

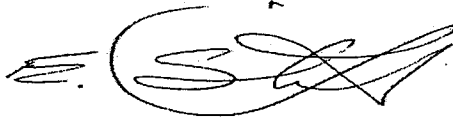
4052 A, B, & C Lafayette Place, Culver City, CA
Job No. 03JM08

April 1, 2008
Page 7

This completes our assessment report of the subject property. We at L.A. Private Eyes Geotechnical Engineers appreciate the opportunity that was afforded us to provide our professional opinion. Should you have any questions regarding the contents of this report, please call us.

Respectfully Submitted,

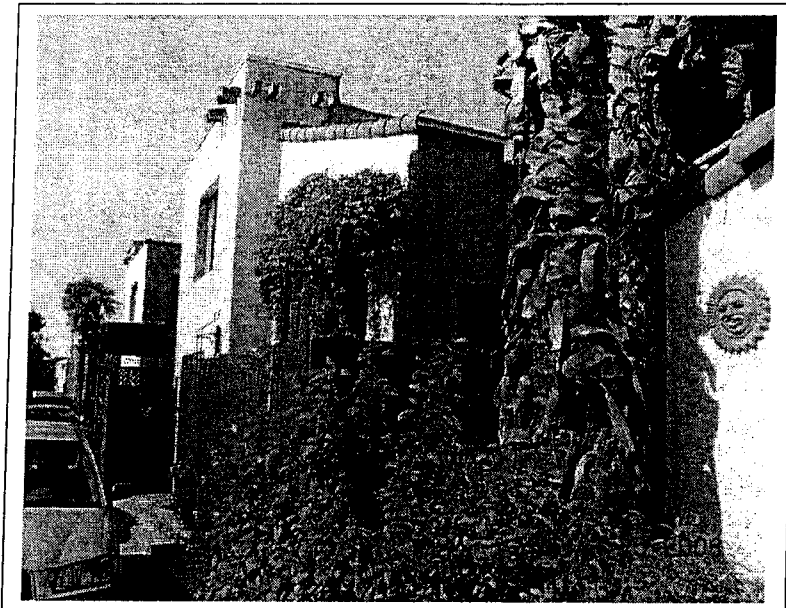
L.A. PRIVATE EYES GEOTECHNICAL ENGINEERS,
A DIVISION OF PRESTIGE ENGINEERING, INC.

A handwritten signature in black ink, appearing to read 'E. Simantob', is written over a horizontal line.

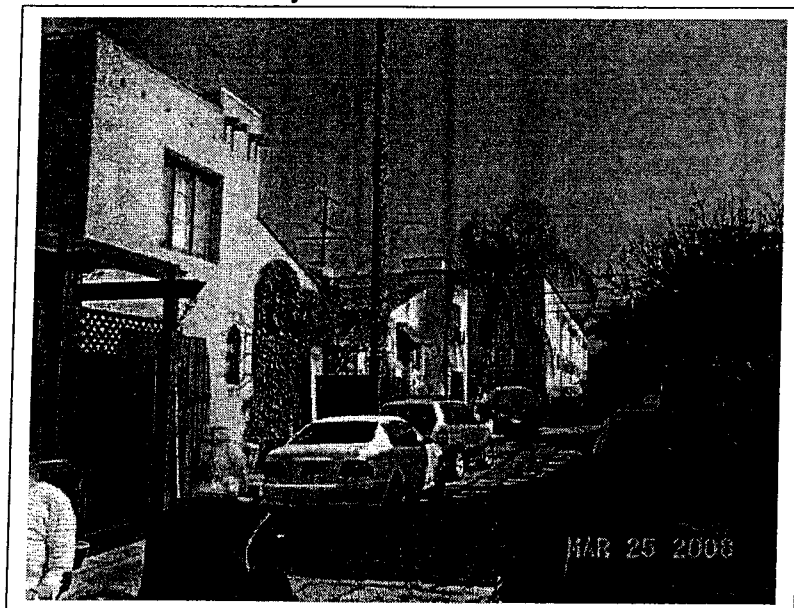
Ebrahim Abe Simantob, P.E., G.E.
Civil & Geotechnical Engineer

Attachments: Selected Photographs Taken During the Assessment

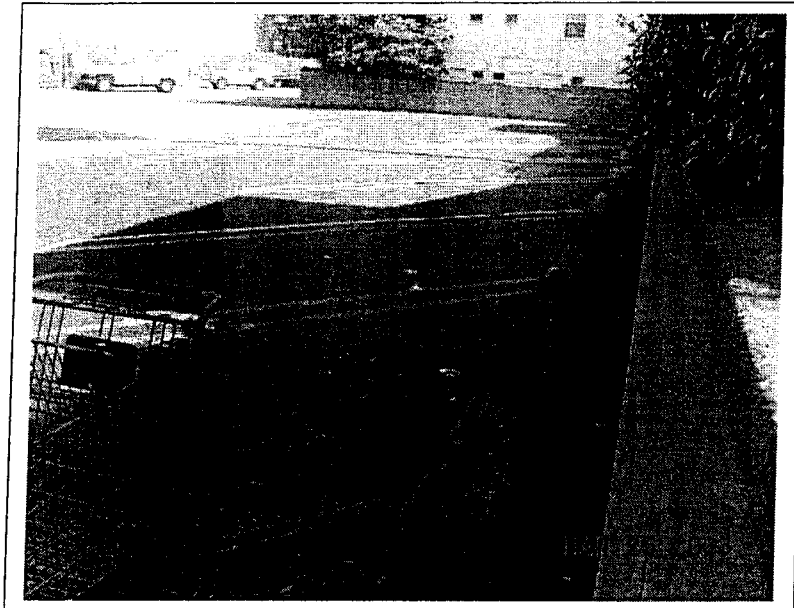
View of the east side of 4052A & B Lafayette Place from the street.



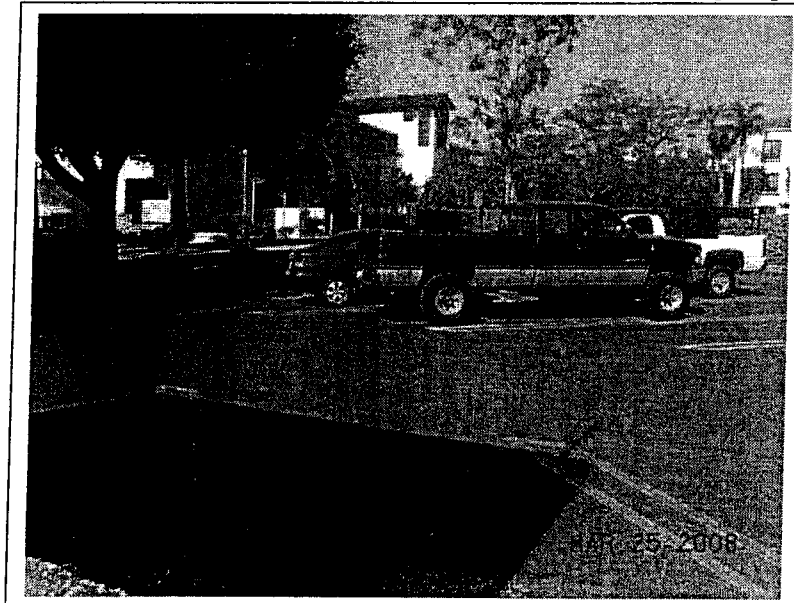
View of the east side of 4052B & C Lafayette Place from the street.



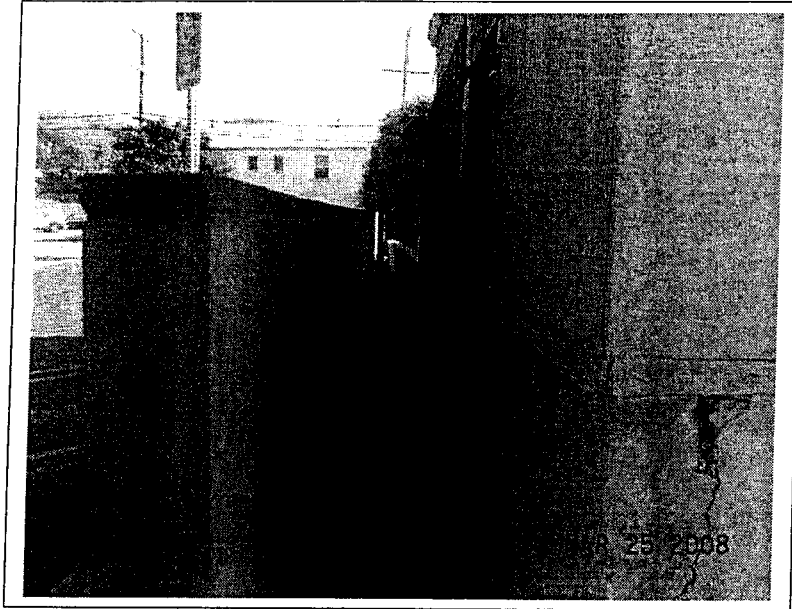
View of the north end of the proposed construction site to the west of the subject properties.



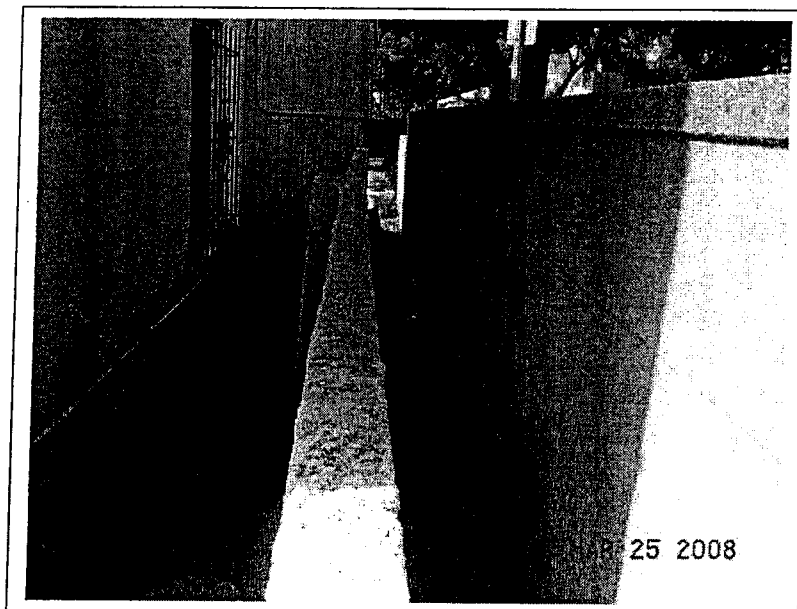
View of the south end of the proposed construction site to the west of the subject properties.



