

**MEETING DATE:**    **12.10.12**

**AGENDA ITEM:**    Adoption of an Ordinance Amending the Culver City Zoning Map, as Referenced in Title 17, Zoning, of the Culver City Municipal Code, Section 17.200.015, Establishing Planned Development Zone No. 10 Zoning Code Map Amendment (ZCMA P-2012020) and Approving a Comprehensive Plan (CP P-2012018) to Allow a Commercial Development Consisting of Approximately 41,735 Square Feet of Retail and Restaurant Uses and 38,732 Square Feet of Office Uses Located at 8810-8850 Washington Boulevard and 3920 Landmark Street.

### **ATTACHMENTS**

|                                                                                            | <u>Pages</u> |
|--------------------------------------------------------------------------------------------|--------------|
| 1. Proposed Ordinance and Exhibit A, Zone Change Map and Exhibit B, Conditions of Approval | 1-34         |

## ORDINANCE NO. 2012-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING THE CULVER CITY ZONING MAP, AS REFERENCED IN TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE, SECTION 17.200.015, ESTABLISHING PLANNED DEVELOPMENT ZONE NO. 10 AND APPROVING COMPREHENSIVE PLAN, CP-P2012018, CONSISTING OF A COMMERCIAL DEVELOPMENT OF APPROXIMATELY 41,745 SQUARE FEET OF RETAIL AND RESTAURANT USES AND 38,732 SQUARE FEET OF OFFICE USES LOCATED AT 8810-8850 WASHINGTON BOULEVARD AND 3920 LANDMARK STREET IN THE INDUSTRIAL GENERAL (IG) ZONE, AND RELATED ZONING CODE MAP AMENDMENT, ZCMA P-2012020.

(ZCMA P-2012020 AND CP-P2012018)

WHEREAS, on February 29, 2012, Mr. Joseph Miller of the Runyon Group, as the applicant and property owner (the "Applicant") of 8810-8850 Washington Boulevard and 3920 Landmark Street, filed an application for a Comprehensive Plan and Zoning Code Map Amendment for Planned Development District No. 10, consisting of a commercial development of approximately 41,745 square feet of retail and restaurant uses, 38,732 square feet of office uses, and two multi-level parking structures providing a total of 312 parking spaces (the "Project"), the Project site described more fully as Lots 1, 2, 3, portion of 13, and 14 of Tract No. 4757, in the City of Culver City, County of Los Angeles, State of California; and,

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

1. Zoning Code Map Amendment: For consistency between land use designation and zoning, specifically the zone change of the Project site from the Industrial General (IG) Zone to a Planned Development (PD) Zoning District: and

2. Comprehensive Plan: To ensure the Project is in compliance with all required standards and City ordinances and establish all onsite and offsite conditions of approval to

1 reflect the site features and compatibility of the proposed Project with the uses on adjoining  
2 properties.

3 WHEREAS, on October 4, 2012, after conducting a duly noticed public hearing (held  
4 on September 12, 2012 and continued on October 4, 2012), on the subject applications,  
5 including full consideration of the application, plans, staff report, environmental information  
6 and all testimony presented, the Planning Commission (i) adopted a Mitigated Negative  
7 Declaration, in accordance with the California Environmental Quality Act (CEQA), finding the  
8 project, as mitigated, will not result in significant adverse environmental impacts; and (ii)  
9 adopted Resolution No. 2012-P011 recommending to the City Council, approval of Zoning  
10 Code Map Amendment, ZCMA P-2012020 and Comprehensive Plan, CP-P2012018, (the  
11 adopted Mitigated Negative Declaration and Resolution No. 2012-P011 are incorporated by  
12 this reference as though fully set forth herein); and,  
13  
14

15 WHEREAS, on November 12, 2012, after conducting a duly noticed public hearing on  
16 the subject application, including full consideration of the application, plans, staff report,  
17 environmental information, Planning Commission recommendation, and all testimony  
18 presented, the City Council (i) by a vote of \_\_\_ to \_\_\_, determined that no new information  
19 has become available and no changes in the proposed project have been made since the  
20 Planning Commission adopted the Mitigated Negative Declaration and, therefore, no  
21 additional environmental analysis is required; and (ii) by a vote of \_\_\_ to \_\_\_ approved  
22 Zoning Code Map Amendment, ZCMA P-2012020, for Planned Development Zone No. 10,  
23 and Comprehensive Plan, CP-P2012018, as set forth herein below.  
24  
25

26 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,  
27 CALIFORNIA, RESOLVES AS FOLLOWS:  
28  
29

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

**Zoning Code Map Amendment for Planned Development Zone No. 10:**

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

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

The proposed Zoning Code Map Amendment for the proposed Project ensures and maintains internal consistency with the goals, policies and strategies of the General Plan. Specifically, the Zoning Code Map Amendment that will change the zoning of the Project site from the IG Zone to PD Zone No. 10 will make the site consistent with the General Plan Land Use "General Corridor" commercial designation. The proposed uses are more consistent with the site's General Plan commercial designation than with the current Industrial General zoning.

This zone change, which will allow for a Comprehensive Plan for multi-use commercial development consisting of pedestrian oriented ground floor retail and restaurants with outdoor dining; office uses above the retail and/or restaurant spaces; pedestrian friendly open courtyard areas and paseos; as well as enhancements to the streetscape along Washington Boulevard and Landmark Street, will further the goals and objectives as outlined in Objectives 5 through 8, 10 and 12 of the General Plan Land Use Element. The proposed Project will encourage reinvestment in this area thereby improving economic vitality, visual quality, and the pedestrian environment. Currently the Project site consists of several vacant buildings, paved surface level parking lots and a three level above ground parking structure previously used by a car dealership. The proposed Zoning Code Map Amendment for the proposed Project will not result in any inconsistency with the General Plan.

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

The proposed Zoning Code Map Amendment is not detrimental to the public interest, health, safety, convenience or welfare of the City in that the amendment, and subsequent Project, have been reviewed by City Departments to ensure compliance with all relevant City standards, codes and policies. The proposed zone change from Industrial General to Planned Development to implement the Comprehensive Plan is more compatible and consistent with the General Corridor General Plan Land Use designation. The zone change to Planned Development would focus the types of

uses allowed in the Comprehensive Plan consistent with the goals and objectives of the Commercial District and the Transit Oriented Development (TOD) area as opposed to the Industrial District. This would lessen the impacts to the surrounding area that would otherwise occur with industrial type uses. No health or safety hazards have been identified in the review of this Project.

