

**RESOLUTION NO. 2009-056
CONDITIONAL USE PERMIT 2008-112
LESLIE LIPPICH ARCHITECT FOR LEVITAN
CONDITIONS OF APPROVAL - FINAL
ADOPTED: JUNE 16, 2009**

GENERAL

1. The use of the subject property for a car wash facility shall be in conformance with the approved exhibits and conditions of approval contained in Conditional Use Permit 2008-112 and Site Development Permit 2008-905, unless otherwise amended by the following conditions.
2. The Conditional Use Permit shall expire after two years of the effective date of approval, and shall become null and void. A time extension for this Conditional Use Permit may be requested as permitted in Municipal Code Section 9.200.080 D.
3. Developer agrees to indemnify, defend, and hold harmless the City of La Quinta in the event of any legal claim or litigation arising out of the City's approval of this project. The City of La Quinta shall have the right to select its defense counsel in its sole discretion.

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

4. No ancillary uses such as detailing, window tinting, etc. shall be conducted on the property unless specifically approved in writing by the Planning Director. Additionally, no temporary structures such as tents, covers, etc. shall be placed on the property.
5. Hours of operation are limited to 6 am to 10 pm. Seven days a week. There shall be a minimum of two employees on duty at all times.
6. Landscaping shall be continuously maintained with dead plants immediately replaced with like plant material.
7. There shall be continuous on-site maintenance of the car wash facility per the Daily Maintenance Schedule submitted and on file in the Planning Department. The Daily Maintenance Schedule shall be revised to include all operations and maintenance of the facility including landscape maintenance, and be approved by the Planning Director prior to final construction inspection by the Planning Department.

**Resolution No. 2009-057
Site Development Permit 2008-905
Leslie Lippich Architect for Levitan
Conditions of Approval - Final
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 is valid for two years from April 28, 2009, unless an extension is applied for and granted by the Planning Commission pursuant to Section 9.200.080 of the La Quinta Municipal Code.
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:

- Riverside County 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 OR Coachella Valley Unified School District
- Coachella Valley Water District (CVWD)
- Imperial Irrigation District (IID)
- California Water Quality Control Board (CWQCB)
- SunLine Transit Agency
- South Coast Air Quality Management District Coachella Valley

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.

A project-specific NPDES construction permit must be obtained by the applicant; 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 stormwater discharge permit, LQMC Sections 8.70.010 et seq. (Stormwater 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 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") (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 stormwater discharge permit, LQMC Sections 8.70.010 et seq. (Stormwater 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 Redevelopments 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.

- 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. 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

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 and shall make a good faith effort to acquire easements or other property rights for the adjacent project's deceleration lane transition curb reconstruction. 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.
7. The applicant shall offer for dedication or other development application all public street right-of-ways 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.
8. The public street right-of-way offers for dedication required for this development include:
- A. PUBLIC STREETS
1. Washington Street (Major Arterial, 120' ROW) – Per the General Plan, the standard 60 feet from the centerline of Washington for a total 120-foot ultimate developed right of way.
 2. Deceleration Lane on Washington - An additional right of way dedication along the project measuring sixty-eight (68) feet east of the centerline of Washington Street per the Site Plan dated April 17, 2009.
 3. Right of Way Extension along the Deceleration Lane Transition on Washington Street at the La Quinta Business Center (SDP No. 2004-814) - The applicant shall put forth a "good faith effort" to attain Right of Way dedication from the adjacent property measuring sixty-eight (68) feet east of the centerline of Washington Street per the Site Plan dated April 17, 2009.

9. Right-of-way geometry for standard knuckles and property line corner cut-backs at curb returns shall conform to Riverside County Standard Drawings #801, and #805, respectively, unless otherwise approved by the City Engineer.
10. Dedications shall include additional widths as necessary for turn lanes, bus turnouts, and other features contained in the approved construction plans.
11. The applicant shall create perimeter landscaping setbacks along all public rights-of-way as follows:
 - A. Washington Street (Major Arterial) - 20-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.
12. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, and drainage basins.
13. Direct vehicular access to Washington Street shall be the access point identified on the Site Plan dated April 17, 2009, or as otherwise conditioned in these conditions of approval.
14. The applicant shall furnish proof of easement, 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.

