

RESOLUTION NO. 2023-P006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT, P2023-0102-CUP, TO ESTABLISH AN EIGHT-CLASSROOM CHILD DAYCARE AND PRIVATE SCHOOL USE WITH AN OUTDOOR PLAY AREA AT 5840 UPLANDER WAY IN THE COMMERCIAL REGIONAL BUSINESS PARK (CRB) ZONE.

(Conditional Use Permit, P2023-0102-CUP)

WHEREAS, on April 26, 2023, Uplander Campus, LLC (the “Applicant”) filed an application for a Conditional Use Permit, to establish an eight-classroom preschool/kindergarten use with an outdoor play area (the “Project”). The Project site is legally described as Lot 23 of Tract No. 22864, with a Los Angeles County Assessor Parcel Number of 4134-005-009; and,

WHEREAS, in order to implement the proposed Project, approval of the following application is required:

1. Conditional Use Permit, P2023-0102-CUP, for the establishment of a Child Daycare and Private School with outdoor play area, 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, and

WHEREAS, the Project qualifies for categorical exemption, pursuant to California Environmental Quality Act (CEQA) Section 15332, Class 32 – In-Fill Development Projects; and

WHEREAS, on November 8, 2023, after conducting a duly noticed public hearing on the subject application, including full consideration of the applications, plans, staff report,

1 environmental information and all testimony presented, the Planning Commission, (i) by a vote
2 of ___ to ___ adopted a Categorical Exemption, in accordance with the California Environmental
3 Quality Act (CEQA), finding the Project will not result in significant adverse environmental
4 impacts; and (ii) by a vote of ___ to ___, conditionally approved Conditional Use Permit, P2023-
5 0102-CUP.
6

7 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
8 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

9 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver City
10 Municipal Code (CCMC), the following findings are hereby made:
11

12 **Conditional Use Permit**
13

14 As outlined in CCMC Section 17.530.020, the following required findings for a Conditional Use
15 Permit are hereby made:

16 **A. The proposed use is allowed within the subject zoning district with approval of a
17 Conditional Use Permit and compliance with all other applicable provisions of the
18 Title and the CCMC.**

19 The proposed establishment of a child daycare and private school use is consistent with
20 the permitted uses table of the Commercial Regional Business Park (CRB) Zone. Pursuant
21 to said zoning district, the proposed use is allowed subject to the approval of a Conditional
22 Use Permit (CUP). The findings required for approval of the proposed CUP have been
23 made herein. The proposed use as conditioned will comply with all other applicable
24 provisions of Title 17 – Culver City Zoning Code and the Culver City Municipal Code
25 (CCMC).

26 **B. The proposed use is consistent with the General Plan and any applicable Specific
27 Plan.**

28 The subject site is located within the Regional Center land use designation of the General
29 Plan; the proposed use, a child daycare/private school, is consistent with this designation,
which is intended to support existing and anticipated commercial developments that serve
both the residential and business communities. The building is 16,080 square feet and will
be modified through interior tenant improvements and the addition of a new outdoor
children's play area. No new square footage is proposed. The proposed child
daycare/private school use will complement the variety of surrounding uses by providing
childcare services to both commercial tenants and residents in the surrounding Fox Hills
neighborhood. As conditioned, the quality of life for the surrounding neighborhood will be

protected. In addition, the establishment of the proposed use is consistent with Objective 5, which encourages new business opportunities that serve the needs of residential and business community. There is no applicable Specific Plan for this area.

C. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity of the subject site.

The project site is located at 5840 Uplander Way just west of the intersection with Bristol Parkway. The site is surrounded by a mix of office and research and development uses with the city-owned Fox Hills Park to the south. The subject two-story, multi-tenant office building will be remodeled to accommodate a child daycare/private school use. A portion of the existing 60-car parking lot will be converted to outdoor play area, but no additional square footage is proposed for the building. The design, location, and size of the physical improvements/building and overall site comply with the CRB Zone. Operationally, the proposed use will operate between 7:00 AM and 6:00 PM with the Preschool Program operating between 8:00 AM and 4:00 PM and the Kindergarten Program running between 8:30 AM and 3:00 PM. Afterschool programs will operate until 6:00 PM. Noise and Parking studies were conducted to determine impacts of the use. These studies showed that no adverse impacts would occur from construction or operational noise and that enough parking exists on site to accommodate staff parking and pick-up/drop-off operations. In this manner, the proposed use will be compatible with the surrounding land uses. The project has been conditioned to further ensure compatibility with the neighborhood and with future land uses in the vicinity of the subject site. Should any unexpected negative impacts arise from the operation of the proposed use, this Conditional Use Permit may be subject to revocation or modification as deemed necessary.

