

Exhibit D – Resolution No. 2023-71

**CONDITIONS OF APPROVAL FOR
TENTATIVE TRACT MAP NO. 38557, CONDITIONAL USE PERMIT NO. 372,
ARCHITECTURAL REVIEW NO. 23-13
SEVILLA II PROJECT**

General Conditions

1. Tentative Tract Map 38557 CUP 372 and AR 23-13 is approved for a 204-lot subdivision with a minimum lot size of 5,000 square feet; a CUP that utilizes the provisions of Section 17.38 of the Coachella Municipal Code (Planned Unit Development); and an Architectural Review that includes a total of 3 floorplans and 9 elevations. (3 elevations per floorplan).
2. The applicant shall defend, indemnify and hold harmless the City of Coachella, its officials, officers, employees, and agents from and against any claim, action, or proceeding against the City, its officials, officers, employees or agents to attack, set aside, void or annul any project approval or condition of approval of the city concerning this project, including but not limited to any approval or condition of approval or mitigation measure imposed by the City Council or Planning Commission. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officials, officers, employees and agents in the defense of the the City Attorney, within five days of the effective date of this approval.
3. The working drawings shall include within the first four pages a list of all conditions of approval included in this resolution.
4. The applicant shall be subject to further requirements that it participate in the Community Facilities District for residential lots within Tentative Tract Map 38557 that the City proposed to establish under the Mello-Roos Community Facilities Act of 1982, Section 13311 of the California Government Cod, as amended, for all undeveloped property within the boundaries of the City, including the subject property subject to this development approval (Architectural Review No. 23-13 and Tentative Tract Map No. 33587), to finance police and fire services for such property. The applicant shall do everything necessary for inclusion of the property subject to this development approval within such District upon its establishment. This development approval is subject to such requirement as a condition, unless such District is established prior to the effectiveness of this development approval in which case, it shall be a condition precedent. The Community Facilities District shall be established before issuance of the first certificate of occupancy.
5. The final map shall provide a perimeter landscaped setback along Van Buren Avenue in accordance with the Development Plan Set contained in Exhibit E of Attachment 1.
6. Prior to the recordation of the final map the applicant shall submit detailed landscaping irrigation plans and sign plans for review, including plans for the neighborhood park and retention basin for approval by the City Engineer and Development Services Director. The applicant shall improve the retention basin and neighborhood park of Tentative Tract Map

38557 in accordance with the conceptual landscape plans contained in the Design Guidelines, subject to review by the Development Services Director and City Engineer.

7. The neighborhood park shall be constructed prior to the issuance of the 101st occupancy permit and shall be constructed in accordance with the conceptual landscape plans contained in the Development Plan Set attached contained in Exhibit E of Attachment 1
8. The proposed subdivision shall be improved with a decorative masonry perimeter wall consisting of tan slumpstone, splitface block, or precision with smooth stucco finish wall, and a decorative cap and/or equivalent approved by the City Engineer and Development Services Director. A minimum of one 12-inch square masonry pilaster at every 50 feet along Van Buren Avenue shall be used along any masonry wall facing a public street as shown on the conceptual landscape plans.
9. Post-tension, non-grouted walls shall not be used unless approved by the Building Official. The builder shall use Type 5 concrete specifications for all CMU footings and for the base course of CMU wall, including the use of sealants to protect against corrosive soils, subject to review and approval by the Building Official.
10. Interior fencing for single family lots shall utilize block wall with metal view obscured access gates. Any street visible block shall be decorative block including tan slumpstone, splitface block, or precision block with smooth stucco and or equivalent approved by the City Engineer and Development Services Director.
11. Decorative wrought iron shall be used for fencing to replace any proposed decorative tubular steel fence and shall be colored black. The fence design of the fencing shall be approved by the Development Services Director prior to fence permit issuance.
12. Identification signs for the subdivision shall include high quality and durable design with accent lighting. A detailed sign plan shall be submitted to the Development Services Director and the final design shall be approved by the Development Services Director.
13. All street names and addressing shall be consistent with City and USPS policies.

