



Culver CITY

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PLANNING COMMISSION MEETING AGENDA WEDNESDAY, MAY 28, 2008

PUBLIC COMMENT

The Planning Commission will listen to the public on any item on the agenda or item of interest that is not on the agenda. The Planning Commission cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda.

If you wish to speak to the Commissioners, please complete a Speaker's Card and present it to the Secretary before the agenda item is called. You will be called to the podium by name when it is your turn to speak to the Commissioners.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to five minutes per speaker; however, a three-minute limit may be declared by the Chairperson for agenda items for which many Speaker Cards have been submitted.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

A total of twenty minutes shall be devoted to audience participation at the beginning of the agenda. Speakers will be called on in the order cards were received by the Secretary. If additional time is needed, the Chairperson will allow for same at the end of the agenda.

When the Secretary calls your name, please advance to the podium and state your name and city of residence. Speakers must limit their comments to five minutes. A three-minute limit may be declared by the Chairperson if there is a large number of individuals desiring to address the Commissioners.

NOTE: AT OR ABOUT 11:00 P.M., COMMISSION MEMBERS WILL DETERMINE WHETHER TO CONTINUE WITH DISCUSSION OF REMAINING ITEMS ON THE AGENDA OR TO CARRY SOME/ALL OF THE ITEMS OVER TO A FUTURE MEETING DATE.

CELL PHONES AND OTHER DISTRACTIONS

Use of cell phones, pagers and other communication devices is prohibited while the Planning Commission Meeting is in session. Please turn all devices off or place on silent alert and leave the Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers or the conduct of City business.

MEETING INFORMATION

Planning Commission meetings are regularly scheduled for the second and fourth Wednesdays of every month. Planning Commission Agenda information is available 72 hours before each Planning Commission meeting via a tape recorded message by calling 310-253-5741.

City Council/Agency/Commission meetings can be viewed live on Channel 35 by Comcast subscribers. Meetings are also broadcast on the City's Radio Station AM 1690. To view the Planning Commission meetings on line please visit <http://www.culvercity.org/citygov/netcast.asp>.

ALD

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Culver CITY

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AGENDA
Planning Commission
Wednesday, May 28, 2008
7:00 p.m.
Mike Balkman Council Chambers

CALL TO ORDER & ROLL CALL

Marcus Tiggs, Chair
David Rockwell, Vice Chair
John Kuechle, Commissioner
Linda Smith Frost, Commissioner

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – Items Not On The Agenda

PUBLIC HEARING

PH-1 Site Plan Review and Negative Declaration for the addition to an existing 2-story 26,414 square foot office building resulting in a 5-story 79,095 square foot office building located at 5800 Uplander Way. (Staff Report: Joseph Montoya (310) 253-5736). **Approve. (Continued from April 23, 2008)**

CONSENT CALENDAR. *Note: Consent Calendar items are considered to be routine in nature and may be approved by one motion. Public requests to discuss Consent Calendar items must be filed with the Secretary before the Consent Calendar is called.*

C-1. Secretary's Report. ***Approve Report.***

C-2. Approval of Minutes of April 9, 2008 and April 23, 2008.

ITE2MS FROM STAFF

ITEMS FROM PLANNING COMMISSION

ADJOURN

**Next Planning Commission Meeting
June 11, 2008
7:00 PM**

Upcoming Public Meeting Schedule –Tentative – 2008

Date	Day	Time	Location
<i>City Council</i>			
<i>June 9</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Redevelopment Agency</i>			
<i>June 2</i>	<i>Monday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Civil Service Commission</i>			
<i>June 4</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Cultural Affairs Commission</i>			
<i>June 10</i>	<i>Tuesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>
<i>Parks & Recreation Commission</i>			
<i>June 3</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Patacchia Room</i>
<i>Planning Commission</i>			
<i>June 11</i>	<i>Wednesday</i>	<i>7:00PM</i>	<i>Council Chambers</i>

- Meetings may be added or changed.
- Times and date may be changed.

Attachment No. 1

REVISED RESOLUTION NO. P-2008007

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, APPROVING SITE PLAN REVIEW, SPR P-2008036, FOR THE MODIFICATION TO AN EXISTING TWO (2) STORY / 26,214 GROSS SQUARE FOOT (GSF) OFFICE BUILDING BY DEMOLISHING 4,169 GSF AND CONSTRUCTION OF THREE (3) STORIES / 57,050 GSF FOR A REVISED TOTAL OF 79,095 GSF MEASURING 56 FEET IN HEIGHT AND INCREASING THE ONSITE PARKING FROM AN EXISTING 78 TO 226 PARKING SPACES AT 5800 UPLANDER WAY IN THE COMMERCIAL REGIONAL BUSINESS PARK (CRB) ZONE.

