

ATTACHMENT NO. 5

RESOLUTION NO 2005-R_085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA UPHOLDING AN APPEAL FILED BY HOWARD INDUSTRIES (APPEALANT) THEREBY AMENDING CONDITION NO 43 (RELATING TO INSTALLATION OF A LEFT TURN LANE) OF CONDITIONAL USE PERMIT CUP P-2005019 AND ADMINISTRATIVE USE PERMIT, AUP P-2005018 THAT ALLOWS THE ESTABLISHMENT OF A PRIVATE SCHOOL WITH TANDEM PARKING AT 3939 LANDMARK STREET IN THE LIGHT MANUFACTURING (M-1) ZONE

(CUP P-2005019 and AUP P-2005018)

WHEREAS, on March 10 2005, an application was filed for a Conditional Use Permit and Administrative Use Permit for the establishment of a private school with tandem parking at 3939 Landmark Street, being Lot 12 and a portion of Lot 13 of Tract No 29708, in the Light Manufacturing (M-1) Zone, and,

WHEREAS, on June 8 2005, the Planning Commission opened a duly noticed public hearing for Conditional Use Permit, CUP P-2005019 and Administrative Use Permit, AUP P-2005018, for the establishment of a private school and continued the hearing to July 13 2005, in order to comply with the required public review period as stipulated in the California Environmental Quality Act (CEQA), and

WHEREAS, on July 13, 2005, the Planning Commission continued the duly noticed public hearing on Conditional Use Permit CUP P-2005019 and Administrative Use Permit, AUP P-2005018 fully considering the applications, site plans, staff reports environmental information and all testimony presented, and,

WHEREAS in accordance with CEQA, the City provided public notice of the intent to adopt a Mitigated Negative Declaration for this project and based upon the initial

1 study, public comments and the record before the Planning Commission, the project was
2 determined to not have a significant adverse impact on the environment provided certain
3 mitigations are required, and the Planning Commission hereby adopted a Mitigated Negative
4 Declaration and

5 WHEREAS on July 13 2005 following conclusion of the public discussion and
6 thorough deliberation of the subject matter the Planning Commission determined by a vote of 3
7 to 1 that Conditional Use Permit, CUP P-2005019 and Administrative Use Permit, AUP P-
8 2005018 should be conditionally approved and adopted Resolution No 2005-P013, and,
9

10 WHEREAS, No new information has been provided regarding the project or any
11 potentially significant environmental impacts since approval of the Mitigated Negative
12 Declaration by the Planning Commission, therefore, no further environmental action is required,
13 and,
14

15 WHEREAS on September 12, 2005, Howard Industries submitted an appeal to
16 Conditional Use Permit CUP P-2005019 and Administrative Use Permit AUP P-2005018
17 requesting reconsideration of certain aspects of Condition No 43, relating to the installation of
18 a left turn pocket on westbound Washington Boulevard at the intersection with Landmark
19 Street of the Planning Commission Conditions of Approval as stated in Planning Commission
20 Resolution No 2005-P013 and,
21

22 WHEREAS discussions with the Applicant Appellant and City staff have lead to
23 proposed modifications to Condition No 43 that are acceptable to all parties, and,
24

25 WHEREAS, on November 14 2005, at its regular meeting, a duly noticed public hearing, the
26 City Council heard the appeal and proposed modifications to Condition No 43 of Planning
27 Commission Resolution No 2005-P013 gave an opportunity for all interested parties to speak
28

1 speak and after consideration of all testimony determined to uphold the appeal approving
2 certain modifications to Condition No 43 of Planning Commission Resolution No 2005-P013
3

4 NOW, THEREFORE the City Council of the City of Culver City California DOES
5
6 HEREBY RESOLVE as follows

7 1 That no new information has been made available since Planning
8 Commission adoption of the Mitigated Negative Declaration, which finds Conditional Use
9 Permit, CUP P-2005019 and Administrative Use Permit, AUP P-2005018 will not have a
10 significant effect on the environment provided certain mitigation measures are incorporated into
11 the Conditions of Approval therefore, no further environmental action is required
12

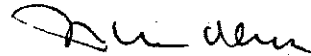
13 2 That the Appellant has demonstrated and the Applicant and City staff
14 concur that the nature of the project is an appropriate basis for modifications to Condition of
15 Approval No 43, related to the installation of a left turn pocket on westbound Washington
16 Boulevard at the intersection with Landmark Street
17