D. The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities, and the absence of physical constraints.

The subject site is a generally flat, rectangularly shaped site. The parcel measures 35,000 square feet in area and is located just east of the intersection with Uplander Way and Bristol Parkway. The site is developed with a 16,080 square foot, two-story, multi-tenant building with associated site improvements including parking access and utilities. The child daycare/private school use is proposed to occupy the entire structure with a new playground converted from part of existing parking lot. The proposed child daycare/private school will be operated in a manner that does not cause noise or traffic impacts to the surrounding community. Further the use will not result in the need for additional access or utilities to service the site in connection with the proposed use. The operation will be compatible surrounding office uses and Fox Hills Park to the south. Therefore, the subject site is physically suitable for the proposed use subject to compliance with the conditions of approval contained herein.

E. The establishment, maintenance or operation of the proposed use will not be detrimental to the public interest, health, safety, or general welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

1 The proposed child daycare/private school has been studied to reduce potential noise and
2 traffic impacts on the surrounding neighborhood. The child daycare/private school will
3 occur only in compliance with the conditions of approval contained herein, and thus, will not
4 negatively impact the surrounding neighborhood. Conditions of approval for the project
5 include monitoring pick-up and drop-off operations to ensure a smooth flow of traffic and
6 limiting the number of students and faculty to the numbers studied as part of the project
7 review. Therefore, the project, subject to the conditions of approval, will ensure that the
8 operation of the child daycare/private school will not be detrimental to the public interest,
9 health, safety, or general welfare, or injurious to persons, property, or improvements in the
10 vicinity and zoning district in which the property is located.

11 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
12 Commission of the City of Culver City, California, hereby (i) adopts a Categorical Exemption,
13 in accordance with the California Environmental Quality Act (CEQA), finding the Project will not
14 result in significant adverse environmental impacts; and (ii) approves Conditional Use Permit,
15 P2023-0102-CUP, subject to the conditions of approval set forth in Exhibit A attached hereto
16 and incorporated herein by this reference.

17 APPROVED and ADOPTED this 8th day of November, 2023.

18 _____
19 STEPHEN JONES, CHAIRPERSON
20 PLANNING COMMISSION
21 CITY OF CULVER CITY, CALIFORNIA

22 Attested by:

23 _____
24 Ruth Martin del Campo, Administrative Clerk
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NEW EXHIBIT A
RESOLUTION NO. 2023-P006
Case No P2023-0102-CUP
5840 Uplander Way

| NO. | CONDITIONS OF APPROVAL | Agency | Source | Compliance Verification |
|----------------|---|--|----------|-------------------------|
| GENERAL | | | | |
| 1. | Street trees, tree wells, and irrigation shall be installed, to the satisfaction of the City Engineer and Current Planning Manager, in conformity with the City's approved Urban Forest Master Plan, and where appropriate, the Washington National TOD Oriented Street scape plan. 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/ Current Planning | Standard | |
| 2. | At the sole cost and expense of the Property Owner, any curbs, gutters, sidewalks, streetlights, street light wires and conduits, traffic signal equipment, street pavement, and any other City infrastructure which are damaged or broken from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards and to the satisfaction of the City Engineer. | Public Works | Standard | |
| 3. | The project shall be subject to Holiday Moratorium dates as required by the December 17, 2009 Public Works/Engineering Holiday Slowdown Policy memo, in which work in the public right-of-way is restricted or prohibited on certain days in November and December. | Public Works | Standard | |
| 4. | Fire sprinkler main lines shall not be allowed to discharge into the public right-of-way, and they shall discharge into the sanitary sewer system. | Public Works | Standard | |
| 5. | Trash enclosures shall be provided and shall each have a minimum inside dimension of 10 feet (depth) x 12 feet (width) for two 3-yard bins and shall be increased to an additional 60 square feet for each additional bin required, a gated opening that is at least 10 feet wide, and a 6-inch-high by 6-inch-wide concrete curb along the inside perimeter wall. Each enclosure shall also have at least a 6- | Public Works/ Fire/ Current Planning | Standard | |

