

MEETING DATE: 02.09.09

AGENDA ITEM: Adoption of a Resolution Denying an Appeal of the Planning Commission's Approval of Site Plan Review, SPR P-2007183, and Administrative Use Permit, AUP P-2008110; And Approving Height Exception, HTEX P-2008111, and Tentative Tract Map No. 69769, TTM P-2007184; And Adoption of a CEQA Negative Declaration Finding for the Construction of an Office Building at 8665 Hayden Place.

ATTACHMENTS

	<u>Pages</u>
1. Resolution No. 2009-R	1-12
2. Planning Commission Resolution No. 2008-P012	13-43

ATTACHMENT 1

RESOLUTION NO. 2009-R____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, DENYING AN APPEAL OF THE PLANNING COMMISSIONS APPROVAL OF A SITE PLAN REVIEW, SPR P-2007183, AND ADMINISTRATIVE USE PERMIT, AUP P-2008110 THEREBY APPROVING SAID APPLICATIONS; AND APPROVING HEIGHT EXCEPTION, HTEX P-2008111, AND TENTATIVE TRACT MAP NO. 69769, TTM P-2007184, FOR A ONE (1) LOT SUBDIVISION CREATING 30 OFFICE AIRSPACE CONDOMINIUM UNITS FOR THE CONSTRUCTION OF AN OFFICE BUILDING AT 8665 HAYDEN PLACE IN THE INDUSTRIAL GENERAL (IG) ZONE.

(Site Plan Review, SPR P-2007183)
(Administrative Use Permit, AUP P-2008110)
(Height Exception, HTEX P-2008111)
(Tentative Tract Map No. 69769, TTM P-2007184)

WHEREAS, on November 15, 2007, Greg Reitz, on behalf of ReThink Tara Green LLC, property owner of 8665 Hayden Place, filed Site Plan Review, SPR P-2007183, Administrative Use Permit, AUP P-2008110, Height Exception, HTEX P-2008111, and Tentative Tract Map No. 69769, TTM P2007184, to construct a terraced / split-level 4 – 5 story 62,765 gross square foot (GSF) office building measuring between 30'-6" and 61'-9" in height with 181 parking spaces [12 surface and 169 subterranean] on the project site described more fully as Lot 1 of Parcel Map No. 7673, in the City of Culver City, County of Los Angeles, State of California; and

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

1. Site Plan Review, SPR P-2007183, in order to develop the proposed project to ensure compliance with the required standards and city ordinances and establish all onsite

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1 and offsite conditions of approval to reflect the site features and compatibility of the proposed
2 project with the uses on adjoining properties; and

3 2. Administrative Use Permit, AUP P-2008110, in order to provide 36 parking
4 spaces in tandem format; and

5 3. Height Exception, HTEX P-2008111, in order to exceed the building height for
6 portions of the building up to 61'-9", being 18'-9" above the 43'-0" maximum height limit of the
7 IG Zone; and

8 4. Tentative Tract Map No. 69769, TTM P-2007184, in order to subdivide the site
9 into a one (1) lot subdivision creating a maximum of thirty (30) office airspace condominium
10 units; and
11

12 WHEREAS, on October 22, 2008, the Planning Commission conducted a duly noticed
13 public hearing on these applications, fully considering the applications, preliminary
14 development plans, materials board, staff report, traffic study, environmental information and
15 all testimony presented; and
16

17 WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the
18 Planning Commission has determined the project will not have significant impacts on the
19 environment and that a Negative Declaration finding is appropriate; and
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21 WHEREAS, following conclusion of the public discussion and thorough deliberation of
22 the subject matter, the Planning Commission determined by a vote of 3 to 0 that the project
23 would not result in significant adverse environmental impacts, that a Negative Declaration
24 finding was appropriate and that the Site Plan Review and Administrative Use Permit should
25 be conditionally approved; and that the Height Exception and Tentative Tract Map should be
26 conditionally approved and recommended to the City Council for approval; and
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2 WHEREAS, on November 4, 2008 a timely appeal of the Planning Commission's
3 approval of the project was filed with the City Clerk by Randal and Donna LeBlanc; and

4 WHEREAS, on December 15, 2008 the City Council conducted a duly noticed public
5 hearing on the appeal and consideration of the Height Exception and Tentative Tract Map
6 requests, fully considering the application, plans, staff report, environmental information and
7 all testimony presented; and

8
9 WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the
10 City Council has determined the project will not have significant impacts on the environment
11 and that a Negative Declaration finding is appropriate; and

12
13 WHEREAS, following conclusion of the public hearing and thorough deliberation of the
14 subject matter, the City Council determined by a vote of 3 to 2 to (i) deny the appeal, and
15 uphold the Planning Commission's approval of the Site Plan Review and Administrative Use
16 Permit, and, (ii) direct staff to return with the appropriate resolution adopting the CEQA
17 Negative Declaration and outlining the findings for approval of the Site Plan Review,
18 Administrative Use Permit, Height Exception, and Tentative Tract Map.
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22 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
23 CALIFORNIA, RESOLVES AS FOLLOWS:

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

26 **Site Plan Review, SPR P-2007183:**

27
28 As outlined in CCMC Title 17, Section 17.540.020, the following required findings for a Site
29 Plan Review are hereby made:

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- 1 **A. The general layout of the project, including orientation and location of**
2 **buildings, open space, vehicular and pedestrian access and circulation, parking**
3 **and loading facilities, building setbacks and heights, and other improvements**
4 **on the site, is consistent with the purpose and intent of this Chapter, the**
5 **requirements of the zoning district in which the site is located, and with all**
6 **applicable development standards and design guidelines.**

7 The general layout of the project is consistent with the Industrial General (IG) zoning
8 district and the proposed project conforms to all applicable provisions of the IG Zone.
9 The north and west portions of the building facing the surrounding residential
10 neighborhood incorporates the code required setbacks from the property line and
11 provides amenities such as landscaping and pedestrian walkways. These setback
12 features are consistent with Zoning Code standards that are intended to protect
13 residential neighborhoods from office development and to facilitate office projects
14 within industrial areas with appropriate amenities. The project provides the 179 code
15 required parking spaces plus 2 additional parking spaces onsite. The proposed
16 terraced / split-level building, with a building height varying between 30'-6" and 61'-9",
17 is deemed compatible with the surrounding neighborhood notwithstanding the fact it
18 exceeds the 43'-0" maximum building height in the IG Zone due to its building
19 setbacks, architectural design and building materials. Vehicular access to the onsite
20 parking is via a fire lane roadway from the westerly terminus of the Hayden Place cul-
21 de-sac and then northerly along the roadway to the site. The proposed structure is
22 well designed for vehicular and pedestrian access to the office use of the site, the
23 surface parking area and the subterranean parking area with elevators and stairs.
24 The loading area for the project is within the surface parking area as permitted by the
25 CCMC.

- 26 **B. The architectural design of the structure and the materials and colors are**
27 **compatible with the scale and character of surrounding development and other**
28 **improvements on the site and are consistent with the purpose and intent of this**
29 **Chapter, the requirements of the zoning district in which the site is located, and**
30 **with all applicable development standards and design guidelines.**

31 The proposed terraced / split-level office building will be 61'-9" at the highest point and
32 will have a terraced design so as to step the building away from the adjoining
33 residential neighborhood to the north and west. By stepping the building back and by
34 providing varying building setbacks along all of the building frontages, the project's
35 impacts to the residential neighborhood are lessened thereby making the project more
36 compatible with the residential neighborhood. The building frontage along Higuera
37 Street has a setback that allows for both onsite and offsite landscaping so as to further
38 screen the project from the adjoining residential neighborhood.

39 The proposed project is an architecturally modern building making use of a variety of
40 building materials including wood, metal, concrete and glass. The design incorporates
41 environmentally friendly and energy efficient building elements including roof top

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1 photovoltaic solar panels, green screening walls and green roof areas. All of these
2 elements once combined provide an architectural relief and visual interest to the
3 building elevations. Public artwork, in compliance with the City's Art in Public Places
4 program, is proposed to be incorporated along the building facades.

5 The building materials noted above, along with the environmentally friendly design
6 features, will provide for an architectural style and color scheme that will complement
7 existing development in the area.

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

14 The proposed landscaping meets all zoning code requirements providing visual relief
15 and enhancing sustainability goals. More specifically, the onsite landscape features
16 include ground cover, shrubs, trees and "green" building designs to provide a visual
17 screen of the building to the surrounding residential uses. This will be amplified by the
18 additional landscaping within the Higuera Street public right of way as part of the
19 landscape maintenance district which will further add to the visual enhancement of the
20 project's image to the surrounding residential uses. Overall, the onsite and offsite
21 landscaping will complement the modern style of architecture, soften the massing of
22 the proposed building and improve the visual image of the project from the adjoining
23 residential neighborhood.

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

28 The proposed location of the office project will not result in conflicts with uses in the
29 existing adjacent residential neighborhood and industrial area. Access to the surface
30 parking lot and subterranean garage shall be through the fire lane easement roadway
31 from the westerly terminus of the Hayden Place cul-de-sac and then northerly to the
32 site. Access to the subterranean parking garage shall be via a two-way onsite
33 driveway. No private vehicle access shall be permitted from the fire lane emergency
34 drive approach along the Higuera Street frontage. Vehicles entering the site shall be
35 provided with adequate maneuvering along the fire lane easement roadway and within
36 the site itself.

37 The project shall provide adequate parking on the site and the traffic generated by the
38 project is not anticipated to cause any significant impact to the existing or projected
39 traffic levels in the area. The vehicle and pedestrian access features, along with the

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more than adequate onsite parking, shall lessen the possibility of interference with the use and enjoyment of adjacent residential and industrial areas and future development and shall reduce the possibility of vehicular or pedestrian hazards.

