

RESOLUTION NO. 2015-P004

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING SITE PLAN REVIEW, SPR P-2015073 AND RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING CODE MAP AMENDMENT, ZCMA P-2015074 FOR THE PROPOSED CHANGE OF USE OF THE FORMER CULVER CITY ICE ARENA INTO TWO RETAIL TENANT SPACES AT 4545 SEPULVEDA BOULEVARD IN THE RESIDENTIAL SINGLE FAMILY (R1) AND COMMERCIAL GENERAL (CG) ZONES.

(Site Plan Review, SPR P-2015073 and
Zoning Code Map Amendment, ZCMA P-2015074)

WHEREAS, on June 30, 2015, Harbor Freight Tools filed Site Plan Review and Zoning Code Map Amendment applications to allow the change of use of the former Culver Ice Arena Skating Rink into two retail tenant spaces consisting of: a 17,225 square foot space for Harbor Freight, a tool/home improvement retail outlet; an 11,610 square foot space for a future unidentified tenant; and surface parking improvements (the "Project"). No new building square footage or building demolition is proposed. The Project will also include a Zoning Code Map Amendment to change the Residential Single Family (R1) zoned portion of the site to Commercial General (CG) making it consistent with its General Plan Land Use Designation of General Corridor. The Project site is described with Los Angeles County Assessors Number 4215-021-023, in the City of Culver City, County of Los Angeles, State of California; and,

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

1. Site Plan Review: To ensure the Project is in compliance with all 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 2. Zoning Code Map Amendment: To change the Residential Single Family (R1) zoned
2 portion of the site to Commercial General (CG) making it consistent with its General Plan Land
3 Use Designation of General Corridor and to allow the use of the current R1 Zoned portion for
4 commercial purposes as allowed in the CG Zone.

5 WHEREAS, on October 14, 2015, after conducting a duly noticed public hearing on the
6 subject applications, including full consideration of the applications, plans, staff report,
7 environmental information and all testimony presented, the Planning Commission (i) by a vote
8 of __to __, adopted a Mitigated Negative Declaration, in accordance with the California
9 Environmental Quality Act (CEQA), finding the Project, as mitigated, will not result in significant
10 adverse environmental impacts; (ii) by a vote of __to __, conditionally approved Site Plan
11 Review, SPR P-2015073 as set forth herein below; and (iii) by a vote of __to __, recommended
12 to the City Council approval and adoption of Zoning Code Map Amendment, ZCMA P-2015074,
13 as set forth herein below.
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15

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

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 **Site Plan Review:**

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

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

 The general layout of the Project is consistent with the Commercial General (CG) zoning

district requirements and standards including setbacks, height, and parking. Further the building meets or exceeds minimum code setback requirements creating significant distances to residential zones. The height of the existing building which will not change is 26 feet, 30 feet less than the code maximum 56 feet for the CG Zone. The Project's existing building orientation towards the front, facing Sepulveda Boulevard, will not change and will locate retail activity away from adjacent residential areas and towards the commercial boulevard. Perimeter landscaping including installation of trees on a raised planter area will comply with parking lot landscaping requirements and act as a buffer between the commercial use and surrounding residential area. Vehicular circulation and loading has been designed so that vehicles can enter and exit with ease and delivery trucks can enter, make wide turns, and unload without backing into a loading dock. Pedestrian circulation from the parking lot and public sidewalk are adequately designed with sufficient sidewalk to enter and exit. Vehicular access to and from the site will be from a 35-foot wide driveway off of Sepulveda Boulevard with a secondary 15-foot wide exit only driveway off of Sepulveda Boulevard while there will not be any access from residential areas. A middle, double left turn lane along Sepulveda Boulevard further provides flexible access to and from the site. Potential conflicts between vehicles and pedestrians and between surrounding residential traffic and users of the sites will be diminished with these access features.

