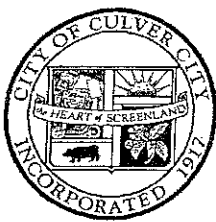


MEETING DATE: **02.01.10**

AGENDA ITEM: **Consideration of Initiation of Appeal of the Director's Decision Approving an Administrative Site Plan Review to Allow a Two Story Addition for Office Space and One Residential Unit to an Existing Building Located at 9355 Culver Boulevard, an Administrative Use Permit for tandem Parking, and an Administrative Modification to Reduce the Number of Required Parking Spaces by One Space.**

ATTACHMENTS

1. 9355 Culver Blvd., Decision Letter January 19, 2010	<u>Pages</u> 1-20
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THOMAS GORHAM
Deputy Community
Development Director/
Planning Manager

Culver CITY

PLANNING DIVISION

ATTACHMENT 1

PHONE (310) 253-5710
FAX (310) 253-5721

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

January 19, 2010

Don Dimster (Applicant)
1510 Electric Avenue
Venice, CA 90291

Joseffa Sbeglia (Property Owner)
9355 Culver Boulevard #B
Culver City, CA 90292

**NOTICE OF DECISION: ADMINISTRATIVE SITE PLAN REVIEW, ASPR P-2009072,
ADMINISTRATIVE USE PERMIT, AUP P-2009073, and ADMINISTRATIVE
MODIFICATION, AM P-2009071**

9355 Culver Boulevard in the Commercial Downtown (CD) Zone

Dear Mr. Dimster and Ms. Sbeglia:

This letter is to inform you that we have approved an Administrative Site Plan Review (ASPR) to allow a two (2) story addition to include office space on the second floor and one (1) residential unit on the third floor to an existing office/warehouse building, an Administrative Use Permit (AUP) for tandem parking, and an Administrative Modification (AM) to reduce the number of required parking spaces by one (1) space subject to conditions of approval contained herein.

Background

Site Description

The subject site is located on the north side of Culver Boulevard between Main Street and Canfield Avenue and consists of two (2) parcels totaling 7,423 square feet in area. One parcel is flag shaped and wraps around an existing commercial building on the north and west sides of the property and totals 5,992 square feet in area. This parcel is currently developed with the historically designated 4,453 square foot Citizens Building fronting on Culver Boulevard and extending back along the "pole" portion of the flag lot. The "flag" portion of the lot is developed with a single-story 2,097 square foot office/warehouse building that is attached to but not part of the original Citizens building. This parcel is zoned Commercial Downtown (CD). The second parcel abuts to the north and

totals 1,431 square feet in area. This parcel is undeveloped and is within the City of Los Angeles.

Immediately to the east and west of the project site are ten (10) to eleven (11) foot wide alleys and beyond that are restaurants and retail commercial buildings. There is a parking lot to the north in the City of Los Angeles and the City of Culver City owned Canfield parking lot to the northeast.

Project Description

The proposal is to allow the addition of a 2,868 square foot second story and a 2,840 square foot third story to the office/warehouse building for a total gross floor area addition of 5,824 square feet. 1,559 square feet of the second floor would be used for office space with the remaining space used for storage, stairways, and corridors. The third floor will contain a 3 bedroom residential unit. The second and third floor addition will cantilever over the vacant parcel in the City of Los Angeles where 6 tandem parking spaces for the project will be located. The City of Los Angeles Departments of Building and Planning have relinquished entitlements and building permit authority to the City of Culver City for this project.

Parking/Access

When the proposed project was first presented to the City it was determined that 10 parking spaces would be required based on the proposed square footage. Only three (3) parking spaces were proposed on-site at that time. The applicant petitioned the Redevelopment Agency to use seven (7) parking spaces from the City's pooled parking supply. However, the Agency was not able to accommodate the applicant's request. Subsequently, the applicant revised the project to include three (3) additional on-site parking spaces in tandem configuration for a total of six (6) on-site spaces. The amount of office square footage was reduced so that the total number of parking spaces required for the project is seven (7).