View of the concrete block wall constructed next to the free-standing concrete wall along your westerly property line. Note the small crack in the wall below the stucco covered walls of the addition made to the southwest of 4052A Lafayette Place.



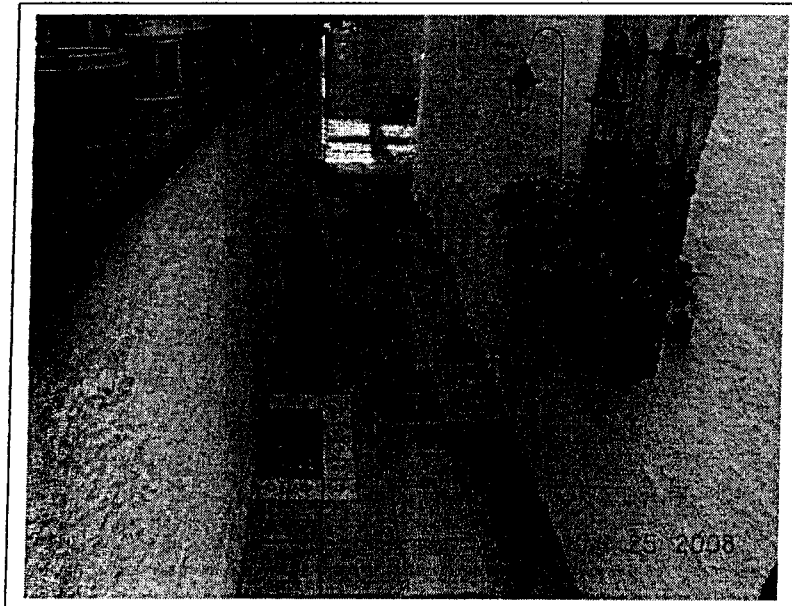
Another view of the addition to the southwest of 4052A Lafayette Place and the two walls looking south.



The free-standing wall is leaning excessively in portions of 4052A & B Lafayette Place.



The walkway between 4052C Lafayette Place and the free-standing wall is covered with tile.



From: Culver City Connect [mailto:culvercity@user.govoutreach.com]
Sent: Friday, March 28, 2008 11:10 AM
To: Gorham, Thomas
Subject: Culver City: Message About Request #: 132017 [34463034453]

Description: Carole Levitt & Mark Rosch 4070 B Lafayette Place • Culver City, CA 90232
March 26, 2008 We are the owners of the Culver City Historic landmark house located at 4070 B Lafayette Place. We are writing about our concerns with the development project at 4043 Irving. It is much too large a project for what is currently a wonderful neighborhood of historic homes. Adding a project with 26 condominiums, 3 offices, and 68 subterranean parking spaces is incompatible with the current historic neighborhood of residences. All of the homes on Lafayette Place are either single family or small apartment buildings. Only 15 years ago, the City deemed 12 of those homes in two courtyards "culturally significant" to the history of Culver City and designated them as historic landmarks. Now, if approved, the project at 4043 Irving threatens the structural integrity of at least three of those homes, the historical significance of all 12, and the character of the entire neighborhood. As you probably know, aside from residences on the 4000 block of Lafayette Place, the street also includes City Hall, Meralta Plaza, and a day care while the 4000 block of Irving includes an elementary school in addition to residences. Adding such a large project on Lafayette Place and Irving will only aggravate the current congestion caused by automobile and pedestrian traffic and will negatively affect the safety of children at the day care and elementary school. We're further concerned about the presence of lead in the soil of the Irving site, left over from its use as a printing facility. While the lead contamination is currently effectively capped by the blacktop paving on the project site, the extensive excavation could spread airborne lead particles not only over the neighboring properties, but also over City Hall, Meralta Plaza, and the children attending Linwood E. Howe Elementary and Happyland Pre-School. We respectfully request that the City and Planning Commission reconsider the scope of the project as it's currently proposed Carole Levitt clevitt@mindspring.com Mark Rosch mrosch@mindspring.com

March 14, 2008

Thomas Gorham, Deputy Director
Culver City Planning Department
Culver City Hall

Re: Proposed development - 4043 Irving

Dear Mr. Gorham,

The proposed development at 4043 Irving poses special challenges. It is the first time the Planning Department and the Planning Commission are reviewing a project adjacent to 12 "Landmark" designated homes. 3 of these homes (4052 A, B, and C) are directly adjacent to the proposed development. We are writing to you to bring some issues to your attention and to ask for your assistance in protecting these buildings from damage as a result of the proposed development.

Designed by an architect at the studios and built in 1923, these structures are constructed of poured in place concrete. They are the first homes in Los Angeles County built of concrete and the only homes in Culver City made from this material. These beautiful, 2 story Spanish style homes are of special historic value to the city.

The walls of these homes are approximately 3 feet from the property line. Because the design is so large - it includes 26 condo units and 3 commercial offices, 68 parking places are required. As a result, the design includes excavating a subterranean garage 15-20 feet deep, beginning directly on the property line. Even with this design, the underground parking for residents has to be "stacked." At 4052 A, the proximity of the home is even closer than the other 2 homes because the addition which was added to the house before the current owners bought the home 32 years ago, is actually right on the property line. Water pipes and other utilities also run underground right on the property line of these homes.

Level of Risk

The soil engineer's report indicates a high percentage of sand on the proposed site. We have been told that our homes will be "shored up," but we are extremely concerned that the structural integrity of our homes would, in fact, be compromised by the excavation, the shoring up process itself, and by the use of heavy equipment needed in the building process.

Our concerns are based on some experience. 4043 Irving was owned by Coast Media Newspaper before the city took it over. When Coast Media's building and loading dock were demolished to make way for the current parking lot, the owner of 4052 C, whose home was parallel to the Coast Media building, reports her house "shuddered." Later cracks appeared in her walls and patio floors from back to front. The proposed project

will involve a much larger area, much heavier equipment, deeper excavation, and a lengthy projected completion time of 1 ½ to 2 years.

You are probably aware that in another development project, 2 blocks away on Van Buren, the shoring up process did, indeed, cause the land on the adjacent neighbor's driveway to collapse. The project did not meet OSHA standards, and the whole project had to be abandoned after construction had begun.

The walls of our homes have walls 9-16 inches thick. The buildings are extremely heavy. If the buildings slide, there could be risk to the men working on them, the people living in them, and to the buildings themselves. It may be difficult to repair them as cracking occurs. Rebuilding them would not be possible because of the extraordinary expense and the fact that they would no longer meet building codes.

In a proactive effort to prevent future damage to our homes, the undersigned owners make the following requests.

Structural Engineering Report

We ask that a structural engineering report be prepared before application approval is considered. We are aware that, typically, in Culver City, such a report is done after project approval. Because of the unusual circumstances involved in this project, we believe that such a report should be prepared before the project is formally reviewed. We recommend that neighbors, rather than the developer, select the engineer to ensure objectivity. We would ask that the report describe what impact shoring up and construction are likely to have on these landmark buildings - in both the short and in the long term. Additionally, we would like details regarding what shoring up methods might be implemented and a description of how the shoring up project would be monitored.

Soil Sampling

We ask that an additional soil boring be taken adjacent to 4052 B. (Sampling was done only adjacent to 4052 A and C.) The current soil sampling report appears to be inadequate. It does not address potential impact on the landmark buildings because of the proximity of the excavated garage. It deals solely with the structural integrity of the proposed new building.

Responsibility for Damage

We ask that we receive, in writing, assurance that these buildings will be protected and ask that we be given an explanation of how responsibility would be assessed and repairs made if damages do occur to our homes as a result of the implementation of the project, either during the building process or after it is completed.

We ask that careful analysis and evaluation be completed before the project is approved. Surely, more time spent in an adequate planning a project would provide a better

opportunity to prevent tragedy later. We have taken pride in our homes for many years and we hope the city will help provide stewardship for these landmarks in the future.

Site Visit

Because of the unusual elements in this case, we invite you and the Planning Commissioners to personally make a site visit before the April 9th meeting, not only to the current parking lot where the new project is proposed, but also to the 3 landmark homes in order to more appropriately evaluate the impacts of the projected project. It is difficult to understand the spatial issues from drawings alone. They do not given enough detail related to these landmark structures. Please let us know how we could coordinate such a visit.

Thank you for your attention.

Sincerely,

Louis and Helen Apodaca – owners, 32 years
4052 A Lafayette Place (310) 837-8344

Michael and Judith Miller – owners, 17 years
4052 B Lafayette Place (310) 837-3540

Barbara Vowles - owner, 28 years
4052 C Lafayette Place (310) 204-2757

Cc:
Sol Blumenfeld, Community Development Director
Charles Herbertson, Director/City Engineer
Jerry Fulwood, City Manager
City Council
Planning Commission
Cultural Affairs Commission
Carol Schwab, City Attorney

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Disa E. Lindgren
4146 La Fayette Place, Culver City, CA 90232-2818 310.837.3180
disalindgren@hotmail.com

Dear Madam/Sir,

I feel fortunate to have lived in Culver City for a total of 14 years (attending Linwood E. Howe Elementary School, Culver City Junior High School and Culver City High School in the 60's and 70's, and returning in April 2004.)