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 existing building is designed to be compatible with the surrounding single and two story commercial and residential uses and the overall project is designed to conform to applicable design provisions of the Zoning Code. The existing tilt up concrete structure at approximately 26 feet in height is designed as a large, single-story box like warehouse structure with a high ceiling and a mezzanine. The large box like structure was needed to accommodate the building's only use since it was built in 1962 – an ice skating rink. The northeast corner facing Sepulveda Boulevard and the main driveway entrance is dominated by the previous use's main pedestrian entrance and ticket window, a brick façade, and canopy covering the entire front setback area at the northeast corner. The edges of the building facing Sepulveda Boulevard are accented with blue mullions. Overall the building lacks significant architectural features or accents and is utilitarian in nature. Its wide open interior with high ceiling are especially designed for an ice skating facility and can easily accommodate a medium to large size retail uses such as Harbor Freight Tools. The Project applicant does not propose to change the exterior of the structure except that the main entrance will be on the north side of the building. The existing front entrance will be converted to glazing and an existing glass display area will contain ice rink memorabilia. The existing white colored building with blue trim accents along with the canopy and brick will remain. These existing features to remain will respect the historically designated building which while lacking specific architectural elements is key to the history of ice skating. The building as it existed for several

decades will remain essentially the same and with the memorabilia glass display and historical plaque, will continue to inform the community of its historic significance. The Administrative Historic Certificate of Appropriateness for this Project was approved by the Community Development Director pursuant to Culver City Municipal Code Section 15.05.035 on October 1, 2015.

The building's existing 26-foot height is less than the 56-foot code allowed maximum height in the CG Zone. This height is consistent with the surrounding commercial and residential uses which vary from one to two stories and is lower in height than nearby multi-story multi-dwelling units. The building's overall look, color, and exterior finish will continue relatively the same as it has existed since 1962 and will therefore not result in a drastic visual change, assuring continuity as a former ice rink building, now vacant structure, and soon to be converted retail store.

- 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.**

Proposed perimeter landscaping and landscaping fronting Sepulveda Boulevard meets all Zoning Code requirements. Within the parking lot, landscaping will be installed that results in more landscaping than is currently in the parking area. Landscaping will include several trees along the perimeter edge and along the interior drive aisles. There will be approximately 65 trees in the parking area; the site currently has 5 to 6 trees in the front façade only. Additionally the perimeter landscaping containing a majority of the new trees will be planted within a five-foot wide, three-foot raised planter area resulting in trees located at an elevation higher than the parking lot grade. At full growth these trees will provide a robust screen for the adjacent residential properties along the perimeter of the site thereby lessening the visual effect of a large surface parking lot. Existing trees and shrubs as well as new trees and shrubs along the Sepulveda Boulevard frontage will further lessen potential visual impacts. Proposed landscaping including the trees and ground cover will complement the building and enhance its aesthetic appearance. Streetscape landscaping will be installed or preserved per approval of the Public Works Director and consistent with City standards.

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

The proposed Project will not result in conflicts with uses in the existing adjacent commercial areas. The Project has been designed to conform to all applicable provisions of the Commercial General (CG) Zone, and all other applicable City

development standards. The proposed development is located along a commercial portion of Sepulveda Boulevard that includes both single story and two story commercial uses such as an auto repair place, medical building, a church, the YMCA, and the Auto Club. The Sepulveda Boulevard corridor adjacent to the site and located within the City of Los Angeles includes multi-story, multi-family dwelling projects. The building has been present since 1962 and its physical features and current bulk and mass will not change. There will be no massing or volume revisions or additions. The proposed use, a tool supply retail outlet, will not be any more intense than the previous ice skating use that was present for 52 years. Overall the re-use of the existing commercial building into another commercial use with no physical changes to the building is not expected to conflict with the surrounding commercial and residential uses. Similar to the ice rink use, the new retail use will have access only off of Sepulveda Boulevard minimally impacting surrounding residential uses. Enhanced perimeter landscaping will soften the view of the parking lot for the surrounding residential uses.

The existing building, oriented toward Sepulveda Boulevard, will further ensure that the retail commercial activity, as with the previous ice skating use, maintains a significant physical distance from the residential uses. Access to the site from Sepulveda Boulevard only and a middle, double left turn lane along Sepulveda Boulevard will minimize conflicts between retail users and surrounding residential and commercial users.

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 streets, traffic control devices, sewers, storm drains, street lights, proposed street trees, fire protection devices, and public utilities are adequate to serve the Project site, 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 General Plan Land Use Element designates the property as General Corridor which is a commercial designation. The property is presently zoned Commercial General (CG) within the first 100 to 120 feet from the Sepulveda Boulevard frontage. Once the zoning in the remainder of the site is changed from Single Family Residential (R1) to CG, the entire site will be consistent with the General Corridor land uses designation which permits the proposed retail use. The proposal is consistent with this designation and respects all provisions and development regulations of the Zoning Code and General Plan. This new commercial development and activity is consistent with General Plan Land Use Objective 6 because the Project will revitalize the physical character and

economic wellbeing of an otherwise vacant building and economically derelict parcel. Development leading to an economically functioning site that is currently void of any commercial function will further General Plan Land Use Objective 8 because it will enhance business growth by promoting a retail establishment that serves regional markets as well as the needs of local residents. With preservation of the historic Ice Rink building, even with its re-use as a retail store, the Project is consistent with Objective 14 which specifically calls for the preservation of buildings and sites that reflect Culver City's varied history.

