

**PLANNING COMMISSION RESOLUTION 2000-009
CONDITIONS OF APPROVAL - FINAL
SITE DEVELOPMENT PERMIT 2000-669
JAMES R. PAUL INDUSTRIAL BUILDING
MARCH 14, 2000**

GENERAL

1. The applicant agrees to defend, indemnify, and hold harmless the City of La Quinta (the "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. Prior to the issuance of a grading, construction or building permit, the applicant shall obtain permits and/or clearances from the following public agencies:
 - Fire Marshal
 - Public Works Department (Grading Permit, Improvement Permit)
 - Community Development Department
 - Riverside Co. Environmental Health Department
 - Desert Sands Unified School District
 - Coachella Valley Water District (CVWD)
 - Imperial Irrigation District (IID)
 - California Water Quality Control Board (CWQCB)

The applicant is responsible for any requirements of the permits or clearances from those jurisdictions. If the requirements include approval of improvement plans, applicant shall furnish proof of said approvals prior to obtaining City approval of the plans.

The applicant shall comply with applicable provisions of the City's NPDES stormwater discharge permit. For projects requiring project-specific NPDES construction permits, the applicant shall submit a copy of the CWQCB acknowledgment of the applicant's Notice of Intent prior to issuance of a grading or site construction permit. The applicant shall ensure that the required Storm Water Pollution Protection Plan is available for inspection at the project site.

3. This development shall be subject to the provisions of the Development Impact Fee Program in effect at the time of building permit issuance.

PROPERTY RIGHTS

4. Prior to issuance of a grading permit, the applicant shall confer easements and other property rights required of or necessary for construction or proper functioning of this development and the development proposed for the underlying specific plan.

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.

5. Prior to issuance of a grading permit, the applicant shall acquire easements and approvals as necessary for construction of this site and the specific improvements required herein. This requirement shall require approval from CVWD for installation of a drainage outfall into the Coachella Valley Storm Channel. Whereas the easement for construction of a bikeway along the embankment of the Channel shall be acquired by the City.
6. The applicant shall grant public street right of way and utility easements in conformance with the City's General Plan, Municipal Code, applicable specific plans, and as required by the City Engineer.
7. Grants required of this development include:
 - A. PUBLIC STREETS
 - 1) Dune Palms Road - As required in the conditions of approval for the underlying Specific Plan 99-036 for the full frontage.
 - 2) Industrial Road - 64-foot right of way plus a temporary easement for construction of a cul de sac at the westerly end.
 - B. UTILITIES AND DRAINAGE
 - 1) All easements necessary for the portion of the utility and drainage facilities identified in the master drainage and utility plans for Specific Plan 99-036 which underlie or are to be used by this development.
8. Right of way geometry for knuckle turns and corner cut-backs shall conform with Riverside County Standard Drawings #801 and #805 respectively unless otherwise approved by the City Engineer.
9. Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved construction plans.
10. If the City Engineer determines that access rights to proposed street rights of way are necessary prior to development of this Industrial Building, the applicant shall grant the necessary rights of way within 60 days of written request by the City.

11. The applicant shall create perimeter setbacks along public rights of way as follows (listed setback depth is the average depth if meandering wall design is approved):

A. Dune Palms Road - 20 feet

The setback requirement applies to all frontage 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 dedicate blanket easements for those purposes.

12. The applicant shall dedicate easements necessary for placement of and access to utility lines and structures.
13. The applicant shall vacate abutter's rights of access from this property to public streets and properties except access points allowed herein.
14. The applicant shall furnish proof of easements or written permission, as appropriate, from owners of any abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments are to occur.

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.

15. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and landscape architects, as appropriate. Plans shall be submitted on 24" x 36" media in the categories of "Rough Grading," "Precise Grading," "Streets & Drainage," and "Landscaping." Precise grading plans shall have signature blocks for Community Development Director and the Building Official. All other plans shall have signature blocks for the City Engineer. Plans are not approved for construction until they are signed.

"Streets and Drainage" plans shall normally include signals, sidewalks, bike paths, entry drives, gates, and parking lots. "Landscaping" plans shall normally include irrigation improvements, landscape lighting and entry monuments. "Precise Grading" plans shall normally include perimeter walls.

Plans for improvements not listed above shall be in formats approved by the City Engineer.

16. The City may maintain standard plans, details and/or construction notes for elements of construction. For a fee established by City resolution, the applicant may acquire standard plan and/or detail sheets from the City.
17. When final plans are approved by the City, the applicant shall furnish accurate AutoCad files of the complete, approved public improvement plans on storage media acceptable to the City Engineer. The files shall utilize standard AutoCad menu items so they may be fully retrieved into a basic AutoCad program. At the completion of construction and prior to final acceptance of improvements, the applicant shall update the files to reflect as-constructed conditions.