Coachella Valley Water District

14. The City of Coachella may require mitigation measures to be incorporated into the development to prevent flooding of the site or downstream properties. These measures shall require on-site retention of the incremental increase of runoff from the 100-year storm.
15. The applicant shall meet and confer with the Coachella Valley Water District and provide verification that there are not interferences with the proposed subdivision and any United States Bureau of Reclamation facilities, or CVWD/private facilities not shown on the development plans.
16. The project lies within the East Whitewater River Sub basin Area of Benefit. Groundwater production within the area of benefit is subject to a replenishment assessment in accordance with the State Water Code.

17. All water wells owned or operated by an entity producing more than 25 acre-feet of water during any year must be equipped with a water-measuring device. A CVWD Water Production Metering Agreement is required to ensure CVWD staff regularly read and maintain this water-measuring device.
18. Prior to recordation of the final map, the subdivider shall meet and confer with the Coachella Valley Water District to incorporate into the design, construction, and operation of the subdivision to reduce its negative impact on the Indio Subbasin, pursuant to the approved Coachella Valley Water Management Plan Alternative to the Groundwater Sustainability Plan.

ENGINEERING DEPARTMENT

PRIOR TO APPROVAL OF ENGINEERING PLANS or ISSUANCE OF ENGINEERING PERMITS:

Final Map

19. The Final Map shall comply with the Subdivision Map Act and City of Coachella Subdivision Ordinance.
20. All public streets shall be dedicated to City of Coachella.
21. Prior to submittal of the final map to the City Council for approval, the applicant shall post securities (Bonds) to guarantee the installation of required improvements and a Subdivision Improvement Agreement shall be submitted to Engineering Division for City Engineer and City Attorney approval.
22. Prior to approval of the Final Map, the applicant shall resolve CVWD issues related to existing tile drains or irrigation mains located within the tract boundary or along the streets adjacent to the tract. If necessary, tile drains and irrigation lines shall be relocated and easement documents prepared for the new location of any such lines. The easement shall be shown on the final map. Plans for the tile drain or irrigation relocation shall be submitted to CVWD for approval and a copy of the plans shall be submitted to the City for evaluation regarding possible conflict with City facilities. The applicant shall submit to the City approved copies of any such relocation plans.

GENERAL:

23. All proposed development shall conform to the approved engineering studies and environmental migration measures as identified in the approved traffic, drainage, soils, hydrology, etc. studies developed under the tentative and final map process.
24. A storm water quality management plan shall be prepared for the project by California Registered Civil Engineer in compliance with NPDES and State Water Quality Control Board regulations. The project shall be designed to specify preferential use of Low Impact Development Best Management Practices that reduce pollutants and runoff volume.

25. Applicant shall comply with the valley wide NPDES permit requirements including but not limited to submittal of a WQMP for plan review accompanied by a \$3,000 plan check deposit for approval including executed maintenance agreement. All unused plan check fees will be refunded to the applicant upon approval of the Final WQMP.
26. The developer shall submit a Fugitive Dust Control and Erosion Control plan in accordance with Guidelines set forth by CMC and SCAQMD to maintain wind and drainage erosion and dust control for all areas disturbed by grading. Exact method(s) of such control shall be subject to review and approval by the City Engineer. No sediment is to leave the site. Additional securities, in bond form, in amount of \$2,000.00 per acre of gross area, and a one-time cash deposit of \$2,000.00 are required to insure compliance with this requirement. No work may be started on or off site unless the PM-10 plan has been approved, the original plans, and executed dust control agreement, are filed in the engineering department at the City of Coachella.
27. Site access improvements shall be in conformance with the requirements of Title 24 of the California Administrative Code. This shall include access ramps for off-site and on-site streets as required.
28. The applicant shall provide necessary utility easements for IID and underground overhead distribution lines within the project boundaries. Applicant shall submit to the City a letter from IID that satisfies this requirement.
29. The applicant shall pay all necessary plan check, permit and inspection fees. Fees will be determined when plans are submitted to the City Engineering Department for plan check.