As a member of the community, I am concerned that the type of development being planned for 4043 Irving Place is not suitable for the location. In a lovely, quiet residential neighborhood, with both an elementary school and a preschool adjacent to the property, the potential for safety problems and harm to young children, it is particularly troubling.

The most important responsibility of the government, is to provide for the safety of its residents and especially to protect the most vulnerable members of the community. Foremost among these are our children. It is my understanding that the proposed development would have 68 underground parking spaces, with entry to and exit from the building on Irving Place. Given that there is already a great deal of traffic in the morning and afternoon on Irving, Braddock and La Fayette, adding so many more cars in such a concentrated location would be ill-advised. Parents dropping off and picking up their children at the elementary school on Irving, and at Happyland Preschool on La Fayette would not only encounter greatly increased traffic, aggravating their commutes as well as the drive for people in the neighborhood, but would result in children being put in harm's way, because of the large number of cars pulling out of 4043 Irving as residents of the proposed condos leave for work and as young children arrive for school or preschool.

The quality of life for families and children in Culver City is something our City leaders (particularly elected officials and members of the business community) have long been proud of and is something residents here appreciate. But the scale of the proposed development seriously compromises the safety of this neighborhood, and is not in keeping with the verbal commitments made by our civic leaders or the desire of Culver City residents to look out for the best interests of our children.

The Planning Commission has a responsibility to see that the proposed building project at 4043 Irving Place is scaled back significantly, because of the proximity to both Linwood E. Howe School and Happyland. Not only will traffic increase on Irving, if a building with so many parking spaces constructed, but certainly also on Irving and Braddock (not to mention, Culver Blvd...)

I urge your careful consideration of the other impacts a project of this scale would have, particularly as regards children; increased noise and pollution during construction and afterwards, with the addition of so many cars--and what a terrible loss for all of us should the two magnificent ficus trees on La Fayette be chopped down!--and greatly increased traffic, on top of still tighter street parking, which would make the streets less safe for the many young children who are in the area on weekdays.

Thanks for keeping the protection of small children in mind as you consider what kind of development will enhance the neighborhood and serve the interests of the residents of Culver City.

Disa E. Lindgren

210

Samaras, Paul

From: Jerry Ferro [ferjerr@gmail.com]
Sent: Wednesday, February 13, 2008 10:20 AM
To: Samaras, Paul
Subject: Project Application for 4043 Irving Place

Mr. Samaras,

I am writing you to urge you to reject the proposal for 26 condos and office spaces for 4043 Irving Place.

The property is currently in use as a parking space and should remain so. I am dismayed that the property was sold without consulting members of the neighborhood. If we were consulted, I am sure that you would have found out that many people use the parking lot on a daily basis. I invite you to go by the property at anytime during the day. If you do, you will see that it is being used by: parents taking their children to the "Happy Time" day care, members of the Culver City School District headquarters and people of the neighborhood. Without a place to park, both Irving Place and Lafayette Pl. would be jammed with parked cars presenting a hazard to both the parents and children of "Happy Time" and for the police who regularly use Lafayette Pl. as an exit from the police station.

Plus, the construction of such a large project would create a MAJOR disturbance to the area which is becoming increasingly busy due to the revitalization of downtown. The amount of dust and noise will disturb the neighborhood as well.

In short, I believe that this project has not been well thought out. It seems to me that it will benefit the developer at the expense of the neighborhood and it will give rise to a parking shortage presenting a hazard to those who work and live in the immediate area.

I applaud Culver City's efforts to manage growth in the area but filling the area with condos will only make the city less desirable to live in.

I thank you for giving this project serious consideration before making any approvals and I urge you to consider the impact this development will have on our neighborhood.

Thank you,

Jerry Ferro
4041 Lafayette Place
Culver City, Ca. 90232

03/03/2008

211

Samaras, Paul

From: lvcarol@netzero.net
Sent: Sunday, February 24, 2008 2:37 PM
To: Samaras, Paul
Subject: 4043 Irving Place, Culver City

Culver City Planning Division
Paul Samaras, Associate Planner

I strongly object to the proposed project at 4043 Irving Place in Culver City. What are you people thinking????

My property is located at 4058 A Lafayette Place. There is already a parking problem in the area. What will happen to Lafayette Place when there are 26 residential units and 3 offices facing on Lafayette Place. Is Culver City that hard up for revenue that the Planning Division is eager to allow multiple units built on every square inch of property????

I absolutely hope that someone will think about the impact. There may not be an adverse impact on the environment, but it certainly will have an impact on the property owners and residents in the immediate area. Come on use some common sense.

Carol Kehl
Property Owner
4058A LaFayette Place

Home address:
4800 E. Vegas Valley Dr. #173
Las Vegas, NV 89121
702-432-0248

I would appreciate confirmation that this email is being considred as an objection to the proposed development.

Thank you.

Get that special someone a beautiful flower bouquet delivered to their door. Click Here.
<http://thirdpartyoffers.netzero.net/TGL2221/fc/Ioyw6i4uOHKBx9Xh8YDeEsCPbGt57yKOygtalxJuW3sGGUHe6RFesT/>

RECEIVED

FEB 28 2008

Culver City
Planning Division

February 25, 2008

Mr. Paul Samaras, Associate Planner
Culver City Planning Division
P.O. Box 507
Culver City, CA 90232

RE: Property at 4043 Irving Place
Case File Tentative Tract Map P2007117

To Whom It May Concern:

This is to STRONGLY VOTE AGAINST the proposed project of a 4-story building consisting of 26 residential condominium units, three ground level office spaces and a subterranean garage with 68 parking spaces on a 24,089 square foot property.

The impact on this neighborhood will be tremendous due to the vehicle traffic and parking. I own the property located at 4058A LaFayette Place. The owners on this drive will be impacted and desire to have this project rejected.

Sincerely,



Carol C. Kehl
4800 E. Vegas Valley Drive, #173
Las Vegas, NV 89121
702-432-0248

Paul Samaras, Associate Planner
Community Development Department Planning Division
9770 Culver Blvd.
Culver City CA 90323

RECEIVED
MAR 03 2008
Culver City
Planning Division

March 2, 2008

With reference to the proposed construction of the mixed use condo and offices with underground parking @ 4043 Place

Dear Mr. Samaras,

I have a lot of concerns about what kind of damage this project could do to our granite constructed landmark homes adjacent to this site.

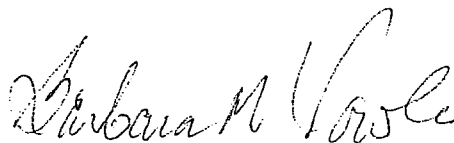
About ten years ago, the city brought in heavy equipment to demolish the Coast Media building and to break up a concrete loading dock which was parallel to my property. The heavy thumping and jarring shook my home. Cracks then appeared, coming from the block wall across my tiled patio and along the side of my house. The cracks continued under the hallway. Cracks also appeared in the tiled entry down the steps to the driveway and continued across the driveway to the house opposite. Later when it rained, I found that the back upstairs bedroom walls were running with water. The damage came from large cracks in the concrete around the window.

This is an important concern because the project, as currently proposed, is much bigger and demolition and construction will go on for much longer. The damage could be immense. Granite is not flexible as frame and stucco. I want a structural engineer to be brought in to take a close look at this foreseeable problem. Who will be responsible for damage done to the walls or the foundation of these historic homes?

I was told the building would be 3 stories high. Now it is apparently designed to be 4 stories high. That is not appropriate for this site. There has not been enough time to look at all the possible consequences of this project.

I request a delay in the approval process while additional information is gathered and so that I and my neighbors have more time to explain our concerns and the Planning Department has the opportunity to better evaluate.

Sincerely,



Barbara Vowles
4052 C Lafayette Place 310 204 2757

Mr. Paul Samaras
Associate Planner
Community Development Department
Planning Division
9770 Culver Blvd.
Culver City, CA 90323

RECEIVED

MAR 03 2008

Culver City
Planning Division

March 3, 2008

Re: Proposed Development 4043 Irving Place

Dear Mr. Samaras,

We are writing to express our serious concerns about the proposed development and to ask that the Planning Department delay approval of this project so that pertinent questions may be answered and concerns more appropriately addressed.

Last spring a meeting was held attended by the developer, his architect and members of our association. At that time, we expressed our concerns and were assured we would receive additional information before the project went forward. We have heard nothing until 2 weeks ago when we were informed that the project is now ready for implementation, without any significant opportunity to review and evaluate. The project was initially described as 3 stories. Now we have learned it has grown to 4 stories on one side. We are requesting additional time be made available for such review.

This project is a very large one, running from Irving Place all the way through to Lafayette Place. It is bordered on one side by a school and on the other side by a day care center. Large numbers of children and parents will be impacted by this project as well as general members of the community. The project is also adjacent to historic buildings given landmark status. Residents of these buildings will be seriously impacted by increased density, noise, pollution, traffic congestion, and potential damage to these landmark structures. There has been no environmental report prepared.

Significant Increase in Traffic and Parking Problems

The project is clearly too large and too intense in scope for the area. Significant increases in traffic and parking problems are anticipated yet there have been no studies undertaken to evaluate the impact of these two critical issues.

Physical Integrity and Amenity of Adjacent Historical Buildings

The historical homes adjacent to the proposed development were built in 1923 and have been given "landmark" designation by the city. Special care needs to be taken to ensure that, both structurally and aesthetically, these building are not compromised. There have been no assessments made by a structural engineer to evaluate the impact of this development and its design.

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Amenity

The proposed building height, combined with the inappropriate proximity of the proposed development would act to dwarf the historic buildings and reduce the amount of light and air available to the adjacent residents. The current design is unacceptable.

Issues of noise and light pollution have not been addressed. No plan has been developed to deal with increased air pollution as the result of the proposed 60 car underground garage and no details of the ventilation system have been presented.