General Plan Map Amendment and Zoning Code Map Amendment:

As outlined in CCMC Title 17, Section 17.620.030.A., the following required findings for a General Plan Map Amendment and Zoning Code Map Amendment are hereby made:

- 1. The proposed amendment ensures and maintains internal consistency with the goals, policies and strategies of all elements of the General Plan and will not create any inconsistencies with this Title, in the case of a Zoning Code Amendment.**

The General Plan Land Used Element designation for the entire site is General Corridor. The General Corridor General Plan land use designation envisions commercial uses and the proper zoning for the entire site is CG (Commercial General). The CG zone allows a wide variety of commercial uses including parking areas for commercial uses. Commercial parking lots and retail uses are not allowed in the R1 (Residential Single Family) Zone and currently the parking area and rear portions of the ice rink building are zoned R1. The zone change from R1 to CG will make the entire site consistent with the General Plan Land Use Designation of General Corridor and the Project complies with all commercial provisions and development regulations of the CG Zone and the Zoning Code. The application does not include any variance or request to amend the General Plan designation.

With the change of Zone the Project can be approved thereby furthering the goals of General Plan Land Use Objective 6 which call for revitalization of the physical character and the economic wellbeing of an otherwise vacant building and economically derelict parcel. Commercial development which cannot occur without the zone change will assist in leading to an economically functioning site that is currently void of any commercial function and will therefore further General Plan Land Use Objective 8. This Objective calls for the enhancement of business growth by promoting retail establishments that serve regional markets as well as the needs of local residents.

The proposed amendments will not result in any inconsistency with the General Plan or the Zoning Code.

- 2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City.**

1 The proposed Zoning Code Map Amendment is not detrimental to the public interest,
2 health, safety, convenience and welfare of the City in that the amendment, and
3 subsequent Project, have been reviewed by the relevant City Departments. Toxic or
4 other potential hazard resulting from the previous ice rink use have been identified and
removed from the site. The City-reviewed traffic study has not identified any significant
impacts. No health or safety hazards have been identified in the review of this Project.

5 The Zoning Code Map Amendment is needed for the commercial Project to proceed and
6 the Project is anticipated to encourage new business opportunities. Business
7 opportunities add to the economic vitality that serves the community and protects the
8 quality of life negating the negative effects of what is currently a vacant building and
9 dilapidated site. With City approval of the proposed Zoning Code Map Amendment,
the Project will be consistent with the objectives of the General Plan and in conformity
with the CCMC, including the Zoning Code.

10 **3. The proposed amendment is in compliance with the provision of the California**
11 **Environmental Quality Act (CEQA).**

12 The proposed Zoning Code Map Amendment is in compliance with CEQA as more fully
13 outlined in the Initial Study and Negative Declaration environmental finding and related
documentation for this Project including the Project's traffic study.

14 As outlined in CCMC Title 17, Section 17.620.030.B., the following additional required finding
15 for a Zoning Code Map Amendment is hereby made:

16 **4. The sites (are) physically suitable (including access, provision of utilities,**
17 **compatibility with adjoining land uses and absence of physical constraints) for**
18 **the requested zoning designation(s) and anticipated land use development.**

19 The site is physically suitable (including access, provision of utilities, compatibility with
20 adjoining land uses and absence of physical constraints) for the requested zoning and
21 the anticipated land use development because a full review by City staff determined all
applicable design standards and public services can be provided.

