



**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND**  
**LAND MANAGEMENT AGENCY**



**Planning Department**

*Aleta J. Laurence*  
Director of Planning

**DATE: October 27, 1998**

**RE: CONDITIONAL USE PERMIT NO. 3258 (Fast Track #98-07)**  
**EIR NO. 403**  
**APN: 604-031-001**

RECEIVED  
58 NOV 4 PM 12 24  
CITY OF INDIAN WELLS

**PM Sports Management Corporation**  
**77-900 Avenue of the States**  
**Palm Desert, CA 92211**

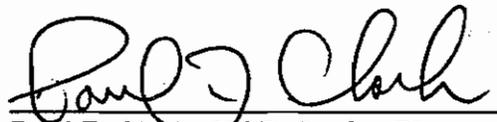
**Dear Applicant:**

The Riverside County Board of Supervisors has **APPROVED** the above referenced permit at its regular meeting of **October 27, 1998**, subject to the attached conditions.

All actions are final after the date of this written notice unless an appeal is filed with the Clerk of the Board of Supervisors and the appropriate fees paid within the time period specified by ordinance. The date of approval by the Board of Supervisors constitutes the effective date of the permit. This permit shall be used within two (2) years after the effective date of the issuance of the permit, otherwise, it shall become null and void. By "use" is meant beginning substantial construction of the facilities as approved by this permit which thereafter are pursued diligently to completion or the actual occupancy of existing buildings or land under the terms of this permit. Prior to the expiration of the two (2) year period, the permittee may request a one (1) year extension of time in which to use this permit. Should no substantial construction or use of this permit be initiated within three (3) years of the effective date of the issuance of this permit, this permit shall become null and void.

Very truly yours,

**RIVERSIDE COUNTY PLANNING DEPARTMENT**  
**Aleta J. Laurence, AICP, Planning Director**

  
**Paul F. Clark, AICP, Senior Planner**

xc: ~~Case File~~  
**Riverside File**  
**Rep. Engineer**  
**CYND**  
**Office of Industrial Hygiene**  
**City of Indian Wells**

10/28/98  
13:06

Riverside County LMS  
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10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1

USE - PROJECT DESCRIPTION

INEFFECT

The use hereby permitted is for a sports and recreational facility, specifically designed as a tennis complex including three main stadiums consisting of a center court (Stadium 1) seating 16,500 persons, second court (Stadium 2) but only seating 500 persons (a revised permit shall be required prior to construction and operation of Stadium 2 allowing seating of 8,000 persons) and third court (Stadium 3) seating 3,500 persons (in temporary improvements--a revised permit shall be required prior to construction and operation of a permanent structure for Stadium 3 allowing seating of 3,500 persons) with accessory uses including tournament/practice courts, restaurant, outdoor exhibit and food service area, clubhouse, offices and parking lots located on approximately 62 acres (124 acres with parking lots) within Assessors Parcel Number 604-031-001, etc.

See also Definitions condition for further details of project description.

10. EVERY. 2

USE - HOLD HARMLESS

INEFFECT

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 3258. The COUNTY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

10. EVERY. 3

USE - DEFINITIONS

INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of Conditional Use Permit No. 3258 shall be henceforth defined as follows:

APPROVED EXHIBIT NO. "A" = Approved Exhibit Nos. A-1, Amd.

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10. GENERAL CONDITIONS

10. EVERY. 3 USE - DEFINITIONS (cont.)

INEFFECT

#2 (overall site plan), A-2, Amd. #2 (detailed site plan), B-1, Amd. #1 (Stadium 1 court level seating), B-2, Amd. #1 (Stadium 1 concourse level seating), B-3, Amd. #1 (Stadium 1 suite level seating), B-4, Amd. #1 (Stadium 1 upper seating bowl), B-5, Amd. #1 (building section), B-6, Amd. #1 (composite site plan--Exhibit A-1/A-2, above, controls), B-7, Amd. #1 (entry tunnel), B-8, Amd. #1 (toilet room plan), B-9, Amd. #1 (commissary plan) and B-10, Amd. #1 (commissary elevations), L (proposed plant palette), M (basic stadium colors) and N (pre-approved list of performers and acts).

No approval is given for permanent seating for Stadium 2 or Stadium 3 (also labeled courts "2" and "3" under Exhibit No. A-2, Amd. #2) other than what is provided as tournament courts (it is understood that temporary bleacher seating will be provided for a maximum seating capacity as described in EIR No. 403). Permanent seating facilities for these stadiums shall be considered separately from this conditional use permit pursuant to Section 18.43 of Ordinance No. 348.

Reference within any and all conditions of approval for Conditional Use Permit No. 3258 to "the major tennis event" shall refer to the Newsweek Champions Cup/State Farm Evert Cup Tournament described within EIR No. 403 and occurring once a calander year for a consecutive 21 day period (this event may change its name from time to time, but shall continue be the "major tennis event" provided it operates as described in EIR No. 403 and as provide in these conditions of approval).

BS GRADE DEPARTMENT

10.BS GRADE. 1 USE -GIN INTRODUCTION

INEFFECT

Improvements such as grading, filling, over excavation and recompaction, and base or paving which require a grading permit are subject to the included Building and Safety Department Grading Division conditions of approval.

10.BS GRADE. 2 USE\* - GIN VARY INTRO

INEFFECT

\*\*\* No Text Exists For This Condition \*\*\*

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10. GENERAL CONDITIONS

10.BS GRADE. 3 USE-G1.2 OBEY ALL GDG REGS INEFFECT

All grading shall conform to the Uniform Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building and Safety Department.

10.BS GRADE. 4 USE-G1.3 DISTURBS NEED G/PMT INEFFECT

Ordinance 457 requires a grading permit prior to clearing, grubbing, or any top soil disturbances related to construction grading.

10.BS GRADE. 5 USE-G1.6 DUST CONTROL INEFFECT

All necessary measures to control dust shall be implemented by the developer during grading.

10.BS GRADE. 6 USE-G2.3SLOPE EROS CL PLAN INEFFECT

Erosion control - landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457 (refer to dept. form 284-47).

10.BS GRADE. 7 USE-G2.5 2:1 MAX SLOPE RATIO INEFFECT

Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved.

10.BS GRADE. 8 USE-G2.6SLOPE STABL'TY ANLYS INEFFECT

A slope stability report shall be submitted and approved by the County Geologist for all proposed cut or fill slopes steeper than 2:1 (horiz. to vert.) or over 30' in vertical height - unless addressed in a previous report.

10.BS GRADE. 9 USE-G2.7DRNAGE DESIGN Q100 INEFFECT

All drainage facilities shall be designed in accordance with Riverside County Flood Control & Water District's letter regarding this application or, if not specifically addressed in their letter, to accommodate 100 year storm flows.

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10. GENERAL CONDITIONS

10.BS GRADE. 10 USE-G2.8MINIMUM DRNAGE GRADE INEFFECT

Minimum drainage grade shall be 1% except on portland cement concrete where .35% shall be the minimum.

10.BS GRADE. 11 USE-G2.9DRNAGE & TERRACING INEFFECT

Provide drainage facilities and terracing in conformance with the Uniform Building Code's chapter on "EXCAVATION & GRADING".

10.BS GRADE. 12 USE-G2.10 SLOPE SETBACKS INEFFECT

Observe slope setbacks from buildings & property lines per the Uniform Building Code as amended by Ordinance 457.

10.BS GRADE. 13 USE-G2.22 PVT RD GDG PMT INEFFECT

Constructing a private road requires a grading permit.

10.BS GRADE. 14 USE-G2.23 OFFST. PAVED PKG INEFFECT

All offstreet parking areas which are conditioned to be paved shall conform to Ordinance 457 base and paving design and inspection requirements.

10.BS GRADE. 15 USE-G.3.1NO B/PMT W/O G/PMT INEFFECT

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Grading Division of the Building and Safety Department.

10.BS GRADE. 16 USE-G3.3RETAINING WALLS INEFFECT

Lots which propose retaining walls will require separate permits. They shall be obtained prior to the issuance of any other building permits - unless otherwise approved by the Building and Safety Director. The walls shall be designed by a Registered Civil Engineer - unless they conform to the County Standard Retaining Wall designs shown on the Building and Safety Department form 284-197.

10.BS GRADE. 17 USE-G3.4CRIB/RETAIN'G WALLS INEFFECT

Cribwall (retaining) walls shall be designed by a qualified professional who shall provide the following information for review and approval - this shall be in addition to

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10. GENERAL CONDITIONS

10.BS GRADE. 17 USE-G3.4CRIB/RETAIN'G WALLS (cont.) INEFFECT

standard retaining wall data normally required. The plans shall clearly show: soil preparation and compaction requirements to be accomplished prior to footing-first course installation, method/requirement of footing-first course installation, properties of materials to be used (i.e. Fc=2500 p.s.i.). Additionally special inspection by the manufacturer/dealer and a registered special inspector will be required.

10.BS GRADE. 18 USE-G4.1E-CL 4:1 OR STEEPER INEFFECT

Plant & irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the Building & Safety Department's Erosion Control Specialist.

10.BS GRADE. 19 USE-G4.3PAVING INSPECTIONS INEFFECT

The developer/applicant shall be responsible for obtaining the paving inspections required by Ordinance 457.

10.E HEALTH DEPARTMENT

10.E HEALTH. 1 USE - DOMESTIC WATER INEFFECT

Domestic water for the buildings and all related site improvements shall come from an approved source and system that meets current Health Department requirements. This Department has received a " Will Serve " letter from the Coachella Valley Water District, dated April 10, 1998, indicating that the District will furnish domestic water service to the area, in accordance with their current regulations. Therefore, the buildings must connect to approved domestic water from the District.

10.E HEALTH. 2 USE - SEWAGE DISPOSAL INEFFECT

Domestic sewage disposal for the buildings shall be to an approved domestic sewage system that meets current Health Department requirements. This Department has received a " Will Serve " letter from the Coachella Valley Water District, dated April 10, 1998, indicating that the District will furnish sanitary sewer service to the area, in accordance with their current regulations. Therefore,

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10. GENERAL CONDITIONS

10.E HEALTH. 2 USE - SEWAGE DISPOSAL (cont.) INEFFECT

the buildings must connect to approved sanitary sewer from the District. (NOTE: Sewer lines shall be minimum 50 feet from any wells.) As part of the sewer system approval for any food facility, approved grease interceptor installations, located outside the buildings, may be required, in accordance with current District regulations governing sanitation service. No hazardous wastes or materials shall be discharged into the sewer system at any time from the buildings.

10.E HEALTH. 3 USE - RESTROOMS INEFFECT

Approved, adequate restroom facility installations shall be provided in approved locations for the stadiums and buildings and accessory structures ( based on occupancy type), in accordance with the current Uniform Plumbing Code, the current Uniform Building Code, and the current California Uniform Retail Food Facilities Law. (NOTE: Approved restroom facilities for usage of employees of food establishments in stadiums and similar premises shall be located within 300 feet of each food establishment.)

10.E HEALTH. 4 USE-WHITewater RIVER BARRIER INEFFECT

The Department of Environmental Health recommends that suitable safety facilities be installed by the developer along the Whitewater River Stormwater Channel right-of-way to satisfactorily exclude the entrance of the public into the area at any time.

10.E HEALTH. 5 USE- NOISE MONITORING REQMTS. INEFFECT

The applicant or applicant's successor-in-interest shall make arrangements to have the Office of Industrial Hygiene conduct regular, periodic noise compliance monitoring of "major tennis event, all medium outdoor events and any other outdoor events" that in the opinion of IH, have the potential of violating the above mentioned IH daytime/nighttime noise standard. Compliance monitoring will consist of a consecutive series of 10 minute Leq's taken at various residential properties surrounding the facility. All inspections will be unannounced. The frequency, duration and location of monitoring shall take place at the discretion of Industrial Hygiene. In addition, IH staff shall establish a noise

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10. GENERAL CONDITIONS

10.E HEALTH. 5 USE- NOISE MONITORING REQMTS. (cont.) INEFFECT

complaint reporting procedure with residents surrounding the facility. If, in the opinion of IH, a particular complaint is likely due to a violation of the IH's daytime/nighttime noise standard, IH will investigate and take appropriate action to ensure compliance. Because of the unpredictability of the various events, especially those taking place in the amphitheater, noise monitoring shall be continued indefinitely. However, at his discretion, the Industrial Hygiene supervisor may discontinue or reduce the frequency of monitoring after two years, providing that few or no violations of the noise standards have occurred. However, at any time, for cause, the monitoring may resume (for cause means receipt of valid complaints or strong suspicion concerning violations of the noise criteria and associated conditions).