Landmark Designation

It should be appreciated that the impacted residences around this project are historically significant not only because of their age, but also because of their unique design. Designed by an architect at Culver Studios in 1923, the 12 courtyard homes on one side reflect an important part of the city's heritage and should not be depreciated or overshadowed. The current design would seriously dwarf these buildings and, sadly, by definition, would compromise their beauty as well as the amenity of the residents by significantly reducing the amount of light and air surrounding the properties, thus diminishing the quality of life for adjacent residents.

The project needs a much more careful evaluation of the impact it will have on the surrounding community. Residents need more time to discuss their concerns and ensure that the public interest has been served. Serious consideration also needs to be made about how well this project fits into the overall plan which is currently in review. A new City Council is about to be elected. We respectfully request that any further project approval is delayed to afford more careful analysis and review by the community, the planning department, and the new City Council.

Sincerely,

Michael Miller 4052B Lafayette Place

Mike Miller

Judith Miller 4052B Lafayette Place

Judith Miller

Susan Ste. Marie 4058B Lafayette Place

Susan Ste Marie

Louie Apodaca
Helen Apodaca

4052A Lafayette Pl
4052A LAFAYETTE PL

Garban M Voults
Jackie Merryman
4058 "C" LAFAYETTE PL
Sue Merryman

Samaras, Paul

From: KIM DRUMMOND [dkdrummond@sbcglobal.net]
Sent: Friday, March 07, 2008 12:23 AM
To: Samaras, Paul
Subject: slow down

We live at 4221 Irving Place. We already experience a great deal of traffic on our street, that often has no regard for speed. I experience this pulling out of my driveway daily. I would just propose that we finish the current Culver City building project going on and see how that impacts the community, ie. the project across from the Ince studio. This is very close to the project proposed here. Could we slow down please.

I work at Sony as does my husband. We bought our home here in 1998. Culver City has changed so much for the better since then. We got married in the Hotel when there was still a park there. We love it here, all the restaurants and night life etc. But lets do one thing at a time for the sake of our traffic and quality of life.

My opinion
Kim Drummond

Samaras, Paul

From: Betty Kao [bkao@IWGroupInc.com]
Sent: Friday, March 07, 2008 9:57 AM
To: Samaras, Paul
Cc: rostamian_hamid@pacific-com.com
Subject: Against 4043 Irving Place

Dear Mr. Samaras -

I am writing to express my concern regarding the pending development at 4043 Irving Place. My children attend Happyland Preschool and Lin Howe Elementary. Both of these schools will be affected by the construction and by the development if it is approved by the city. The traffic by Lin Howe is already impossible, with every child's parent dropping them off each morning with no parking lots. It takes 10 minutes to make the loop from Van Buren to Irving to find parking!!! With cement trucks and other construction trucks adding to the congestion, the traffic will be impossible. Then the air quality during the construction is harmful to our children's health and their developing lungs. Can you imagine your 4 year old playing in a yard across the street from all the pollutants from the construction? The sound of the machinery digging the foundation and the underground parking? How long will the construction for a building that size last? I am not against condos there. Just not 26 condos with 3 commercial spaces. It's just too large! Commercial spaces means there will be traffic coming and going all day. Drivers already speed down LaFayette - even when parents have toddlers in tow. The police cars don't slowdown either. They want to beat us across the street. Well, we need speed bumps. My son is in after school care at Lin Howe and Lin Howe is an open campus after normal school hours. How many strangers will be coming around the school? What kind of danger does that pose to the children. I am not opposed to development if it is in the right location. 4043 Irving Place is simply not the right location for this kind of development they are proposing. I, along with many parents from Happyland and Lin Howe, will be at the hearing this Wednesday. However, I want to lodge this formal complaint against the development.

You can reach my husband and me at 310-838-8808 and at this email address.

Thanks.

Betty and Hamid Rostamian

03/07/2008

218

Samaras, Paul

From: dcrotw7449@aol.com
Sent: Tuesday, March 11, 2008 6:15 AM
To: Samaras, Paul
Subject: 4043 Irving Place Development

I live at 9628 Braddock Drive, which is just south of the proposed project. The project at 4043 Irving is too large for the area. Currently, my neighborhood is impacted by downtown employees parking, the southward migration of displaced residential parking, customer parking for the nearby theatre and restaurants. I have a constant traffic flow that includes people turning around on Braddock to avoid the "one way" on Irving. The project itself will displace more parking, which will end up on my street. We were amazingly not included in the 'theatre zone' for Town Plaza, so when the daytime parkers leave the nighttime and weekend parkers take over. Also, with Culver City now allowing homes to be built that fill entire lots, we now have a new 2 story home added to Braddock on the corner of Irving and Braddock. The original home on Irving will now become a rental. Both homes have 2 parking spots. We already have residents on Irving using Braddock for parking.

The bottom line is this project needs to be scaled down. In the 11 years that I have lived here I have seen a dramatic change in traffic and parking. The impact of Town Plaza was worse than estimated and mitigation did not work (2 signs 2 blocks away requesting people to not park in residential areas).

Also, this project is too tall. I think the commercial classification of this lot should be mitigated by its location directly adjacent to a residential area. 26 units, 3 businesses, 4 stories on what amounts to 2 lots is WAY TOO MUCH!

David Crotwell

Supercharge your AIM. Get the [AIM toolbar](#) for your browser.

03/11/2008

219

Samaras, Paul

From: dcrotw7449@aol.com
Sent: Tuesday, March 11, 2008 7:25 AM
To: Samaras, Paul
Subject: 4043 Irving Place

This development appears to be exploiting a loophole allowing high density development in a "commercial" zone that wouldn't fly next door in the residential area. What really needs to be developed in that space is a parking structure!

David Crotwell

Supercharge your AIM. Get the [AIM toolbar](#) for your browser.

03/11/2008

220

Samaras, Paul

From: karen hilsberg [khilsberg@sbcglobal.net]
Sent: Tuesday, March 11, 2008 7:13 PM
To: Samaras, Paul
Subject: opposed to development on lafayette place

dear paul samaras,

i am writing to express my concern and opposition to the projected building on lafayette place near irving place in the current ccusd parking lot. i have two children who attend linwood e. howe elementary, and the impact on the school community would be devastating. there are serious traffic problems on irving place every morning as it is, with a traffic cop posted there daily to keep the cars moving along and out of the crosswalks. with additional residents on this street, with many more cars, and with even more restricted parking for the school and district staff and parents, the street will become gridlocked and a danger to the children and families in the neighborhood.

please oppose this building project and support our families and schools.

thank you,

karen hilsberg ph.d.
4360 jasmine avenue
culver city ca 90232
310-204-5990

03/12/2008

221

RESOLUTION NO. 2008-P005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF TENTATIVE TRACT MAP NO. 69709, TTM P-2007117, FOR THE ONE LOT SUBDIVISION OF 26 RESIDENTIAL AND THREE COMMERCIAL AIRSPACE UNITS, APPROVING SITE PLAN REVIEW, SPR P-2007116, AND ADMINISTRATIVE USE PERMIT, AUP P2007115 TO DEVELOP SAID SITE WITH A MIXED USE PROJECT CONSISTING OF TWO BUILDINGS 26 RESIDENTIAL AND THREE OFFICE UNITS AT 4043 IRVING PLACE IN THE COMMERCIAL DOWNTOWN (CD) ZONE.

(Tentative Tract Map No. 69709, TTM P2007117)
(Site Plan Review, SPR P2007116)
(Administrative Use Permit, AUP P2007115)

WHEREAS, on July 5, 2007, Sal Gonzales for 4043 Irving Place Investors, LLC, as the property owner of 4043 Irving Place, submitted Tentative Tract Map, Site Plan Review and Administrative Use Permit applications to construct a mixed use project consisting of two buildings with 26 residential and three office units, on the project site described more fully as Lots 3, 30 and 21, in Block 21 of Tract No. 1775, in the City of Culver City, as per map recorded in Book 21 pages 190 and 191 of Maps, in the Office of Recorder of the County of Los Angeles, State of California; and,

WHEREAS, in order to implement said proposed project, approval of the following applications are required:

1. Tentative Tract Map: For the subdivision of the project site into one lot for condominium purposes;
2. Site Plan Review: For proposed development project to ensure compliance with the required standards and city ordinances and establish all onsite and offsite conditions of approval to reflect the site features and compatibility of the proposed project with the uses on adjoining properties; and,

1 3. Administrative Use Permit: For residential and non-residential tandem parking;

2 WHEREAS, on March 12, 2008, the Planning Commission opened the public hearing
3 on these applications and, at the request of the applicant, the public hearing was continued
4 to April 9, 2008; and

5 WHEREAS, on April 9, 2008, the Planning Commission conducted a duly noticed
6 public hearing on these applications, fully considering the application, plans, staff report,
7 environmental information and all testimony presented; and

8 WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the
9 Planning Commission has determined the project will not have significant impacts on the
10 environment, and that a Negative Declaration finding is appropriate; and,

11 WHEREAS, following conclusion of the public discussion and thorough deliberation of
12 the subject matter, the Planning Commission determined by a vote of 3 to 1 that the project
13 would not result in significant adverse environmental impacts, that a Negative Declaration
14 finding was appropriate and that Administrative Use Permit and Site Plan Review should be
15 conditionally approved; and Tentative Tract Map No. 69709, should be conditionally
16 approved and recommended to the City Council for approval as set forth herein below.

17 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
18 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

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

21 **Tentative Tract Map No. 69709:**

22 As outlined in CCMC Title 15, Section 15.10.265, the following required findings for a
23 Tentative Tract Map are hereby made:

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1 **A. The proposed map is consistent with the General Plan.**

2 The proposed tentative tract map is consistent with the General Plan Land Use
3 Element in that the proposed subdivision shall provide for the creation of new housing
4 in the City, which is consistent with objective 2 of that Element, specifically with Policy
5 2.B which states that the City should "continue to allow and encourage multiple
6 housing opportunities in areas designated for such development."