Currently there is no on-site parking for the existing building and it is considered legal nonconforming regarding parking. The occupants of the building currently lease spaces off-site. Pursuant to Zoning Code Section 17.610.020B.3. – "Nonconforming Due to Parking", structures with parking space deficiencies shall be allowed to expand and the number of additional parking spaces required shall equal the number of spaces directly required by the expansion area only. As noted above, the proposed project will require a total of seven (7) parking spaces: five (5) spaces for the new office area on the second floor and two (2) spaces for the third floor residential unit. The existing ground floor area does not require any additional parking as it is considered legal nonconforming as described above.

Six (6) of the required seven (7) parking spaces will be provided in tandem style on-site underneath the cantilevered portion of the building and require approval of an

administrative use permit. A handicapped parking space will be provided off-site at the abutting Canfield parking lot and is within fifty feet (50') of the buildings rear entrance. Building Safety Division has approved this location to satisfy the projects handicapped parking requirement. Although this space will be available for use by the proposed project it is not for the projects exclusive use and therefore does not count towards the seven (7) required parking spaces. Therefore, the applicant is requesting a modification to reduce the projects parking by one (1) space. Section 17.550.010, (Table 5-2) of the Zoning Code provides the Director limited authority to modify certain development standards through an Administrative Modification. An Administrative Modification would allow a slight reduction to the projects parking requirement by one (1) space from seven (7) to six (6) spaces. The request to decrease the minimum number of parking spaces by 1 space is consistent with these zoning provisions. Access to the project parking will be off of the alley ways along the west and east side of the site that connect to Culver and Venice Boulevards.

Height

The height limit in the CD zone for this property is 44 feet. The building measures 44 feet to the top of the roof. In addition the elevator and stairway penthouses extend thirteen feet four inches (13'4") above the roofline, which is within the code allowed 13'-6" for rooftop mechanical equipment and structures (elevators and stairways).

Architecture

The proposed project will have a modern architectural style, with dark colored concrete and channel glass façade that will provide contrasting views with the red brick of the Citizens building. The building will have a projecting terrace at the second floor on the west elevation, and two terraces one on the east and one on the west side of the third floor residential unit. In addition, the project will include a roof top deck with a glass guard rail recessed back from the edge of the building. Solar panels will be installed on the roof terrace in compliance with the City's photovoltaic ordinance.

As the proposed project abuts the historically designated 4,453 square foot Citizens Building fronting on Culver Boulevard, the project must be reviewed for compliance with the City's Historic Preservation Ordinance. The City's Cultural Affairs Historic Preservation and Public Arts Coordinator administers the City's Historic Preservation Program and has made a preliminary determination that the proposed project would require a Minor Certificate of Appropriateness determining that the project meets all applicable historic design guidelines and that the project will not diminish or adversely affect the historic character of the Citizens Building.

Public Notification/Comments

On August 25, 2009, notification of the filing of this application and an invitation to submit comments were sent to property owners and occupants within a radius of five hundred feet (500') of the exterior boundaries of the site. On September 15, 2009, a

revised notification including a more detailed project description was sent to property owners and occupants within a radius of five hundred feet (500') of the exterior boundaries of the site. One written comment was received questioning the parking and the size of the proposed project. The applicant and property owner also met with and presented the proposed project to adjacent property owners and the Downtown Business Association (DBA).

Findings

The following necessary findings for this application have been made pursuant to CCMC Section 17.540 and 17.550:

ASPR – Administrative Site Plan Review

1. ***The general layout of the project, including orientation and location of buildings, open space, vehicular and pedestrian access and circulation, parking and loading facilities, building setbacks and heights, and other improvements on the site, is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.*** The proposed project, with zero street and alley fronting setbacks, pedestrian access at the ground level, and the proposed parking at the rear of the building is designed to harmonize with the existing development in downtown. The building at 44 feet in height is within the allowable height limit for the CD zone. The on-site parking will satisfy the parking requirements for the new building square footage and the site layout and design will provide safe and convenient pedestrian and vehicular pattern. The proposed project will meet all applicable development standards required by the Zoning Code. The applicant is requesting an Administrative Use Permit for tandem parking spaces and an Administrative Modification to reduce the projects required parking by one (1) space from seven (7) to six (6) spaces as permitted by the code.
2. ***The architectural design of the structures and their materials and colors are compatible with the scale and character of surrounding development and other improvements on the site and are consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.*** The proposed addition is at the rear of the subject property behind an existing one story commercial building where the addition will ensure that the historic façade of the Citizens Building remains exposed. The project is three (3) stories and forty four (44) feet high plus two (2) roof mounted structures to house two (2) stairways and an elevator extending 13'-4" above the roof as permitted by the Zoning Code. A portion of the building will cantilever over the abutting vacant

