

RESOLUTION NO. 2016-P004

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, (1) APPROVING SITE PLAN REVIEW, P2016-0034-SPR, AND VARIANCE, P2016-0034-VAR; AND (2) RECOMMENDING TO THE CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP, P2016-0034-TTM; TO ALLOW THE CONSTRUCTION AND CREATION OF 10 RESIDENTIAL HOUSING UNITS ON 5 LOTS WITH 2 CONDOMINIUM UNITS PER LOT AT 4044 – 4068 GLOBE AVENUE IN THE RESIDENTIAL TWO FAMILY (R2) ZONE.

(Site Plan Review, P2016-0034-SPR; Variance P2016-0034-VAR
Tentative Tract Map, P2016-0034--TTM)

WHEREAS, on February 1, 2016, Habitat for Humanity of Greater Los Angeles (the “Applicant/Owner”) filed an application for a Site Plan Review, Variance, and Tentative Tract Map to create five land lots for construction of six detached condominium dwellings on three land lots with two units per lot; and two duplex condominiums on two land lots with one duplex per lot, within seven existing vacant residential lots at 4044 – 4068 Globe Avenue (the “Project”). The Project site is legally described as Portions of Lots 469 and 470 of Tract No. 6936 and Portions of Lot 71 of Tract No. 8895, Portions of Lot 470 of Tract No. 6936 and Portions of Lot 71 of Tract No 8895, and Lots 71, 72, 73, 74, and 75 of Tract No. 8895 in the City of Culver City, County of Los Angeles, State of California; and,

WHEREAS, in order to implement the proposed project, approval of the following applications and other actions is required:

1. Site Plan Review, P2016-0034-SPR: To ensure the Project complies with all required standards and City ordinances and to establish all onsite and offsite conditions of approval necessary to address the site features and ensure compatibility of the proposed Project with the development on adjoining properties and in the surrounding neighborhood,

1 2. Variance P2016-0034-VAR: To allow modifications to the minimum lot width and
2 lot depth standards established by the Zoning Code because of special circumstances
3 applicable to the Project site, including location, shape, size, surroundings, topography or other
4 conditions, and

5 3. Tentative Tract Map, P2016-0034-TTM: To ensure the subdivision complies with
6 all required standards, City ordinances and state law; to ensure lot sizes compatible with
7 existing lot sizes in the immediate neighborhood; to provide necessary street dedication and
8 improvements; and to prevent interference with the opening or extension of streets for
9 emergency vehicular access, proper traffic circulation, drainage and the future development of
10 adjacent properties; and
11

12 WHEREAS, the Project qualifies for a Categorical Exemption, pursuant to CEQA
13 Section 15332, Class 32 – In-Fill Development; and
14

15 WHEREAS, on March 23, 2016, after conducting a duly noticed public hearing on the
16 subject application, including full consideration of the application, plans, staff report,
17 environmental information and all testimony presented, the Planning Commission (i) by a vote
18 of _ to _, adopted a Categorical Exemption, in accordance with the California Environmental
19 Quality Act (CEQA), finding the Project will not result in significant adverse environmental
20 impacts; (ii) by a vote of _ to _, conditionally approved Site Plan Review, P2016-0034-SPR and
21 Variance P2016-0034-VAR; and (iii) by a vote of _ to _, recommended to the City Council
22 approval of Tentative Tract Map, P2016-0034-TTM as set forth herein below.
23

24 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
25 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:
26

27 SECTION 1. Pursuant to the foregoing recitations and the provisions of the CCMC, the
28 following findings are hereby made:
29

Site Plan Review

As outlined in CCMC Section 17.540.020, the following required findings for a Site Plan Review are hereby made:

- A. The general layout of the project, including orientation and location of buildings, open space, vehicular and pedestrian access and circulation, parking and loading facilities, building setbacks and heights, and other improvements on the site, is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.**

The general layout of the Project is consistent with the Residential Two Family (R2) zoning district. The buildings' locations conform to the Zoning Code's minimum required setbacks and height and are designed to provide a common vehicular access for the two units on each lot and separate pedestrian walkways for each unit entry and private outdoor patios and porches. The unit entries for the majority of the units face the street and the general building layout and design is oriented to communicate with Globe Avenue as if the Project were comprised of several single family developments. Front yard setbacks provide an open space area that includes landscaping and entry porches in accordance with the Zoning Code, thereby creating an enhanced pedestrian neighborhood streetscape. As a low density, two dwelling per lot development, there is ample side and rear yard open space for active and passive use. The overall height is two stories and 22 feet maximum which conforms to the Zoning Code maximum of two stories and 30 feet. The Project's conforming height, which is less than the Zoning Code maximum, and setbacks, which are more than the Zoning Code minimum, diminishes potential visual and compatibility impacts with the mainly one-story, single-family dwellings in the surrounding neighborhood.

