

Exhibit A - Resolution No. 2024-37
CONDITIONS OF APPROVAL
ENTERTAINMENT PERMIT NO. 22-04 COACHELLA VALLEY
ENTERTAINMENT CENTER

CONDITIONS OF APPROVAL:

1. Entertainment Permit No. 22-04 is an approval for an entertainment venue where alcohol may be served. This approval is based on the site plan submitted for the proposed project and subject to revision pursuant to conditions of approval, State Law, and Fire Department approval. Violation of any of the conditions of approval shall be cause for revocation of the Entertainment Permit No. 22-04.
2. Any break in service, meaning the closure of the event venue for a period of 180 consecutive days, will result in the expiration of this Entertainment Permit.
3. The applicant will agree to defend and indemnify the City of Coachella against all claims, actions, damages, and losses, including attorney fees and costs, in the event that anyone files legal challenges to the approval of this project on the basis of the California Environmental Quality Act (CEQA). The applicant shall execute a standard indemnification agreement subject to review by the City Attorney before any event is held subject to this permit.
4. The use shall meet the standards within the limits established by the Coachella Municipal Code as related to emissions of noise, odor, dust, vibration, wastes, fumes, or any public nuisances arising or occurring incidental to the establishment or operation.
5. Hours of operation for event venue may be from 9:00 a.m. to 6:00 p.m. Monday through Friday, and 10 a.m. to 2:00 a.m. Friday through Sunday. Amplified sound shall conclude by 10 p.m. The City reserves the right to modify the hours of business operation after 12 months of continuous Entertainment establishment use has lapsed, based on information provided by the Coachella Police regarding calls for service.
6. The applicant shall comply with all requirements imposed by the State Department of Alcoholic Beverage Control.
7. A maximum of 275 guests are permitted on-site for events at any given time. The applicant shall maintain a count of all event participants on-site at all times during events. Event counts shall be maintained by event staff at the main entrance and made available upon request by the Coachella Police or City Staff.
8. The applicant shall obtain all other applicable permits, if required, from the appropriate agencies (i.e. Fire Department, Building Division, Sheriffs Department, Department of Public Health etc.).
9. Any large scale events that involve more than 275 guests shall require consultation with the City Manager or designee to determine if a special event permit will be required through the City Manager's office. Said application and applicable fees shall be submitted a minimum of

twenty (20) working days, not including days when City Hall is closed, prior to the event. Any special event permit for more than 275 guests shall demonstrate that sufficient parking can be accommodated through valet or other parking strategies approved by the Development Services Director. Long-term expansion of the approved maximum occupancy for Entertainment Permit No. 22-04 requires City Manager approval and shall require a permanent expansion of parking or use of alternative parking strategies with proper engineering and building permits obtained and inspections performed.

10. The applicant shall revise the site plan to provide expand parking capacity beyond the 122 parking spaces illustrated on the site plan to accommodate 150 vehicles, unless alternative parking strategies are provided approved by the Development Services Director and City Engineer. The expanded parking area shall satisfy all City requirements.
11. The applicant upon development of residential or lodging uses on-site, whether developed on the same parcel or a future subdivision of the property, shall record CC&Rs that acknowledge that the special events that may result in discernable amplified noise related to events held at such special event facility.
12. Any signs displayed shall comply with the City of Coachella Sign Ordinance.
13. Signs advertising brands of alcoholic beverages or the availability of alcoholic beverages at the subject site shall not be visible from the exterior of the building or anywhere off the site.
14. Licensed security guards shall be required for events with 50 guests or more or when alcohol is served. These guards must possess State of California guard cards issues through the California Department of Consumer Affairs. Additional guards shall be used as needed to adequately patrol the parking areas. The City Manager, Code Enforcement Manager or Chief of Police may modify the entertainment permit security plan as deemed necessary to preserve the safety and welfare of guests and the public.
15. The following preventative measures shall be undertaken to reduce the potential for alcohol-related problems:
 - Food service shall remain available during all hours of operation;
 - Taxicab phone numbers shall be posted in visible locations at all times in the area(s) where alcohol is served;
 - All employees selling or serving alcohol shall be required to participate in an alcohol management training program prior to the operation of selling/serving alcohol; and
 - The availability of a variety of non-alcoholic beverages shall be made known and offered to customers.
16. Management shall patrol the business premises, parking areas, and the surrounding vicinity during the entertainment venue operation and until patrons have left the parking area after operation hours. Management shall ensure that no littering, loitering, or consumption of alcohol occurs in and around the property.