The Zoning Code Map Amendment will allow for a Comprehensive Plan for a multi-use commercial development that is anticipated to encourage new business, tourists and retail opportunities in the City. Business and commercial opportunities add to the economic vitality that serves the community and protects the quality of life. The Project will be integral to the success of the TOD area that includes proposed mixed use projects because it will support local commercial activity and help in the creation of pedestrian friendly retail opportunities and community gathering spaces. With City approval of the proposed amendment, the Project will be consistent with the objectives of the General Plan Land Use "General Corridor" commercial designation and will be in conformance with the CCMC, including the Zoning Code.

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

The proposed Zoning Code Map Amendment is in compliance with CEQA as more fully detailed in the Project's environmental documentation, including, but not limited to, the Initial Study, Mitigated Negative Declaration and Project traffic study. Potential impacts to various environmental factors as reviewed in the Initial Study will be mitigated through various green building methods that include, where feasible, use of local manufactured products, storm water filtration systems, high rated building insulation, and permeable exterior paving surfaces to reduce storm water run-off. Other sustainable development practices will include photovoltaic electricity generation, low flow fixtures and low consumption urinals, drought tolerant vegetation, green-screen wall systems incorporated into the courtyard landscape design, dual low emissivity glazing, and façade shading elements to reduce solar heat gain. In accordance with CEQA, the Project's greenhouse gas emission impacts were reviewed and found to have a less than significant environmental impact on the surrounding area. Carbon emission reduction procedures have been incorporated into the Project, which include bicycle racks spread throughout the site and bicycle facilities including lockable areas, participation and support of a potential shuttle service that would loop from the Hayden Tract area to the Exposition Light Rail Transit Station to Downtown Culver City, preferred parking for low emission vehicles and carpool vehicles, and sourcing products from local manufacturers when possible.

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

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

A complete review by City staff has determined that the Project site is in compliance with all applicable design standards and all public services can be provided; therefore, the site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses and absence of physical constraints) for the requested zoning designation and anticipated land use development as outlined in the Comprehensive Plan.

The multi-use commercial development project has been sited and designed to be integral to the Transit Oriented Development (TOD) area and will create a transition from the Exposition Light Rail Transit station, planned mixed use TOD developments and more traditional commercial uses further west toward Downtown Culver City. Commercial uses are located on Washington Boulevard while commercial, light industrial and school uses are located along Landmark Street. The commercial development will fit within this fabric while providing local market, retail, and restaurant opportunities for local residents that will be a part of the planned TOD mixed use projects nearby. The height of the proposed structures and existing structures to remain do not exceed the 56 foot height limit and comply with Zoning Code setback and parking requirements.

Vehicular access to the Project site has been located at physically suitable locations on Landmark Street that are sufficiently distant from Washington Boulevard to avoid impacts on that major arterial. In addition, locating on-site parking access on Landmark Street instead of Washington Boulevard avoids impacts to traffic flow on Washington Boulevard, one of the City's major roadways.

In sum, the proposed use of office, retail, and restaurants is compatible with existing land uses. The site occupies corner to corner parcels with a majority of frontage on Washington Boulevard. This frontage makes the site ideal for a pedestrian facing retail project. The existing utility services such as water, sewer and gas line are adequate for the proposed uses.

#### **Comprehensive Plan for Planned Development Zoning District No. 10:**

As outlined in CCMC Title 17, Section 17.560.020, the following required findings for a Comprehensive Plan are hereby made:

#### **A. The proposed Comprehensive Plan can be substantially completed within four years.**

According to the Applicant, the proposed Project is planned and scheduled to be complete within four years (most likely within two years). The Applicant owns the land with no debt and has the capital to build the entire Project. Construction is expected to begin in early 2014 with substantial completion by mid-2014, provided approval of the requested entitlement is granted.

- 1 **B. The proposed development is capable of creating an environment of sustained**  
2 **desirability and stability or adequate assurance will be provided such objective**  
3 **will be attained.**

4 The proposed development will create an environment of sustained desirability and  
5 stability by providing the neighborhood with commercial uses that will serve the  
6 surrounding business and residential neighbors. The Hayden Tract, Helms Bakery  
7 Complex, and East Washington areas have flourishing office and retail populations,  
8 residential communities and dynamic art, food, and design establishments. The  
9 proposed Project, consisting of retail, office and dining and community space tie all of  
these various uses together assuring this area's continued success. The proposed  
Project will enhance and sustain the desirability and stability of the entire  
neighborhood.

- 10 **C. The proposed uses will not be substantially detrimental to present and potential**  
11 **surrounding uses but will have a beneficial effect.**

12 A mix of transportation, industrial and commercial uses currently surround the Project  
13 site, including the Exposition Light Rail Transit station, warehousing and distribution  
14 facilities, retail and office establishments, a private school, and vacant land (proposed  
15 to be a mixed use project with residential and retail uses). The proposed Project uses  
16 of office, retail, and restaurants will be compatible with the surrounding areas. The  
17 Project site is currently vacant with several empty buildings and paved surface parking  
lots previously occupied by a car dealership. The proposed Project will have a  
beneficial effect by developing the site with active uses, new retail and office  
opportunities, pedestrian friendly open courtyards and paseos and a vibrant and  
enhanced streetscape.

- 18 **D. The streets and thoroughfares serving the development are suitable and**  
19 **adequate to carry anticipated traffic and the development will not generate**  
20 **traffic that will overload the adjacent street network.**

21 A comprehensive traffic study has been conducted to determine impacts the Project  
22 may have on traffic. The study showed a slight impact on one of the studied  
23 intersections and has stipulated a measure that will mitigate this impact to a less than  
24 significant level. As a result of this mitigation, the traffic study has determined that the  
25 Project will not generate traffic that will overload the adjacent street network. It is also  
26 important to note that the proposed Project is served by two major thoroughfares;  
27 Washington and National Boulevards. The site is surrounded entirely by commercial  
28 uses and does not border any residential neighborhoods.  
29

**E. The proposed development is compatible with the surrounding area.**

The surrounding area is comprised of commercial and light industrial buildings. The proposed development is entirely commercial and is therefore compatible with the surrounding uses.

**F. The types and locations of any proposed commercial development can be economically justified.**

The Applicant has invested a significant amount of capital into the Project, thereby committing to develop the site as proposed. As part of the Applicant's due diligence on the proposed Project, he has consulted with experts in the retail field, real estate brokers, and potential tenants and has determined that there is significant demand and interest in the types of commercial uses he is proposing. The Applicant has already initiated pre-leasing activity on the site.