10.E HEALTH. 6 USE- NOTICE OF EVENTS REQUIRED INEFFECT

Garden of Champions (permits holder) shall inform the Office of Industrial Hygiene thirty(30) days in advance of " the major tennis event, all medium outdoor events" or any amphitheater-based event. Notification shall be in writing and must contain a brief description of the event as well as the date and time of occurrence. Industrial Hygiene must be notified of any scheduling changes at least one(1) week in advance of the performance.

10.E HEALTH. 7 USE- NOISE ABATEMENT REQMTS. INEFFECT

For any event requiring noise monitoring by IH as specified above where the resultant noise monitoring indicates that the event exceeds applicable noise standards, IH has the authority to implement the following remedial measures where deemed appropriate and necessary by IH staff, in consultation with the Planning Director and permit holder/operator:

- 1) for event conditions that result in extended violation of applicable noise standards, the permit holder/operator shall, in consultation with IH staff, modify the event operation to achieve applicable noise standards, or shall terminate the event until such time as remedial measures can be implemented. Event modification may include one of more of the following, as determined appropriate by IH staff in consultation with the permit holder/operator:
  - A) Adjust speaker amplification and/or

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10. GENERAL CONDITIONS

10.E HEALTH. 7 USE- NOISE ABATEMENT REQMTS. (cont.) INEFFECT

- B) Relocate event activities further from affected properties; and/or
  - C) Modify speaker shielding/orientation and/or
  - D) Lower Height of speakers to increase attenuation from stadium walls and/or
  - E) Other measures deemed appropriate by IH staff.
- 2 ) If there is a consistent pattern of exceeding the applicable noise standards or more that two events for which IH staff required remedial noise measures, the permit holder/operator shall implement one or more of the following, in conjunction with IH staff:
- A) Modify speaker shielding/orientation and/or
  - B) Lower height of speakers to increase attenuation from stadium walls and/or
  - C) Limit the nature of amphitheater events; and/or
  - D) Limit the facility hours of operation, except for the annual tennis tournament.

10.E HEALTH. 8 USE-UNRESTRICTED ACCESS REQMTS INEFFECT

For the purposes of community noise compliance inspections, the Garden of Champions (permit holder) shall allow Industrial Hygiene compliance inspectors to have unhindered access to the facility. These inspectors, while engaged in compliance inspections, will not be assessed a parking or entrance fee of any kind.

10.E HEALTH. 9 USE- AMPHITHEATER USE REQMTS. INEFFECT

Noise criteria shall be daytime standard of 65 dB(A) 10-minute Leq and nighttime standard of 45 dB(A) 10 minute Leq at nearest sensitive receptor's property line. All residential units (Residential Village) and lodging facilities (hotels) associated with the Garden of Champions project shall be designed to achieve a 45 dB(A) 10-minute Leg indoor standard.

10.E HEALTH. 10 USE-HOURS OF OPERATION INEFFECT

The amphitheater hours of operation shall be 7AM to 10PM, except for use during the major tennis event.

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10. GENERAL CONDITIONS

FIRE DEPARTMENT

10.FIRE. 1 USE-#005-ROOFING MATERIAL INEFFECT

All buildings shall be constructed with class B roofing material as per the California Building Code.

10.FIRE. 2 USE-#50-BLUE DOT REFLECTOR INEFFECT

Blue retroreflective pavement markers shall be mounted on private street, 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.

10.FIRE. 3 USE-#23-MIN REQ FIRE FLOW INEFFECT

Minimum required fire flow shall be 8000 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. Fire flow is based on type VN construction per the 1994 UBC and Building(s) having a fire sprinkler system.

10.FIRE. 4 USE-#19-ON/OFF LOOPED HYD. INEFFECT

A combination of on-site and off-site super fire hydrants, on a looped system (6"x4"x2 1/2"x2 1/2"), will be located not less than 25 feet or more than 165 feet from any portion of the building as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrants(s) in the system.

10.FIRE. 5 USE-#84-TANK PERMITS INEFFECT

Applicant or Developer shall be responsible for obtaining under/aboveground fuel, chemical and mixed liquid storage tank permits, from the Riverside County Fire Department and Environmental Health Departments. Plans must be submitted for approval prior to installation. Aboveground fuel/mixed liquid tanks(s) shall meet the following standard: Tank must be tested and labeled to UL2085 Protected Tank Standard or SwRI 93-01. The test must include the Projectile Penetration Test and the Heavy Vehicle Impact Test. A sample copy of the tank's label from an independent test laboratory must be included with your plans. (current

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10. GENERAL CONDITIONS

10.FIRE. 5 USE-#84-TANK PERMITS (cont.) INEFFECT

plan check fee is \$217.00 for first tank, each additional tank \$32.00, fee is subject to change)

10.FIRE. 6 USE-#25-GATE ENTRANCES INEFFECT

Gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving that gate. Any gate providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, a 40 foot turning radius shall be used.

10.FIRE. 7 USE-#88A-AUTO/MAN GATES INEFFECT

Gate(s) shall be automatic or manual operated, minimum 24 feet in width. Gate access shall be equipped with the Knox Co. rapid entry system. Plans shall be submitted to the Fire Department for approval prior to installation. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 foot pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the Knox System shall remain open until closed by the Knox System. (current plan check fee is \$126.00, fee is subject to change)

PLANNING DEPARTMENT

10.PLANNING. 1 USE - COMPLY WITH ORD./CODES INEFFECT

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and state and federal codes. The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT NO. "A," unless otherwise amended by these conditions of approval.

10.PLANNING. 2 USE - CONDITION REVIEW FEE INEFFECT

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671.

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10. GENERAL CONDITIONS

10.PLANNING. 3 USE - LIGHTING HOODED/DIRECTED INEFFECT

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

10.PLANNING. 4 USE - COLORS FOR STADIUM INEFFECT

Stadium colors shall be in substantial conformance with that shown on Exhibit No. M. Minor modifications to the approved colors may be approved by the Planning Department from time to time.

10.PLANNING. 5 USE - LAND DIVISION REQUIRED INEFFECT

Prior to the sale of any structure as shown on APPROVED EXHIBIT NO. "A," a land division shall be recorded in accordance with Riverside County Ordinance No. 460, and any other pertinent ordinance.

10.PLANNING. 6 USE - HOURS OF OPERATION INEFFECT

Except during the major tennis event, use of the facilities approved under this permit for the actual conduct of outdoor events shall cease and terminate between 10:00 p.m. and 7:00 a.m., Monday through Sunday, (except on Easter Sunday the when the time of cease and termination shall be between 10:00 p.m. and one hour before sunrise to allow for traditional sunrise services), in order to reduce conflict with adjacent residential zones and/or land uses. This condition shall not include such outdoor activities as normal crowd dispersal and property clean up and maintenance.

10.PLANNING. 8 USE - PERMIT SIGNS SEPARATELY INEFFECT

No signs are approved pursuant to this project approval. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Planning Department pursuant to the requirements of Section 18.30 (Planning Department review only) of Ordinance No. 348.

No reader board or any moving or flashing lights or materials shall be approved in connection with any project sign substantially visible from the edge of any street right-of-way.

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10. GENERAL CONDITIONS

10.PLANNING. 9

USE - NO OUTDOOR ADVERTISING

INEFFECT

No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.

Outdoor advertizing displays, signs or logos customarily accessory to a sports and recreational facility, such as those associated with event sponsors, sports products and spectator lifestyle, shall be permitted within the project property, provided, that any such display, sign or logo is not legible and not substantially visible from the edge of any street rights-of-ways, and such displays, signs or logos are otherwise directed and oriented only to event spectators and participants.

10.PLANNING. 10

USE - "NOT A PART" LIMITATIONS

INEFFECT

The area shown as "TEMPORARY PARKING" on the APPROVED EXHIBIT "A" shall require an application for a plot plan or conditional use permit prior to utilization pursuant to Ordinance No. 348 for any other use than the temporary parking of vehicles in connection with the major tennis event or any and all other outdoor event conducted in or upon the sports and recreational facility.

No approval is given by this permit for the construction of Stadium 2 (other than a phase 2 tournament court seating a maximum of 500 persons) as floor plans and elevations of that structures have not been reviewed; a revised permit pursuant to Section 18.43 of Ordinance No. 348 shall be required prior to construction of Stadium 2, provided such revised permit may consider the mitigation measures established under EIR No. 403.

No approval is given by this permit for the construction of a permanent structure for Stadium 3 (temporary improvements to seat up to 3,500 persons is allowed) as floor plans and elevations of such permanent structure have not been reviewed; a revised permit pursuant to Section 18.43 of Ordinance No. 348 shall be required prior to construction of a permanent structure for Stadium 3, provided such revised permit may consider the mitigation measures established under EIR No. 430.

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10. GENERAL CONDITIONS

10.PLANNING. 11 USE - PHASES ALLOWED INEFFECT

This permit may be developed in two (2) master phases as shown on APPROVED EXHIBIT NO. "A" (phase 1 includes Stadium 1 and 3 and Phase 2 includes Stadium 2). Any additional phases, or modifications to the approved phasing, may be permitted provided a plan for each phase of development is submitted to and approved by the Planning Department. Phasing approval shall not apply to the requirements of any agency other than the Planning Department unless otherwise indicated by the affected agency.

10.PLANNING. 12 USE - RECLAIMED WATER INEFFECT

The permit holder shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site by the Coachella Valley Water District or other water provider as provided by law.

10.PLANNING. 13 USE - NO OFF-ROAD USES ALLOWED INEFFECT

Trail bikes, dune buggies, off-road vehicles and other similar powered apparatus shall not be operated for purposes such as, but not limited to, hill climbing, trail riding, scrambling, racing and riding exhibitions.

10.PLANNING. 14 USE - EXTERIOR NOISE LEVELS INEFFECT

DELETED IN FAVOR OF EXTERIOR NOISE LEVEL STANDARDS ESTABLISHED WITHIN THE ENVIRONMENTAL HEALTH CONDITIONS.

10.PLANNING. 15 USE - NOISE MONITORING REPORTS INEFFECT

DELETED IN FAVOR OF NOISE MONITORING REQUIREMENTS ESTABLISHED BY THE ENVIRONMENTAL HEALTH CONDITIONS.

10.PLANNING. 16 USE - VIABLE LANDSCAPING INEFFECT

All landscaping areas shall be maintained in a viable growth condition throughout the life of this permit.

10.PLANNING. 17 USE - AGRICULTURE CODES INEFFECT

This property is located within the Coachella Valley and all landscape planting shall comply with the requirements of the State Agriculture Code and the directives of the Riverside County Agricultural Commissioner. All landscaping plans submitted to the Planning Department

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10. GENERAL CONDITIONS

10.PLANNING. 17 USE - AGRICULTURE CODES (cont.) INEFFECT

shall included the following notation: "Warning: Plant material listed may or may not have been approved by the Agricultural Commissioner's office. Landscape contractor, please contact the developer for status of Agricultural Commissioner's approval or denial. Plan material not conforming with quarantine laws may be destroyed and civil action taken. All plant material is subject to inspection at the discretion of the Agricultural Commissioner's office. All plant material must be free from Red Scale (Aonidiella aurantii.)"

10.PLANNING. 18 USE - NO EA FOR GRADING INEFFECT

No environmental assessment for grading within the project boundaries shall be required provided such grading substantially conforms to the grading plan submitted as part of EIR No. 403 and related exhibits on file with this conditional use permit and does not significantly exceed 500,000 cubic yards of cut and 500,000 cubic yards of fill.

10.PLANNING. 19 USE - PREVENT DUST & BLOWSAND INEFFECT

Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blowsand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Director of Building and Safety and the state air quality management authorities.

10.PLANNING. 21 USE - CEASED OPERATIONS INEFFECT

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10.PLANNING. 22 USE - 90 DAYS TO PROTEST INEFFECT

THE PROJECT APPLICANT HAS 90 DAYS FROM THE DATE OF APPROVAL OF THESE CONDITIONS TO PROTEST, IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN GOVERNMENT CODE SECTION 66020, THE IMPOSITION OF ANY AND ALL FEES, DEDICATIONS, RESERVATIONS AND/OR OTHER EXACTIONS IMPOSED ON THIS PROJECT AS A RESULT OF THIS APPROVAL OR CONDITIONAL APPROVAL OF THIS PROJECT.