(Site Plan Review, SPR P-2008036)

WHEREAS, on February 18, 2008, Dr. Birendra Dutt, representing Uplander Properties LLC, the owner of the subject property, filed the subject Site Plan Review application for the modification to an existing office building on a property located at 5800 Uplander Way, in the Commercial Regional Business Park (CRB) Zone and described as Lot 20 of Tract No. 22864 / Map Book 880 / Pages 49 - 55 in the City of Culver City, County of Los Angeles, State of California; and

WHEREAS, in order to implement said proposed project, approval of a Site Plan Review application is required for the proposed development project to ensure compliance with the required standards and city ordinances and establish all onsite and offsite conditions of approval to reflect the site features and compatibility of the proposed project with the uses on adjoining properties; and

WHEREAS, on April 23, 2008, the Planning Commission opened a duly noticed public hearing on this application and, at the request of the applicant / property owner, the public hearing was continued to May 28, 2008; and

WHEREAS, on May 28, 2008, the Planning Commission opened the continued public hearing on this application fully considering the application, original and supplemental staff reports, original and revised plans, materials board, environmental information, traffic study, and all testimony presented; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Planning Commission has determined the application could not have a significant effect on the environment and that a Negative Declaration finding is proper; and

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission determined by a vote of ____ to ____ [with one (1) vacancy on the Commission] that the project would not result in any environmental impacts, a Negative Declaration finding was appropriate and Site Plan Review, SPR P-2008036, should be conditionally approved 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), and subject to the Conditions of Approval herein, the following findings are hereby made for Site Plan Review, SPR P-2008036, pursuant to CCMC Title 17, Section 17.540.020:

- 1. The general layout of the project, including orientation and location of buildings, open space, vehicular and pedestrian access and**

circulation, parking and loading facilities, building setbacks and heights, and other improvements on the site, is consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.

The general layout and design of the revised site improvements and the massing of the expanded office building, the layout of the revised parking area, and the revised landscaping are compatible with the CRB zoning district and the existing and potential new office uses and developments abutting the site to the north and west, with the residential uses on the east side of Buckingham Parkway and the park activities at the Fox Hills Park to the south. The preliminary development plans meet the standards for an office expansion project in the CRB Zone, including building setbacks and height, landscaping and the number and dimensions of parking spaces.

- 2. The architectural design of the structures and their materials and colors are compatible with the scale and character of surrounding development and other improvements on the site and are consistent with the purpose and intent of this Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.**

The proposed expanded office building has a height, massing and architectural design of materials, finishes and colors consistent with surrounding office structures and the standards of the Zoning Code. The development of the expanded office building is compatible in scale with the other office uses to the north and west as well as with surrounding properties in that said expanded office building shall not impact the residential neighborhood to the east across Buckingham Parkway or the park activities at Fox Hills Park to the south in that the surrounding buildings and uses consist of a variety of architectural styles.

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

The proposed site and landscape plans show landscaped along the perimeter of the site and through out the interior of the surface parking lot area. Additionally, the existing sloped portion of the property abutting Buckingham Parkway [and the residential uses across the street] shall be preserved and upgraded as part of this project approval. The total land

area devoted to landscaping onsite is estimated to measure in excess of 18,500 square feet [more than thirty percent (30.0%) of the site] with the majority of this landscaping located facing the residential uses across Buckingham Parkway. The proposed landscaping includes new and increased ground cover, flowering plants, shrubs and trees and is designed to complement and enhance all of the building onsite. Street trees shall be included in the landscape plan as deemed applicable by the City. Furthermore, staff shall review final landscaping and irrigation plans to ensure the landscaping is appropriate for the site and consistent with the requirements of the Zoning Code.

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

The proposed project is in the best interest of the public health, safety, and general welfare because it is consistent with reference to the Fox Hills Sub-Area in the General Plan Land Use Element in that it continues to support the regional service commercial office center [i.e., the Fox Hills Business Park] which is a “... *large-scale commercial uses are attractively landscaped and blend well with large multiple family residential uses* ...” [such as the residential uses across the subject site along the east side of Buckingham Parkway]. The project meets all the applicable development standards for office developments. The proposed office building expansion will not interfere with the use or enjoyment of neighboring properties. In addition, the site continues to be designed to allow vehicles access only from Uplander Way through an established office district. Furthermore, the parking provided onsite meets the requirements of the Zoning Code in all applicable terms and the project also intends to eliminate the legal non-conforming compact parking spaces currently developed on the site. Lastly, the public sidewalk and driveway approach along the Uplander Way street frontage shall be redesigned in accordance with applicable public works standards.

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

The existing and proposed public service facilities necessary to accommodate the project such as the width and pavement of Uplander Way and all other adjoining streets, traffic control devices, sewers, storm drains, parkways, sidewalks, street lights, fire protection devices and public utilities are, or shall be provided, for adequately as confirmed by the

City agencies that reviewed the project during the interdepartmental review process. There are adequate existing public facilities necessary to service the project.

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

The project is consistent with the General Plan Regional Center Commercial designation and applicable General Plan policies. The project also helps to encourage the continuation of the Fox Hills Business Park by permitting the office expansion project within an area designated for such office development and subject to all applicable development standards including height, setback and parking.

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-2008036, subject to the applicant / property owner adhering to all of the following conditions:

GENERAL CONDITIONS:

Planning Division:

1. The final working drawings shall conform to the preliminary development plans, colored renderings, materials board and traffic study stamped "Received – April 14, 2008" and supplemented by documents stamped "Received – May 14, 2008" as approved by the Planning Commission at its meeting on May 28, 2008, except as may be noted herein below.
2. The resolution approving Site Plan Review, SPR P-2008036, 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. Provide the construction contractor(s) and each subcontractor related to the Project a copy of the final project Conditions of Approval. These conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the 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 this Site Plan Review.