STREET AND TRAFFIC IMPROVEMENTS

15. The applicant shall construct the following street improvements to conform with the General Plan.
 - A. OFF-SITE STREETS
 - 1) Washington Street (Major Arterial; 120' R/W):

Widen the east side of the street to its ultimate width on the east side as specified in the General Plan and the requirements of these conditions. Per the General Plan, the east curb face shall be located fifty one feet (51') east of the centerline, except at locations where additional street width is needed to accommodate:
 - a) Bus turnout (if required by Sunline Transit)
 - b) A twelve-foot (12') deceleration/right turn only lane at Washington Street Entry. The east curb face shall be located sixty feet (60') east of the centerline. The required deceleration lane shall be for the entire length of the project site.
 - c) At the La Quinta Business Center, SDP No. 2004-814, reconstruct the deceleration lane transition curb to match the curb face found in the

deceleration lane (60' east of centerline) as shown on Plan Set Number 06079 Sheet 2 of 5. All construction work on Washington Street shall be approved by the City Engineer.

Other required improvements in the Washington Street right-of-way and/or adjacent landscape setback area include:

- a) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs, at the entrance for pedestrian safety.
 - b) Provide lighting sufficient for school zone and pedestrian safety along the ADA pathway.
 - c) Eight (8) foot wide meandering sidewalk.
 - d) Reconstruct and realign the sidewalk at The La Quinta Business Center (SDP No. 2004-814) caused by demolition from the proposed reconstruction and realignment of the curb along the deceleration lane transition per Site Plan dated April 17, 2009.
 - e) If required, modify the half width of a fourteen foot (14') wide raised landscaped median along the entire boundary of the project as approved by the City Engineer.
16. The applicant shall construct all offsite improvements prior to Building Occupancy.
17. 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:
- | | |
|----------------|-------------------------|
| Major Arterial | 5.5" a.c. / 6.5" c.a.b. |
|----------------|-------------------------|
- Or the approved equivalents of alternate materials.
18. 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.
19. General access points and turning movements of traffic are limited to the following:
Washington Street
1. Primary Access Drive: Right turn movements in and out are permitted. Left turn movements in and out are prohibited.
20. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks.

21. 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.

PARKING LOTS and ACCESS POINTS

22. The design of parking facilities shall conform to LQMC Chapter 9.150 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.

23. General access points and turning movements of traffic to off site public streets are limited to the access locations approved for Site Plan dated 04-17-09, and these Conditions of Approval.
24. 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.

25. 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.
26. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks.
27. 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," refers to persons currently certified or licensed to practice their respective professions in the State of California.

28. 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 LQMC Section 13.24.040 (Improvement Plans).
29. 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.

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|----|--|---------------------------------------|
| A. | On-Site Rough Grading Plan (Optional) | 1" = 40' Horizontal |
| B. | PM10 Plan | 1" = 40' Horizontal |
| C. | SWPPP | 1" = 40' Horizontal |
| D. | WQMP | (Plan submitted in Report Form) |
| E. | Off-Site Street Improvement/Storm Drain Plan/Meandering Sidewalk | |
| | | 1" = 40' Horizontal, 1" = 4' Vertical |
| F. | Off-Site Signing & Striping Plan | 1" = 40' Horizontal |

The Off-Site street improvement plans shall have separate plan sheet(s) (drawn at 20 scale) that show the sidewalk, mounding, and berming design in the combined parkway and landscape setback area.

G. On-Site Precise Grading Plan 1" = 30' Horizontal

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

NOTE: A through G shall 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 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.

30. 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.la-quinta.org). Please navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.
31. The applicant shall furnish a complete set of the mylars of all approved improvement plans on a storage media acceptable to the City Engineer.
32. Upon completion of construction, and prior to 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.

IMPROVEMENT SECURITY AGREEMENTS

33. Prior to constructing any off-site improvements on Washington Street, 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 Washington Street.

34. 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.
35. 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.

36. 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 conform to the unit cost schedule adopted by City resolution, or ordinance.

For items not listed in the City's unit cost schedule, the proposed unit costs shall be 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.

GRADING

37. The applicant shall comply with the provisions of LQMC Section 13.24.050 (Grading Improvements).
38. 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.
39. To obtain an approved grading permit, the applicant shall submit and obtain approval of all of the following:
- A. A 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 LQMC Chapter 6.16, (Fugitive Dust Control), and
- D. A Best Management Practices report prepared in accordance with LQMC Sections 8.70.010 and 13.24.170 (NPDES stormwater discharge permit and Storm Management and Discharge Controls).

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.

- 40. 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.
- 41. 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.
- 42. Building pad elevation shall not differ by more that one foot higher from the building pads in adjacent developments, or the applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development.

Where compliance within the above stated limits is impractical, the City may consider alternatives that are shown to minimize safety concerns, maintenance difficulties and neighboring-owner dissatisfaction with the grade differential.

- 43. 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.

