

1 contribute toward needed public improvements, improve economic and physical conditions of
2 the Redevelopment Project Area, increase employment opportunities in the City, or maximize
3 the Project Site's economic potential. Due to reduced building height, the Low-Rise
4 Residential Alternative would not meet the project's design objective to create an
5 architecturally distinctive, landmark building that would complement the aesthetic character
6 of new and existing development in the area, or fully utilize its location at the intersection of
7 the 405 Freeway and major thoroughfares to create a distinctive gateway development at the
8 City's edge. The Low-Rise Residential Alternative would enhance the visual quality of the
9 street frontage through unified site design, tree planting and other landscaping to enhance
10 pedestrian activity. However, as the scale of development would be considerably reduced,
11 less pedestrian activity would occur than under the project. The Low-Rise Residential
12 Alternative would also implement the objective to provide development in an area served by
13 existing infrastructure, although not to the same degree as the project. As with the project,
14 the Low-Rise Residential Alternative would meet the objective to incorporate "Green Building"
15 or environmentally sustainable design practices where feasible.

16 The Low-Rise Residential Alternative would not meet the economic objectives of the
17 project to maximize the value of the Project Site through the replacement of a surface
18 parking lot with an approximately 342,000-square-foot office building consistent with the
19 market demand for new office space. Although the Low-Rise Residential Alternative would
20 provide incremental growth and additional tax revenue to Culver City and CCRA, economic
21 growth and revenues would not occur to the same extent as under the project. The Project
22 will provide the community with a significant increase in net tax revenue and positive long
23 term financial benefit from the use of what is now property underutilized as a parking lot.
24 Based on a projected lower rent value per square foot for the Low-Rise Residential
25 Alternative, this alternative would be expected to provide substantially less additional tax
26 revenue than the project. Respectively, job opportunities associated with the construction
27 and operation of the Low-Rise Residential Alternative would not contribute to the economy to
28 the same extent as under the project. As with the project, the Low-Rise Residential
29 Alternative would meet the objective of supporting the business community through greater
activity of residents that would frequent local stores, restaurants and hotels.

6. Alternative 5, the Hotel Alternative. The Hotel Alternative would consist of a high-rise,
368-room hotel with an approximate floor area of 78,000 square feet (the same as under the
existing Radisson Hotel). The hotel would be 132 feet high to the roof level. In accordance
with CCMC requirements, the Hotel alternative would replace the existing 265 on-site spaces
used by the Radisson/Conference facility and provide an additional 386 spaces (2 spaces
per room, plus 1 space for each 20 spaces), for a total of 651 parking spaces. The parking
structure would be three floors below grade and two floors above grade. The configuration of
the high-rise hotel and adjoining parking structure would be the same as under the project
and, as such, the open space and building setback would not change.

The Hotel Alternative would avoid the project's significant unavoidable impacts
associated with traffic at the one significantly impacted intersection. The Hotel Alternative
would result in greater construction noise impacts than the project since high noise levels
from excavation activities would occur over a longer period. The Hotel Office Alternative

1 would have greater construction air quality impacts than the project due to a longer duration
2 of excavation activities. The Hotel Alternative would reduce the project's significant and
3 unavoidable operational air quality impact to a less than significant level and reduce the
4 project's less than significant impacts associated with view blockage, light and glare,
5 construction air quality, land use, operational noise, public services, and utilities. The Hotel
6 Alternative would have the same level of impact as the project on hydrology and an
7 incrementally greater impact on cultural resources (due to deeper excavation). The Hotel
8 Alternative would have less visual benefit than the project with respect to the landmark
9 quality of a taller structure.

10 Although the Hotel Alternative would reduce or avoid the project's environmental
11 impacts, it would not achieve several objectives to the same degree as the project. The
12 Hotel Alternative would not meet the economic objectives of the project to maximize the
13 value of the Project Site through the replacement of a surface parking lot with an
14 approximately 342,000-square-foot office building consistent with the market demand for new
15 office space. The Hotel Alternative would provide incremental growth and additional tax
16 revenue to the City and CCRA, contributing to the City's economic growth. However, job
17 opportunities associated with the construction and operation of the Hotel Alternative would
18 be incrementally reduced and not contribute to the economy to the same extent as under the
19 project.

20 The Hotel Alternative would also implement the City's redevelopment goal to stimulate
21 development, contribute toward needed public improvements, improve economic and
22 physical conditions of the Redevelopment Project Area, increase employment opportunities
23 in the City, as under the project, and would maximize the Project Site's economic potential.
24 Due to reduced building height, the Hotel Alternative would not fully meet the project's design
25 objective to create an architecturally distinctive, landmark building. However, the Hotel
26 Alternative would enhance the visual quality of the street frontage through unified site design,
27 tree planting and other landscaping to enhance pedestrian activity. The Hotel Alternative
28 would also implement the objective to provide development in an area served by existing
29 infrastructure, although not to the same degree as the project. As with the project, the Hotel
Alternative would meet the objective to incorporate "Green Building" or environmentally
sustainable design practices where feasible.

7. Off-Site Alternatives. An evaluation was undertaken to identify other sites in Culver
City or nearby areas that could avoid or substantially lessen the project's significant impacts
and that might be feasible for the applicant to acquire or control for purpose of developing a
high-rise office building within an existing Redevelopment Area. No sites were found that
met these criteria, as the majority of undeveloped sites in the area are either approved for
development, not of a sufficient size to accommodate the project, or would not substantially
avoid or lessen the project's significant impacts. As such, off-site alternatives are considered
infeasible.

Attachment No. 15

RESOLUTION NO. 2008-R____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF AN APPLICATION FOR A SITE PLAN REVIEW AND TENTATIVE PARCEL MAP NO. 69726, AND APPROVING A HEIGHT EXCEPTION FOR THE CONSTRUCTION OF THE ENTRADA OFFICE TOWER PROJECT AT 6161 CENTINELA AVENUE IN THE COMMERCIAL REGIONAL BUSINESS PARK (CRB) ZONE.

Site Plan Review, SPR P-2007196
Tentative Parcel Map, TPM P-2007199
Height Exception, HTEX P-2007200

WHEREAS, on December 20, 2007, Centinela Development Partners (the "Applicant") filed a Site Plan Review, a Tentative Parcel Map, and a Height Exception application for the construction of a 13-story office tower, the subdivision of a 3.7-acre property into two parcels, and an exception from the permitted height limit in the CRB Zone (the "Project") at 6161 Centinela Avenue, being Parcel 2 of Parcel Map No. 4031, in the City of Culver City, County of Los Angeles, State of California (the "Project Site"); and,

WHEREAS, on February 27, 2008, after conducting a duly noticed public hearing on Site Plan Review, SPR P-2007196, Tentative Parcel Map, TPM P-2007199, and Height Exception, HTEX P-2007200, the Planning Commission certified the Final Environmental Impact Report (EIR) [titled "Environmental Impact Report – Entrada Office Tower Project", State Clearinghouse No. 2007051061] per Resolution No. 2008-P002, adopted a Statement of Overriding Considerations (SOC) and Mitigation Monitoring and Reporting Program (MMRP) per Resolution No. 2008-P003, and approved Site Plan Review, SPR P-2007196, and Tentative Parcel Map, TPM P-2007199, and recommend to the City Council approval of Height Exception, HTEX P-2007200, per Resolution No. 2008-P004; and,

1 WHEREAS, the United Neighbors of Westchester, submitted a timely appeal to the
2 City Clerk on March 13, 2008, appealing the Planning Commission's certification of the Final
3 EIR, adoption of the SOC and MMRP, approval of the Site Plan Review and Tentative Parcel
4 Map, and requesting the City Council deny the request for Height Exception, HTEX P-
5 2007200; and
6

7 WHEREAS, on April 14, 2008, the City Council adopted Resolution No. 2008-R____,
8 certifying the Final EIR and Resolution No. 2008-R____ adopting an SOC and MMRP; and
9

10 WHEREAS, on April 14, 2008 the Culver City Redevelopment Agency (CCRA)
11 approved a Design for Development for the Project Site that established development
12 standards permitting a structure up to 230 feet in height; and
13

14 WHEREAS, on April 14, 2008, the City Council conducted a duly noticed public
15 hearing on Site Plan Review, SPR P-2007196, Tentative Parcel Map, TPM P-2007199, and
16 Height Exception, HTEX P-2007200, fully considering the whole administrative record and
17 the evidence and testimony presented in this matter, and the City Council by a vote of ____ to
18 ____, (i) determined that no new information has become available, no changes in the
19 proposed project have been made, and no additional environmental analysis is required; (ii)
20 denied the appeal and upheld the Planning Commission's decision; and (iii) approved Site
21 Plan Review, SPR P-2007196, Tentative Parcel Map, TPM P-2007199, and Height
22 Exception, HTEX P-2007200, with additional conditions of approval.
23

24 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
25 CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

26 SECTION 1. The City Council finds that no new information has become available
27 and no changes in the proposed project have been made since the Planning Commission
28
29

1 and City Council certification of the Final EIR and, therefore, no additional environmental
2 analysis is required.

3 SECTION 2. Pursuant to the foregoing recitations and the provisions of Culver City
4 Municipal Code Section 17.540.020, required findings for a Site Plan Review, and subject to
5 all conditions of approval contained in Planning Commission Resolution No. 2008-P004 and
6 the conditions of approval set forth herein, the following findings are hereby made:
7

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

14 The Project Site is zoned Commercial Regional Business Park (CRB). The CRB
15 zoning district identifies areas that are appropriate for large-scale offices and business
16 park developments, including some light industrial uses.

17 The Project consists of a large scale, approximately 342,409 square foot regional
18 office building in an area with other large scale office developments. This use is
19 compatible with the surrounding land uses and will be compatible in scale with the
20 adjacent Radisson Hotel and similar in scale with office buildings in the Howard
21 Hughes Regional Center to the south, the Corporate Pointe development to the east
22 and planned Playa Vista office development to the west.

23 The Project will be constructed in an area of the Project Site that is underutilized and
24 currently serving as a surface parking lot for the existing Radisson Hotel and
25 conference center. All proposed structures will be properly located to ensure safe and
26 convenient access for fire protection, and required parking. The Project will maintain
27 265 parking spaces for the benefit of the hotel and conference center, to be reserved
28 by separate instrument. The Project will also provide 978 parking spaces for the office
29 tower, as required by the Zoning Code. Additionally, the required number of truck
loading spaces would be located to the south of the office building.

The Project and Radisson Hotel and conference center will be connected by an
internal east-west 36-foot wide driveway exceeding the 25-foot minimum driveway
width. A signalized intersection at this driveway will provide for safe ingress and
egress from the Project. A north-south internal drive aisle will run adjacent and parallel
to Centinela Avenue. A total of three curb cuts will be provided along the Centinela
Avenue frontage. The Project will meet Zoning Code requirements for driveway
widths, pedestrian walkway widths and visibility at driveways.

1 The Project will provide a pedestrian walkway of no less than four (4) feet extending
2 from the public sidewalk on Centinela Avenue to the entrance of the office building,
3 which is consistent with the development standards. Pedestrian access to the office
4 building will be via the primary entry court and signalized intersection.

5 The Project will provide a street-facing (front) setback of 42 feet from the property line
6 to the front pillars at the front entrance drop-off of the building. This includes a
7 landscaped strip and median landscaping in the driveway area. Thus, the provided
8 setbacks will be consistent with the CRB zone setback standards.

9 The Project will be 190 feet to the rooftop and up to 220 feet to the top of the angular
10 parapet, which exceeds the 56-foot maximum building height standard set forth in
11 CRB Zone development standards, CCMC Section 17.220.020. However, the Project
12 is consistent with a DFD for the Project Site that has been approved by the CCRA that
13 would allow the heights proposed by the Project. Therefore, the City Council may
14 approve a height exception pursuant to CCMC Section 17.300.030.025.C, which
15 would make the Project consistent with Zoning Code requirements.

16 With the granting of the Project entitlements, including the adoption of the proposed
17 DFD by the CCRA, and approval of the proposed height exception pursuant to CCMC
18 Section 17.300.030.025.C by the City Council, the Project will be consistent with the
19 Zoning Code.

20 **B. *The architectural design of the structure and the materials and colors are***
21 ***compatible with the scale and character of surrounding development and other***
22 ***improvements on the site and are consistent with the purpose and intent of this***
23 ***Chapter, the requirements of the zoning district in which the site is located, and***
24 ***with all applicable development standards and design guidelines.***

25 The scale of the Project is compatible with office and commercial developments in the
26 surrounding areas. The Project's contemporary design responds to the location, site
27 conditions and the context of the surrounding buildings. The window areas on the
28 south and west side of the building have been minimized to reduce heat gain and
29 glare. The north and east elevations provide for views of Westwood, Century City and
the mountains in the distance. The form of the building provides a distinctive
architectural gateway element to the southern end of the City along a major
commercial corridor. The architectural design, height and selection of materials are
also complementary to the office developments in the area to the south.

Furthermore, the proposed DFD describes all development standards for the Project,
including architectural design, development standards and design guidelines. With
the adoption of the DFD by the CCRA, including the proposed building height
described in the DFD, the Project would be permitted a height exception to exceed the
56-foot height limit for the zone in which the Project Site is located.

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

7 The Project will provide attractive landscaping that complements the proposed
8 architectural elements, site layout and provide visual relief from the urban landscape.
9 Landscaping with groundcover and trees is proposed along the edge of the Project
10 Site adjacent to Centinela Avenue. This would create a sense of spatial separation
11 between the office and hotel from the public street. Two additional landscaped areas
12 will be provided, visible as one enters the main entry court, which will separate the
13 internal north-south drive aisles, and will be attractively landscaped with groundcover
14 and bamboo. The northern boundary of the Project Site will be planted with
15 groundcover and trees. The proposed parking structure and office building will be
16 attractively landscaped to the north, south, east, and west with groundcover and trees.
17 In addition, a landscaped "view garden" is proposed on the south side of the proposed
18 office building, adjacent to the proposed location for a public art piece. Lastly, all
19 landscaped areas will be properly irrigated.

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

24 The proposed main entrance driveway on Centinela Avenue will minimize potential
25 traffic hazards by being signalized with dedicated left turn lanes. The creation of this
26 primary signalized access driveway for the Project and adjacent Radisson Hotel will
27 minimize pedestrian and vehicular hazards. This intersection will improve circulation
28 and will line up with the parking lot entrance on the west side of Centinela Avenue,
29 providing improved access to this adjacent property as well.