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| GENERAL | | | | |
| | inch-thick concrete slab that drains at a one percent gradient out of the enclosure. An 8 feet concrete loading pad in front of the proposed trash enclosure, 10 feet minimum clear opening with gates for bin access, and separate pedestrian access door for tenant use, shall be provided. Additional grade may be necessary to include a floor drain that leads to the sewer for maintenance purposes. Final approval for the size, location, and type of equipment needed for the adequate storage and disposal of all solid and recyclable waste generated by the Project shall be obtained from the City's Environmental Programs and Operations Manager. A fire suppression sprinkler system shall be provided within any covered trash enclosure area as required by the Fire Marshal. All refuse containers assigned to or otherwise used by the Project shall be stored on-site in the trash enclosures. | | | |
| 6. | 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. The project shall provide adequate trash and recycling capacity and shall comply with Assembly Bills 939, 1826, and 341 waste diversion goals. | Public Works | Standard | |
| 7. | The applicant shall develop the traffic signal design plans (if applicable) according to current standards and shall pay the City's vendor to 1) prepare the signal timing charts, and 2) implement the signal timing at the traffic signal controller for the pertinent signalized intersection taking into account signals coordination that may be in place along the corridor. | Public Works | Standard | |
| 8. | The Project shall meet all provisions of CCMC Section 7.05.015 - "Transportation Demand and Trip Reduction Measures". The applicant shall indicate compliance with all CCMC Section | Trans., <u>Public</u> Works, | Special | |

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| | <p>7.05.015 Transportation Demand and Trip Reduction Measures on the Building Permit Plans to be submitted for review and approval by Transportation Department.</p> <p>The Project shall incorporate one or more of the following Trip Reduction Measures:</p> <ol style="list-style-type: none"> 1. End of trip facilities including Employee Bicycle Lockers that services the required bicycle parking condition included within this document; the applicant shall provide a design that identifies number of employees served by the facility. 2. Public Transportation and Shared-ride Uber/Lift Information Kiosks for both ground floor and office employees; the information kiosk shall include a touch screen media device which can provide real time arrivals for various bus lines and other public transit and/or Shared-ride related information. 3. In addition to the minimum required EV related parking spaces consistent with CCMC Chapter 17.320 - "Off-Street Parking and Loading", marked parking stalls shall be constructed with infrastructure necessary to allow for future installation of Electrical Vehicle (EV) charging and 25% of these additional spaces or a minimum of six (6) spaces shall be EV ready parking spaces; EV ready parking spaces shall be consistent with applicable California Green Building Code standards. 4. At least two low/zero emission vehicle designated parking spaces and at least one carpool/vanpool designated parking at each parking level; infrastructure ready EV spaces may be used. 5. With approval from Public Works, designated loading areas for shared-ride vehicles along | Current Planning | | |

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| GENERAL | | | | |
| | <p>project adjacent public streets or an onsite designated loading area for shared-ride vehicles.</p> <p>6. Subsidized Shared-Ride/Uber/Lift Service – The Project shall provide employees with a voucher or similar system for Uber/Lift ridesharing services to facilitate use of rideshare services. The subsidy shall be for two years after Certificate of Occupancy over a two-year period. The Project owner or property management firm shall provide evidence and/or accounting annually to the City of such subsidy.</p> <p>7. Promotion of walking through a “walk to work” program in coordination with the on-site office employees and a posted neighborhood map with approximate walking distances and times to local neighborhood amenities.</p> <p>8. Two bicycle sharing spaces with accompanying bicycles to be owned, insured, and maintained by the Project’s property management company.</p> <p>9. Other potential measures consistent with City mobility measures which may be adopted by Planning Commission.</p> <p>10. TAP Cards – The Project will subsidize the purchase of TAP cards for a period of three years for employees who opt to take Metro instead of personal vehicles, and will not be provided on-site parking accommodations and not receive a car share subsidy; or, the Project will offer a cash-out bonus to individuals who opt to use other modes of commuting options such as carpools, car share, shuttles, bicycles, or walking. The cash-out bonus will count towards the employee obligation.</p> <p>Further, the Applicant shall procure and register TAP cards for project tenants and the Project owner or property management firm shall provide</p> | | | |