ROUGH GRADING:

30. Prepare and submit rough grading and erosion control plans for the project.
31. The project's soils engineer shall certify to the adequacy of the grading plan.
32. All projects developing one (1) acre or more of total land area, or which are part of a larger phased development that will disturb one acre of land, are required to obtain coverage under the State Water Resources Control Board's (SWRCB) General Permit for storm water discharges associated with construction activity. Proof of filing a Notice of Intent (NOI) with the SWRCB for coverage under this permit is required. The Waste Discharger's Identification Number (WDID), issued by the SWRCB, must be shown on the grading plans. The project's Storm Water Pollution Prevention Plan shall be submitted for the City's review and approval.

PRECISE GRADING:

33. A precise grading/improvement plan, prepared by a California Registered Civil Engineer, showing building footprints, pad elevations, finished grades, drainage routes, retaining walls, erosion control, slope easements, and all other pertinent information shall be submitted for review and approval by the City Engineer.
34. Rough grading shall be certified by the project soils engineer prior to issuance of a permit for

precise grading or building construction.

35. Provide and record a reciprocal use and maintenance agreement to assure common ingress and egress and joint maintenance of all common access, parking areas and drives.
36. If applicant is planning to build a wall, separate permits shall be required for wall construction. The maximum height of any wall shall be limited to six (6) feet as measured from an average of the ground elevations on either side.

STREET IMPROVEMENTS:

37. Street improvement plans prepared by a California Registered Civil Engineer shall be submitted for review and approval by the City Engineer. All street improvements including street lights shall be designed and constructed in conformance with City Municipal Code, General Plan, and Standards and Specifications. Street flow line grade shall have a minimum slope of 0.35 %.
38. Applicant shall construct all off-site and on-site improvements including street pavement, curb, gutter, sidewalk, street trees, perimeter walls, perimeter landscaping and irrigation, storm drain, street lights, and any other incidental works necessary to complete the improvements. Driveways shall conform to City of Coachella standards for commercial driveways with a minimum width of 24.00 feet and curbed radius entrances.
39. Applicant shall construct and dedicate the following streets and street improvements to conform to the General Plan and/or requirements of Traffic Study.
 - 1) Van Buren Street- Public Roadway as shown on the RAC and per these comments shall include the following:
 - a. Dedication of land along southbound lane within project limits is required. This street is classified as Primary Arterial with Bicycle Lanes, modified per staff for additional parkway with 99 feet of right-of-way as per Tentative Tract Map No, 38557.
 - b. Street measured at Center line to westerly curb shall have a width of 37-foot
 - c. Applicant shall construct all appurtenant roadway components within project limits such as, but not limited to: sidewalk, ADA ramps, Traffic control striping, legends, Traffic control signs, Street Lights and street name signs to the satisfaction of the City Engineer.
 - d. Applicant shall construct transition street lane from property limits going south and/or going north as required to the satisfaction of the City Engineer
 - e. Applicant shall install curb and gutter transitions to uniformly connect to existing adjacent improvements and coordinate installation and/or relocation of fire hydrants, water meters, storm drains, wells, street lights and all other appurtenances as required to the satisfaction of the City Engineer.

- f. Applicant shall underground all existing dry utilities if existing at southbound lane within project limits such as, but not limited to: power poles, telecommunication poles and all other existing dry
- 2) Interior Residential Streets- Public Roadway as shown on the RAC and per these comments shall include the following:
- a. Dedication of land along within project limits is required. These streets are classified as Urban Residential Streets, modified per Staff to allow for more parkway with 56 feet minimum of right-of-way as per Tentative Tract Map No. 38557.
 - b. Street measured from curb to curb shall have a width of 36-feet per Tentative Tract Map No. 38577 and per Fire Department comments for parking on both sides of street.
 - c. Applicant shall install all sidewalk, curb and gutter transitions to uniformly connect to existing adjacent improvements and coordinate installation and/or relocation of fire hydrants, water meters, storm drain, wells, streetlights, landscape and all other appurtenances as required to the satisfaction of the City Engineer.
 - d. Applicant shall construct all appurtenant roadway components within project limits such as, but not limited to: sidewalk, ADA ramps, Traffic control striping, legends, Traffic control signs, Street Lights and street name signs to the satisfaction of the City Engineer.
 - e. Applicant shall underground all existing dry utilities if existing at southbound lane within project limits such as, but not limited to: power poles, telecommunication poles and all other existing dry

SEWER AND WATER IMPROVEMENTS:

- 40. Sewer and Water Improvement Plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check and City Engineer approval.
- 41. Applicant shall construct all off-site and on-site water improvements and any other incidental works necessary to complete the improvements. Size and location of sewer and water improvements shall be approved by the City Engineer.