- E. The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, and the width and pavement of adjoining streets and alleys) will be available to serve the subject site.**

The existing and proposed public service facilities necessary to accommodate the project such as the width and pavement of the adjoining streets, traffic control devices, sewers, storm drains, parkways, sidewalks, street lights, street trees, fire protection devices and other public utilities are provided for adequately as confirmed by the City agencies that reviewed the project during the interdepartmental review process.

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

The proposed project is consistent with the General Plan Land Use Element in that the project will provide for the revitalization of an industrial building through new development of a currently under utilized building, which is consistent with objectives of that Element. The project will also provide for new office condominium spaces and employment opportunities along a section of Hayden Place that is lacking in such prospects, furthering the intent of General Plan Land Use Policy 6.B that focuses on commercial / office development that encourages intensities and qualities of commercial / office uses that are sensitive to their locations.

The project as proposed will incorporate design features such as varying setbacks and terraced building heights from the adjacent residential properties to the north and west of the site. The residential uses north of the site are separated by a public street with right-of-way landscaping which provides a landscaped buffer between the site and the surrounding residential properties, thereby providing a transition from the residential properties to the office property. These design features are consistent with General Plan Land Use Policy 16.C that encourages compatible commercial / office uses adjacent to residential lots through conditional expansion. The project site will incorporate offsite improvements such as new curb, gutter, sidewalk, and street trees. Such office development and offsite improvements furthers the intent of General Plan Land Use Policy 6.I that calls for the planning of streetscape improvements such as street trees and landscaping and façade improvements along commercial / office corridors.

The proposed project design makes extensive use of green design elements such as a green screen and green roof components as well as general landscaping throughout the site. Planted roof areas are intended to provide ecological benefits such as cooling, cleaning and humidifying the surrounding air, retaining and reducing storm

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water run-off, and improving the thermal insulation of the roof itself, thereby mitigating the effects of "urban heat islands". These green design features are consistent with General Plan Open Space Element Objective 5 that calls for the extension of the City's park-like qualities into business districts through urban design improvements.

Overall the project is compatible with the surrounding area in that the proposed office development is located along Hayden Place, an established office and industrial portion of the City. The General Plan designation for the subject property is Industrial, which permits the proposed office use to which patrons travel primarily by car. Office uses are located throughout the industrial park to the east and south of the site.

Administrative Use Permit, AUP P-2008110:

As outlined in CCMC Title 17, Section 17.530.020, the following required findings for an Administrative Use Permit are hereby made:

A. The proposed use is allowed within the subject zoning district with the approval of an Administrative Use Permit and complies with all applicable provision of this Title and CCMC.

The existing Industrial General (IG) zoning designation of the site allows the proposed use of tandem parking subject to an Administrative Use Permit as outlined in CCMC Section 17.320.035.C.1.b, and the proposed tandem parking layout complies with all applicable provisions regarding parking design and layout guidelines. Each stall is nine feet (9'-0") in width and thirty six feet (36'-0") in depth for a maximum of two (2) tandem parking spaces. A proper aisle width is also provided.

B. The proposed use is consistent with the General Plan and any applicable Specific Plan.

The proposed use of tandem parking to facilitate in the development of an office use is consistent with the "Industrial" General Plan Land Use designation of the site which allows a range of industrial and office uses. Each pair of tandem parking spaces shall be leased to the same tenant and thereby will facilitate the full use of the office condominium project.

C. The design, location, size and operating characteristics of the proposed use are compatible with the existing and future land use in the vicinity of the subject site.

The proposed use, design, location, size and operating characteristics of the tandem parking spaces will not have an impact on adjacent uses and are therefore compatible with the existing and future office land uses in the vicinity of the subject site. Each pair of tandem parking spaces shall be assigned to the same tenant and thereby will facilitate the full use of the office condominium project without requiring a parking valet or attendant. Further, each pair of two (2) tandem parking spaces shall measure nine

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feet (9'-0") in width by thirty six feet (36'-0") in depth, sufficient for two (2) vehicles to maneuver into and out of said spaces.

- D. The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities and the absence of physical constraints.**

The generally flat configuration of the parking areas, the vehicular access to the site from the fire lane easement roadway, the adequate design of the ramp to/from the subterranean parking where the tandem parking is to be located, and the proposed onsite parking configuration is physically suitable to accommodate tandem parking. The tandem parking is compatible with the proposed office use and shall not require a parking valet or attendant. The tandem parking will not impact any utilities and there are no physical constraints that would prevent the use of tandem parking.

- E. The establishment, maintenance or operation of the proposed use will not be detrimental to the public interest, health, safety or general welfare or injurious to persons, property or improvements in the vicinity and zoning district in which the property is located.**

The establishment of tandem parking on the site subject to the conditions of approval will not be detrimental to the public interest, health, safety or general welfare or injurious to persons, property or improvements in the surrounding industrial zoning district or vicinity since said tandem parking will not generate any onsite or offsite impacts.

Height Exception, HTEX P-2008111:

As outlined in CCMC Title 17, Section 17.300.025.C., the following findings for a Height Exception are hereby made:

1. The proposed height of the office building is between 30'-6" and 61'-9". Consequently, the applicant has requested an exception to the 43'-0" maximum height pursuant to CCMC Section 17.300.025.C., which permits the City Council to establish a maximum building height for new construction in Redevelopment Project Component Area #3, consistent with the DFD. The applicant has requested the CCRA adopt a DFD for the proposed project site.
2. The project design has taken into consideration privacy impacts to adjacent residential uses. The building is a minimum of 100 feet from homes on Higuera and the west side of Lucerne minimizing any views into these homes or yards. The western façade of the building is adjacent to three homes on the east side of Lucerne. The windows on the west side of the building are few and set high so that views into the neighboring yards are constrained.

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3. As outlined in the architectural plans, an analysis of the anticipated shade and shadow footprint of the proposed building throughout the year has been prepared. The analysis concludes that there will be no significant impact onto any of the adjoining buildings resulting from the additional height.
4. The proposed building will not be in the view shed of any residential uses and therefore will not result in any view blockage from adjacent properties.
5. The majority of the proposed building is at or below the 43 foot height limit of the IG zone. The portion of the building that rises to a proposed 61'-9" is located away from the sensitive residential receptors and more appropriately towards the commercial/industrial uses on Hayden Place. The building measures a maximum height of 32 feet along the residential perimeter on the Higuera (north) side and 30.5 feet along the residential perimeter on the Lucerne (west) side. This height of the building in this location is consistent with the 30 foot height limit in the surrounding R-2 residential zone. In addition, the building is setback up to 24 feet directly abutting the residential uses on Lucerne.
6. The massing of the proposed building includes a terraced / split-level design with varying building setbacks pulling the height away from the adjoining residential uses and more appropriately towards the commercial / industrial uses. The proposed building materials, colors and finishes are intended to create a building appearance that is sensitive to the nature of the adjoining residential uses, including the extensive use of wood paneling on those portions of the building facing residential uses.

Tentative Tract Map No. 69769, TTM P-2007184:

As outlined in CCMC Title 15, Section 15.10.265, the following required findings for a Tentative Tract Map are hereby made:

A. The proposed map is consistent with the General Plan.

The proposed tentative tract map is consistent with the General Plan Land Use Element in that the proposed office subdivision will provide for the revitalization of an industrial site through new development, which is consistent with General Plan Land Use Objective 6 of that Element. This subdivision will also provide for new office condominium spaces and employment opportunities along a section of Hayden Place, furthering the intent of General Plan Land Use Policy 6.B that focuses on commercial / office development which encourages intensities and qualities of commercial / office uses that are sensitive to their locations. The proposed condominium subdivision will create several office condominiums on one lot of adequate size, dimensions and accessibility that is capable of sustaining such a development, thereby being consistent with the City's vision for office development that is balanced with the

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characteristics of adjacent businesses, residential neighborhoods and local and regional streets and arterials.

B. The design of the proposed subdivision is consistent with the General Plan.

The design of the proposed office condominium subdivision is consistent with the General Plan Land Use Element as indicated above and with the Zoning Code development standards for office developments. The project design incorporates features such as progressively increased setbacks from the adjacent residential properties to make it more compatible with them and is consistent with General Plan Land Use Policy 6.B that focuses on commercial / office development which encourages intensities and qualities of commercial / office uses that are sensitive to their locations.

The office building frontage along Higuera Street will vary in setback to allow for pedestrian amenities such as landscaping and paved walkways. The project site will incorporate offsite improvements such as new curb, gutter, sidewalk, and street trees. Such office frontage setbacks and onsite and offsite improvements further the intent of General Plan Land Use Policy 6.I that calls for the planning of streetscape improvements such as street trees and landscaping and façade improvements along established corridors. The proposed project design makes extensive use of green building elements on the sides of the building and is designed with a planted roof. This roof will support hardy plants to minimize maintenance and water requirements. Planted patio areas and a courtyard consisting of various vegetation and plant materials will be located onsite. Planted roof areas are intended to provide ecological benefits such as cooling and humidifying the surrounding air, retaining and reducing storm water run-off and improving the thermal insulation of the roof itself, thereby mitigating the effects of "urban heat islands". These green design features are consistent with General Plan Open Space Element Objective 5 that calls for the extension of the City's park-like qualities into business districts through urban design improvements.

C. The site is physically suitable for the type of development.

The site is physically suitable for the proposed office subdivision in that the project complies with all zoning standards and the proposed structure shall meet all applicable development standards. The project is terraced and split-level so as to provide for setbacks that make way for landscaping amenities as allowed in the CCMC. The site accommodates the 181 parking spaces which include the 179 required parking spaces and an additional 2 parking spaces that are "extra". The proposed office uses are allowed in the IG Zone. The site can accommodate the above described project features without the need for variances, but does require a Height Exception application approval.

D. The site is physically suitable for the proposed density of development.

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The site is physically suitable for the density / massing of the proposed project in that the site can accommodate the multi-story 62,765 GSF office condominium structure without creating significant impacts on neighboring properties. The site is able to locate all 181 parking spaces onsite in both a subterranean garage and surface parking area while meeting all the Zoning Code development standards that apply in the IG Zone.