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10. GENERAL CONDITIONS

10.PLANNING. 23 USE - COMPLY WITH ORD. 655 INEFFECT

All lighting shall comply with any applicable provisions of Riverside County Ordinance No. 655 and with the mitigation measures established under EIR No. 403 and the project lighting plans developed in conformance with these conditions of approval. Privately maintained security lights shall be low pressure sodium vapor type.

AMD. BY BOARD OF SUPERVISORS ON 10-27-98.

10.PLANNING. 24 USE - CONSTRUCTION STORAGE INEFFECT

Temporary construction equipment and material storage areas and soil stockpiling shall be setback a minimum of 100 feet from adjoining property lines and street rights-of-way boundaries.

10.PLANNING. 25 USE - SITE MAINTENANCE INEFFECT

The project site shall be kept in good repair and free of trash. Graffiti shall be removed from any structures within one week of observation and/or notification.

10.PLANNING. 26 USE - VEHICLE SPEEDS INEFFECT

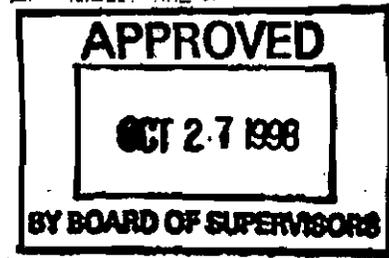
Unless otherwise directed by the Riverside County Sheriff, the maximum speed for traffic within the project property shall be 25 miles per hour. Legible and conspicuous signs shall be posted by the permit holder at or near the project entry points and throughout the parking and driveway areas indicating appropriate vehicle speed.

10.PLANNING. 27 USE - ESTABLISHED FACILITY INEFFECT

This conditional use permit shall constitute approval of an "established facility" for only the outdoor events regulated herein pursuant to Section 19.52 of Ordinance No. 348.

10.PLANNING. 28 USE - MAXIMUM SPECTATORS INEFFECT

The maximum number of spectators at any one time shall not exceed 20,000, not including tennis complex employees and registered event participants and associated assistants. "Employees" and "Registered" shall mean individuals which are issued badges or other forms of identification which easily distinguishes them from the general public as may be



## GARDEN OF CHAMPIONS

October 13, 1998

Proposed list of Special Events, in excess of 6,000, that could be held in the stadium.

1. Boston Pops Concert or other special Concert of this quality.
2. Russian Ballet or similar professional group
3. High School graduations.
4. Davis Cup Tennis.
5. Professional Volley ball matches.
6. Miss America or Miss Teen America Contests.
7. Special Olympic event.
8. National Wheel Chair tennis finals.
9. Concert series of vocalist ie: Celine Dion, Lena Horne, Clint Black, Garth Brooks, Lionel Richie, Diana Ross, Ray Charles, Whitney Houston
10. Foot Locker Fitness Challenge
11. American Entertainment Series, ie: Kenny Rogers, Willie Nelson, Bill Cosby, Rodney Dangerfield, etc.

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Transportation & Land  
Management Agency

This is a partial list of possibilities, but gives the concept of what we would be willing to allow to use the facilities.

EXHIBIT NO.     N      
    CUP     CASE NO.     3258

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10. GENERAL CONDITIONS

10.PLANNING. 28 USE - MAXIMUM SPECTATORS (cont.) INEFFECT

determined by the Director of the Department of Building and Safety or Riverside County Sheriff.

10.PLANNING. 29 USE - LIMITED OUTDOOR SALES INEFFECT

No approval is granted for any swap meet or for the outdoor display of goods or services for sale preceeding, during or after any event except within the designated sponsor exhibit and food concession areas as shown on the APPROVED EXHIBIT "A". Vending machines shall not be considered a part of this condition of approval. The Planning Director may grant specific modifications to this condition for the major tennis event and other outdoor events upon written request from the permit holder and payment of a condition review fee as defined above.

10.PLANNING. 30 USE - TYPES/NUMBERS OF EVENTS INEFFECT

Not more than one (1) major tennis event shall occur within the sports and recreation complex approved herein during each calendar year. The major tennis event shall be defined under this conditional use permit as having spectator attendance greater than 12,000 persons at any one time.

Not more than eleven (11) "medium sized outdoor events" shall occur within this sports and recreation complex approved herein during each calendar year. No single medium sized event shall exceed three (3) days with activities on each day lasting no longer than 15 hours (ie., between 7:00 a.m. to 10:00 p.m.). Medium sized events shall be defined under this conditional use permit as having spectator attendance greater than 6,000 persons and less than 12,000 persons at any one time.

No limit as to number of outdoor events is given with attendance of 6,000 persons or less at any one time.

Any and all outdoor events permitted under this conditional use permit may include a sporting event or tournament, sporting exhibition, a music concert or other live performance, a lecture, religious service, cultural event or festival and any and all such events shall be from a list of pre-approved performers and acts attached hereto and labeled EXHIBIT "N". Should an event not be found within the scope of Exhibit N as determined by the Planning

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10. GENERAL CONDITIONS

10.PLANNING. 30 USE - TYPES/NUMBERS OF EVENTS (cont.) INEFFECT

Director, a revised permit shall be submitted to and approved by the County of Riverside, pursuant to Section 18.43 of Ordinance No. 348, prior to any and all advertizing and/or ticket sales for such event(s). The permit holder may propose modifications to Exhibit N from time to time through the revised permit process.

The permit holder shall submit to the Planning Director annual reports, as required, of the types and numbers of events to be held within the premises by July 1 of each year.

10.PLANNING. 31 USE - NO SEPARATE PARKING FEES INEFFECT

No parking fees shall be collected within 400 feet of any street right-of-way boundary; ticket collection booths or activities shall be erected or conducted per the parking and traffic management plan approved by the Transportation Department.

10.PLANNING. 32 USE - TEMP. CONTRACTOR YARDS INEFFECT

Temporary construction and contractor yards established to facilitate the grading and construction of the project which exceed an area greater than 20,000 square feet shall be setback a minimum of 400 feet from any street right of way or adjacent property boundary, unless a temporary use permit is issued for such a facility pursuant to the requirements of Ordinance No. 348 as determined by the Planning Director and no such equipment storage or soil stockpiling shall be closer than 100 feet from adjacent property bounaries and street right of ways.

10.PLANNING. 33 USE - LIGHTING RESTRICTIONS INEFFECT

Except for the major tennis évent, no lighting fixtures shall be utilized which are located above 58 feet in height.

10.PLANNING. 34 USE - NO TICKET RESALE AREAS INEFFECT

The permit holder shall not allow any person, or set aside any area of land for any person(s), in or upon the property included within this conditional use permit (including vacant land used for temporary parking) to sell or resell or offer to sell or resell any ticket of admission or

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10. GENERAL CONDITIONS

10.PLANNING. 34 USE - NO TICKET RESALE AREAS (cont.) INEFFECT

parking to the major tennis event or any and all other outdoor events conducted in the approved sports and recreational facility. Event security personnel shall cooperate with law enforcement personnel throughout the conduct of the major tennis event and any and all other outdoor events conducted within the premises.

10.PLANNING. 35 USE - TEMPORARY IMPROVEMENTS INEFFECT

Any and all temporary improvements, such as, but not necessarily limited to, ramps, paths, fences and grandstands, shall be subject to the approval of the Director of the Department of Building and Safety.

10.PLANNING. 36 USE - TEMPORARY PARKING AREAS INEFFECT

The permit holder shall take adequate measures to design safe parking areas and control blowing dust/sand and PM10 from temporary parking associated with the major tennis event and any and all other outdoor events at the sports and recreational facility, both during and after such events:

a) If needed, as determined by the Director of the Department of Building and Safety and/or the Director of the Department of Transportation, sufficient amounts of gravel shall be installed on the driveway areas and runway areas (for drop-off and pick-up) for both vehicles and shuttle buses;

b) A water truck shall remain in the vicinity of the temporary parking areas for use if necessary;

c) Upon completion of any and all outdoor events, the permit holder shall be responsible for returning each of the temporary parking areas to their original condition. All temporary parking areas shall be recompacted and treated with a soil stabilizer both before commencement of and following the completion of each event and/or the area shall be promptly relandscaped, including reseeding and installation of appropriate irrigation systems to facilitate such relandscaping.

d) Additional measures may be necessary to be taken during high wind conditions, and during the months of February through April (generally the high wind months) as directed

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10. GENERAL CONDITIONS

10.PLANNING. 36 USE - TEMPORARY PARKING AREAS (cont.) INEFFECT

by the Director of the Department of Building and Safety and the Director of the Department of Transportation.

e) No tandem parking or compact parking shall be included in the design and operation of the temporary parking areas, unless such areas are used specifically for valet parking.

f) No overnight parking is permitted on any vacant property or designated parking area by any and all outdoor event guest or participant.

10.PLANNING. 37 USE - NOTIFICATIONS INEFFECT

The permit holder shall provide written notification by first class U.S. mail, or equivalent as determined by the Planning Director, to surrounding property owners within 1,000 feet of the exterior boundary of the contiguous project ownership of the major tennis event and all medium outdoor events as defined herein.

The notification shall be to surrounding property owners as shown on the last equalized assessment roll and any updates as kept by the Riverside County Assessor. In addition, notification shall be given to the Riverside County Planning Director, the Riverside County Director of Transportation Department, the Riverside County Sheriff, the City Manager of the City of Indian Wells, the City Manager of the City of La Quinta, the City Manager of the City of Palm Desert and the Principal of the Gerald Ford Elementary School. Additional persons or organizations may be provided notification as determined by the Riverside County Planning Director.

The notification may include several events at the same time.

The notification shall be delivered to surrounding property owners a minimum of 30 days prior to the event(s).

The notification shall state the nature of the event(s), the event(s) calendar dates and time of day the event(s) begin.

Records shall be kept of any and all notifications for a minimum of two years and shall be available for inspection upon reasonable notice (24 written notice shall be deemed

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10. GENERAL CONDITIONS

10.PLANNING. 37 USE - NOTIFICATIONS (cont.) INEFFECT

reasonable notice) by the Director of the Department of Building and Safety and/or the Planning Director or other designated staff of Riverside County, or any successor in interest of the county.

10.PLANNING. 38 USE - CAUSES FOR REVOCATION INEFFECT

In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures in Section 18.31 of Ordinance No. 348.

TRANS DEPARTMENT

10.TRANS. 7 USE- STD INTRO 2(ORD 460/461) INEFFECT

With respect to the conditions of approval for the referenced tentative exhibit, the Transportation Department recommends that the land divider provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. These Ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 8 USE - ENCROACHMENT PERMIT INEFFECT

An encroachment permit must be obtained from the Transportation Department prior to the commencement of any work within the County road right-of-way.

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10. GENERAL CONDITIONS

10.TRANS. 9

USE - TS/CONDITIONS

INEFFECT

The Transportation Department has reviewed the traffic study submitted by Robert Bein, William Frost & Associates for the subject project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The study indicates that it is possible to achieve a Level of Service "D" for the following intersections (some of which will require additional construction for mitigation at the time of development):

- Highway 111 (EW)/Cook Street (NS)
- Highway 111 (EW)/El Dorado Drive (NS)
- Highway 111 (EW)/Miles Avenue (NS)
- Highway 111 (EW)/Washington Street (NS)
- Fred Waring Drive (EW)/Cook Street (NS)
- Fred Waring Drive (EW)/El Dorado Drive (NS)
- Fred Waring Drive (EW)/Warner Trail (NS)
- Fred Waring Drive (EW)/Washington Street (NS)
- Miles Avenue (EW)/Warner Trail (NS)
- Miles Avenue (EW)/Washington Street (NS)
- 42nd Avenue (EW)/Washington Street (NS)

The Comprehensive General Plan circulation policies require a minimum of Level of Service "C", except that Level of Service "D" could be allowed in urban areas only at intersections of any combination of Major Street, Arterials, Expressways, or conventional State Highways within one mile of a freeway interchange and also at freeway ramp intersections. Special event uses will require a traffic management plan. Level of Service "D" would only be allowed in those instances where mitigation to Level of Service "C" is deemed impractical. As a Special Event, if this standard cannot be achieved, it should be mitigated to the maximum extent possible. As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

10.TRANS. 10

USE - TS/FAIR SHARE

INEFFECT

The Traffic Study and Environmental Impact Report discussion of "fair share" participation via payment of

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10. GENERAL CONDITIONS

10.TRANS. 10 USE - TS/FAIR SHARE (cont.)