The project provides a total of 20 parking spaces for 10 single-family dwellings with two-car garages and carports per unit, consistent with code required parking for the 10 single-family dwellings. Vehicles access the site from Globe Avenue by means of a 12 foot wide driveway for each lot, with two of the five lots sharing one driveway, in compliance with zoning standards. With a net loss of two to three street parking spaces due to reconfigured driveway approaches, the Project will not significantly impact street parking; there will remain 10 to 11 parking spaces on the street. Driveways will remain at grade and will lead to an open 27 to 29 foot wide back up area that will allow vehicles to enter and exit individual garages and carports head first as opposed to entering head first and backing out onto Globe Avenue. This type of access with configuration is not required in the R2 Zone but is a preferred method since it reduces potential vehicular accidents by improving visibility. Pedestrian access to each unit will be from at grade paved walkways connecting the Globe Avenue sidewalk with front porches. Units will also have direct access from garages and carports. The Project will have sufficient parking and adequate vehicular and pedestrian access and the configuration of the proposed driveways, vehicle maneuvering areas, and pedestrian accesses are designed in accordance with all applicable City standards and design guidelines. The conditions of approval will further ensure all requirements of the CCMC, including Zoning, Building and Fire Codes, are met.

1 **B. The architectural design of the structures and the materials and colors are**
2 **compatible with the scale and character of surrounding development and other**
3 **improvements on the site and are consistent with the purpose and intent of this**
4 **Chapter, the requirements of the zoning district in which the site is located, and with**
5 **all applicable development standards and design guidelines.**

6 The dwellings are designed as traditional craftsmen like homes with the second level
7 devoted to wood-like siding and the first level comprised of a mix of wood-like siding and
8 stucco. Each dwelling has a covered front porch and the rear duplexes have front entry
9 patios covered by trellises. The front porches are accented with stone veneer base walls
10 or columns and wood railing fencing and the roofing is asphalt shingle. With an overall
11 traditional design, glazing is comprised of multi panel windows with mullions and wood trim,
12 instead of the contemporary large single-panel windows. The units will be painted earth
13 tone colors of beige, off-white, greenish grey, and tan and will be finished with brown and
14 white trim colors. Overall, the design is compatible with other single family residential
15 structures in the neighborhood that also have traditional designs of mainly stucco with some
16 veneer and wood siding accents. The surrounding homes also have multi-paneled
17 windows, covered front porches and earth tone colors similar to the Project's design. The
18 relatively low 22 foot high two-story dwellings mix well with the mainly single story
19 neighborhood and street fronting setbacks combined with floor areas that do not exceed
20 1,500 square feet per unit help to reduce the sense of massing. The traditional single family
21 architectural design is compatible with surrounding single family homes of similar design
22 and the building height and massing is consistent with the R2 Zoning standards.

23 **C. The landscaping, including the location, type, size, color, texture, and coverage of**
24 **plant materials, provisions for irrigation, and protection of landscape elements has**
25 **been designed to create visual relief, complement structures, and provide an**
26 **attractive environment and is consistent with the purpose and intent of this Chapter,**
27 **the requirements of the zoning district in which the site is located, and with all**
28 **applicable development standards and design guidelines.**

29 The Project will provide a mixture of drought tolerant shrubs and plants mixed with
decorative stones, mulch, and decomposed granite in front setback areas and portions of
sides adjacent to the dwellings. Trees will be planted in the rear to provide shade and
possibly shrubs will be installed along the rear freeway wall. Currently street trees line both
sides of the parkway, and the street tree canopy along Globe Avenue will not change; the
project will preserve existing street trees along Globe Avenue or replace them at a 2 to 1
ratio. Overall landscaping for the Project is compatible with the surrounding single family
neighborhood. Several homes along Globe Avenue have grass and shrubs along the front
setback and are absent of trees similar to the Project, and the Project's already reduced
massing will be further complimented by proposed front yard landscaping consistent with
surrounding single family homes.

30 **D. The design and layout of the proposed project will not interfere with the use and**
31 **enjoyment of neighboring existing or future development, will not result in vehicular**

1 **or pedestrian hazards, and will be in the best interest of the public health, safety, and**
2 **general welfare.**

3 The proposed buildings comply with and exceed minimum required setbacks and are below
4 the maximum allowed height. The relative small footprint of the dwellings further increases
5 setbacks, centering the structures towards the middle of the lots thereby assuring the use,
6 privacy, and enjoyment of neighboring residential properties and the future Project
7 residential property owners. The Project's low density, detached two-family design is
8 compatible with surrounding single family residential uses and with ample yard space and
9 on-site parking, will not interfere with the use and enjoyment of neighboring or future single
10 family and two family developments. The two duplexes on two lots are designed so that
11 only one unit per lot is visible from the street and the duplexes share only one wall – the
12 garage wall separating respective garages. This assists in maintaining the single family
13 nature of the Project's design. The Project will not produce any vehicular or pedestrian
14 hazards because it provides adequate onsite circulation and parking in compliance with all
15 Zoning Code requirements. There are no off-site circulation hazards because Project
16 access is designed in the same manner as similar single family homes in the surrounding
17 neighborhood with driveways leading to garages that are not visible from the street. The
18 conditions of approval and compliance with all CCMC requirements will ensure that the
19 Project will not be a detriment to the public interest, health, safety, or general welfare, or
20 injurious to persons, property, or improvements in the vicinity and zoning district in which
21 the property is located.

22 **E. The existing or proposed public facilities necessary to accommodate the proposed**
23 **project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks,**
24 **storm drains, street lights, traffic control devices, and the width and pavement of**
25 **adjoining streets and alleys) will be available to serve the subject site.**

26 The site is located in an existing urbanized neighborhood and public facilities to the site
27 currently exist. The proposed Project is not anticipated to require new public facilities.
28 Upgrades to the existing facilities if required, can be provided. Further, the existing and
29 proposed public service facilities necessary to accommodate the project, such as the width
and pavement of the adjoining streets, traffic control devices, sewers, storm drains,
sidewalks, street lights, proposed street trees, fire protection devices, and public utilities,
are adequately provided as confirmed by the City Departments that reviewed the project
during the interdepartmental review process.