5. The City reserves the right to periodically inspect the premises without prior notification to ensure ongoing compliance with all conditions of approval.
6. The approval of this Site Plan Review 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 site plan review [i.e., the date of the subsequent review and final action by the Redevelopment Agency]; or
 - B. Prior to the site plan review expiration date, or any previously granted extension to that expiration date, a written request for an extension, accompanied by any and all required fees, has been satisfactorily filed by or on behalf of the applicant / property owner and, thereafter, an extension is granted by the Community Development Director, or designee or the Planning Manager.

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 approval shall be suspended.

7. By taking any benefit of this approval, the applicant / property owner jointly and separately hereby agree to indemnify, defend and hold harmless the City, 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 that may result from or arise in connection with third party challenges to the City's approval of the project.
8. 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.
9. All planted areas shall be landscaped, irrigated and maintained pursuant to CCMC Title 17, Section 17.310, Landscaping. As part of the building permit filing process, a minimum of three (3) sets of detailed landscaping 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 to be determined by the Planning Manager and Park Manager;**

- B. A tree relocation plan, prepared by a landscape architect or arborist licensed by the State of California, that contains an inventory of all onsite trees and a listing of all trees that can, to the extent feasible, either be retained in their existing location or relocated elsewhere onsite;**
 - C. A plan to upgrade the existing landscaping and irrigation along the slope facing Buckingham Parkway. At a minimum, said slope area shall be cleared of all accumulated excess plant material on a regular basis, all trees and plants deemed by the City to be dead or nearing their respective expiration shall be removed and replanted in a size deemed by the City to be comparable in size and taking into account the area in which the item is to be planted;**
 - D. A plan to screen and landscape the location of the backflow preventor and the double detector check valve assembly;**
 - E. In lieu of constructing a landscape screen wall along the south property line abutting the Fox Hills Park, the exterior of the wall facing the park shall be either treated with a stucco finish or constructed of a split face block and all landscaping and irrigation that may be disrupted on the adjoining City property as a result of the onsite excavation and construction shall be subject to a separate landscape and irrigation plan as deemed appropriate by the City's Park Manager and no occupancy of the new construction area shall be permitted until and unless the City accepts all landscaping and irrigation work that may have been required within Fox Hills Park during the building permit process; and**
 - F. Potted trees shall be located on the rooftop area of the parking structure within areas at the end of the parking rows [striped and prohibiting parking] and adjoining stairs as deemed appropriate by the Planning Manager. Said trees shall be of a species appropriate for a potted location. Said pots shall be of a material compatible with the architectural design of the project, of a size to accommodate a full growth root ball, provided with an irrigation system that is part of the overall irrigation of the site and with a drainage system that limits sheet flowing and pavement staining.**
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 buildings shall be free of all un-aesthetically treated, exposed elements (i.e., plumbing pipes, electrical conduits and National Pollution Discharge Elimination System (NPDES) elements) which shall be placed within the exterior walls. Where exposed wall-mounted features or equipment may be necessary (i.e., ventilators and utility meters), recessed wall mounted cabinets or other similar devices shall be constructed within the wall, whenever possible, to accommodate such features and equipment so that they are flush with and do not project out from the main exterior wall plane. With or without recesses, the exposed portions of such features or equipment shall be of a color to blend, not contrast, with the adjoining finished building color, subject to the approval of the Planning Manager;
 - B. All roof-mounted mechanical equipment, duct vents and the like shall not project above the horizontal plane of the building's lowest primary opaque architectural feature(s) (i.e., parapet walls, penthouse structures or screening walls); and
 - C. All ground-mounted equipment (i.e., transformers and air conditioners) shall be located within the building or in underground vaults if the equipment is located within a street facing setback, or it shall be screened with walls and/or landscaping if not located within a street facing setback. Ground-mounted equipment shall not be located in the landscaped areas fronting any public right-of-way.
- 11. The public notification sign(s) 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 (if applicable), 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 sites 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. Minor modifications to building siting or design may be approved by the Planning Manager in keeping with the general design and content of the project approval. The minor modifications may include, but not be limited to, the reconfiguration of the new building footprint so long as the GSF of the project is not materially increased and the adjoining pedestrian and vehicle access and landscape design are approved by the Planning Manager and City Engineer. All minor modifications considered for approval shall not be in conflict with any specifically approved or required development or improvement feature, nor be in conflict with any other condition of approval or CCMC requirement.