The 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

- 44. 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 Design Requirements. More specifically, stormwater falling on site and adjacent tributary ½ street area during the 100 year storm shall be retained within the development, unless otherwise approved by the City Engineer. The design storm shall be the 1 hour, 3 hour, 6 hour or 24 hour event producing the greatest total run off. The required volume of the underground retention system was estimated to be equal to 12,004 cubic feet per the Preliminary Hydrology and Drainage Report for La Quinta Hand Car Wash Commercial Site dated June 3, 2008 and Revised August 22, 2008. The vault design shall be approved by the City Engineer.

45. 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.
46. 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 and as approved by the City Engineer.
47. The project shall be designed to accommodate purging and blow-off water (through underground piping and/or retention facilities) from any on-site or adjacent well sites granted or dedicated to the local water utility authority as a requirement for development of this property.
48. No fence or wall shall be constructed around any retention basin unless approved by the Planning Director and the City Engineer.
49. 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 LQMC Section 9.100.040(B)(7).
50. The design of the development shall not cause any increase in flood boundaries and levels in any area outside the development.
51. 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.
52. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.

UTILITIES

53. 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.
54. Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground.

All existing utility lines attached to joint use 92 KV transmission power poles are exempt from the requirement to be placed underground.

55. 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. Additionally, grease traps and the maintenance thereof shall be located as to not conflict with access aisles/entrances.

CONSTRUCTION

56. The City will conduct final inspections of the habitable building only when the building has improved parking lot and (if required) sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices and pavement markings.

LANDSCAPE AND IRRIGATION

57. The applicant shall comply with LQMC Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans). Tree quantities for the approved landscape plan (with tunnel on north side of site) shall be the same as the landscape plan dated 3-11-09 with the tunnel on the south side of the site.
58. The applicant shall provide landscaping in the required setbacks, and common areas.
59. Landscape and irrigation plans for landscaped areas and setbacks, and medians shall be signed and stamped by a licensed landscape architect.
60. The applicant shall submit the irrigation and planting plans to the Planning Department for approval. When plan checking has been completed by the Planning Department, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner. The plans shall then be re-submitted to the Planning Department for review and approval by the Planning Commission, and signature by the Planning Director. However, landscape plans for landscaped medians 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 approved prior to issuance of building permit. Final plans shall include all landscaping and equipment such as vacuums/trellises, walls, etc., associated with this project.

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

61. 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 24 inches of curbs along public streets.
62. 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.

63. Bougainvillea vines shall be provided on all trellises facing the vacuuming area.
64. The two 36" box size Mediterranean Fan Palms shown in the two landscape parking lot fingers adjacent to the car wash building shall be changed to 15' bth (brown trunk height) Washingtonia filifera (California fan palm).
65. All trees proposed in the landscape areas adjacent to Washington Street shall have a minimum trunk caliper of two inches measured at least 12 inches from the ground.

PUBLIC SERVICES

66. The applicant shall provide public transit improvements as required by SunLine Transit Agency and approved by the City Engineer.

MAINTENANCE

67. The applicant shall comply with the provisions of LQMC Section 13.24.160 (Maintenance).
68. The applicant shall make provisions for the continuous and perpetual maintenance of perimeter landscaping up to the curb, access drives, and sidewalks.

FEES AND DEPOSITS

69. The applicant shall comply with the provisions of LQMC Section 13.24.180 (Fees and Deposits). 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.
70. 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).
71. The applicant shall pay the Coachella Valley Multi-Species Habitat Conservation Plan/Natural Community Habitat Conservation Plan Mitigation Fee, in accordance with Chapter 3.34 of the Municipal Code unless modified by the City Council.

FIRE MARSHAL

72. Provide or show there exists a water system capable of delivering a fire flow 8,000 gallons per minute for four hours duration at 20 psi residual operating pressure, which must be available before any combustible material is placed on the construction site.
73. Approved accessible on-site super fire hydrants shall be located not to exceed 200 feet apart in any direction. Any portion of the facility or of an exterior wall of the first story of the building shall not be located more than 150 feet from fire apparatus as measured by an approved route around the complex, exterior of the facility or building, and no portion of a building further than

400 feet from a fire hydrant. Fire hydrants shall provide the required flow.

74. 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.
75. 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.
76. Blue dot retro-reflectors pavement markers on private streets, public streets and driveways to indicated location of the fire hydrant. 06-05 (located at www.rvcfire.org)
77. Fire Apparatus access road shall be in compliance with the Riverside County Fire Department Standard number 06-05 (located at www.rvcfire.org). Access lanes will not have an up, or downgrade of more than 15%. Access roads shall have an unobstructed vertical clearance not less than 13 feet and 6 inches. Access lanes will be designed to withstand the weight of 60 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.
78. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provision for the turn around capabilities of fire apparatus.
79. 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 include in the building plans the required fire lanes and include the appropriate lane printing and/or signs.
80. 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 obtained at the Fire Department.
81. Street numbers shall be displayed 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.
82. Install a complete commercial fire sprinkler system (per NFPA 13 2002 Edition). Fire sprinkler system(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 of building and a minimum of 25 feet from the building(s). Sprinkler riser room must have indicating exterior and/or interior door signs. A C-16 licensed contactor must submit plans, along with current permit fees, to the Fire Department for review and approval prior to installation.