7 **B. The design of the proposed subdivision is consistent with the General Plan.**

8 The design of the proposed subdivision is consistent with the General Plan Land Use
9 Element as indicated above and with the Zoning Code development standards. The
10 project design incorporates features such as progressively increased setbacks from
11 the adjacent residential properties to make it more compatible with them. The
12 proposed uses are consistent with the objectives of the General Plan Downtown land
13 use designation that encourages mixed use housing opportunities within the
14 Downtown area.

15 **C. The site is physically suitable for the type of development.**

16 The site is physically suitable for the proposed subdivision in that the project complies
17 with all zoning standards and the proposed structure shall meet all applicable
18 development standards [i.e., setback, height, density, parking and use].

19 **D. The site is physically suitable for the proposed density of development.**

20 The site is physically suitable for the density of the proposed project in that the site
21 allows for the number of floors and building area that are proposed. The proposed
22 building includes four levels in one building and three levels in the second. The mixed
23 use standards allow up to 35 residential units on the 24,089 square foot property, but
24 the project consists of only 26 residential units. The project is 10 feet shorter than the
25 maximum height of 56 feet permitted in the CD zone. The project also consists of a
26 subterranean one-level garage for 68 parking spaces, while meeting all the applicable
27 Zoning Code development standards.

28 **E. The design of the subdivision is not likely to cause substantial environmental
29 damage or substantially and avoidably injure fish or wildlife or their habitat.**

The proposed tentative tract map subdivision together with the onsite and offsite
improvements shall not cause any known environmental damage and shall not
damage any fish and/or wildlife habitats because such fish and/or wildlife habitats do
not exist on or near the site. The site currently is completely paved and has served
until recently as a public parking lot, which does not serve as a habitat for fish or other
wildlife. Two trees located in the public right-of-way may be removed to allow for the
widening of Lafayette Place. However, project conditions require the trees to be

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1 inspected and evaluated by an arborist to determine the feasibility of maintaining said
2 trees.

3 **F. The design of the subdivision is not likely to cause serious public health**
4 **problems.**

5 The proposed tentative tract map subdivision together with the onsite and offsite
6 improvements shall not cause any known serious public health problems because all
7 applicable zoning code development standards shall be met, and the applicant is
8 required to meet all of the conditions of approval that the reviewing agencies of the
9 City, such as the Fire Prevention Division, Planning Division, Building and Safety
10 Division and the Engineering Division have recommended for the project. The uses
11 proposed for this subdivision are consistent with Downtown land uses allowed in the
12 Zoning Code.

13 **G. The design of the subdivision will not conflict with easements, acquired by the**
14 **public at large, for access through or use of, property within the proposed**
15 **subdivision.**

16 The proposed commercial tentative tract map subdivision and the onsite and offsite
17 improvements shall not conflict with any existing and/or proposed easements. An
18 existing sewer easement was identified during the project review and the project has
19 been designed to not interfere or conflict with said easement.

20 **Site Plan Review:**

21 As outlined in CCMC Title 17, Section 17.540.020, the following required findings for a Site
22 Plan Review are hereby made:

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

29 The general layout of the project is consistent with the Commercial Downtown (CD)
zoning district in which the site is located and with the mixed use development
standards (CCMC 17.400.065). The project provides adequate parking as required by
the code, a total of 68 spaces. The proposed building as conditioned will meet the
code requirements for height and building setbacks, and building projections are within
code required height limits for architectural projections. Vehicular access to on-site
parking is situated off Irving Place via an 18-foot wide driveway at an adequate
distance from the nearest intersection. The project buildings are designed to provide

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easy pedestrian access to the office and residential components of the project from the street and from the subterranean parking garage.

- B. The architectural design of the structure and the materials and colors are compatible with the scale and character of surrounding development and other improvements on the site and are 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 building will be 46 feet high at the highest point, but portions of the building close to the interior property lines will be shorter producing the effect of a gradual increase in height. The Zoning Code requires this 'stepping back' of the building to reduce the impact of a commercial building located adjacent to residential zones. The building frontage along Irving and Lafayette Place will be set back on the first floor, and on the upper floors architectural projections will provide some variety and interest to the building elevations. This design will be compatible in scale with the residential and commercial buildings in the area.

The project is adjacent to 12 historical two-story residential bungalow buildings with a "Landmark" designation in Culver City's local cultural resources register. Three of these historical structures are located immediately to the south of the proposed project. These buildings have a Spanish Colonial character and were built in 1925. The design and massing of the proposed building will not overtake the historic structures or obstruct their view from the street. The proposed building has a similar Spanish style architectural character including the use of earth-tone color stucco siding with a heavy sand finish, Spanish style roof tiles, black wrought iron fencing and guard rails, wood frame windows, and copper downspouts on the exterior, as well as generous landscaping along the perimeter of the site that are intended to compliment the historic buildings. The portion of the proposed building adjacent to the 3 closest approximately 21 foot high historic structures as conditioned will include step backs in height ranging from 11 feet at the ground floor with a 10 foot setback from the property line, 22 feet at the second floor with a 16 foot setback from the property line, and 33 feet at the third floor with a setback of 22 feet from the property line increasing to a maximum of 37 feet at the pitched roof peak setback 38 feet from the property line. These height setbacks will help to ensure that the proposed buildings mass and scale do not overwhelm the historic structures. The project will result in an improvement to the visual character of the site and will complement the architectural visual character of the area.

- C. The landscaping, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements has been designed to create visual relief, complement structures, and provide an attractive environment and 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.**

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1 The proposed landscaping is consistent with the intent of the code. The project
2 includes approximately 2,128 square feet of landscaping at the ground level, which is
3 spread along the building frontage on Lafayette and Irving Place, along the south
4 property line (next to the residential neighbors), and in a courtyard between the project
5 buildings. Several Brisbane and Pine trees will be planted along the south property
6 line in order to provide a buffer and screen between the new building and the adjacent
7 residential uses.

8 The project also includes new landscaping within the public right-of-way. Two existing
9 street trees along Lafayette Place will be removed to allow widening of the street in
10 front of the subject site. They will be replaced by five new street trees to be planted
11 within the public parkway. In addition, two new street trees will be placed along the
12 Irving Place frontage. The onsite landscaping features in addition to the street trees
13 required for the project will complement the architectural theme for this site.

14 **D. The design and layout of the proposed project will not interfere with the use and**
15 **enjoyment of neighboring existing or future development, will not result in**
16 **vehicular or pedestrian hazards, and will be in the best interest of the public**
17 **health, safety, and general welfare.**

18 The proposed location of the mixed use project will not result in conflicts with uses in
19 the existing adjacent residential neighborhood and commercial area. The office uses
20 are located at the ground level fronting on Irving Place with pedestrian access off of
21 the sidewalk and vehicular access as well. The traffic generated by the project is not
22 anticipated to result in a substantial impact to the immediate neighborhood as
23 demonstrated by a traffic study conducted for the project

24 Primary access to the site will be provided via a two-way driveway on Irving Place
25 which will allow left turns in and out of the site. No pedestrian hazards will result from
26 the design and layout of the proposed project.

27 The proposed project includes the construction of a subterranean parking garage with
28 a finished grade of approximately 10 feet below the existing ground surface. A cut on
29 the order of 12 feet including footings will be required for constructing the proposed
subterranean garage. The proposed subterranean garage will be located on the
property lines in all directions and shoring and lagging will be required for temporary
excavation during construction. Due to the proximity of 3 historic residences on the
property to the south, the design of the shoring will specifically acknowledge and
address the close proximity of these residences. A Preliminary Soils Investigation
prepared by Hu Associates, Inc dated April 17, 2007 was prepared for the proposed
project and includes a number of recommendations for excavation, shoring and
construction of the proposed subterranean garage. Project conditions of approval will
require the shoring plans for the project to include the recommendations made in said
report and that shoring, foundations, and structure of the proposed project be

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specifically designed to preserve to the extent feasible the historic residences with no damage during either the construction phase or after the project is completed.

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

The existing and proposed public service facilities necessary to accommodate the project such as: the width and pavement of the adjoining street, traffic control devices, sewers, storm drains, proposed parkways, proposed sidewalks, street lights, proposed street trees, fire protection devices, and public utilities are provided for adequately as confirmed by the City agencies that reviewed the project during the interdepartmental review process.

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

The proposed project is consistent with the General Plan. Land Use Element Objective 2 "Housing Supply" identifies the creation of housing throughout the City as desirable. Objective 2; Policy 2.H furthermore states that street-facing ground floor development with residential units above or behind the commercial frontage is the encouraged form of mixed use development. The ground floor commercial space is consistent with Objective 5. Economic Diversity, because it will encourage new business opportunities that will potentially serve the both the nearby residential neighborhood as well as the projects residential occupants. Objective 6 will be implemented by taking a currently vacant site and revitalizing it with both commercial and residential users. The mixed use project will provide a balance between small office tenant spaces and residential units that help to compliment each other and mutually compatible land uses as called for in Objective 16. Land Use Compatibility. This project both protects and enhances residential and business uses by its nature as a mixed use development. In addition, the proposed uses are consistent with the Downtown designation for the site which is intended to support mixed-use housing opportunities within the Downtown area.

Administrative Use Permit:

As outlined in CCMC Title 17, Section 17.530.020, the following required findings for an Administrative Use Permit are hereby made:

A. **The proposed use is allowed within the subject zoning district with the approval of an Administrative Use Permit and complies with all applicable provision of this Title and CCMC.**

The Commercial Downtown (CD) zoning designation allows the proposed use of

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1 tandem parking subject to an Administrative Use Permit as outlined in CCMC Section
2 17.320.035.C.1.b, and the proposed tandem parking layout complies with all other
3 applicable provisions regarding parking design and layout guidelines. Each stall is
4 nine (9) feet in width and 36 feet in depth and a proper aisle width is provided.

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

7 The proposed use of tandem parking to facilitate in the development of a commercial
8 project is consistent with the "Downtown" General Plan Land Use Designation. The
9 Downtown designation is intended to support mixed use housing opportunities in the
10 downtown area. Each pair of tandem spaces will be assigned to one residential or
11 office unit, which will facilitate their full use. Adequate parking is left unassigned to
12 accommodate visitors to the residential and office uses.