E. The design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The proposed office condominium tentative tract map subdivision, together with the onsite and offsite improvements, shall not cause any known environmental damage and shall not damage any fish and/or wildlife habitats because such habitats do not exist on or near the site. The site is currently developed with a vacant industrial building, thus not serving any known habitat for fish or other wildlife. The one lot subdivision for office condominium purposes will occur on an existing land parcel and will not result in any new land parcels or physical divisions of existing office and residential neighborhoods. With "green" and photovoltaic roof top features, the physical design of the subdivision will act to lessen any potential environmental impacts and the green screens, planted roof tops and onsite / offsite landscaping will provide new habitats for flora and small insects.

F. The design of the subdivision is not likely to cause serious public health problems.

The proposed office condominium tentative tract map subdivision, together with the onsite and offsite improvements, shall not cause any known serious public health problems because all applicable subdivision and zoning code development standards shall be met, and the applicant is required to meet all of the conditions of approval that the reviewing agencies of the City, such as the Fire Prevention Division, Planning Division, Building Safety Division and the Engineering Division, have recommended for the project. The office use proposed for this subdivision is consistent with the land uses allowed in the IG Zone.

G. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The proposed office condominium tentative tract map subdivision and the onsite and offsite improvements shall not conflict with any existing and/or proposed easements. Some of the existing utility easements are to be relocated as part of this project and – once relocated – shall not affect public right-of-way access requirements or placement of utilities within the public right-of-way at either above surface, surface or below surface areas.

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2008111, and Tentative Tract Map No. 69769, TTM P-2007184, subject to all of the conditions of approval as outlined in Planning Commission Resolution No. 2008-P012.

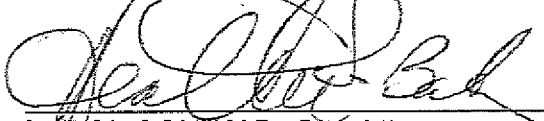
APPROVED and ADOPTED this _____ day of February 2009.

D. SCOTT MALSIN, Mayor
City of Culver City, California

ATTESTED BY:

MARTIN R. COLE, City Clerk

APPROVED TO AS FORM:



CAROL SCHWAB, City Attorney

ATTACHMENT 2

RESOLUTION NO. 2008-P012

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING SITE PLAN REVIEW, SPR P-2007183, AND ADMINISTRATIVE USE PERMIT, AUP P-2008110, AND RECOMMENDING TO THE CITY COUNCIL APPROVAL OF HEIGHT EXCEPTION, HTEX P-2008111, AND TENTATIVE TRACT MAP NO. 69769, TTM P-2007184, FOR A ONE (1) LOT SUBDIVISION CREATING 30 OFFICE AIRSPACE CONDOMINIUM UNITS FOR THE CONSTRUCTION OF AN OFFICE BUILDING AT 8665 HAYDEN PLACE IN THE INDUSTRIAL GENERAL (IG) ZONE.

(Site Plan Review, SPR P-2007183)
(Administrative Use Permit, AUP P-2008110)
(Height Exception, HTEX P-2008111)
(Tentative Tract Map No. 69769, TTM P-2007184)

WHEREAS, on November 15, 2007, Greg Reitz, on behalf of ReThink Tara Green LLC, property owner of 8665 Hayden Place, filed Site Plan Review, SPR P-2007183, Administrative Use Permit, AUP P-2008110, Height Exception, HTEX P-2008111, and Tentative Tract Map No. 69769, TTM P2007184, to construct a terraced / split-level 4 – 5 story 62,765 gross square foot (GSF) office building measuring between 30'-6" and 61'-9" in height with 181 parking spaces [12 surface and 169 subterranean] on the project site described more fully as Lot 1 of Parcel Map No. 7673, in the City of Culver City, County of Los Angeles, State of California; and

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

1. Site Plan Review, SPR P-2007183, in order to develop the proposed project to ensure compliance with the required standards and city ordinances and establish all onsite

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and offsite conditions of approval to reflect the site features and compatibility of the proposed project with the uses on adjoining properties; and

2. Administrative Use Permit, AUP P-2008110, in order to provide 36 parking spaces in tandem format; and

3. Height Exception, HTEX P-2008111, in order to exceed the building height for portions of the building up to 61'-9", being 18'9" above the 43'-0" maximum height limit of the IG Zone; and

4. Tentative Tract Map No. 69769, TTM P-2007184, in order to subdivide the site into a one (1) lot subdivision creating a maximum of thirty (30) office airspace condominium units; and

WHEREAS, on October 22, 2008, the Planning Commission conducted a duly noticed public hearing on these applications, fully considering the applications, preliminary development plans, materials board, staff report, traffic study, environmental information and all testimony presented; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Planning Commission has determined the project will not have significant impacts on the environment and that a Negative Declaration finding is appropriate; 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 0 that the project would not result in significant adverse environmental impacts, that a Negative Declaration finding was appropriate and that the Site Plan Review and Administrative Use Permit should be conditionally approved; and that the Height Exception and Tentative Tract Map should be

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conditionally approved and recommended to the City Council for approval as set forth herein below.

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

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

Site Plan Review, SPR P-2007183:

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

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

The general layout of the project is consistent with the Industrial General (IG) zoning district and the proposed project conforms to all applicable provisions of the IG Zone. The north and west portions of the building facing the surrounding residential neighborhood incorporates the code required setbacks from the property line and provides amenities such as landscaping and pedestrian walkways. These setback features are consistent with Zoning Code standards that are intended to protect residential neighborhoods from office development and to facilitate office projects within industrial areas with appropriate amenities. The project provides the 179 code required parking spaces plus 2 additional parking spaces onsite. The proposed terraced / split-level building, with a building height varying between 30'-6" and 61'-9", is deemed compatible with the surrounding neighborhood notwithstanding the fact it exceeds the 43'-0" maximum building height in the IG Zone due to its building setbacks, architectural design and building materials. Vehicular access to the onsite parking is via a fire lane roadway from the westerly terminus of the Hayden Place cul-de-sac and then northerly along the roadway to the site. The proposed structure is well designed for vehicular and pedestrian access to the office use of the site, the surface parking area and the subterranean parking area with elevators and stairs. The loading area for the project is within the surface parking area as permitted by the CCMC.

B. The architectural design of the structure and the materials and colors are compatible with the scale and character of surrounding development and other

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improvements on the site and are consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.

The proposed terraced / split-level office building will be 61'-9" at the highest point and will have a terraced design so as to step the building away from the adjoining residential neighborhood to the north and west. By stepping the building back and by providing varying building setbacks along all of the building frontages, the project's impacts to the residential neighborhood are lessened thereby making the project more compatible with the residential neighborhood. The building frontage along Higuera Street has a setback that allows for both onsite and offsite landscaping so as to further screen the project from the adjoining residential neighborhood.

The proposed project is an architecturally modern building making use of a variety of building materials including wood, metal, concrete and glass. The design incorporates environmentally friendly and energy efficient building elements including roof top photovoltaic solar panels, green screening walls and green roof areas. All of these elements once combined provide an architectural relief and visual interest to the building elevations. Public artwork, in compliance with the City's Art in Public Places program, is proposed to be incorporated along the building facades.

The building materials noted above, along with the environmentally friendly design features, will provide for an architectural style and color scheme that will complement existing development in the area.

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

The proposed landscaping meets all zoning code requirements providing visual relief and enhancing sustainability goals. More specifically, the onsite landscape features include ground cover, shrubs, trees and "green" building designs to provide a visual screen of the building to the surrounding residential uses. This will be amplified by the additional landscaping within the Higuera Street public right of way as part of the landscape maintenance district which will further add to the visual enhancement of the project's image to the surrounding residential uses. Overall, the onsite and offsite landscaping will complement the modern style of architecture, soften the massing of the proposed building and improve the visual image of the project from the adjoining residential neighborhood.

- D. The design and layout of the proposed project will not interfere with the use and enjoyment of neighboring existing or future development, will not result in

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vehicular or pedestrian hazards, and will be in the best interest of the public health, safety, and general welfare.

The proposed location of the office project will not result in conflicts with uses in the existing adjacent residential neighborhood and industrial area. Access to the surface parking lot and subterranean garage shall be through the fire lane easement roadway from the westerly terminus of the Hayden Place cul-de-sac and then northerly to the site. Access to the subterranean parking garage shall be via a two-way onsite driveway. No private vehicle access shall be permitted from the fire lane emergency drive approach along the Higuera Street frontage. Vehicles entering the site shall be provided with adequate maneuvering along the fire lane easement roadway and within the site itself.

The project shall provide adequate parking on the site and the traffic generated by the project is not anticipated to cause any significant impact to the existing or projected traffic levels in the area. The vehicle and pedestrian access features, along with the more than adequate onsite parking, shall lessen the possibility of interference with the use and enjoyment of adjacent residential and industrial areas and future development and shall reduce the possibility of vehicular or pedestrian hazards.

E. The existing or proposed public facilities necessary to accommodate the proposed project (e.g., fire protection devices, parkways, public utilities, sewers, sidewalks, storm drains, street lights, traffic control devices, and the width and pavement of adjoining streets and alleys) will be available to serve the subject site.

The existing and proposed public service facilities necessary to accommodate the project such as the width and pavement of the adjoining streets, traffic control devices, sewers, storm drains, parkways, sidewalks, street lights, street trees, fire protection devices and other public utilities are provided for adequately as confirmed by the City agencies that reviewed the project during the interdepartmental review process.

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

The proposed project is consistent with the General Plan Land Use Element in that the project will provide for the revitalization of an industrial building through new development of a currently under utilized building, which is consistent with objectives of that Element. The project will also provide for new office condominium spaces and employment opportunities along a section of Hayden Place that is lacking in such prospects, furthering the intent of General Plan Land Use Policy 6.B that focuses on commercial / office development that encourages intensities and qualities of commercial / office uses that are sensitive to their locations.