INEFFECT

TUMF should be limited to intersections which are located at considerable distance from the site. Intersections directly impacted by project traffic must be mitigated as contained in the associated conditions of approval.

10.TRANS. 11 USE - TS/TRAFFIC MNGMENT PLAN

INEFFECT

A Traffic Management Plan (TMP) shall be prepared and implemented to the satisfaction of the County of Riverside. The TMP shall include all items as listed in the EIR for the construction phase, plus the Special Event Plan for project operations. The TMP shall include the following:

1. Detailed plans of proposed lane configurations, lane restrictions, traffic control personnel stationing, directional signage, barricades, emergency vehicle access, etc.
2. An exhibit depicting a detailed view of the parking lot entries. Such exhibit shall indicate stacking areas, fee collection areas, valet pick up and drop off areas.
3. The TMP shall address pre-event activities including the placement of temporary directional signage and parking prohibitions, advance notification of surrounding property owners and residents, pre-event advertising and publications that include directional maps and/or instructions. The plan should also afford the availability of prepaid parking, especially for the VIP lot. Any additional pre-event plans or activities that would assist with Traffic Management should also be noted in the plan.
4. Directional signage shall address both regional signs to direct patrons to the areas along major access routes, and guide signs closer to the project providing visitors with advance notice of turning movements.
5. The plan should discuss any temporary road closures or roads that may be open only to residents (i.e. Warner Trail).
6. The plan shall provide for an on-site traffic coordination center, and a commitment to coordinate traffic management with all affected agencies: County Transportation, CALTRANS, CHP, County Sheriff, City of Indian Wells, City of La Quinta, City of Palm Desert, Sunline, the Fire Department, and ambulance services.
7. The TMP must demonstrate that the project can satisfy the following standards:
  - a. All inbound vehicle stacking is accommodated

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10. GENERAL CONDITIONS

10.TRANS. 11 USE - TS/TRAFFIC MNGMENT PLAN (cont.) INEFFECT

- on-site with no spill-over onto Miles Avenue.
- b. Outbound traffic peaks can be moderated to such an extent that the Level of Service (LOS) does not deteriorate below LOS "E" for more that 30 consecutive minutes per day.

The applicant shall monitor such performance for major events and implement any modifications to the TMP deemed necessary by the Transportation Department in order to achieve this standard, such as providing greater on-site storage and/or additional fee collection stations, and metering the outflow of vehicles from the event parking lots.

- 8. The TMP must be coordinated with input from the County Transportation Department, law enforcement agencies and emergency service providers, and modified as may be deemed appropriate to improve system performance.
- 9. The TMP shall also address the impacts of construction related traffic and incorporate measures designed to reduce the effects on the surrounding neighbors.

10.TRANS. 12 USE - SPECIAL EVENT PERMIT INEFFECT

Prior to any event which would require the implementation of the Traffic Management Plan activities within Riverside County rights-of-way, a Parade and Special Event Permit shall be obtained from the Riverside County Transportation Department pursuant to Board of Supervisors Resolution No. 89-99.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 USE - EXPIRATION DATE 1 EXTEND INEFFECT

This approval shall be used within two (2) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within two (2) year period which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use. Prior to the expiration of the two year period, the permittee may request a one (1) year extension of time in which to begin substantial construction or use of this permit. Should the one year extension be obtained

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20. PRIOR TO A CERTAIN DATE

20.PLANNING. 1 USE - EXPIRATION DATE 1 EXTEND (cont.) INEFFECT

and no substantial construction or use of this permit be initiated within three (3) years of the approval date this permit, shall become null and void.

20.PLANNING. 2 USE - REVIEW OPERATION HOURS INEFFECT

One year after issuance of occupancy permit, and thereafter on an annual basis if deemed necessary, the Planning Director and the Director of Building and Safety shall review this permit to reconsider the hours of operation. If significant complaints have been received regarding noise and other public nuisances, the hours of operation of the tennis complex and amphitheater may be further restricted.

20.PLANNING. 3 USE - UNDEVELOPED VOID DATE INEFFECT

Notwithstanding any other condition of approval herein, this permit shall become null and void on July 1, 2005, as it applies to any undeveloped portion or any undeveloped phase(s) of this property; "undeveloped" shall mean where no lawful occupancy or structure exists. A notice to the Building and Safety Department concerning this condition shall be placed on this application to take effect on the date specified in this condition.

20.PLANNING. 4 USE - CLEAN SITE AFTER EVENTS INEFFECT

The site shall be promptly cleared of all garbage, debris, and litter at the conclusion of all events.

All signage shall be removed the day following the major tennis event and any and all other outdoor events; all temporary improvements (ramps, paths, fences, etc.) shall be removed the week following the major tennis event and any and all other outdoor events.

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1 USE-G1.4 NPDES/SWPPP INEFFECT

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 1 USE-G1.4 NPDES/SWPPP (cont.) INEFFECT

the following: EFFECTIVE OCTOBER 1, 1992, OWNER OPERATORS OF CONSTRUCTION PROJECTS ARE REQUIRED TO COMPLY WITH THE N.P.D.E.S.' (National Pollutant Discharge Elimination System) REQUIREMENT TO OBTAIN A CONSTRUCTION PERMIT FROM THE STATE WATER RESOURCE CONTROL BOARD (SWRCB).

THE CONSTRUCTION PERMIT REQUIREMENT APPLIES TO CONSTRUCTION SITES OF FIVE ACRES AND LARGER OR SITES OF LESS THAN FIVE ACRES IF THE CONSTRUCTION ACTIVITY IS PART OF A LARGER COMMON PLAN OF DEVELOPMENT OR SALE. THE OWNER OPERATOR CAN COMPLY BY SUBMITTING A NOTICE OF INTENT (NOI), DEVELOP AND IMPLEMENT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP), AND A MONITORING PROGRAM AND REPORTING PLAN FOR THE CONSTRUCTION SITE. FOR ADDITIONAL INFORMATION AND TO OBTAIN A COPY OF THE NPDES STATE CONSTRUCTION PERMIT CONTACT THE SWRCB AT (916) 657-1146.

60.BS GRADE. 2 USE-G2.1 GRADING BONDS INEFFECT

Grading in excess of 199 cubic yards will require performance security to be posted with the Building and Safety Department. Single Family Dwelling units graded one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.

60.BS GRADE. 3 USE-G2.2 IMPORT / EXPORT INEFFECT

In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety Department. Additionally, if either location was not previously approved by an Environmental Assessment, prior to issuing a grading permit a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Building and Safety Department Director for approval.

60.BS GRADE. 4 USE-G2.3SLOPE EROS CL PLAN INEFFECT

Erosion control - landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457, see form 284-47.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 5                    USE-G2.4GEOTECH/SOILS RPTS                    INEFFECT

Geotechnical/soils reports shall be submitted to the County Geologist for approval prior to issuance of a grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by Riverside County.\*

The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS. A pregrading meeting, certifications, approvals and inspection procedures will be implemented per the COUNTY OF RIVERSIDE DEPARTMENT OF BUILDING AND SAFETY GRADING INSPECTION PROCESS.

60.BS GRADE. 6                    USE-G2.7DRNAGE DESIGN Q100                    INEFFECT

All drainage facilities shall be designed in accordance with the Riverside County Flood Control & Water District's letter regarding this application, or if not specifically addressed in their letter, to accommodate 100 year storm flows.

60.BS GRADE. 7                    USE-G2.13FIRE D'S OK ON DR.                    INEFFECT

Driveways shall be designed in accordance with Riverside County Fire Department standards - or the governing Fire Department if not the County - and shall require their approval prior to issuance of the grading permit. Approval shall be in the form of a conditional approval letter addressed to the related case file or by written approval from the Fire Department.

60.BS GRADE. 8                    USE-G2.14OFFSITE GDG ONUS                    INEFFECT

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

60.BS GRADE. 9                    USE-G2.15NOTRD OFFSITE LTR                    INEFFECT

A notarized letter of permission, from the affected property owners or easement holders, is required for any proposed off site grading.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 10 USE-G2.16REC'D ESMT REQ'D INEFFECT

A recorded easement is required for off site drainage facilities.

60.BS GRADE. 11 USE - CONSTRUCTION HOURS INEFFECT

THE FOLLOWING NOTE MUST BE PLACED ON THE GRADING PLANS:

"FROM OCTOBER 1ST THROUGH APRIL 30TH, GRADING ACTIVITIES SHALL ONLY BE PERMITTED TO OCCUR DURING THE HOURS OF 7:00 A.M. TO 5:30 P.M. MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M. SATURDAY, AND NONE ON SUNDAY AND GOVERNMENT CODE HOLIDAYS."

"FROM MAY 1ST THROUGH SEPTEMBER 30TH, GRADING ACTIVITIES SHALL ONLY BE PERMITTED TO OCCUR DURING THE HOURS OF 6:00 A.M. TO 7:00 P.M. MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M. SATURDAY, AND NONE ON SUNDAY AND GOVERNMENT CODE HOLIDAYS. FROM JULY 1ST THROUGH SEPTEMBER 30TH, THE MORNING START HOURS MAY BE CHANGED TO 4:00 A.M., PROVIDED A NOISE MANAGEMENT PLAN IS APPROVED BY THE BUILDING DIRECTOR AND THE PLANNING DIRECTOR."

AMD. BY THE PLANNING COMMISSION ON 10-21-98.

60.BS GRADE. 12 USE - CONSTRUCTION TRAFFIC INEFFECT

THE FOLLOWING NOTE MUST BE PLACED ON THE GRADING PLANS:

"ALL CONSTRUCTION TRAFFIC MUST COMPLY WITH THE TRAFFIC MANAGEMENT PLAN FOR THIS PROJECT, AS APPROVED BY THE RIVERSIDE COUNTY TRANSPORTATION DEPARTMENT."

PLANNING DEPARTMENT

60.PLANNING. 1 USE - GRADING PLANS INEFFECT

If grading is proposed, the project must comply with the following:

a. The developer shall submit one print of a comprehensive grading plan to the Department of Building and Safety which complies with the Uniform Building Code, Chapter 70, as amended by Ordinance No. 457 and as may be additionally provided for in these conditions.

b. A grading permit shall be obtained from the Department of Building and Safety prior to commencement of any grading outside of a County maintained road

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1 USE - GRADING PLANS (cont.) INEFFECT

right-of-way.

c. Graded but undeveloped land shall be planted with interim landscaping or provided with other erosion control measures as approved by the Director of Building and Safety.

d. Graded areas shall be revegetated or landscaped with native species which are fire resistant, drought tolerant, low water using and erosion controlling.

60.PLANNING. 2 USE - NPDES COMPLIANCE INEFFECT

If this project will disturb five or more acres or is part of a larger project that will disturb five or more acres it will require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the State Water Resources Control Board. Clearance for grading shall not be given until either the district or the Department of Building and Safety has determined that the project has complied with the current County requirements regarding the NPDES Construction General Permit.

60.PLANNING. 3 USE - FRINGE-TOED LIZARD INEFFECT

The Coachella Valley Fringe-Toed Lizard Habitat Conservation Plan has identified this ermit as being within the boundaries of the mitigation area for the Coachella Valley Fringe-Toed Lizard. PRIOR TO THE ISSUANCE OF GRADING PERMITS OR BUILDING PERMITS, whichever occurs first, the permittee shall submit to the Department of Building and Safety a document which demonstrates to the satisfaction of the County that the permittee has provided sufficient mitigation for the taking of habitat area. The total amount of land to be disturbed by this project will be 184 acres; grading or building permits in excess of this area shall provide additional sufficient mitigation. The Planning Director may reduce the amount of land to be disturbed by this project upon approval of site specific grading plans and other information showing a lesser area actually being subject to mitigation fees.

60.PLANNING. 4 USE - MITIGATION MONITORING INEFFECT

The permittee shall prepare and submit a written report to the Riverside County Planning Director demonstrating

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 4 USE - MITIGATION MONITORING (cont.) INEFFECT

compliance with those conditions of approval and mitigation measures of this permit and EIR No. 403 which must be satisfied prior to the issuance of a grading permit.