22 The Project's previous siting and design that allowed for a transition from the Sepulveda
23 Boulevard commercial corridor to the adjoining residential neighborhoods by creating a
24 parking lot that acted as a buffer from the commercial building fronting Sepulveda
25 Boulevard will continue unchanged. This Zoning Code Map Amendment will facilitate a
26 use that essentially continues the same site design that has existed for several decades
27 and has proven to be compatible with surrounding residential areas and adjacent
28 commercial properties. Residential areas will be buffered with a large, landscaped
29 surface parking lot and commercial uses will be accessed only off of a commercial
boulevard. The building in its current form and which will not change, meets or exceeds
minimum code setbacks, step-backs, height, and parking further assuring compatibility
and diminished impacts. The Zoning Code Map Amendment will allow this use.
Vehicular access to the Project site has been located at a physically suitable location

1 that is sufficiently distant from residential areas. In addition, locating on-site parking
2 access from Sepulveda Boulevard which has a double, left turn lane lessens potential
3 traffic conflicts with commercial and residential areas.

4 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
5 Commission of the City of Culver City, California, hereby (i) approves Site Plan Review, SPR
6 P-2015073; and (ii) recommends to the City Council approval and adoption of Zoning Code
7 Map Amendment, ZCMA P-2015074, subject to the conditions of approval set forth in Exhibit
8 A attached hereto and incorporated in herein by this reference.

9 APPROVED and ADOPTED this 14th day of October, 2015.

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13 _____
14 KEVIN LACHOFF, CHAIRPERSON
15 PLANNING COMMISSION
16 CITY OF CULVER CITY, CALIFORNIA

17 Attested by:

18 _____
19 Yvonne Hunt, Administrative Secretary
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EXHIBIT A
 RESOLUTION NO. 2015-P004
 SITE PLAN REVIEW, SPR P-2015073 &
 ZONING CODE MAP AMENDMENT, ZCMA P-2015074

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	These Conditions of Approval are being imposed on the Harbor Freight retail re-use of the former Culver City Ice Arena (the "Project"), for the property located at 4545 Sepulveda Boulevard (the "Property").	All	Standard	
2.	A copy of the Resolution approving the Project, and a copy of these Conditions of Approval, shall be printed on the plans submitted as part of any building permit application for the Project.	Planning	Standard	
3.	All building permit applications for the Project shall include sufficient information and detail to clearly reflect compliance with all applicable requirements of the Culver City Municipal Code (the "CCMC") and with these Conditions of Approval.	Planning	Standard	
4.	The land use permit to which these Conditions of Approval apply (the "Land Use Permit") shall expire 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 15.595.030 –"Time Limits and Extensions", an applicant may request an extension of said expiration date by filing a written request with the Planning Division prior to the expiration of the land use permit.	Planning	Standard	
5.	Pursuant to CCMC Section 17.630.010.C.4 – "Posted Notice", the public notification sign(s) installed in accordance with the public notification requirements for the Land Use Permit shall be removed within ten days after the end of the appeal period or the final decision by the City Council on the Land Use Permit, whichever occurs last.	Planning	Standard	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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GENERAL				
6.	The Project shall be developed pursuant to CCMC Chapter 17.300 – “General Property Development and Use Standards”.	Planning	Standard	
7.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - “Landscaping”.	Planning	Standard	
8.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - “Off-Street Parking and Loading”.	Planning	Standard	
9.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - “Signs”. All signs require a separate permit and approval.	Planning	Standard	
10.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.	All	Standard	
11.	All work within the public right-of-way (including but not limited to curb, gutter, sidewalk, and driveways) shall be designed and completed to the satisfaction of the City Engineer.	Public Works	Standard	
12.	Street trees shall be installed, to the satisfaction of the City Engineer, in conformity with the City’s approved Street Tree Master Plan including tree wells and irrigation. All new (and existing) street trees shall be supplied with irrigation water from the overall site irrigation system which shall include a timer and a rain sensor. All new (and existing) street trees, landscaping, and irrigation shall be indicated on the overall site landscaping/ irrigation plan.	Public Works	Standard	
13.	Drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway pavement shall be designed in conformity with all provisions of the latest edition of the American Public Works Association Standard Plans (“APWA Standards”).	Public Works	Standard	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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GENERAL				
14.	At the sole cost and expense of the Property Owner, any broken or damaged curbs, gutters, sidewalks, and street pavement resulting from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards.	Public Works	Standard	
15.	Trash enclosures shall be provided and shall each have a minimum inside dimension of 10 feet x 12 feet, a gated opening that is at least 8 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 inch thick concrete slab that drains at a one percent gradient out of the enclosure. 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.	Public Works/ Fire/ Planning	Standard	
16.	All Project related solid and recyclable waste material handling shall be in accordance with CCMC Section 5.01.010 – "Solid Waste Management", which outlines the Sanitation Division's exclusive franchise for this service.	Public Works	Standard	
17.	The Project shall meet all provisions of CCMC Section 7.05.015 -"Transportation Demand and Trip Reduction Measures".	Trans.	Standard	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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GENERAL				
18.	All buildings and structures to be constructed as part of the Project shall be designed and constructed in accordance with all applicable regulations and standards of the City's Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of issuance of a building permit.	Building/ Fire	Standard	
19.	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Building/ Planning	Standard	
20.	The Project shall comply with all applicable requirement of the Culver City Green Building Program as set forth in CCMC Section 15.02.1100, et.seq.	Building	Standard	
21.	The Project shall comply with the all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq.	Building	Standard	
22.	Changes to the Project or use approved as part of the Land Use Permit may only be made in accordance with the provisions of CCMC Section 17.595.035 – "Changes to an Approved Project".	Planning	Standard	
23.	The future tenant space shall have its main entrance and delivery/receiving area at the rear facing the parking lot. At time of tenant improvements for this future tenant, the entrance and receiving area shall be designed so as not to conflict with the mechanical storage area in the rear.	Planning	Special	
24.	The applicant shall maintain or construct an 8 foot high wall along the project perimeter measured from the inside natural grade and the wall shall be lowered to 4 in height within 10 feet of the street fronting property line. The wall if existing to be maintained shall be painted and given a finish both on the interior and exterior sides as determined by the Planning Manager.	Planning	Special	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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GENERAL				
25.	Delivery vehicles for all tenant spaces shall not be allowed to back into on-site loading/receiving areas at any time. The site shall adequately provide on-site circulation such that delivery vehicles are able to enter and maneuver to the side of the delivery receiving areas without having to engage the reverse gear.	Planning	Special	
26.	a. In addition to standard code required landscaping, the applicant shall install at minimum 24" box sized trees along the perimeter of the project including both sides and rear property lines. The species and spacing of said trees shall be determined by the Planning Manager and the City's Landscape Architect. b. The applicant shall install a raised planter curb along the perimeter of the site that varies in grade from three (3) to six (6) feet in height such that the required tree screen planting is elevated another four (4) to six (6) feet above the parking lot grade. c. All street trees shall be supplied with irrigation water from the overall site irrigation system and such irrigation shall be indicated on the landscaping and/or site irrigation plan.	Planning	Special	
27.	a. All exit signage and emergency egress lighting shall have individual battery back-up and/or be self-powered in addition to any emergency generator power (if applicable). b. The exterior door at the upper left of the floor plan shall be a required egress door. c. A structural upgrade of the building will be required per the Culver City Building Safety Division (CCBSD) "Guide to Businesses". d. All storage, electrical, service, or trash rooms shall be min. 1 hr. rated to all other areas	Building Safety	Special	