lot to the north where six (6) of the required parking spaces will be provided in tandem style. The project will have a modern architectural style, with dark colored concrete and channel glass façade that will provide contrasting views with the red brick of the Citizens building. A projecting terrace is being proposed at the second floor on the west elevation, a total of two (2) third floor terraces on the east and west elevation, and a roof top deck with a glass guard rail recessed back from the edge of the building. The dark colored concrete wall (37' feet high) on the south elevation is setback at minimum 75 feet from Culver Boulevard. The project will be conditioned to provide architectural relief or art on this wall. The concrete wall along the north property line includes a recessed opening on the second and third floors. Overall, the design of the structure is compatible with the commercial buildings in the area and with the purpose and standards of the CD zone. Thus, the new development does not have an adverse effect on the aesthetic and architectural qualities of adjoining properties. The Cultural Affairs staff in the Community Development Department has determined that the proposed addition is consistent with the historic integrity of the existing building and have approved the design concept.

3. ***The landscaping, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, and protection of landscape elements has been designed to create visual relief, complement structures, and provide an attractive environment and is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.*** The project cannot accommodate landscaping due to the current building coverage. A portion of the proposed addition cantilevers over the on-site parking at the rear on a relatively small lot and space for landscaping does not exist. However, existing streetscape improvements including trees and hardscape paving enhance the project.
4. ***The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development, will not result in vehicular or pedestrian hazards, and will be in the best interest of the public health, safety, and general welfare.*** The proposed addition is designed and laid out to respect adjacent properties and the building footprint does not encroach into neighboring lots or alleys. The project is designed to provide on-site parking resulting in adequate vehicular circulation patterns and maneuvering and does not create vehicular or pedestrian hazards. The project also meets the setbacks and height requirements of the CD zone. The design and layout will not hinder or interfere with surrounding and future developments and is in the best interest of the public health, safety and general welfare.

5. ***The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, and the width and pavement of adjoining streets and alleys) will be available to serve the subject site.*** The existing and proposed public service facilities necessary to accommodate the project such as the adjoining streets and alleys, traffic control devices, sewers, storm drains, proposed parkways, proposed sidewalks, street lights, proposed street trees, fire protection devices, and public utilities are provided for adequately as confirmed by the City agencies that reviewed the project during the interdepartmental review process. There are adequate existing public facilities necessary to service the project.
6. **The proposed project is consistent with the General Plan and any applicable specific plan.** The project is consistent with the General Plan Downtown designation in that it is a medium scale project that is three (3) stories high with parking at the rear. It encourages a pedestrian friendly environment and offers a specialty retail use to downtown and adjacent neighborhoods. The proposed development will offer an art gallery, office use, and a residential unit that is substantially surrounded by urbanized and commercially developed uses along Culver Boulevard. The new design with dark colored concrete, channel glass façade, a second floor balcony, two (2) third floor terraces and a roof top deck will improve the visual quality and pedestrian environment.

AUP- Administrative Use Permit (Tandem Parking)

7. **The proposed use is allowed within the subject zoning district with the approval of an Administrative Use Permit and complies with all other applicable provisions of this title and CCMC.** The proposed tandem parking is allowed within the CD zoning district with the approval of an Administrative Use Permit as stated in Section 17.320.035.C.b Tandem Parking Spaces. Furthermore, the proposed tandem parking is arranged to be no more than three (3) spaces in depth, the parking layout complies with all other applicable provisions regarding parking design and layout guidelines. The proposed use as conditioned will comply with all other applicable provisions of Title-17 Culver City Zoning Code and the Municipal Code.
8. **The proposed use is consistent with the General Plan and any applicable Specific Plan.** The proposed tandem parking is consistent with the General Plan Downtown designation because it provides parking spaces (at the rear of the building) to support the proposed project in downtown. The required handicapped parking space will be located off-site within fifty feet (50') of the buildings rear entrance consistent with Building Code requirements. The proposed project is

substantially surrounded by urbanized and commercially developed uses along Culver Boulevard. There is no Specific Plan for this area.