If the plans were not produced in AutoCad or a file format which can be converted to AutoCad, the City Engineer may accept raster-image files of the plans.

IMPROVEMENT AGREEMENT

18. Depending on the timing of development of this industrial building and the status of off-site improvements at that time, the applicant may be required to construct improvements, to construct additional improvements subject to reimbursement by others, to reimburse others who construct improvements that are obligations of this development, to secure the cost of the improvements for future construction by others, or a combination of these methods.

In the event that any of the improvements required herein are constructed by the City, the Applicant shall, at the time of approval of a grading plan or building permit, reimburse the City for the cost of those improvements.

19. The applicant shall construct improvements and/or satisfy obligations, or furnish an executed, secured agreement to construct improvements and/or satisfy obligations required by these conditions prior to approval of a grading permit. For secured agreements, security provided, and the release thereof, shall conform with Chapter 13, LQMC.

Improvements to be made or agreed to shall include removal of any existing structures or obstructions which are not part of the proposed improvements.

20. If improvements are secured, the applicant shall provide estimates of improvement costs for checking and approval by the City Engineer. Estimates shall comply with the schedule of unit costs adopted by City resolution or ordinance. For items not listed in the City's schedule, estimates shall meet the approval of the City Engineer.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies. Security is not required for telephone, gas, or T.V. cable improvements. However, development-wide improvements shall not be agendized for final acceptance until the City receives confirmation from the telephone authority that the applicant has met all requirements for telephone service.

21. If the applicant fails to construct improvements or satisfy obligations in a timely manner or as specified in an approved phasing plan or in an improvement agreement, the City shall have the right to halt issuance of building permits or final building inspections, withhold other approvals related to the development of the project or call upon the surety to complete the improvements.

GRADING

22. This development shall comply with Chapter 8.11 of the LQMC (Flood Hazard Regulations). If any portion of any proposed building lot in the development is or may be located within a flood hazard area as identified on the City's Flood Insurance Rate Maps, the development shall be graded to ensure that all floors and exterior fill (at the foundation) are above the level of the project (100-year) flood and building pads are compacted to 95% Proctor Density as required in Title 44 of the Code of Federal Regulations, Section 65.5(a) (6). Prior to issuance of building permits for lots which are so located, the applicant shall furnish certifications that the above conditions have been met.
23. Prior to issuance of a grading permit, the applicant shall furnish a preliminary geotechnical ("soils") report and an approved grading plan prepared by a qualified engineer. The grading plan shall conform with the recommendations of the soils report and be certified as adequate by a soils engineer or engineering geologist.
24. Slopes shall not exceed 5:1 within public rights of way and 3:1 in landscape areas outside the right of way unless otherwise approved by the City Engineer.
25. Prior to occupation of the project site for construction purposes, the applicant shall submit and receive approval of a fugitive dust control plan prepared in accordance with Chapter 6.16, LQMC. The Applicant shall furnish security, in a form acceptable to the city, in an amount sufficient to guarantee compliance with the provisions of the permit.
26. The applicant shall maintain graded, undeveloped land to prevent wind and water erosion of soils. The land shall be planted with interim landscaping or provided with other erosion control measures approved by the Community Development and Public Works Departments.

Planning Commission Resolution 2000-009
Conditions of Approval - Final
Site Development Permit 2000-669
James R. Paul Industrial Building

27. Prior to issuance of building permits, the applicant shall provide building pad certifications stamped and signed by qualified engineers or surveyors. For each pad, the certification shall list the approved elevation, the actual elevation, the difference between the two, if any, and pad compaction.

DRAINAGE

28. Stormwater handling shall conform with the approved hydrology and drainage plan for Specific Plan 99-036. Drainage structures and features identified in the plan which are located within public street rights of way to be improved as part of this development or which will be utilized by this development shall be installed prior to or concurrently with construction of this development. Nuisance water shall be disposed of in an approved method.
29. If the applicant proposes discharge of stormwater directly or indirectly to the Coachella Valley Stormwater Channel, the applicant shall indemnify the City from the costs of any sampling and testing of the development's drainage discharge which may be required under the City's NPDES Permit or other City- or area-wide pollution prevention program, and for any other obligations and/or expenses which may arise from such discharge. The indemnification shall be executed and furnished to the City prior to issuance of any grading, construction or building permit and shall be binding on all heirs, executors, administrators, assigns, and successors in interest in the land within this tentative map excepting therefrom those portions required to be dedicated or deeded for public use. The form of the indemnification shall be acceptable to the City Attorney.
30. The applicant shall comply with the requirements of CVWD for the lining of the Coachella Valley Stormwater Channel.