EXHIBIT A
 RESOLUTION NO. 2015-P004
 SITE PLAN REVIEW, SPR P-2015073 &
 ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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GENERAL				
28.	a. Secured bicycle parking shall be provided to accommodate eight (8) bicycles. The bicycle parking shall be provided to accommodate at least two (2) long-term spaces for the use of the employees of the commercial uses, and at least six (6) short-term parking spaces. The long-term spaces shall be provided in graded-mounted individual bike lockers or bike racks in a secure locking fenced enclosure on-site, accessible only to the bicycle owners. Short-term bicycle parking shall be provided using at least three (3) City approved "Inverted - U" Bicycle Racks. b. The development plans shall provide detailed information on the type of all bicycle parking provided, and detailed dimensions of the paths of travel/aisle widths, and the widths of maneuvering areas and clearances within the bicycle parking spaces. Long-term bike parking facilities shall be made available to commercial employees free of charge, and the facilities shall be managed and maintained by the property management staff. All the bicycle parking spaces shall be provided on-site in well-lighted areas within 50-linear feet of the main entrances to the tenant spaces, and fully-visible from those entrances. Bicycle Parking shall meet the minimum standards specified in the City's Bicycle and Pedestrian Master Plan Design Guide, Section 1.8, at http://www.culvercity.org/Government/PublicWorks/TrafficEngineering/BicyclePedestrian.aspx The Public Works Director, or their Designee may approve some short-term spaces on the public sidewalk along Sepulveda Boulevard adjacent to the "Future Adjacent Tenant" space.	Public Works	Special	