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| | evidence and/or accounting annually to the City of such subsidy. | | | |
| 9. | 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 complete building permit application submittal. | All Depts | Standard | |
| 10. | 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". | Current Planning | Standard | |
| 11. | Drainage devices, concrete curb and gutter, sidewalk, and drive approach, roadway pavement shall be designed to the latest edition of the American Public Works Association (APWA) Standard Plans. | PW Engineering | Special | |
| 12. | Projects shall be reviewed under the building code edition adopted when Building and Safety receives an application, plan check fees paid, with associated complete plan and supporting documentation set. Currently, 2019 California Building Codes. | Building Safety | Special | |
| 13. | A full comprehensive code analysis shall be part of the plan check submittal set. It shall include, but not be limited to, means of egress plan, fire rated wall protection plan, accessible plan, exterior opening area analysis, energy analysis, parking analysis, CALGreen checklist, commercial plumbing fixture count analysis, allowable height and area analysis. | Building Safety | Special | |
| 14. | Building shall have fire sprinklers installed per 2019 NFPA 13 requirements and CCMC 9.02. Fire department connection (FDC) shall be located as | Community Risk Reduction | Special | |

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| | approved by Fire Marshal. The Double Detector Check Assembly (DDCA) shall be located as required by GSW. | | | |
| 15. | Location of the Fire Department fire sprinkler connection (FDC) shall be approved by the Fire Marshal. Culver City Fire Department requires each FDC to be within 150 feet of a public fire hydrant. | Community Risk Reduction | Special | |
| 16. | Provide addresses viewable from the public way. | Community Risk Reduction | Special | |
| 17. | Provide fire sprinkler monitoring and fire alarm system per 2019 NFPA 72, fire monitoring system shall be separate from the security system. | Community Risk Reduction | Special | |
| 18. | Provide Knox Box. | Community Risk Reduction | Special | |
| 19. | Provide fire extinguishers, size, location, and type shall be approved by Fire Marshal. | Community Risk Reduction | Special | |

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| PRIOR TO DEMOLITION PERMIT ISSUANCE | | | | |
| 20. | A covenant and agreement, on a form provided by the Current Planning Division and 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 Current Planning Division. | Current Planning/ City Attorney | Standard | |
| 21. | The Applicant and/or Property Owner shall indemnify, hold harmless and defend (at the Applicant's and Property Owner's sole cost and expense, with legal counsel approved by the City in its sole discretion) the City, its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, lawsuits, judgments, liability, injury or damage arising from or in any manner connected to any and all permits or approvals relating to the Project, including without limitation associated and reasonably incurred attorneys' fees and court and litigation costs arising out of the defense of any such claims and/or lawsuits, and actual attorneys' fees and court and litigation costs that may be awarded by the court and required to be paid by the City. The obligations required by this Condition shall be set forth in a written instrument in form and substance approved by the City Attorney and signed by the Applicant and Property Owner. | City Attorney | Standard | |
| 22. | A Comprehensive Construction Management Plan (CMP) shall be submitted to Building & Safety as part of the Building Permit plan | All Depts | Standard | |