PRIOR TO ISSUANCE OF BUILDING PERMITS:

- 42. A final soils report, compaction report and rough grading certificate shall be submitted and approved prior to issuance of any building permits.
- 43. Provide a set of proposed Covenants, Conditions and Restrictions (CC&R) for review and approval. The proposed CC&Rs shall contain the Association's/Owner's maintenance obligations with respect to various facilities including, but not limited to, right-of-way and private landscaping, private streets, sidewalks, utilities, street lights, and Water Quality Management Plan (WQMP) features. This document must be submitted to and approved by the City before it is submitted to any other governmental entity. The City of Coachella shall be a 3rd party beneficiary to the above referenced CC&R's.

44. Prior to issuance of building permits, all required public improvements, including landscaping and lighting of the retention basins, and landscaped areas along the exterior streets, shall be completed or secured with appropriate sureties to the satisfaction of the City Engineer. An engineering final inspection is required. "As-built" plans shall be submitted to and approved by the City Engineer. Prior to acceptance of the improvements by the City, such plans, once approved, shall be given to the city on compact disk in AutoCad format. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.
45. The applicant's Civil Engineer shall field verify and certify that all BMPs are designed, constructed, and functional in accordance with the approved WQMP.

PRIOR TO RELEASE OF OCCUPANCY PERMITS/ACCEPTANCE OF PUBLIC IMPROVEMENTS:

46. Prior to issuance of certificate of occupancy, all public improvements, including landscaping and lighting of the retention basins, and landscaped areas along the exterior streets, shall be completed or secured with appropriate sureties to the satisfaction of the City Engineer. An engineering final inspection is required. "As-built" plans shall be submitted to and approved by the City Engineer. Prior to acceptance of the improvements by the City, such plans, once approved, shall be given to the city on compact disk in AutoCad format. All off-site and on-site improvements shall be completed to the satisfaction of the City Engineer prior to acceptance of improvements for maintenance by the City.

Street Lights:

47. The developer shall pay applicable fees to energize street lights to the appropriate agency, and shall verify that all street lights within each phase are operational prior to issuance of the 1st Certificate of Occupancy for each phase. Temporary street lights may be interim with City Engineer approval.

Utilities Department – Water and Wastewater:

48. The applicant shall be required to establish a connection to the City's water and wastewater systems.
49. The applicant shall follow the design criteria for potable water and wastewater and shall submit a deposit for the completion of a hydraulic network analysis to determine impacts to the systems and necessary improvements.
50. The potable water and wastewater system pipelines shall be designed in accordance with the latest revisions to the City Standard Specifications and Standard City Drawings.
51. The applicant is responsible for contacting the City for the latest revisions to the City Standard Specifications and Standard City Drawings.
52. The applicant is responsible for all improvements necessary to adequately provide service to the project as determined by the hydraulic analysis and the City.

53. All potable water service lines shall be copper tubing (Type K Soft) (Polyethylene Encased), Standard Drawing W-8 has been revised.
54. Prior to acceptance of the first set of plans for plan check, the hydraulic analysis shall be complete.
55. On tracts with residential units exceeding 100, the Developer will be required to provide, at a minimum, a 100 foot square fully developed well site (graded site, block wall, etc.). Drilling and development of the well may be required as determined by the City. If it were necessary to build the well for purposes of adequately providing supply to the project, Developer would receive credit against water impact fees for those costs.