30 **F. The proposed project is consistent with the General Plan and any applicable specific**
31 **plan.**

32 The proposed construction of 10 new residential dwellings on five land lots with a density
33 of two units per lot is consistent with the General Plan's Low Density Two Family Land Use
34 designation. The Project is also consistent with the goals of the General Plan, specifically,
35 Land Use Element Objective 2/Policy 2.A and Objective 3/Policy 3.A. These objectives and
36 policies call for the retention and creation of housing throughout the City; encourage two-
37 family housing opportunities within neighborhoods designated for this development type;

encourage the provision of affordable housing; and calls for incentives to develop new affordable housing. The addition of eight affordable units and two workforce housing units will count toward meeting the Regional Housing Needs Assessment (RHNA) allocation for Culver City and will be consistent with the goals and objectives of the Housing Element, specifically, Objective 2, Objective 3, and Measure 2.H. These objectives and measures call for opportunities for developing a variety of housing types while protecting the character and stability of existing Culver City neighborhoods; the provision of new affordable housing for home ownership; and the building of affordable units based on the Comprehensive Housing Strategy Priority List. There is no applicable Specific Plan for this area.

Variance

As outlined in CCMC Section 17.550.020.B, the following required findings for a Variance are hereby made:

- 1. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, and topography), or to the intended use of the property, so that the strict application of this Title denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.**

Lot 1 of the Project will have nonstandard lot depths of 79 and feet 90 feet; Lot 2 of the Project will have one nonstandard lot depth of 90 feet; and Lot 4 of the Project will have a nonstandard lot width of 45 feet. The Project is adjacent to the I-405 Freeway. From 2004 to 2007, Caltrans completed its freeway widening project, which resulted in the overall area reduction of the Project site. Several of the existing seven lots now have less than the minimum 100 foot required lot length. In reducing the seven lots to five lots, because of the widened Caltrans right-of-way, there is no physical way to accommodate the code minimum 50 foot wide by 100 foot deep parcel for each lot. Further, the existing curvature of the street at the south end (needed to create a standard 90 degree intersection with Washington Boulevard which is situated at 50 degrees from Globe Avenue) results in an existing lot at the south end of and adjacent to the Project site that leans into the Project site. This results in non-standard lot lengths that are not parallel to each other at this end of the site. There will be nonconforming lot lengths and lot widths for some lots due mainly to the freeway widening and to a lesser degree, to the non-standard lot directly south of the Project site.

As designed, the Project requires a variance for minimum lot width and depth requirements of the Zoning Code, in order to be approved. The strict application of the Zoning Code requiring a 50 foot wide by 100 foot deep lot is physically impossible and the property owner will be denied the privilege of subdividing the site enjoyed by other property owners in the vicinity that are also zoned R2 and that do not have such constraints as noted above. All other Zoning Code standards are met in this development proposal.

- 2. The strict application of the applicable development standard creates an unnecessary, involuntarily created hardship or unreasonable regulation which makes it obviously impractical to require compliance with the development standards.**

1 It is obviously impractical to require a standard 50 foot wide by 100 foot deep lot for each
2 of the five proposed lots because the Caltrans right-of-way and the irregular lot configuration
3 at the south end of the Project site creates less than a 100 foot depth for portions of the
4 Project site and at least one lot with a less than 50 foot width. Securing 50 foot wide lots for
5 all the lots could potentially result in less than the minimum 5,000 square foot lot area for
6 some lots while still creating lots with less than 100 feet of depth. Further, under the current
7 conditions several of the existing seven lots are 45 feet in width, while the Project proposes
8 only one of the new five lots be at 45 feet in width while securing the minimum 5,000 square
9 feet area for all the lots.

10 **3. The Variance is necessary for the preservation and enjoyment of substantial property**
11 **rights possessed by other property owners in the same vicinity and zoning district**
12 **and denied to the property owner for which the Variance is sought.**

13 The Variance is necessary for the right of the property owner to subdivide the Project,
14 assuming the applicant has complied with all proper requests, City processes, findings,
15 conditions, and State subdivision laws, which is the right of other property owners in the
16 same vicinity and R2 Zoning district that have engaged in or will engage in the future, a
17 similar subdivision request. Without the variance, the property owner will be denied such a
18 right because the Zoning Code standard of lot width and depth cannot physically be
19 provided for some of the proposed lots.

20 **4. The project is consistent with the General Plan and complies with all other applicable**
21 **provisions of this Title.**

22 The proposed construction of 10 new residential dwellings on five land lots with a density
23 of two units per lot is consistent with the General Plan's Low Density Two Family Land Use
24 designation. The Project is consistent with the goals of the General Plan, specifically, Land
25 Use Element Objective 2/Policy 2.A and Objective 3/Policy 3.A and Housing Element
26 Objective 2, Objective 3, and Measure 2.H, as noted in the Site Plan Review Findings
27 above. Furthermore, the Project adds housing to Culver City consistent with the goals and
28 objectives of the State mandated Regional Housing Needs Assessment (RHNA) allocation
29 for the City. The Project complies with all Zoning Code standards, with the exception of lot
width and depth for some lots.