Properties in the immediate vicinity include the adjacent conference center and
Radisson Hotel. Uses immediately surrounding the Project Site include a drainage
channel and a low-rise retail center to the north, I-405 to the east, a 3-story office
building to the southeast, a mini-mall containing restaurants and other retail uses
further to the south across Centinela Avenue, and a surface parking to the west
across Centinela Avenue. There are industrial, office, and other uses further to the
south. The subject 13-story office building and 9-level parking structure will not be
materially detrimental to the public welfare. The Project Site is suitable for the
proposed type and density of development, and will contribute to the revitalization and
economic health of the City, enhance the visual quality of the Project Site through
distinctive architecture and landscaping, and adequately mitigate impacts to
neighboring uses. Due to the improved Project Site layout and circulation

improvements incorporating the existing Radisson Hotel and conference center, the design of the Project will be beneficial to the public health, safety, and welfare.

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 Project will provide safe and attractive pedestrian walkways and sidewalks which would link Centinela Avenue and the proposed parking structure to the proposed office building and the existing hotel and conference center. All pedestrian walkways will comply with the City's minimum dimension standards as well as applicable requirements of the Americans with Disabilities Act (ADA).

There is sufficient sewer, stormwater and other utility capacity to serve the Project. Adequate storm drains and sewer connectors exist at the Project Site boundary.

The Project is required to comply with established standards of the Los Angeles Regional Water Quality Control Board ("LARWQCB"). These standards are to be met through implementation of Best Management Practices ("BMPs") developed by the LARWQCB. As set forth in the Project's Final EIR, it is anticipated that redevelopment of the Project Site and implementation of site design, source control and treatment control BMPs will result in beneficial impacts on the water quality discharged from the Project Site as compared to existing conditions.

The Project will provide all required fire access lanes and fire protection devices on the Project Site and within the building.

The requirement to dedicate approximately 11 feet along Centinela Avenue will allow the construction of an additional drive lane, new curb, gutter, and sidewalk along the east side of Centinela Avenue. In addition, the Applicant will replace or relocate all streetlights and street trees currently in the affected right-of-way.

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

The General Plan Land Use Element designates the Project Site as a Commercial-Regional Center. This designation allows large-scale commercial uses that may share parking and is intended to support existing and anticipated commercial developments that serve a regional market area and both residential and business communities. There is no applicable specific plan for the Project Site.

The proposed office space will generate significant property tax and business revenues, as well as provide increased business opportunities in Culver City and would be consistent with the Land Use Element objective to encourage new business

opportunities and expand the City's economic base to provide economic diversity to serve the needs of the City's residential and business community.

The Project will be consistent with the Land Use Element Policy 7.B to allow existing regional and community centers to upgrade and expand in response to changing market demands, to maintain their economic viability, with adequate mitigation of impacts to nearby residential neighborhoods. The Project will upgrade and expand the existing designated Commercial-Regional Center site through the development of a high quality, landmark office building and parking structure, which would serve both the office tower and existing Radisson Hotel and conference center.

The operational phase of the Project is consistent with the Noise Element objective to ensure the compatibility of adjacent land uses with regard to noise sources and receptors. The Project will be surrounded by existing non-noise sensitive uses, including an office building, mini-mall/retail center, industrial park, surface parking lot and I-405. Broader land uses along Centinela Avenue include commercial uses and designated industrial uses at the Playa Vista site. Land uses to the east of I-405 in Culver City are generally regional commercial. The location of the Project is within an existing high ambient noise level area of the adjacent I-405, requiring a building design that achieves an interior sound level of 50 dBA (CNEL). It is not expected to cause a land use compatibility impact with adjacent uses because of noise. While during the construction of the Project there is projected to be significant noise impacts for nearby receptors, this will be a temporary situation that will cease following completion of the construction.

Consistent with a Circulation Element policy to minimize potential traffic hazards at new developments, the entrance driveway on Centinela Avenue will be signalized with dedicated southbound left turn lanes. The Project will also be consistent with Circulation Element Policy 2.P to encourage large developments to contribute to City transportation capital and operation funding as part of Project traffic mitigation measures.

Circulation Element Policy 1.G states: "Reduce access points and curb cuts on arterials through cross-access agreements between adjacent properties or lot consolidation incentives and requirements." Consistent with the above policy, the Project will be required in the conditions of approval to record access easements between the proposed Parcels 1 and 2, and the adjacent property located at 6101 Centinela Avenue, and will use a central shared signalized access point.

The Project will also support alternative transportation, including bicycle commuting by employees. Secure bicycle storage and related facilities will be provided, consistent with the Circulation Element policy. In addition, the Project will provide attractive and accessible pedestrian walkways with shade trees, benches, and lighting linking the Centinela Avenue sidewalk with the Project's entry court and main entrance. These Project features are consistent with the Circulation Element policy to provide safe and attractive pedestrian walkways/sidewalks which link streets and parking areas to the

entrances of major development and to enhance the aesthetic qualities of pedestrian access routes by increasing amenities such as trees, awnings, lighting, street furniture, and drinking fountains.

The Project will be consistent with Open Space Element policy and will not significantly affect views from Culver Crest. As set forth in the Project's Final EIR, due to the distance of the Project Site from Culver Crest, the proposed building would be barely visible. The Project will not be visible from Culver City Park or Blair Hills. Therefore, the current viewshed from these locations will be protected and maintained.

The Public Safety Element provides a statement of goals and policies to mitigate safety hazards, specifically fire and geologic hazards. It is also a policy of the Public Safety Element that continued economic growth provides tax revenues to strengthen hazard abatement programs. Construction of the Project would require compliance with the City's fire protection regulations applicable to multi-story buildings and geological regulations of the Culver City Municipal Code ("CCMC"). The Project will provide additional property and business tax revenues to support the City's hazard abatement programs. As such, the Project will be consistent with the objectives of the Public Safety Element as set forth in the proposed Project's Final EIR.

The Project Site is located in a redevelopment area and is subject to the regulations of the Culver City Redevelopment Plan. The Project would be consistent with the Redevelopment Plan's "Regional Center" designation. Located within the Slauson Sepulveda Component Area No. 1, the Project would be substantially consistent with the primary goals of the Redevelopment Plan to eliminate blight and revitalize designated redevelopment areas. The Project would redevelop an underutilized site that is currently being used as a surface parking lot and, therefore, would be consistent with the intention of redevelopment to bring existing properties and new development to the highest and best use. The Project would provide permanent employment for approximately 1,370 people as set forth in the Project's Final EIR, and would therefore be consistent with the goals of the Redevelopment Plan to stimulate private reinvestment and to create opportunities for business growth and jobs.

Therefore, the proposed uses and construction are consistent with the objectives, policies, general land uses and programs of the General Plan and the Redevelopment Plan.

SECTION 3. Pursuant to the foregoing recitations and the provisions of Culver City Municipal Code Section 15.10.630, required findings for a Tentative Parcel Map, and subject to all conditions of approval contained in Planning Commission Resolution No. 2008-P004 and the conditions of approval set forth herein, the following findings are hereby made:

1 **A. *The proposed division will not be materially detrimental to the public welfare nor***
2 ***injurious to the property or improvements in the immediate vicinity.***

3 Properties or improvements in the Project's immediate vicinity include the adjacent
4 Radisson Hotel and conference center, a drainage channel and a low-rise retail center
5 to the north; Interstate 405 ("I-405") to the east; a 3-story office building to the
6 southeast; a mini-mall containing restaurants and other retail uses further to the south
7 across Centinela Avenue and a surface parking to the west across Centinela Avenue.
8 There are industrial, office and other uses further to the south along Arizona Avenue,
9 and residential uses further to the south and southwest of the Project Site. The
10 Project, a 13-story office building and 9-level parking structure, is compatible with
11 these surrounding uses.

12 The Project Site is substantially separated from the main body of Culver City's
13 designated Commercial-Regional Center by Sepulveda Boulevard and I-405. As
14 such, the 13 stories of the Project would be more in keeping with the adjacent regional
15 commercial center located within the City of Los Angeles and would be similar in scale
16 to the Howard Hughes Center and existing 12-story Radisson Hotel.

17 The Project adequately addresses impacts to the Westchester Bluffs residential
18 neighborhood, located in the City of Los Angeles. The proposed office building will be
19 located approximately 550 to 700 feet from the nearest property lines of residences.
20 Although the office building will affect some views from the residences on the
21 Westchester Bluffs, the impact is not so severe as to be injurious to the property. The
22 Project will have no direct impact on the local streets serving the nearest residential
23 neighborhood along the Westchester Bluffs due to drive-through traffic or on-street
24 parking, since no direct access to the nearby residential neighborhood is provided via
25 Centinela Avenue. Vehicular access to the Property will also be provided in a manner
26 that reduces impacts on the surrounding areas.

27 The Project Site is suitable for the proposed type and density of development, and will
28 contribute to the revitalization and economic health of the City, enhance the visual
29 quality of the Project Site through distinctive architecture and landscaping, incorporate
environmentally sustainable design practices where feasible and adequately mitigate
impacts to neighboring uses.

The Project will not be detrimental or injurious to the community, because it is
consistent with the objectives of the General Plan, its Commercial Regional Center
land use designation, and it has been designed to conform to all applicable provisions
of the CRB Zone and the State Subdivision Map Act.

In addition, no public health problems would be caused by the design of the Project.
Therefore, with appropriate conditions of approval, the establishment, maintenance
and operation of the Project at the proposed location will not be materially
detrimentally to the public convenience, health, interest, safety or general welfare of
persons residing or working in the neighborhood of the proposed use.

1 **B. The proposed division will not be contrary to any official plan adopted by the**
2 **Council of the City of Culver City or to any policies or standards adopted by the**
3 **Commission or the Council and on file in the office of the City Clerk at or prior to**
4 **the time of filing of the application hereunder.**

5 The proposed subdivision involves the construction of an office tower and the
6 subdivision of the lot into two parcels. It creates a separate parcel for the proposed
7 office building to facilitate financing of the Project. The uses and construction is
8 consistent with the City's General Plan and Redevelopment Plan.

9 The General Plan Land Use Element designates the Project Site as a Commercial-
10 Regional Center. This designation allows large-scale commercial uses that may share
11 parking and is intended to support existing and anticipated commercial developments
12 that serve a regional market area and both residential and business communities.
13 The proposed Tentative Parcel Map creates a separate parcel for the proposed office
14 building to facilitate financing of the Project.

15 **C. Each proposed lot conforms in area and dimension to the provisions of the**
16 **Zoning Code requirements, as set forth in Title 17 of this Code.**

17 The Project Site is zoned CRB (Commercial Regional Business Park). The CRB
18 zoning district identifies areas that are appropriate for large-scale offices and business
19 park developments, including some light industrial uses. The Project is designed to be
20 compatible with the scale, bulk and mass of the adjacent properties within the existing
21 neighborhood.

22 The proposed subdivision would create two legal parcels (2.59 and 2.867 acres), each
23 with a permanent means of access to a public street in compliance with all City
24 standards. There is no minimum lot area or lot dimension required for parcels in the
25 CRB Zone. Therefore, the dimensions and area of the proposed parcels are
26 consistent with the Zoning Code requirements, and are adequate to support the
27 proposed development.

28 **D. Each lot in the proposed division will front on a dedicated street or have a**
29 **vehicular access to a dedicated street approved by the City.**

Parcels 1 and 2 both have frontage along Centinela Avenue with more than one point
of vehicular access to said street. Reciprocal access easements over internal
driveways would be provided between Parcels 1 and 2, via a recorded document.

The proposed site is currently served by two curb cuts on Centinela Avenue. The new
main entry driveway would be used by both newly created lots. Additionally, the
secondary access driveways to the north and south of the main driveway would
remain.

Therefore, each lot created by the proposed parcel map will front a dedicated street and have vehicular access to a dedicated street.

E. Each lot in the proposed division is so designed and arranged that drainage to an approved drainage facility is provided for each lot.

As set forth in the Project's Final EIR, the proposed parcel map area is divided into two main drainage areas. Each drainage area has two sub-areas.

Drainage Area 1A-1 will direct roof runoff from the proposed parking garage and office building into planter boxes located along the northern border of the Project Site. Once runoff filters through the soil in the planter boxes, an underdrain will carry the flows to the northeast corner of the Project Site, where it will connect with the storm drain. A total of 1.69 acres will be treated in this drainage area.

Drainage Area 1A-2 will direct surface flows toward a bio-retention area located at the northwest corner of the Project Site. A total of 0.84 acres will be treated in this drainage area.

Drainage Area 2B-1 will direct flows toward a landscaped area with an underdrain that will then carry the flows toward a bio-retention area at the northwest corner of the Project Site. A total of 0.68 acres will be treated in this drainage area.

Drainage Area 2B-2 will direct flows to a bio-retention area with an underdrain that will carry flows to an additional downstream bio-retention area. A total of 0.72 acres will be treated in this drainage area.

Therefore, each lot created by the proposed parcel map is designed and arranged to ensure that it will drain to an approved drainage facility.

F. The proposed division will not interfere with the widening, extension, or opening of any street or Master Plan highway.

The proposed subdivision includes the widening of Centinela Avenue by approximately 11 feet on the east side to add an additional drive lane, which will not interfere with the widening, extension, or opening of any street. Side street and alley access are not available at the Project Site. The Project will contribute to City transportation capital and operation funding as part of Project traffic mitigation measures.

G. Lot lines are so designed that easements will be located in such positions as to be suitable for the proposed use.

Parcels 1 and 2 will have reciprocal easements for vehicular access over the internal driveways and parking areas, to be reserved in separate documents. Parcel 2 will

maintain 265 parking spaces for the benefit of Parcel 1, to be reserved in separate documents.

A proposed fire access easement will be recorded over both parcels 1 and 2 and will assure emergency fire access.

Existing and proposed utility easements are shown on the proposed parcel map. These easements will be compatible with the proposed lot line location.