Building Safety Division:

17. The Building Safety Division shall require separate permits for building, electrical, plumbing, and mechanical work.
18. The overall building permit application shall require the submission of five (5) sets of architectural and two (2) sets each of the structural drawings and calculations, geotechnical report, energy forms, mechanical, electrical and plumbing permit applications.
19. **A separate shoring permit shall be required along with two (2) sets of shoring plans and structural calculations stamped by a State of California licensed engineer. Support, notification and upgrades of adjacent properties may be required. If upgrades to adjacent properties are required, the Building Safety Division and the Engineering Division shall determine what upgrades, if any, shall be the responsibility of which party.**
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 and a driveway or a drive aisle shall not be considered a means of egress and it shall be a minimum 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 shafts shall be enclosed at all levels to other areas of the building.
23. All parking areas shall be a minimum two (2) hour rated to all other areas of the building. The ceiling of the parking area / floor of the first (1st) floor shall be reinforced concrete construction.
24. All treads, risers, handrails, etc. inside any common area stairway shall be one hundred percent (100.0%) non-combustible construction.
25. A continuous path of egress shall be provided from all exit stairways to a street or public way; a minimum one (1) hour rated.
26. Any exit-ways less than ten feet (10'-0") wide shall be a minimum one (1) hour rated with 3/4 hour openings.
27. All trash rooms shall be a minimum two (2) hour rated to all other areas.
28. Any transformer room and any service room shall each be a minimum two (2) hour rated.
29. Any exterior walls within three feet (3'-0") of any property line shall be three (3) hour rated, 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.
30. All utilities shall be underground or enclosed in the building construction. No overhead utilities shall be permitted.
31. 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.
32. The project shall be reviewed under the 2007 California Building Codes (CBC).
33. No partial or grand opening, nor advertisement of such, shall be permitted without filing and gaining 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.
34. 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 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.

35. Comply with all provisions of the City's solar photovoltaic power ordinance.
36. 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.
37. A geotechnical engineering design level report shall accompany the overall construction permit application.
38. Tempered or laminated glazing shall be specified at all hazardous locations.
39. The overall construction permit application drawings shall indicate any construction staging areas proposed.

Fire Department:

40. 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.
41. An automatic fire sprinkler system shall be provided in the building and parking structure per CCMC Section 9.02 per requirements of the NFPA standard (13-D) and as required by the Fire Department. The fire sprinkler system shall be designed and installed by a California State licensed C-16 fire protection contractor who shall submit plans to the Fire Department for review, permits, and inspections prior to installation.
42. A Knox Box shall be required for access into all common rooms and common secured areas of the building and parking structure and a Knox key switch shall be provided for any motorized or electrical operated / controlled gates.
43. Fire extinguishers shall be provided throughout the project of a size, type and location to be determined by the Fire Marshal upon review of final building plans.
44. 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.

45. An offsite reporting system shall be provided for the monitoring of fire sprinklers and fire alarm system via a plan check and permit process as required by the Fire Marshal.
46. 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.
47. An emergency evacuation plan shall be submitted to the Fire Department for review and approval and implemented in accordance with Title 19 prior to occupancy of any new building area.
48. A smoke evacuation system for the parking garage shall be provided.
49. Prior to issuance of any new construction building permit, a written comprehensive review of the existing fire sprinkler system of the building, prepared by a state licensed contractor or fire protection engineer and analyzing how said existing system is to be coordinated with the requirements of new fire sprinkler system, shall be filed with the Fire Marshal for review and approval. At a minimum, all systems shall meet the requirements of Ordinary Hazard Group One density.
50. 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 plans.
51. 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 are not required.
52. A pre-fire plan shall be submitted to the Fire Marshal for review and approval prior to requesting any final approval and occupancy.
53. All exterior doors shall have locksets and handles.
54. 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.
55. Trash compactors, if provided, shall have two and a half inch (2 1/2") swivels and caps for use by the fire department.
56. All parapets and exterior walls five feet (5'-0") or higher above the roof line shall have catwalks and/or ladders as approved by the Fire Marshal.

57. A smoke detection system shall be provided for all interior exit corridors, electrical rooms, mechanical rooms and other common storage and special use rooms.
58. 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 California Fire Code Article 10.
59. 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".
60. 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.
61. **A fifteen foot (15'-0") minimum clear width fire lane shall be provided from the Uplander Way street facing property line to the driveway terminus at the rear of the site towards the east (Buckingham Parkway) and south (Fox Hills Park). 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.**
62. 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.

Transportation Department:

63. **Along the Buckingham Parkway frontage of the site at the current bus stop location, provide a bus shelter, bench replacement, trash container, map display and bus pad repair as directed by the Transportation Department.**
64. **The subject building permit drawings shall be modified to indicate the location of all of the required CCMC Section 7.05.015, Transportation Demand and Trip Reduction Measures, as noted herein.**

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

Planning Division:

65. Submit to the Planning Manager for approval:
- A. An exterior light fixture and illumination plan. Said exterior lighting shall be developed pursuant to CCMC Section 17.300, General Property Development and Use Standards. The 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; and
 - 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.

Engineering Division:

66. Two (2) sets of Site Improvement and Horizontal Control 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 Plan shall include detailed drainage and grading of the site indicated by topographical lines and spot elevations, and indicate all existing utilities and proposed sewer and storm drain lines. Plan check fees shall be submitted with the Site Improvement Plan as calculated from the Engineering Division's Fees and Charges.
67. A final hydrology and hydraulics report for the site drainage shall be prepared by registered civil engineer 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 on-site conveyance facilities, as the existing site is neither a natural watercourse nor a natural sump.
68. Submit a geotechnical report from a State licensed geotechnical engineer 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.