30 **5. Approval of the Variance would not be detrimental to the public health, interest,**
31 **safety, or general welfare and would not be detrimental or injurious to property or**
32 **improvements in the vicinity and in the same zoning district.**

33 Approval of the Variance will not be detrimental to the public health, interest, safety, or
34 general welfare and will not be detrimental or injurious to property or improvements in the
35 vicinity and in the same zoning district. The project meets all other Zoning Code standards
36 such as setbacks, height, parking, and density and review by other City Departments
37 indicates the Project can be fully served by the City and utilities, similar to other surrounding
38 properties in the R2 Zone. The lot width and depth variance does not affect other Zoning
39

Code standards and does not affect the ability of the Project to function as an R2 development similar to other R2 developments in the surrounding neighborhood. The variance will not affect surrounding properties or improvements.

Tentative Tract Map No. 73084

As outlined in CCMC Section 15.10.260 and 15.10.265.D, the following required findings for a Tentative Tract Map are hereby made:

1. The proposed map is consistent with applicable general and specific plans.

This subdivision is in conformance with the goals, policies and strategies of the General Plan. Specifically, the subdivision and related development allowed for in the R2 Zone is consistent with the Project site's General Plan Land Use "Low Density Two Family" residential designation. The Project is consistent with the goals of Land Use Element Objective 2/Policy 2.A and Objective 3/Policy 3.A and Housing Element Objective 2, Objective 3, and Measure 2.H as noted in the Site Plan Review Findings above.

2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The design of the proposed subdivision and accompanying Site Plan Review is consistent with the General Plan Land Use and Housing Element objectives and policies as noted above and with the R2 Zoning standards. The subdivision and accompanying Site Plan Review fulfills the City's goals of maintaining existing low density single and two family neighborhoods while increasing the housing stock for all income levels.

3. The site is physically suitable for the type of development.

The Project site is physically suitable for the proposed subdivision in that the Project complies with all R2 standards and the proposed structures will meet all applicable development standards. The Project site, as designed through the accompanying Site Plan Review, can accommodate the proposed two-family residential project consisting of five land lots; two detached condominium units per lot for three of those lots; two attached condominium units per lot for two of those lots; two covered parking spaces per unit for a total of 20 parking spaces; and ample open yard and vehicle maneuvering space.

4. The site is physically suitable for the proposed density of development.

The Project site is physically suitable for the density/massing of the proposed Project as outlined in the accompanying Site Plan Review. The subdivision can accommodate the proposed low density two-family use per lot, typical of the R2 Zone, while not creating significant impacts for neighboring properties and residential areas. The subdivision for land and airspace lots will occur on existing contiguous land parcels, will not result in any new land parcels beyond the existing seven lots, and will not result in the physical divisions of existing commercial and residential neighborhoods beyond the Project site.

- 1 **5. The design of the subdivision or the proposed improvements are not likely to cause**
2 **substantial environmental damage or substantially and avoidably injure fish or**
3 **wildlife or their habitat.**

4 The proposed Tentative Tract Map subdivision together with the onsite and offsite
5 improvements will not cause any known environmental damage and will not damage any
6 fish and/or wildlife habitats because such fish and/or wildlife habitats do not exist on or near
7 the site. The site is currently a vacant lot that until recently contained seven dilapidated and
8 vacant single family dwellings. The site fronts an existing and developed residential
9 neighborhood and is directly adjacent to a freeway; thus, the Project site does not
10 serve any known habitat for fish or other wildlife.

- 11 **6. The design of the subdivision or the type of improvements is not likely to cause**
12 **serious public health problems.**

13 The proposed Tentative Tract Map subdivision will not cause any known serious public
14 health problems, after implementation of the onsite and offsite improvements; compliance
15 with all applicable subdivision and R2 Zoning Code development standards; and
16 compliance with all Project conditions of approval required by reviewing City
17 Departments, such as the Fire Prevention Division, Planning Division, Building and Safety
18 Division and the Engineering Division. The uses proposed for this subdivision are
19 consistent with residential uses allowed in the R2 Zone.

- 20 **7. The design of the subdivision or the type of improvements will not conflict with**
21 **easements, acquired by the public at large, for access through or use of, property**
22 **within the proposed subdivision or alternate easements, for access or for use, will**
23 **be provided, that are substantially equivalent to ones previously acquired by the**
24 **public.**

25 The proposed Tentative Tract Map subdivision and the onsite and offsite improvements will
26 not conflict with any existing and/or proposed easements. Existing utility and Caltrans
27 easements will be maintained and a mutual access easement or agreement will be secured
28 between Lots 4 and 5. Existing or proposed easements will not affect public right-of-way
29 access and use requirements or placement of utilities on site or within the public right-of-
way.

30
31 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
32 Commission of the City of Culver City, California, hereby (i) adopts a Categorical Exemption,
33 in accordance with the California Environmental Quality Act (CEQA), finding the Project will not
34 result in significant adverse environmental impacts; (ii) approves Site Plan Review, P2016-

0034-SPR and Variance P2016-0034-VAR; and (iii) recommends to the City Council approval of Tentative Tract Map, P2016-0034-TTM, subject to the conditions of approval set forth in Exhibit A attached hereto and incorporated herein by this reference.

APPROVED and ADOPTED this 23rd day of March, 2016.