SECTION 4. Pursuant to the foregoing recitations and the provisions of Culver City Municipal Code Section 17.300.025.C, and subject to all conditions of approval contained in Planning Commission Resolution No. 2008-P004 and the conditions of approval set forth herein, the following findings for a Height Exception are hereby made:

- A. The Project Site is in the CRB zone within Redevelopment Project Area Component Area 1. Pursuant to CCMC Section 17.220.020, the maximum building height permitted within the CRB Zone is 56 feet. Section 423 of the Redevelopment Plan allows the CCRA to adopt a DFD for any property located within Component Area 1.
- B. The height of the proposed office tower would be 190 feet to the flat line of the roof with a sloping parapet rising to a maximum height of approximately 220 feet. Consequently, the Applicant has requested an exception to the 56-foot height limit pursuant to CCMC Section 17.300.025.C, which permits the City Council to establish a maximum building height for new construction in the Redevelopment Project Area Component Area 1, consistent with the DFD. The Applicant has requested the CCRA adopt a DFD for the Project Site.
- C. The Project Site is substantially separated from the main body of Culver City's designated Commercial-Regional Center by Sepulveda Boulevard and I-405. As such, the high-rise nature of the Project will be in keeping with the adjacent regional commercial center located within the City of Los Angeles and will be similar in scale to Howard Hughes Center and the existing 12-story Radisson Hotel.
- D. CCMC Section 17.300.025.C limits the height of roof-mounted structures for housing mechanical and other equipment to 13 feet six inches above the height of the building. The mechanical equipment rooms and elevator equipment enclosures are proposed to extend 18 feet above the height (roofline) of the building. The demands of modern elevator and mechanical equipment for a high-rise building necessitate a rooftop equipment enclosure that is 18 feet tall instead of 13.5 feet tall. Additionally, due to the architectural design of the angular parapet wall on the top of the building, the mechanical equipment enclosures will not be visible from ground level in proximity to the building. Thus, approval of an exception for the height of the mechanical

structures will not be detrimental to the surrounding properties or negatively impact views in the area.

E. CCMC Section 17.300.025.C limits the height of fire or parapet walls to a maximum of five feet above the building height limit of the structure. The Project will include an angular architectural parapet wall that will extend up to 30 feet above the rooftop. The purpose of the oversized parapet is two fold. It serves to effectively shield the rooftop mechanical equipment from view and it provides an important architectural detail to enhance the appearance of the building. As such the parapet wall is consistent with the DFD objective of providing "...an attractive and pleasant environment in the project area." Thus, approval of this exception for the height of the parapet wall will not be detrimental to the surrounding properties or negatively impact views in the area and will enhance aesthetics by shielding the view of mechanical equipment and provide architectural detail.

F. As discussed in the Project's Final EIR, the Project will not generate significant shade/shadow impacts on sensitive receptors, or create any significant view, light, or glare impacts. Thus, the height of the building is compatible with the surrounding properties.

SECTION 5. Pursuant to the foregoing recitations and findings, including the certification of the Final EIR and adoption of a Statement of Overriding Considerations, the City Council of the City of Culver City, California, hereby approves Site Plan Review, SPR P-2007196, Tentative Parcel Map, TPM P-2007199, and Height Exception, HTEX P-2007200, subject to the following conditions:

A. SITE PLAN REVIEW, SPR P-2007196, AND HEIGHT EXCEPTION, HTEX P2007200

GENERAL CONDITIONS:

Planning Division

1. The final working drawings shall conform to the preliminary development plans, colored renderings, and materials sample board presented to and reviewed and approved by the Planning Commission at its meeting on February 27, 2008, except as noted below.
2. The resolution approving Site Plan Review, SPR P-2007196, Height Exception, HTEX P-2007200, and Tentative Parcel Map, TPM P-2007199, and the Conditions of Approval shall be referenced on the cover sheet, and repeated in full on attached additional sheets of the final working drawings.

3. Mitigation measures as identified in Planning Commission Resolution No. 2008-P003 and the February 2008 Final Environmental Impact Report for the Entrada Office Tower Project shall be completed as specified in the Mitigation Monitoring and Reporting Program prepared for this Project except as modified by these conditions herein.
4. The Applicant or the property owner shall provide the construction contractor(s) and each subcontractor related to the Project a copy of the final Project Conditions of Approval. These conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the property owner or the Applicant on or near the Project Site. The Applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.
5. Conditions of approval herein shall apply to the Applicant, the contractor/builder of the Project, the property owner, and any successor property owner that may legally assume benefit of this Site Plan Review and Height Exception.
6. The City reserves the right to periodically inspect the premises without prior notification to ensure ongoing compliance with all conditions of approval.
7. This Site Plan Review, SPR P-2007196, shall not become effective unless and until Height Exception, HTEX P-2007200, is approved by City Council and becomes effective. Both entitlements shall expire if not used within two (2) years after the date they become effective, unless (i) actual construction, in accordance with a valid City-issued building permit, is commenced on the site within two years after the effective date of the site plan review, or (ii) prior to the site plan review expiration date, or any previously granted extension to that expiration date, a written request for an extension, accompanied by any and all required fees, has been satisfactorily filed by or on behalf of the Applicant and, thereafter, an extension is granted by the Community Development Director, or his/her designee or the Planning Commission grants prior said extension.
8. A certificate of occupancy for the approved Project shall be issued only upon completion of all required site improvements and satisfaction of all conditions of approval.
9. 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.
10. 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.

- 1 11. In addition to the screening requirements for onsite parking areas including loading
2 areas, refuse storage / trash compacter facilities, and Fire Department connections,
3 the following items shall be screened from surrounding and nearby public and private
4 properties in a manner consistent with City standards and suitable to the subject
5 development as approved by the Planning Manager. In general, the height of any
6 required screening device shall be no lower on any side than the height of the highest
7 feature requiring screening and:
- 8 A. All exteriors of the proposed buildings shall be free of all un-aesthetically treated,
9 exposed elements (i.e., plumbing pipes, electrical conduits, and National Pollution
10 Discharge Elimination System (NPDES) elements) which shall be placed within
11 the exterior walls. Where exposed wall-mounted features or equipment may be
12 necessary (i.e., ventilators and utility meters), recessed wall mounted cabinets or
13 other similar devices shall be constructed within the wall, whenever possible, to
14 accommodate such features and equipment so that they are flush with and do not
15 project out from the main exterior wall plane. With or without recesses, the
16 exposed portions of such features or equipment shall be of a color to blend, not
17 contrast, with the adjoining finished building color, subject to the approval of the
18 Planning Manager;
- 19 B. All roof-mounted mechanical equipment, duct vents and the like shall not project
20 above the horizontal plane of the building's lowest primary opaque architectural
21 feature(s) (i.e., parapet walls, penthouse structures or screening walls); and
- 22 C. All ground-mounted equipment (i.e., transformers and air conditioners) shall be
23 located within the building or in underground vaults if the equipment is located
24 within a street facing setback, or it shall be screened with walls and/or landscaping
25 if not located within a street facing setback. Ground-mounted equipment shall not
26 be located in the landscaped areas fronting any public right-of-way.
- 27 12. The public notification sign(s) installed in accordance with the CCMC public notification
28 requirements for this review process shall be removed within ten (10) days of the end
29 of the appeal period or the final decision of the City Council (if applicable), whichever
occurs last.
13. All refuse containers assigned to or otherwise used by the complex shall be stored on-
site in the trash enclosures.
14. All hardscape areas along both the exterior of the buildings and/or within the interior of
the Project Site shall include the use of decorative pavement [i.e., materials, finish and
color] in select areas to the satisfaction of the Planning Manager.
15. 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.

16. The Project shall be designed and built in accordance with the criteria of the Leadership in Energy and Environmental Design (LEED) program. At a minimum, the Project shall achieve the "Certified" level of the LEED Rating System established by the United States Green Building Council (USGBC).

Fire Prevention Division

17. The Project shall comply with the 2007 California Building Code (high rise requirements) which requires automatic sprinklers, smoke detection, smoke control systems, fire alarm and communication systems, fire department communication systems, a central control room for fire department operations, standby power for light and emergency systems, suppression water supply, fire pumps, emergency power, and other pertinent requirements.
18. The emergency helistop shall only be used for takeoff and landing operations while participating in an actual or perceived emergency/disaster, when operating pursuant to the directions of the fire department, law enforcement, medical, or other public safety authorities or when going to the immediate aid of any person in peril.

Building Safety Division

19. All utilities shall be underground or enclosed in the building construction. No overhead utilities shall be permitted.
20. No horizontal commercial kitchen exhaust hoods shall be allowed.
21. 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.
22. The Project shall be reviewed under the 2007 California Building Codes.
23. The initial construction permit application review time shall be a minimum of 60 calendar days and may be extended at the option of City staff.
24. As the Project nears completion, no partial or grand openings shall be permitted without applying for and gaining approval of a Certificate of Occupancy or Temporary Certificate of Occupancy. The Applicant shall not schedule any partial or full openings or advertise any openings without City approval.

1 **Engineering Division**

- 2 25. Drainage devices, concrete curb and gutter, sidewalk, and drive approach, roadway
3 pavement shall be designed to the latest edition of the American Public Works
4 Association (APWA) Standard Plans.
- 5 26. Dirt hauling and construction material deliveries or removal shall be prohibited during
6 the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic
7 periods.
- 8 27. All staging and storage of construction equipment and materials, including the
9 construction dumpster, shall be on-site only. The Applicant shall obtain prior written
10 permission from adjacent property owners for any construction staging occurring on
11 adjacent property.

12 **PRIOR TO THE ISSUANCE OF ANY DEMOLITION, GRADING, EXCAVATION, AND/OR**
13 **BUILDING PERMIT**

14 **Planning Division**

- 15 28. All planted areas shall be landscaped, irrigated and maintained pursuant to CCMC
16 Chapter 17.310 Landscaping. Before issuance of the building permit, a minimum of
17 three (3) sets of detailed landscape and irrigation plans separate from the final working
18 drawings shall be submitted to the Planning Division for review and approval.
- 19 29. All exterior lighting shall be developed pursuant to CCMC Chapter 17.300, General
20 Property Development and Use Standards. The Applicant or property owner shall
21 submit to the Planning Manager for approval of an exterior light fixture plan. The plan
22 shall identify the location and type of all exterior light fixtures. All lighting shall be
23 directed on-site and light sources shall be shielded so as not to be intrusive to
24 surrounding properties.
- 25 30. The Applicant or the property owner shall submit to and receive written approval from
26 the Planning Manager of a vector/pest control abatement plan prepared by a pest
27 control specialist licensed and/or certified by the State of California. Said plan shall
28 outline all steps to be taken prior to the commencement of any demolition/construction
29 activity so as to insure any and all pests [including, but not limited to, rodents, bees,
ants and mosquitoes] that may populate the subject Site do not relocate to or impact
adjoining residences and/or businesses.
- 30 31. The Applicant and the property owners shall indemnify, defend and hold harmless the
City, and the City's elected and appointed officials, officers, employees, agents,
contractors and consultants from and against any and all claims, demands, lawsuits,
judgments, liability, injury or damage which may result from or arise in connection with
third party challenges to the City's approval of the Project. Said indemnification shall
be set forth in a written instrument acceptable to the City Attorney.

- 1 32. The Applicant shall submit to the Planning Division for review and approval detailed
2 plans of the Project's exterior trash enclosures and refuse areas showing how they will
3 be appropriately designed and screened.
- 4 33. The Applicant shall submit to the Planning Division and Traffic Manager for review and
5 approval a temporary off-site parking plan for construction workers, hotel and
6 conference center employees, and guests to be used during the construction period.
- 7 34. As part of the plan check review process, the architect shall demonstrate to the
8 satisfaction of the Planning Manager through sample building materials, specifications,
9 or other means, that final building materials and lighting will not result in glare that
10 significantly impacts off-site sensitive uses, including line-of-site glare affecting
11 residential uses, commercial uses, or motorists on the freeway or nearby roadways.
12 The submittal shall also demonstrate to the satisfaction of the City that interior building
13 lighting as viewed from off-site sensitive uses is subdued and does not result in
14 substantial glare or a prominent glow effect.
- 15 35. The Applicant shall record a covenant providing a reciprocal access and parking
16 easement between Parcel 1 and Parcel 2 of proposed Tentative Parcel Map No.
17 69726, currently described as "Parcel 2 of Parcel Map No. 4031 in the City of Culver
18 City, County of Los Angeles, State of California, as per Map filed in Book 58, Page 100
19 of Parcel Maps in the Office of the County Recorder of Said County". The covenant
20 shall also grant an access easement to the adjacent property to the east of the Project
21 Site, located at 6101 Centinela Avenue and currently described as Parcel 1 of Parcel
22 Map No. 11359 (Assessor's Parcel Number 4220-015-036), for the purpose of
23 providing access to Centinela Avenue via the newly constructed signalized driveway.
24 Said covenant shall be reviewed and approved by the Planning Division prior to
25 recording.
- 26 36. The property owner shall record a covenant restricting the use of the property across
27 (south of) Centinela Avenue described as Assessor's Parcel Numbers 4211-011-047,
28 4211-012-011, and 4110-014-024. The covenant shall require the owner of above
29 property to make available a minimum of sixty (60) parking spaces for use by
employees of the existing hotel and conference center located on Parcel 2 of the
proposed Tentative Parcel Map No. 69726. In addition, said covenant shall require the
employees of the existing hotel and conference center to utilize the 60 parking spaces.
Said covenant shall be reviewed and approved by the Planning Division prior to
recording.
37. In addition to any currently established development and/or traffic impact fees, the
Applicant shall be subject to any and all new development and/or traffic impact fees
adopted by City Council prior to issuance of any demolition, grading, excavation,
and/or building permit.

Fire Prevention Division

38. The Applicant shall provide temporary fire hydrants at locations approved by the Fire Marshal, which shall be tested and operating prior to the storage or the commencement of construction.
39. The Applicant shall provide hard surface all weather roads for fire department access during construction. Plans shall be submitted to, and approved by, the Fire Marshal and the Director of Public Works before storage of materials or the commencement of construction.
40. Plans shall carry a "Fire department Notes" section to include all life safety items. Notes shall include all Fire Department conditions of approval and any other Code requirements pertaining to life safety.
41. The Applicant shall provide a fire control room accessible from the exterior of the building off of the main lobby at the driveway as approved by the Fire Marshal. The room shall be rated and contain all fire control and indicating panels for life safety equipment and status panels.
42. The Project shall require the installation of fire hydrant(s). Plans shall be submitted for Fire Prevention approval of the number, location, and fire hydrant specifications.

Cultural Affairs Division

43. The City's Public Art Requirement shall be fulfilled prior to issuance of a Certificate of Occupancy. Should the Applicant or property owner decide to pay the public art in-lieu fee, this payment shall be made prior to issuance of a building permit.

Building Safety Division

44. If prior to the issuance of a new construction building permit for the proposed Project the City adopts an ordinance requiring on-site generation of solar photovoltaic power, then notwithstanding the fact that said ordinance may, by its terms, not be applicable to projects that have already received site plan review approval, the Applicant shall nevertheless fully comply with all provisions of said ordinance as if it did apply to the Project.
45. The Building Safety Division and the Engineering Division shall determine if during the shoring permit process if upgrades or support of adjacent property is necessary, and if any, which party shall be responsible.
46. The Applicant shall indicate on the overall construction permit application drawings any construction staging areas proposed.