9. **The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity of the subject site.** The proposed use, design, location, size and operating characteristics of the tandem parking spaces will not have an impact on adjacent uses and are therefore found to be compatible with the existing and future land uses in the vicinity of the subject site. The proposed use - tandem parking is to provide six (6) parking spaces on-site for the proposed project that is compatible with the existing and future land uses in the vicinity of the subject site. The parking spaces will be properly striped and are to be located behind the building with access off the alley. Further, each tandem pair will have adequate space for maneuvering into and out of said spaces. The required handicapped parking space will be located off-site within fifty feet (50') of the buildings rear entrance consistent with Building Code requirements.
10. **The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities, and the absence of physical constraints.** The site is physically suitable for the proposed six (6) tandem parking spaces. The proposed parking spaces will be provided at the rear of the building which can be accessed through the public alley. Existing and proposed public service facilities necessary to accommodate the project such as the adjoining streets and alleys, traffic control devices, sewers, storm drains, parkways, sidewalks, street lights, street trees, fire protection devices, and public utilities are provided for adequately as confirmed by the City agencies that reviewed the project during the interdepartmental review process. There are adequate existing public facilities necessary to service the project.
11. **The establishment, maintenance or operation of the proposed use will not be detrimental to the public interest, health safety, or general welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.** The proposed tandem parking will allow for six (6) parking spaces on-site for the proposed project. The required handicapped parking space will be located off-site within fifty feet (50') of the buildings rear entrance consistent with Building Code requirements. The conditions of approval will ensure that the operation will not be detrimental to the public interest, health, safety, or general welfare or injurious to persons, property or improvements in the vicinity and zoning district in which the property is located.

AM- Administrative Modification (1 Parking Space Reduction)

12. **The strict application of the applicable development standard creates an unnecessary, involuntarily created hardship or unreasonable regulation which makes it obviously impractical to require compliance with the development standards.** There is currently no on-site parking for the existing building and it is therefore considered legal nonconforming due to parking. Six (6) of the required seven (7) parking spaces for the new addition will be provided on the vacant abutting lot north of the site under the cantilevered portion of the building. The AM request is to reduce one (1) parking space on-site which does not exceed the maximum adjustment of ten percent (10%) as stated in Section 17.550 Variances and Modifications. The required handicapped parking space will be located off-site within fifty feet (50') of the buildings rear entrance consistent with Building Code requirements. The proposed parking meets the standards in Section 17.550 Variances and Modifications and Section 17.320.025 D. Off-Site Parking.
13. **Approval of the Administrative Modification would not be detrimental to the public health, interest, safety, or general welfare and would not be detrimental to the public health, interest, safety, or general welfare and would not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district.** Approval of the Administrative Modification will not be detrimental to the general welfare or injurious to property in the vicinity. The required parking will be located on-site with the exception of the handicapped parking space which will be located off-site within fifty feet (50') of the buildings rear entrance consistent with Building Code requirements and will not have a direct impact on the neighboring properties because the space will be located on a public lot. Furthermore, approval of the proposed modification will not prevent development or limit the use of neighboring properties.
14. **The project is consistent with the General plan and complies with all other applicable provisions of this Title.** The project is consistent with the General Plan and Zoning Designation, which encourages a pedestrian friendly environment and offers a specialty retail use to downtown and adjacent neighborhoods. It is also consistent with all the regulations of the CD zone.

CEQA

Pursuant to the California Environmental Quality Act (CEQA) guidelines, initial review of the project by staff established that there are no potentially significant adverse impacts on the environment and the project has been determined to be Categorically Exempt pursuant to Section 15332 of CEQA, because the proposed project is an in-fill development. The project is consistent with the Downtown

General Plan designation and applicable General Plan policies as well as with the Commercial Downtown (CD) zoning and regulations. Furthermore, the project site is substantially surrounded by urbanized and commercially developed uses and so it has minimal potential as a habitat for endangered, rare or threatened species. The project occurs within Culver City limits with the exception of the 1,431 square foot vacant lot which is in the jurisdiction of the City of Los Angeles. The City of Los Angeles' Departments of Building and Planning have relinquished entitlements and building permit authority to the City of Culver City for this project. Also, the approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services.