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The project as proposed will incorporate design features such as varying setbacks and terraced building heights from the adjacent residential properties to the north and west of the site. The residential uses north of the site are separated by a public street with right-of-way landscaping which provides a landscaped buffer between the site and the surrounding residential properties, thereby providing a transition from the residential properties to the office property. These design features are consistent with General Plan Land Use Policy 16.C that encourages compatible commercial / office uses adjacent to residential lots through conditional expansion. The project site will incorporate offsite improvements such as new curb, gutter, sidewalk, and street trees. Such office development and offsite improvements furthers the intent of General Plan Land Use Policy 6.1 that calls for the planning of streetscape improvements such as street trees and landscaping and façade improvements along commercial / office corridors.

The proposed project design makes extensive use of green design elements such as a green screen and green roof components as well as general landscaping throughout the site. Planted roof areas are intended to provide ecological benefits such as cooling, cleaning and humidifying the surrounding air, retaining and reducing storm water run-off, and improving the thermal insulation of the roof itself, thereby mitigating the effects of "urban heat islands". These green design features are consistent with General Plan Open Space Element Objective 5 that calls for the extension of the City's park-like qualities into business districts through urban design improvements.

Overall the project is compatible with the surrounding area in that the proposed office development is located along Hayden Place, an established office and industrial portion of the City. The General Plan designation for the subject property is Industrial, which permits the proposed office use to which patrons travel primarily by car. Office uses are located throughout the industrial park to the east and south of the site.

Administrative Use Permit, AUP P-2008110:

As outlined in CCMC Title 17, Section 17.530.020, the following required findings for an Administrative Use Permit are hereby made:

- A. The proposed use is allowed within the subject zoning district with the approval of an Administrative Use Permit and complies with all applicable provision of this Title and CCMC.**

The existing Industrial General (IG) zoning designation of the site allows the proposed use of tandem parking subject to an Administrative Use Permit as outlined in CCMC Section 17.320.035.C.1.b, and the proposed tandem parking layout complies with all applicable provisions regarding parking design and layout guidelines. Each stall is nine feet (9'-0") in width and thirty six feet (36'-0") in depth for a maximum of two (2) tandem parking spaces. A proper aisle width is also provided.

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B. The proposed use is consistent with the General Plan and any applicable Specific Plan.

The proposed use of tandem parking to facilitate in the development of an office use is consistent with the "Industrial" General Plan Land Use designation of the site which allows a range of industrial and office uses. Each pair of tandem parking spaces shall be leased to the same tenant and thereby will facilitate the full use of the office condominium project.

C. The design, location, size and operating characteristics of the proposed use are compatible with the existing and future land use in the vicinity of the subject site.

The proposed use, design, location, size and operating characteristics of the tandem parking spaces will not have an impact on adjacent uses and are therefore compatible with the existing and future office land uses in the vicinity of the subject site. Each pair of tandem parking spaces shall be assigned to the same tenant and thereby will facilitate the full use of the office condominium project without requiring a parking valet or attendant. Further, each pair of two (2) tandem parking spaces shall measure nine feet (9'-0") in width by thirty six feet (36'-0") in depth, sufficient for two (2) vehicles to maneuver into and out of said spaces.

D. The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities and the absence of physical constraints.

The generally flat configuration of the parking areas, the vehicular access to the site from the fire lane easement roadway, the adequate design of the ramp to/from the subterranean parking where the tandem parking is to be located, and the proposed onsite parking configuration is physically suitable to accommodate tandem parking. The tandem parking is compatible with the proposed office use and shall not require a parking valet or attendant. The tandem parking will not impact any utilities and there are no physical constraints that would prevent the use of tandem parking.

E. The establishment, maintenance or operation of the proposed use will not be detrimental to the public interest, health, safety or general welfare or injurious to persons, property or improvements in the vicinity and zoning district in which the property is located.

The establishment of tandem parking on the site subject to the conditions of approval will not be detrimental to the public interest, health, safety or general welfare or injurious to persons, property or improvements in the surrounding industrial zoning district or vicinity since said tandem parking will not generate any onsite or offsite impacts.

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Height Exception, HTEX P-2008111:

As outlined in CCMC Title 17, Section 17.300.025.C., the following findings for a Height Exception are hereby made:

1. The proposed height of the office building is between 30'-6" and 61'-9". Consequently, the applicant has requested an exception to the 43'-0" maximum height pursuant to CCMC Section 17.300.025.C., which permits the City Council to establish a maximum building height for new construction in Redevelopment Project Component Area #3, consistent with the DFD. The applicant has requested the CCRA adopt a DFD for the proposed project site.
2. The project design has taken into consideration privacy impacts to adjacent residential uses. The building is a minimum of 100 feet from homes on Higuera and the west side of Lucerne minimizing any views into these homes or yards. The western façade of the building is adjacent to three homes on the east side of Lucerne. The windows on the west side of the building are few and set high so that views into the neighboring yards are constrained.
3. As outlined in the architectural plans, an analysis of the anticipated shade and shadow footprint of the proposed building throughout the year has been prepared. The analysis concludes that there will be no significant impact onto any of the adjoining buildings resulting from the additional height.
4. The proposed building will not be in the view shed of any residential uses and therefore will not result in any view blockage from adjacent properties.
5. The majority of the proposed building is at or below the 43 foot height limit of the IG zone. The portion of the building that rises to a proposed 61'-9" is located away from the sensitive residential receptors and more appropriately towards the commercial/industrial uses on Hayden Place. The building measures a maximum height of 32 feet along the residential perimeter on the Higuera (north) side and 30.5 feet along the residential perimeter on the Lucerne (west) side. This height of the building in this location is consistent with the 30 foot height limit in the surrounding R-2 residential zone. In addition, the building is setback up to 24 feet directly abutting the residential uses on Lucerne.
6. The massing of the proposed building includes a terraced / split-level design with varying building setbacks pulling the height away from the adjoining residential uses and more appropriately towards the commercial / industrial uses. The proposed building materials, colors and finishes are intended to create a building appearance that is sensitive to the nature of the adjoining residential uses, including the extensive use of wood paneling on those portions of the building facing residential uses.

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Tentative Tract Map No. 69769, TTM P-2007184:

As outlined in CCMC Title 15, Section 15.10.265, the following required findings for a Tentative Tract Map are hereby made:

A. The proposed map is consistent with the General Plan.

The proposed tentative tract map is consistent with the General Plan Land Use Element in that the proposed office subdivision will provide for the revitalization of an industrial site through new development, which is consistent with General Plan Land Use Objective 6 of that Element. This subdivision will also provide for new office condominium spaces and employment opportunities along a section of Hayden Place, furthering the intent of General Plan Land Use Policy 6.B that focuses on commercial / office development which encourages intensities and qualities of commercial / office uses that are sensitive to their locations. The proposed condominium subdivision will create several office condominiums on one lot of adequate size, dimensions and accessibility that is capable of sustaining such a development, thereby being consistent with the City's vision for office development that is balanced with the characteristics of adjacent businesses, residential neighborhoods and local and regional streets and arterials.

B. The design of the proposed subdivision is consistent with the General Plan.

The design of the proposed office condominium subdivision is consistent with the General Plan Land Use Element as indicated above and with the Zoning Code development standards for office developments. The project design incorporates features such as progressively increased setbacks from the adjacent residential properties to make it more compatible with them and is consistent with General Plan Land Use Policy 6.B that focuses on commercial / office development which encourages intensities and qualities of commercial / office uses that are sensitive to their locations.

The office building frontage along Higuera Street will vary in setback to allow for pedestrian amenities such as landscaping and paved walkways. The project site will incorporate offsite improvements such as new curb, gutter, sidewalk, and street trees. Such office frontage setbacks and onsite and offsite improvements further the intent of General Plan Land Use Policy 6.I that calls for the planning of streetscape improvements such as street trees and landscaping and façade improvements along established corridors. The proposed project design makes extensive use of green building elements on the sides of the building and is designed with a planted roof. This roof will support hardy plants to minimize maintenance and water requirements. Planted patio areas and a courtyard consisting of various vegetation and plant materials will be located onsite. Planted roof areas are intended to provide ecological benefits such as cooling and humidifying the surrounding air, retaining and reducing storm water run-off and improving the thermal insulation of the roof itself, thereby mitigating the effects of "urban heat islands". These green design features are consistent with General Plan Open Space Element Objective 5 that calls for the

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extension of the City's park-like qualities into business districts through urban design improvements.

C. The site is physically suitable for the type of development.

The site is physically suitable for the proposed office subdivision in that the project complies with all zoning standards and the proposed structure shall meet all applicable development standards. The project is terraced and split-level so as to provide for setbacks that make way for landscaping amenities as allowed in the CCMC. The site accommodates the 181 parking spaces which include the 179 required parking spaces and an additional 2 parking spaces that are "extra". The proposed office uses are allowed in the IG Zone. The site can accommodate the above described project features without the need for variances, but does require a Height Exception application approval.

D. The site is physically suitable for the proposed density of development.

The site is physically suitable for the density / massing of the proposed project in that the site can accommodate the multi-story 62,765 GSF office condominium structure without creating significant impacts on neighboring properties. The site is able to locate all 181 parking spaces onsite in both a subterranean garage and surface parking area while meeting all the Zoning Code development standards that apply in the IG Zone.

E. The design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The proposed office condominium tentative tract map subdivision, together with the onsite and offsite improvements, shall not cause any known environmental damage and shall not damage any fish and/or wildlife habitats because such habitats do not exist on or near the site. The site is currently developed with a vacant industrial building, thus not serving any known habitat for fish or other wildlife. The one lot subdivision for office condominium purposes will occur on an existing land parcel and will not result in any new land parcels or physical divisions of existing office and residential neighborhoods. With "green" and photovoltaic roof top features, the physical design of the subdivision will act to lessen any potential environmental impacts and the green screens, planted roof tops and onsite / offsite landscaping will provide new habitats for flora and small insects.