- 1 47. The overall permit application drawings shall include a schedule of the special
2 inspections anticipated, the firm proposed for the special inspections, and the resumes
3 of any special inspectors for this Project. The City reserves the right to reject any
4 special Inspector at any time. If a City inspector is inspecting a portion of the work for
5 which a special inspection is required; the special inspection report shall be made
6 available to the City inspector on their arrival to the jobsite. All jobsite supervisors,
7 contractors, and subcontractors shall give their priority to the City inspectors when they
8 are on the jobsite.
- 9 48. All portions of the parking structure shall be minimum 2-hour rated, reinforced concrete
10 construction.
- 11 49. The 'high rise' provisions of the California Building Code shall be applied during the
12 plan check review phase.
- 13 50. All shafts shall be minimum 2-hour rated from the foundation to the under side of the
14 roof deck or to the top of parapet walls as part of any shaft construction.
- 15 51. All shafts shall be enclosed at all levels to other areas of the building.
- 16 52. All elevator lobbies shall be 2-hour enclosed.
- 17 53. All trash rooms and parking areas shall be minimum 2-hour rated to all other areas.
- 18 54. The transformer room, switchgear room, and electrical/data room shall each be
19 minimum 2-hour rated.
- 20 55. Any horizontal portion of an exit stairway shall have the same fire rating as the stair
21 shaft.

22 **Engineering Division**

- 23 56. Prior to the issuance of any building permits, two sets of Site Improvement and
24 Horizontal Control Plans prepared by a civil engineer registered in the State of
25 California, shall be submitted to the Engineering Division for review, approval, and
26 permitting. Among other things, the Site Improvement Plan shall include detailed
27 drainage and grading of the Site indicated by topographical lines and spot elevations,
28 and indicate all existing utilities and proposed sewer and storm drain lines. Plan check
29 fees shall be submitted with the Site Improvement Plan as calculated from the
Engineering Division's Fees and Charges.
57. A final hydrology and hydraulics report shall be submitted to the City Engineer as part
of the grading plan for review and approval. The 25-year storm frequency (i.e., urban
flood) shall be used for the design of the on-site conveyance facilities, as the existing
Site is neither a natural watercourse nor a natural sump.

- 1 58. The Applicant shall provide a geotechnical report from a State of California licensed
2 geotechnical engineer, as part of the Site Improvement Plan, reporting on the
3 suitability of the on-site soils to support the proposed construction. The report shall
4 also include a liquefaction analysis and a determination of the adequate pavement and
5 base requirements for the drive aisles and parking areas. Core samples shall be taken
6 to determine the existing thickness of the asphalt and base section of Centinela
7 Avenue and a recommendation, based on an appropriate Traffic Index, of the asphalt
8 and base section of any new street pavement shall be provided. The report shall also
9 identify any special considerations necessary to satisfy California Building Code
10 requirements.
- 11 59. Concurrent with the submittal of the Site Improvement Plan, a Standard Urban Storm
12 Water Mitigation Plan (SUSMP) shall be submitted for review and approval by the City
13 Engineer as outlined in CCMC Chapter 5.05. The SUSMP shall be developed and
14 implemented in accordance with the requirements of the Los Angeles County
15 Municipal Stormwater National Pollution Discharge Elimination System (NPDES)
16 Permit No. CAS614001 (Order No. 01-182). The SUSMP shall provide Best
17 Management Practices (BMPs) that adequately address the pollutants generated
18 during the post-construction stage. The Site Improvement Plans shall note that the
19 contractor shall comply with the "California Stormwater Best Management Practice
20 Handbooks". The Site Improvement Plans shall not be accepted for review unless the
21 SUSMP is included in the submittal package, including the plan check fee associated
22 with the SUSMP.
- 23 60. The Applicant shall submit the Local Storm Water Pollution Prevention Plan
24 (LSWPPP) for review and approval by the City Engineer. Prior to the start of design of
25 these plans and of necessary reports, the Applicant's Civil Engineer shall meet with the
26 City's Stormwater Program Manager to obtain information on the City-specific and
27 LSWPPP requirements.
- 28 61. Prior to issuance of any demolition, grading, excavation, and or building permit, the
29 Applicant shall show proof of obtaining a General Construction Activities NPDES
Permit from the State Water Resources Control Board via a Waste Discharger
Identification (WDID) number, which shall include filing a Notice of Intent (NOI) and
Stormwater Pollution Prevention Plan (SWPPP) with the State. A copy of the SWPPP
shall be provided to the Engineering Division and shall be kept on-site and available for
inspection at all times during construction.
62. Upon completion of rough grading and prior to the issuance of a building permit, the
geotechnical and civil engineers shall submit certifications and final reports in
accordance with Appendix Chapter 33 of the California Building Code. These
certifications and reports shall be submitted to the Engineering Division for review prior
to the issuance of any building permits.

- 1 63. Prior to the commencement of any excavation, the Applicant shall install a temporary
2 construction fence around the Site. The height and fence material shall be subject to
3 approval by the City Engineer.
- 4 64. The construction contractor shall advise the Public Works inspector of the schedule
5 and shall meet with the inspector prior to commencement of work.
- 6 65. Due to the change of use and increased density, this Project is subject to the City's
7 Sewer Facility Charge. This charge shall be paid prior to the issuance of any permit.
- 8 66. Centinela Avenue, along the Project's frontage, shall be widened by 11 feet creating a
9 new 12-foot curb lane. Within the new 12-foot curb lane, separate right turn lanes
10 shall be provided at each driveway entrance to the Project. The widening of Centinela
11 Avenue shall include a properly designed merge to Mesmer Avenue. The new curb
12 shall be 8 inches in height and the new gutter shall be 24 inches in width. The new
13 sidewalk shall match the width of the existing sidewalk, but shall be a minimum of 8
14 feet in width. All necessary street easements for the required street right-of-way shall
15 be dedicated to the City of Culver City. The street plan for this widening shall be
16 prepared by a civil engineer, registered in the State of California, and shall be
17 approved by both the City of Culver City and the City of Los Angeles.
- 18 67. Street trees shall be required along the Project's frontage with Centinela Avenue. New
19 street trees shall be a minimum 24-inch box in size and be spaced 30' to 40' on center.
20 Tree species shall conform to the City's Master Street Tree list; be planted in a tree
21 well with a grate; and be irrigated from the overall Site irrigation system, which shall
22 include a timer and rain sensor. A landscape plan for the street trees shall be
23 submitted to the Engineering Division for review and approved by the City Engineer
24 prior to the approval of the Site Improvement Plan.
- 25 68. The existing 15 inch diameter public sewer that is located within the sidewalk area of
26 Centinela Avenue may stay in its present location. However, the sewer's manhole rim
27 and cover shall be located either completely within the new sidewalk location or be
28 clear of the new edge of gutter by one foot. Additional widening of Centinela Avenue
29 may be necessary to provide the proper manhole clearance.
69. Prior to the issuance of a building permit, the Applicant shall obtain the approval of the
Sanitation Division Manager 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.
70. A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer
registered in the State of California and be submitted to the City's Public Works
Department for review and be approved by the City Engineer 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 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 Project Site, and maps showing access to and within the Project Site 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.

71. A Construction Replacement Parking Plan shall be prepared and submitted to the Planning Division for review and approval and shall identify the off-site parking facilities and their parking space allocations that will be used for replacement parking during Project construction as well as the procedures that will be followed for safe pedestrian and vehicular movement between the off-site location(s) and the Project Site. The Construction Replacement Parking Plan shall also include parking lease agreements for the facilities not under the control of Project ownership and a shuttle service plan for transporting persons parking more than one-fourth mile from the Site.

DURING CONSTRUCTION:

Planning Division

72. During all phases of construction, information that includes contact names and telephone numbers of the Applicant, property owner, construction contractor(s), and City, shall be posted at the Project Site so as to be visible to the public. These names and telephone numbers shall be made available to adjacent property owners and residents.
73. During all phases of construction, the Applicant and property owner shall use their best efforts to ensure that all construction workers and contractors park on-site or at designated off-site locations approved by the City and not in the surrounding neighborhood.
74. During all phases of construction and once the development becomes operational, all graffiti shall be removed within 48 hours of its application.
75. The following noise standards shall be complied with at all times:

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

18 **Engineering Division**

- 19 76. Vehicular and pedestrian access along Centinela Avenue shall be maintained at all
20 times during construction activities.
- 21 77. Flag persons with certified training shall be provided for Site traffic control work to
22 minimize impacts to traffic flow and to ensure the safe movement of vehicles into and
23 out of the Project Site.
- 24 78. Construction vehicles shall not be permitted to stage or queue where they would
25 interfere with vehicular and pedestrian traffic or block access to adjacent businesses.
26 Off-site staging locations shall be approved by the City Engineer and be of sufficient
27 length to accommodate large trucks without being unduly disruptive to traffic
28 operations. The drivers of these trucks shall be in radio or telephone communication
29 with on-site personnel who shall advise the drivers when to proceed from the staging
location to the Site.
79. Construction-related vehicles shall not be permitted to park on public streets.

PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (CO)

Planning Division

80. All on-site and off-site landscaping and irrigation shall be completed to the satisfaction of the City
81. The Applicant shall submit to the Planning Division for review and have approved a valet parking plan to be used during the peak activity times throughout the year for the hotel, conference center, and office complex.

Fire Prevention Division

82. A fire flow requirement of a minimum of 3,000 gallons per minute from three (3) adjacent fire hydrants shall be required as determined by the Fire Marshal. Any and all upgrades to surrounding water main(s) to meet the minimum required fire flow shall be at the sole cost of the Applicant.
83. Location of the Fire Department fire sprinkler connection (FDC) shall be approved by the Fire Marshal. The Fire Department requires an FDC to be within 30-50 feet of a fire hydrant.
84. The fire sprinkler system shall be issued a five-year test certificate upon completion of construction following approval by the Fire Marshal.
85. A 'Knox' box key entry system shall be required with the location to be approved by the Fire Marshal.
86. The Project shall provide access for emergency fire and medical personnel as follows:
- A. Concrete surfaces between the street and main entrance for each building shall be paved to allow the rolling of a medical gurney; and
 - B. Motorized 'emergency access gate(s)' shall have 'Knox' key switches.
87. The on-site main drive and street shall support a minimum 68,000 pound gross vehicle weight.
88. All large trash compactors, as determined by the Fire Marshal, shall be equipped with a 2-1/2" inlet (National Standard threads) for fire department use with FDC style swivel connections and caps.
89. All exterior doors shall have key sets and handles.
90. Building parapet(s) exceeding 5-feet in height shall require the installation of catwalks capable of supporting firefighters and equipment weighing 500 pounds.

- 1 91. The Applicant shall complete and submit a Fire Department 'Hazardous Materials Plan'
- 2 for review and approval.
- 3 92. A Site pre-fire plan shall be submitted and approved by the Fire Marshal prior to
- 4 receiving a Temporary Certificate of Occupancy.
- 5 93. All exterior fascia, walls, tops of walls, and parapet surfaces shall be constructed to
- 6 support the weight of fire fighters, suppression equipment and ladders for fire fighting
- 7 operations. All proposed construction of these areas shall be submitted to the Fire
- 8 Marshal for approval.
- 9 94. Provide manual/automatic (Hi Rise) fire alarm system for complete coverage of the
- 10 building, Heating Ventilation and Air Conditioning (HVAC), hood systems, and dampers
- 11 that shall be connected to the fire alarm system. The system shall be a one-way voice
- 12 and two-way fireman's telephone system. One hundred percent (100%) coverage
- 13 shall be provided for smoke detection system.
- 14 95. Plans shall be submitted to the Fire Marshal for approval indicating curbs or drive lane
- 15 edges painted red and stenciled with white letters reading "NO PARKING FIRE LANE".
- 16 Additionally, the Applicant shall clearly mark through appropriate striping and sign
- 17 postings that parking shall be prohibited on the driveway between the office building
- 18 and the conference center, subjection to the satisfaction of the Fire Marshal.
- 19 96. The minimum density of the fire sprinkler system shall be Ordinary Group 1 hazard at
- 20 0.15 per square foot over 1 500 square feet.
- 21 97. An emergency generator shall run all life safety equipment and have a remote status
- 22 panel in the building's fire room. Emergency and exit lights shall have battery backup
- 23 in each unit or as part of an E-Power system.
- 24 98. If elevator cab and shaft are in compliance with American Society of Mechanical
- 25 Engineers (ASME) A17.1, a fire sprinkler, smoke detector, heat detector, and access
- 26 hatch will not be required at the top of the elevator shaft as indicated in 1999 National
- 27 Fire Protection Association (NFPA) 72.
- 28 99. All electrical fire life safety equipment shall be controlled by, connect to, and
- 29 annunciate at the fire control room.
100. The Applicant shall provide and implement an approved emergency on-site circulation
- plan prior to final acceptance of these structures.

Sanitation Division

101. The trash compactor shall sit on level ground at grade, with enough height and adjacent wall clearance to safely empty the compactor. Inside and/or outside guide rails should be installed to guide the compactor back into place after emptying.
102. The trash compactor itself shall have a detachable ram and power supply. The primary purpose of the compactor is to dispose of organic and other non-recyclable waste.
103. The Applicant shall allocate enough space to house four (4) three-cubic-yard recycling containers.

Engineering Division

104. The existing signalized main entry-way on Centinela Avenue shall be relocated westerly as shown on the approved site plan. As part of this relocation, a new driveway entrance to the existing parking lot along the south side of Centinela Avenue shall be installed directly opposite the Project's new main entry way. The design of this new driveway shall be prepared by a civil engineer, licensed in the State of California, and be part of the public street improvement plans for the Project. This new intersection shall be signalized, including left and right turn arrows, and have adequate left turn pockets for both east and west bound traffic. Upgrading of the existing traffic signal controllers and/or equipment may be required, including loop detectors and other equipment located within the new driveways. All signal equipment located on private property shall be within an easement dedicated to the City for traffic signal purposes. The plan for this new signalized intersection shall be prepared by a registered traffic engineer, licensed in the State of California, and shall be designed to the satisfaction of the City Engineer.
105. The existing main entry-way intersection on Centinela Avenue shall be abandoned and the street median opening shall be filled in with a raised landscaped median island. All unneeded pavement or line markers shall be removed by sand blasting. Any new lane lines or pavement markers shall be installed with thermoplastic paint per the current edition of the Manual on Uniform Traffic Control Devices (MUTCD). All new raised medians shall be constructed with either landscaping or stamped concrete. The stamped concrete shall have a terra cotta finish.
106. The Project's main entry driveway shall have a minimum 30 foot radius curb return beginning on Centinela Avenue which shall then transition to a minimum 5 foot radius curve. All other driveway entrances shall have minimum 25 foot and 5 foot curb return radii.
107. The Applicant shall submit a plan to the City Engineer regarding the repair or replacement of any damage to the public right-of-way that results from the construction of the proposed Project. Such repair or replacement is to be completed to the satisfaction of the City Engineer. The Applicant shall be responsible for all expenses.

