

**CITY COUNCIL RESOLUTION NO. 2006-004
CONDITIONS OF APPROVAL B FINAL
CONDITIONAL USE PERMIT 2005-092
COSTCO WHOLESALE
ADOPTED: JANUARY 3, 2006**

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. All conditions of approval for Specific Plan 2005-075 and Site Development Permit 2005-833 are incorporated by reference.

FIRE MARSHALL

3. Final conditions will be addressed when 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 Fire Marshall conditions should be directed to the Fire Department Planning & Engineering staff at (760) 863-8886.

SHERIFF DEPARTMENT

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

OTHER

5. In order to minimize site operation noise intrusion and comply with the City of La Quinta Noise Ordinance the following shall be complied with:
 - A. A 10-foot-high masonry wall shall be constructed along the western perimeter of the drive aisle separating the truck drive aisle from the adjacent property.

- B. Trucks shall not pick up refuse before 7:00 a.m.

 - C. Parking lot sweeping with vacuum trucks shall not occur after 10:00 p.m. or before 6:00 a.m.

 - D. Refrigeration trucks shall not be parked in the drive aisle behind the store from 10:00 p.m. to 7:00 a.m. if their freezer units are running.
6. All mitigation measures contained in the Draft Environmental Impact Report 2005-539 shall be complied with.