The Planning Director may require inspection or other monitoring to ensure such compliance.

60.PLANNING. 5 USE - DRAINAGE CALCULATION INEFFECT

Appropriate calculations and grading plan prepared by a California registered civil engineer shall be submitted to the Department of Building and Safety for review. The calculations and plans shall provide for the acceptance of off-site storm waters tributary to the property and for their conveyance through the property with minimal off-site storm water diversion of concentration as determined by good engineering practice and the Department of Building and Safety. The calculations and plans shall demonstrate that the incremental increase of runoff from a natural condition to a developed condition shall be retained on-site unless coordination with the Transportation Department allows the use of streets for drainage purposes. Flood protection shall be provided for all on-site buildings. Calculations at a minimum shall include storms up to a 100 year event.

60.PLANNING. 6 USE - CVWD CLEARANCE INEFFECT

A clearance letter from the Coachella Valley Water District shall be provided to the Riverside County Planning Department verifying compliance with the conditions stated in their letters contained in EIR No. 403 and the district's letter dated April 10, 1998, summarized as follows: plans for grading, landscaping and irrigation systems shall be submitted to the district for review and approval; an encroachment permit shall be required for any work within the Whitewater River Stormwater Channel.

60.PLANNING. 7 MAP - PALEONTOLOGIST REQUIRED INEFFECT

The permit holder shall retain a qualified paleontologist for consultation and comment on the proposed grading with respect to potential paleontological impacts. The paleontologist shall submit in writing to the County Planning Department - Development Review Division the results of the initial consultation, and the paleontologist

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 7

MAP - PALEONTOLOGIST REQUIRED (cont.)

INEFFECT

shall include details of the fossil recovery plan, if recovery was deemed necessary. Should the paleontologist find the potential is high for impact to significant resources, a pre-grade meeting between the paleontologist and the excavation and grading contractor shall be arranged. When necessary, the paleontologist or representative shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of paleontological resources.

60.PLANNING. 8

USE - ARCHAEOLOGIST REQUIRED

INEFFECT

The permit holder shall cause the completion of a Phase II archaeological study to determine the potential for encountering archaeological remains on the site during construction and grading operations, with special focus on areas projected to be involved in cut earth excavation operations. All required additional mitigation measures identified in the Phase II study recommended by the project archaeologist as determined by the Planning Director shall be implemented by the permit holder. If human remains are discovered, the procedures outlined in Appendix K of the CEQA Guidelines and in EIR No. 403 shall be completed as determined by the Planning Director.

The permit holder shall designate an archaeological monitor or monitors for the project, and shall advise the Director of the Department of Building and Safety and the Planning Director of the name, address, telephone number and qualifications of all such monitors. The monitors shall include an identified Native American observer who shall be present during site grading. The monitors shall be present on the site during all initial mass grading, and shall have authority to halt, divert or redirect grading activity as needed to allow recovery of cultural resources found. If the cultural resources found are determined by the monitors or other qualified archaeologists to be significant the area containing the resources and adjoining lands considered likely to contain additional resources shall be marked and all grading shall be halted in such areas. The Director of the Department of Building and Safety and the Planning Director shall be immediately notified of any located and marked cultural resource areas where grading is halted. The project archaeologist shall be contracted to record the location of cultural resources and develop and implement a

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 8 USE - ARCHAEOLOGIST REQUIRED (cont.) INEFFECT

recovery plan to mitigate impacts to such resources to the satisfaction of the Planning Director prior to the resumption of grading within the marked resource areas.

70. PRIOR TO GRADING FINAL INSPECT

PLANNING DEPARTMENT

70.PLANNING. 1 USE - PALEONTOLOGIST CERTIFIED INEFFECT

Prior to issuance of grading permits, a qualified paleontologist shall be retained by the permit holder for consultation and comment on the proposed grading with respect to potential paleontological impacts. Should the paleontologist find the potential is high for impact to significant resources, a pre-grade meeting between the paleontologist and the excavation and grading contractor shall be arranged. When necessary, the paleontologist or representative shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of fossils. The permit holder shall submit the name, telephone number and address of the retained paleontologist to the Planning Department and the Director of the Department of Building and Safety. The paleontologist shall submit in writing to the Planning Department the results of the initial consultation and the details of the fossil recovery plan if recovery was deemed necessary. The written results shall be submitted prior to final inspection approval of site grading.

70.PLANNING. 2 USE - ARCHAEOLOGIST CERTIFIED INEFFECT

Prior to issuance of grading permits, a qualified archaeologist shall be retained by the permit holder for consultation and comment on the proposed grading with respect to potential archaeological impacts, as outlined above. The archaeologist shall submit in writing to the Planning Department the results of all monitoring of site grading and the details of any necessary recovery plan prior to final inspection approval of site grading.

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80. PRIOR TO BLDG PRMT ISSUANCE

B&S DEPARTMENT

- 80.B&S. 1                   BP - SCHOOL FEES REQUIRED                   DELETED  
DELETED BY PLANNING COMMISSION 10/21/98
- 80.B&S. 2                   BP\* - MISC CLEARANCES                   DELETED  
DELETED BY PLANNING COMMISSION 10/7/98
- 80.B&S. 3                   BP\* - PLANNING CLEARANCES               DELETED  
DELETED BY PLANNING COMMISSION 10/7/98
- 80.B&S. 4                   BP - CONSTRUCTION HOURS               INEFFECT

THE FOLLOWING NOT MUST BE PLACED ON THE CONSTRUCTION PLANS:

"FROM OCTOBER 1ST THROUGH APRIL 30TH, ALL CONTRUCTION ACTIVITIES SHALL ONLY BE PERMITTED TO OCCUR DURING THE HOURS OF 7:00 A.M. TO 5:30 P.M. MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M. SATURDAY, AND NONE ON SUNDAY AND GOVERNMENT CODE HOLIDAYS."

"FROM MAY 1ST THROUGH SEPTEMBER 30TH, CONSTRUCTION ACTIVITIES SHALL ONLY BE PERMITTED TO OCCUR DURING THE HOURS OF 6:00 A.M. TO 7:00 P.M. MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 SATURDAY, AND NONE SUNDAY AND GOVERNMENT CODE HOLIDAYS. FROM JULY 1ST THROUGH SEPTEMBER 30TH, THE MORNING START HOURS MAY BE CHANGED TO 4:00 A.M., PROVIDED A NOISE MANAGEMENT PLAN IS APPROVED BY THE BUILDING DIRECTOR AND THE PLANNING DIRECTOR."

AMD. BY THE PLANNING COMMISSION ON 10-21-98.

- 80.B&S. 5                   BP - CONSTRUCTION TRAFFIC               INEFFECT

THE FOLLOWING NOTE SHALL BE PLACED ON THE CONSTRUCTION PLANS:

"ALL CONSTRUCTION TRAFFIC MUST COMPLY WITH THE TRAFFIC MANAGEMENT PLAN FOR THIS PROJECT, AS APPROVED BY THE RIVERSIDE COUNTY TRANSPORTATION DEPARTMENT."

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80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1                   USE\* -G3.1NO B/PMT W/O G/PMT                   INEFFECT

Prior to issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Grading Division of the Building and Safety Department.

E HEALTH DEPARTMENT

80.E HEALTH. 1                   USE - FOOD PLANS REQUIRED                   INEFFECT

A total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with the California Uniform Retail Food Facilities Law.

80.E HEALTH. 2                   USE - LEA CLEARANCE                   INEFFECT

Clearance from the Environmental Resources Management Division, LEA, is required, relative to the storage, handling, and removal of solid wastes and materials generated at the site, in accordance with current Riverside County Ordinances. NOTE: Approved, adequate trash enclosure installations are required to be constructed at the site in locations as designated by the Department(s) or Administrative Authority(s) having jurisdiction.

80.E HEALTH. 3                   USE- C.V.W.D. CLEARANCE                   INEFFECT

A clearance letter from the Coachella Valley Water District shall be provided to the Department of Environmental Health verifying compliance with the conditions of their letter, dated April 10, 1998, generally summarized as follows: The District will need additional facilities for the orderly expansion of its domestic water system. These facilities may include wells, reservoirs, and booster pumping stations. The developer will be required to provide land on which some of these facilities will be located. These sites shall be shown on the plot plan as land to be deeded to the District for such purpose.

80.E HEALTH. 4                   USE - ANNEXATION                   INEFFECT

The area shall be annexed to Improvement District Nos. 55 and 82 of the Coachella Valley Water District for

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80. PRIOR TO BLDG PRMT ISSUANCE

80.E HEALTH. 4 USE - ANNEXATION (cont.)

sanitation service. Annexation proceedings shall be completely finalized with the District, prior to the issuance of any building permits, to obtain sanitary sewer service.

80.E HEALTH. 5 USE- HAZ MAT TANK PLANS REQD.

Detailed, complete construction plans of the underground fuel tank/ waste oil storage tank system shall be submitted to the Hazardous Materials Management Division for review and approval, prior to obtaining any building permits to construct.

80.E HEALTH. 6 USE - HAZMAT RISK

The business must provide a risk management program (RMP) to the Hazardous Materials Management Division if the business handles acutely hazardous materials or extremely hazardous substances over the threshold planning quantity. RMP format requires completion prior to occupancy. RMP guideline must be adhered to before approval can be granted.

80.E HEALTH. 7 USE - HAZMAT CONTACT

Contact the Hazardous Materials Management Division for requirements of the RMP and any other requirements at (760) 863-8976.

80.E HEALTH. 8 USE- BUILDING PLANS

Detailed, complete plans and specifications for each building, structure, accessory structure, and all related site improvements, which shall include on-site sanitary sewer and domestic water distribution system installations (both inside and outside the buildings or structures), shall be submitted to the Department of Environmental Health for our review and approval, prior to obtaining any building permits to construct.

80.E HEALTH. 9 USE- NOISE STUDY REQUIRED

A certified acoustical study performed by a professional acoustician shall be submitted to the Office of Industrial Hygiene for review and approval, prior to the issuance of any building permits. The study shall outline methods by

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80. PRIOR TO BLDG PRMT ISSUANCE

80.E HEALTH. 9

USE- NOISE STUDY REQUIRED (cont.)

INEFFECT

which all feasible sound attenuation has been incorporated into the project design, such as noise walls and other noise barriers, building orientation and other appropriate means to achieve County noise standards for sensitive land uses that are significantly affected by this project, as determined by the the Health Department (as measured at any residential, hospital, school, library, nursing home, or other similar noise sensitive land). Amphitheater, loudspeaker public address system and mechanical equipment shall be specifically addressed, to include system specifications, hours of operations, and speaker location and orientation, in order to comply with the noise standards referenced in Condition 10. E HEALTH 9. Four (4) copies of the approved acoustical study shall be submitted to the Planning Department with evidence of Health Department approval by the applicant.

80.E HEALTH. 10

USE-NOISE MONITORING FEES REQD

INEFFECT

Prior to the issuance of any building permits for the amphitheater, the applicant/permit holder shall deposit \$5,000 with the department of Environmental Health, Industrial Hygiene section. These funds, which will be held in trust by the county, shall be drawn upon to cover all costs associated with noise compliance monitoring activities. These activities shall include, but are not limited to: planning/coordination, equipment preparation, travel time, actual noise measurements, documentation, and report preparation. Industrial Hygiene will debit the trust account at a rate of \$95.00/hour for labor, mileage costs and meals(if appropriate) at the County's established reimbursement rate.

The account balance shall be monioted by Industiral Hygiene. Whenever the balance drops below \$2,000, Industrial Hygiene will notify the applicant/permit holder that additional funds are required to be deposited. Within thirty(30) days of receipt of this notice, the applicant/permit holder shall deposit with the Department of environmental Health an additional \$5,000.

Failure to maintain the required account balance will result in a suspension of monitoring activities, and a prohibition against further project events. Lifting of this prohibition will occur only when the applicant/permit holder reestablishes the required

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80.E HEALTH. 10 USE-NOISE MONITORING FEES REQD (cont.)

INEFFEC

account balance and Industrial Hygiene monitoring is resumed.

In the event of termination of noise monitoring activities, Industrial Hygiene shall reimburse the balance of the trust account to the applicant/permit holder.

80.E HEALTH. 11 USE - NOISE CONSTRUCTION ACT.