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| | <p>check approval process and shall be approved prior to issuance of the Demolition and / or Building Permit. The comprehensive CMP shall include all plans specified in the conditions of approval. In addition, the plan will identify the areas of construction staging, temporary power, portable toilet, and trash and material storage locations. The CMP shall show all areas of the public right-of-way which may be affected by the construction of the project. Unless otherwise approved by the Public Works Director, sidewalk access shall be maintained at all times along the project's frontage.</p> <p>In addition to the above, the CMP shall include the following components:</p> <p>a. <u>A Pedestrian Protection Plan</u> 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 City Engineer.</p> <p>b. <u>A Construction Traffic Management Plan</u> shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be reviewed and approved by the City Engineer and Current Planning Manager prior to the 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 Current 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</p> | | | |

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| | <p>Traffic Management Plan shall contain, but not be limited to, the following:</p> <p>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.</p> <p>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.</p> <p>C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan. 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.</p> <p>D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas.</p> <p>E. The location and travel routes of off-site staging and parking locations.</p> <p>F. Estimated number of trucks per hour for dirt hauling, concrete pouring, deliveries, etc.</p> | | | |

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| | <p>c. <u>A Demolition Debris Recycling Plan</u> shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials. Reasonable efforts shall be used to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems.</p> <p>d. <u>A vector/pest control abatement plan</u> prepared by a pest control specialist licensed or certified by the State of California 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.</p> <p>e. The CMP shall address implementation of the following <u>measures during construction</u>:</p> <p>i Foundation Shoring Plan demonstrating use of noise dampening design methods.</p> <p>ii Construction Rules Sign that includes contact names and telephone numbers.</p> <p>iii Daily maintenance of construction site.</p> <p>iv Dust control by regular watering.</p> <p>v Construction worker and contractor offsite parking.</p> <p>vi Staging and storage of construction equipment on-site only.</p> <p>vii Compliance with noise standards.</p> | | | |

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| | <p>f. <u>Foundation shoring and/or foundation piles.</u> When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall specify use of noise dampening measures such as the drilling of shoring supports and piles as determined by the Building Official and Current Planning Manager, which shall be incorporated in project plans.</p> | | | |

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| PRIOR TO GRADING / BUILDING PERMIT ISSUANCE | | | | |
| 23. | A minimum of two sets of final landscaping and irrigation plans (separate from the plans submitted for the building permit) shall be submitted to the Current Planning Division for review and approval. | Current Planning / Parks, Recreation and Community Services | Standard | |
| 24. | Prior to issuance of a building permit, notice of the Project construction schedule and CCMC 3307 shall be provided to all abutting property owners and occupants within 100 feet of the site. An affidavit of such notification shall be provided to the Building Division (building.safety@culvercity.org). 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 Safety | Standard | |
| 25. | <p>The applicant, including the on-site construction superintendent, shall attend a pre-construction meeting with all reviewing City departments and/or divisions, organized by Building Safety, in order to review all project conditions of approval.</p> <p>Prior to commencement of work the construction contractor shall advise the Public Works Inspector on-site ("Inspectors") of the construction schedule and shall meet with the Inspectors.</p> | All | Standard | |
| 26. | The project is subject to the City's Sewer Facility Charge due to the change in use and increased density. This charge must be paid prior to the issuance of a building permit. | PW Engineering | Special | |
| 27. | Any construction work in the public right-of-way requires the issuance of an encroachment permit from the Public Works Department including a traffic control plan consistent with the CA MUTCD. | PW Mobility | Special | |

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| 28. | On-site improvement plans prepared by a civil engineer registered in the State of California shall be submitted to the Engineering Division for review, approval and permitting. Among other things, the on-site improvement plans shall include detailed on-site drainage and grading of the site indicated by topographical lines and spot elevations. This plan shall be approved for on-site construction only. | PW Engineering | Special | |
| 29. | Off-site improvement plans prepared by a civil engineer registered in the State of California shall be submitted to the Engineering Division for review, approval and permitting for all proposed improvements within the public right-of-way. Separate plans shall be submitted for street improvements, street light improvements, traffic signal, signage and striping, and sewer improvements. Landscape and irrigation plans for the public parkway area and raised medians shall be included in the street improvement plans. | PW Engineering | Special | |
| 30. | Applicant shall pay an initial plan check fee in the amount of \$750.00 each upon submittal of the on-site-improvement and off-site improvement plans for review. Additional plan check and permit fees will be determined per the Engineering Division's Schedule of Fees and Charges. | PW Engineering | Special | |
| 31. | Concurrent with the submittal of the on-site improvement plan, a Standard Urban Stormwater Mitigation Plan (SUSMP) shall be submitted for review and approval by the City Engineer as outlined in CCMC Chapter 5.05. The SUSMP shall be developed and implemented in accordance with the requirements of the Los Angeles County Municipal Stormwater National Pollution Discharge Elimination System (NPDES) Permit No. CAS614001 (Order No. 01-182). The SUSMP shall provide Best Management Practices (BMP's) that adequately address | PW Engineering | Special | |