- 1 108. The Applicant shall restripe the south leg of Corning Avenue, at Slauson Avenue, to
2 provide one left-turn, one through and one right-turn-only lane in the northbound
3 direction. The Applicant shall modify the traffic signal equipment at the intersection, as
4 necessary.
- 5 109. The Applicant shall pay to the County of Los Angeles pro-rata shares of the current
6 Project cost for the improvement to the northbound and southbound ramps of La
7 Cienega Avenue at Slauson Avenue in the amount of 4.4 percent (\$23,100) for the
8 southbound ramps intersection and 4.6 percent (\$55,200) for the northbound ramps
9 intersection.
- 10 110. The Applicant shall restripe the south and north legs of Mesmer Avenue at Jefferson
11 Boulevard to allow for the installation of a second northbound right-turn lane. The
12 Applicant shall modify the traffic signal equipment at the intersection, as necessary.
- 13 111. The Applicant shall restripe Sepulveda Boulevard, at Centinela Avenue, to provide for
14 a third northbound left-turn lane.
- 15 112. The Applicant shall modify the raised island at the southeast corner of the intersection
16 as necessary to maintain the third northbound through lane and the northbound right-
17 turn-only lane.
- 18 113. The Applicant shall modify the channelization and raised median island on the west leg
19 of Centinela Avenue and restripe to provide three westbound departure lanes to
20 receive the additional lane of left-turning traffic from Sepulveda Boulevard.
- 21 114. The Applicant shall modify the traffic signal equipment at this intersection, as
22 determined necessary by the City Engineer, including the reinstallation of system and
23 call loop detectors centered in the new lane channelization configuration with upgraded
24 detector loop cable (DLC). All detectors for all the approaches tied to this intersection
25 shall be functional to realize the operational improvements anticipated in this
26 mitigation.
- 27 115. The Applicant shall restripe Centinela Avenue from approximately 200 feet east of
28 Alvern Street to approximately 200 feet west of Sherbourne Drive to provide a third
29 westbound through lane. The Applicant shall widen by four feet along the east side of
the south leg of Alvern Street between Centinela Avenue and Alvern Circle and modify
the striping as necessary to provide additional width for northbound traffic movements.
The Applicant shall modify the traffic signal equipment at both intersections, as
necessary.
116. The Applicant shall provide traffic signal upgrades at the intersections of Sepulveda
Boulevard and Howard Hughes Parkway and Sepulveda Boulevard and Manchester
Avenue by updating the existing Automated Traffic Surveillance And Control (ATSAC)
system to the Adaptive Traffic Control System (ATCS). This will allow an approximate

three percent (3%) increase in capacity to be realized at these intersections. Additional traffic signal system upgrades that are required in order to achieve the three percent (3%) capacity credit due to ATCS at the above two intersections are needed at the following intersections:

- A. 83rd Street & Lincoln Boulevard: Install three northbound and three southbound system detectors;
- B. Manchester Avenue & Emerson Avenue: Install two eastbound and two westbound system detectors;
- C. 78th Street-79th Street & La Tijera Boulevard: Install three northbound and three southbound system detectors;
- D. Knowlton Street & La Tijera Boulevard: Install three northbound and three southbound system detectors;
- E. Centinela Avenue & Alvern Street: Install three westbound system detector loops; and
- F. Center Drive & Sepulveda Boulevard: Install a closed-circuit television camera (CCTV) and appropriate interconnect cabling.

117. The Applicant shall install a second northbound left-turn lane on the south leg of La Cienega Boulevard. Based on the conceptual plan (A2026) provided by the Los Angeles Department of Transportation on February 1, 2008, this improvement will be constructed with the existing roadway width of the south leg with the raised median being removed. The Applicant shall also modify the traffic signal equipment and striping at the intersection as necessary.

118. All traffic related conditions shall be installed and accepted by the appropriate City agencies.

119. Subject to CCMC Chapter 7.05, the Applicant, or property owner, shall submit a Transportation Demand Management (TDM) Plan to the City for review and approval. The TDM plan included as Appendix E to the Traffic Impact Study (Appendix G of the Final EIR) shall be used as the basis for the plan submitted to the City and as amended by the criteria outlined below:

- A. The TDM plan shall be flexible and utilize as many measures as may be necessary to achieve the required trip reductions. Elements of the TDM plan shall parallel and be consistent with City of Los Angeles TDM Ordinance No. 168700 to the greatest extent possible.
- B. The Applicant, or property owner, shall take baseline traffic counts before construction of the Project to isolate all traffic associated with the existing

1 Radisson Hotel and conference center and the existing office building at the
2 corner of Sepulveda Boulevard and Centinela Avenue (6101 Centinela Avenue),
which currently uses one of the driveways of the existing Radisson Hotel.

- 3 C. The TDM plan that shall reduce proposed Project trips by at least 50 peak-hour
4 trips from 502 to 452 AM peak-hour trips and 46 peak-hour trips from 462 to 416
5 PM peak-hour trips. To determine whether Project trips have been reduced to the
6 required levels, the City shall contract with a consultant to produce at the
7 Applicant's, or property owner, expense, annual monitoring reports of proposed
8 Project driveway traffic volumes for three normal business weekdays. The traffic
9 volumes shall be taken on weekdays determined by the City. The Applicant, or
10 property owner, shall pay the cost of the City conducting up to a total of five
11 annual reports. The City shall determine when to conduct the first monitoring
report which shall occur after at least 85 percent occupancy is achieved. If any
annual report after the first of such reports shows that the Project is not in
compliance, then the City shall impose developer trip fees on the Applicant for the
total number of peak-hour trips that exceed 452 peak-hour AM trips and 416
peak-hour PM trips, in the TDM program.
- 12 D. The cost of the trip fees shall be \$6,430.00 per peak-hour trip per year. The City
13 shall apply this peak-hour trip fee against each excess AM and PM peak-hour trip,
14 as determined from the relevant annual monitoring report. The Applicant, or
15 property owner, shall be responsible to pay a maximum yearly fee of up to
16 \$300,000 and a total fee of up to \$1,000,000 for the entire monitoring program.
17 When there are at least three consecutive annual reports demonstrating
18 continuous compliance with the TDM trip reduction levels, the Project shall be
19 deemed to have satisfied the TDM mitigation measure requirement with respect
20 to the payment of trip fees. Any fees collected shall be used by the City for
21 regional traffic improvements at the discretion of the City. The Applicant, or
property owner, shall be responsible for all the costs associated with the
monitoring program, including the annual monitoring reports and a \$5,000 per
year review fee by City staff. The payment of trip fees does not absolve the
Applicant, or property owner, from the continuing obligation to implement a TDM
program or to reduce Project trips.
- 22 E. If the TDM peak-hour trip reductions are not achieved, the Applicant, or property
23 owner, shall not only pay the above trip fees but shall also implement additional
24 measures, including but limited to: (i) buy and provide free of charge to on-site
25 tenants/employees an annual bus pass for each excess trip occurring in the peak
26 hour with the most excess trips, up to a maximum of 50 annual bus passes
27 (based on 502 "before" and 452 "after" AM trips), (ii) provide other reasonable
28 economic incentives to encourage the use of public transit or increase
ridesharing, and/or (iii) increase the number of reserved carpool and vanpool
29 preferential parking spaces in order to further encourage employee carpool usage
and ridesharing.

1 F. The Applicant, or property owner, may submit additional reports or supplemental
2 information demonstrating compliance with this condition which may be reviewed
3 and approved by the Community Development Director. This additional
4 information does not absolve the Applicant, or property owner, from the obligation
5 of meeting the trip reduction numbers or paying any trips fees as described
6 above.

7 G. Before release of any Certificate of Occupancy, the Applicant, or property owner,
8 shall be required to establish a letter of credit or other financial instrument
9 acceptable to the City Attorney for \$1,000,000 to cover the fee for the entire
10 monitoring program as described in this Condition of Approval. Once a letter of
11 credit is established, the Applicant, or property owner, shall renew it on an annual
12 basis from the initial deposit, with the amount adjusted down for funds spent
13 during the year.

14 H. If there is a conflict between this condition and Mitigation Measure H-7 in Exhibit
15 "B" for Resolution No. 2008-P003, the more strict standard shall apply.

16 **Public Safety**

17 120. The Applicant shall fund the City purchase of one police motorcycle and one
18 paramedic van. These units shall be comparable to existing units presently in service.

19 **B. TENTATIVE PARCEL MAP, TPM P-2007199 (TENTATIVE PARCEL MAP NO. 69726)**

20 **GENERAL CONDITIONS:**

21 121. The final map shall be prepared by a surveyor or civil engineer licensed, and
22 authorized to do such work, by the State of California.

23 122. The final map shall conform to the conditionally approved tentative map approved by
24 the Planning Commission on February 27, 2008.

25 123. Approval of the tentative map shall be for a period of three years after Planning
26 Commission approval. However, approval of the tentative map shall be voided if the
27 approval of the Project's Site Plan Review expires or becomes void.

28 124. The Project boundary shall be tied to at least one (1) City global positioning satellite
29 (GPS) monument.

125. Durable monuments shall be set at all perimeter boundary corners. At least two
monuments shall be set on the prolongation of the property's easterly and westerly
boundary with the centerline of Centinela Avenue. All required boundary monuments
shall be installed prior to the recording of the final map. Centerline monuments shall

1 be "tied" to at least three (3) points, with lead and tags, and centerline tie notes filed
2 with the Engineering Division.

3 126. The access driveway, as shown on the tentative map, shall be labeled on the final map
4 as a "Fire Lane and Reciprocal Access Easement for the Benefit of all Parcels".

5 127. The required street easement for the 11 foot widening of Centinela Avenue shall be
6 dedicated on the final parcel map.

7 128. All public improvements, as required by the approved Site Plan Review, shall be
8 completed and approved prior to the final approval of the final parcel map by the City.
9 Otherwise, an agreement and adequate security shall be posted by the subdivider, and
10 accepted by the City, to satisfactorily complete said improvements. The agreement
11 and security shall conform to Sections 66462 and 66499 of the State Subdivision Map
12 Act.

13 129. The final map shall be submitted to the Los Angeles County Department of Public
14 Works for review, approval, and recordation. After approval of the technical aspect of
15 the map by Los Angeles County, and prior to recordation, the final map shall be
16 approved by the City Council. A copy of the first plan check package as submitted to
17 Los Angeles County shall also be submitted concurrently to the Culver City
18 Engineering Division for review.

19 130. A copy of the final map in digital and mylar format shall be filed with the Engineering
20 Division prior to final acceptance by the City.

21 APPROVED and ADOPTED this 14th day of April, 2008.

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ALAN CORLIN, Mayor
City of Culver City, California

ATTESTED BY:

APPROVED TO AS FORM:

CHRISTOPHER ARMENTA, City Clerk

CAROL SCHWAB, City Attorney

RESOLUTION NO. 2008-R_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, DENYING THE APPEAL AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM AND STATEMENT OF OVERRIDING CONSIDERATIONS THAT WEIGHS PROJECT BENEFITS AGAINST THE PROJECT'S SIGNIFICANT UNAVOIDABLE IMPACTS FOR THE APPROVAL OF THE ENTRADA OFFICE TOWER PROJECT (STATE CLEARINGHOUSE NO. 2007051061).

(Final EIR, Entrada Office Tower, 6161 Centinela Avenue)

WHEREAS, Centinela Development Partners ("Applicant") proposes to develop a 13-story office tower with approximately 342,409 gross square feet of floor area, including a nine-level parking structure comprised of two subterranean levels and seven structured levels with parking on the roof ("Project"), on the site of a surface parking lot at 6161 Centinela Avenue, being Parcel 2 of Parcel Map No. 4031 (the "Project Site"); and

WHEREAS, the City's General Plan presently designates the Project Site as a Regional Center and the Project Site is presently zoned Commercial Regional Business Park. The Project Site is located within the City's Redevelopment Plan Component Area 1, which also designates the Project Site as a Regional Center; and

WHEREAS, the Applicant filed an application for the Project with the City of Culver City (the "City") on December 20, 2007 (the "Project Application"), and the City deemed the Project Application complete on January 3, 2008; and

WHEREAS, the following entitlements, permits and approvals will be necessary:

- Approval of Tentative Parcel Map No. 69726 by the City Council and Redevelopment Agency;
- Approval of a Site Plan Review by the City Council;

- 1 • Approval of Design for Development by the Redevelopment Agency;
- 2 • Approval of a Height Exception, including exceptions for mechanical equipment,
- 3 and parapets by the City Council;
- 4 • Issuance of any necessary permits which may include demolition, grading,
- 5 building, construction of utility improvement, public right-of-way construction
- 6 permits, operation permits, and other related permits by various City departments;
- 7 • Approval of plans and issuance of permits for construction of the proposed private
- 8 development; and
- 9 • Approval of any other actions incidental to implementation of the above actions or
- 10 required to implement the proposed Project as described.
- 11
- 12

13 WHEREAS, on February 27, 2008, in accordance with the California Environmental
14 Quality Act (California Public Resources Code §21000, et seq.; and California Code of
15 Regulations, Title 14, Ch. 3 §15000, et seq.; collectively, "CEQA"), the Planning Commission,
16 by Resolution No. 2008-P002, certified the Final Environmental Impact Report SCH NO.
17 2007051061 ("Final EIR"); and
18

19 WHEREAS, on February 27, 2008, the Planning Commission held a duly noticed
20 public meeting to consider approval of the Project. During the course of the hearing, the
21 Planning Commission considered staff and consultant presentations, written comments
22 received from public agencies and the public, staff reports, Applicant presentations,
23 information presented to the Commission to assist its understanding of the Project, the
24 Project Final EIR, and public comments and testimony on the Project. In addition, the
25 Planning Commission considered the Final EIR prepared for the Project, including
26 information provided in staff reports, the amended text of the Final EIR, information
27
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1 presented from experts and in public testimony, including letters submitted to the Planning
2 Commission following the close of the Draft Environmental Impact Report ("Draft EIR") public
3 comment period and prior to the close of the public hearing before the Planning Commission,
4 and other matters in the public record prior to certification of the Final EIR and approval of
5 the Project; and
6