18 3 That based on the foregoing, the City Council does hereby uphold the
19 appeal thereby amending Condition No 43 of Planning Commission Resolution No 2005-P013
20 as set forth below
21

22 The applicant shall install a traffic signal at the intersection of Washington
23 Boulevard and Landmark Street The new traffic signal shall be connected to
24 the City's ATSAC system, contain a battery backup system and shall be
25 installed with a Transit Priority System (this is a mitigation measure) The
26 applicant shall conduct and complete a traffic study (Traffic Study) within 12
27 months following the commencement of school operations (considered to be
28 the first day of classes) or at an earlier date as determined by the Planning
Manager The scope of the Traffic Study shall be determined by the City's
Traffic Engineer and the Planning Manager The Traffic Study shall examine
the need for a left turn lane on Washington Boulevard at Landmark Street shall
make a recommendation as to whether a left turn lane is required and, if
required, shall recommend a configuration for the left turn lane The Traffic

1 Study shall be subject to review and approval by the Planning Division and the
2 Public Works/Engineering Department Prior to issuance of a building permit,
3 the applicant shall post a bond with the City in a form satisfactory to the Public
4 Works/Engineering Department in the amount of twenty five thousand dollars
5 (\$25 000 00) to pay the cost of implementing a left turn lane on Washington
6 Boulevard at Landmark Street should the City decide to implement such a left
7 turn lane within a four (4) year period following the issuance of a Certificate of
8 Occupancy The bond shall be returned to the applicant if no such left turn lane
9 is deemed necessary by the City within four (4) years following the issuance of
10 a Certificate of Occupancy

11
12 APPROVED and ADOPTED this 14th day of November, 2005

13 

14 ALBERT VERA, MAYOR
15 City of Culver City, California

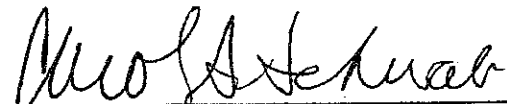
16 ATTEST

17 APPROVED AS TO FORM

18 

19 CHRISTOPHER ARMENTA

20 City Clerk By Ela Valladares, Deputy City Clerk
21 A05 00629

22 

23 CAROL A SCHWAB

24 City Attorney
25 Clerk

RESOLUTION NO. 2005-P013

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT, CUP P-2005019 AND ADMINISTRATIVE USE PERMIT, AUP P-2005018 FOR THE ESTABLISHMENT OF A PRIVATE SCHOOL WITH TANDEM PARKING AT 3939 LANDMARK STREET IN THE LIGHT MANUFACTURING (M-1) ZONE.

(Conditional Use Permit, CUP P-2005019
Administrative Use Permit, AUP P-2005018)

WHEREAS, on March 10, 2005, an application was filed for a Conditional Use Permit and an Administrative Use Permit for the establishment of a private school with tandem parking at 3939 Landmark Street, being Lot 12 and a portion of Lot 13 of Tract 29708, in the Light Manufacturing (M-1) Zone; and,

WHEREAS, on July 13, 2005, the Planning Commission conducted a duly noticed public hearing on these applications, considering the applications, plans, staff report, environmental information, and all testimony presented; and,

WHEREAS, in accordance with the California Environmental Quality Act, the City provided public notice of the intent to adopt a Mitigated Negative Declaration for this project and based upon the initial study, public comments, and the record before the Planning Commission, the project was determined to not have a significant adverse impact on the environment provided certain mitigations are required, and the Planning Commission hereby adopted a Mitigated Negative Declaration; and,

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission determined by a vote of 3 to 1 that Conditional Use Permit, CUP P-2005019 and Administrative Use Permit, AUP P-2005018 should be conditionally approved as set forth herein below.