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| | the pollutants generated during the post-construction stage and shall be designed for filtration, infiltration, and retention for the first 1.1" of rainfall. The site improvement plans shall note the contractor shall comply with the "California Stormwater Best Management Practice Handbooks". The Site Improvement Plans shall not be accepted for review unless the SUSMP is included in the submittal package, including the plan check fee associated with the SUSMP. Said SUSMP shall be used to guide the "Conceptual – Not For Construction" Post Development Hydrology / SUSMP Map. The approval of the SUSMP is required prior to issuance of the Site Improvement Plan. The SUSMP shall cover the new building and parking lot. The Site Improvement Plans shall not be accepted for review unless the SUSMP is included in the submittal package, including the plan check fee associated with the SUSMP | | | |
| 32. | A careful, detailed photo documentation of neighboring properties is required prior to the start of any major construction activities, provide a digital copy of photos to Building Safety. | Building Safety | Special | |

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| DURING CONSTRUCTION | | | | |
| 33. | During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers of the Developer, 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 Current Planning Manager and Building Official. | Building Safety/ Current Planning | Standard | |
| 34. | During construction, the Property shall be maintained daily so that it is free of trash and litter. | Building Safety | Standard | |
| 35. | During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector. | Building Safety/ Public Works | Standard | |
| 36. | <p>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.</p> <p>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.</p> | Building Safety | Standard | |
| 37. | During all phases of construction, all construction workers, contractors, and others involved with the Project shall park on the Property or at designated offsite locations | Building Safety, Current Planning | Standard | |

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| DURING CONSTRUCTION | | | | |
| | approved by the City, and not in the surrounding neighborhood. | Public Works | | |
| 38. | Prior to the commencement of any excavation, a temporary construction fence with wind screen shall be installed around the site. The wind screen may be omitted for drivers line of sight. The height and fence material are subject to approval by the City Engineer and the Current Planning Manager. The site fence location shall be identified on the Demolition plan. | Building Safety/ Current Planning/ Public Works | Standard | |
| 39. | Hours of construction shall be limited to the following: 8:00 AM to 8:00 PM Monday through Friday; 9:00 AM to 7:00 PM Saturday; and 10:00 AM to 7:00 PM Sunday 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 Safety/ Public Works | Standard | |
| 40. | 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 Safety/ Public Works | Standard | |
| 41. | 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 | Building Safety/ Current Planning | Standard | |

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| DURING CONSTRUCTION | | | | |
| | <p>silencers and noise shrouds) that are no less effective than those provided on the original equipment;</p> <p>B. All construction equipment shall be properly maintained to minimize noise emissions;</p> <p>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;</p> <p>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 Current 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</p> <p>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.</p> | | | |
| 42. | 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. 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 | Building Safety/ Public Works | Standard | . |

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| DURING CONSTRUCTION | | | | |
| | and discontinued during second-stage smog alerts. 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 except along the frontage of the construction site and shall be approved by the City Engineer. | | | |
| 43. | Any type of damage to any adjacent property or any part of the City right of way will result in a general stop work order. | Building Safety | Special | |
| 44. | Construction hours shall be per the CCMC and/or any more restrictive project specific requirements, and/ or any Culver City Current Planning Division approved temporary use permit. All concrete pours/worker staging/any on-site or off-site activity shall start and end within the allowed construction hours. No on-site or off-site staging activity or any activity of any kind is allowed outside of the allowed construction hours. | Building Safety | Special | |
| 45. | Every effort shall be made to minimize noise on site, no music is allowed on site. | Building Safety | Special | |
| 46. | Place a temporary construction sign during construction with the superintendent's name and phone number, the contractors name and phone number, the allowed hours of construction, and the minimum safety gear mandatory for all staff on site; long pants, a shirt w/ sleeves, closed toe shoes, a hardhat, | Building Safety | Special | |