7 WHEREAS, on February 27, 2008, following conclusion of the public discussion and
8 thorough deliberation of the subject matter, the Planning Commission, by a vote of 4 to 1,
9 adopted Resolution No. 2008-P003 adopting a Mitigation Monitoring and Reporting Program
10 and Statement of Overriding Considerations that weighed the Project's benefits against the
11 Project's significant unavoidable impacts for the approval of the Project; and
12

13 WHEREAS, the United Neighbors of Westchester, submitted a timely appeal to the
14 City Clerk on March 13, 2008, appealing the Planning Commission's certification of the Final
15 EIR, adoption of the Mitigation Monitoring and Reporting Program and Statement of
16 Overriding Considerations, approval of the Site Plan Review and Tentative Parcel Map, and
17 requesting the City Council deny the requested Height Exception, HTEX P-2007200; and
18

19 WHEREAS, on April 14, 2008, in accordance with CEQA, the City Council, by
20 Resolution No. 2008-R____, certified the Final EIR; and
21

22 WHEREAS, on April 14, 2008, the City Council held a duly noticed public meeting to
23 consider approval of the Project. During the course of the hearing, the City Council
24 considered staff and consultant presentations, written comments received from public
25 agencies and the public, staff reports, Applicant presentations, information presented to the
26 Planning Commission and City Council to assist in the understanding of the Project, the
27 Project Final EIR, and public comments and testimony on the Project. In addition, the City
28
29

1 Council considered the Final EIR prepared for the Project, including information provided in
2 staff reports, the amended text of the Final EIR, information presented from experts and in
3 public testimony, including letters submitted to the Planning Commission following the close
4 of the Draft Environmental Impact Report ("Draft EIR") public comment period and prior to
5 the close of the public hearing before the Planning Commission, comments received
6 following the Planning Commission hearing, and other matters in the public record prior to
7 certification of the Final EIR and approval of the Project; and

9 WHEREAS, on April 14, 2008, following conclusion of the public discussion and
10 thorough deliberation of the subject matter, the City Council, by a vote of _ to __,
11 determined the following as set forth herein below.

13 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
14 CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

15 SECTION 1. CEQA FINDINGS. Pursuant to the foregoing recitations, the following
16 findings are hereby made:
17

- 18 1. CEQA provides that "public agencies should not approve Projects as proposed if there
19 are feasible alternatives or feasible mitigation measures available which would
20 substantially lessen the significant environmental effects of such Projects[.]"
21 (California Public Resources Code ("CPRC") §21002) The procedures required by
22 CEQA "are intended to assist public agencies in systematically identifying both the
23 significant effects of proposed Projects and the feasible alternatives or feasible
24 mitigation measures which will avoid or substantially lessen such significant effects."
25 (CPRC § 21002)
- 26 2. CEQA also provides that "in the event [that] specific economic, social, or other
27 conditions make infeasible such Project alternatives or such mitigation measures,
28 individual Projects may be approved in spite of one or more significant effects."
29 (CPRC §21002.) CEQA provides that a public agency has an obligation to balance a
variety of public objectives, including economic, environmental, and social factors and
in particular the goal of providing a decent home and satisfying living environment for
every Californian. (CPRC §21081; CEQA Guidelines, 14 Cal. Code of Regs.
(hereinafter "CEQA Guidelines"), §15021(d).) CEQA requires decision-makers to

1 balance the benefits of a proposed Project against its significant unavoidable adverse
2 environmental impacts, and, if the benefits of a proposed Project outweigh the
3 significant unavoidable adverse environmental impacts, the unavoidable adverse
4 environmental impacts may be considered "acceptable" by adopting a "Statement of
5 Overriding Considerations." (CEQA Guidelines §15093.) The Statement of Overriding
6 Considerations must set forth the Project benefits or reasons why the lead agency is
7 in favor of approving the Project and must weigh these benefits against the Project's
8 adverse environmental impacts identified in the Final EIR that cannot be mitigated to a
9 less-than-significant level.

10 3. CEQA's mandates and principles are implemented, in part, through the requirement
11 that agencies adopt findings before approving Projects for which EIRs are required.
12 For each significant environmental impact identified in an EIR for a proposed Project,
13 the approving agency must issue a written finding reaching one or more of three
14 permissible conclusions:

- 15 a. "[c]hanges or alterations have been required in, or incorporated into, the Project
16 which avoid or substantially lessen the significant environmental effect as
17 identified in the final EIR,"
- 18 b. "[s]uch changes or alterations are within the responsibility and jurisdiction of
19 another public agency or can and should be adopted by such other agency," or
- 20 c. "[s]pecific economic, legal, social, technological, or other considerations,
21 including provision of employment opportunities for highly trained workers,
22 make infeasible the mitigation measures or Project alternatives identified in the
23 final EIR." (CEQA Guidelines §15091.) CEQA defines "feasible" to mean
24 "capable of being accomplished in a successful manner within a reasonable
25 period of time, taking into account economic, environmental, social and
26 technological factors." (CPRC §21061.1.) CEQA Guidelines §15364 considers
27 another factor – "legal" considerations.

28 4. The concept of "feasibility" also encompasses the question of whether a particular
29 alternative promotes the underlying goals and objectives of a Project. "Feasibility"
under CEQA encompasses "desirability" to the extent that desirability is based on a
reasonable balancing of the relevant economic, environmental, social, and
technological factors.

30 5. CEQA requires that the lead agency exercise its independent judgment in reviewing
31 the adequacy of an EIR and that the decision of a lead agency in certifying a Final EIR
32 and approving a Project not be predetermined. The City Council has conducted its
33 own review and analysis, including review and consideration of the Final EIR, and is
34 exercising its independent judgment when acting as herein provided.

35 6. CEQA requires decision-makers to adopt a mitigation monitoring and reporting
36 program for those mitigation measures identified in the Final EIR that would mitigate
37 or avoid each significant impact identified in the EIR and to incorporate the mitigation
38 monitoring and reporting program, including all mitigation measures, as conditions of
39 Project approval.

- 1 7. CEQA requires that the responses to comments in the Final EIR demonstrate good
2 faith and a well-reasoned analysis, and not be overly conclusory. In response to
3 several of the comments received, portions of the Draft EIR have been revised. The
4 revisions made to the Draft EIR and incorporated into the Final EIR do not require
5 recirculation of the Draft EIR based on the following:
- 6 a. No significant new information has been added that would deprive the public of
7 a meaningful opportunity to comment on a substantial adverse environmental
8 effect of the Project, a feasible way to mitigate or avoid such an impact that the
9 Applicant has declined to implement, or a feasible Project alternative;
 - 10 b. The new information, including certain factual corrections and minor changes,
11 provides clarification to points and information already included in the Draft EIR;
 - 12 c. There are no significant new environmental impacts resulting from the Project
13 or from a new mitigation measure proposed to be implemented;
 - 14 d. There is no substantial increase in the severity of an environmental impact that
15 has not been mitigated to a level of insignificance;
 - 16 e. The Applicant has not declined to adopt any feasible Project alternatives or
17 mitigation measures, considerably different from others previously analyzed,
18 that clearly would lessen the environmental impacts of the Project; and
 - 19 f. The Draft EIR is not so fundamentally and basically inadequate and conclusory
20 in nature that meaningful public review and comment are precluded.
- 21 8. CEQA Guidelines subsections 15003(c) and (i) note that state courts have held that
22 the purpose of an EIR is to inform other governmental agencies and the public
23 generally of the environmental impacts of a proposed Project. CEQA does not require
24 technical perfection or exhaustive treatment of issues in an EIR, but rather adequacy,
25 completeness, and a good-faith effort at full disclosure.
- 26 9. Comments received on the Draft EIR, both during and after the public review period,
27 show that there may be disagreements among experts, particularly with respect to, but
28 not limited to, the potential for the Project to substantially degrade the existing visual
29 quality of the site and the surrounding area, the potential for the Project to obstruct
existing views and the extent of impacts to traffic, transportation and circulation
caused by the Project. The Final EIR includes additional clarifying narrative and
clarifying exhibits for the purpose of fully disclosing the information sources and
reasoning by which levels of impact and mitigation measures were established in the
Draft EIR. Further, the clarifying narrative and clarifying exhibits in the Final EIR serve
the purpose of fully disclosing the information sources and reasoning used by various
Draft EIR commentators who arrived at different opinions. CEQA provides that
disagreement among experts regarding conclusions in the EIR is acceptable.
10. The documents and other materials that constitute the record of the proceedings upon
which the decisions of the City Council are based are contained in the Project file
located within and in the custody of the City's Planning Division.
11. For each significant environmental impact identified in the Final EIR for the Project,

1 the City Council makes the specific factual findings as set forth in Exhibit "A" to this
2 Resolution No. 2008-R____, attached hereto and incorporated herein by reference.

- 3 12. No new information has become available and no changes in the proposed Project
4 have been made since the Planning Commission certified the Final EIR.

5 SECTION 2. ENVIRONMENTAL IMPACT FINDINGS. Pursuant to the foregoing
6 recitations and CEQA findings, as well as the whole of the administrative record and the
7 evidence and testimony presented in this matter, the City Council does hereby find that the
8 Final EIR for the Project, including the Tentative Parcel Map 69726, Site Plan Review, Height
9 Exception and Design for Development, identifies and discloses Project-specific impacts and
10 cumulative Project impacts as follows:

- 11 1. The Final EIR identifies issue areas as "Unavoidable Significant Environmental
12 Impacts Which Cannot be Mitigated to a Level Less Than Significant," as set forth in
13 Section 1 of Exhibit "A." Changes or alterations have been required in, or
14 incorporated into, the Project that will avoid or lessen certain of the Project impacts,
15 but that will not avoid or reduce all of the potential impacts to a less-than-significant
16 level. These remaining significant impacts are balanced against Project benefits and
17 are found to be overridden by the Project benefits, as stated in the Statement of
18 Overriding Considerations in Section 5, below.
- 19 2. The Final EIR identifies issue areas as "Environmental Impacts Which Have Been
20 Mitigated to a Level Less Than Significant," as set forth in Section 2 of Exhibit "A."
21 Changes or alterations have been required in, or incorporated into, the Project that will
22 avoid or reduce these potential impacts to a less-than-significant level.
- 23 3. The Final EIR identifies issue areas as "Environmental Impacts Where No Significant
24 Impact Would Occur."
- 25 4. The Final EIR identifies issue areas as "Cumulative Impacts Which Cannot be
26 Mitigated to a Level Less Than Significant," as set forth in Section 3 of Exhibit "A."
27 Changes or alterations have been required in, or incorporated into, the Project that will
28 avoid or lessen certain of the cumulative impacts, but that will not avoid or reduce all
29 of the potential cumulative impacts to a less-than-significant level. These remaining
significant impacts are balanced against Project benefits and are found to be
overridden by the Project benefits, as stated in the Statement of Overriding
Considerations in Section 5, below.
5. The Final EIR identifies issue areas as "Cumulative Impacts Which Have Been
Mitigated to a Level Less Than Significant," as set forth in Section 4 of Exhibit "A."

Changes or alterations have been required in, or incorporated into, the Project that will avoid or reduce these potential cumulative impacts to a less-than-significant level.

6. As issues that are noted in Section 2, Paragraph 3, above, have no significant environmental impacts and require no mitigation, those issues also will have no contribution to cumulative impacts.
7. The Mitigation Monitoring and Reporting Program (MMRP), attached to this Resolution No. 2008-R_____ as Exhibit "B" and incorporated herein this reference, is required to mitigate Project impacts.

SECTION 3. CONSIDERATION OF A REASONABLE RANGE OF ALTERNATIVES.

Pursuant to the foregoing recitations, CEQA findings and environmental impact findings, as well as the whole of the administrative record and the evidence and testimony presented in this matter, the City Council finds that the Final EIR analyzes a reasonable range of Project alternatives that would feasibly attain most of the basic objectives of the Project but would substantially lessen any of the significant impacts of the Project, and adequately evaluates the comparative merits of each alternative. The City Council's findings regarding the Final EIR's analysis of a reasonable range of alternatives are set forth in Exhibit "C" attached to this Resolution No. 2008-R_____, incorporated herein by reference.

SECTION 4. STATEMENT OF OVERRIDING CONSIDERATIONS. Pursuant to the foregoing recitations, CEQA findings, environmental impact findings and consideration of a reasonable range of alternatives, as well as the whole of the administrative record and the evidence and testimony presented in this matter, the City Council does hereby find that there is substantial evidence that supports the conclusion that the Project will result in community benefits, including specific environmental, economic, legal, social, technological, and other benefits, that outweigh the significant effects of the Project on the environment that cannot be mitigated to a level less than significant. The City Council further finds as follows:

1. Significant unavoidable impacts include the following, as further described in Exhibit "A."

- a) Air Quality: It is not feasible to fully mitigate significant and unavoidable Project and cumulative impact from regional NOx emissions resulting from the exceedance of the SCAQMD's NOx threshold.
- b) Cultural Resources/Archaeological Resources: It is not feasible to fully mitigate significant and unavoidable cumulative impacts to archaeological resources.
- c) Noise: It is not feasible to fully mitigate significant and unavoidable Project and cumulative noise impacts from Project construction. Estimated noise levels from construction activities would exceed significance thresholds at the noise-sensitive receptors (the nearest residential uses west of the Project Site, at the existing Radisson Hotel, and at a nearby school).
- d) Transportation: It is not feasible to fully mitigate certain significant and unavoidable (a) cumulative traffic impacts during construction (including haul truck traffic, concrete and delivery truck traffic, and construction worker trips), and (b) Project operational and cumulative operational traffic impacts that will occur at the intersection of Howard Hughes Parkway and Sepulveda Boulevard.