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

16 The proposed use, design, location, size and operating characteristics of the tandem
17 parking spaces will not have an impact on adjacent uses and are therefore found to be
18 compatible with the existing and future residential and commercial land uses in the
19 vicinity of the subject site. Each pair of tandem spaces will be assigned to one
20 commercial or residential unit. Further, each tandem pair is nine (9) feet in width by
21 36 feet in length, sufficient for two vehicles to maneuver into and out of said spaces.

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

25 The generally flat configuration of the site, the vehicular access to the site from Irving
26 Place, the adequate design of the ramp down into the subterranean parking where the
27 tandem parking is located, and the proposed onsite parking configuration is physically
28 suitable to accommodate tandem parking. The tandem parking is compatible with the
29 adjoining commercial and residential uses because of its assignment to one
residential or office unit per tandem pair. The tandem parking will not impact any
utilities and there are no physical constraints that would prevent the use of tandem
parking.

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.

The establishment of tandem parking on the site through this approval subject to the
conditions of approval will not be detrimental to the public interest, health, safety or

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1 general welfare or injurious to persons, property or improvements in the surrounding
2 commercial zoning district or vicinity since said tandem parking will not generate any
onsite or offsite impacts.

3 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
4 Commission of the City of Culver City, California, hereby approves and recommends to the
5 City Council for approval of Tentative Tract Map No. 69709, TTM P2007117; and hereby
6 approves Site Plan Review, SPR P2007116; and Administrative Use Permit, AUP P2007115,
7 subject to the following conditions:
8

9 **A. ADMINISTRATIVE USE PERMIT AND SITE PLAN REVIEW**

10 **GENERAL CONDITIONS**

11 **Planning Division:**

- 12 1. The final working drawings shall conform to the preliminary development plans dated
13 March 19, 2008, and the materials board presented to and reviewed and approved by
14 the Planning Commission at its meeting on April 9, 2008, except as noted below.
15
- 16 2. The final working drawings shall comply with building setback requirements adjacent
17 to a residential zone as outlined in Table 4-2 and Figure 4-5 of the Culver City Zoning
18 Code.
19
- 20 3. The final working drawings shall provide additional architectural detailing to break up
21 the blank wall on the north elevation subject to review and approval by the Planning
22 Manager.
23
- 24 4. The resolution approving Site Plan Review SPR P-2007116 and Administrative Use
25 Permit AUP P-2007115 and the Conditions of Approval shall be referenced on the
26 cover sheet, and repeated in full on attached additional sheets of the final working
27 drawings.
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- 1 5. The applicant or the property owner shall provide the construction contractor(s) and
2 each subcontractor related to the Project a copy of the final project Conditions of
3 Approval. These conditions shall be enforceable through all legal and equitable
4 remedies, including the imposition of fines against each and every person who
5 conducts any activity on behalf of the property owner or the applicant on or near the
6 Project site. The applicant, property owner, and general construction contractor are
7 ultimately responsible for all actions or omissions of a subcontractor.
8
- 9 6. Conditions of approval herein shall apply to the applicant, the contractor/builder of the
10 project, the property owner, and any successor property owner that may legally
11 assume benefit of this Site Plan Review and Administrative Use Permit.
12
- 13 7. The City reserves the right to periodically inspect the premises without prior
14 notification, to ensure ongoing compliance with all conditions of approval.
15
- 16 8. The approval of this Site Plan Review and Administrative Use Permit shall expire
17 unless (i) actual construction, in accordance with a valid City-issued building permit, is
18 commenced on the site within one year after the effective date of this approval, or (ii)
19 prior to the expiration date, or any previously granted extension to that expiration date,
20 a written request for an extension, accompanied by any and all required fees, has
21 been satisfactorily filed by or on behalf of the applicant or property owner and,
22 thereafter, an extension is granted by the Community Development Director, or their
23 designee or the Planning Commission. During the period any extension request has
24 been satisfactorily and timely filed and any decision regarding that request has been
25 made by the City, this Site Plan Review approval shall be suspended.
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- 27 9. A certificate of occupancy for the approved project will be issued only upon completion
28 of all required site improvements and satisfaction of all conditions of approval.
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10. The applicant, property owner and contractors shall use all reasonable efforts to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems.

11. All planted areas shall be landscaped and irrigated pursuant to CCMC Title 17 – Chapter 17.310 Landscaping. Prior to issuance of the building permit, a minimum of three (3) sets of detailed landscaping and irrigation plans separate from the final working drawings shall be submitted to the Planning Division for review and approval.

12. An arborist report shall be submitted for review and approval by the Planning Manager and the Parks Manager prior to issuance of a building permit. Said report shall evaluate the feasibility of protecting and maintaining the two mature ficus trees on Lafayette Place.

13. All new (and existing) street trees shall be supplied 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. The property owner shall maintain all street trees.

14. In addition to the screening requirements for onsite parking areas including loading areas, refuse storage / trash compacter facilities, and Fire Department connections, the following items shall be screened from surrounding and nearby public and private properties in a manner consistent with City standards and suitable to the subject development as approved by the Planning Manager. In general, the height of any required screening device shall be no lower on any side than the height of the highest feature requiring screening and:

- All exteriors of the proposed buildings shall be free of all un-aesthetically treated, exposed elements (i.e., plumbing pipes, electrical conduits, and National Pollution Discharge Elimination System (NPDES) elements) which

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1 shall be placed within the exterior walls. Where exposed wall-mounted features
2 or equipment may be necessary (i.e., ventilators and utility meters), recessed
3 wall mounted cabinets or other similar devices shall be constructed within the
4 wall, whenever possible, to accommodate such features and equipment so that
5 they are flush with and do not project out from the main exterior wall plane.
6 With or without recesses, the exposed portions of such features or equipment
7 shall be of a color to blend, not contrast, with the adjoining finished building
8 color, subject to the approval of the Planning Manager.

- 9 • All roof-mounted mechanical equipment, duct vents and the like shall not
10 project above the horizontal plane of the building's lowest primary opaque
11 architectural feature(s) (i.e., parapet walls, penthouse structures or screening
12 walls)
- 13 • All ground-mounted equipment (i.e., transformers and air conditioners) shall be
14 located within the building or in underground vaults if the equipment is located
15 within a street facing setback, or it shall be screened with walls and/or
16 landscaping if not located within a street facing setback. Ground-mounted
17 equipment shall not be located in the landscaped areas fronting any public
18 right-of-way.

19 15. The public notification signs installed in accordance with the CCMC public notification
20 requirements for this review process shall be removed within ten (10) days of the end
21 of the appeal period or the final decision of the City Council (if applicable), whichever
22 occurs last.

23
24 16. All refuse containers assigned to or otherwise used by the complex shall be stored
25 on-site in the trash enclosures.

26
27 17. All hardscape areas along both the exterior of the buildings and/or within the interior
28 of the project sites shall include the use of decorative pavement [i.e., materials, finish
29 and color] in select areas to the satisfaction of the Planning Manager.

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18. The project and its operations shall comply with all applicable local, special district or authority, county and federal statutes, codes, standards, and regulations including, but not limited to, Building Safety Division, Fire Department, Planning Division and Public Works Department code requirements and it shall comply with all applicable comments and code requirements as determined during the City's building permit review process.

19. Each pair of residential tandem parking spaces shall be assigned and designated to a single residential unit. Each pair of commercial tandem parking spaces shall be assigned and designated to a single commercial airspace unit. The Community Development Director or his/her designee may make a determination, under Section 17.320.35 (B) (1) (b) (ii) of the Zoning Code, that attended parking is not required for either the residential or commercial tandem parking spaces, only if each pair of tandem spaces has been assigned and designated to a single residential or commercial airspace unit, to the satisfaction of the Director. The Director may rescind such determination at any time (in which event attended parking shall thereafter be required). If attended parking is required, the applicant or property owner shall submit an attended parking plan to the Director for review and approval.

20. The perimeter walls of the project shall be no more than six feet in height of which the top two feet shall be open iron work. Wall height shall be measured from the existing grade of the abutting property as approved by the Planning Manager. Said walls shall be provided with a stucco finish on both sides matching the building unless some other architectural treatment is approved by the Planning Manager.

21. The parking areas shall be developed pursuant to CCMC Title 17 - Chapter 17.320, Off-Street Parking and Loading. All vehicle surfaces shall be provided with an anti-squeal finish. All parking areas shall be provided with signs announcing the applicable

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1 parking restrictions for resident, guest and commercial parking spaces to the
2 satisfaction of the Planning Manager. Residential guest parking spaces shall be
3 available 24 hours and shall be appropriately signed and reserved for residential guest
4 parking.

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6 **Fire Department**

7 22. The applicant shall provide Offsite reporting per the 2007 CA Fire Code.
8

9 **Building Safety Division**

10 23. The Culver City Building Safety Division requires separate permits for building,
11 electrical, plumbing, and mechanical work.
12
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14 **PRIOR TO THE ISSUANCE OF ANY DEMOLITION, GRADING, EXCAVATION, AND/OR**
15 **BUILDING PERMIT:**

16 **Planning Division:**

17 24. All exterior lighting shall be developed pursuant to CCMC Title 17, Chapter 17.300,
18 General Property Development and Use Standards. The applicant or property owner
19 shall submit to the Planning Manager for approval of an exterior light fixture plan. The
20 plan shall identify the location and type of all exterior light fixtures. All lighting shall be
21 directed onsite and light sources shall be shielded so as not to be intrusive to
22 surrounding properties.
23

24 25. By taking any benefit of this approval, the applicant and the property owner jointly and
25 severally hereby agrees to indemnify, defend and hold harmless the City, and the
26 City's elected and appointed officials, officers, employees, agents, contractors and
27 consultants from and against any and all claims, demands, lawsuits, judgments,
28 liability, injury or damage which may result from or arise in connection with third party
29 challenges to the City's approval of the project.

