

Exhibit A - Resolution No. PC2022-26
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT 358 AND AMENDMENT TO ARCHITECTURAL
REVIEW NO. 15-12

General Conditions

1. The conditional use permit and architectural review shall expire and shall become void one year following the date on which the conditional use became effective, unless prior to the expiration of one year a building permit is issued and construction is commenced and diligently pursued toward completion, or a certificate of occupancy is issued. Violation of any of the conditions of approval shall be cause for revocation of the Conditional Use Permit and Architectural Review.
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 City Attorney, within five days of the effective date of this approval.
3. Within five business days of project approval, the applicant shall submit to the Planning Division a check made payable to the County of Riverside in the amount of \$50 for filing the CEQA Notice.
4. The construction shall be in conformance with the plans submitted and conditions imposed herein for Conditional Use Permit. This shall include the materials and colors as shown on the approved plans.
5. The project shall comply with all applicable codes, laws and regulations, regardless of whether they are listed in these conditions. This includes conformance with the requirements of the adopted California Building Codes and related ordinances, including all requirements of the South Coast Air Quality Management District, the Riverside County Fire Department and any requirements by any other agency having jurisdiction on the project.
6. If determined by the City Engineer that the new drive through configuration under Conditional Use Permit No. 358 results in a negative traffic impact within the commercial center, the applicant/owner shall be responsible to make temporary adjustment or construct permanent site modifications as deemed necessary by the City Engineer to ensure that the

Conditional Use Permit findings can be made that avoid a harmful effect on the neighboring uses and to vehicular traffic within the commercial center and an public streets.

Project Design:

7. Prior to the issuance of building permits, all exterior architectural features and treatments shall be consistent with the submitted Architectural Review No. 15-12.
8. Applicant shall use BMPs to prevent construction waste from entering storm and sewer system.
9. Prepare and submit plans to the Riverside County Fire Department for approval of a site plan designating required fire lanes with appropriate lane painting and/or signs due to the minor on-site circulation result.

Landscaping

10. Final landscaping and irrigation plans shall be submitted to the Development Services Department for review and approval to include new landscape areas. Said plans shall conform to the landscaping plan submitted as part of the subject Architectural Review, and as conditioned herein.
11. 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.
12. 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.
13. Add ¾ inch decorative gravel for all landscape areas once covered with decomposed granite to match common area landscaping along southerly portion of the Fountainhead Plaza. Existing decomposed granite areas are in deteriorated condition.
14. The site landscaping shall be maintained in good condition at all times, and the owner or operator of the facility shall be responsible for replacing any damaged, dead or decayed landscaping as soon as practicable, and in accordance with the approved landscape plan.
15. The owner shall enter into a landscape and site maintenance agreement to include private landscaping, private streets, sidewalks and street lights. This document must be submitted to and approved by the City before issuance of permits related to the reconfigured drive through. The agreement shall be reviewed and approved by the City Attorney's office prior to recordation.

16. A small landscape strip with curbing shall be installed adjacent to the trash enclosure to buffer the parking stall to avoid conflicts with opening doors and to accommodate landscape vines.

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

ENGINEERING GRADING AND DRAINAGE:

17. A precise grading/improvement plan, prepared by a California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. A final soils report, compaction report and rough grading certificate shall be submitted and approved prior to issuance of any building permits.
18. 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.
19. Applicant shall obtain approval of site access and circulation from Fire Marshall.
20. Applicant shall provide public utilities easement for existing drain lines.

PAVEMENT IMPROVEMENTS:

21. 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 and drive aisles shall conform to City of Coachella standards for commercial driveways with a minimum width of 24.00 for two way traffic and a minimum of 14 feet for one way traffic with curbed radius entrances/exits.
22. Applicant shall obtain an encroachment permit for any improvements constructed within public right-of-way including alleys.

GENERAL:

23. 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.
24. Applicant shall repair any damage sidewalk along Harrison Street.

COMPLETION:

25. "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.