2. The benefits of the Project outweigh its significant unavoidable impacts that cannot be mitigated to a level less than significant. These benefits include the following (see also Exhibit "A" hereto):

- a) The Project will further the implementation of the City's Redevelopment Plan and, in doing so, contribute to an effort to combat blight and encourage further investment. The Project will contribute to fulfilling the Redevelopment Agency's mission statement, which reads "Redevelopment stimulates appropriate private reinvestment and acts as a catalyst to revitalize the community by creating opportunities for business growth, jobs, and housing that achieve a balanced and prosperous community." The Project will involve significant tax-increment benefits associated with business growth, high-quality employment opportunities, and the alleviation of blight for a more prosperous community.
- b) The Project will increase the vitality and diversity of both the City of Culver City Regional Center and the adjacent City of Los Angeles Regional Center by providing additional office space to complement the increase in residential densities and retail growth occurring in the area. The Project is expected to contribute to the expansion of the City's economic base through the development of underutilized property, thereby providing additional tax revenue to the City and the Culver City Redevelopment Agency (CCRA). The Project will also provide an approximately 342,000 square foot building to meet the market demand for new office space in the area and to accommodate expected economic growth. The Project will enhance a major employment center in the region, which is in an area served by existing transportation and other infrastructure.
- c) The Project will create employment-generating land use in close proximity to existing and proposed residential uses. This should provide opportunities for residents of the surrounding area to shorten regular commutes and, thus, reduce vehicle miles traveled and air emissions. The Project will also support

the business community by bringing employees and visitors into the area that will patronize local stores, restaurants and hotels.

- d) The Project will encourage by example sustainable design features and environment-friendly green building practices through the use of a number of technological innovations and an effort to obtain certification as a green building Project from the United States Green Building Council (USGBC) through its Leadership in Energy and Environmental Design (LEED) rating system. Culver City has begun the process of developing a Sustainable Community Plan (SCP) in support of strategies that help to improve or mitigate damage to the environment. This Project implements a number of sustainable design features for more efficient energy use and reduction of greenhouse gas emissions.
- e) The Project will provide the City with needed improvements and upgrades to transportation infrastructure, including ATCS upgrades, street widening, restriping, and signal modification at several intersections. In addition, the Project will contribute a pro-rata share of 4.4 percent (\$23,100) for the improvement cost for the La Cienega Boulevard Southbound ramps intersection and 4.6 percent (\$55,200) for the improvement cost for the northbound ramps intersection. A TDM plan flexible enough to encourage innovation serving future developments will be implemented.
- f) The Project will provide the community with a significant increase in net tax revenue and positive long term financial benefit from the use of what is now property underutilized as a parking lot.
- g) The Project will improve the appearance of the Project Site by making significant improvements in landscaping, including a row of trees along the Centinela Boulevard frontage. The Project will also create an architecturally distinctive building that will utilize its location at the intersection of the 405 Freeway and major thoroughfares to create a gateway for the area. The Project will also create a pedestrian scale environment and linkage between the office building and the existing hotel complex through improved walkway and traffic intersections.
- h) The Project will create new construction jobs during a time when many are suggesting that the construction industry is or will be experiencing a slowing rate of growth.

3. The Project benefits outweigh the unavoidable impacts as follows:

- a) Traffic: Although the Project will generate significant and unavoidable long-term traffic impacts during Project operation, these impacts, remaining after imposition of all feasible mitigation measures, are outweighed by the Project benefits discussed above.
 - i) Traffic levels on many of the streets within the Project study area are already high in their existing conditions. The Project Site is located near other major office locations and is near existing transportation infrastructure, including the 405 Freeway, and several bus lines. The Project will provide needed roadway improvements, including but not limited to numerous intersection improvements involving restriping, road-widening, median modification, and other improvements and upgrades to

- the ATCS in the area. Neither the location, nor the physical characteristics of the Project Site, nor the Project's design creates more traffic trips or more traffic congestion than would be created if the Project were proposed in a different location or if several smaller Projects equaling the same rentable area were located in different locations.
- ii) The Project will implement a Transportation Demand Management (TDM) plan that will be flexible enough to encourage innovation from which other Projects can benefit, while making significant gains in trip reduction. The TDM is expected to reduce Project trips by at least 10 percent during peak a.m. and peak p.m. times.
- b) Air Quality: Regional emissions of NOx would exceed the regional threshold and result in a significant impact. This impact, remaining after imposition of all feasible mitigation measures, is outweighed by the Project benefits, listed above.
- i) The design of the building and its orientation are intended to enhance the use of natural light and reduce energy consumption and associated emissions. Furthermore, outdoor areas shall utilize energy efficient light and mechanical, computerized or photo-cell switching devices to reduce unnecessary energy usage.
- ii) The Project implements the South Coast Air Quality Management District's objective of reducing vehicle miles traveled (VMT) and related vehicular air emissions.
- iii) The Project will implement a construction traffic management plan and several effective mitigation measures to reduce or mitigate impacts in the short run from construction.
- iv) While regional emissions of NOx are significant and cannot be fully mitigated, regional emissions resulting from the operation of the Project will not exceed the thresholds for VOC, CO, SOx, PM10, PM2.5. Similarly, the Project will not cause any new or exacerbate any existing CO hotspots; as a result, impacts related to localized mobile-source CO emissions will be less than significant.
- c) Cultural Resources/Archaeological Resources: Given the excavation proposed and the high sensitivity for encountering archaeological resources in the area, the Project has the potential to result in a significant cumulative impact on archaeological resources. These impacts, remaining after imposition of all feasible mitigation measures, are outweighed by the Project benefits, discussed above.
- i) The mitigation measures contained in the Final EIR for the Project appropriately balance the need to preserve and value the archaeological resources with the Project objectives and development within this area. In part, the mitigation measures will provide for the appointment of a qualified archaeologist and a Native American monitor, to prevent accidental destruction of cultural or archaeological resources during ground disturbing activities at the Project Site. All work must stop in the vicinity of any find until that find is evaluated. All cultural resources unearthed must be evaluated by the archaeologist, and if an artifact is

prehistoric or Native American in nature, a consultation with the Native American monitor is necessary. The City will also be involved, along with the applicant, with the creation of appropriate treatment plans for any archaeological resources discovered. Likewise, mitigation has been provided in the unlikely event that human remains are found.

d) Noise: Although the Project will create short-term Project and cumulative noise impacts during construction, these impacts, remaining after imposition of all feasible mitigation measures, are outweighed by the Project benefits, discussed above.

i) The Project's unavoidable significant construction noise impacts will be short-term, and many will be intermittent rather than constant. The Project will comply with the most restrictive of the combined LAMC and CCMC time limitations on construction activity. With compliance with the City's noise ordinances and imposition of mitigation measures, construction noise levels will be reduced to the extent feasible.

e) The Project represents an orderly progression of development that will aid in implementing the region's growth policies. The proposed use(s) is compatible with existing uses in the area. The proposed use also implements development anticipated by the Culver City Redevelopment Agency Plan and provides densities appropriate to this area of the City while preserving environmental resources. The Project was proposed in response to demands for office space in the City and in the area, and incorporates all feasible mitigation to reduce its impacts on the environment. If the Project were not approved or were approved at a lower density, the office space that it provides would likely still be needed in some other part of the City and/or the surrounding areas to help meet Projected local and regional growth. Placing an office tower on the Project Site which is currently a parking lot devoted to commercial purposes and adjacent to another tall structure, however, centralizes the office facilities in a location already served by existing transportation infrastructure and located near residential areas, likely preserving other land for open space, affordable housing, and other purposes.

4. In compliance with CPRC §21081 and CEQA Guidelines §15093, the City Council has considered the Project benefits as balanced against its unavoidable adverse environmental effects and hereby determines that the benefits outweigh the unavoidable adverse environmental effects; therefore, the City Council determines that the unavoidable adverse environmental effects are considered acceptable.

5. The City Council hereby denies the appeal and adopts the Project MMRP and the Statement of Overriding Considerations (SOC), as set forth in this Resolution No. 2008-R_____.

6. By the adoption of this Resolution No. 2008-R_____, the City Council is adopting an SOC that identifies the benefits of the Project as balanced against its unavoidable environmental risks, but has not granted any approval or entitlement on this Project.

1 APPROVED and ADOPTED this 14th day of April, 2008.

2
3
4 ALAN CORLIN, Mayor
5 City of Culver City, California

6 ATTEST:

7 APPROVED AS TO FORM:

8
9 CHRISTOPHER ARMENTA
10 City Clerk

11
12 CAROL SCHWAB
13 City Attorney

EXHIBIT "A"

FINDINGS REQUIRED BY CEQA

Pursuant to California Public Resources Code (CPRC) §21081 and CEQA Guidelines, Title 14 Cal. Code Regs. ("CEQA Guidelines") §15091, no public agency shall approve or carry out a project where an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant effects, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (hereinafter, "CEQA Finding 1").
2. Changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency (hereinafter, "CEQA Finding 2").
3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR (hereinafter, "CEQA Finding 3").

For those significant effects that cannot be mitigated to a level below significance, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

All Final EIR mitigation measures, as discussed below and as set forth in the Project Mitigation Monitoring and Reporting Program (MMRP) (Exhibit "B" to this Resolution No. 2008-P003) are incorporated by reference into these findings. In addition, the Project revisions and Statement of Overriding Considerations set forth above in this Resolution are incorporated by reference into these findings. In accordance with the provisions of CEQA (CPRC §§21000, et seq.) and the CEQA Guidelines, the City Council adopts these findings as part of its certification of the Final EIR and adoption of a Statement of Overriding Considerations for the Project.

SECTION 1

UNAVOIDABLE SIGNIFICANT IMPACTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City Council has determined that, although Project design, modifications to the Project as originally proposed, EIR mitigation and conditions of approval imposed on the Project will either avoid or provide substantial mitigation of the Project's identified significant

1 environmental effects, the following environmental effects cannot be feasibly mitigated to a
2 level of insignificance. Consequently, in accordance with CEQA Guidelines §15093, a
3 Statement of Overriding Considerations (SOC) has been prepared to substantiate the City's
4 decision to accept these unavoidable significant effects when balanced against the
5 significant benefits afforded by the Project.

6 This Section sets forth the significant unavoidable effects of the Project and, with
7 respect to each significant impact, identifies one or more of the required CEQA findings,
8 states facts in support of these findings, and refers to the SOC.

9 **1.1 AIR QUALITY**

10 **1.1.1 SIGNIFICANT EFFECTS.** Using the South Coast Air Quality
11 Management District's emissions thresholds, the EIR concluded implementation of the
12 Project would generate significant and unavoidable operational emissions of oxides of
13 nitrogen (NOx) that would exceed the regional threshold and result in a significant and
14 unavoidable impact.

15 **1.1.2 FINDINGS.** The City adopts CEQA Findings 1 and 3.

16 **1.1.3 FACTS IN SUPPORT OF FINDINGS.** The following facts, together with
17 Mitigation Measures B-1 through B-6 and H-7 indicate that the significant effects of the
18 Project have been reduced or avoided to the extent feasible, but that certain
19 significant impacts on air quality remain and are unavoidable.

20 The Project would not result in operational, regional, or localized emissions of
21 CO, SOx, PM10, and PM2.5 that exceed the SCAQMD significance thresholds. Thus,
22 impacts are concluded to be less than significant for these pollutants. However,
23 regional NOx emissions would exceed the SCAQMD daily emission threshold. The
24 vast majority of NOx emissions are from vehicular exhaust and all feasible traffic
25 mitigation measures are being required to improve traffic circulation and reduce the
26 number of vehicular trips generated by the Project. Specifically, mitigation measure
27 H-7 requires the applicant to implement a Transportation Demand Management (the
28 "TDM") plan that reduces Project trips by at least 10%. With incorporation of this
29 mitigation measure, mobile source emissions would be reduced by approximately 5
30 pounds per day.

31 The Project would be designed and built in accordance with the criteria of the
32 Leadership in Energy and Environmental Design ("LEED") program and will obtain
33 LEED Certification. Performance criteria for LEED include improving operational
34 energy efficiency and reducing Vehicle Miles Traveled ("VMT"). While these
35 measures would certainly reduce energy use of the Project Site and would have a
36 proportional decrease and result in stationary source emissions, it is difficult to
37 quantify the actual reduction in emissions.

1 The Project has been designed to implement applicable SCAG land use
2 policies (Culver City has not adopted guidelines specific to air quality). With regard to
3 land use developments, such as the Project, air quality policies focus on the reduction
4 of vehicle trips and VMT. The Project, by virtue of its location and design, exhibits
5 many attributes that have a positive direct and indirect benefit with regard to the
6 reduction of vehicle trips and vehicles miles traveled. Specifically, the Project
7 develops approximately 342,000 square feet of office space in the Culver City and
8 Westchester community areas in an existing urbanized mixed-use district. As an infill
9 development, population to support new jobs created by the Project is expected to be
10 generated to a large degree from existing residents in the Los Angeles, Culver City,
11 and South Bay areas, including the nearby Playa Vista development. Furthermore,
12 the mixed-use nature of the surrounding area would allow for reductions in vehicle
13 miles traveled associated with the Project with employees and visitors having access
14 to nearby restaurants, retail, and entertainment uses such as those located in Howard
15 Hughes Center and the Fox Hills Mall. The Project would also concentrate
16 development in proximity to mass transit and LAX, which would also translate into
17 reductions in vehicle trips and VMT for employees and others visiting the site for
18 business. A TDM is being proposed to address traffic impacts and reduce VMT, as
19 further described in Section III.H of the Draft EIR, Transportation and Circulation. As
20 the Project implements the SCAQMD's objective of reducing VMT and their related
21 vehicular air emissions, it would be consistent with AQMP land use policy.

22 The Project represents an investment in redevelopment of an underutilized
23 property with existing public infrastructure that is in proximity to other services and
24 land uses (e.g., retail, restaurants, and entertainment uses). The Project makes better
25 use of existing facilities (including the existing hotel and conference center), and in so
26 doing supports the sustainability of the community, all of which are desirable
27 relationships from the perspective of promoting air quality policies. Since the Project
28 implements the SCAQMD's objective of reducing VMT and related vehicular air
29 emissions, the Project would be consistent with AQMP land use policy.

30 While development of the Project would result in short-term regional NOx
31 impacts, the development would not have a long-term impact on the region's ability to
32 meet State and federal air quality standards. The Project has been designed to
33 comply with SCAQMD Rule 403 and to implement all feasible mitigation measures for
34 control of PM10 and PM2.5 emissions. In addition, the Project has incorporated the
35 goals and policies of the AQMP for control of fugitive dust. The Project requirement to
36 implement a TDM program that would reduce VMT reduces associated air emissions.
37 The Project's long-term influence would be consistent with the goals and policies of
38 the SCAQMD's AQMP.