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1 **Cultural Affairs Division:**

2 26. The City's Public Art Requirement shall be fulfilled prior to issuance of a Certificate of
3 Occupancy. Should the applicant or property owner decide to pay the in public art in-
4 lieu fee, this payment must be made prior to issuance of a Building Permit.

5
6 **Public Works/ Engineering:**

7 27. Prior to the issuance of any building permits, two sets of Site Improvement and
8 Horizontal Control Plans prepared by a civil engineer registered in the State of
9 California, shall be submitted to the Engineering Division for review, approval, and
10 permitting. Among other things, the Site Improvement Plan shall include detailed
11 drainage and grading of the site indicated by topographical lines and spot elevations,
12 and indicate all existing utilities and proposed sewer and storm drain lines. Plan
13 check fees shall be submitted with the Site Improvement as calculated from the
14 Engineering Division's Fees and Charges.

15
16 28. A final hydrology and hydraulics report for the site drainage shall be prepared by
17 registered civil engineer in the State of California and submitted to the City Engineer
18 as part of the grading plan for review and approval. The 25-year storm frequency (i.e.,
19 urban flood) shall be used for the design of the on-site conveyance facilities, as the
20 existing site is neither a natural watercourse nor a natural sump.

21
22 29. The applicant shall provide a geotechnical report from a State licensed geotechnical
23 engineer reporting on the stability of the onsite soils to support the proposed
24 construction and shall include a liquefaction analysis. The report shall also identify
25 any special considerations necessary to satisfy California Building Code requirements.

26
27 30. Concurrent with the submittal of the site improvement plan, a Standard Urban Storm
28 Water Mitigation Plan (SUSMP) shall be submitted for review and approval by the City
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1 Engineer as outlined in CCMC Chapter 5.05. The SUSMP shall be developed and
2 implemented in accordance with the requirements of the Los Angeles County
3 Municipal Stormwater NPDES Permit No. CAS614001 (Order No. 01-182). The
4 SUSMP shall provide BMPs that adequately address the pollutants generated during
5 the post-construction stage. The site improvement plans shall note that the contractor
6 shall comply with the "California Stormwater Best Management Practice Handbooks".
7 The Site Improvement Plans shall not be accepted for review unless the SUSMP is
8 included in the submittal package, including the plan check fee associated with the
9 SUSMP.

10
11 31. Prior to the issuance of any demolition, grading, excavation and/or building permit,
12 the applicant shall submit the Local Storm Water Pollution Prevention Plan (LSWPPP)
13 for review and approval by the City Engineer. Prior to the start of design of these
14 plans and of necessary reports, the applicant's Civil Engineer shall meet with the
15 City's Stormwater Program Manager to obtain information on the City-specific and
16 LSWPPP requirements.

17
18 32. A Plan check fee for the LSWPPP shall be paid at the time of the initial submittal, per
19 the fee schedule established in City Council Resolution No. 2007-R024, Exhibit H-1.

20
21 33. The LSWPPP package shall be submitted to the attention of the Storm Water
22 Program Manager.

23
24 34. The applicant shall intercept the upstream public sewer main and adequately convey
25 the flow from interception point to the sewer lateral at the main building of Fire Station
26 No. 1 (along Culver Boulevard). The existing public sewer main and manhole located
27 northerly of the project and that portion of the public sewer main that traverses through
28 the project limits shall be abandoned to the satisfaction of the City Engineer. A new
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1 public manhole shall be installed at the downstream connection. Any existing public
2 sewer easements within the project's boundary shall be properly vacated.

3
4 35. The applicant shall install a properly designed sewer lift station to adequately convey
5 the upstream public sewerage flow to the sewer lateral at the main building of Fire
6 Station No. 1. The station shall be designed with an adequately sized wet well and
7 two alternately operating submersible pumps. The pumps shall have Teflon coated
8 non-clog impellers and be capable of handling three-inch solids. The station shall
9 include a NEMA I rated, wall mounted float switch control panel. The control panel
10 shall include, at a minimum, the following components: Hand-Off-Automatic selector
11 switches, amber "Pump On" indicating lights, induction type relays for motor moisture
12 sensing probes, red "Motor Seal Failure" indicating lights, 4" alarm bell/horn mounted
13 on enclosure "Push to Silence" button and automatic reset circuit, and a "Push to
14 Test" button for seal failure relays. The station shall employ a wireless type, battery or
15 solar powered operated emergency notification, as approved by the City. The
16 emergency notification shall automatically notify qualified personnel on a 24-hour
17 basis of high water failure.

18
19 36. If it is determined by the Public Works Director that the two mature ficus trees
20 located in front of the project site on Lafayette Place cannot be saved pursuant to
21 Condition No. 12 noted herein; then Lafayette Place along the project's frontage shall
22 be widened to align with existing curb to the north. New curb, gutter and sidewalk
23 shall be constructed to the satisfaction of the City Engineer. In addition, five (5) new
24 street trees shall be planted along the Lafayette Place frontage at a minimum 48-inch
25 box size.

26
27 37. Applicant shall install street trees per the City's approved Street Tree Master plan
28 including tree wells and irrigation along Irving Place and Lafayette Place (if applicable
29 pursuant to Condition No. 36) to the satisfaction of the City Engineer.

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38. Drainage devices, concrete curb and gutter, sidewalk, drive approach, and roadway pavement shall be designed to the latest edition of the American Public Works Association (APWA) Standard Plans.

39. Prior to the commencement of any excavation, the applicant shall install a temporary construction fence around the site. The height and fence material is subject to approval by the City Engineer.

40. Due to the change of use and increased density, this project is subject to the City's Sewer Facility Charge. This charge shall be paid prior to the issuance of any permit.

41. Applicant shall remove the existing driveway approaches located along Lafayette Place and reconstruct sidewalk curb, and gutter per APWA Standards.

42. Applicant shall repair any broken or damaged curb, gutter, sidewalk, and street pavement along the street frontage of the proposed development and shall be reconstructed per APWA Standards.

43. Applicant shall provide trash enclosures with minimum inside dimension of 10' x 12' minimum. However, the location and required number of bins for the proposed development must be approved by the Public Works/Sanitation Division Manager, (310) 253-6400. The proposed trash enclosure shall include a minimum eight feet wide clear opening, six inch concrete curb along the perimeter wall of the trash enclosure, and a gate.

44. Per the Culver City Municipal Code CCMC Section 5.01.010, Ordinance No. 2201-011 Solid Waste Management, the Culver City Sanitation Division has the exclusive franchise for all solid and recyclable waste material handling within the City limits. To

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1 arrange for waste management activities, contact Sanitation representative at (310)
2 253-6400.

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5 **Fire Department:**

6 45. The applicant shall provide a NFPA 13 Fire Sprinkler system throughout.

7
8 46. The applicant shall provide fire alarm system per 2007 CA Fire Code. System shall
9 include smoke detection in EXIT corridors.

10
11 47. Fascia and wall tops shall support weight of fire fighters and equipment, and no soft
12 materials shall be used.

13
14 48. Parapets five feet or higher shall have cat walks approved by Building and Safety
15 and the Fire Marshal.

16
17 49. The project shall provide class three standpipe system with 2 1/2" valves and 1 1/2"
18 reducing caps, the locations of which shall be reviewed and approved by the Fire
19 Marshal.

20
21 50. The project shall meet the Fire Department requirements for Duct Smoke Detectors.

22
23 51. The applicant shall provide a pre-fire plan to the Fire Department for review and
24 approval prior to request for final inspection or use.

25
26 52. The applicant shall submit plans to the Fire Department indicating the location and
27 controls of photovoltaic cell arrays, which shall be approved by the Fire Marshal prior
28 to installation.

1 53. The project shall provide a Smoke Evacuation System in enclosed parking areas
2 system shall be activated by fire sprinkler system.

3
4 54. All plans shall have "Fire Department Notes:" to include all life safety requirements.
5
6

7 **Building Safety Division**

8 55. The overall building permit application shall submit 5 sets architectural, 2 sets
9 structural drawings and calculations, 2 sets geotechnical report, 2 sets energy forms.
10

11 56. The mechanical, electrical, and plumbing permit applications shall submit 2 sets
12 each.
13

14 57. The shoring plans for the project shall include the recommendations made in the
15 Preliminary Soils Investigation Report prepared by Hu Associates, Inc dated April 17,
16 2007 on file with the City to the satisfaction of the Building Official. Shoring,
17 foundations; and structure of the proposed project shall be specifically designed to
18 preserve the three abutting historic residences (identified as 4052 A, 4052 B, and
19 4052 C Lafayette Place) and with no damage during either the construction phase or
20 after the project is completed. The applicant shall agree to indemnify the owners of the
21 historic residences for damage resulting from excavation activities and shall, to the
22 extent commercially available, provide insurance, a bond, or other security reasonably
23 satisfactory to the City Attorney to secure the applicant's performance.
24

25 58. The applicant must submit a structural engineering report prepared by a licensed
26 structural engineer and a letter stamped and wet signature stamped attesting that the
27 shoring attendant to the project will prevent undermining of the adjacent property.
28 Said report shall include consideration of the "Limited Geotechnical Assessment"
29 dated April 1, 2008 prepared by L.A. Private Eyes Geotechnical Engineers for the

1 property owners of 4052 A, B, and C Lafayette Place and the "Site and Residence
2 Investigation" dated April 7, 2008 prepared by Pina Structural Engineering on file with
3 the City and will be subject to the Building Safety Divisions structural peer review.
4

5 59. A separate shoring permit shall be required. Submit 2 sets shoring plans and
6 structural calculations stamped by a licensed engineer. Support of adjacent properties
7 may be required. Notification and upgrades of adjacent properties may be required. If
8 upgrades to adjacent properties are required, the Culver City Building Safety Division
9 and the Culver City Engineering Division will determine what upgrades, if any, shall be
10 the responsibility of which party.
11

12 60. The shoring installation shall be continuously observed and monitored by the soil
13 engineer of record for the proposed construction. Monitoring of the movements of the
14 shoring system and of the ground surface behind the shoring in areas where adjacent
15 structures may be affected is required. The monitoring shall consist of survey points
16 and/or the installation of inclinometers to be installed behind the shoring system. Said
17 monitoring shall start before excavation has begun and shall continue until the
18 basement walls have been constructed and braced. The monitoring shall be subject to
19 an independent peer review chosen by the City and paid for by the applicant.
20

21 61. Prior to the start of construction, a video and photographic survey of the exterior as
22 well as the interior of the 3 abutting historic structures shall be made at the applicants
23 expense and submitted to the City. The purpose of this documentation is to catalog a
24 list of existing damage to be compared with any new damage caused by the proposed
25 construction.
26

27 62. A vibration monitoring system shall be implemented to the satisfaction of the Building
28 Official during all phases of construction to ensure that ground vibrations during
29 construction are not damaging to the adjacent historic structures.