**G. The Comprehensive Plan is in conformance with the General Plan, or a concurrent General Plan amendment is in process.**

The proposed Comprehensive Plan is in conformance with the goals, policies and strategies of the General Plan. Specifically, the Comprehensive Plan will make the site consistent with its General Plan Land Use "General Corridor" commercial designation. The proposed uses in this Comprehensive Plan are more consistent with the site's general plan commercial designation than with the current industrial zoning. The Comprehensive Plan will allow for a multi-use commercial development consisting of pedestrian oriented ground floor retail and restaurants with outdoor dining; office uses above the retail and/or restaurant spaces; and pedestrian friendly open courtyard areas and paseos; as well as enhancements to the streetscape along Washington Boulevard and Landmark Street, and will further the goals and objectives as outlined in Objectives 5 through 8, 10, and 12 of the General Plan Land Use Element. The proposed Project will encourage reinvestment in this area thereby improving economic vitality, visual quality, and the pedestrian environment.

**H. Any exception from the standards and requirements of this Title is warranted by the design and amenities incorporated in the Comprehensive Plan and is desired by the Council.**

Standards created specifically for this project are consistent with traditional General Corridor and commercial zoning standards and requirements. No exceptions are requested as part of this proposed Comprehensive Plan.

**I. Existing and proposed utility services are adequate for the proposed uses.**

Review of the project by the City's Public Works Department has determined that the proposed utility services and existing utilities that will serve the site are adequate for the proposed uses.



**J. The Comprehensive Plan has complied with all applicable City requirements.**

The Comprehensive Plan has been prepared in conformance with the Culver City Municipal Code, including the Zoning and Building Codes. This includes submission and review of a proposed site plan and uses; preliminary building plans; landscaping, lighting, and signage plans; and civil engineering plans. Review by City departments of these plans has determined that the Comprehensive Plan is compliant with all applicable City requirements.

SECTION 2. Pursuant to the foregoing recitations and findings, the City Council of the City of Culver City, California, hereby adopts Comprehensive Plan, CP-P2012018 and Zoning Code Map Amendment, ZCMA P-2012020, establishing Planned Development Zone No. 10, as set forth in Exhibit A, Zone Change Map, attached hereto, and subject to the conditions of approval as set forth in Exhibit B attached hereto and incorporated herein by this reference.

SECTION 3. Pursuant to Section 619 of the City Charter, this Ordinance shall take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621 of the City Charter, prior to the expiration of fifteen days after the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City News and shall post this Ordinance or a summary thereof in at least three places within the City.

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1 SECTION 4. The City Council hereby declares that, if any provision, section,  
2 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared  
3 invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason  
4 of any preemptive legislation, then the City Council would have independently adopted the  
5 remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this  
6 ordinance and as such they shall remain in full force and effect.  
7

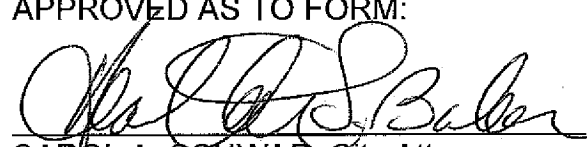
8  
9 APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.  
10

11  
12 \_\_\_\_\_  
13 ANDREW WEISSMAN, MAYOR  
14 City of Culver City, California

15 ATTESTED BY:

16  
17 \_\_\_\_\_  
18 MARTIN R. COLE, City Clerk

15 APPROVED AS TO FORM:

16  
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18 CAROL A. SCHWAB, City Attorney  
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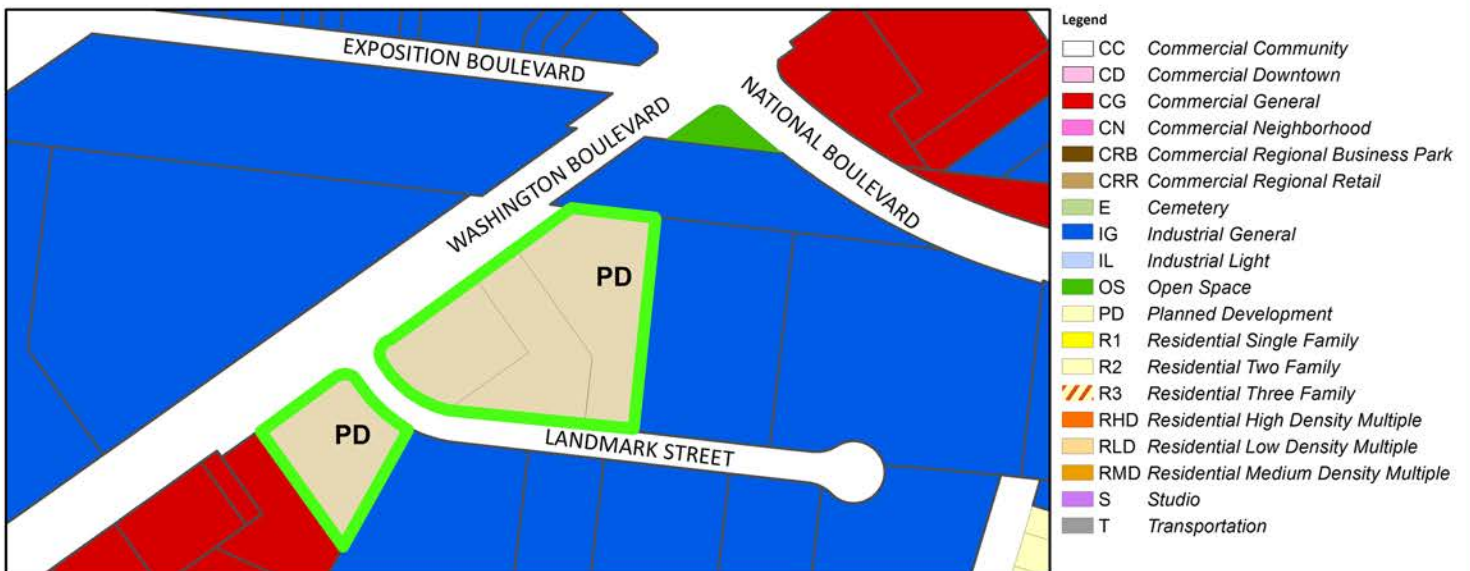
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**EXHIBIT A**

Ordinance No. \_\_\_\_\_  
 Platform Zoning Code Map Amendment  
 (ZCMA P - 2012020)  
 8810 - 8850 Washington Boulevard and  
 3920 Landmark Street