Conditions of Approval

Based upon the above findings and pursuant to CCMC Chapter 17.540, 17.530, and 17.550 requirements, Administrative Site Plan Review, ASPR P-2008124, Administrative Use Permit P-2008125, and Administrative Modification P-2008123 are hereby approved subject to the following conditions:

General Conditions/Planning Division:

1. The building permit drawings shall conform to the development plans, colored renderings, and materials sample board date stamped May 26, 2009, except as noted below.
2. The notice of decision approving Administrative Site Plan Review ASPR P-2008124, Administrative Use Permit P-2008125, and Administrative Modification P-2008123 and the conditions of approval shall be referenced on the cover sheet, and repeated in full on attached additional sheets of the building permit drawings.
3. 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.

4. 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 Administrative Site Plan Review, ASPR P-2009072, Administrative Use Permit, AUP P-2009073, and Administrative Modification, AM P-2009071.
5. The City reserves the right to periodically inspect the premises without prior notification, to ensure ongoing compliance with all conditions of approval.
6. Administrative Site Plan Review ASPR P-2008124, Administrative Use Permit P-2008125, and Administrative Modification P-2008123 shall expire unless:
 - A. Actual construction, in accordance with a valid City issued building permit, is commenced on the site within one (1) year after the effective date of the entitlements; or
 - B. Prior to the entitlements' 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./property owner and, thereafter, an extension is granted by the Deputy Community Development Director/Planning Manager or designee.
7. A Certificate of Occupancy for the approved project will be issued, and/or final inspections shall be scheduled, only upon completion of all applicable conditions of approval and required site improvements.
8. All signs shall be designed and installed pursuant to CCMC Title 17- Chapter 17.330 Signs for review and approval prior to the installation of any sign.
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. In addition to the screening requirements for onsite parking areas including loading areas, refuse storage / trash compactor facilities, and Fire Department connections, the following items shall be screened from surrounding and nearby public and private properties in a manner consistent with City standards and suitable to the subject development as approved by the Deputy Community Development Director/Planning Manager. In general, the height of any required screening device shall be no lower on any side than the height of the highest feature requiring screening and:

- A. All exteriors of the proposed buildings shall be free of all un-aesthetically treated, exposed elements (i.e., plumbing pipes, electrical conduits, and National Pollution Discharge Elimination System (NPDES) elements) which shall be placed within the exterior walls. Where exposed wall-mounted features or equipment may be necessary (i.e., ventilators and utility meters), recessed wall mounted cabinets or other similar devices shall be constructed within the wall, whenever possible, to accommodate such features and equipment so that they are flush with and do not project out from the main exterior wall plane. With or without recesses, the exposed portions of such features or equipment shall be of a color to blend, not contrast, with the adjoining finished building color, subject to the approval of the Planning Manager;
 - B. All roof-mounted mechanical equipment, duct vents and the like shall not project above the horizontal plane of the building's lowest primary opaque architectural feature(s) (i.e., parapet walls, penthouse structures or screening walls); and
 - C. All ground-mounted equipment (i.e., transformers and air conditioners) shall be located within the building or in underground vaults if the equipment is located within a street facing setback, or it shall be screened with walls and/or landscaping if not located within a street facing setback. Ground-mounted equipment shall not be located in the landscaped areas fronting any public right-of-way.
- 11. The refuse containers assigned to or otherwise used by the building shall be stored onsite in the trash enclosure.
 - 12. All hardscape areas along both the exterior of the building 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 Deputy Community Development Director/Planning Manager.
 - 13. 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 and 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.
 - 14. The Deputy Community Development Director/Planning Manager may revoke the Administrative Use Permit and/or the Administrative Modification if the

- conditions of approval herein are not complied with. Prior to such revocation, timely notice and response opportunities shall be given to the business owner.
15. The tandem parking spaces shall be used only in conjunction with an office and retail building on the subject property and shall meet all requirements of CCMC Chapter 17.320-Off Street Parking and Loading and all other applicable requirements of CCMC Title 17- Zoning.
 16. If the tandem parking is unassigned, a parking attendant is required during the business hours of the proposed business operations to ensure adequate parking services.
 17. Any change of use on the subject property shall require the approval by the City of a modification to the Administrative Use Permit to continue the use of tandem parking
 18. The Administrative Modification allows for a one (1) space reduction of the seven (7) required on-site parking spaces to six (6).
 19. A City approved Covenant and Agreement shall be signed by the property owner(s) and notarized limiting the useable office space on the second floor to no more than 1,750 square feet. Said Covenant and agreement shall be recorded with the Los Angeles County Recorder's Office.