F. The design of the subdivision is not likely to cause serious public health problems.

The proposed office condominium tentative tract map subdivision, together with the onsite and offsite improvements, shall not cause any known serious public health problems because all applicable subdivision and zoning code development standards shall be met, and the applicant is required to meet all of the conditions of approval

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that the reviewing agencies of the City, such as the Fire Prevention Division, Planning Division, Building Safety Division and the Engineering Division, have recommended for the project. The office use proposed for this subdivision is consistent with the land uses allowed in the IG Zone.

- G. **The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

The proposed office condominium tentative tract map subdivision and the onsite and offsite improvements shall not conflict with any existing and/or proposed easements. Some of the existing utility easements are to be relocated as part of this project and – once relocated – shall not affect public right-of-way access requirements or placement of utilities within the public right-of-way at either above surface, surface or below surface areas.

SECTION 2. Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby approves Site Plan Review, SPR P-2007183, and Administrative Use Permit, AUP P-2008110; and hereby recommends to the City Council for approval Height Exception, HTEX P-2008111, and Tentative Tract Map No. 69769, TTM P-2007184, subject to the following conditions:

GENERAL CONDITIONS

Planning Division:

1. The final working drawings shall conform to the development plans, colored renderings and materials board reviewed and approved by the Planning Commission at its meeting on October 22, 2008, except as may be noted below.
2. The resolution approving Site Plan Review, SPR P-2007183, Administrative Use Permit, AUP P-2008110, Height Exception, HTEX P-2008111, and Tentative Tract Map No. 69769, TTM P-2007184, and the conditions of approval shall be referenced on the cover sheet and repeated in full on attached additional sheets of the final working drawings.
3. The applicant or property owner shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project conditions of approval. These conditions shall be enforceable through all legal and equitable remedies,

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including the imposition of fines against each and every person who conducts any activity on behalf of the applicant / property owner on or near the project site. The applicant / property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.

4. Conditions of approval herein shall apply to the applicant / property owner, the contractor / builder of the project, and any successor applicant / property owner that may legally assume benefit of Site Plan Review, SPR P-2007183, Administrative Use Permit, AUP P-2008110, Height Exception, HTEX P-2008111, and Tentative Tract Map No. 69769, TTM P-2007184,
5. The City reserves the right to periodically inspect the premises without prior notification to ensure ongoing compliance with all conditions of approval.
6. Site Plan Review, SPR P-2007183, Administrative Use Permit, AUP P-2008110, Tentative Tract Map No. 69769, TTM P-2007184, and Height Exception, HTEX P-2008111, shall expire unless:
 - A. Actual construction, in accordance with a valid City-issued building permit, is commenced on the site within one (1) year after the effective date of the entitlements; or
 - B. Prior to the entitlements expiration date, or any previously granted extension to that expiration date, a written request for an extension, accompanied by any and all required fees, has been satisfactorily filed by or on behalf of the applicant / property owner and, thereafter, an extension is granted by the Community Development Director, or designee..

During the period any extension request has been satisfactorily and timely filed and any decision regarding that request has been made by the City, this Site Plan Review and Administrative Use Permit approval shall be suspended.

7. The applicant and the property owner shall jointly indemnify, defend and hold harmless the City and the City's elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, demands, lawsuits, judgments, liability, injury or damage which may result from or arise in connection with third party challenges to the City's approval of the Project. Said indemnification shall be set forth in a written instrument acceptable to the City Attorney, which shall be signed by the applicant and the property owner prior to a building permit being issued.
8. The applicant and property owner 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.

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9. All planted areas shall be landscaped, irrigated and maintained pursuant to CCMC Title 17 – Chapter 17.310, Landscaping. As part of the building permit filing process, a minimum of three (3) sets of detailed landscape and irrigation plans – separate from the final working drawings shall be submitted to the Planning Division for review and approval. Said plans shall include, but not be limited to, the following:
- A. Wall climbing vines shall be planted along the base of all perimeter walls and fences in a spacing determined by the Planning Manager and Parks Manager;
 - B. A plan to upgrade the landscape and irrigation of the existing landscape buffer along the parkway portion of the Higuera Street landscape maintenance district directly abutting the north property line right-of-way. At a minimum, the potential of planting a large specimen tree(s) within the parkway so as to further screen the proposed project from the residential uses to the north of the site as determined feasible by the Planning Manager and Parks Manager;
 - C. A landscape and irrigation plan for all green building design landscape components including, but not limited to, green roofs and green screens
 - D. Along the west property line, the landscape plans shall include the planting of "geijera parviflora" (Australian Willows) 24 inch box trees spaced eight feet (8'-0") on center and with their canopies overlapping at installation so as to provide a primary landscape screen above the top of the block wall to be constructed along the subject property line. Additionally, the new trees to be planted within the abutting courtyard area shall be "eucalyptus citriodora" (Lemon Scented Gum) 24 inch box trees so as to provide a secondary landscape screen above the top of the canopies of the trees planted along the property line.
 - E. Amenities for dog walkers, including but not limited to a "doggie drinking fountain" and a bench shall be provided in the landscape area directly adjacent to the emergency access lane on the Higuera Street side of the project.
10. In addition to the screening requirements for onsite parking areas and Fire Department connections, the following items shall be screened from surrounding and nearby public and private properties in a manner consistent with City standards and suitable to the subject development as approved by the Planning Manager. In general, the height of any required screening device shall be no lower on any side than the height of the highest feature requiring screening and:
- A. All exteriors of the proposed building shall be free of all un-aesthetically treated, exposed elements (i.e., plumbing pipes, electrical conduits and National Pollution Discharge Elimination System (NPDES) elements) which shall be placed within the exterior walls. Where exposed wall-mounted features or equipment may be necessary (i.e., ventilators and utility meters), recessed wall mounted cabinets or other similar devices shall be constructed

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within the wall, whenever possible, to accommodate such features and equipment so that they are flush with and do not project out from the main exterior wall plane. With or without recesses, the exposed portions of such features or equipment shall be of a color to blend, not contrast, with the adjoining finished building color, subject to the approval of the Planning Manager;

B. All roof-mounted mechanical equipment, duct vents and the like shall not project above the horizontal plane of the building's lowest primary opaque architectural feature(s) (i.e., parapet walls, penthouse structures or screening walls); and

C. All ground-mounted equipment (i.e., transformers and air conditioners) shall be located within the building or in underground vaults if the equipment is located within a street facing setback, or it shall be screened with walls and/or landscaping if not located within a street facing setback. Ground-mounted equipment shall not be located in the landscaped areas fronting any public right-of-way.

11. The public notification signs installed in accordance with the CCMC public notification requirements for this review process shall be removed within ten (10) days of the end of the appeal period or the final decision of the City Council and/or Redevelopment Agency, whichever occurs last.
12. The refuse containers assigned to or otherwise used by the building shall be stored onsite in the trash enclosure.
13. All hardscape areas along both the exterior of the building and/or within the interior of the project site shall include the use of decorative pavement (i.e., materials, finish and color) in select areas to the satisfaction of the Planning Manager.
14. The project and its operations shall comply with all applicable local, special district or authority, county and federal statutes, codes, standards and regulations including, but not limited to, Building Safety Division, Fire Department, Planning Division and Public Works Department code requirements and it shall comply with all applicable comments and code requirements as determined during the City's building permit review process.
15. The driveway, garage ramps and all floor areas used for vehicle maneuvering shall be treated with a medium broom finish in order to create an anti-skid surface.
16. All security elements along the exterior of the site shall be architecturally compatible with the project as determined by the Planning Manager.

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Building and Safety Division:

17. The Culver City Building and Safety Division requires separate permits for building, electrical, plumbing and mechanical work.
18. The building permit application shall require the submission of five (5) sets of architectural and two (2) sets each of the structural drawings and calculations, the geotechnical report, energy forms and the mechanical, electrical, and plumbing permit applications.
19. A separate shoring permit shall be required. Submit 2 sets shoring plans and structural calculations stamped by a State of California licensed engineer. Support of adjacent properties may be required to insure a safe workplace and to protect adjoining improvements during excavation and construction. Notification to adjacent properties may be required. The Building Safety Division and the Engineering Division will determine what if any upgrades are necessary, which upgrades may include special backfill conditions.
20. All portions of the parking structure shall be a minimum two (2) hour rated, reinforced concrete construction.
21. All stair shafts shall be two (2) hour rated on all sides continuous to a street or public way. A driveway or a drive aisle shall not be considered a means of egress. All shafts shall be a minimum of two (2) hour rated from the foundation to the underside of the roof deck or to the top of parapet walls as part of any shaft construction.
22. All elevator lobbies shall be two (2) hour enclosed.
23. All shafts shall be enclosed at all levels to other areas of the building.
24. The doors into the exit stairs at the garage level shall swing into the exit stairs.
25. All parking areas shall be minimum two (2) hour rated to all other areas of the building. The ceiling of the parking area / floor of the first floor shall be reinforced concrete construction.
26. All treads, risers, handrails and other design elements inside any common area stairway shall be one hundred percent (100%) non-combustible construction.
27. A continuous path of egress shall be provided from all exit stairways to a street or public way and be a minimum one (1) hour rated.
28. Any exit way less than ten feet (10'-0") wide shall be a minimum one (1) hour rated.
29. All trash rooms shall be a minimum two (2) hour rated to all other areas.