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 RESOLUTION NO. 2015-P004
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 ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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GENERAL				
29.	a. Applicant shall remove and reconstruct existing southerly drive approach to be ADA compliant. The existing curb drain shall be protected in place or reconstructed. b. Applicant shall remove and reconstruct all non-ADA compliant sidewalk along the project's frontage on Sepulveda Boulevard. c. Applicant shall plant three (3) new street trees along the project's frontage with Sepulveda Boulevard. The new trees shall be London Plane and be planted in the existing tree wells that have be covered by concrete. Any existing interfering utilities with the tree well area shall be removed or relocated. All work shall be completed to the satisfaction of the City Engineer. d. Applicant shall remove and reconstruct the project's existing northerly drive approach to match the adjoining driveway width. The new drive approach shall be designed as a Special Use Drive Approach per Culver City Standard Plan CC-101.202, as modified by the City Engineer. e. Reconstructing the project's northerly drive approach will require the removal of an existing street tree. The applicant shall hire an arborist to examine this tree to determine if it is able to be transplanted and to submit a report to the Engineering Division of this finding. f. All concrete used in the public right-of-way shall have a minimum strength of 3,250 pounds per square inch (psi).	Public Works	Special	

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 RESOLUTION NO. 2015-P004
 SITE PLAN REVIEW, SPR P-2015073 &
 ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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GENERAL				
30.	Prior to any permanent sign installation, the project shall require approval of a Master Sign Program. The trapezoidal box sign which currently reads, "ICE SKATING" is a character-defining feature of the property and shall not be altered by the project in order to ensure conformance with the U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (The Standards). The rectangular marquee with interchangeable lettering (beneath the trapezoidal box sign) can be modified or replaced with new signage subject to review and approval by the City.	Planning/ Cultural Affairs	Special Mitigation	

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SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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

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SITE PLAN REVIEW, SPR P-2015073 &
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PRIOR TO BUILDING PERMIT ISSUANCE				
34.	A Construction Management Plan prepared by the construction contractor, which identifies the areas of construction staging, temporary power, portable toilet, and trash and material storage locations, shall be submitted to and approved by the Building Official. Prior to commencement of work the construction contractor shall advise the Public Works Inspector and the Building Inspector ("Inspectors") of the construction schedule and shall meet with the Inspectors.	Building/ Public Works	Standard	
35.	A Pedestrian Protection Plan shall be submitted to and approved by the Building Official. Such plan shall identify all areas of pedestrian protection and indicate the method of pedestrian protection or pedestrian diversion when required. When pedestrian diversion is required, the Pedestrian Protection Plan must also be approved by the Public Works Director.	Building/ Public Works	Standard	
36.	Plans submitted as part of the building permit application shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of all proposed special inspectors. The Building Official reserves the right to reject any special inspector at any time for the duration of the Project. All special inspection reports shall be made available to the Building Official and to any Culver City Building Safety inspector as required by the Building Official. No work shall be covered without a Culver City Building Safety inspection, whether or not a special inspection was performed on such work.	Building	Standard	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
37.	A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be submitted to the City Engineer and Planning Manager for review and approval prior to the issuance of any Project demolition, grading, or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the City's Fire and Police Departments. The City Engineer and Planning Manager reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The Construction Traffic Management Plan shall contain, but not be limited to, the following: A. The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations. B. An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the Property, and maps showing access to and within the Property and to adjacent properties. C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan. D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas. E. The location and travel routes of off-site staging and parking locations.	Planning/ Public Works	Standard	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
38.	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. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials.	Building	Standard	
39.	A vector/pest control abatement plan prepared by a pest control specialist licensed or certified by the State of California shall be submitted for review and approval by the Planning Manager and the Building Official. Said plan shall outline all steps to be taken prior to the commencement of any demolition or construction activity in order to ensure that any and all pests (including, but not limited to, rodents, bees, ants and mosquitoes) that may populate the Property do not relocate to or impact adjoining properties.	Building/ Planning	Standard	
40.	Prior to issuance of a building permit, notice of the Project construction schedule shall be provided to all abutting property owners and occupants. Evidence of such notification shall be provided to the Building Division. The notice shall identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish).	Building	Standard	
41.	A construction kick-off meeting shall be held in City Hall prior to issuance of the overall building and engineering permits and the project superintendent shall attend that meeting.	Building	Special	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
DURING CONSTRUCTION				
42.	During all phases of construction, two (2) "Construction Rules Signs" that includes contact names and telephone numbers of the Applicant, Property Owner, construction contractor(s) 24 hour phone number, the contractors name and address, the allowed construction hours, and minimum safety gear to be worn by all personnel on site including closed toe shoes, long pants, a shirt with sleeves, a hard hat, and a safety vest shall be posted on the Property in locations that are visible to the public. These names and telephone numbers shall also be made available to adjacent property owners and occupants to the satisfaction of the Planning Manager and Building Official. The signs shall also include the City's signs.	Building/ Planning	Standard	
43.	The Property shall be maintained daily so that it is free of trash and litter.	Building	Standard	
44.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building	Standard	
45.	The Building Division may apply administrative assessments and/ or post general stop work notices for any violations of the Conditions of Approval for the Project, and any violations of the CCMC.	Building	Standard	
46.	During all phases of construction, best efforts shall be used to ensure that all construction workers, contractors and others involved with the Project park on the Property or at designated offsite locations approved by the City, and not in the surrounding neighborhood.	Building	Standard	
47.	When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall use noise dampening measures such as the drilling of shoring supports and piles as determined by the Building Official and Planning Manager.	Building/ Planning	Standard	