UTILITIES

31. Utilities identified in the master utility plan for Specific Plan 99-036 which are located within public rights of way to be improved with this development or which will be used by this development shall be installed prior to or concurrently with construction of this development.
32. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within the right of way and all above-ground utility structures including, but not limited to, traffic signal cabinets, electrical vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.

33. Existing aerial lines within or adjacent to the proposed development and all proposed utilities shall be installed underground. Power lines exceeding 34.5 kv are exempt from this requirement.
34. 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 trench compaction for approval of the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

35. The applicant shall install the following street improvements to conform with the General Plan street type noted in parentheses. (Public street improvements shall conform with the City's General Plan in effect at the time of construction.)
 - A. Dune Palms Road (Secondary Arterial) - Construct half-width street improvement from Hwy. 111 to the north end of this development in accordance with the approved off-site street plan for Specific Plan 99-036 plus eight-foot sidewalk.
 - B. Corporate Centre Drive- 40-foot travel width (between curb faces) plus 5-foot sidewalks and a temporary cul de sac. The applicant shall be responsible for and secure a fair share of the cost of a traffic signal at Dune Palms Road.
 - C. Bike Path - Construct a Class A Bike Path along the south embankment of the Whitewater Storm Channel (within the Channel right of way) from Dune Palms Road to the west boundary of this property subject to City and CVWD requirements. The City will acquire the bike path easement.
 - D. Parking Lot - The on-site parking lot shall conform with the provisions of the LQMC, General Plan and Zoning Ordinance unless otherwise specified in the Specific Plan.

The applicant shall realign the easterly driveway to be perpendicular with Corporate Centre Drive and align with the driveway proposed on the other side of the road. The applicant shall design the westerly driveway for easy adaptation to the anticipated conversion of Industrial Road from cul de sac to a through road.

The location and nature of trash enclosures shall meet the approval of the City Engineer.

Corner cutbacks, bus turnouts and other features contained in the approved construction plans may warrant additional street widths as determined by the City Engineer.

36. 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.
37. The applicant may be required to extend improvements beyond development boundaries to ensure they safely integrate with existing improvements (e.g., grading; traffic control devices and transitions in alignment, elevation or dimensions of streets and sidewalks).
38. Improvements shall be designed and constructed in accordance with the LQMC, adopted standards, supplemental drawings and specifications, and as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.
39. Knuckle turns and corner cut-backs shall conform with Riverside County Standard Drawings #801 and #805 respectively unless otherwise approved by the City Engineer. Cul de sacs shall conform with Riverside County Standard 800 (symmetric) or 800A (offset) with a 38-foot curb radius
40. The applicant shall design street pavement sections using Caltrans' design procedure (20-year life) and site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections shall be as follows (or approved equivalents for alternate materials):
- | | |
|-----------------------------|------------------------|
| Residential & Parking Areas | 3.0" a.c./4.50" c.a.b. |
| Collector | 4.0"/5.00" |
| Secondary Arterial | 4.0"/6.00" |
| Primary Arterial | 4.5"/6.00" |
| Major Arterial | 5.5"/6.50" |
41. 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.
42. The City will conduct a final inspection of the industrial building only after Industrial Road is complete. The improvements shall include required traffic control devices, pavement markings, street name signs and sidewalks.

43. General access points and turning movements of traffic are limited to those locations shown on the preliminary site plan accompanying the permit application except as approved or required by the City Engineer.

LANDSCAPING

44. The applicant shall provide landscaping in required setbacks.
45. Landscape and irrigation plans for landscaped lots and setbacks, medians, and retention basins shall be signed and stamped by a licensed landscape architect.

The applicant shall submit plans for approval by the Community Development Department prior to plan checking by the Public Works Department. When plan checking is complete, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner prior to submitting for signature by the City Engineer. Plans are not approved for construction until signed by the City Engineer.

46. Landscape areas shall have permanent irrigation improvements meeting the requirements of the City Engineer. Use of lawn shall be minimized with no lawn or spray irrigation within 18 inches of curbs along public streets.
47. The landscaping plan shall indicate ten (10) Australian willow trees (24-inch box size) evenly spaced and each with an enlarged planting curb with consideration of including a hedge along the north property line in the proposed planter. Prior to issuance of a grading permit, the landscape and wall plans along the north property line shall be redesigned to incorporate through wall design and/or landscaping for a softer appearance from the adjacent bike path and vertical elements to break up the view of the rear building elevation subject to Community Development approval.
48. Final landscape plans shall be submitted for review by the Community Development Department prior to issuance of any grading permit for this project. The plans shall state minimum 10-foot tall tree sizes (1.5-inch to 2-inch caliper measured 6-inches from ground level).