PRIOR TO THE ISSUANCE OF ANY DEMOLITION, GRADING, EXCAVATION, AND/OR BUILDING PERMIT:

Planning Division

20. All exterior lighting shall be developed pursuant to CCMC Title 17, Chapter 17.300, General Property Development Use and Standards. The applicant or property owner shall submit to the Deputy Community Development Director/Planning Manager for approval an exterior lighting fixture plan. The lighting fixture plan shall identify the location and type of all exterior light fixtures. All lighting shall be directed onsite and light sources shall be shielded so as not to be intrusive to surrounding properties.
21. The applicant and the property owner shall jointly 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, which shall be signed by the applicant and the property owner prior to a building permit being issued.

22. A Covenant and Agreement shall be signed and notarized certifying the property owner(s) agrees to hold lot numbers 1 and 2 of Tract No. 5747 as one parcel.
23. The City's Art in Public Places requirement per CCMC Title 15, Section 15.06.100 shall be fulfilled.
24. Plans detailing the architectural relief on the south wall shall be submitted to the Planning Manager for review and approval.
25. The City's Historic Preservation Program requirement per CCMC Title 15, Section 15.05.035 shall be fulfilled.
26. Pursuant to CCMC Title 15, a New Development Impact Fee will be required.
27. The existing utility pole on the north east side of the property shall be relocated on-site to provide adequate maneuvering in and out of spaces and approved by the Planning Division.

Engineering Division

28. Two (2) sets of On and Off-Site Improvement/Precise Grading Plans prepared by a civil engineer registered in the State of California shall be submitted to the Engineering Division for review, approval, and permitting. Among other things, the Site Improvement/Grading Plan shall include detailed drainage and precise grading of the site indicated by spot elevations and indicate all proposed and existing utilities. An initial plan check fee in the amount of \$750.00 will be due upon first submittal.
29. Applicant shall place all public utility services for permanent use underground from utility source to the terminations facility on private property per CCMC 5.04.065. The owner shall be responsible for all coordination for the utility installation with respective utility company and its necessary construction.
30. Applicant shall submit a Staging Plan, if any work, temporary structures, or construction trailers are proposed in the Public Right of Way, for review and approval by the City Engineer of his/her designee.

31. Per the Culver City Municipal Code CCMC Section 5.01.010, Ordinance No. 2201-011 Solid Waste Management, the Culver City Sanitation Division has the exclusion franchise for all solid and recyclable waste material handling within the City limits. To arrange for waste management activities, contact Sanitation representative at (310) 253-6400.
32. Due to the change of use and increased density, this project is subject to a City's Sewer Facility Charge. This charge shall be paid directly to the Engineering Division prior to the issuance of any permit.
33. Applicant will be required to provide its own trash enclosure with a minimum size, location, and configuration approved by the Public Works/Sanitation Division Manager, 310.253.640 prior to Building Permit issuance. The applicant will be required to provide separate trash bins for recyclable waste and regular solid waste material.