**Existing Zoning (Industrial General)**

Project Site

**Proposed Zoning (Planned Development)**

Project Site

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020, CP-P2012018 AND MND P-2012019

| NO.            | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                  | Agency   | Source   | Compliance Verification |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|-------------------------|
| <b>GENERAL</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |          |                         |
| 1.             | These Conditions of Approval are being imposed on Platform Planned Development and Comprehensive Plan, a commercial development of 41,745 square feet of retail and restaurant floor area, 38,732 square feet of office floor area, and two multi-level parking structures providing a total of 312 parking spaces (the "Project"), for the property located at 8810 – 8850 Washington Boulevard and 3920 Landmark Street (the "Property").             | All      | Standard |                         |
| 2.             | A copy of the Resolution approving the Project, and a copy of these Conditions of Approval, shall be printed on the plans submitted as part of any building permit application for the Project.                                                                                                                                                                                                                                                         | Planning | Standard |                         |
| 3.             | All building permit applications for the Project shall include sufficient information and detail to clearly reflect compliance with all applicable requirements of the Culver City Municipal Code (the "CCMC") and with these Conditions of Approval.                                                                                                                                                                                                   | Planning | Standard |                         |
| 4.             | The land use permit to which these Conditions of Approval apply (the "Land Use Permit") shall expire four years from the date of final approval of said Land Use Permit, if the use has not been exercised. As provided in CCMC Section 15.595.030 – "Time Limits and Extensions", an applicant may request an extension of said expiration date by filing a written request with the Planning Division prior to the expiration of the land use permit. | Planning | Standard |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.            | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Agency                    | Source   | Compliance Verification |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------|-------------------------|
| <b>GENERAL</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |          |                         |
| 5.             | Pursuant to CCMC Section 17.630.010.C.4 – “Posted Notice”, the public notification sign(s) installed in accordance with the public notification requirements for the Land Use Permit shall be removed within ten days after the end of the appeal period or the final decision by the City Council on the Land Use Permit, whichever occurs last.                                                                                                                                                                                                                                                                             | Planning                  | Standard |                         |
| 6.             | The Project shall be developed pursuant to CCMC Chapter 17.300 – “General Property Development and Use Standards”.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Planning                  | Standard |                         |
| 7.             | All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - “Landscaping”.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Planning                  | Standard |                         |
| 8.             | All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - “Off-Street Parking and Loading”.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Planning                  | Standard |                         |
| 9.             | Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - “Signs”. All signs require a separate permit and approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Planning                  | Standard |                         |
| 10.            | All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | All                       | Standard |                         |
| 11.            | All work within the public right-of-way (including but not limited to curb, gutter, sidewalk, and driveways) shall be designed and completed to the satisfaction of the City Engineer.                                                                                                                                                                                                                                                                                                                                                                                                                                        | Public Works              | Standard |                         |
| 12.            | Street trees shall be installed, to the satisfaction of the City Engineer and the Community Development Director, in conformity with the City’s approved Street Tree Master Plan and/or the City’s Transit Oriented Development District Streetscape Plan adopted for this area including tree wells and irrigation. All new (and existing) street trees shall be supplied with irrigation water from the overall site irrigation system which shall include a timer and a rain sensor. All new (and existing) street trees, landscaping, and irrigation shall be indicated on the overall site landscaping/ irrigation plan. | Planning/<br>Public Works | Standard |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.            | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Agency                             | Source   | Compliance Verification |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------|-------------------------|
| <b>GENERAL</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |          |                         |
| 13.            | Drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway pavement shall be designed in conformity with all provisions of the latest edition of the American Public Works Association Standard Plans ("APWA Standards").                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Public Works                       | Standard |                         |
| 14.            | At the sole cost and expense of the Property Owner, any broken or damaged curbs, gutters, sidewalks, and street pavement resulting from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Public Works                       | Standard |                         |
| 15.            | Trash enclosures shall be provided and shall each have a minimum inside dimension of 10 feet x 12 feet, a gated opening that is at least 8 feet wide, and a 6 inch high by 6 inch wide concrete curb along the inside perimeter wall. Each enclosure shall also have at least a 6 inch thick concrete slab that drains at a one percent gradient out of the enclosure. Final approval for the size, location, and type of equipment needed for the adequate storage and disposal of all solid and recyclable waste generated by the Project shall be obtained from the City's Environmental Programs and Operations Manager. A fire suppression sprinkler system shall be provided within any covered trash enclosure area as required by the Fire Marshal. All refuse containers assigned to or otherwise used by the Project shall be stored on-site in the trash enclosures. | Public Works/<br>Fire/<br>Planning | Standard |                         |
| 16.            | All Project related solid and recyclable waste material handling shall be in accordance with CCMC Section 5.01.010 – "Solid Waste Management", which outlines the Sanitation Division's exclusive franchise for this service.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Public Works                       | Standard |                         |
| 17.            | The Project shall meet all provisions of CCMC Section 7.05.015 -"Transportation Demand and Trip Reduction Measures".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Trans.                             | Standard |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.            | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                  | Agency                | Source   | Compliance Verification |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------|-------------------------|
| <b>GENERAL</b> |                                                                                                                                                                                                                                                                                                                                                                                                                         |                       |          |                         |
| <b>18.</b>     | All buildings and structures to be constructed as part of the Project shall be designed and constructed in accordance with all applicable regulations and standards of the City's Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of issuance of a building permit. | Building/<br>Fire     | Standard |                         |
| <b>19.</b>     | Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.                                                                                                                                                                                                                                                                               | Building/<br>Planning | Standard |                         |
| <b>20.</b>     | The Project shall comply with all applicable requirement of the Culver City Green Building Program as set forth in CCMC Section 15.02.1100, et.seq.                                                                                                                                                                                                                                                                     | Building              | Standard |                         |
| <b>21.</b>     | The Project shall comply with the all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq.                                                                                                                                                                                                                                                              | Building              | Standard |                         |
| <b>22.</b>     | Changes to the Project or use approved as part of the Land Use Permit may only be made in accordance with the provisions of CCMC Section 17.595.035 – "Changes to an Approved Project".                                                                                                                                                                                                                                 | Planning              | Standard |                         |



## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                      | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Agency                        | Source   | Compliance Verification |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|----------|-------------------------|
| <b>PRIOR TO BUILDING PERMIT ISSUANCE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |          |                         |
| 23.                                      | A covenant and agreement, on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, acknowledging and agreeing to comply with all terms and conditions established herein, shall be signed by the Property Owner and recorded in the County Recorder's Office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, and tenants or occupants of the Property. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Planning Division.                                                                                                                                                                               | Planning/<br>City<br>Attorney | Standard |                         |
| 24.                                      | The Applicant and Property Owner shall indemnify and agree to defend (at the Applicant's and Property Owner's sole expense, with legal counsel approved by the City) and hold harmless the City, and its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all loss, damages, injuries, costs, expenses, liabilities, claims, demands, lawsuits, attorneys' fees and judgments, arising from or in any manner connected to any third party challenge to the City's approval of the Project. The obligations required by this Condition shall be set forth in a written instrument in form and substance acceptable to the City Attorney and signed by the Applicant and the Property Owner. | City<br>Attorney              | Standard |                         |
| 25.                                      | A minimum of three sets of final landscaping and irrigation plans (separate from the plans submitted for the building permit) shall be submitted to the Planning Division for review and approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Planning/<br>Parks &<br>Rec.  | Standard |                         |
| 26.                                      | Payment of New Development Impact Fees pursuant to CCMC Section 15.06.005 et. seq. shall be submitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Planning/<br>Building         | Standard |                         |



## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                      | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Agency                       | Source   | Compliance Verification |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------|-------------------------|
| <b>PRIOR TO BUILDING PERMIT ISSUANCE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                              |          |                         |
| 27.                                      | A Construction Management Plan prepared by the construction contractor, which identifies the areas of construction staging, temporary power, portable toilet, and trash and material storage locations, shall be submitted to and approved by the Building Official. Prior to commencement of work the construction contractor shall advise the Public Works Inspector and the Building Inspector ("Inspectors") of the construction schedule and shall meet with the Inspectors.                                                                                                                                                                                      | Building/<br>Public<br>Works | Standard |                         |
| 28.                                      | A Pedestrian Protection Plan shall be submitted to and approved by the Building Official. Such plan shall identify all areas of pedestrian protection and indicate the method of pedestrian protection or pedestrian diversion when required. When pedestrian diversion is required, the Pedestrian Protection Plan must also be approved by the Public Works Director.                                                                                                                                                                                                                                                                                                | Building/<br>Public<br>Works | Standard |                         |
| 29.                                      | Plans submitted as part of the building permit application shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of all proposed special inspectors. The Building Official reserves the right to reject any special inspector at any time for the duration of the Project. All special inspection reports shall be made available to the Building Official and to any Culver City Building Safety inspector as required by the Building Official. No work shall be covered without a Culver City Building Safety inspection, whether or not a special inspection was performed on such work. | Building                     | Standard |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                      | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Agency                       | Source   | Compliance Verification |
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| <b>PRIOR TO BUILDING PERMIT ISSUANCE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                              |          |                         |
| <b>30.</b>                               | <p>A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be submitted to the City Engineer and Planning Manager for review and approval prior to the issuance of any Project demolition, grading, or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the City's Fire and Police Departments. The City Engineer and Planning Manager reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The Construction Traffic Management Plan shall contain, but not be limited to, the following:</p> <p>A. The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations.</p> <p>B. An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the Property, and maps showing access to and within the Property and to adjacent properties.</p> <p>C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan.</p> <p>D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas.</p> <p>E. The location and travel routes of off-site staging and parking locations.</p> | Planning/<br>Public<br>Works | Standard |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                      | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Agency                | Source   | Compliance Verification |
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| <b>PRIOR TO BUILDING PERMIT ISSUANCE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                       |          |                         |
| <b>31.</b>                               | Reasonable efforts shall be used to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials. | Building              | Standard |                         |
| <b>32.</b>                               | A vector/pest control abatement plan prepared by a pest control specialist licensed or certified by the State of California shall be submitted for review and approval by the Planning Manager and the Building Official. Said plan shall outline all steps to be taken prior to the commencement of any demolition or construction activity in order to ensure that any and all pests (including, but not limited to, rodents, bees, ants and mosquitoes) that may populate the Property do not relocate to or impact adjoining properties.    | Building/<br>Planning | Standard |                         |
| <b>33.</b>                               | Prior to issuance of a building permit, notice of the Project construction schedule shall be provided to all abutting property owners and occupants. Evidence of such notification shall be provided to the Building Division. The notice shall identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish).                                                                           | Building              | Standard |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                      | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Agency                | Source                    | Compliance Verification |
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| <b>PRIOR TO BUILDING PERMIT ISSUANCE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                       |                           |                         |
| 34.                                      | A Phase 1 Archaeological/Paleontological Survey shall be completed and submitted to the Planning Division and Building Safety Division for review. If the Phase 1 Archaeological/Paleontological Survey indicates the presence of archaeological and/or paleontological resources, then an archaeological and/or paleontological professional(s), approved by the City, shall monitor all phases of the excavation for the project site. In the event that the Phase 1 Archaeological/Paleontological Survey determines that no such resources exist but undetected fossil resources and/or human remains, or other archaeological/paleontological resources are encountered during construction activities, work in that area must be halted, and both the City of Culver City and the coroner must be notified. Work will be halted in that area of the detected resource until the City of Culver City's archaeologist and paleontologist have been contacted to evaluate the resources and permission to commence work in that area has been given by the City of Culver City. | Planning/<br>Building | <b>Mitigation Measure</b> |                         |
| 35.                                      | An asbestos and lead survey shall be submitted to the Planning Division and Building Safety Division for review. The survey shall indicate the requirements on remediating the site and precautions taken during demolition and transport of hazardous materials according to the state regulations and Asbestos Hazard Emergency Response Act (AHERA).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Planning/<br>Building | <b>Mitigation Measure</b> |                         |

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Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                      | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Agency                       | Source         | Compliance Verification |
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| <b>PRIOR TO BUILDING PERMIT ISSUANCE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                              |                |                         |
| <b>36.</b>                               | A covenant and agreement on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, agreeing to hold lot numbers 1, 2, and 3 of Record of Survey 81-95 as one parcel and lot numbers 14 and portion of 13 of Record of Survey 81-95 as one parcel, shall be signed by the Property Owner and recorded in the County Recorder's office. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Planning Division.                                                                                                                                                 | Planning/<br>Public<br>Works | <b>Special</b> |                         |
| <b>37.</b>                               | A covenant and agreement (reciprocal access agreement) on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, agreeing to tie all on-site parking required for the project on both sites making said parking available to all users of the project shall be signed by the Property Owner and recorded in the County Recorder's office. The covenant and agreement shall run with the land and shall be binding on any subsequent owners, and tenants or occupants of the Property. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Planning Division. | Planning                     | <b>Special</b> |                         |
| <b>38.</b>                               | The off-site improvement plans shall demonstrate streetscape improvements in accordance with the City's Transit Oriented Development District Streetscape Plan including but not limited to street trees and other landscaping, concrete sidewalks, and street furniture (benches, trash receptacles, and bicycle racks.) These streetscape improvements shall be installed along the project's Washington Boulevard and Landmark Street frontage as determined by the Community Development Director and Public Works Director.                                                                                                                          | Planning/<br>Public<br>Works | <b>Special</b> |                         |