39 No feasible mitigation measures beyond those identified above are available to
40 reduce the Project's significant and unavoidable regional operations emissions to a
41 less than significant level. Although emissions are conservatively estimated and
42 expected to be lower in practice, regional NOx impacts are considered significant and
43 unavoidable. For the reasons stated here and in the SOC, the remaining unavoidable

significant impact on air quality is outweighed by the Project benefits and is acceptable when balanced against the specific overriding economic, legal, social, technological, or other considerations.

1.2 NOISE

1.2.1 SIGNIFICANT EFFECTS. As the EIR concluded, implementation of the Project would generate significant and unavoidable temporary Project construction noise impacts.

1.2.2 FINDINGS. The City adopts CEQA Findings 1 and 3.

1.2.3 FACTS IN SUPPORT OF FINDINGS. The following facts, together with Mitigation Measures F-1 through F-5 indicate that the significant effects of the Project have been reduced or avoided to the extent feasible, but that certain significant impacts to temporary construction noise impacts remain and are unavoidable.

Noise impacts from construction activities occurring on the Project Site would be a function of the noise generated by construction equipment, equipment location, and the timing and duration of the noise generating activities. During the construction period, the impact will be significantly greater in the unlikely event that pile-driving equipment is needed.

Compliance with the recommended Mitigation Measures would reduce construction noise levels to the greatest extent feasible. Mitigation Measure F-1 would preclude construction-period noise impacts from occurring during the noise sensitive night time periods, or at any time on Sundays to comply with both Culver City and City of Los Angeles noise ordinances. Noise level reductions attributable to mitigation measures F-2 through F-4, although not easily quantifiable, would ensure the noise impacts associated with construction activities would be reduced to the extent practicable. Nonetheless, Project construction activities would intermittently increase daytime noise levels at the noise sensitive receptors, such as the residential uses west of the Project Site during the site demolition stage and initial stages of site grading/excavation activities above the significance thresholds. In the unlikely event pile-driving is used, Mitigation Measure F-5 would provide a minimum 10 dBA noise reduction, which is a significant decrease and would reduce noise associated with pile-driving at some, but not all, noise receptors to below the Project significant threshold. As such, even with all feasible mitigation, temporary noise impacts associated with construction are considered significant and unavoidable, at the Project level.

No feasible mitigation measures beyond those identified above are available to reduce the Projects significant and unavoidable Project construction noise impacts to less than a significant level. For the reasons stated here and in the SOC, the remaining unavoidable significant impact on noise impacts is outweighed by the

Project benefits and is acceptable when balanced against the specific overriding economic, legal, social, technological, or other considerations.

1.3 TRAFFIC

1.3.1 SIGNIFICANT EFFECTS. As the EIR concluded, construction of the Project would create significant and unavoidable impacts on traffic and implementation of the Project would create significant and unavoidable operational impacts at the intersection of Howard Hughes Parkway and Sepulveda Boulevard.

1.3.2 FINDINGS. The City adopts CEQA Findings 1 and 3.

1.3.3 FACTS IN SUPPORT OF FINDINGS. The following facts, together with Mitigation Measures H-1 through H-6, indicate that the significant Project construction impacts have been reduced or avoided to the extent feasible, but that certain significant impacts remain and are unavoidable. Construction traffic, including haul truck traffic, concrete and other delivery truck traffic, and construction worker trips would result in significant and unavoidable impacts. The Mitigation Measures avoid substantial inconvenience to motorists, pedestrians, and businesses in the vicinity during construction activities. Nevertheless, because construction workers and the importing/exporting of construction materials would increase the amount of trips during peak hours causing congestion, there is a significant temporary construction traffic impact.

The following facts, together with Mitigation Measures H-1 through H-15, indicate that the significant operational traffic impacts on the intersection of Howard Hughes Parkway and Sepulveda Boulevard have been reduced or avoided to the extent feasible, but that certain significant impacts on that intersection remain and are unavoidable.

Mitigation Measure H-7 requires the implementation of a TDM Plan that reduces Project trips by at least 10 percent during the AM and PM peak hours and Mitigation Measure H-15 mandates a traffic signal upgrade to the Adaptive Traffic Control System ("ATCS") in the area, which will allow an approximate three percent increase in capacity to be realized at this intersection.

These mitigation measures reduce the PM peak-hour impact at the intersection of Howard Hughes Parkway and Sepulveda Boulevard to less than significant, but would not reduce the AM peak-hour impact to less than significant. In order to mitigate the AM peak-hour impact, a fourth northbound through travel lane of meaningful length would have to be provided along the Sepulveda Boulevard south leg. Such an improvement cannot be provided by restriping, or by roadway widening, due to right-of-way constraints on the south leg of Sepulveda Boulevard.

1 As the Final EIR concluded, it is infeasible to adopt a TDM Plan that could be
2 implemented that would achieve a trip reduction that would lessen the impacts at this
intersection to less than significant.

3 No feasible mitigation measures beyond those identified above are available to
4 reduce the Project's significant and unavoidable to less than a significant level. For
5 the reasons stated here and in the SOC, the remaining unavoidable significant impact
6 on traffic impacts is outweighed by the Project benefits and is acceptable when
balanced against the specific overriding economic, legal, social, technological, or other
considerations.

7

8 **SECTION 2**

9 **ENVIRONMENTAL IMPACTS THAT HAVE BEEN MITIGATED**

10 **TO A LEVEL LESS THAN SIGNIFICANT LEVEL**

11 The City Council has determined that, where the EIR found the Project would have
12 potentially significant Project-level effects, Project revisions, mitigation measures and
conditions of approval will substantially mitigate those environmental effects, and that, as a
13 result, those effects have been mitigated to a level less than significant, as follows.

14 This section sets forth the Project's potentially significant effects, and with respect to
15 each such impact, identifies one or more of the required CEQA findings and states facts in
support of these findings.

16 **2.1 AESTHETICS/VISUAL IMPACTS**

17 **2.1.1 SIGNIFICANT EFFECTS.** As the EIR concluded, construction of the
18 Project would result in significant construction impacts on visual quality, but this impact
19 can be mitigated to a level that is less than significant. During construction, the visual
20 quality of the Project Site would be degraded by the removal of mature landscaping,
stored equipment and materials and has the potential to adversely affect view to the
21 Project Site from adjacent and other nearby areas.

22 **2.1.2 FINDINGS.** The City adopts CEQA Finding 1.

23 **2.1.3 FACTS IN SUPPORT OF FINDINGS.** The implementation of Mitigation
24 Measure A-1 will mitigate any potentially significant visual quality impacts caused by
the construction of the Project to a less than significant level.

25 Construction of the Project would require demolition of the existing surface
26 parking lot, removal of approximately 69 mature trees, and relocation of the existing
27 signalized intersection with the Radisson Hotel entrance driveway. The location of
heavy equipment and activities such as excavation, grading, trucking, and other
28 general construction activity may present an unpleasant appearance to some viewers
and would contrast with the visual character of the area. Construction activities would
29

1 comply with the Culver City Municipal Code and would be fenced for security
2 purposes. However, during construction the visual quality of the Project Site would be
3 degraded by the removal of mature landscaping, stored equipment and materials and,
4 as such, has the potential to adversely affect views to the Project Site from adjacent
5 and other nearby areas.

6 Mitigation Measure A-1 mandates that the applicant ensure, through
7 appropriate posting and daily visual inspections, that any materials not authorized by
8 the City be promptly removed from temporary construction barriers or temporary
9 pedestrian walkways, and that such temporary barriers and walkways be maintained
10 in a visually attractive manner throughout the construction period.

11 Implementation of this mitigation measure will reduce any potentially significant
12 visual quality impacts, such as possible graffiti, uncollected trash and vandalism to a
13 less than significant level by ensuring that unauthorized materials are removed and
14 construction barriers and walkways are kept aesthetically attractive.

15 **2.2 AIR QUALITY**

16 **2.2.1 SIGNIFICANT EFFECTS.** As the EIR concluded, the regional
17 construction emissions resulting from the Project would result in a significant short-
18 term impact due to NOx emissions, but those impacts will be mitigated to a less than
19 significant level.

20 **2.2.2 FINDINGS.** The City adopts CEQA Finding 1.

21 **2.2.3 FACTS IN SUPPORT OF FINDINGS.** According to information
22 contained in the EIR, construction of the Project has the potential to create air quality
23 impacts through the use of heavy-duty construction equipment, through heavy-duty
24 trucks hauling dirt and debris from the Project Site, and through vehicle trips
25 generated from construction workers traveling to and from the Project Site. In
26 addition, fugitive dust emissions would result from demolition, excavation, and
27 construction activities. Mobile source emissions, primarily NOx, would result from the
28 use of construction equipment such as dozers, loaders, and cranes. During the
29 finishing phase, paving operations and the application of architectural coatings such
as paints and other building materials would release volatile organic compounds.
Construction emissions can vary substantially from day to day, depending on the level
of activity, the specific type of operation and, for dust, the prevailing weather
conditions.

Construction-related daily maximum regional construction emissions would
exceed the SCAQMD daily significance thresholds for NOx during excavation activities
as a result of heavy use of heavy-duty construction equipment. Therefore, regional
construction emissions resulting from the Project would result in a significant short-
term impact due to NOx emissions.

1 The Project would implement a number of mitigation measures, including
2 Mitigation Measures B-1 through B-5, reducing emissions of all air pollutants analyzed
3 in the EIR. Mitigation Measure B-1 requires general contractors to use diesel
4 oxidation catalysts or equivalent control devices on all on-site heavy-duty construction
5 equipment during excavation activities. Mitigation Measure B-2 requires all
6 construction equipment be properly tuned and maintained in accordance with
7 manufacturer's specifications. Mitigation Measure B-3 requires general contractors to
8 maintain and operate construction equipment so as to minimize exhaust emissions.
9 During construction, trucks and vehicles in loading and unloading queues should turn
10 their engines off when not in use to reduce vehicle emissions. Construction emissions
11 should be phased and scheduled to avoid emissions peaks and discontinued during
12 second-stage smog alerts. Mitigation Measure B-4 requires electricity from power
13 poles rather than temporary diesel- or gasoline-powered generators to be used to the
14 extent feasible. Mitigation Measure B-5 requires the Applicant to utilize coatings and
15 solvents that are consistent with applicable SCAQMD rules and regulations.

16 Implementation of these mitigation measures will reduce any potentially
17 significant regional construction emissions resulting from the Project to a less than
18 significant level.

19 **2.3 TRAFFIC**

20 **2.3.1 SIGNIFICANT EFFECTS.** As the EIR concludes, construction of the
21 Project would generate potentially significant Project parking impacts, but
22 implementation of mitigation measures will mitigate those impacts to a level that is
23 less than significant or not significant. In addition, the Project would result in
24 significant traffic impacts at 12 study intersections, but implementation of mitigation
25 measures will mitigate impacts to the following 11 intersections to less than significant
26 or not significant:

- 27 • Slauson Avenue and Corning Avenue;
- 28 • Slauson Avenue and La Cienega Boulevard Southbound Ramps;
- 29 • Jefferson Boulevard and Mesmer Avenue;
- Jefferson Boulevard and Inglewood Boulevard;
- Centinela Avenue and Sepulveda Boulevard;
- Centinela Avenue and Sherbourne Drive;
- Centinela Avenue and Alvern Street;
- Centinela Avenue and La Tijera Boulevard;
- Centinela Avenue and La Cienega Boulevard;
- 76th Street-77th Street and Sepulveda Boulevard; and
- Manchester Avenue and Sepulveda Boulevard.

30 **2.3.2 FINDINGS.** The City adopts CEQA Finding 1.

31 **2.3.3 FACTS IN SUPPORT OF FINDINGS.** The review and approval of a
32 Construction Replacement Parking Plan will reduce any construction related parking

1 impacts to less than significant, and with implementation of a TDM Plan and
2 intersection specific Mitigation Measures H-8 through H-15, 11 of the 12 intersections
3 significantly impacted by the Project will be reduced to a less than significant level.

4 The parking impacts caused by construction of the Project and identified in the
5 EIR will be mitigated to below a level of significance with adopted Mitigation Measure
6 H-6. The existing hotel and conference center has a variable demand for parking but
7 the peak demand is approximately 386 spaces. It is contemplated that parking for
8 hotel and conference center guests, visitors, and employees would be temporarily
9 relocated off-site during the construction period and it is likely that construction
10 workers would park on-site throughout the construction period. There are an
11 estimated 700 off-site parking spaces, an amount that is more than adequate for the
12 construction parking demand, available within a half-mile radius of the Project that
13 could be leased for temporary parking. While the location and leasing of off-site
14 parking spaces has yet to be finalized, it is likely that a surface lot across the street on
15 the south side of Centinela Avenue, which is controlled by the Applicant, would be
16 used and valet-parked as necessary. Other potential parking facilities include the
17 surface lot one block to the north (Albertson's-CVS Pharmacy lot), Howard Hughes
18 Center, Playa Vista, and/or Fox Hills Mall. A shuttle service to and from the Project
19 Site would be implemented for those parking more than one-fourth mile away.
20 However, while this is the likely scenario, this parking plan has not been finalized and
21 therefore the temporary parking impacts are considered significant.

22 This significant impact is reduced to less than significant by Mitigation Measure
23 H-6, which requires that a Construction Replacement Parking Plan be prepared and
24 submitted to the Culver City Planning Division for review and approval prior to the
25 issuance of any demolition, grading or excavation permit. The purpose of the
26 Construction Replacement Parking Plan is to identify the off-site parking facilities to be
27 used and their parking space allocations that will be used for replacement parking as
28 well as Projects to be followed for safe pedestrian and vehicular movement between
29 the off-site location(s) and the Project Site. The Construction Replacement Parking
Plan will include parking lease agreements for the facilities not under the control of the
Project owner and a shuttle service plan for transporting persons parking more than
one-fourth mile from the Project Site.

The EIR indicates that the Project will cause significant impacts to the
intersections listed above by 2010 at either, or both, a.m. and p.m. peak hours. The
adoption and implementation of Mitigation Measures H-7 through H-15 will reduce
these impacts to a less than significant level. Mitigation Measure H-7 requires that a
TDM Plan, approved by the City of Culver City, to reduce Project trips by at least 10
percent and be implemented prior to receipt of a Certificate of Occupancy. Annual
reviews will be conducted to determine whether the Project is in compliance with the
TDM Plan and, if the trip counts exceed the trip reduction level, the Applicant will have
one year to achieve compliance. The TDM Plan includes a penalty feature if the
Project does not meet the TDM Plan's requirements. Mitigation Measures H-8
through H-15 contain intersection specific improvements including, but not limited to,