KEVIN LACHOFF, CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

Attested by:

Yvonne Hunt
Administrative Secretary

EXHIBIT A
 RESOLUTION NO. 2016-P004
 Site Plan Review, P2016-0034-SPR; Variance, P2016-0034-VAR;
 Tentative Tract Map, P2016-0034--TTM
 4044 – 4068 Globe Avenue

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	These Conditions of Approval are being imposed on Habitat for Humanity Globe Housing Project (the "Project"), for the properties located at 4044 – 4068 Globe Avenue (the "Property").	All	Standard	
2.	A copy of the Resolution approving the Project, and a copy of these Conditions of Approval, shall be printed on the plans submitted as part of any building permit application for the Project.	Planning	Standard	
3.	All building permit applications for the Project shall include sufficient information and detail to clearly reflect compliance with all applicable requirements of the Culver City Municipal Code (the "CCMC") and with these Conditions of Approval.	Planning	Standard	
4.	The land use permit to which these Conditions of Approval apply (the "Land Use Permit") shall expire three years from the date of final approval of said Land Use Permit, if the use has not been exercised. As provided in CCMC Section 17.595.030 – "Time Limits and Extensions", an applicant may request an extension of said expiration date by filing a written request with the Planning Division prior to the expiration of the land use permit.	Planning	Standard	
5.	Pursuant to CCMC Section 17.630.010.C.4 – "Posted Notice", the public notification sign(s) installed in accordance with the public notification requirements for the Land Use Permit shall be removed within ten days after the end of the appeal period or the final decision by the City Council on the Land Use Permit, whichever occurs last.	Planning	Standard	
6.	The Project shall be developed pursuant to CCMC Chapter 17.300 – "General Property Development and Use Standards".	Planning	Standard	

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GENERAL				
7.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - "Landscaping".	Planning	Standard	
8.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - "Off-Street Parking and Loading".	Planning	Standard	
9.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - "Signs". All signs require a separate permit and approval.	Planning	Standard	
10.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.	All	Standard	
11.	All work within the public right-of-way (including but not limited to curb, gutter, sidewalk, and driveways) shall be designed and completed to the satisfaction of the City Engineer.	Public Works	Standard	
12.	Street trees shall be installed, to the satisfaction of the City Engineer, in conformity with the City's approved Street Tree Master Plan including tree wells and irrigation. All new (and existing) street trees shall be supplied with irrigation water from the overall site irrigation system which shall include a timer and a rain sensor. All new (and existing) street trees, landscaping, and irrigation shall be indicated on the overall site landscaping/ irrigation plan.	Public Works	Standard	
13.	Drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway pavement shall be designed in conformity with all provisions of the latest edition of the American Public Works Association Standard Plans ("APWA Standards").	Public Works	Standard	
14.	At the sole cost and expense of the Property Owner, any broken or damaged curbs, gutters,	Public Works	Standard	

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GENERAL				
	sidewalks, and street pavement resulting from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards.			
15.	All Project related solid and recyclable waste material handling shall be in accordance with CCMC Section 5.01.010 – “Solid Waste Management”, which outlines the Sanitation Division’s exclusive franchise for this service.	Public Works	Standard	
16.	All buildings and structures to be constructed as part of the Project shall be designed and constructed in accordance with all applicable regulations and standards of the City’s Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of issuance of a building permit.	Building/ Fire	Standard	
17.	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Building/ Planning	Standard	
18.	The Project shall comply with all applicable requirement of the Culver City Green Building Program as set forth in CCMC Section 15.02.1100, et.seq.	Building	Standard	
19.	The Project shall comply with the all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq.	Building	Standard	
20.	Changes to the Project or use approved as part of the Land Use Permit may only be made in accordance with the provisions of CCMC Section 17.595.035 – “Changes to an Approved Project”.	Planning	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
21.	Pursuant to the terms of the Amended and Restated Disposition, Development and Loan Agreement (DDA) approved by the Culver City Housing Authority Board on December 14, 2015, all units shall carry affordability and income restrictions for a period of 45 years as defined in the approved DDA. Of the total 10 units, 4 shall be restricted and sold at an affordable price to low-income households, 4 shall be restricted and sold at an affordable price to moderate income households, and 2 units shall be restricted and sold to workforce households. All income and affordable housing cost are defined in the approved DDA. All restrictions will be recorded with the land in a manner acceptable to the City to ensure disclosure and enforcement on all title documents.	Housing	Special	
22.	A Homeowners Association (HOA) or Associations shall be created to ensure compliance with all DDA restrictions and general property maintenance for both private and common owned areas. Draft Covenants, Conditions, and Restrictions (CC&Rs) shall be submitted to the City for review.	Housing Planning Public Works City Attorney	Special	
23.	A General Reciprocal Access Agreement or similar document shall be required for Lots 4 and 5 to ensure pedestrian and vehicular access and maneuverability. The agreement shall be submitted to the City for review.	Planning Public Works City Attorney	Special	
24.	In addition to standard landscaping requirements for 1 and 2 unit dwellings, the project shall, to the extent feasible and with Caltrans approval if needed, provide drought tolerant landscaping at the rear of each	Planning	Special	