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Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                      | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                | Agency             | Source   | Compliance Verification |
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| <b>PRIOR TO BUILDING PERMIT ISSUANCE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                    |          |                         |
| 39.                                      | This project is subject to the National Pollution Discharge Elimination System (N.P.D.E.S.) requirements for a Standard Urban Stormwater Mitigation Plan (SUSMP). The SUSMP shall be approved prior to the issuance of the building permit.                                                                                                                                                                                                           | Public Works       | Special  |                         |
| 40.                                      | A Storm Water Pollution Prevention Plan (SWPPP) shall be approved prior to the issuance of any construction permits.                                                                                                                                                                                                                                                                                                                                  | Public Works       | Special  |                         |
| 41.                                      | This project is subject to the City's Sewer Facility Charge. This charge shall be paid prior to the issuance of building permits or any construction permits issued by the Engineering Division.                                                                                                                                                                                                                                                      | Public Works       | Special  |                         |
| <b>DURING CONSTRUCTION</b>               |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                    |          |                         |
| 42.                                      | During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers of the Applicant, Property Owner, construction contractor(s), and the City, shall be posted on the Property in a location that is visible to the public. These names and telephone numbers shall also be made available to adjacent property owners and occupants to the satisfaction of the Planning Manager and Building Official. | Building/ Planning | Standard |                         |
| 43.                                      | The Property shall be maintained daily so that it is free of trash and litter.                                                                                                                                                                                                                                                                                                                                                                        | Building           | Standard |                         |
| 44.                                      | During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.                                                                                                                                                                                                                                                                                                                           | Building           | Standard |                         |
| 45.                                      | The Building Division may apply administrative assessments and/ or post general stop work notices for any violations of the Conditions of Approval for the Project, and any violations of the CCMC.                                                                                                                                                                                                                                                   | Building           | Standard |                         |

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Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                        | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Agency                                 | Source   | Compliance Verification |
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| <b>DURING CONSTRUCTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                        |          |                         |
| 46.                        | During all phases of construction, best efforts shall be used to ensure that all construction workers, contractors and others involved with the Project park on the Property or at designated offsite locations approved by the City, and not in the surrounding neighborhood.                                                                                                                                                                                                                                                                                   | Building                               | Standard |                         |
| 47.                        | When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall use noise dampening measures such as the drilling of shoring supports and piles as determined by the Building Official and Planning Manager.                                                                                                                                                                                                                                                                                                           | Building/<br>Planning                  | Standard |                         |
| 48.                        | Prior to the commencement of any excavation, a temporary construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer and the Planning Manager.                                                                                                                                                                                                                                                                                                                                              | Building/<br>Planning/<br>Public Works | Standard |                         |
| 49.                        | Hours of construction shall be limited to the following: 8:00 AM to 8:00 PM Monday through Friday; 9:00 AM to 7:00 PM Saturday; and 10:00 AM to 7:00 PM Sunday and National holidays. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic periods. All construction workers shall be respectful of the surrounding neighborhood and keep non-construction related noise to a minimum prior to, during, and after permissible construction hours. | Building/<br>Public Works              | Standard |                         |
| 50.                        | All staging and storage of construction equipment and materials, including the construction dumpster, shall be on-site only. The Property Owner must obtain written permission from adjacent property owners for any construction staging occurring on adjacent property.                                                                                                                                                                                                                                                                                        | Building/<br>Public Works              | Standard |                         |

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Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                        | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Agency                | Source   | Compliance Verification |
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| <b>DURING CONSTRUCTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                       |          |                         |
| <b>51.</b>                 | <p>Compliance with the following noise standards shall be required with at all times:</p> <ul style="list-style-type: none"> <li>A. No construction equipment shall be operated without an exhaust muffler, and all such equipment shall have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original equipment;</li> <li>B. All construction equipment shall be properly maintained to minimize noise emissions;</li> <li>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;</li> <li>D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as approved by the Planning Manager and the Building Official in order to comply with the City's Noise Regulations and Standards as set forth in CCMC Chapter 9.07; and</li> <li>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.</li> </ul> | Building/<br>Planning | Standard |                         |



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Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                        | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Agency                    | Source   | Compliance Verification |
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| <b>DURING CONSTRUCTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |          |                         |
| <b>52.</b>                 | In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other violations of the CCMC, Project construction shall be stopped until such time that it is determined to the satisfaction of the Community Development Director, that causes of such violations have been eliminated or corrected and that the Project will be able to proceed in full compliance with these Conditions of Approval and the CCMC.                                                                                                                                                    | Building/<br>Planning     | Standard |                         |
| <b>53.</b>                 | Flag persons with certified training shall be provided for work site traffic control to minimize impacts to traffic flow and to ensure the safe movement of vehicles into and out of the Property.                                                                                                                                                                                                                                                                                                                                                                                                                                    | Building/<br>Public Works | Standard |                         |
| <b>54.</b>                 | During construction, trucks and other vehicles in loading and unloading queues must be parked with their engines off to reduce vehicle emissions. Construction deliveries shall be phased and scheduled to avoid emissions peaks as determined by the Building Official and discontinued during second-stage smog alerts.                                                                                                                                                                                                                                                                                                             | Building                  | Standard |                         |
| <b>55.</b>                 | Construction vehicles shall not be permitted to stage or queue where they would interfere with vehicular and pedestrian traffic or block access to adjacent properties. Off-site staging shall be at locations approved by the City Engineer and shall be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations. The drivers of these trucks shall be in radio or phone communication with on-site personnel who shall advise the drivers when to proceed from the staging location to the Property. Construction-related vehicles shall not be permitted to park on public streets. | Building/<br>Public Works | Standard |                         |

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Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                                          | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Agency           | Source   | Compliance Verification |
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| <b>PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                  |          |                         |
| 56.                                                          | All provisions, and requirements set forth in these Conditions of Approval, in the Resolution approving the project, in the CCMC, or in any applicable written comments as provided by City representatives at the March 15, 2012 Project Review Committee meeting (or from updates from the City thereafter) on the Land Use Permit application, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the Project occupied.                                                                                                                                                                                                                                                                                                                                                                                                                 | All              | Standard |                         |
| 57.                                                          | All requirements of the City's Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided that if such requirements will be satisfied by the payment of the public art in-lieu fee, the same shall be paid prior to the issuance of a building permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Cultural Affairs | Standard |                         |
| 58.                                                          | <p>All onsite and offsite improvements and all conditions of approval except those which are deferred pursuant to a bond or letter of credit as determined and approved by the Building Official, Fire Marshal, Planning Manager, and/or City Engineer shall be completed prior to issuance of any certificate of occupancy. Prior to issuance of any certificate of occupancy the following shall be provided to and approved by the City:</p> <p>A. Five full sets of as-built plans that shall include at a minimum the site plan, grading and utility plan, landscape and irrigation plan, floor plan for each level of the Project, parking structure plan, roof plan with all mechanical equipment identified as to purpose and source and all offsite improvements; and</p> <p>B. One set of as-built plans as described above in a digital format compatible with the City's computer system.</p> | All              | Standard |                         |