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30. The electrical transformer room and any service room(s) shall each be a minimum two (2) hour rated.
31. Any exterior walls within three feet (3'-0") of any property line shall be three (3) hour rated of reinforced concrete block construction and shall include a parapet a minimum of two feet six inches (2'-6") above any adjacent roof or walking surface.
32. All utilities shall be underground or enclosed in the building construction. No overhead utilities shall be permitted.
33. All exit signage and emergency egress lighting shall have individual battery back-up and / or be self-powered in addition to any emergency generator power.
34. The project shall be reviewed under the 2007 California Building Code (CBC).
35. No opening shall be permitted without filing and prior approval of a Certificate of Occupancy (C of O) or final inspection if no C of O is to be issued by the Building Official.
36. The overall construction permit application drawings shall:
 - A. Indicate any proposed construction staging areas; and
 - B. Include a schedule of the special inspections anticipated, the firm proposed for the special inspections and the resumes of any special inspectors for this project. The City reserves the right to reject any special inspector at any time. If a City inspector is inspecting a portion of the work for which a special inspection is required; the special inspection report shall be made available to the City inspector on their arrival to the jobsite. All jobsite supervisors, contractors, and subcontractors shall give their priority to the City inspector when they are onsite.
37. The applicant shall comply with all provisions of the City's solar photovoltaic power ordinance.
38. The applicant shall perform a complete asbestos and lead survey of the onsite structures and shall submit the written report(s) on the results of the surveys to the Building Official.
39. A geotechnical engineering design level report shall accompany the overall construction permit application.
40. Tempered or laminated glazing shall be specified at all hazardous locations.

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Fire Department:

41. The project shall be designed to be in compliance with the requirements of California Title 24, the National Fire Protection Association (NFPA) and the CCMC.
42. The building shall have fire sprinklers per NFPA 13 and CCMC Section 9.02. All fire department connections (FDC's) shall be located as approved by Fire Marshal. Each FDC shall be located within 30'-0" to 50'-0" of a fire hydrant. A new fire hydrant may be required to meet this requirement as determined by the Fire Marshal. The double detector check assembly (DDCA) shall be located as required by Golden State Water Company (GSWC) and the screening of this device shall be per the Planning Division's requirements. A separate permit from the Fire Department is required along with plan review and approval for fire sprinklers. Minimum density of the fire sprinkler system shall be Ordinary Hazard Group I, 0.15 over 1,500 square feet.
43. A fire flow requirement from adjacent fire hydrant(s) shall be provided as determined by the Fire Marshal and the California Fire Code (CFC). Any and all upgrades to surrounding water main(s) to meet the minimum required fire flow shall be at the sole cost of the applicant / property owner.
44. The applicant shall provide a fire sprinkler monitoring and fire alarm system per NFPA 72 and a fire monitoring system separate from the security system. Photo electric smoke detectors shall be required in all mechanical, electrical, telephone and similar rooms. Heat detectors shall be provided where the environment is inappropriate for smoke detection as determined by the Fire Marshal. Audible visual devices per NFPA 72 public mode shall be provided. Connection to all duct smoke detection per CCFD regulations and for connection to Class I hood extinguishing systems shall be provided.
45. Trash areas within five feet (5'-0") of the building shall be protected by fire sprinklers.
46. Provide and receive approval of a pre-fire plan prior to requesting a C of O or final inspection.
47. An emergency rapid entry system as approved by the Fire Marshal shall be required for access into all common rooms and common secured areas of the building and parking structure and a key switch shall be provided for all motorized or electrical operated / controlled gates. The proposed emergency vehicle access barricade (i.e., chain and post or swing gate(s)) along the Higuera Street frontage shall also be provided with the referenced emergency equipment.
48. Fire extinguishers shall be provided throughout the project of a size, location and type to be determined by the Fire Marshal upon review of final building plans.
49. A fire alarm / offsite reporting system shall be provided of a type and requirements to be determined by the Fire Marshal upon review of final building plans.

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50. An address sign viewable and legible from the public right-of-way at all times shall be provided and said address sign shall be illuminated from dusk to dawn.
51. An emergency evacuation plan shall be submitted to the Fire Marshal for review and approval and implemented in accordance with Title 19 prior to occupancy of any portion of the building.
52. A smoke evacuation system for the parking garage shall be provided per Chapter 9 of the CBC.
53. The building shall be provided with a Class III standpipe system including hose outlets in the parking structure and the building with two and a half inch (2-1/2") valves with one and a half inch (1-1/2") reducing caps. Location of valves shall be determined by the Fire Marshal upon review of final building plans.
54. The project shall be designed for a one hundred foot (100'-0") hose and a thirty foot (30'-0") stream system. Design shall be based on all obstructions. Hoses and cabinets shall not be required.
55. All exterior doors shall have locksets and handles.
56. All fascias and parapets shall be constructed of solid materials able to support the weight of fire fighters and suppression equipment and the use of foam or other soft materials shall be prohibited.
57. Trash compactors, if provided, shall have two and a half inch (2-1/2") swivels and caps for use by the Fire Department.
58. All parapets and exterior walls five feet (5'-0") or higher above the roof line shall have catwalks and/or ladders screened and approved by the Fire Marshal and Planning Manager.
59. A smoke detection system shall be provided for all interior exit corridors, electrical rooms, mechanical rooms and other common storage and special use rooms.
60. Audible and visual fire warning devices shall be provided as required by the NFPA 72 public mode throughout the entire building including, but not limited to, common areas, suites, conference rooms, lunch rooms and copy rooms as required by the Fire Marshal. Said alarms shall sound with the activation of the water flow switch per NFPA and CFC Article 10.
61. Interior signage shall be provided for all rooms including a room number and use. All stairs shall have signs indicating stair number, floor and either "Roof Access" or "No Roof Access". All rooms on the interior and exterior to the building shall be provided

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with numbers and description. Stairways shall be marked at access and on each landing stair number and if stairway provides roof access or no roof access.

62. Plans shall carry a "Fire Department Notes" section to include all life safety items. Notes shall include all Fire Department conditions of approval and any other code requirements pertaining to life safety.
63. The seventeen foot (17'-0") wide onsite portion of the thirty four foot (34'-0") wide vehicle access way abutting the easterly portion of the site between the Higuera Street property line and the southerly property line of the subject site shall be recorded on the final tract map as a 'fire lane'. Said fire lane shall be provided with "red" color painted curbing and shall be posted on a three inch (3") diameter post painted a color to match the project and provided with "Fire Lane - No Parking" "white" color stencil lettering as determined by the Fire Marshal. The surface of the fire lane shall support the minimum weight of all applicable fire apparatus as determined by the Fire Marshal [i.e., a minimum of 68,000 pounds]. Private vehicle access to/from Higuera Street shall continue to be permanently prohibited by the installation of an emergency vehicle access barricade and signage as may be required by the Fire Marshal at the northerly property line abutting Higuera Street.
64. A double detector check assembly required for the project shall be located and screened from public view in a manner to the satisfaction of the Fire Marshal and Planning Manager.
65. Access for emergency fire and medical personnel between the street and main entrance for the building shall be provided via a concrete surface and paved to allow the rolling of a medical gurney. Similar access within the interior of the building between the main entrance and all elevator lobbies shall be provided via a smooth flooring surface.
66. Special submittals for review are required for green building construction along all floors, walls and roofs. One (1) hour construction with fire sprinkler system shall be provided if the roof structure has green elements restricting fire fighting operations as determined by the Fire Marshal. Smoke and heat vents may also be required pending review of final building plans.
67. Rooms used for electrical equipment shall be posted "No Storage By Order Of The Fire Marshal" and all areas in front of electrical equipment shall have floor markings indicating a clear space to be unobstructed as required by the National Electrical Code (NEC).
68. All emergency lights and exit lights shall have self contained battery backup power.

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

Planning Division:

69. The applicant shall submit to the Planning Manager and receive approval for the following:

- A. An exterior light fixture and illumination plan developed pursuant to CCMC Section 17.300, General Property Development and Use Standards. Said plan shall identify the location and type of all exterior light fixtures. All lighting shall be directed onsite and light sources shall be shielded so as not to be intrusive to surrounding properties;
- B. A vector / pest control abatement plan prepared by a pest control specialist licensed and/or certified by the State of California. Said plan shall outline all steps to be taken prior to the commencement of any demolition / construction activity so as to insure any and all pests [including, but not limited to, rodents, bees, ants and mosquitoes] that may populate the subject site do not relocate to or impact adjoining residences and/or businesses; and
- C. A construction workers and contractors parking and equipment staging plan addressing all phases of the construction project and directing all project related vehicles to park onsite or at designated offsite location(s) as may be approved by the City Engineer and Planning Manager following receipt of prior written approval from the offsite property owner(s). The plan shall include, but not be limited to, the staging, storage and parking of all construction related equipment, trailers, materials, trash dumpsters, storage containers and vehicles. Appropriate fencing, screening, signage, illumination and security elements shall also be listed. Said plan shall prohibit the parking of any construction related vehicle, equipment and/or materials within any portion of the public right of way serving the surrounding industrial or residential area. Use of non-residential private property may be permitted if deemed to be in compliance with the CCMC by the Planning Manager. Parking within the newly constructed subterranean parking structure may be permitted following written clearance by the Building Official.

70. The applicant shall make a fair share financial contribution, calculated by the City Engineer to be Fifty Thousand Dollars and Zero Cents (\$50,000.00), towards the total cost of studying and implementing a Neighborhood Traffic Management Plan (NTMP) along Higuera Street between Lucerne Avenue and Hayden Avenue. Said funds shall be paid to the City Engineer prior to the applicant requesting any Certificate of Occupancy. Upon occupying eighty five percent (85.0%) of the total building gross square footage, the vehicle traffic at the "project driveway" shall be counted in a

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manner outlined and approved by the City Engineer. The "project driveway" shall be the location where the north / south 27 foot wide common aisle way located along the east side of the site intersects with the south property line of the subject parcel. Said vehicle counts shall be adjusted so as to deduct any vehicles traveling to/from the existing abutting building to the east of the site and crossing the "project driveway". Said traffic counts and accompanying written report shall be prepared by a traffic engineer licensed in the State of California, and paid from the financial contribution described above. If said report shows an increase over the projected traffic as outlined in the Traffic Study dated July 23, 2008 prepared by KOA Corporation, the City Engineer may assign any remaining balance of funds towards any additional traffic related improvements in addition to any NTMP improvements that may be implemented. Any funds not allocated or used by the City by the end of a five (5) year period beginning from the date of issuance of the Certificate of Occupancy, shall be returned to the applicant interest free.