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| DURING CONSTRUCTION | | | | |
| | gloves and eye and ear protection as necessary. | | | |
| 47. | Submit the qualifications of any special inspectors to Building Safety in advance. Building Safety reserves the right to dismiss any special inspector at any time. During construction have a predetermined location for the special inspection reports, engineer's reports, for easy access by the Building Safety staff. | Building Safety | Special | |
| 48. | All trucks driving to the jobsite shall obtain C.C. haul route permits, a copy of the approved haul route permit shall be kept in every vehicle traveling to the construction site, including supplier and delivery vehicles. | Building Safety | Special | |
| 49. | Culver City Building Safety reserves the right to adjust allowed construction staging areas during the project, or to apply administrative assessments, or to post a general stop work notice for violations of any conditions of approval or any previously approved use of the City right-of-way. | Building Safety | Special | |

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| PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION | | | | |
| 50. | 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 June 8, 2023 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 | |
| 51. | <p>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, Current 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 following shall be provided to and approved by the City:</p> <p>A digital format compatible with the City's computer system, of as-built set of plans that shall include at a minimum all information that is on the final version of the Building Permit set including any revisions as well as 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 that are certified by the project architect and engineer.</p> | All | Standard | |
| 52. | The applicant shall scan the grading plans, all off-site plans, and SUSMP and SWPPP reports and forward the electronic copies to Engineering. | Public Works | Standard | |

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| PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION | | | | |
| 53. | All signs and existing painted curb fronting the site shall be replaced and refreshed. | Public Works | Standard | |
| 54. | The Project shall comply with CCMC Chapter 15.06: New Development Fees including the Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq. | All | Standard | |
| 55. | The project shall replace any parking meters, signs and posts, signal poles, and any other traffic and parking control devices within the public right-of-way if damaged by the project construction. | PW Mobility | Special | |
| 56. | The applicant shall scan the approved grading plans, off-site improvements plans, LID Report, and SWPPP, and shall forward them to the Engineering Division. | PW Engineering | Special | |
| 57. | The primary driveway apron for this site shall be removed and replaced to be ADA compliant. Applicant shall obtain an Engineering permit for this off-site work. | PW Engineering | Special | |
| 58. | Project will be required to place a pull box and conduit to connect to the project's proposed networking room for future Culver Connect fiber consideration. Pull box and conduit shall be on-site. | PW Engineering | Special | |

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| ON-GOING | | | | |
| 59. | 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 November 8, 2023 , excepted as modified by these Conditions of Approval. | Current Planning | Standard | |
| 60. | 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 | |
| 61. | 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, regulations, guidelines and policies, including, but not limited to, Building Division, Fire Department, Current 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 (collectively, "Applicable Rules"). Failure to comply with Applicable Rules may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other remedies available to the City in law or in equity. | All | Standard | |
| 62. | All graffiti shall be removed from the Property within 48 hours of its application. | All | Standard | |

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| ON-GOING | | | | |
| 63. | The project shall provide streetscape improvements along the project's street frontage including street trees in accordance with the Urban Forest Master Plan, and benches, bike racks, waste bins consistent with the specifications provided in the Washington National Streetscape plan. | Current Planning | Standard | |
| 64. | All mitigation measures set forth in any environmental document relating to the Project (including any reports of the type contemplated by the California Environmental Quality Act) shall be incorporated herein by this reference as though fully set forth in these Conditions of Approval and shall be completed as specified therein. | Current Planning | Standard | |
| 65. | The use shall comply with all applicable standards for a child daycare and private school use per CCMC Title 17. | Current Planning | Special | |
| 66. | The use is permitted to enroll up to 108 preschool students (84 full time and 24 part time) and the 36 kindergarten students with 20 employees. | Current Planning | Special | |
| 67. | The use shall designate a member of staff to coordinate automobile movement during pickup and drop off hours to ensure that there cars enter and exit the site without causing spillover on the public right-of-way. A staggered drop-off and pick-up schedule shall be employed for both the preschool and kindergarten students as stated in the Mobility Plan Technical Memorandum. | Current Planning | Special | |
| 68. | The use shall operate between the hours of 7:00 AM and 6:00 PM with the preschool program operating between 8:00 AM and 4:00 PM and the kindergarten program operating between 8:30 AM and 3:00 PM. Afterschool programs will operate until 6:00 PM. | Current Planning | Special | |