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GENERAL				
	property with the objective of screening or minimizing the massing of the Caltrans freeway wall.			
25.	Pursuant to Variance, P2016-0034-VAR, Lot 1 lot lengths and the Lot 2 lot length that is adjacent to Lot 1 are permitted to be of a dimension less than 100 feet and the Lot 4 lot width is permitted to be of a dimension less than 50 feet as shown on the January 20, 2016 Predevelopment Plans and Tentative Tract Map No. 73084. Final dimensions after completion of the project shall be in substantial conformance with the dimensions shown on the January 20, 2016, Predevelopment Plans and Tentative Tract Map and all other lot dimensions for the project shall comply with the Zoning Code.	Planning	Special	
26.	a. All sidewalks adjacent to the project's frontage with Globe Avenue shall be removed and reconstructed per the satisfaction of the City Engineer. b. All proposed driveway approaches shall be constructed with a 0" lip at the gutter. c. All utility poles, streetlight poles, and street trees shall not be closer than 5-feet to the "top of X" of any proposed driveway approach. d. All driveway approaches that will not be used shall be replaced with curb, gutter, and landscaped parkway. e. The existing street trees along the project's frontage with Globe Avenue shall remain. The applicant shall provide a report prepared by a registered consulting arborist	Public Works	Special	

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GENERAL				
	evaluating the survival of the street tree due to removal and replacement of sidewalk or evaluate the feasibility of transplanting the street tree(s) to another location as necessary. If any tree cannot be transplanted, the applicant shall be responsible for planting two trees for each tree removed. The applicant shall be responsible for all expenses including but not limited to planting new street trees. f. All concrete used in the public right-of way shall have a minimum strength of 3250 psi. g. Due to the anticipated utility cuts in Globe Avenue, the applicant shall slurry seal the full width of Globe Avenue along the project's frontage. This work shall be scheduled to be completed near the end of all construction. h. Per the Culver City Municipal Code 5.01.010, Ordinance No. 2001-001 Solid Waste Management, the Culver City Environmental Programs and Operations Division (EPO) has the exclusive franchise for all solid and recyclable waste material handling with the City limits. i. A geotechnical report shall be submitted for review and approval by the City Engineer. The report shall address, but not be limited to the following: evaluation of seismic hazards, liquefaction potential, shrinkage factor, and grading, foundation, and paving recommendations. j. The applicant shall submit a rough grading plan for review and permitting by the Engineering Division. The grading plan shall			

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GENERAL				
	be prepared by registered civil engineer licensed in the State of California be designed in accordance with the approved geotechnical report. k. Concurrent with the submittal of the grading plan, the applicant, a Local Storm Water Pollution Prevention Plan (LSWPPP) shall be submitted for review and approval by the City Engineer. The erosion control plan shall developed and implemented in accordance with the requirements of the Los Angeles County Stormwater Quality Management Program, NPDES Permit No. CAS61400. The plan shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit the entry of pollutants for the construction site into the public street or storm drain system. The grading plan shall note the contractor shall comply with the “California Storm Water Best Management Practice Handbooks”. Prior to the start of design of these plans and of necessary reports, the applicant’s civil engineer shall meet with the City’s Stormwater Program manager to obtain information on the City specific LSWPPP requirements. The LSWPPP shall be approved prior to the approval of the grading plan.			
27.	a. All garages or carports shall be 1 hr. rated to all residential units. Any garage adjacent to another garage shall have a min. 1 hr. rating separation. b. Any building within 5’ of a property line or an assumed property line shall be 1 hr. rated.	Building Safety	Special	

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GENERAL				
	c. The initial construction permit application review time shall be a minimum of 15 City working days and may be extended at the option of City staff.			
28.	Sprinklers shall be required per the California Fire Code.	Fire	Special	

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PRIOR TO BUILDING PERMIT ISSUANCE				
29.	A covenant and agreement, on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, acknowledging and agreeing to comply with all terms and conditions established herein, shall be signed by the Property Owner and recorded in the County Recorder's Office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, and tenants or occupants of the Property. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Planning Division.	Planning/ City Attorney	Standard	
30.	The Applicant and Property Owner shall indemnify and agree to defend (at the Applicant's and Property Owner's sole expense, with legal counsel approved by the City) and hold harmless the City, and its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all loss, damages, injuries, costs, expenses, liabilities, claims, demands, lawsuits, attorneys' fees and judgments, arising from or in any manner connected to any third party challenge to the City's approval of the Project. The obligations required by this Condition shall be set forth in a written instrument in form and substance acceptable to the City Attorney and signed by the Applicant and the Property Owner.	City Attorney	Standard	
31.	A minimum of three sets of final landscaping and irrigation plans (separate from the plans submitted for the building permit) shall be submitted to the Planning Division for review and approval.	Planning/ Parks & Rec.	Standard	

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32.	A Construction Management Plan prepared by the construction contractor, which identifies the areas of construction staging, temporary power, portable toilet, and trash and material storage locations, shall be submitted to and approved by the Building Official. Prior to commencement of work the construction contractor shall advise the Public Works Inspector and the Building Inspector ("Inspectors") of the construction schedule and shall meet with the Inspectors.	Building/ Public Works	Standard	
33.	A Pedestrian Protection Plan shall be submitted to and approved by the Building Official. Such plan shall identify all areas of pedestrian protection and indicate the method of pedestrian protection or pedestrian diversion when required. When pedestrian diversion is required, the Pedestrian Protection Plan must also be approved by the Public Works Director.	Building/ Public Works	Standard	
34.	Plans submitted as part of the building permit application shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of all proposed special inspectors. The Building Official reserves the right to reject any special inspector at any time for the duration of the Project. All special inspection reports shall be made available to the Building Official and to any Culver City Building Safety inspector as required by the Building Official. No work shall be covered without a Culver City Building Safety inspection, whether or not a special inspection was performed on such work.	Building	Standard	
35.	A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be submitted to the City Engineer and Planning Manager for review and approval prior to the	Planning/ Public Works	Standard	