PUBLIC SERVICES

49. The applicant shall provide public transit improvements as required by Sunline Transit and approved by the City Engineer.

QUALITY ASSURANCE

50. The applicant shall employ construction quality-assurance measures which meet the approval of the City Engineer.
51. The applicant shall employ or retain qualified civil engineers, geotechnical engineers, surveyors, or other appropriate professionals to provide sufficient construction supervision to be able to furnish and sign accurate record drawings.
52. The applicant shall arrange and bear the cost of measurement, sampling and testing procedures not included in the City's inspection program but required by the City as evidence that construction materials and methods comply with plans, specifications and applicable regulations.
53. Upon completion of construction, the applicant shall furnish the City reproducible record drawings of all improvement plans which were signed by the City. Each sheet shall be clearly marked "Record Drawings," "As-Built" or "As-Constructed" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy of the drawings. The applicant shall revise the CAD or raster-image files previously submitted to the City to reflect as-constructed conditions.

MAINTENANCE

54. The applicant shall make provisions for continuous, perpetual maintenance of all on-site improvements, perimeter landscaping, access drives, and sidewalks. The applicant shall maintain required public improvements until expressly released from this responsibility by the appropriate public agency.

FEES AND DEPOSITS

55. The applicant shall pay the City's established fees for plan checking and construction inspection. Fee amounts shall be those in effect when the applicant makes application for plan checking and permits.

FIRE DEPARTMENT

Conditions are subject to change with adoption of new codes, ordinances, laws, or when building permits are not obtained within twelve (12) months. Final conditions will be addressed when architectural building plans are reviewed. A plan check fee must be paid to the Fire Department at the time building plans are submitted. All questions regarding the meaning of the Fire Department conditions should be referred to the Fire Department Planning & Engineering staff at (760) 863-8886.

55. Provide or show there exists a water system capable of delivering 2,750 gpm for a 4 hour duration at 20 psi residual operating pressure which must be available before any combustible material is placed on the job site.
56. A combination of on-site and off-site Super wet barrel fire hydrants (6" x 4" x 2 ½ x 2 ½") will be located not less than 25' or more than 165' from any portion of the buildings as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrant(s) in the system. (This building will require 2 additional hydrants along with those currently shown.)
57. Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department.
58. Prior to the issuance of a building permit, applicant/developer shall furnish one blue line copy of the water system plans to the Fire Department for review. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans must be signed by a registered Civil Engineer and the local water company with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department".
59. The required water system including fire hydrants shall be installed and operational prior to the start of construction.
60. The minimum dimensions for fire apparatus access road entering and exiting this project shall have clearance of not less than 13 feet 6 inches. Parking is permitted on one side of roadways with a minimum width of 28 feet. Parking is permitted on both sides of roadways with a minimum width of 36 feet.
61. Install a complete fire sprinkler system per NFPA 13. The post indicator valve and fire department connection shall be located to the front within 50' of a hydrant, and a minimum of 25' from the building.
62. If the building is used for high piled/track storage, the building construction and fire sprinkler system must meet NFPA 231C and Article 81 if the 1997 UFC.
63. Install a supervised water flow fire alarm system as required by the UBC/Riverside County Fire Department and National Fire Protection Association Standard 72.
64. All fire sprinkler systems, fixed fire suppression systems and alarm plans must be submitted separately for approval prior to construction. Subcontractors should contact the Planning & Engineering office for submittal requirements.

65. Prior to final inspection of any building, the applicant shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.
66. Install Knox Key Lock boxes, Models 4400, 3200, or 1300, mounted per recommended standard of the Knox Company. Plans must be submitted to the Fire Department for approval of mounting location/position and operating standards. Special forms are available from this office for the ordering of the Key Switch, this form must be authorized and signed by this office for the correctly coded system to be purchased.
67. If the facility requires Hazardous Materials Reporting (Material Safety Data sheets) the Knox Haz Mat Data and Key Storage Cabinet, Model 1220 or 1300 with tamper switches shall be used.

MISCELLANEOUS

68. All public agency letters received for this case are made part of the case file documents for plan checking processes.
69. Prior to issuance of building permits, a final exterior lighting plan shall be submitted to the Community Development Department, that includes specific details of the fixtures for the landscape lighting, and building-mounted security lighting for approval.
70. Prior to issuance of building permits, the final exterior lighting plan shall be revised and submitted to the Community Development Department, indicating exterior pole-mounted lighting consisting of one-piece die cast aluminum luminaire housing with metal halide lamps, and flat or recessed lenses mounted to 18-foot high poles by extruded aluminum arms with a standard Dark Bronze baked-on polyester paint finish for approval.