INEFFEC

All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, to the satisfaction of the County Engineer. Stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers, to the satisfaction of the County Engineer.

Stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors during construction activities, to the satisfaction of the County Engineer. Construction vehicles and construction workers shall not utilize Warner Trail, and shall access the site via Washington Street and the project frontage along Miles Avenue.

Flagmen shall be used instead of back-up beepers between the hours of 4 am to 7 am when these hours of operation are permitted.

80.E HEALTH. 12 USE -NOISE CONTROL VERIFICATIO

INEFFEC

Immediately after completion of construction of the amphitheater facilities, but before issuance of occupancy permit, the facility for general operation, the permit holder/operator shall make arrangements to have IH conduct post-construction, noise control verification inspection of the completed facility. During this inspection, the facility operator shall demonstrate the operation of the amphitheatre's sound system, provide sound (such as music) amplified through the system, cooperate with IH's efforts to monitor this amplified sound, and adjust the amplification system's sound accordingly as so that the IH's daytime/nighttime noise standard is not violated.

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FIRE DEPARTMENT

80.FIRE. 1 USE-#29-MITIG PER SQ FT INEFFECT

The applicant or developer shall deposit with the Riverside County Fire Department, a check or money order equaling the sum of \$.25 cents per square foot as mitigation for fire protection impacts.

80.FIRE. 2 USE-#17A-BLDG PLAN CHECK \$ INEFFECT

Building Plan check fee of \$1,056.00, shall be paid in a check or money order to the Riverside County Fire Department after plans have been approved by our office. (fee is subject to change)

80.FIRE. 3 USE-#4-WATER PLANS INEFFECT

The applicant or developer shall separately submit two copies of the water system plans to the Fire Department for review and approval. Calculated velocities shall not exceed 10 feet per second. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans shall be signed and approved 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."

PLANNING DEPARTMENT

80.PLANNING. 1 USE - LIGHTING PLANS INEFFECT

All street lights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Riverside County Ordinance No. 655 and the Riverside County Comprehensive General Plan.

80.PLANNING. 2 USE - CONFORM TO ELEVATIONS INEFFECT

Building elevations shall be in substantial conformance with that shown on Exhibit Nos. B-1 through B-10, all

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 2 USE - CONFORM TO ELEVATIONS (cont.) INEFFECT

Amended No. 1. Minor deviations may be deemed in conformance as determined by the Planning Director.

80.PLANNING. 3 USE - CONFORM TO FLOOR PLANS INEFFECT

Floor plans shall be in substantial conformance with that shown on Exhibit Nos. B-1 through B-10, all Amended No. 1. Minor deviations may be deemed in conformance as determined by the Planning Director.

80.PLANNING. 5 USE - LANDSCAPING SECURITIES INEFFECT

Performance securities, in amounts to be determined by the Director of Building and Safety to guarantee the installation of plantings, walls and fences in accordance with the approved plan, and adequate maintenance of the planting for one year shall be filed with the Department of Building and Safety. A cash bond shall be required to guarantee the installation of plantings, walls, and fences when the estimated cost is \$2,500 or less. The remaining performance surety shall be released one year after installation is approved provided the planting has been adequately maintained.

80.PLANNING. 6 USE - FRINGE-TOED LIZARD INEFFECT

The Coachella Valley Fringe-Toed Lizard Habitat Conservation Plan has identified this permit as being within the boundary of the mitigation area of the Coachella Valley Fringe-toed Lizard. PRIOR TO THE ISSUANCE OF ANY GRADING PERMITS OR BUILDING PERMITS, whichever comes first, the permittee shall submit to the Department of Building and Safety a document which demonstrates to the satisfaction of the County that the permittee has provided sufficient mitigation for the taking of habitat area. The total amount of land to be disturbed by this project will be 184 acres; grading or building permits in excess of this area shall provide additional sufficient mitigation. The Planning Director may reduce the amount of land to be disturbed by this project upon approval of site specific grading and other information showing a lesser area actually being subject to mitigation fees.

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 7 USE - MITIGATION MONITORING

The permittee shall prepare and submit a written report to the Riverside County Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit and EIR No. 184 which must be satisfied prior to the issuance of a building permit.

The Planning Director may require inspection or other monitoring to ensure such compliance.

80.PLANNING. 8 USE - HEIGHT LIMITATIONS

All buildings and structures within this permit shall not exceed 50 feet in overall height, except a height not to exceed 58 feet is granted for "Stadium 1 (16,000 seats)", and as further exceptions are provided by Section No. 18.20 of Ordinance No. 348. Notwithstanding Section No. 18.20 of Ordinance No. 348, no structure shall exceed the height of 110 feet within this conditional use permit. The permittee shall demonstrate to the satisfaction of the Planning Director and the Director of the Department of Building and Safety that construction plans comply with all height regulations.

80.PLANNING. 9 USE - REQUIRED APPLICATIONS

No building permits shall be issued until General Plan Amendment No. 446 and Change of Zone No. 6349 have been approved and adopted by the Board of Supervisors and have been made effective; to be "effective" includes, but is not limited to, the adoption of a resolution for the general plan amendment and the final zoning map by the Board of Supervisors. This permit shall conform with the development standards of the designation(s) and/or zone(s) ultimately applied to the property.

80.PLANNING. 10 USE - ACOUSTICAL STUDY

The permittee shall have four (4) copies of an approved and certified acoustical study performed by a professional acoustician prepared which outlines methods by which interior sound levels within residential and noise sensitive uses affected by the proposed use will be maintained at no more than 45 db(A) and that airborne sound insulation and reduction methods will comply with the mitigation measures of EIR No. 403. The study shall be submitted to the Health Services Agency, Office of

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80.PLANNING. 10 USE - ACOUSTICAL STUDY (cont.) INEFFECT

Industrial Hygiene for review and approval (the permittee may be assessed review fees not to exceed the Agency's hourly rate) and shall forward the approved study along with any further requirements of the Health Service Agency to the Planning Department for approval.

80.PLANNING. 11 USE - SCHOOL MITIGATION INEFFECT

Project impacts, including but not necessarily limited to impacts of the tennis complex, to the Desert Sands Unified School District shall be mitigated in accordance with California State law.

80.PLANNING. 12 USE - LANDSCAPING PLAN DESERT INEFFECT

Prior to the issuance of building permits, thirteen (13) folded copies of a Shading, Parking, Parking Lot Lighting, Landscaping and Irrigation Plan shall be submitted to and approved by the Planning Department pursuant to the requirements of Ordinance No. 348, Sections 18.12 and 18.43 (Planning Department only substantial conformance). It is recommended, to save unnecessary expense, that three (3) screen check copies of the proposed plan be initially submitted with a substantial conformance application and applicable fees, and thereafter providing the 13 final copies after completion of Planning Department review. The location, number, genus, species, and container size of plants shall be shown. Plans shall meet all requirements of Ordinance No. 348, Sections 18.12, and 19.300 through 19.304 and as specified herein.

The project landscaping and irrigation plans shall include the following:

- a) The name, address and phone number of both the landscape plan preparer and project developer. the property's Assessor Parcel Number(s) and a vicinity map.
- b) All outdoor trash and rubbish disposal areas and recycling bins with details of structural design.
- c) Elevations with height shown and materials described for all masonry walls and other fencing.
- d) Handicapped parking spaces shall be shown. Handicapped accessibility shall be depicted on the landscaping plan,

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80.PLANNING. 12

USE - LANDSCAPING PLAN DESERT (cont.)

INEFFECT

including the path of travel to the main building entrance(s) with consideration given to potential access constraints due to slope, lighting fixtures and width of walkways. A note shall be included that certifies that the plans conform to all federal and state handicapped accessibility regulations.

e) Drought tolerant and native plant species shall be preferred over non-drought tolerant or non-native species; however, the quantity and extent of these species shall depend on the project's climatic zone. Alternative types of low volume irrigation are encouraged to be used in order to conserve water. Review of landscaping and irrigation plans by any applicable water utility for the above standards may be required prior to Planning Department approval.

f) A copy of the final grading plans shall be submitted with the landscaping plan to the Planning Department in order to establish that the plans have been coordinated.

g) A minimum 30 foot wide landscape setback measured from the ultimate street right-of-way boundary shall be maintained along Miles Avenue; a minimum 20 foot wide landscape setback measured from the property boundary shall be maintained along the westerly project property line; a minimum five foot wide landscape setback measured from the property boundary shall be maintained along the northerly project property line. While gravel and similar groundcover treatments may be included in these landscape setbacks, significant portions shall be devoted to living groundcovers and trees planted in imaginative patterns.

h) Provide for a temporary groundcover or soil stabilization program for areas graded but not utilized, including but not limited to any "future" uses and sites, as shown or implied on the APPROVED EXHIBIT "A".

i) Main and secondary entry points shall be detailed on the submitted landscaping plans. Special attention shall be given to the access point proposed off Washington Street which shall be provided with living groundcovers and trees in adequate planter areas as determined by the Planning Director.

j) Paved Driveways shall be a minimum width of 24 feet of

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80.PLANNING. 12 USE - LANDSCAPING PLAN DESERT (cont.) (cont.) INEFFECT

paved material over a base material acceptable to the Department of Building and Safety; a paved driveway shall be installed with the first phase of development connecting the northerly paved parking area with the southerly paved parking area as shown on the APPROVED EXHIBIT "A".

k) The area southerly of Miles Avenue shown as "underpass" and "paved walkway" and also including accessible or "handicapped" parking, shall be paved with adequate landscaped planters as determined by the Planning Director.

l) Show locations of required bicycle parking spaces, general location for bus transit and shuttle delivery and storage.

m) Provide parking space tree shading calculations and appropriate crown diameter diagrams to ensure conformance with Section 18.12 of Ordinance No. 348.

n) Coordinate final landscaping planting plans with Exhibit L (Proposed Plant Palette).

o) Provide closely spaced, but with occasional open breaks, tree row or high growing hedge, and other landscaping elements as approved by the Planning Director, along the westerly boundary (within 20 foot landscaped planter area) to provide buffer between the sports and recreational facility and adjoining residential uses and zones.

80.PLANNING. 13 USE - SUNLINE BUS STOPS

A bus stop shall be shown on the street improvement plans and identified on project final parking plans. The bus stop shall be coordinated with the Sunline Transit Agency and shall be subject to Transportation Director and Planning Director approval.

80.PLANNING. 15 USE - FINAL PARKING PLAN

Prior to the issuance of building permits, a FINAL PARKING PLAN shall be submitted for the approval of the Planning Director which shall address final parking layout and design which shall supplement the Parking and Traffic Management Plan dated September 24, 1998, on file with EIR No. 403. The final parking plan shall be submitted pursuant



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#80 PLANNING

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80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 15 USE - FINAL PARKING PLAN (cont.)

INEFFECT

to the requirements of Section 18.43 of Ordinance No. 348 (Planning Department only substantial conformance) and may be submitted concurrently with the project landscaping and irrigation plans. It is understood that the final parking plan may require additional parking spaces to be installed than the overall minimum 5485 spaces. The final parking plan shall address, but not necessarily be limited to, the following:

a) Parking shall be provided for the stadiums at the rate of 1 space per 30 square feet of net assembly area (4.35 square feet per seat may be used to determine net assembly area); the permit holder shall submit complete parking calculations and floor plan assignments to the satisfaction of the Planning Director for the stadiums and accessory uses, included tournament courts and tennis club activities. Identify required bicycle spaces and public transit locations. Note conformance with accessibility requirements pursuant to state and federal laws.

b) Identify the surfacing materials and maintenance schedule of the temporary parking areas and methods of hardsurfacing the principal entry and driveway areas which location may require all-weather access as approved by the Planning Director and the Fire Department.

c) Identify the other accessory uses within the tennis complex, such as practice courts, tournament courts, lawn view/rest area, rest rooms, and the expected amount of parking spaces required for each use, including event spectator uses, employees, volunteers, etc., as well as expected non-event parking usage.

d) Provide a phasing plan, including indicated anticipated use of temporary parking areas planned for future uses, such as hotels, and the duration and coordination of such temporary parking areas with the overall parking plan.

e) Any special review of parking as provided by Section No. 18.12 of Ordinance No. 348 shall be identified and justified to the satisfaction of the Planning Director.