17. No parking for events is permitted to occur on Tyler Street or Vista Del Norte. The applicant shall display temporary no parking signs on the Tyler Street shoulder during events.
18. Any and all weapons shall be prohibited at the premises or on the parking lot of the premises except by those individuals lawfully permitted to possess such.
19. The Chief of Police shall have the authority and power to temporarily close the establishment when it becomes apparent that a situation exists wherein there is a probability that the general welfare and safety of the patrons or of the public may be in jeopardy. If closed under this condition, the premises will not be allowed to reopen before the beginning of regular business hours on the date following the closure.
20. The applicant shall comply with Municipal Code requirements of Chapter 5.24.
21. The applicant shall employ the use of hand-held metal detectors at all entrances if deemed necessary by the Chief of Police to protect the safety and general welfare of patrons or of the public.
22. Entertainment Establishment Permit No. 22-04 shall be valid for 12 months. The permit shall commence on the first day after an inspection occurs on-site by City staff and Fire Department that includes an official verification by the Development Services Director that conditions of approval related to on-site conditions have been satisfied. A request for renewal must be submitted by the applicant in order to extend the term of the Permit after the initial term of 12 months has lapsed, at which time the City Council will review compliance with the conditions of approval and consider granting up to a 36-month renewal of the entertainment permit. Relinquishment of the entertainment permit will require an amendment to this resolution, subject to review by the City Council.
23. Any violation of the above conditions may result in the issuance of citations and fines, and may result in revocation of the Entertainment Establishment Permit.
24. If determined necessary by the Chief of Police or City Manager, the permittee shall implement and maintain a system by which the permittee separately identifies each and every adult in the entertainment establishment so as to distinguish each adult from any and all minors within the entertainment establishment in the service of alcohol. At a minimum, such system of adult identification shall require the permittee to place a bracelet on either hand of each adult in the entertainment establishment. In addition, the Chief of Police is hereby authorized to require other methods and procedures to be implemented and maintained by any permittee to assure compliance with the requirement that each adult remain separately identified from any minor at the entertainment establishment.
25. ADA accessible restrooms shall be provided and available to use by all guests on-site during events and shall require inspection by the Building Official prior to commencement of events under this entertainment permit.
26. All structures, including stages, tents, cabanas, and bleachers shall be installed, used and taken down per the engineered specifications stamped by a licensed engineer and on file with the City of Coachella.

27. The applicant shall ensure adequate dust control measures are in place to the satisfaction of the Code Enforcement Manager and the City Engineer. The City Manager, Code Enforcement Manager, or City Engineer may require additional dust control measures as may be deemed necessary.
28. On-site event lighting shall be directed away from vehicle and pedestrian traffic on Tyler Street and away from surrounding properties. Event operations shall include protocols to avoid light glare onto adjacent properties.
29. The performance and safety plan of Attachment 3 shall be revised for consistency with the conditions of approval for Entertainment Permit No. 22-04.