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63. If movement of the shoring system in excess of ½" occurs during excavation and/or construction potentially causing damage to the adjacent historic structures, work shall immediately be stopped and additional measures shall be undertaken to reinforce the shoring system so as to reduce the potential for further movement of the existing structures as approved by the soil engineer of record and the Culver City Building Safety Division.

64. The applicant shall be responsible for relocation of any utilities on the abutting properties required as a result of the projects excavation activities.

65. All portions of the parking structure shall be minimum 2 hour rated, reinforced concrete construction.

66. All shafts shall be minimum 2 hour rated from the foundation to the underside of the roof deck or to the top of parapet walls as part of any shaft construction.

67. All shafts shall be enclosed at all levels to other areas of the building.

68. All commercial areas shall be minimum 2 hour. rated to all residential areas; walls and floor/ ceilings.

69. All parking areas shall be minimum 2 hour rated to all other areas of the building. The ceiling of the parking area/ floor of the 1st floor shall be reinforced concrete construction.

70. All treads, risers, handrails, etc. inside any common area stairway shall be 100% non-combustible construction.

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- 1 71. A continuous path of egress shall be provided from all exit stairways to a street or
2 public way; minimum 1 hour rated.
3
- 4 72. Any exit-ways less than 10' wide shall be min 1 hr. rated w/ 3/4 hour. openings.
5
- 6 73. All trash rooms shall be minimum 2 hour rated to all other areas.
7
- 8 74. The transformer room and any service rooms shall each be minimum 2 hour rated.
9
- 10 75. Each residential unit shall be minimum 1 hour rated top, bottom, and sides to any
11 other adjacent residential unit.
12
- 13 76. The south wall of the far western unit (on the south prop. line) at the 2nd, 3rd, and
14 4th floors shall be 3 hour rated reinforced concrete block construction.
15
- 16 77. All utilities shall be underground or enclosed in the building construction. No
17 overhead utilities shall be permitted.
18
- 19 78. All exit signage and emergency egress lighting shall have individual battery back up
20 and/ or be self powered in addition to any emergency generator power.
21
- 22 79. The building codes the project will be reviewed under shall be the 2007 California
23 Building Codes.
24
- 25 80. The initial construction permit application review time shall be a minimum of 60
26 calendar days and may be extended at the option of City staff.
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81. The overall construction permit application drawings shall indicate any construction staging areas proposed. The Culver City Engineering Division may require a separate permit for the temporary use of any City right of way.

82. The overall permit application drawings shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of any special inspectors for this project. Culver City Building Safety reserves the right to reject any special Inspector at any time.

83. If a C.C.B.S. Inspector is inspecting a portion of the work for which a special inspection is required; the special inspection report shall be made available to the C.C.B.S. Inspector on his arrival to the jobsite.

84. All jobsite supervisors, contractors, and subcontractors shall give their priority to the C.C.B.S. Inspectors when they are on site.

85. Based on the preliminary plans it appears 4.37kw of solar photovoltaic power will be required to be provided. (43,756 s.f. / 10,000 s.f. per 1 kw of photovoltaic power required).

86. The solar photovoltaic power requirement may be processed as an electrical permit as part of the overall building electrical permit or may be processed as a separate electrical permit.

87. The applicant shall verify all proposed photovoltaic panel locations with Culver City Fire Prevention

88. The required amount of solar photovoltaic power will be based on the final plans submitted for building permit.

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3 **DURING CONSTRUCTION:**

4 **Planning Division:**

5 89. During all phases of construction, information that includes contact names and
6 telephone numbers of the applicant, property owner, construction contractor(s), and
7 City, shall be posted at the project site so as to be visible to the public. These names
8 and telephone numbers shall be made available to adjacent property owners and
9 residents.

10
11 90. During all phases of construction, the applicant and property owner shall use their best
12 efforts to ensure that all construction workers and contractors park onsite or at
13 designated offsite locations approved by the City and not in the surrounding
14 neighborhood.

15
16 91. Hours of Construction shall be limited to 8:00 A.M. to 6:00 P.M. Monday to Friday, and
17 9:00 A.M. to 6:00 P.M. on Saturday. Construction shall be prohibited on Sundays and
18 National Holidays.

19
20 92. During all phases of construction and once the development becomes operational, all
21 graffiti shall be removed within 48 hours of its application.

22
23 93. The following noise standards shall be complied with at all times:

- 24 A. No construction equipment shall be operated without an exhaust muffler, and
25 all such equipment shall have mufflers and sound control devices (i.e., intake
26 silencers and noise shrouds) that are no less effective than those provided on
27 the original equipment;
28 B. All construction equipment shall be properly maintained to minimize noise
29 emissions;
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- 1 C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall
2 be setback from any street and other property lines so as to maintain the
3 greatest distance from the public right-of-way and from Noise Sensitive
4 Receptors;
5
6 D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators,
7 and air conditioning units) shall be minimized by proper selection of equipment
8 and the installation of acoustical shielding as approved by the Planning
9 Manager and the Building Official in order that compliance with the CCMC
10 Noise Regulations and Standards is achieved; and
11
12 E. Stationary source equipment (i.e., compressors) shall be located so as to
13 maintain the greatest distance from the public right-of-way and from Noise
14 Sensitive Receptors.

15 **Public Works Department – Engineering Division**

- 16 94. The construction contractor shall advise the Public Works inspector of the schedule
17 and shall meet with the inspector prior to commencement of work.
18
19 95. Dirt hauling and construction material deliveries or removal are prohibited during the
20 morning (7:00 A.M. to 9:00 A.M.) and afternoon (4:00 P.M. to 6:00 P.M.) peak traffic
21 periods.
22
23 96. During construction, dust shall be controlled by regular watering and as directed by
24 the Public Works Department City inspector.
25
26 97. All staging and storage of construction equipment and materials, including the
27 construction dumpster and storage containers shall be on-site only. The applicant
28 shall obtain prior written permission from adjacent property owners for any
29 construction staging occurring on adjacent property.
30
31 98. A copy of the Local SWPPP, inspection logs, SUSMP/Site specific plan and training
32 records shall be kept on site and available for inspection at all times during
33 construction.

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2 **PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (CO):**

3 **Planning Division:**

4 99. Pursuant to CCMC Title 15, Section 15.10.755, parkland dedication or payment of an
5 in-lieu parkland fee will be required.

6
7 100. The applicant shall fulfill the City's Art in Public Places requirement per CCMC Title
8 15, Section 15.06.100 et seq.

9
10 101. The declaration of covenants, conditions and restrictions (CC&Rs), the owners'
11 association bylaws and, if applicable, the condominium plan (Condo Plan) shall be
12 submitted to the City Attorney and approved. Additionally, the applicant shall record
13 with the Los Angeles County Recorder, concurrently with the recordation of the final
14 map, the City approved CC&Rs and, if applicable, the Condo Plan.

15
16 102. All onsite and offsite landscaping and irrigation shall be completed to the
17 satisfaction of the City.

18
19 103. If prior to the issuance of a building permit for the proposed project, the City adopts
20 an ordinance requiring onsite generation of solar photovoltaic power, then
21 notwithstanding the fact that said ordinance may, by its terms, not be applicable to
22 projects that have already received site plan review, the applicant or property owner
23 shall nevertheless fully comply with all provisions of said ordinance as if it did apply to
24 the project.

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27 **Public Works – Engineering Division:**

28 104. The applicant shall initiate an amendment to the adopted Neighborhood Traffic
29 Management Program (NTMP) for the Lynwood Howe Elementary neighborhood. The

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1 amendment shall request that Irving Place be reconfigured for two-way traffic from
2 Culver Boulevard to project's drive approach or to Braddock Drive. If the required
3 number of NTMP advisory survey petitions are returned and identify a particular
4 configuration of Irving Place, then the applicant shall be responsible for all expenses
5 to implement the traffic operation changes along Irving Place as approved by the City
6 Council.

7
8 105. The applicant shall submit a plan to the City Engineer regarding the repair or
9 replacement of any damage to the public right-of-way that results from the
10 construction of the proposed project. Such repair or replacement is to be completed
11 to the satisfaction of the City Engineer. The applicant shall be responsible for all
12 expenses.

13
14 106. All conditions of Approval shall be completed to the satisfactory of the City
15 Engineer.

16
17 107. The operators and or owners shall construct all the stormwater pollution control
18 BMPs and structural treatment control BMPs shown the approved SUSMP or site-
19 specific mitigation plan and submit a stormwater observation report which shall include
20 a wet signed and stamped certification statement by the engineer, who prepared the
21 SUSMP site plans, confirming that the SUSMP BMPs have been built as designed.
22 The transfer of ownership, sale or lease of the property shall include provisions by a
23 covenant recorded with the Los Angeles Recorder, requiring new owner and his/her
24 successor to continue to implement measures as defined by the SUSMP site plans
25 and BMPs.

26
27 108. As the project nears completion no partial or grand openings shall be permitted
28 without applying for and gaining approval of a CO or TCO. Do not schedule any partial
29 or full openings or advertise any openings without City approval.

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