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	issuance of any Project demolition, grading, or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the City's Fire and Police Departments. The City Engineer and Planning Manager reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The Construction Traffic Management Plan shall contain, but not be limited to, the following: A. The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations. B. An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the Property, and maps showing access to and within the Property and to adjacent properties. C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan. D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas. E. The location and travel routes of off-site staging and parking locations.			
36.	Reasonable efforts shall be used to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to	Building	Standard	

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	provide energy efficient buildings, equipment and systems. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials.			
37.	A vector/pest control abatement plan prepared by a pest control specialist licensed or certified by the State of California shall be submitted for review and approval by the Planning Manager and the Building Official. Said plan shall outline all steps to be taken prior to the commencement of any demolition or construction activity in order to ensure that any and all pests (including, but not limited to, rodents, bees, ants and mosquitoes) that may populate the Property do not relocate to or impact adjoining properties.	Building/ Planning	Standard	
38.	Prior to issuance of a building permit, notice of the Project construction schedule shall be provided to all abutting property owners and occupants. Evidence of such notification shall be provided to the Building Division. The notice shall identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish).	Building	Standard	
39.	a. This project is subject to the City's Sewer Facility Charge (SFC). The SFC must be paid prior to the issuance of a building permit. b. The project's civil engineer of record shall certify that based upon observations, rough grading of the lots have been completed in conformance with plans therefore marked	Public Works	Special	

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	“APPROVED” by the City. The work includes but is not limited to the following: grading to approximate final elevations; staking of property line; location and gradient of cut and fill slopes; location, cross-sectional configuration and flow line gradient of drainage swales terraces (graded ready for paving); berms installed where indicated; and required drainage slopes provided on building pads. The project’s geotechnical engineer of record shall also certify that based upon tests and observations, the earth fills placed on the following lots were installed upon properly prepared base materials and compacted in compliance with requirements of the approved grading plan and geotechnical report. c. Prior to the issuance of building permits, the applicant shall submit a precise grading plan to be reviewed and approved by the Planning Manager and City Engineer. The plan shall show the plotting and identify each model home on the lot, provide set back dimensions, show driveways, exterior equipment (i.e., A/C units), and drainage. Copies of the approved floor plans for each home shall be submitted with the precise grading plan.			
40.	A project kick-off coordination meeting of all involved representatives including all involved City staff shall be arranged prior to the start of construction. The project superintendent shall attend the kick-off meeting.	All Depts.	Special	

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DURING CONSTRUCTION				
41.	During all phases of construction, a “Construction Rules Sign” that includes hours of construction, contact names and telephone numbers of the Applicant, Property Owner, construction contractor(s), and the City, shall be posted on the Property in a location that is visible to the public. These names and telephone numbers shall also be made available to adjacent property owners and occupants to the satisfaction of the Planning Manager and Building Official.	Building/ Planning	Standard	
42.	The Property shall be maintained daily so that it is free of trash and litter.	Building	Standard	
43.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building	Standard	
44.	The Building Division may apply administrative assessments and/ or post general stop work notices for any violations of the Conditions of Approval for the Project, and any violations of the CCMC.	Building	Standard	
45.	During all phases of construction, best efforts shall be used to ensure that all construction workers, contractors and others involved with the Project park on the Property or at designated offsite locations approved by the City, and not in the surrounding neighborhood.	Building	Standard	
46.	When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall use noise dampening measures such as the drilling of shoring supports and piles as determined by the Building Official and Planning Manager.	Building/ Planning	Standard	

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DURING CONSTRUCTION				
47.	Prior to the commencement of any excavation, a temporary construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer and the Planning Manager.	Building/ Planning/ Public Works	Standard	
48.	Hours of construction shall be limited to the following: 8:00 AM to 8:00 PM Monday through Friday and 9:00 AM to 6:00 PM Saturday; No construction shall be allowed on Sundays and National holidays. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic periods. All construction workers shall be respectful of the surrounding neighborhood and keep non-construction related noise to a minimum prior to, during, and after permissible construction hours.	Building/ Public Works	Standard Special	
49.	All staging and storage of construction equipment and materials, including the construction dumpster, shall be on-site only. The Property Owner must obtain written permission from adjacent property owners for any construction staging occurring on adjacent property.	Building/ Public Works	Standard	
50.	Compliance with the following noise standards shall be required with at all times: A. No construction equipment shall be operated without an exhaust muffler, and all such equipment shall have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original equipment; B. All construction equipment shall be properly maintained to minimize noise emissions;	Building/ Planning	Standard	

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	C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall be setback from any street and other property lines so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors; D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as approved by the Planning Manager and the Building Official in order to comply with the City's Noise Regulations and Standards as set forth in CCMC Chapter 9.07; and E. Stationary source equipment (i.e., compressors) shall be located so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors.			
51.	In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other violations of the CCMC, Project construction shall be stopped until such time that it is determined to the satisfaction of the Community Development Director, that causes of such violations have been eliminated or corrected and that the Project will be able to proceed in full compliance with these Conditions of Approval and the CCMC.	Building/ Planning	Standard	
52.	Flag persons with certified training shall be provided for work site traffic control to minimize impacts to traffic flow and to ensure the safe movement of vehicles into and out of the Property.	Building/ Public Works	Standard	