Fire Department:

71. The applicant shall submit to the Fire Marshal for approval a construction emergency access plan. Said plan shall address the continued access and use of the existing fire lane roadway easement during construction by emergency vehicles between the Higuera Street emergency access driveway and the Hayden Place cul-de-sac or other alternative access locations.

Public Works Department / Engineering:

72. Two (2) sets of Site Improvement / Grading Plans prepared by a civil engineer registered in the State of California shall be submitted to the Engineering Division for review, approval and permitting. Among other things, the Site Improvement / Grading Plan shall include detailed drainage and grading of the site indicated by topographical lines and spot elevations, and indicate all proposed and existing utilities.
73. A final hydrology and hydraulics report for the site drainage shall be prepared by a civil engineer registered in the State of California and submitted to the City Engineer as part of the grading plan for review and approval. The 25-year storm frequency (i.e., urban flood) shall be used for the design of the onsite conveyance facilities, as the existing site is neither a natural watercourse nor a natural sump.
74. Submit a geotechnical report from a geotechnical engineer registered in the State of California reporting on the stability of the onsite soils to support the proposed construction and shall include a liquefaction analysis. The report shall also identify any special considerations necessary to satisfy CBC requirements.
75. Prior to the issuance of the Site Improvement / Grading permit, the proposed re-alignment of the existing 72" storm drain shall be approved and permitted by the Los

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Angeles County Flood Control District and a copy of the approved plans and county permit shall be submitted to the Culver City Engineering Division. That portion of the existing 72" storm drain to be abandoned shall be completely removed and inspected by the Engineering Division prior to any excavation / compaction related to the subterranean garage.

76. Any modifications to parking lot drainage devices, concrete curb, sidewalk and driveway shall be designed to the latest edition of the APWA Standard Plans.
77. If drainage sump pumps are required in the subterranean garage, a civil engineer registered in the State of California shall provide calculations determining the appropriate size and capacities of the proposed sump pumps. A secondary emergency sump pump system shall also be provided.
78. Prior to the commencement of any demolition or excavation, a temporary construction fence shall be installed around the site. The height and fence material shall be subject to approval by the City Engineer and Planning Manager.
79. Construction vehicles shall not be permitted to stage or queue along any portion of the surrounding residential streets including, but not limited to, Higuera Street and Lucerne Avenue, or where they would interfere with vehicular and pedestrian traffic or block access to any residence or business. Any offsite staging location(s) as may be approved by the City shall be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations.
80. Due to the change of use and increased density, the project is subject to the City's Sewer Facility Charge which shall be paid prior to the issuance of any permit other than a demolition permit.
81. The trash enclosure shall have perimeter walls that are six feet (6'-0") in height, have minimum inside dimensions of twelve feet (12'-0") feet in width by ten feet (10'-0") in depth, have a six inch (6") by six inch (6") raised concrete curb along the inside wall perimeter and a double swing gate (or roll up door) that is eight feet (8'-0") in width and of a height equal to the height of the enclosure walls when in a closed position. The enclosure walls shall be of a material and color that matches the proposed architecture of the building. A fire suppression sprinkler(s) system shall be provided within any covered trash enclosure area as required by the Fire Marshal.
82. In accordance with CCMC Section 5.01.010, Ordinance No. 2201-011. Solid Waste Management, the Sanitation Division has the exclusion franchise for all solid and recyclable waste material handling within the city limits.
83. A traffic control plan for the streets surrounding the work area with specific information regarding the project's construction and activities that are anticipated to disrupt normal traffic flow shall be submitted for review and approval by the City Engineer.

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- 1 84. All utilities that require relocation or new service to the proposed project shall be
2 completed to the satisfaction of the City Engineer and the applicant shall be
3 responsible to obtaining the approval from the respective agencies and/or utility
4 company.
- 5 85. Drainage devices, concrete curb and gutter, sidewalk, drive approach and roadway
6 pavement shall be designed to the latest edition of the APWA Standard Plans. All
7 onsite runoff, to include roof drainage, shall adhere to the Standard Urban
8 Stormwater Mitigation Plan requirements prior to being discharged into the street via
9 curb drains and/or storm drain system.

Local Stormwater Pollution Prevention Plan

- 10 86. Concurrently with the submittal of the Site Improvement / Grading Plan, a Local
11 Storm Water Pollution Prevention Plan (LSWPPP) package prepared by a civil
12 engineer registered in the State of California shall be submitted for review and
13 approval by the City Engineer.
- 14 87. The LSWPPP package shall be developed and implemented in accordance with the
15 requirements of the current Los Angeles County Municipal Stormwater NPDES
16 Permit No. CAS614001 and CCMC Section 5.05.035. Prior to the issuance of any
17 demolition, grading, excavation and/or building permit, the applicant shall have a
18 LSWPPP package approved by the City Engineer.
- 19 88. The LSWPPP package shall include all of the individual items listed in the
20 Engineering Division's most current version of the "Requirements for Local Storm
21 Water Pollution Prevention Plan" handout.
- 22 89. The scope of the information shown on the LSWPPP plans shall be limited to
23 NPDES relevant information. Prior to the start of design of these plans and
24 necessary reports, the applicant's civil engineer shall meet with the City's Stormwater
25 Program Manager to obtain information on the City-specific LSWPPP requirements.
- 26 90. Plan check fees for the LSWPPP shall be paid at the time of the initial submittal per
27 the most current fee schedule established by the City Council.
- 28 91. The applicant shall appropriately and effectively implement the Best Management
29 Practices (BMP) identified in the LSWPPP and reduce to the Maximum Extent
Practicable (MEP) both the volume of storm water leaving the site as well as the
amount of sediments and other pollutants in the storm water and the non-storm water
discharges.

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Standard Urban Stormwater Mitigation Plan

92. Concurrently with the submittal of the Site Improvement / Grading Plan, a Standard Urban Stormwater Mitigation Plan (SUSMP) or a site-specific mitigation package prepared by a civil engineer registered in the State of California shall be submitted for review and approval by the City Engineer. The SUSMP shall be developed and implemented in accordance with the requirements of the following:
- A. The current Los Angeles County Municipal Stormwater NPDES Permit No. CAS004001 (Order No. 01-182);
 - B. The most recent SUSMP for Los Angeles County and Cities in Los Angeles County as approved by the Los Angeles Regional Water Quality Control Board; and
 - C. CCMC Section 5.05.040.
93. Prior to the start of design of these plans and necessary reports, the applicant shall retain a civil engineer registered in the State of California, who is experienced in designing SUSMP and preparing BMP reports. The civil engineer shall meet with the City's Stormwater Program Manager to obtain information on City Specific SUSMP requirements.
94. A covenant, to be effective in perpetuity unless terminated by the approval of the Public Works Director, shall be recorded in the Offices of the Los Angeles County Recorder. The recorded covenant shall include provisions requiring the current property owner and any and all successors-in-interest, transferees and assignees to maintain all onsite structural stormwater pollution removal devices, including, but not limited to, Detention/Sedimentation Systems, Filtration Systems, Infiltration Systems, Oil and Water Separators, Water Quality Inlets and Dry Wells, all in accordance with the Operation and Maintenance Plan approved by the Public Works Director or his/her designee. In addition, the specific structural BMPs to be utilized and maintained for the property shall be set forth in the covenant. The covenant shall be in a form approved by the City Attorney.
95. The Site Improvement / Grading Plans shall note the contractor shall comply with the California Stormwater Best Management Practice Handbooks.
96. Plan check fee for the SUSMP shall be paid at the time of the initial submittal per the most current fee schedule established by the City Council.

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DURING CONSTRUCTION:

Planning Division:

97. Information that includes contact names and telephone numbers of the applicant / property owner, construction contractor(s) and City shall be posted at the project site so as to be visible to the public and of a size and location as approved by the Planning Manager. These names and telephone numbers shall be made available to adjacent property owners and residents.
98. All graffiti shall be removed within forty eight (48) hours of its application and said removal standards shall continue once the development becomes operational.
99. The following noise standards shall be complied with at all times:
 - A. No construction equipment shall be operated without an exhaust muffler and all such equipment shall have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original equipment;
 - B. All construction equipment shall be properly maintained to minimize noise emissions;
 - C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall be setback from any street and other property lines so as to maintain the greatest distance from the public right-of-way and from noise sensitive receptors; and
 - 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 that compliance with the CCMC Noise Regulations and Standards is achieved.
100. 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.

Public Works Department / Engineering Division:

101. The construction contractor shall advise the Public Works inspector of the project schedule and shall meet with the inspector prior to commencement of work.