Standard Urban Stormwater Mitigation Plan

69. Concurrent 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 licensed by 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.
70. 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.
71. The Site Improvement / Grading Plans shall note that the contractor shall comply with the California Stormwater Best Management Practice Handbooks.
72. A covenant recorded with the Los Angeles County Recorder shall address the transfer of ownership, sale or lease of the property and shall include provisions requiring any new owner and their successors to:
 - A. File a new covenant of agreement;
 - B. Assume responsibility for maintenance of any existing structural or treatment control BMP's;
 - C. Replace any existing structural or treatment control BMP's with new control measures or BMP's meeting the most current standards of the City and the SUSMP;
 - D. Such requirements shall be included in any sale, lease agreement or deed for the property. The condition of transfer shall include a provision that the new owner and their successors are required to conduct yearly inspections of all structural and/or treatment control BMP's, provide proper maintenance of all structural and/or treatment control BMP's, and to retain proof of the inspections and maintenance; and

- E. In the case of a transfer of ownership, sale or lease of the property, the previous owner or seller must complete and record a termination of covenant of agreement with the Los Angeles County Recorder. A copy of the recorded termination of covenant of agreement form shall be submitted by the previous owner or seller to the City Stormwater Program Manager.
- 73. If structural and/or treatment control BMPs are located within an area proposed for dedication as an easement or fee title to the City or Redevelopment Agency, the BMPs shall remain under the ownership and responsibility of the developer/owner until the dedication is accepted by the City Council and recorded with the Los Angeles County Recorder.
- 74. Prior to the start of design of these plans and of necessary reports, the applicant shall retain a civil engineer licensed in the State of California who is experienced in designing SUSMP and preparing a BMP reports. The civil engineer shall meet with the City's Stormwater Program Manager for a mutual understanding of the required submittals.

Local Stormwater Pollution Prevention Plan

- 75. Concurrent with the submittal of the Site Improvement / Grading Plan, a Local Storm Water Pollution Prevention Plan (LSWPPP) package prepared by a registered Civil Engineer shall be submitted for review and approval by the City Engineer.
- 76. The LSWPPP package shall be developed and implemented in accordance with the requirements of the current Los Angeles County Municipal Stormwater NPDES Permit No. CAS614001 and the CCMC Section 5.05.035. Prior to the issuance of any demolition, grading, excavation and/or building permit, the applicant shall have a LSWPPP package approved by the City Engineer.
- 77. The LSWPPP package shall include all of the individual items listed in the Engineering Division's "Requirements for Local Storm Water Pollution Prevention Plan" handout.
- 78. The scope of the information shown on the LSWPPP plans shall be limited to NPDES relevant information. Prior to the start of design of these plans and of necessary reports, the applicant's civil engineer shall meet with the City's Stormwater Program Manager to obtain information on the City-specific LSWPPP requirements.
- 79. Plan check fees for the LSWPPP shall be paid at the time of the initial submittal per the most current fee schedule established by the City Council.

80. Applicant shall appropriately and effectively implement the BMPs identified in the LSWPPP and reduce to the Maximum Extent Practicable (MEP) both the volume of storm water leaving the site as well as the amount of sediments and other pollutants in the storm water and the non-storm water discharges.
81. Any modifications to parking lot drainage devices, concrete curb, sidewalk and driveway shall be designed to the latest edition of the American Public Works Association (APWA) Standard Plans.
82. If drainage sump pumps are required in the subterranean garage, a registered civil engineer shall provide calculations determining the appropriate size and capacities of the proposed sump pumps. A secondary emergency sump pump system shall also be provided.
83. All staging and storage of construction equipment and materials, including the construction dumpster, shall be located onsite unless otherwise allowed by the City Engineer due to site constraints following receipt of written permission from adjacent property owners for any construction staging occurring on adjacent properties.
84. Prior to the commencement of any demolition or excavation, install a temporary construction fence around the site. The height and fence material shall be subject to approval by the City Engineer and Planning Manager.
85. Construction vehicles shall not be permitted to stage or queue where they would interfere with vehicular and pedestrian traffic or block access to adjacent businesses. Offsite staging locations shall be approved by the City Engineer and be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations. The drivers of these trucks shall be in radio or telephone communication with onsite personnel who shall advise the drivers when to proceed from the staging location to the site.
86. **Along the Uplander Way public right-of-way, in lieu of street trees planted within the right-of-way, due to the configuration of the existing sidewalk which is to remain in place, plant one (1) street tree within the private property landscaped setback area located along each side of the driveway. The street trees shall be a minimum 24" box size. Along the Buckingham Parkway public right-of-way, the existing landscaped parkway and street trees shall be upgraded as deemed appropriate by the City Engineer and said improvements shall be maintained and irrigated unless otherwise maintained by the City. Said street trees along both street frontages shall be of a species consistent with the City's Street Tree Master Plan.**

87. Due to the change of use and increased density, this project is subject to the City's Sewer Facility Charge. This charge shall be paid prior to the issuance of any permit other than the issuance of a demolition permit.
88. 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 that is eight feet (8'-0") and of a height equal to the height of the enclosure walls. The enclosure walls shall be of a material, or color, that matches the proposed color and architecture of the main building. **A fire suppression sprinkler(s) system shall be provided within the covered trash enclosure area as required by the Fire Marshal.**
89. Per 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.
90. Any sidewalk closing shall require prior written approval from the Engineering Division and plans shall be submitted indicating the type of pedestrian protection proposed.
91. **Submit to the City Engineer a Letter of Credit, in a form acceptable to the City Attorney, in the amount of One Hundred Twenty Five Thousand Dollars and Zero Cents (\$125,000.00) so as to:**
 - A. **Perform a vehicle count as directed by the City and submit a written report to the City Engineer regarding the traffic movements at the Uplander Way drive approach for the subject site; and**
 - B. **Based on the results on the above referenced vehicle count report, if deemed necessary by the City Engineer, design and construct all required traffic improvements at the Green Valley Circle and Bristol Parkway intersection as more specifically outlined herein.**