Conditions of approval specific to Architectural Review No. 23-13 and CUP No. 372

56. This architectural review is granted to approve common area landscaping and fencing improvements for the “Sevilla II” community and to approve new exterior architectural theming, materials, and color schemes for new production homes within Tentative Tract Map No. 38557 (“Sevilla II”), to include a “Traditional Spanish”, “Praire” and “Desert Contemporary” theming with varying roof tile and color schemes, as shown on submitted plans. The applicant shall submit construction drawings through the Building Division for plan check and approval prior to obtaining building permits. The applicant shall pay any fees necessary to secure permits and any special investigation inspections and reports, subject to review and approval by the Building Official, including a soils report and related structural recommendations. The owner shall secure Fire Department approval for the proposed production homes prior to the issuance of any building permits.
57. Prior to the issuance of a building permit for new single-family residences, the applicant shall submit a landscape and irrigation plan showing typical front yard landscaping and irrigation for the typical front yards and corner lots, for review and approval by the Development Services Director. All landscaping shall be planted and maintained with a permanent underground irrigation system to be operational prior to the issuance of the Certificate of Occupancy. Landscaping in the front yard shall comply with the City’s front yard landscaping regulations, unless otherwise approved by the Development Services Director. All landscape materials shall be identified on a legend and identified graphically on a landscape plan including planting counts, tree caliper, and planted tree heights.
58. Perimeter landscaped areas shall be improved with irrigation and landscaping pursuant to approved landscape and irrigations plans prior to the issuance of the first certificate of occupancy for the proposed residential units.
59. Trees adjacent to sidewalks for common areas and typical residential lots shall include a design for root barriers to prevent damage to sidewalks.
60. Landscape lighting shall be incorporated along perimeter landscape areas, driveway medians, Van Buren Street landscape medians and within the subdivision common areas and details and locations shall be included on the final landscape plan. Landscape lighting shall be operational within a month after installation of landscape improvements.

61. Applicant shall work with Development Services Department on potential reduction of the multi-use trail width along Van Buren Street to accommodate additional shade trees to improve the pedestrian environment and reduce heat island effect prior to final landscape plan approval.
62. The applicant shall submit, and must obtain approval from the Development Services Director, a letter from a registered landscape architect confirming that landscaping and irrigation have been installed in accordance with the approved plans prior to issuance of a certificate of occupancy. Any damaged, dead or decayed landscaping landscape areas shall be replaced per approved landscape plans upon landscape inspection by the Development Services Department and prior to issuance of a certificate of occupancy.
63. Decorative pavers shall be provided at the surface of both project entryways with a terracotta color or equivalent and identified on both Civil and Landscape Plans. Pavers types shall be approved by the Development Services Director and City Engineer.
64. The Planning Division may request minor substitutions of plant materials or request additional sizing or quantity of materials during plan check.
65. Landscaping and irrigation shall be provided in accordance with Section 17.54.010(J) of the Municipal Code and in accordance with the State Model Water Efficient Landscape Ordinance (AB 1881). Water budget calculations, including the Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU) shall be provided as part of the landscaping and irrigation plan.
66. The neighborhood park landscape plan shall include an itemized list of park amenities with descriptions and illustrations to the Development Services Department for approval prior to installation.
67. The neighborhood park landscape plan shall incorporate native and edible landscaping for both groundcover, shrubs, and trees.
68. The applicant shall work with the Development Services Department to provide utility stub outs to enable the development of community garden plots.
69. All front yard areas between the front building line of the home and the street line shall be limited to a maximum of 60 percent of paving of the total front yard area. Those areas that are not paved shall be landscaped in accordance with Section 17.16.030-C(4) of the Zoning Code.
70. The proposed residences shall incorporate decorative window trims and window shutter details on side and rear elevations as used on the front building elevations, for those home sites that have second-floor windows oriented towards a corner street line.
71. Window Trim or Recess. Trim at least two inches in depth shall be provided around all windows, or windows shall be recessed at least two inches from the plane of the surrounding exterior wall.
72. Prior to the issuance of a building final inspection, the applicant shall display street numbers in a prominent location on the front of the residences. All addressing must be legible, of a contrasting color with the background and adequately illuminated to be visible from the street at all hours.

73. Applicant shall limit light-related impacts of potential light spillover through shielding and screening of proposed lighting on buildings, streets and common areas.
74. All Imperial Irrigation District electrical vaults required for TR. 38557, CUP 372 and AR 23-13 shall be placed in a manner that they do not interfere or reduce the size of any of the proposed residential lots.
75. No owner shall be permitted to rent or lease such Owner's Lot for transient or hotel purposes, or for a period of less than thirty (30) days unless permitted by the City two years after the final occupancy permit is issued for TR. 38557, CUP 372 and AR 23-13.