EXHIBIT A
 RESOLUTION NO. 2015-P004
 SITE PLAN REVIEW, SPR P-2015073 &
 ZONING CODE MAP AMENDMENT, ZCMA P-2015074

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
DURING CONSTRUCTION				
48.	Prior to the commencement of any excavation, a temporary construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer and the Planning Manager.	Building/ Planning/ Public Works	Standard	
49.	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/ Public Works	Standard	
50.	All staging and storage of construction equipment and materials, including the construction dumpster, shall be on-site only. The Property Owner must obtain written permission from adjacent property owners for any construction staging occurring on adjacent property.	Building/ Public Works	Standard	

EXHIBIT A
 RESOLUTION NO. 2015-P004
 SITE PLAN REVIEW, SPR P-2015073 &
 ZONING CODE MAP AMENDMENT, ZCMA P-2015074

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
DURING CONSTRUCTION				
51.	Compliance with the following noise standards shall be required with at all times: A. No construction equipment shall be operated without an exhaust muffler, and all such equipment shall have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original equipment; B. All construction equipment shall be properly maintained to minimize noise emissions; C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall be setback from any street and other property lines so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors; D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as approved by the Planning Manager and the Building Official in order to comply with the City's Noise Regulations and Standards as set forth in CCMC Chapter 9.07; and E. Stationary source equipment (i.e., compressors) shall be located so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors.	Building/ Planning	Standard	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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DURING CONSTRUCTION				
52.	In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other violations of the CCMC, Project construction shall be stopped until such time that it is determined to the satisfaction of the Community Development Director, that causes of such violations have been eliminated or corrected and that the Project will be able to proceed in full compliance with these Conditions of Approval and the CCMC.	Building/ Planning	Standard	
53.	Flag persons with certified training shall be provided for work site traffic control to minimize impacts to traffic flow and to ensure the safe movement of vehicles into and out of the Property.	Building/ Public Works	Standard	
54.	During construction, trucks and other vehicles in loading and unloading queues must be parked with their engines off to reduce vehicle emissions. Construction deliveries shall be phased and scheduled to avoid emissions peaks as determined by the Building Official and discontinued during second-stage smog alerts.	Building	Standard	
55.	Construction vehicles shall not be permitted to stage or queue where they would interfere with vehicular and pedestrian traffic or block access to adjacent properties. Off-site staging shall be at locations approved by the City Engineer and shall be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations. The drivers of these trucks shall be in radio or phone communication with on-site personnel who shall advise the drivers when to proceed from the staging location to the Property. Construction-related vehicles shall not be permitted to park on public streets.	Building/ Public Works	Standard	