DURING CONSTRUCTION:

Planning Division:

92. Information that includes contact names and telephone numbers of the applicant / property owner, construction contractor(s) and City shall be posted at the project site so as to be visible to the public. These names and telephone numbers shall be made available to adjacent property owners and residents.

93. Use best efforts to ensure all construction workers and contractors park onsite or on the street directly in front of the project site or at designated offsite locations approved by the City and not in the surrounding neighborhood.
94. All graffiti shall be removed within forty eight (48) hours of its application and said removal standards shall continue once the development becomes operational.
95. **Construction shall be permitted between the hours of 8:00 AM and 6:00 PM Monday through Friday, and between 9:00 AM and 6:00 PM on Saturday. Construction shall be prohibited on Sunday and national holidays.**
96. 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;
 - 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; and
 - E. Stationary source equipment (i.e., compressors) shall be located so as to maintain the greatest distance from the public right-of-way and from noise sensitive receptors.

Public Works Department / Engineering Division:

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

98. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 AM through 9:00 AM) and afternoon (4:00 PM through 6:00 PM) peak traffic periods.
99. During construction, dust shall be controlled by regular watering and as directed by the Public Works Department City inspector.
100. Be responsible for the expense to repair or replace any damage to the public right-of-way caused by the construction of the proposed project. Such repair or replacement shall be completed to the satisfaction of the City Engineer.
101. A copy of the Local SWPPP, inspection logs, SUSMP / Site specific plan and training records shall be kept onsite and available for inspection at all times during construction.

PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION IF NO CERTIFICATE OF OCCUPANCY IS REQUIRED:

Planning Division:

102. **All onsite and offsite landscaping and irrigation shall be completed to the satisfaction of the City, including any work required within Fox Hills Park as noted herein.**
103. **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.**
104. All applicable conditions of approval and required onsite and offsite improvements shall be completed to the satisfaction of the Planning Manager.

Public Works Department / Engineering Division:

105. Submit a plan to the City Engineer and be responsible for all expenses regarding the repair or replacement of any damage to the public right-of-way that results from the construction of the proposed project. Such repair or replacement shall be completed to the satisfaction of the City Engineer.
106. Remove the existing driveway approach located along Uplander Way and reconstruct a new driveway approach, driveway, curb and gutter per APWA Standards.

107. A Master Covenant and Agreement (regarding onsite BMP's Maintenance) shall be submitted to the City's Stormwater Program manager. This agreement shall be signed by the property owner(s), notarized and recorded with the Los Angeles County Recorder. The applicant's civil engineer shall contact the City's Stormwater Manager to review the requirements of the agreement prior to its recordation.
108. After the construction of the SUSMP-related BMP's, submit to the City's Stormwater Program Manager a completed Stormwater Observation Report Form certifying, based on field observations, that all SUSMP-related BMP's have been constructed per the approved specifications and drawings. The Observation Report Form shall be provided with a wet signature and stamped by the civil engineer responsible for the SUSMP field observations.
109. **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 manner outlined and approved by the City Engineer. Said traffic counts and accompanying written report shall be prepared by a traffic engineer licensed in the State of California, and paid from the Letter of Credit funds previously submitted to and filed with the City Engineer. Based on the results of said report, the City Engineer shall require either of the following:**
 - A. **If said traffic counts increase the volume to capacity (V/C) ratio at the intersection of Green Valley Circle and Bristol Parkway traffic above the 0.020 level outlined as 0.019 in the Raju Associates, Incorporated, traffic study dated January 2008 and entitled "Traffic Study For The 5800 Uplander Way Office Building Expansion Project", the applicant shall pay all costs including costs in excess of the Letter of Credit previously submitted to and filed with the City Engineer to design and construct all traffic improvements required by the City Engineer to modify the traffic signal installation and related traffic improvements at the subject intersection. Said improvements may include, but not be limited to, a signalized dual left turn lane design providing a Number 2 left turn lane that also serves as a through traffic lane, new traffic signal equipment, loop detectors, lane re-striping and other electronic support equipment. Upon completion of said improvements to the satisfaction of the City Engineer, the remaining twenty percent (20.0%) balance of the building may be occupied. If any funds are remaining in the Letter of Credit, they shall be returned as noted within the document; or**

- B. If said traffic counts do not increase the V/C ratio by 0.020 or more, the City Engineer shall arrange for the Letter of Credit to be returned as noted within the document.**
- 110. In addition to any currently established CCMC development and/or traffic impact fees, this project shall be subject to and pay any new development and/or traffic impact fee the City may adopt following the date of this application approval until the date of issuance of the Final C of O or, if no Final C of O is to be issued, the date of the final inspection.**
- 111. All conditions of approval and public improvements shall be completed to the satisfaction of the City Engineer.**