1 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
2 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

3 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver City
4 Municipal Code (CCMC) Title 17, Section 109, Conditional Use Permit, Required Findings,
5 and subject to the Conditions of Approval herein, the following findings are hereby made:

- 6 1. ***The site for the proposed use is adequate in size and shape to accommodate the***
7 ***use and all yards, open spaces, walls and fences, parking, loading, landscaping***
8 ***and other features required by this Article, and those features determined to be***
9 ***reasonably necessary by the Planning Commission or the City Council to make the***
10 ***use compatible with land and uses in the vicinity.***

11 The 53,838 square foot site is adequate in size and shape to accommodate the proposed
12 school with up to 120 students and 47 staff members. The site contains all required walls
13 and fences, parking, loading, landscaping and other features required by the CCMC and
14 those features determined to be reasonably necessary by the Planning Commission or
15 the City Council to make the school compatible with the surrounding industrial and
16 residential area. The staggered drop-off and pick-up times for students discussed in the
17 traffic study for the project will ensure that the project will create minimal traffic disruption
18 of traffic operations on the neighborhood's street system.

- 19 2. ***The site for the proposed use is related properly to streets and highways of***
20 ***adequate width and pavement type to carry the quantity and kind of traffic***
21 ***generated by the proposed use.***

22 Subject to the recommended Conditions of Approval, the school will be related properly to
23 streets of adequate width and pavement type to carry the quantity and kind of traffic
24 generated by the school. With the installation of a traffic signal at the intersection of
25 Washington Boulevard and Landmark Street, the restriping of Landmark Street to provide
26 a left turn lane, and the staggered pick-up and drop-off time for the students, Washington
27 Boulevard and Landmark Street will be adequate to carry the quantity of traffic generated
28 by this project. The installation of the signal and restriping will improve the existing traffic
29 situation surrounding the intersection.

There is an adequate drive approach from Landmark Street into and out of the site. Also
conditions of approval that will address traffic/circulation will work to ensure that the
current level of service for these streets is not decreased because of the expansion.

3. ***The proposed use will not adversely affect abutting property or the permitted use***
thereof.

The school will not adversely affect abutting properties or the permitted uses thereof
because traffic and circulation can be mitigated through the various measures shown in

1 the development plans and the conditions of approval required herein. The proposed
2 design of the school and the recommended conditions of approval will mitigate potential
3 noise and aesthetic impacts. There are no outdoor play areas and all staff, visitor, and
4 drop-off/pick-up will occur without impacting adjacent streets because all
5 drop-off/pick-up will occur on-site.

6 The school would also be compatible with the vast majority of potential future uses
7 permitted in the M-1 Zone and the adjacent commercial and residential uses. As a
8 portion of the west side of Landmark Street is directly adjacent to residentially zoned
9 property, it would not be possible to locate industrial uses at this location with the
10 potential to cause adverse impacts upon the residential properties. The school with the
11 recommended conditions of approval will be compatible with the adjacent residential,
12 commercial and industrial properties.

13 **4. *The applicant did not commence the proposed use without first obtaining the***
14 ***required conditional use permit.***

15 The school has not commenced operations without first obtaining the required conditional
16 use permit.

17 SECTION 2. Pursuant to the foregoing recitations and the provisions of Culver City
18 Municipal Code (CCMC) Title 17, Section 37-91, Tandem Parking, and subject to the
19 Conditions of Approval herein, the following findings are hereby made:

- 20 1. The project is consistent with the objectives of the General Plan in that the tandem
21 parking arrangement optimizes parking availability by reducing the pressure on on-street
22 parking through the provision of private parking facilities and reducing the intrusion of
23 spillover parking onto the streets.
- 24 2. The property is located in the Light Manufacturing (M-1) Zone in which blocked access
25 parking is permitted.
- 26 3. The location, design, layout, and standard and compact stall composition shall be
27 consistent with the plans file dated April 27, 2005 that comply with the CCMC regulations
28 for tandem parking for nonresidential uses.

29 SECTION 3. Pursuant to the foregoing recitations and findings, the Planning
Commission of the City of Culver City, California, hereby approves Conditional Use Permit,
CUP P-2005019 and Administrative Use Permit, AUP P-2005018, subject to the following
conditions:

1. The final working drawings shall conform to the preliminary development plans file dated, April 27, 2005, except as noted below and otherwise noted during the building permit review process.
2. The Conditions of Approval stated herein shall be referenced on the cover sheet, and repeated in full on the cover sheet of the final working drawings.
3. The project and its operations shall comply with all applicable codes, standards, and regulations, including, but not limited to, Building Safety, Fire, Planning, and Public Works code requirements and it shall comply with all applicable comments and code requirements as determined during the City's internal review process.
4. Except as otherwise required herein, all applicable development standards and requirements in Planning Commission Resolution No. 92-P001, Comprehensive Site Plan Review Development Standards and Conditions of Approval shall be met. These standards as well as other conditions required in this approval shall be reflected on the plans submitted for building plan check. The exterior lighting at the rear of the building shall not adversely affect the adjacent residential parcel as required in Planning Commission Resolution No. 92-P001.
5. The applicant shall actively advertise all opportunities for employment, contract services, and purchasing of materials to Culver City businesses and residents. The applicant shall use reasonable best efforts to solicit and utilize economical and qualified services from Culver City-based employees and businesses. The applicant shall also require the construction contractor(s) and subcontractors related to the project to advertise all construction opportunities to Culver City businesses and residents.
6. The applicant shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project Conditions of Approval. The applicant and the City agree that these conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant on or near the project site. The applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.
7. The applicant and contractors shall use all reasonable efforts to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems.
8. The City reserves the right to periodically inspect the premises without prior notification, to ensure ongoing compliance with all conditions of approval.
9. Minor modifications to building siting or design may be approved by the Planning Manager in keeping with the general design and content of the project approval.

10. The Conditional Use Permit and Administrative Use Permit will expire if Building Safety permits have not been issued and work has not commenced to complete the Conditions of Approval, within one year after the date they becomes effective, unless a written extension request with fee is submitted to the Planning Division by the applicant prior to the expiration date and the Planning Division or the Planning Commission grant that extension request.
11. Should the school use discontinue for a period of more than one year after building permits have been finalized, the Conditional Use Permit for operation of a school shall be null and void and no private school shall be allowed to take advantage of the Conditional Use Permit to operate a school at this location.
12. A certificate of occupancy for the approved project will be issued only upon completion of all applicable conditions of approval and required site improvements. If no Certificate of Occupancy is required, building permits will not be finaied until all conditions of approval and required site improvements have been completed. This condition shall be completed prior to commencement of classes.
13. Conditions of approval herein shall apply to the applicant, the operator of the school, and any successor business that may legally assume benefit of these entitlements.
14. The maximum number of staff shall be 47 and no more than 120 students with a maximum age of 14 shall be enrolled at any one time. Students who turn 15 during their last year at the school may finish the school year. The number of staff may exceed 47 if additional parking is approved by the Planning Manager and subject to Culver City Municipal Code Section 37-91.5, Shared Parking Facilities or Section 37-91.7, Alternative Parking Provisions.
15. Every year the school shall submit to the Planning Division, an enrollment schedule indicating total pre-school, elementary school, after school day care enrollment and the total number of staff for that academic year.
16. The applicant shall enter into a covenant and agreement with the City that shall govern the operation of the tandem parking. The content of the covenant and agreement shall be approved by the Planning Manager and contain provisions satisfactory to the City to enforce all conditions of approval including liquidated damages and parking attendants, if required.
17. The tandem parking pairs of parking spaces shall be assigned to staff members and all school employees shall park on-site and not on nearby streets.
18. The number of evening school events that would necessitate off-site parking shall be limited to nine per year.
19. The on-site circulation plan for student drop-off/pick-up shall be consistent with the preliminary development plans file dated April 27, 2005. The parking lot gates shall be

1 open at least one-half hour before the first staggered drop-off and at least one-half hour
2 before school dismissal, Monday through Friday, to allow parents who arrive early to
queue onsite.

