have an up, or downgrade of more than 12%. Access will not be less than 20 feet in width and have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 80 thousand pounds over 2 axles. Access will have a turning radius capable of accommodating fire apparatus. Access lane shall be constructed with a surface so as to provide all weather driving capabilities.
67. Driveway loops, fire apparatus access lanes and entrance curb radius should be designed to adequately allow access of emergency fire vehicles. The applicant or developer shall prepare and submit to the Fire Department for approval; a site plan designating required fire lanes with appropriate lane printing and/or signs.
68. An approved Fire Department access key lock box (Minimum Knox Box 3200 series model) shall be installed next to the approved Fire Department access door to the building. If the buildings are protected with an alarm system, the lock box shall be required to have tampered monitoring. Required order forms and installation standards may be obtain at the Fire Department.
69. Display street numbers in a prominent location on the address side of building(s) and/or rear access if applicable. Numbers and letters shall be a minimum of 12" in height for building(s) up to 25' in height. In complexes with alpha designations, letter size must match numbers. All addressing must be legible, of a contrasting color, and adequately illuminated to be visible from street at all hours.
70. A rapid entry Knox Box shall be installed on the outside of the building. If the building/facility is protected with a fire alarm or burglar alarm system, the lock box will require "tamper" monitoring. Special forms are available from this office for ordering the Knox Box.
71. Install a complete commercial fire sprinkler system (per NFPA 13 1999 Edition). Fire sprinkler systems(s) with pipe sizes in excess of 4" in diameter will require the project Structural Engineer to certify with a "wet signature", that the structural system is designed to support the seismic and gravity loads to support the additional weight of the sprinkler system. All fire sprinkler risers shall be protected from any

physical damage. The PIV and FCD shall be located to the front, within 25 to 50 feet of hydrant, and a minimum of 25 feet from the building(s). Sprinkler riser room must have indicating exterior and/or interior door signs. AC- 16 licensed contactor must submit plans, along with current \$307.00 deposit based fee, to the Fire Department for review and approval prior to installation. Guideline handouts are available for the Fire Department.

72. Install an alarm monitoring system for fire sprinkler system(s) with 100 or more heads (20 or more in Group I, Division 1.1 and 1.2 occupancies). Valve monitoring, water-flow alarm and trouble signals shall be automatically transmitted to an approved central station, remote station or proprietary monitoring station in accordance with 2001 CBC, Sec. 904.3.1. An approved audible sprinkler flow alarm shall be provided on the exterior in an approved location and also in the interior in a normally occupied location. A C-10 licensed contractor must submit plans designed in accordance with NFPA 72, 1999 Edition, along with the current \$192.00 deposit based fee, to the Fire Department for review and approval prior to installation. Guideline handouts are available from the Fire Department.
73. Install a portable fire extinguisher, with a minimum rating of 2A-10BC, for every 3,000 sq. ft. and/or 75 feet of travel distance. Fire extinguishers shall be mounted 3.5 to 5 ft above finished floor, measured to the top of the extinguisher. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed.
74. A UL 300 hood/duct fire extinguishing system must be installed over the cooking equipment. The extinguishing system must automatically shut down gas and/or electricity to all cooking appliances upon activation. A C-16 licensed contractor must submit plans, along with the current permit fee, to the Fire Department for review and approval prior to installation. Alarm system supervision is only required if the building has an existing fire alarm system.
75. No hazardous materials shall be stored and/or used within the building, which exceeds quantities listed in UBC Table 3-D and 3-E. No class I, II or IIIA of combustible/flammable liquid shall be used in any amount in the building.
76. Exit designs, exit signs, door hardware, exit markers, exit doors, and exit path marking shall be installed per the 2001 California Building Code.
77. Electrical room doors if applicable shall be posted "ELECTRICAL ROOM" on outside of door.
78. Access shall be provided to all mechanical equipment located on the roof as required be the Mechanical Code.
79. Air handling systems supplying air in excess of 2000 cubic feet per minute to

enclosed spaces within buildings shall be equipped with an automatic shutoff. Ref CMC 609.0

80. Nothing in our review shall be construed as encompassing structural integrity. Review of this plan does not authorize or approve any omission or deviation from all applicable regulations. Final approval is subject to field inspection. All questions regarding the meaning to the code requirements should be referred to Fire Department at 760-863-8886.

IMPROVEMENT SECURITY AGREEMENTS

81. Prior to constructing any off-site improvements on Highway 111, the developer shall deposit securities equivalent to both a Performance and Labor & Material Bonds each valued at 100% of the cost of the offsite improvements required on Highway 111. Should the applicant fail to construct the improvements for the development, or fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

Depending on the timing of the development of this Site Development Permit, and the status of the off-site improvements at the time, the applicant may be required to:

- A. Construct all off-site improvements.
- B. Construct additional off-site improvements, subject to the reimbursement of its costs by others.
- C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this Site Development Permit.
- D. Secure the costs for future improvements that are to be made by others.
- E. To agree to any combination of these means, as the City may require. In the event that any of the improvements required for this development are constructed by the City, the applicant shall reimburse the City for the costs of such improvements.

If the applicant elects to utilize the secured agreement alternative, the applicant shall submit detailed construction cost estimates for all proposed on-site and off-site improvements, including an estimate for the final survey monumentation, for checking and approval by the City Engineer. Such estimates shall use unit costs approved by the City Engineer.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies and submitted to the City along with the applicant's detailed cost estimates.

Security will not be required for telephone, natural gas, or Cable T.V. improvements.

MISCELLANEOUS

82. Bollard lighting shall be provided along the Highway 111 meandering sidewalk per City specifications and requirements. Plan for fixtures and lighting shall be approved by the Planning Director prior to issuance of building permit.
83. If the existing monument sign is damaged to the extent that the repair costs is 50% or more of its value, said sign shall be re-designed with the new design approved by the Planning Director.