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Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                                          | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Agency       | Source         | Compliance Verification |
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| <b>PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |              |                |                         |
| <b>59.</b>                                                   | Washington Boulevard, along the project's frontage, shall be widened to a 40 foot half street. The widening shall also include a new 10 foot sidewalk that will extend from the new curb face to the existing southerly 50 foot right-of-way line. The new easterly curb along Washington Boulevard shall join the existing curb through a smooth transitional reverse curve. The new street section of Washington Boulevard shall be a minimum of 6-inches of asphalt paving over 10-inches of crushed aggregate base (CAB). This work shall be designed and installed to the satisfaction of the City Engineer. | Public Works | <b>Special</b> |                         |
| <b>60.</b>                                                   | New parking stalls and standard or kiosk type parking meters shall be installed on Washington Boulevard as determined by the City Engineer. If standard meters are selected, they shall be of the type that allows the use of credit cards as manufactured by the IPS Group. If a kiosk meter is selected, it shall be of the type as manufactured by Duncan Solutions with each stall being uniquely numbered.                                                                                                                                                                                                   | Public Works | <b>Special</b> |                         |
| <b>61.</b>                                                   | A bus stop and related appurtenances shall be installed along the project's Washington Boulevard frontage. The bus shelter shall conform to the City's Transportation Department standards. This work shall be designed and installed to the satisfaction of the City Engineer.                                                                                                                                                                                                                                                                                                                                   | Public Works | <b>Special</b> |                         |
| <b>62.</b>                                                   | A bike lane shall be installed along the project's Washington Boulevard frontage. The required striping and signage shall be reflected in the signing and striping plan as part of the project's street improvement plans.                                                                                                                                                                                                                                                                                                                                                                                        | Public Works | <b>Special</b> |                         |
| <b>63.</b>                                                   | The existing curb returns at both corners of Washington Boulevard and Landmark Street shall be reconstructed with a 25-foot radius and new curb ramps. Adequate street easements shall be dedicated for the corner cut-off at each corner and any additional right-of-way necessary for the construction of the new curb returns.                                                                                                                                                                                                                                                                                 | Public Works | <b>Special</b> |                         |

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Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                                          | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Agency       | Source         | Compliance Verification |
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| <b>PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |              |                |                         |
| <b>64.</b>                                                   | The existing traffic signal poles at both corners of Washington Boulevard and Landmark Street shall be relocated to an approved location based on the reconstructed curb returns. A new pedestrian crosswalk shall be installed across Washington Boulevard at the easterly return, which shall include a new or reconstructed curb ramp on the north side of Washington Boulevard. New LED countdown pedestrian heads shall be installed on the two traffic signals controlling this new crosswalk. ADA compliant "Bulldog" type pedestrian push buttons and audible signal devices shall be installed on the four traffic signal poles that control all pedestrian crosswalks at this intersection. A westbound left-turn signal on Washington Boulevard shall also be required at this intersection. Any other ancillary work as determined by the City Engineer required to accomplish the above described work, including but not limited to installation of new mast arms, signal poles, street lights, and modifications to the service and controller cabinets shall be included. Any new signal poles shall be designed for 100 mph winds per CALTRANS standards. This work shall be shown on a traffic signal plan and a signing and striping plan, prepared by a civil or traffic engineer registered in the State of California, and shall be submitted to the Engineering Division for review, approval, and permitting. Separate traffic signal timing charts shall be submitted for review. | Public Works | <b>Special</b> |                         |
| <b>65.</b>                                                   | A five foot sidewalk shall be provided adjacent to the curb on Landmark Street. All street lights, street trees, fire hydrants, etc. shall be relocated to behind the sidewalk. A street easement shall be dedicated for the sidewalk and a public utility easement shall be dedicated at each location where a public facility will be located. The new sidewalk will require the reconstruction of the existing drive approaches that will still be used.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Public Works | <b>Special</b> |                         |

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| <b>PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |              |                |                         |
| 66.                                                          | The full width of Landmark Street shall be repaved from Washington Boulevard to the southeasterly project boundary. The repaving shall consist of a two-inch grind and inlay of Rubberized Asphalt Concrete (RAC). All striping, parking tees and markers removed by said repaving shall be replaced with thermoplastic paint. The applicant has requested that a portion of Landmark Street, as it approaches Washington Boulevard, be reconstructed in concrete. If this option is selected, the concrete shall be a minimum of 8 inches thick and shall be placed on a 6 inch layer of compacted CAB. | Public Works | <b>Special</b> |                         |
| 67.                                                          | All drive approaches that will no longer be used shall be removed and reconstructed with curb, gutter, and sidewalk.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Public Works | <b>Special</b> |                         |
| 68.                                                          | Existing parking meters located along the project's frontage with Landmark Street shall be relocated due to the closure of any driveways. New parking meters may be required as determined by the City Engineer. Existing parking meter heads shall be replaced and the new parking meter heads shall both be of the type that allows the use of credit cards as manufactured by the IPS Group and approved by the City Engineer.                                                                                                                                                                        | Public Works | <b>Special</b> |                         |
| 69.                                                          | All drive approaches shall be at least as wide as the drive aisle and not more than one foot wider on each side.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Public Works | <b>Special</b> |                         |
| 70.                                                          | All existing and proposed drive approaches shall have a minimum 3 foot ADA concrete landing at the top of the approach.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Public Works | <b>Special</b> |                         |
| 71.                                                          | All concrete used in the public right-of-way shall have a minimum strength of 3250 psi.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Public Works | <b>Special</b> |                         |
| 72.                                                          | The existing street light system along the project's frontage with Washington Boulevard and Landmark Street shall be converted to low voltage induction type lighting. New street light conduit, wiring, pull boxes, light fixtures, and ballast shall be required.                                                                                                                                                                                                                                                                                                                                      | Public Works | <b>Special</b> |                         |