Public Works/ Stormwater Conditions

Local Stormwater Pollution Prevention Plan

34. Concurrent with the submittal of the Site Improvement/Grading Plan, a Local Storm Water Pollution Prevention Plan (LSWPPP) package prepared by a registered Civil Engineer shall be submitted for review and approval by the City Engineer. (Note: The Site Improvement Plans will not be accepted for review unless the LSWPP Plan is included in the submittal package.)
35. The LSWPPP shall be developed and implemented in accordance with the requirements of the current Los Angeles County Municipal Stormwater NPDES Permit No. CAS614001 and the CCMC Section 5.05.035. Prior to the issuance of any demolition, grading, excavation and/or building permit, the applicant shall have a LSWPPP package approved by the City Engineer.
36. The LSWPPP package shall include all of the individual items listed in the Engineering Division's "Requirements for Local Storm Water Pollution Prevention Plan" handout, which may be obtained from the Engineering Counter. If the LSWPPP package fails to contain all required items, the package will not be accepted.
37. The scope of the information shown on the site plans must be limited to NPDES-relevant information (i.e. turn off utility, architectural, or other features not relevant to the NPDES requirements). Please contact City's Stormwater Consultant, at (310) 253-5600 for any questions and to obtain instructions and handouts required for a complete submittal and associated plan check fees.

Prior to the start of design of these plans and of necessary reports, the applicant's Civil Engineer shall meet with the City's Stormwater Consultant to obtain information on the City-specific LSWPPP requirements.

38. Plan check fee for the LSWPPP shall be paid at the time of the initial submittal, per the most current fee schedule established in City Council.
39. Applicant shall appropriately and effectively implement the BMPs identified in the LSWPPP and reduce to the Maximum Extent Practicable (MEP) both the volume of storm water leaving the site as well as the amount of sediments and other pollutants in the storm water and the non-storm water discharges.

Building and Safety Division:

40. Applicant shall submit separate plans for building, electrical, plumbing, and mechanical permits to Building Safety.
41. All utilities shall be underground or enclosed in the building construction. No on-site overhead utilities shall be permitted.
42. Notification and upgrades of adjacent properties may be required. If upgrades to adjacent properties are required by the Building Safety Divisions and the Engineering Division will determine what upgrades, if any, shall be the responsibility of which party.
43. The ground level restrooms require will be per the 07' California Plumbing Code.
44. All shafts shall be minimum 2 hr. rated from the foundation to the underside of the roof deck or to the top of parapet walls as part of any shaft construction.
45. All shafts shall be enclosed at all levels to other areas of the building.
46. The elevator cab size shall be minimum 51" deep x 80" wide for on-center doors or minimum 51" deep x 68" wide for off-center doors.
47. All main doors and all egress doors shall swing in the direction of egress.
48. All treads, risers, handrails, etc. inside any common area stairway shall be 100% non-combustible construction.
49. Any trash room, equipment room, etc. shall be minimum 2 hr. rated to all other areas.

50. All exterior walls on the property lines (other than fronting on streets) shall be minimum 2 hr. rated from the foundation to the top of parapet wall extending a minimum of 30" above any adjacent roof or walking surface. As such, property line fire walls shall be 100% reinforced concrete or reinforced concrete block construction. No wood or metal stud framing in such walls shall be permitted.
51. No openings in exterior walls are permitted within three feet (3') of any property line.
52. All commercial areas shall be minimum of 2 hr. rated to all residential areas.
53. Tempered or laminated glazing shall be specified at all hazardous locations.
54. All roof or roof deck coverings shall be minimum Class A fire resistant.
55. 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. Do not schedule any partial or full openings or advertise any openings without City approval.
56. The overall construction permit application drawings shall indicate any construction staging areas proposed.
57. The overall permit application drawings shall include a schedule of special inspections anticipated, the firm proposed for special inspections, and the resumes of any special inspectors for this project. Culver City Building Safety reserves the right to reject any special inspector at any time. If a Culver City Building Inspector is inspecting a portion of the work for which a special inspection is required, the special inspection report shall be made available to the Culver City Building Inspector on his arrival to the jobsite. All jobsite supervisors, contractors, and subcontractors shall give their priority to the Culver City Building Inspectors when they are on-site.
58. Culver City Building Safety may apply administrative assessments and/or post general stop work notices for any violations of the conditions of approval for the project, any violations of the CCMC or any violations of adopted codes and standards.
59. Hours of construction shall be limited from 8:00 A.M. to 6:00 P.M. Monday to Friday, and from 9:00 A.M. to 6:00 P.M. on Saturday and Sunday.