83. Install an alarm monitoring system for fire sprinkler system(s) with 20 or more heads, along with current permit fees, to the Fire Department for review and approval prior to installation.
84. 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.
85. No hazardous materials shall be stored and/or used within the building, which exceeds quantities listed in 2007 CBC. No class I, II or IIIA of combustible/flammable liquid shall be used in any amount in the building.
86. Exit designs, exit signs, door hardware, exit markers, exit doors, and exit path marking shall be installed per the 2007 California Building Code.
87. Electrical room doors if applicable shall be posted "ELECTRICAL ROOM" on outside of door.
88. Fire Alarm Control Panel room doors if applicable shall be posted "FACP" on outside of door.
89. Fire Riser Sprinkler room doors if applicable shall be posted "Fire Riser" on outside of door.
90. Roof Access room door if applicable shall be posted "Roof Access" on outside of door.
91. Access shall be provided to all mechanical equipment located on the roof as required by the Mechanical Code.
92. 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. 2007 CMC
93. Gate(s) shall be automatic or manual operated. Install Knox key operated switches, with dust cover, mounted per recommended standard of the Knox Company. Building plans shall include mounting location/position and operating standards for Fire Department approval.

MISCELLANEOUS

94. Exterior lighting shall be consistent with Section 9.100.150 (Outdoor Lighting) of the La Quinta Municipal Code. All freestanding lighting shall not exceed 20 feet in height, shall be fitted with a visor if deemed necessary by staff, and be turned off or reduced to a level deemed appropriate by the Planning Director within one hour following closing hours. Lighting plans shall be submitted with the final landscaping plans for a recommendation to the Planning Director for his approval.
95. Signage is not a part of this approval. All signs shall comply with the requirements of Zoning Code Chapter 9.160.
96. All parking areas shall be screened from view through the means of a landscaped berm, a three foot high decorative masonry wall, landscaped hedges or bushes with significant foliage, or a combination of all three methods. All screening shall be reviewed and approved by the Planning Director.

97. No ancillary uses such as detailing, window tinting, etc. shall be conducted on the property unless specifically approved in writing by the Planning Director. Additionally, no temporary structures such as tents, covers, etc. shall be placed on the property.
98. Design, color and finish of the proposed six (6) foot high sound walls shall be approved by the Planning Director prior to issuance of a building permit.
99. All rooftop mechanical equipment shall be completely screened from view behind the parapet. Utility transformers or other ground mounted mechanical equipment shall be fully screened with a screening wall or landscaping and painted to match the adjacent buildings.
100. The site shall be monitored during on- and off-site trenching and rough grading by qualified archaeological monitors, including a Native-American monitor. Proof of retention of monitors shall be given to the City prior to issuance of the first earth-moving or clearing permit. The monitor shall be empowered to temporarily halt or divert equipment to allow for City notification and analysis.
101. The final report on the monitoring shall be submitted to the Planning Department prior to the issuance of a Certificate of Occupancy for the project.
102. Collected archaeological resources shall be properly packaged for long term curation, in polyethylene self-seal bags, vials, or film cans as appropriate, all within acid-free, standard size, comprehensively labeled archive boxes and delivered to the City prior to issuance of first Certificate of Occupancy for the property.

Materials shall be accompanied by descriptive catalogue, field notes and records, primary research data, and the original graphics.
103. If prehistoric or historic resources are discovered during monitoring or the subsequent construction phase, the Planning Department shall be notified immediately.
104. A program and system for recycling of used car wash water shall be implemented and approved by the Planning Director.
105. A six-foot high masonry sound wall shall be installed in the landscaping area along the exit drive from the carwash structure and along the north property line. The exact design, location and length of the wall shall be worked out with staff and shown on the final landscaping plans.
106. The project shall be developed per the site plan dated April 17, 2009, and associated plans showing the car wash tunnel on the north half of the subject site.
107. Miscellaneous equipment used in conjunction with this facility (i.e., pay machines, menu boards, vacuums and associated trellis, trash cans, light fixtures, etc.) shall be primarily earth tone in color. The exact colors shall be approved by the Planning Director prior to installation.