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102. Hours of construction shall be limited from 8:00 AM to 6:00 PM Monday to Friday, and from 9:00 AM to 6:00 PM on Saturday. Construction shall be prohibited on Sundays 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.
103. During construction, dust shall be controlled by regular watering and as directed by the Public Works inspector.
104. A copy of the Local SWPPP, inspection logs, and training records shall also be kept onsite and made available for inspection at all times during construction.
105. Reconstruct the full width of the existing fire lane easement roadway from Higuera Street to Hayden Place and include new concrete longitudinal gutter per American Public Works Association (APWA) Standard Plans. Said repair shall include a two inch (2") grind and replacement of the existing asphalt concrete pavement and reconstruction of the existing concrete ribbon gutter.
106. Reconstruct all damaged pipe sections on the existing eight inch (8") sewer main and any damage to the sewer manhole due to any tree root intrusion caused by trees located on private property shall be repaired. The existing sewer lateral shall be removed and all connections shall be permanently capped at the sewer main.
107. Reconstruct the emergency access driveway approach along Higuera Street per Culver City High Speed Approach Standards and the American with Disabilities Act (ADA) compliance standards.
108. Reconstruct any damaged sidewalks, curb and gutters along the property frontage on Lucerne Avenue and Higuera Street per APWA Standard Plans.
109. New street tree(s) shall be planted and irrigated along the Higuera Street parkway, which is within a portion of the Higuera Street Landscaping And Lighting Maintenance District abutting the site, as approved by the Public Works Director, Street Tree Maintenance Supervisor, Parks Manager and Planning Manager. The new street tree(s) shall further enhance the public right of way landscaping and provide additional screening of the proposed building from the residential uses to the north of the site. The size and species of said street tree(s) shall be determined as part of the final landscape plan.
110. All water backflow devices shall be located on private property and screened from view as required by the CCMC.
111. Install a four inch (4") solid yellow stripe to delineate the egress/ingress of all driveways and intersections of the driveway aisles.

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

Planning Division

112. All onsite and offsite landscaping and irrigation shall be completed to the satisfaction of the Planning Manager and Parks Manager.
113. The applicant shall submit to the Planning Manager and Building Official a written record of all green building design, construction and operational elements of the project as defined by the United States Green Building Council (USGBC) or other similar organization as may be determined by the Building Official.
114. All applicable conditions of approval and required onsite and offsite improvements shall be completed to the satisfaction of the Planning Manager.
115. The City's Art in Public Places requirement per CCMC Title 15, Section 15.06.100 shall be fulfilled. The public art shall be maintained on an ongoing basis and installed or created on a material that is durable and does not fade over time.
116. The declaration of covenants, conditions and restrictions (CC&Rs), the office owners' association bylaws and, if applicable, the condominium plan (Condo Plan) shall be submitted to the City Attorney for review and approval. The CC&Rs shall include provisions requiring the owners association to actively manage and provide surveillance of the property. Additionally, the applicant shall record with the Los Angeles County Recorder, concurrently with the recordation of the final map, the City approved CC&Rs and, if applicable, the Condo Plan.
117. In order to insure that occupants of and visitors to the property do not park on residential streets, a Parking Management Plan shall be submitted to the Community Development Director which establishes the systems and procedures for the management of the on-site parking including but not limited to the proposed operations of the tandem parking, provisions for tenant and visitor parking, a sticker system to identify vehicles belonging to the building tenants and occupants, and any proposed paid parking program if applicable. To determine whether project related parking is occurring off-site on adjacent residential streets, including but not limited to Higuera Street, Lucerne Avenue, Wesley Street, Helms Avenue, and Schaefer Street, the City shall contract with a consultant to produce at the applicant's, or property owner expense three consecutive annual monitoring reports of the projects parking operations and its compliance with the Parking Management Plan commencing one year after issuance of a Final Certificate of Occupancy. If it is determined that occupants of or visitors to the property are parking on residential streets, the Director may take steps to prevent such parking, including requiring the property to provide free parking to occupants and visitors, and/or requiring attended parking. The Director may make a determination, under Section 17.320.35 (C) (1) (b) (ii) of the Zoning Code, that attendant parking is not required on the property, only if each pair of

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tandem spaces has been assigned and designated to a single condominium airspace unit and only if the Director determines the provisions outlined in the Parking Management Plan are satisfactory to insure that the occupants of and visitors to the property are not parking on residential streets.. The Director may rescind such determination at any time if it is determined that occupants of or visitors to the property are parking on residential streets. If attended parking is required, the applicant or property owner shall submit an attended parking plan to the Director for review and approval.

118. For a period up to five years and occupation by at least eighty five percent (85.0%) of the total building gross square footage, the applicant shall pay for all required Public Works fees (including but not limited to application filing, up to two annual permits for first year only, and parking restriction signs) for any qualified permit parking petition and field study process for permit parking/residential only permit parking on adjacent residential streets including but not limited to: Higuera Street (between Krueger Street and Hayden Avenue); Lucerne Avenue (between Van Buren Place and Higuera Street); and Wesley Street, Helms Avenue, and Schaefer Street (between Higuera Street and National Boulevard). Prior to issuance of a building permit, the applicant shall submit a letter of credit to the City, subject to approval by the City Attorney, equal in amount to the estimated costs as determined by the City Engineer for studies and processing the permit parking request and said letter of credit will be released only after this Condition has been completed to the satisfaction of the Planning Manager. Following payment of all fee's, or upon determination by field studies that the minimum thresholds for permit parking have not been met, any and all monies held by the City as paid for above shall be returned to the applicant.

Public Works Department / Engineering Division:

119. The applicant or property owner shall at their expense repair or replace any damage to the public right-of-way caused by the construction of the proposed project. Such repair or replacement shall be completed to the satisfaction of the City Engineer.
120. Prior to issuance of the C of O, the property owner shall construct all the stormwater pollution control BMPs and structural treatment control BMPs shown on the approved SUSMP or site-specific mitigation plan and submit a stormwater observation report based on forms obtained from the City's Stormwater Program Manager, which shall include a wet-signed and stamped certification statement by the engineer who prepared the SUSMP site plans, confirming that the SUSMP BMPs have been built as designed.
121. The applicant shall submit to the City's Stormwater Program Manager a notarized Master Covenant and Agreement (regarding onsite BMP maintenance) to be recorded by the Los Angeles County Recorder. Prior to getting the Agreement notarized, the applicant's civil engineer shall contact the City's Stormwater Program Manager for

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review of the agreement and for information on other requirements associated with the recording process.

122. After the construction of the SUSMP-related BMPs, the applicant shall submit to the City's Stormwater Program Manager a completed Stormwater Observation Report Form (stamped and signed by the civil engineer or architect responsible for the SUSMP design) to certify, based on their observations, that all SUSMP-related BMPs have been constructed per the specifications and drawings.

123. All Public Works conditions of approval shall be completed to the satisfaction of the City Engineer.

Transportation Division:

124. Pursuant to CCMC Section 7.05.015, Transportation Demand and Trip Reduction Measures, prior to issuance of a C of O, the developer shall provide and continuously maintain the following which shall be met to the satisfaction of the Planning Manager and Transportation Director:

A. A bulletin board, display case, or kiosk displaying transportation information in a prominent area accessible to the greatest number of employees shall be installed and shall include, but not be limited to, the following:

- 1) Current maps, routes and schedules for all public transit providers and routes serving the site;
- 2) Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency(ies), transportation management association(s) and local transit operators;
- 3) Ridesharing promotional material supplied by commuter-oriented organizations;
- 4) Bicycle route and facility information including regional / local bicycle maps and bicycle safety information; and
- 5) A listing of any other facilities and resources that may be available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.

B. All information required by this Section shall be regularly stocked on a periodic basis.

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Tentative Tract Map No. 65473, TTM P2008080:

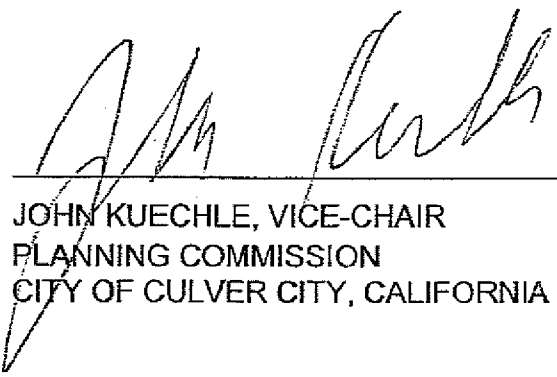
Public Works Department / Engineering Division:

125. The final map shall be prepared by a Land Surveyor or Civil Engineer licensed in the State of California.
126. The final map shall conform to the tentative tract map conditionally approved by the Planning Commission on October 22, 2008.
127. The project boundary shall be tied to at least one (1) global positioning satellite (GPS) monument established by and located within the City.
128. All required boundary monuments shall be installed prior to the recording of the final map. At a minimum, a spike and washer shall be set on the centerline of Higuera Street at the intersection of the prolongation of the project's westerly boundary and on the centerline of Lucerne Avenue with the intersection of the prolongation of the project's northerly boundary. Each monument shall be tied to at least three (3) points, with lead and tags, and centerline tie notes filed with the Engineering Division.
129. An improvement bond and agreement shall be filed with the City prior to the recording of the final map for those public improvements awaiting completion and approved by the City Engineer to be bonded. The bond and agreement shall conform to CCMC Section 66499 of the Subdivision Map Act and include, but not be limited to, labor and material and be based on estimated construction cost unit prices as provided by the City.
130. The final map shall be submitted to the Los Angeles County Department of Public Works for review, approval and recordation. After approval of the technical aspect of the map by Los Angeles County, and prior to recordation, the final map shall be approved by the City Council. A copy of the first plan check package as submitted to Los Angeles County shall also be submitted concurrently to the Culver City Engineering Division for review.
131. The applicant shall submit a duplicate mylar of the final map to the Los Angeles County Recorder's Office to obtain a conformed copy of the recorded final map. The Conformed copy shall be filed with the Culver City Engineering Division.
132. The final map shall be recorded prior to the issuance of any C of O for any office air space unit.

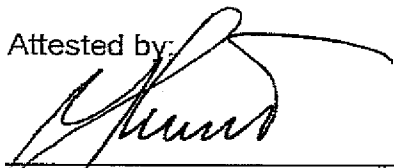
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133. The Tentative Tract Map shall expire within three (3) years after the date it becomes effective unless the applicant submits an extension request in writing to the Planning Manager and is granted said extension by the Planning Manager, Planning Commission or the City Council

APPROVED and ADOPTED this 22nd day of October 2008.


JOHN KUECHLE, VICE-CHAIR
PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

Attested by:


Yvonne Hunt
Administrative Secretary