Fire Department:

60. Plans submitted for building permit shall have a "Fire Department Notes" section. The FD notes shall include all related building and fire code requirements for this project
61. A National Fire Protection Association Standard 13 system shall be installed in the structure and the Citizens Building. Fire Department connection location shall be as approved by the Fire Marshall; DDCA location shall be per the Fire Marshall and the Deputy Community Development Director/ Planning Manager.
62. An off-site monitoring system shall be installed to report operation of the fire sprinkler system per NFPA 72 2007 edition.
63. All fascia, parapets and wall tops shall be constructed of solid materials (no foam products) unless reviewed and approved by the Fire Department and the Building Department prior to installation.
64. All parapets above five feet in height shall have catwalks and ladders as approved by the Fire Marshall.
65. All rooms shall be numbered and labeled per CCMC 9.02 and the 2007 California Fire Code (CFC).
66. Provide an address visible and legible from the public way.
67. Provide a KNOX Box(s) and KNOX key switches as required by the Fire Marshall.
68. All exterior doors shall have key sets and handles for Fire Department access.
69. Provide specific occupancy for use of buildings such as restaurants, offices, etc.

DURING CONSTRUCTION:

Planning Division:

70. 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 and of a size and location as approved by the Planning Manager. These names and telephone numbers shall be made available to adjacent property owners and residents.

71. During all phases of construction, the applicant and property owner shall use their best efforts to ensure that all construction workers and contractors park onsite or at designated offsite locations approved by the City and not in the surrounding neighborhood.
72. All graffiti shall be removed within forty eight (48) hours of its application and said removal standards shall continue once the development becomes operational.
73. All construction equipment shall be modified so as to insure the following noise standards:
 - A. Equipped with mufflers and sound control devices (i.e., intake silencers and noise shrouds) no less effective than those provided on the original equipment and no equipment shall be operated without an exhaust muffler;
 - B. Properly maintained to minimize noise emissions;
 - C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall be setback from any street and other property lines so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors;
 - D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as determined necessary by the Planning Manager and the Building Official in order that compliance with the CCMC Noise Regulations and Standards is achieved; and
 - E. Stationary source equipment (i.e., compressors) shall be located so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors.

Engineering Division:

74. The construction contractor shall advise the Public Works inspector of the schedule and shall meet with the inspector prior to commencement of work.
75. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 A.M. to 9:00 A.M.) and afternoon (4:00 P.M. to 6:00 P.M.) peak traffic periods.
76. During construction, dust shall be controlled by regular watering and as directed by the Public Works Department City inspector.

77. All staging and storage of construction equipment and materials, including the construction dumpster and storage containers shall be on-site only and will not be allowed along the Public Right of Way unless authorized by the City Engineer. The applicant shall obtain prior written permission from adjacent property owners for any construction staging occurring on adjacent property.
78. A copy of the Local SWPPP, inspection logs, and training records shall also be kept on site and available for inspection at all times during construction.

PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (C of O):

Planning Division:

79. All applicable conditions of approval and required on-site and off-site improvements shall be completed to the satisfaction of the Planning Manager.

Engineering Division:

80. The applicant shall be responsible for the expense to repair or replace any damage to the public right-of-way caused by the construction of the proposed project. Such repair or replacement shall be completed per APWA Standards to the satisfaction of the City Engineer.
81. All Conditions of Approval shall be completed to the satisfactory of the City Engineer.

Fire Department:

82. A maintenance and service agreement shall be provided for fire sprinklers and off-site reporting system.
83. A pre fire plan shall be provided prior to a Certificate of Occupancy is issued. At the appropriate time please contact Fire Prevention at (310) 253-5925 for instructions, assistance and approval.

Appeal

This administrative decision may be appealed in accordance with Chapter 17.640-Appeals, by any interested person within 15 calendar days of approval, or by 5:30 P.M., February 3, 2010. If no appeal is filed by that date, the decision shall be final. If a timely appeal is filed, we will notify you. If you have any questions, please contact Christina Rios, Assistant Planner, at (310) 253-5756.

Sincerely,



Thomas Gorham
Deputy Community Development Director/Planning Manager

TG: cr

Copy: Sol Blumenfeld, Community Development Director
Craig Johnson, Building Official
Richard Gallegher, Fire Marshal
Charles Herbertson, Public Works Director
Andy O'Connell, Senior Civil Engineer
Christine Byers, Cultural Affairs
Christina Rios, Assistant Planner
Decision Letter Binder
Case File