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| <b>PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                |                         |
| <b>73.</b>                                                   | Street trees, tree wells, tree grates, ground cover planting, and irrigation shall be installed within the project's frontage along Washington Boulevard and Landmark Street in accordance with the City's Transit Oriented Development District Streetscape Plan. A separate landscape and irrigation plan shall be submitted to the Engineering Division for review, approval, and permitting. Irrigation within the public right-of-way shall be connected to the private on-site irrigation system.                                                                                                                                                                                                                         | Planning/<br>Public Works | <b>Special</b> |                         |
| <b>74.</b>                                                   | Secure bicycle parking shall be provided to accommodate twenty-two (22) bicycles. The bicycle parking shall be provided to accommodate seven (7) long-term and at least fifteen (15) short-term parking positions. The long-term spaces shall be provide in individual bike lockers or bike racks in a secure locking fenced enclosure on the ground floor of the project's parking structure on the main development parcel. The short-term spaces shall be provided on both of the development sites and on the adjacent public sidewalk right-of-way, using eight (8) City approved "Inverted - U" Bicycle Racks. Exact location of the Bicycle Racks and in the public right-of-way shall be approved by the City Engineer. | Public Works              | <b>Special</b> |                         |
| <b>75.</b>                                                   | All existing sewer laterals that have been abandoned or will be abandoned due to the project design and are located within the project boundary shall be capped at the property line.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Public Works              | <b>Special</b> |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.                                                          | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Agency       | Source                    | Compliance Verification |
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| <b>PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |              |                           |                         |
| <b>76.</b>                                                   | <p>The Project shall contribute \$50,000 towards a study and implementation of a shuttle system connecting the residential and commercial areas in Downtown Culver City and Hayden Tract areas to and from the Culver City Exposition Light Rail Transit (LRT) Station. This shuttle system will include shuttle buses with stops along Washington Boulevard. The schedules for these shuttles should be developed such that coordinated transfers to and from the LRT station at Culver City are achieved. These shuttles would operate at enhanced frequencies during the peak commuter time periods and provide fast, convenient, and efficient connections to the Metro Exposition LRT line.</p> <p>In the event that the proposed shuttle program has not progressed sufficiently to warrant study funding, the \$50,000 contribution mentioned above shall be used as the project's fair share towards the design and implementation of Adaptive Traffic Control Systems (ATCS) at the intersection of Washington Boulevard/National Boulevard. This includes provision of ATCS-associated control PC hardware/software, if required.</p> | Public Works | <b>Mitigation Measure</b> |                         |
| <b>77.</b>                                                   | A westbound left-turn signal at the intersection of Washington Boulevard and Landmark Street shall be designed and constructed by the Applicant to the satisfaction of the Public Works Director. The Applicant shall be responsible for all costs associated with the modification of the traffic signal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Public Works | <b>Mitigation Measure</b> |                         |
| <b>78.</b>                                                   | A valet parking plan outlining the parking management of the valet parking in Building D shall be submitted to the Planning Division for review and approval by the Planning Manager and the City Traffic Engineer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Planning     | <b>Special</b>            |                         |



## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.             | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Agency                                    | Source   | Compliance Verification |
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| <b>ON-GOING</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                           |          |                         |
| <b>79.</b>      | The use and development of the Property shall be in substantial conformance with the plans and materials submitted with the application for the Land Use Permit as reviewed by the Planning Commission at its meeting on <b>October 4, 2012</b> and the City Council at its meeting on <b>November 12, 2012</b> , excepted as modified by these Conditions of Approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Planning                                  | Standard |                         |
| <b>80.</b>      | Pursuant to CCMC Section 17.650.020 - "Inspection", the Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the CCMC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | All                                       | Standard |                         |
| <b>81.</b>      | The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, and regulations including, but not limited to, Building Division, Fire Department, Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process. Failure to comply with said Conditions, statutes, codes, standards, and regulations may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other lawful action the City might deem reasonable and appropriate to bring about compliance. | All                                       | Standard |                         |
| <b>82.</b>      | All graffiti shall be removed from the Property within 48 hours of its application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Building/<br>Planning/<br>Public<br>Works | Standard |                         |



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Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.             | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Agency       | Source         | Compliance Verification |
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| <b>ON-GOING</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |              |                |                         |
| <b>83.</b>      | The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Public Works | Standard       |                         |
| <b>84.</b>      | All mitigation measures set forth in any environmental document relating to the Project (including any reports of the type contemplated by the California Environmental Quality Act) shall be completed as specified therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Planning     | Standard       |                         |
| <b>85.</b>      | The Director, or his or her designee, shall conduct follow-up inspections on the design, operation and maintenance of the Project after full operation of the Project has commenced, as set forth in this Condition. A report on the Project traffic mitigations, on-site circulation, parking, project design, maintenance and operation shall be reviewed by the Planning Commission six months after occupancy of the Project. In the event the Project is not in full compliance with the approved Project plans, Project conditions of approval and approved Comprehensive Plan, the matter shall be set for public hearing pursuant to CCMC Chapter 17.660 – Revocations and Modifications.                       | Planning     | <b>Special</b> |                         |
| <b>86.</b>      | Changes or alterations to this Comprehensive Plan shall not be considered minor (and therefore shall not be subject to administrative approval pursuant to CCMC Section 17.560.025) if they will:<br>a) Alter the exterior appearance of the project;<br>b) Alter the materials being used on the exterior of the project (unless the new materials are of equal or better quality and are so similar in appearance to the materials on the approved materials board that the difference would not be noticed by a reasonably observant person); or<br>c) Alter the floor plans in any material way, or increase the size of any one or more of the following areas: retail, restaurant, outdoor dining, and/or office. | Planning     | <b>Special</b> |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.             | CONDITIONS OF APPROVAL                                                                                                                                                                                                                | Agency   | Source         | Compliance Verification |
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| <b>ON-GOING</b> |                                                                                                                                                                                                                                       |          |                |                         |
| <b>87.</b>      | The applicant shall be responsible for installing “way finding signs” for the TOD District as provided in the Washington National Streetscape Plan as determined by the Director.                                                     | Planning | <b>Special</b> |                         |
| <b>88.</b>      | The total floor area of retail and restaurant (including bars and nightclubs) uses shall not exceed 41,745 square feet. Restaurants (including bars and nightclubs) shall not exceed 35% of the overall retail/restaurant floor area. | Planning | <b>Special</b> |                         |
| <b>89.</b>      | The courtyard trees shall be a minimum 72 inch box size at installation and the exact location and final species selection shall be subject to review and approval by the City’s Landscape Architect.                                 | Planning | <b>Special</b> |                         |

## EXHIBIT B

Ordinance No. \_\_\_\_\_

Case Nos. ZCMA P-2012020,CP-P2012018 AND MND P-2012019

| NO.             | CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Agency   | Source  | Compliance Verification |
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| <b>ON-GOING</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          |         |                         |
| 90.             | Inspections of the on-site parking and valet parking operations shall be conducted by the Planning Manager and the City's Traffic Engineer at 6-month, 12-month, and 24-month periods after full operation of the Project. Thereafter, follow-up inspections shall be conducted on a case by case basis as determined necessary by the City. If it is determined (i) that the number of on-site parking spaces is not sufficient to satisfy demand, or (ii) that the valet parking operations are not adequately serving the Project, or (iii) that the Project's parking facilities or operations are in any other way not fully and adequately serving the customers, patrons, employees, suppliers and contractors of the Project, then additional methods to provide fully adequate on-site parking shall be devised, such additional requirements shall be set forth in a revised valet parking plan acceptable to the City, and said plan shall be promptly and fully implemented. If fully adequate parking cannot be provided by the above methods, the demand for parking at the Project shall be reduced in a manner acceptable to the City (by, for example, reducing the amount of outdoor dining area), until the parking that can be provided will be adequate for the reduced demand. | Planning | Special |                         |