EXHIBIT A
 RESOLUTION NO. 2015-P004
 SITE PLAN REVIEW, SPR P-2015073 &
 ZONING CODE MAP AMENDMENT, ZCMA P-2015074

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
DURING CONSTRUCTION				
56.	a. The applicant shall remove idle cooling and electrical equipment/piping and fill/seal sample vaults. Additionally, during demolition the applicant will be required to remove asbestos and lead paint in compliance with Building Safety standards. b. All existing ice rink piping, abandoned piping and equipment and other materials below the finished grade shall be removed. c. Documentation from a qualified engineer shall be provided that indicates all permafrost from the previous operation/use has been remediated. d. Documentation shall be provided that indicates the previous use has not damaged or caused failure to the foundations or the structure.	Planning Fire Building Safety	Special	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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PRIOR TO FINAL INSPECTION OR CERTIFICATE OF OCCUPANCY				
57.	All provisions, and requirements set forth in these Conditions of Approval, in the Resolution approving the project, in the CCMC, or in any applicable written comments as provided by City representatives on July 23, 2015 at the Project Review Committee meeting on the Land Use Permit application, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the Project occupied.	All	Standard	
58.	All requirements of the City's Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the public art in-lieu fee, the same shall be paid prior to the issuance of a building permit.	Cultural Affairs	Standard	
59.	All onsite and offsite improvements and all conditions of approval except those which are deferred pursuant to a bond or letter of credit as determined and approved by the Building Official, Fire Marshal, Planning Manager, and/or City Engineer shall be completed prior to issuance of any certificate of occupancy. Prior to issuance of any certificate of occupancy the following shall be provided to and approved by the City: A. Five full sets of as-built plans that shall include at a minimum the site plan, grading and utility plan, landscape and irrigation plan, floor plan for each level of the Project, parking structure plan, roof plan with all mechanical equipment identified as to purpose and source and all offsite improvements; and B. One set of as-built plans as described above in a digital format compatible with the City's computer system.	All	Standard	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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60.	As the project nears completion no partial or grand openings shall be permitted without applying for and gaining approval of a TCO. The applicant shall not schedule any partial or full openings or advertise any openings without City approval. Grand Openings shall require a Special Event Permit	Building/ Planning	Special	
61.	a. The Applicant shall provide a Hazardous Materials Disclosure Plan if applicable. b. An access plan shall be submitted that provides fire department access to the property, the building, and unobstructed access to all life safety systems. c. A Knox Box system with Fire Department approved location, type and key requirements shall be installed on-site. d. Fire Department access for apparatus shall be a minimum of 20 feet unobstructed width, 13 feet, 6 inches vertical clearance, surface able to support a vehicle weight of 68,000 pounds, with a minimum 28 foot Internal Drive turning radius. e. An address viewable and legible from the public way with identification for each suite shall be provided. f. All exterior doors shall have keyways and hand-sets. g. Hose valves shall be provided per approval of the Culver City Fire Department. h. A parking plan providing signage and curb markings shall be developed and approved by the Culver City Fire department. An agreement for parking enforcement shall be made thru the Engineering Division	Fire	Special	

EXHIBIT A
RESOLUTION NO. 2015-P004
SITE PLAN REVIEW, SPR P-2015073 &
ZONING CODE MAP AMENDMENT, ZCMA P-2015074

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
ON-GOING				
62.	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 October 14, 2015, except as modified by these Conditions of Approval.	Planning	Standard	
63.	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	
64.	The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, and regulations including, but not limited to, Building Division, Fire Department, Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process. Failure to comply with said Conditions, statutes, codes, standards, and regulations may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other lawful action the City might deem reasonable and appropriate to bring about compliance.	All	Standard	
65.	All graffiti shall be removed from the Property within 48 hours of its application.	Building/ Planning/ Public Works	Standard	

EXHIBIT A
 RESOLUTION NO. 2015-P004
 SITE PLAN REVIEW, SPR P-2015073 &
 ZONING CODE MAP AMENDMENT, ZCMA P-2015074

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ON-GOING				
66.	The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.	Public Works	Standard	
67.	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 completed as specified therein.	Planning	Standard	
68.	All deliveries for all tenant spaces shall not occur on weekends and shall not occur before 8 AM or after 5:00 PM on weekdays.	Planning	Special	
69.	For as long as the site is a designated Culver City Cultural Resource, all alterations affecting the exterior of the building or site will require a Certificate of Appropriateness, approval of which is based on conformance with The U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (The Standards), prior to the issuance of any Building Permit.	Planning/ Cultural Affairs	Special Mitigation	
70.	Other exterior character-defining features of the exterior, including the original Sepulveda Blvd. entrance, canopy, ticket window and signage shall be preserved. An Ice Rink Memorabilia area within the existing Sepulveda Boulevard facing Glass Display area shall be installed and maintained in perpetuity. Certain interior features, such as the open volume and mezzanine are to be preserved or if modifications are made, such modifications shall be reversible and not destroy historic materials, features, and spatial relationships that characterize the property.	Planning/ Cultural Affairs	Special Mitigation	