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80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 6

USE - TUMF

INEFFECT

Prior to the issuance of a building permit, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1

USE\*G4.3PAVING INSPECTIONS

INEFFECT

The developer/applicant shall be responsible for obtaining the paving inspections required by Ordinance 457.

E HEALTH DEPARTMENT

90.E HEALTH. 1

USE- FOOD ESTABLISHMENT CLEAR.

INEFFECT

Clearance and approval for each food establishment is required by the Department of Environmental Health, prior to final Building Department inspection/ occupancy release.

90.E HEALTH. 2

USE - HAZMAT CLEARANCE

INEFFECT

Clearance from the Hazardous Materials Management Division indicating the project has met the following requirements:  
1) Underground Storage Tanks, Riv. Co. Ordinance # 671.4.  
2) Hazardous Waste Generator Services, Riv. Co. Ordinance # 615.3.  
3) Disclosure and Emergency Response Plans, Riv. Co Ordinance #651.2.  
4) Waste Reduction Management.

90.E HEALTH. 3

USE - HAZMAT WASTE

INEFFECT

The facility requires a hazardous waste permit if a hazardous waste is generated as defined in Title 22 of the California Code of Regulations, Section 66260.10 and 66261.3. The hazardous waste report and fee is due at occupancy. If further review of the site indicates additional environmental health issues, the Division reserves the right to regulate the business in accordance with applicable County Ordinances. Contact (760) 863-8976 for more information.

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90. PRIOR TO BLDG FINAL INSPECTION

90.E HEALTH. 4 USE - HAZMAT BUS PLAN INEFFECT

The facility may require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances.

90.E HEALTH. 5 USE - HAZMAT TANKS INEFFECT

Construction plans must be reviewed and approved by the Hazardous Materials Division prior to the installation of the underground storage tank (UST) system. There is a construction fee based on the number of UST's installed. Permits from the Hazardous Materials Division must be obtained for the operation of the UST's prior to occupancy.

90.E HEALTH. 6 USE - HAZMAT CONTACT INEFFECT

Contact the Hazardous Materials Management Division at (760) 863-8976 for any additional requirements.

90.E HEALTH. 7 USE - HAZMAT REVIEW INEFFECT

If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

FIRE DEPARTMENT

90.FIRE. 1 USE-#45-FIRE LANES INEFFECT

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.

90.FIRE. 2 USE-#12-SPRINKLER SYSTEM INEFFECT

Install a complete fire sprinkler system in all buildings requiring a fire flow of 1500 GPM or greater. The post indicator valve and fire department connection shall be located to the front, within 50 feet of a hydrant, and a minimum of 25 feet from the building(s). A statement that the building(s) will be automatically fire sprinkled must

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90. PRIOR TO BLDG FINAL INSPECTION

90.FIRE. 2 USE-#12-SPRINKLER SYSTEM (cont.) INEFFECT

be included on the title page of the building plans.  
(current sprinkler plan check fee is \$614.00 per riser, fee is subject to change)

Applicant or developer shall be responsible to install a U.L. Central Station Monitored Fire Alarm System. That monitors fire sprinkler system water flow, P.I.V.'s and all control valves. Plans must be submitted to the Fire Department for approval prior to installation. (current monitoring plan check fee is \$192.00, fee is subject to change)

90.FIRE. 3 USE-#35-VOICE FIRE ALARM INEFFECT

Applicant or developer shall be responsible to install a manual and automatic pre-recorded VOICE Fire Alarm System. Plans must be submitted to the Fire Department for approval prior to installation. (current plan check fee is \$627.00, fee is subject to change)

90.FIRE. 4 USE-#83-AUTO/MAN FIRE ALARM INEFFECT

Applicant or developer shall be responsible to install a manual and automatic Fire Alarm System. Plans must be submitted to the Fire Department for approval prior to installation. (current plan check fee is \$627.00, fee is subject to change)

90.FIRE. 5 USE-#27-EXTINGUISHERS INEFFECT

Install portable fire extinguishers with a minimum rating of 2A-10BC and signage. Fire Extinguishers located in public areas shall be in recessed cabinets mounted 48" (inches) to center above floor level with maximum 4" projection from the wall. Contact Fire Department for proper placement of equipment prior to installation.

90.FIRE. 6 USE-#36-HOOD DUCTS INEFFECT

Install a U.L. 300 hood duct fire extinguishing system. Wet

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90. PRIOR TO BLDG FINAL INSPECTION

90.FIRE. 6 USE-#36-HOOD DUCTS (cont.)

INEFFECT

chemical extinguishing systems shall provide automatic shutdown of all electrical outlets under the hood. Contact a certified fire protection company for proper placement. Plans must be approved by the Fire Department prior to installation. The automatic fire extinguishing system installed in the cooking equipment hood shall be monitored by the building fire alarm system. (current plan check fee is \$215.00, fee is subject to change)

PLANNING DEPARTMENT

90.PLANNING. 1 USE - PARKING PAVING MATERIAL

INEFFECT

A minimum of 5,485 parking spaces shall be provided as shown on the APPROVED EXHIBIT NO. "A,"; additional parking spaces may be required pursuant to the FINAL PARKING PLAN approved prior to the issuance of building permits. The permanent parking area shall contain a minimum of 335 spaces and shall be surfaced with asphaltic concrete or concrete to current standards as approved by the Department of Building and Safety. The temporary parking area shall be capable of containing a minimum of 5,150 parking spaces which may not be marked and the area may be surfaced with grass, living groundcovers or other surfacing materials as approved by the Planning Director (the intent of this approval is for a substantial portion of the temporary parking areas to be surfaced with landscaping, not gravel or dirt, including the area southerly of Miles Avenue).

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PG. 47

90.PLANNING. 2 USE - ACCESSIBLE PARKING

INEFFECT

A minimum of sixty-five (65) accessible parking space(s) for persons with disabilities shall be provided as shown on APPROVED EXHIBIT NO. "A" and/or the final parking plan. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk. A sign shall also be posted in a conspicuous

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90.PLANNING. 2 USE - ACCESSIBLE PARKING (cont.) INEFFECT

place, at each entrance to the off-street parking facility, not less than 17 inches by 22 inches, clearly and conspicuously stating the following:

"Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at \_\_\_ or by telephoning \_\_\_."

In addition to the above requirements, the surface of each parking space shall have a surface identification sign duplicating the symbol of accessibility in blue paint of at least 3 square feet in size.

90.PLANNING. 3 USE - LOADING SPACES INEFFECT

A minimum of 14 loading spaces shall be provided in accordance with Section 18.12.a.(2)f(3).b. of Ordinance 348, and as shown on APPROVED EXHIBIT NO. "A" as the "truck compound" (Phase 1 #32). The loading spaces shall be surfaced with six (6) inches of concrete over a suitable base and shall not be less than 10 feet wide by 35 feet long, with 14 feet vertical clearance.

90.PLANNING. 4 USE - NO COMPACT PARKING INEFFECT

NO COMPACT CAR PARKING SPACES (8 1/2' x 16') SHALL BE ALLOWED WITHIN THIS CONDITIONAL USE PERMIT.

90.PLANNING. 5 USE - LIGHTING PLAN COMPLY INEFFECT

All street lights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Riverside County Ordinance No. 655 and the Riverside County Comprehensive General Plan.

90.PLANNING. 6 USE - ROOF EQUIPMENT SHIELDING INEFFECT

Roof-mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department approval.

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90.PLANNING. 7 USE - INSTALL BIKE RACKS INEFFECT

A minimum of 20 bicycle rack spaces or bicycle lockers shall be provided in convenient locations to facilitate bicycle access to the project area. The bicycle racks shall be shown on project final parking and landscaping and improvement plans submitted for Planning Department approval, and shall be installed in accordance with those plans.

90.PLANNING. 8 USE - UTILITIES UNDERGROUND INEFFECT

All utilities, except electrical lines rated 33 kv or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Planning Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

90.PLANNING. 9 USE - SPECIMEN TREES REQUIRED INEFFECT

Landscaping plans shall incorporate the use of specimen canopy trees along streets and within the parking areas. All trees and shrubs shall be drawn to reflect the average specimen size at 15 years of age. All trees shall be double-staked and secured with non-wire ties.

90.PLANNING. 10 USE - CURBS ALONG PLANTERS INEFFECT

A six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

90.PLANNING. 11 USE - WALL/BERM REQUIRED INEFFECT

A six (6) foot high decorative block wall or combination landscaped earthen berm and decorative block wall shall be constructed along the northerly property boundary of the sports and recreational facility area and along the westerly property boundary of the sports and recreational facility area. The exterior side of all masonry walls shall be surfaced with a protective coating that will facilitate the removal of graffiti. The required wall and/or berm shall be subject to the approval of the Director of the

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 11 USE - WALL/BERM REQUIRED (cont.) INEFFECT

Department of Building and Safety and the Planning Director and the appropriate flood control agency, and shall be shown on all grading and landscaping plans.

90.PLANNING. 12 USE - TRASH ENCLOSURES INEFFECT

Any outdoor trash and rubbish disposal areas shall be enclosed which enclosures shall be constructed prior to the issuance of occupancy permits. The enclosures shall be six feet in height and shall be made with masonry block and a solid gate which screens the bins from external view. Additional enclosed area for collection of recyclable materials shall be located within, near or adjacent to each trash and rubbish disposal area. The recycling collection area shall be a minimum of fifty percent (50%) of the area provided for the trash/rubbish enclosure(s) or as approved by the Riverside County Waste Management Department. All recycling bins shall be labeled with the universal recycling symbol and with signage indicating to the users the type of material to be deposited in each bin.

90.PLANNING. 13 USE - COMPLY W/ LANDSCAPE PLAN INEFFECT

All required landscape planting and irrigation shall have been installed in accordance with approved Landscaping, Irrigation, and Shading Plans and be in a condition acceptable to the Director of Building and Safety. The plants shall be healthy and free of weeds, disease or pests. The irrigation system shall be properly constructed and in good working order.

90.PLANNING. 14 USE - CERTIFY LANDSCAPE COMPLY INEFFECT

The applicant's landscape architect or other State licensed party responsible for preparing landscaping and irrigation plans shall provide a Compliance Letter to the Planning Department and the Department of Building and Safety stating that the landscape and irrigation system have been installed in compliance with the approved landscaping and irrigation plans. The Compliance letter shall be submitted at least three (3) working days prior to final inspection of the structure or issuance of occupancy permits, whichever occurs first.

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90.PLANNING. 15 USE - WALL & FENCE LOCATIONS INEFFECT

Wall and/or fence locations shall be in conformance with these conditions of approval and with the project landscaping and irrigation plans.

90.PLANNING. 16 USE - PHASES MUST BE COMPLETE INEFFECT

If the project has been phased, all facilities meant to serve the current phase of development shall be installed in a usable condition. Project landscaping may not all be deferred until the final phase.

90.PLANNING. 17 USE - MITIGATION MONITORING INEFFECT

The permittee shall prepare and submit a written report to the Riverside County Planning Director demonstrating compliance with all remaining conditions of approval and mitigation measures of this permit and EIR No. 403.

The Planning Director may require inspection or other monitoring to ensure such compliance.

90.PLANNING. 18 USE - HEIGHT LIMITATIONS INEFFECT

All buildings and structures within this permit shall not exceed 50 feet in height, except the tennis complex stadium 1 is granted a height not to exceed 58 feet, and as further exceptions are provided by Section No. 18.20 of Ordinance No. 348. Notwithstanding Section No. 18.20 to the contrary, no structure shall exceed the height of 110 feet. All buildings and structures shall comply with approved construction plans that are designed in accordance with this condition.

90.PLANNING. 19 USE - COLOR/FINISH COMPLIANCE INEFFECT

The permittee shall properly install approved color and finish products in accordance with these conditions of approval.

90.PLANNING. 20 USE - COMPLY W/ ACOUSTIC STUDY INEFFECT

The permittee shall construct and design the project in compliance with the recommendations of a certified acoustical study as modified by the Health Service Agency and approved by the Planning Department.

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90.PLANNING. 21 USE - TRUCK PARKING SURFACING INEFFECT

The parking areas shown as "truck parking" (Phase 1 #38) on the APPROVED EXHIBIT "A" shall be improved with a base of decomposed granite compacted to a minimum thickness of three (3) inches, or with an equivalent treatment, such as non-toxic chemical soil stabilization, to prevent the emission of fugitive dust and/or blowsand, provided that this area shall not be in a completely unimproved dirt condition.