Noise

30. The applicant shall comply with Noise Control standards of the Municipal Code (Chapter 7.04). Any amplified sound equipment shall be oriented to reduce noise impacts off-site with consultation from the Code Enforcement Manager. The applicant shall utilize a noise decibel meter on-site during events to monitor noise levels for compliance with the City Noise Ordinance. If noise nuisances are observed by the Chief of Police or Code Enforcement Manager, the City Manager or designee may require that the applicant use electronic noise sensors on-site for all events and that noise measurement data from the noise sensors be available to the Code Enforcement Manager.
31. The City Manager may upon excessive calls for service or observed noise concerns may require the owner/operator apply noise reduction measures that shall be implemented upon a timeline provided by the City Manager. Inability to reduce any validated noise concerns within the timeline to the satisfaction of the City Manager will result in permit revocation proceedings.
32. The sound level of the music sound system at the stage should be adjusted so that the sound level is no higher than 76 dBA before 10 pm and no higher than 66 dBA after 10 pm when measured at a distance of 25 feet in front of the speakers. The sound system level control should be set so that the speaker sound level cannot exceed this requirement.
33. The sound level of the distributed ambient music sound system around the lake should be adjusted so that the sound level is no higher than 65 dBA at a distance of 5 feet in front of any single loudspeaker. The sound system level control should be set so that the loudspeaker sound level cannot exceed this requirement. The loudspeakers should be oriented so that they are directed towards the center of the lake.
34. Sound levels should be measured during an event to verify that the City's noise limits are not exceeded. At a minimum, sound levels should be measured at the two measurement locations identified in Figure 1. If the event extends beyond 10 pm, measurements should be obtained after this time. If an exceedance of the noise limit is measured, the loudspeaker level limiters should be adjusted down to ensure that the noise limit is achieved. The measurements should be made in accordance with the requirements of the City of Coachella Municipal Code.

Fire Department Conditions:

35. Applicant shall indicate material being proposed for the fire lane, along with dimensions of said fire lane. shall comply with RVC Fire Guide OFM-01.
36. The applicant shall provide a fire lane that can provide access to within 150' of all portions of the building.
37. Fire department turn around shall be provided at the end of the southeast parking lot.
38. Applicant shall provide fire hydrant locations to meet the California Fire Code specifics. Please provide existing hydrants as well as proposed.

Building Division Conditions:

39. The following plans will be required prior to obtaining a building permit:
 - a. Grading plans and permit from the City of Coachella Engineering Department.
 - b. Accessibility plans showing accessible site circulation and path of travel to all the amenities include material and slopes at walk ways.
 - c. Electrical plans for the proposed modifications with calculations and single line diagram. The current electrical system at the venue does not comply with the National Electrical Code and poses a significant safety risk to visitors and the venue.
 - d. Provide plans for all structures and improvements include a site plan, floorplan and use for each room.
40. All “field verify” notes will need to be field verified by the licensed professional and incorporated into the building documents and building plan submittal.
41. Existing structures and improvements shall be in compliance with the 2022 California Building Codes prior to a Certificate of Occupancy being issued.
42. Proposed plan must incorporate Electrical Vehicle chargers. (CGBSC Tbl.5.106.5.3.1)
43. Landscaping plans shall meet the requirements of the CGBSC 106.12- Shade Trees.
44. Provide accessible path of travel from the parking lots to the venue. Both routes must be accessible.
45. Obtain all necessary permits from all agencies as required for the use of the facility. Such as but not limited to the following:
 - a. Riverside County Fire Department
 - b. Riverside County Health Department
 - c. City of Coachella Engineering Department
 - d. Building Permits

46. The venue underwent multiple improvements over the years, some with permits from the City and some without. Before a Certificate of Occupancy can be issued, all buildings and improvements must meet current building and state code requirements. It is essential to engage a licensed design professional to conduct a site inspection and identify all the necessary improvements to ensure compliance with the current building codes.

Engineering Conditions:

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

GENERAL:

47. A focused Traffic Analysis (TA) shall be prepared for the project by an appropriately licensed professional engineer. Prior to the preparation of the TA, the engineer shall submit a scoping letter for the TA for the City Engineer's approval. The TA shall include but not limited to identification of trip generation, traffic distribution and impact on existing transportation facilities and at time of General Plan build-out, all relevant, ingress and egress movements, lines of sight, queuing analysis, and alignment studies (preliminary signing and striping plan). Applicant shall obtain approval of site access and circulation from the Fire Marshall.
48. A preliminary soils report shall be prepared for the project by an appropriately licensed professional engineer. At a minimum, the soils report shall provide specific analyses and recommendations for grading, pavement structural sections, and infiltration.
49. A comprehensive drainage report, prepared by California Registered Civil Engineer, shall be submitted for review and approval by the City Engineer prior to issuance of any permits. The report shall contain pre- and post-development hydrology maps showing on-site and off-site tributary drainage areas and shall be prepared in accordance with the requirements of the Riverside County Flood Control District. Adequate provisions shall be made to accept and conduct the existing tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. If the design of the project includes a retention basin, it shall be sized to contain the runoff resulting from a 10-year storm event and the runoff from a 100-year storm event shall be contained within basin with shallow ponding (3.5' max.). The basin shall be designed to evacuate a 10-year storm event within 72 hours. The size of the retention basin(s) shall be determined by the hydrology report and be approved by the City Engineer. Retention basin shall be provided with a minimum of 2.00 feet sandy soil if determined to contain silt or clay materials. Maximum allowable percolation rate for design shall be 10 gal./s.f./day unless otherwise approved by the City Engineer. A percolation test for this site is required to be submitted. A combination drywell vertical drain field shall be constructed at all points where runoff enters the retention basin. Drywell & vertical drain field design shall be based on soils borings made at the proposed drywell locations after the retention basins have been rough graded. Minimum depth shall be 45-feet. A log that includes sieve analysis for each strata of the borings shall be submitted to the City Engineer for confirmation of depth of the vertical drain fields. Underground retention under the proposed parking area will be considered as an alternative to surface retention subject to the approval of the City Engineer.

50. Prepare and record necessary drainage easements to implement the project in accordance with drainage law.
51. 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.
52. 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.
53. 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.
54. Applicant shall submit for review and approval by the City Engineer all documents related to any existing and proposed on-site and off-site easements that may affect the development of the site. All easements shall be identified on the engineering plans.
55. 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.
56. Applicant shall obtain approval of site access and circulation from Fire Marshall.
57. 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:

58. Prepare and submit rough grading and erosion control plans for the project.
59. The project's soils engineer shall certify to the adequacy of the grading plan.
60. 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:

61. 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.
62. Rough grading shall be certified by the project soils engineer prior to issuance of a permit for precise grading or building construction.
63. The project shall provide hard surfaces (such as asphalt, concrete or engineered pavers) for all primary and secondary access aisles, ADA parking surfaces and ADA pathways. All areas with vehicular access shall have engineered surfaces with permanent drainage, erosion control and dust control measures in place.
64. If applicant is planning to build a garden wall, separate permits shall be required for wall construction. The maximum height of any perimeter garden wall shall be limited to six (6) feet as measured from an average of the ground elevations on either side.

STREET IMPROVEMENTS:

65. 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 %.
66. 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.
67. Applicant shall construct and dedicate the following streets and street improvements to conform to the General Plan and/or requirements of Traffic Study.
 - 1) Tyler Street- 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. This street is classified as Collector with Bicycle Lanes with 90 feet of right-of-way as per City of Coachella General Plan.
 - b. Street measured at Center line to westerly curb shall have a width of 35-foot.

- c. Applicant shall construct street along Coachella Valley Center Event project's Tyler Street frontage to the satisfaction of the City Engineer prior to the issuance of the first COO.
- d. Applicant shall install all sidewalk and 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, street lights and all other appurtenances required to the satisfaction of the City Engineer.
- e. Applicant shall construct all appurtenant roadway components on Tyler Street northbound lane within project limits such as, but not limited to: curb and gutter, sidewalk, Landscaping, Street Lights, ADA ramps, Traffic control striping, legends and Traffic control signs to the satisfaction of the City Engineer.

SEWER and WATER IMPROVEMENTS:

68. Sewer & Water Improvement Plans prepared by a California Registered Civil Engineer shall be submitted for engineering plan check and City Engineer approval.
69. 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:

70. A final soils report, compaction report and rough grading certificate shall be submitted and approved prior to issuance of any building permits.
71. 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.
72. 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:

73. 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 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.