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| 69. | The use shall provide 37 parking spaces consistent with plan submitted and approved by Planning Commission for Conditional Use Permit. | | | |
| 70. | Parking demand management measures proposed in the Mobility Plan Technical Memorandum shall be implemented and enforced by the applicant. The applicant shall provide an annual update to Current Planning Staff regarding implementation of the parking demand management measures. | | | |

GLOSSARY OF ABBREVIATIONS

| | |
|---|------------------------|
| <u>American Public Works Association Standard Plans</u> | <u>APWA Standards.</u> |
| <u>Construction Management Plan</u> | <u>CMP</u> |
| <u>Culver City Municipal Code</u> | <u>CCMC</u> |
| <u>Electrical Vehicle</u> | <u>EV</u> |
| <u>Homeowner's Association</u> | <u>HOA</u> |
| <u>Standard Urban Stormwater Mitigation Plan</u> | <u>SUSMP</u> |
| <u>Stormwater Pollution Prevention Plan</u> | <u>SWPPP</u> |
| <u>Transit Oriented Development</u> | <u>TOD</u> |

EXHIBIT B
STANDARD CODE REQUIREMENTS
Project Subject to some or all Code Requirements as determined by the City

| NO. | CODE REQUIREMENTS | Agency | Code Compliance Verification | Check if Applicable |
|------------|--|------------------|-------------------------------------|----------------------------|
| 1. | 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 the Project Conditions of Approval. | Current Planning | | |
| 2. | The land use permit to which the Project Conditions of Approval apply (the "Land Use Permit") shall expire one year 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 Current Planning Division prior to the expiration of the land use permit. | Current Planning | | |
| 3. | 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. | Current Planning | | |
| 4. | The Project shall be developed pursuant to CCMC Chapter 17.300 – "General Property Development and Use Standards". | Current Planning | | |
| 5. | All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - "Landscaping". | Current Planning | | |
| 6. | All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - "Off-Street Parking and Loading". | Current Planning | | |
| 7. | Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - "Signs". All signs require a separate permit and approval. | Current Planning | | |

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| 8. | The Project applicant shall obtain all permits and licenses required in connection with the development or use of the Project. | All | | |
| 9. | 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. 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 | | |
| 10. | Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted. | Public Works Current Planning | | |
| 11. | The Project shall comply with all applicable requirements of the Culver City Energy Reach Codes as set forth in CCMC Section 15.02.1100-1180, et.seq. | Building | | |
| 12. | The Project shall comply with all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq. and as amended from time to time. | Building | | |
| 13. | 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 | | |

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| 14. | Upon completion of the rough grading and prior to excavation of shallow building foundations, the following reports and drawings and any supplements thereto shall be submitted to the City Engineer: a. An as-built grading plan prepared by the Civil Engineer. b. A certification by the civil engineer that the grading has been completed in conformance with the approved plan and California Building Code. c. A final compaction report and certification by the soils engineer that the grading has been completed to his/her satisfaction and is in compliance with the California Building Code. | Public Works | | |
| 15. | All utility lines fronting the site shall be undergrounded by the applicant. | Public Works | | |

GLOSSARY OF ABBREVIATIONS

| | |
|---|------------------------|
| <u>American Public Works Association Standard Plans</u> | <u>APWA Standards.</u> |
| <u>Construction Management Plan</u> | <u>CMP</u> |
| <u>Culver City Municipal Code</u> | <u>CCMC</u> |
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