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DURING CONSTRUCTION				
53.	During construction, trucks and other vehicles in loading and unloading queues must be parked with their engines off to reduce vehicle emissions. Construction deliveries shall be phased and scheduled to avoid emissions peaks as determined by the Building Official and discontinued during second-stage smog alerts.	Building	Standard	
54.	Construction vehicles shall not be permitted to stage or queue where they would interfere with vehicular and pedestrian traffic or block access to adjacent properties. Off-site staging shall be at locations approved by the City Engineer and shall be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations. The drivers of these trucks shall be in radio or phone communication with on-site personnel who shall advise the drivers when to proceed from the staging location to the Property. Construction-related vehicles shall not be permitted to park on public streets.	Building/ Public Works	Standard	
55.	A sound absorber and dust control barrier/blanket shall be provided along each end of the project site adjacent to the existing single family homes and shall remain in place during the entire construction phase of the project. The barrier shall be self-supported and extend a minimum of ten feet above the existing site grades to absorb construction noise and minimize dust expelled from the site construction activity. The blanket shall be fabricated with a poly-vinyl-chloride outer shell and a highly absorbent insulated inner shell.	Building Safety Public Works Planning	Special	

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DURING CONSTRUCTION				
56.	A construction safety clothing sign shall be posted requiring <u>any personnel on site at any time</u> to wear a hard hat, a shirt w/ sleeves, long pants, closed toe shoes, and additionally ear and/ or hearing protection as necessary.	Building Safety	Special	

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PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
57.	All provisions, and requirements set forth in these Conditions of Approval, in the Resolution approving the project, in the CCMC, or in any applicable written comments as provided by City representatives on February 25, 2016 at the Project Review Committee meeting on the Land Use Permit application, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the Project occupied.	All	Standard	
58.	Unless waived by statutory requirement or City Council action , all requirements of the City's Residential Development Park Dedication and In Lieu Parkland Fees, as set forth in CCMC Section 15.06.300, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the in-lieu parkland fee, the same shall be paid prior to the issuance of a building permit.	Planning/ Parks	Standard Special	
59.	Unless waived by statutory requirement or City Council action , all requirements of the City's Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the public art in-lieu fee, the same shall be paid prior to the issuance of a building permit.	Cultural Affairs	Standard Special	
60.	All onsite and offsite improvements and all conditions of approval except those which are deferred pursuant to a bond or letter of credit as determined and approved by the Building Official, Fire Marshal, Planning Manager, and/or City Engineer shall be completed prior to issuance of any certificate of occupancy. Prior to issuance of any certificate of occupancy the	All	Standard	

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PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
	following shall be provided to and approved by the City: A. Five full sets of as-built plans that shall include at a minimum the site plan, grading and utility plan, landscape and irrigation plan, floor plan for each level of the Project, parking structure plan, roof plan with all mechanical equipment identified as to purpose and source and all offsite improvements; and B. One set of as-built plans as described above in a digital format compatible with the City's computer system.			
61.	The applicant shall submit a plan to the City Engineer regarding the repair or replacement of any damage to the public right-of way that results from the construction of the proposed project. Such repair or is to be completed to the satisfaction of the City Engineer. The applicant shall be responsible for all expenses.	Public Works	Special	
62.	As the project nears completion no partial or grand openings shall be permitted without applying for and gaining approval of a TCO. Partial or full openings or advertisements of any openings shall be approved by the City prior to their circulation.	Building Safety	Special	

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ON-GOING				
63.	The use and development of the Property shall be in substantial conformance with the plans and materials submitted with the application for the Land Use Permit as reviewed by the Planning Commission at its meeting on March 23, 2016, excepted as modified by these Conditions of Approval.	Planning	Standard	
64.	Pursuant to CCMC Section 17.650.020 - "Inspection", the Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the CCMC.	All	Standard	
65.	The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, and regulations including, but not limited to, Building Division, Fire Department, Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process. Failure to comply with said Conditions, statutes, codes, standards, and regulations may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other lawful action the City might deem reasonable and appropriate to bring about compliance.	All	Standard	
66.	All graffiti shall be removed from the Property within 48 hours of its application.	Building/ Planning/ Public Works	Standard	

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ON-GOING				
67.	The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.	Public Works	Standard	
68.	Tract Map Conditions: a. The tentative map shall expire three years after City Council approval of said map or after any additional time provided by the State legislature. b. The final map shall be prepared by an engineer or surveyor licensed in the State of California. c. The final map shall be submitted to the Los Angeles County Department of Public Works for review and to certify that the map is technically correct. A copy of the first plan check package as submitted to Los Angeles County shall also be submitted concurrently to the Culver City Engineering Division for review. d. A preliminary title report and subdivision guarantee shall be submitted to the City showing all fee interest holders, all interest holders whose interest could ripen into a fee; all trust deeds, together with the names of the trustee and all easement holders. The account for this title report shall remain open until the final map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to any City easements by a certification upon the title sheet of the final map, prior to the grant. e. The final map shall comply with all requirements of the State of California	Public Works	Special	

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ON-GOING				
	Subdivision Map Act, as most recently amended. f. All required boundary monuments shall be installed prior to the recording of the final map. At a minimum, a spike and washer shall be set on the centerline of Globe Avenue to indicate the intersection of the prolongation of the project's northerly and southerly property lines with this street and a chisel "X" shall be set on the top of curb at the prolongation of each proposed lot's property side line. The centerline monuments shall be tied to at least four (4) points by lead and tags. Centerline tie notes shall be filed with the Engineering Division.			