90.PLANNING. 25 USE - SKIRT AROUND MOBILE UNIT DELETED

DELETED BY PLANNING COMMISSION ON 10-21-98.

90.PLANNING. 26 USE - CONDITION COMPLIANCE INEFFECT

The Department of Building and Safety shall verify that the Development Standards of this approval and all other preceding conditions have been complied with prior to any use allowed by this permit.

TRANS DEPARTMENT

90.TRANS. 1 USE - TS MIT FEE/COMM-INDUST INEFFECT

In accordance with Riverside County Ordinance No. 748, this project shall be responsible for Signal Mitigation Program fees in effect at the time of occupancy or final building permit, or any use allowed by this permit.

Said fee shall be based upon the following criteria:

Commercial/per net acreage

90.TRANS. 3 USE - IMPROVEMENTS INEFFECT

Miles Avenue shall be improved, full width, from Washington Street to the project's western-most boundary within the dedicated right-of-way in accordance with County Standard No. 101 with 8-inch curb-and-gutter. (76/100)

Washington Street is a County maintained road and shall be improved from Fred Waring Drive to the Whitewater River channel with 8-inch concrete curb-and-gutter and 6-foot wide concrete sidewalk located 55-feet from centerline and match up asphalt concrete paving; reconstruction; or resurfacing of existing paving as determined by the

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90.TRANS. 3 USE - IMPROVEMENTS (cont.)

INEFFECT

Transportation Department within a 67-foot half-width dedicated right-of-way including standard corner cut-backs at the intersection in accordance with County Standard No. 100A (110'/134').

Warner Trail is a County maintained road and shall be improved with 8-inch concrete curb-and-gutter and 6-foot wide concrete sidewalk located 20-feet from centerline and match up asphalt concrete paving; reconstruction; or resurfacing of existing paving as determined by the Transportation Department within a 30-foot half-width dedicated right-of-way in accordance with County Standard No. 104, Section A.

90.TRANS. 4 USE - IMP PLANS

INEFFECT

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the project boundaries at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

90.TRANS. 5 USE - ST DESIGN/IMP CONCEPT

INEFFECT

The street design and improvement concept of this project shall be coordinated with the Southwest Community Church, Public Use Permit No. 772 and Parcel Maps 28833 and 28812.

90.TRANS. 8 USE - STREET LIGHTS

INEFFECT

Install street lights at intersections and driveways associated with the development in accordance with the standards of County Ordinances 460 and 461, County procedures and the standards of the cities of Indian Wells and La Quinta. For specific case requirements, contact the Riverside County Transportation Department, Traffic Project Development Section. The County Service Area (CSA) Administrator determines whether the development is within an existing assessment district. If not, the landowner shall file immediately after receiving tentative approval, for an application with LAFCO for annexation into or creation of a County Service Area pursuant to Governmental Code Section 56000. PRIOR TO OCCUPANCY, the landowner shall receive and provide a Certificate of Completion from LAFCO.

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90.TRANS. 9 USE - SIGNING & STRIPING

INEFFECT

A signing and striping plan is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan. Traffic signing and striping shall be performed by County forces with all incurred costs borne by the applicant, unless otherwise approved by the County Traffic Engineer.

90.TRANS. 11 USE - LANDSCAPING

INEFFECT

Any landscaping within public road rights-of-way shall comply with Transportation Department standards and require approval by the Transportation Department and assurance of continuing maintenance through the establishment of a landscape maintenance district/maintenance agreement or similar mechanism as approved by the Transportation Department.

Landscape plans shall be submitted on standard County Plan sheet format (24" x 36"). Landscape plans shall be submitted with the street improvement plans and shall depict only such landscaping, irrigation and related facilities as are to be placed within the public road rights-of-way.

90.TRANS. 13 USE - VACATION/RE-DESIGN

INEFFECT

The applicant, by his/her design, is requesting a vacation of the existing dedicated rights-of-way along Bay Club Drive/Racquet Club Drive. The applicant shall apply under separate application with the County Surveyor for a conditional vacation of Bay Club Drive/Racquet Club Drive, and receive a Board of Supervisors decision, prior to use case approval. Should the Board of Supervisors fail to approve said vacation request, the applicant shall re-design the project, utilizing the existing rights-of-way.

The Board of Supervisors action regarding this vacation approval/denial shall be included in the findings and conclusions for the use case approval.

90.TRANS. 14 USE - BUS TURNOUT

INEFFECT

A bus turnout shall be provided along Washington Street in accordance with County Standard No. 814 at a location determined by the Sunline Transit Agency and the

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90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 14 USE - BUS TURNOUT (cont.) INEFFECT

Transportation Department.

90.TRANS. 15 USE - DRIVEWAYS INEFFECT

The driveways shall be constructed in accordance with the applicable County Standard and shall be located in accordance with Exhibit A-1 for Conditional Use Permit No. 3258. Access is restricted on Washington Street with the exception of two 40-foot openings, one located adjacent to the northerly property boundary and the other located approximately 660-feet northerly of the intersecting centerlines of Washington Street and Miles Avenue. A third 60-foot opening will be allowed directly opposite Via Sevilla.

90.TRANS. 16 USE - TS/GEOMETRICS INEFFECT

The following intersections shall be improved to provide the geometrics as recommended in the traffic analysis, including any needed pavement widening.

a) Fred Waring Drive (EW)/Washington Street (NS) shall be improved to provide the following geometrics:

Northbound: Two left turn lanes, three through lanes, one right turn lane.

Southbound: Two left turn lanes, three through lanes, one right turn lane.

Eastbound: Two left turn lanes, two through lanes, one right turn lane.

Westbound: One left turn lane, two through lanes, one right turn lane.

b) Miles Avenue (EW)/Washington Street (NS) shall be improved to provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane.

Southbound: One left turn lane, three through lanes, one right turn lane.

Eastbound: One left turn lane, one through lane, one right turn lane.

Westbound: One left turn lane, one through lane, one right turn lane.

c) Washington Street (southbound)/Project Driveways and

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90.TRANS. 16                      USE - TS/GEOMETRICS (cont.)                      INEFFECT

Main Entrance Driveway shall include acceleration -  
deceleration lanes as determined and approved by the  
Transportation Department.

90.TRANS. 17                      USE - TS/ACCESS                      INEFFECT

Driveway access shall be provided from the project northern  
parking area to Warner Trail.

90.TRANS. 18                      USE - DRAINAGE STRUCTURE                      INEFFECT

Install a 54-inch drainage structure along Warner Trail  
from Fred Waring Drive southerly to the Whitewater River  
channel in accordance with the Bermuda Dunes Drainage  
Study or as approved by the Transportation Department.



ESTABLISHED IN 1918 AS A PUBLIC AGENCY

# COACHELLA VALLEY WATER DISTRICT

POST OFFICE BOX 1058 • COACHELLA, CALIFORNIA 92238 • TELEPHONE (619) 398-2651

**DIRECTORS**  
TELLIS CODEKAS, PRESIDENT  
RAYMOND R. RUMMONDS, VICE PRESIDENT  
JOHN W. McFADDEN  
DOROTHY M. DE LAY  
THEODORE J. FRM

April 10, 1998

**OFFICERS**  
THOMAS E. LEVY, GENERAL MANAGER-CHIEF ENGINEER  
BERNARDINE SUTTON, SECRETARY  
OWEN McCOOK, ASSISTANT GENERAL MANAGER  
REDWINE AND SHERRILL, ATTORNEYS

File: 0163.1

050719-243  
050624-1

Riverside County East Area  
Planning Council  
46-209 Oasis Street, 2nd Floor  
Indio, California 92201

Gentlemen:

**Subject:** General Plan Amendment No. 446, Environmental Assessment No. 37320, Change of Zone No. 6349, Conditional Use Permit No. 3258 (Fast Tract No. 98-07), Portion of the West Half of Section 19, Township 5 South, Range 7 East, and the Northeast Quarter of Section 24, Township 5 South, Range 6 East, San Bernardino Meridian *Tennis Facility*

This area is protected from stormwater flows by the Whitewater River Stormwater Channel and may be considered safe from stormwater flows except in rare instances.

This area is designated Zone C on Federal Flood Insurance rate maps which are in effect at this time.

There may be erosion of the banks of the Whitewater River Stormwater Channel during periods of unusual rainfall and discharge. The developer shall construct concrete slope protection on the north bank of the stormwater channel to prevent erosion. Plans for concrete slope protection shall be submitted to the Coachella Valley Water District for review.

Stormwater runoff from this area may be diverted to the Whitewater River Stormwater Channel. Nuisance flows or other nonstormwater generated runoff may not be discharged into the Whitewater River Stormwater Channel.

A portion of this area is adjacent to the right-of-way of the Whitewater River Stormwater Channel. We request that the developer be required to install suitable facilities to prohibit access to this right-of-way.

The developer shall obtain an encroachment permit from the district prior to any construction within the right-of-way of the Whitewater River Stormwater Channel. This includes, but is not limited to, surface improvements, drainage inlets, landscaping, and roadways.

TRUE CONSERVATION  
USE WATER WISELY

BLIND CO

April 10, 1998

The district will furnish domestic water and sanitation service to this area in accordance with the current regulations of this district. These regulations provide for the payment of certain fees and charges by the subdivider and said fees and charges are subject to change.

The district will need additional facilities to provide for the orderly expansion of its domestic water system. These facilities may include wells, reservoirs and booster pumping stations. The developer will be required to provide land on which some of these facilities will be located. These sites shall be shown on the tract map as lots to be deeded to the district for such purpose.

This area shall be annexed to Improvement District Nos. 55 and 82 of the district for sanitation service.

Plans for grading, landscaping and irrigation systems shall be submitted to the district for review. This review is for ensuring efficient water management.

If you have any questions please call Dan Farris, principal stormwater engineer, extension 264.

Yours very truly,

Tom Levy  
General Manager-Chief Engineer

cc: Don Park  
Riverside County Department  
of Public Health  
46-209 Oasis Street  
Indio, California 92201

bc: Joe Cook ✓  
Dave Harbison

TC:cb\svce\devarv\apr\gpa446



# Fast Track Authorization

FTA - 98-07

SUPERVISOR Wilson

SUPERVISORIAL DISTRICT 4

Company Name: P H Sports Management Corp. Contact: Richard R. Oliphant

Address: 77-900 Avenue of the States Palm Desert, CA 92211

Phone # (760) 345-2626 Fax #: (760) 345-5501

Architectural/Engineering Firm: Rossetti Associates Contact: Robert Lyons

Address: 1919 Santa Monica Boulevard, Santa Monica, CA 90404

Phone # (310) 828-6885 Fax #: (310) 828-6876

Land Use Application(s):  Plot Plan  Conditional Use Permit  Change of Zone  General Plan Amendment  
 Other \_\_\_\_\_

### Site Location:

Assessor's Parcel Number(s) Numerous including 604-040-003

Cross Streets/Address Northwest and Southwest corner of Washington St. and Miles Avenue

Zoning CPS and R-3 Site Acreage 150 acres approx.

### Site located in:

Agua Mansa Enterprise Zone  Coachella Valley Enterprise Zone  Riverside County Recycling Market Development Zone  
 Assessment District \_\_\_\_\_  Community Facilities District \_\_\_\_\_  
 Redevelopment Project Area \_\_\_\_\_

### Project: (Estimate Amounts)

Permanent Full-time Jobs 50 Wages \$6.00 to \$30.00+ Construction Jobs 300

Investment (Land, Building and Equipment) \$50 million Taxable Annual Sales \$2 million

Bldg. Size \_\_\_\_\_ Type:  Commercial  Industrial  Other \_\_\_\_\_

Commercial:  Retail  Food Service  Entertainment  Other Sport Complex

Industrial:  Distribution  Manufacturing List Product Type(s) \_\_\_\_\_

Project Description: Tennis Stadium complex, including tennis training center and amphitheater, Future commercial village and hotel area, driving range, and residential.

The Economic Development Agency (EDA) hereby acknowledges that the above referenced development warrants special consideration relative to the permit processing as required by the County of Riverside, and encourages the affected County agencies to immediately institute "FAST TRACK" procedures to enable the project to proceed as soon as possible, in accordance with Board Fast Track Policy A-32.

Bradley J. Hudson, EDA Executive Director

3/18/98  
Date

fasttrack.doc