- 3 20. The school shall submit a Transportation Management Plan to the Planning Manager
4 and City Engineer for approval prior to the finalizing of building permits. The plan shall
5 include, (i) an on-site circulation plan for student drop-off and pick-up, (ii) a staggered
6 drop-off and pick-up schedule for students as described in the Revised April 27, 2005
7 Traffic Study (this is a mitigation measure) which shall include at least one arrival and
8 departure time for employees and three drop-off and pick-up times for students that at
9 minimum, achieves the ratios and time separations between drop-offs and pick-ups as
10 described in Alternative 1 or Alternative 2 of the Revised April 27, 2005 Traffic Study,
11 (iii) an aggressive program to encourage and implement carpools among students and
12 staff members with incentives for forming carpools, (iv) methods to discourage parents
13 parking and walking their children to and from the school, and (v) an on-site traffic
14 monitoring program to facilitate the loading/unloading of students and proper vehicle
15 circulation to alleviate the peak period congestion on-site with minimal impact to the
16 neighborhood street system. As a condition of approval of the Transportation
17 Management Plan, the Planning Manager and/or City Engineer may require that the
18 staggered drop-off and pick-up be implemented as of the first day the applicant opens
19 the school for class, even if enrollment is below 70 students.
- 20 21. The school shall not allow the queuing of vehicles to extend beyond the school's
21 property line and onto Landmark Street.
- 22 22. Times for general school operations and administrative functions shall be limited to 7:00
23 A.M. to 6:30 P.M., Mondays through Fridays.
- 24 23. The project will be subject to the City's Art in Public Places Program only if the valuation
25 of the development exceeds the required threshold for the program. The valuation will
26 be calculated at the time of the building permit application submission.
- 27 24. Prior to installation of landscaping, the applicant shall provide the Planning Division with
28 three sets of detailed landscape and irrigation plans for review. The Planning Manager
29 and the Environmental Maintenance Manager shall approve the plans prior to the
installation of any landscaping and irrigation.
- 25 25. Prior to issuance of building permits, a noise study shall be submitted to the Building
26 Official that demonstrates the methods by which standards for interior and exterior noise
27 levels set in the General Plan will be attained. If deemed necessary by the City, the
28 school shall undertake additional noise attenuation measures to be approved by the
29 City (this is a mitigation measure).
- 26 26. During all phases of construction, information that includes contact names and
27 telephone numbers for the applicant, construction contractor(s), and City, shall be

1 posted at the project site so as to be visible to the public. These names and telephone
2 numbers shall also be made available to adjacent homeowners.

3 27. During all phases of construction, the applicant shall, to the best of their ability, assure
4 that all construction workers and contractors have the ability to park on-site or at
5 designated off-site locations and not in surrounding areas.

6 28. The gate along the rear property line leading to Lindblade Street shall remain locked
7 and shall only be used for ingress and egress of emergency vehicles. No pedestrian
8 gate leading to Lindblade Street shall be installed.

9 29. The building setback area at the rear of the site adjacent to residentially zoned property
10 shall not be used as a play/recreation area.

11 30. During all phases of construction and once the development becomes operational, all
12 graffiti shall be removed within 48 hours of its application.

13 31. The school acknowledges that it is located in a Light Manufacturing (M-1) Zone and
14 recognizes that other permitted uses compatible with uses in the M-1 Zone have the
15 right to and can locate in proximity to the school. The school further acknowledges that
16 the City shall have the right to allow such compatible uses to locate within proximity to
17 the school regardless of any complaints or objections to such uses raised by the school.

18 32. A site improvement plan prepared by a civil engineer licensed in the State of California,
19 or the architect of record, shall be submitted to the Engineering Division for review,
20 approval and permitting. This plan shall show drainage of the site indicated by contours
21 or spot elevations, building pad elevations, and the design of on-site and off-site
22 improvements with sufficient dimensions and details to allow for proper construction.

23 33. The applicant shall install a trash enclosure to the satisfaction of the City's Sanitation
24 Division Manager. The walls of the trash enclosure shall be finished or painted to match
25 the walls of the proposed building.

26 34. The parking area shall be designed in accordance with City Council Resolution No. 87-
27 R100, Parking Design and Layout Guidelines, and City Council Resolution No. CS-
28 6486, Adopted Standards and Specifications for Off-Street Parking Areas.

29 35. All drainage within the parking lot area shall be collected by an approved catch basin
system and filtered prior to being discharged from the site. Drainage will not be allowed
to drain over drive approaches.

36. Parking lot drainage devices, concrete curb, sidewalk, and driveway shall be designed
to the latest edition of the American Public Works Association (APWA) Standard Plans.

37. All existing public improvements, to include but not be limited to curb, gutter, and A.C.
paving, along the project's frontage, shall be brought up to current code.