Cultural Affairs:

- 112. Payment of the applicable public art fee or the onsite installation of public art as approved by the Cultural Affairs Commission and payment and recordation of the required covenant shall be completed to the satisfaction of the Public Art and Historic Preservation Coordinator.**

Transportation Department:

- 113. In accordance with CCMC Section 7.05.015, Transportation Demand and Trip Reduction Measures, provide and continuously maintain the following which shall be met to the satisfaction of the Planning Manager and Director of Transportation:**
 - 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. Such required information shall include, but is not limited to, the following which shall be regularly stocked on a periodic basis:**
 - 1) Current maps, routes and schedules for public transit routes serving the site;**
 - 2) Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency, transportation management associations, 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. Not less than ten percent (10%) of the employee parking area shall be located as close as is practical to the employee entrance(s) without displacing handicapped and customer parking needs. These spaces shall be reserved for use by potential carpool or vanpool vehicles. This preferential parking shall be identified on the site plan accompanying the application for a building permit. Spaces shall have signs that designate them for employee carpool and vanpool vehicles;**
- C. Preferential parking spaces reserved for employee vanpool shall be accessible to vanpool vehicles. When located within a parking structure, a minimum interior vertical clearance of eight feet – two inches (8'-2") inches shall be provided for those spaces and access ways to be used by vanpool vehicles. Adequate turning radii and a minimum parking space dimension of nine feet (9'-0") wide by eighteen feet (18'-0") in length shall be provided for vanpool parking areas; and**
- D. Bicycle racks or other secure bicycle parking shall be provided to accommodate four (4) bicycles for the first fifty thousand (50,000) GSF of new development, and one (1) bicycle for each additional fifty thousand (50,000) GSF of new development. Calculations which result in a fraction of one-half (1/2) or higher shall be rounded up to the nearest whole number. As used herein, "secure bicycle parking" shall consist of a fully enclosed space or a locker accessible only to the owner or operator of the bicycle which protects the bicycle from inclement weather. Specific facilities and their location (i.e., the provision of racks, bicycle storage lockers or locked room) shall be provided to the satisfaction of the Planning Manager and Transportation Director.**

APPROVED and ADOPTED this 28th day of May 2008.

MARCUS TIGGS, CHAIR

PLANNING COMMISSION
CITY OF CULVER CITY,
CALIFORNIA

Attested by:

Yvonne Hunt
Administrative Secretary

Meeting Date: May 28, 2008	Item Number: PH-1
AGENDA ITEM: Site Plan Review, SPR P2008036, and Negative Declaration for the modification of an existing two (2) story / 26,214 gross square foot (GSF) office building by demolishing 4,169 GSF and constructing three (3) stories / 57,050 GSF for a revised total of 79,095 GSF measuring 56 feet in height at 5800 Uplander Way.	
Contact Person/Dept.: Joseph Montoya, Associate Planner	Phone Number: (310) 253-5736
Public Hearing: [X]	Action Item: [] Attachments: [X]
Public Notification: On May 6, 2008, the two signs previously posted on the site were revised to announce the continued public hearing date. No other notifications were required since the public hearing was continued from April 23, 2008.	
Planning Review: Thomas Gorham, Planning Manager – May 21, 2008	

RECOMMENDATION:

That the Planning Commission:

1. Adopt a Negative Declaration based on the Initial Study finding the project will not have a significant adverse impact on the environment; and
2. Approve Site Plan Review, SPR P-2008036, subject to the Revised Conditions of Approval as outlined in Revised Draft Resolution No. 2008-P007 (Attachment No. 1) dated May 15, 2008.

PROCEDURES:

1. Chair calls on staff for a brief staff report and Planning Commission poses questions to staff as desired.
2. Chair opens the continued public hearing, providing the applicant / property owner the first opportunity to speak, followed by the general public.
3. Chair seeks a motion to close the continued public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

BACKGROUND:

On April 23, 2008, the Planning Commission public hearing on this item was opened and continued to May 28, 2008 due to fact the applicant / property owner's traffic consultant was unable to attend the meeting. Accordingly, the original staff report and attachments remain as submitted unless modified as listed below.

REVISED DRAFT RESOLUTION AND CONDITIONS OF APPROVAL

As listed below, this supplemental staff report is intended to address various items of concern voiced by the Planning Commission to date regarding the subject project, original staff report

and attachments. Staff has added, revised, deleted or relocated various recommended conditions of approval. Therefore, a revised draft resolution has been prepared and presented as Attachment No. 1.

Landscaping

The Planning Commission voiced concern with the descriptive details as outlined in the existing and proposed landscape plans, particularly as it pertains to existing to remain and newly installed landscaping. In response to the Planning Commission's concerns, staff requested the applicant to clarify what landscaping will remain and where new landscaping will be installed. The applicant responded by submitting two new landscape sheets [i.e., Sheet L-3 outlining the proposed East / West elevations; and Sheet L-4 outlining the proposed North / South elevations]. Said drawings illustrate the proposed building, landscaping as well as the outline of adjoining buildings.