- 1 38. The applicant shall be responsible for the expense to repair or replace any damage to
2 the public right-of-way caused by the construction of the proposed project. Such repair
or replacement shall be completed to the satisfaction of the City Engineer.
- 3 39. During construction, dust shall be controlled by regular watering and as directed by the
4 City inspector.
- 5 40. All staging and storage of construction equipment and materials, including the
6 construction dumpster, shall be on-site only. The applicant shall obtain written
7 permission from adjacent property owners for any construction staging occurring on
adjacent property.
- 8 41. The construction contractor shall advise the Public Works inspector of the schedule and
9 shall meet with the inspector prior to commencement of work.
- 10 42. Due to the change of use and increased density, this project is subject to the City's
11 Sewer Facility Charge. This charge shall be paid prior to the issuance of any permit.
- 12 43. The applicant shall install a traffic signal at the intersection of Washington Boulevard
13 and Landmark Street. The new traffic signal shall be connected to the City's ATSAC
14 system, contain a battery backup system, and shall be installed with a Transit Priority
15 System (this is a mitigation measure). The applicant shall install a left turn pocket along
16 westbound Washington Boulevard at the intersection. City staff, including Planning staff
and the City's Traffic Engineer, shall work with the applicant and affected property
owners, to minimize impacts to the extent possible that may occur with the installation of
the westbound left turn pocket.
- 17 44. The applicant shall indicate on the building permit plans, the existing location of the
18 double detector check assembly (DDCA), fire department connection and the closest
19 public fire hydrant. (If this property does not have a DDCA, one will be required per LA
County Health Dept. and SCW Co.).
- 20 45. The applicant shall indicate on the building permit plans any access control points such
21 as gates and barriers.
- 22 46. The applicant shall indicate on building permit plans if special equipment or landscaping
23 (such as an emergency generator, etc.) will be installed and their location on the
24 property.
- 25 47. On the building permit plans, the applicant shall provide a note under "FIRE
26 DEPARTMENT NOTES:" that states the property and structures thereon will comply
with all Culver City codes and ordinances.
- 27 48. To alleviate the financial impact on the City and Redevelopment Agency resources and
28 to help assure the public welfare and safety is provided, because of its non-profit status
29 the applicant, on behalf of itself and each of its successors and assigns, whether

1 voluntary or involuntary, shall agree for as long as the applicant or its successors or
2 assigns takes benefit of this Conditional Use Permit, the applicant and any non-profit
3 successor or assign shall make an annual payment to the City's General Fund and
4 Redevelopment Agency Tax Increment Fund, on or before June 30 of each year, of an
5 amount equal to the City's and Redevelopment Agency's share of the property tax that
6 would be paid at 3939 Landmark Street for fiscal year 2005-2006. The City Treasurer's
7 office shall determine the amount based on the property tax bill for the property for fiscal
year 2005-2006. The annual payment shall be increased annually (i) based on an
inflationary rate not-to-exceed 2% of the full cash value base of 3939 Landmark Street
and (ii) in the same manner as the Los Angeles County Assessor is authorized to
increase real property taxes as a result of any sale of the site.

8 49. This Conditional Use Permit and Administrative Use Permit shall become effective only
9 after the applicant has signed an acknowledgement and acceptance of the final
10 Conditions of Approval as approved by the Planning Commission, or City Council after
an appeal, if any.

11 50. The applicant, on behalf of itself and each successor-in-interest taking any benefit from
12 this CUP, agrees to indemnify, defend and hold harmless the City of Culver City, the
13 Culver City Redevelopment Agency, and each of their respective elected and appointed
14 officials, officers, employees, agents, contractors and consultants from and against any
15 and all claims, lawsuits, judgments, liability, injury or damage, including reasonable
16 attorneys' fees and court costs, which may arise from each and every third party
17 challenge to the City's or Agency's final approval of the subject project. The applicant
18 shall add the City and Agency as additional insureds on their general liability insurance
19 policies; provided, that the insurance will not limit the applicant's obligations under this
20 condition. In addition, the applicant, on behalf of itself and any successor-in-interest
taking any benefit from this CUP, agrees to release and waive any and all claims,
causes of action or legal or equitable remedies, it may have against the City of Culver
City, the Culver City Redevelopment Agency, and each of their respective elected and
appointed officials, officers, employees, agents, contractors and consultants, which may
arise from final approval of the subject project.

21 APPROVED and ADOPTED this 13th day of July, 2005.

22
23 
24 MAUREEN M. MURANAKA, VICE CHAIR
25 PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

26 Attested by:

27 
28 Sherry Jordan, Senior Planner
29