Additionally staff has reviewed the development plan and has noted that there are three areas of landscaping existing on the site: (1) the primary portion of the site [level with Uplander Way] shall be disrupted due to the required excavation for the subterranean garage and therefore new landscaping will be planted as outlined in the proposed site plan; (2) the south portion of the site abutting Fox Hills Park will also be disrupted due to both the subterranean garage excavation and the building expansion and will be provided with new landscaping; and (3) the landscaped slope area of the site abutting Buckingham Parkway which will not be subject to any disruption but will be upgraded with additional tree, shrub and groundcover planting.

Although the plans presented at this time are conceptual in design and do not have specific planting details as to species, numbers and size, the Planning Division and the Park Manager remain confident the these conceptual landscape plans will be further refined as part of the final landscape plans to be submitted as part of the plan check process at which time they will be reviewed by staff to insure full compliance with the standards of the CCMC and all applicable conditions of approval.

So as to insure a final landscape and irrigation plan as noted above, three (3) conditions are recommended to be made part of the project approval. First, Condition No. 9. requires the submission of fully detailed landscape and irrigation plans prepared by a state licensed landscape architect during the plan check review process. Following approval of said plans, the planting and irrigation as noted on the final plans shall be completed prior to final inspection of the project. Second, Condition No. 9.E. has been revised so as to eliminate the installation of the landscape screen along the south property line wall facing Fox Hills Park. Said screen is not necessary due to the existing landscaping on the abutting park property which shall remain in place and sufficiently screen the subject wall from the primary park view. And third, Condition No. 9.F. has been revised so as to require the installation of potted trees with appropriate irrigation and drainage systems at various locations on the roof parking deck in order to provide some form of landscape relief within the rooftop parking area.

Asbestos And Lead Survey

The requirement for the submission of the asbestos and lead survey report(s) has been revised and relocated to Condition No. 36 with other general conditions pertaining to the Building Safety Division.

Trash Enclosure / Fire Suppression

The requirement for the provision of fire sprinkler(s) within the covered trash enclosure area has been revised and added to Condition No. 88 with other general trash enclosure conditions pertaining to the Engineering Division.

Traffic

In accordance with City procedures, the applicant / property owner was required to prepare a traffic study for the proposed project. Mr. Srinath Raju, a state licensed traffic engineer and Principal, Raju Associates, Incorporated, prepared the traffic study dated "January 2008" and entitled Traffic Study For The 5800 Uplander Way Office Building Expansion Project (Attachment No. 7). Said traffic study analyzed the existing and proposed traffic levels associated with the project. As outlined in the Executive Summary of the traffic study [Page 2], the applicant's traffic consultant determined "... *the proposed project would not cause any significant impacts at any of the analyzed locations. Parking, access and circulation systems would function adequately. Therefore, no project mitigation measures would be required ...*".

Table 6 [Page 33] of the traffic study outlines the projected "... *Cumulative (2009) Plus Project ...*" traffic conditions for the intersections analyzed as part of the project. Said traffic is measured as a volume to capacity ratio (V/C) [i.e., the number of actual vehicles to the amount of vehicles the intersection can accommodate]. Said traffic level must increase beyond an established threshold given the Level of Service (LOS) measured for the intersections in order to be considered a significant traffic impact.

Initial comments from the Planning Commission on the traffic study questioned the general degree of accuracy in traffic engineering analysis and the specific results of the analysis pertaining to the eastbound Green Valley Circle to northbound Bristol Parkway traffic movement. The "Project Increase In V/C" for the subject intersection movement was measured at "... 0.019 ...". Consistent with the City's existing traffic study criteria, staff concurs with the traffic consultant's finding that no mitigation measure is required for this intersection movement since the intersection must reach a measurement of change of at least "... 0.020 ..." prior to requiring a traffic mitigation measure.

Notwithstanding the existing City approved traffic study criteria, staff concurs with the Planning Commission's concern that the project, surrounding neighborhood and overall City would benefit if this particular intersection movement – with a measurement differential of 0.001 V/C from triggering a traffic mitigation measure – were to be monitored after occupancy to insure the project, once completed, remains compatible with the surrounding neighborhood and said traffic projections as outlined in the traffic study withstand the test of time.

Accordingly, the Planning Division and Engineering Division analyzed the alternative of the intersection measuring 0.020 V/C or greater and determined that to mitigate such alternative, the subject intersection would be required to be modified so as to provide a signalized dual eastbound Green Valley Circle to northbound Bristol Parkway left turn lanes designed with the Number 2 left turn lane also serving as a through traffic lane to eastbound Green Valley Circle traffic. Improvements including, but not limited to, new traffic signal equipment, loop detectors, lane re-striping, electronic support equipment revisions and other project components may also be required by the City Engineer.

In response to the above analysis, two (2) new conditions are recommended to address this concern. First, a new Condition No. 91 is recommended to require a Letter of Credit from the applicant / property owner to secure with the City the necessary funds to monitor traffic and [if required] to construct said improvements. And second, so as to implement the above condition, another new condition, Condition No. 109, is recommended to require traffic monitoring [as directed by the City] upon eighty five percent (85.0%) occupancy of the total

building gross square footage so as to count all vehicles entering and exiting the site from the sole driveway located along the Uplander Way frontage. If said traffic count and resulting report as deemed acceptable by the City Engineer indicates the project will increase the V/C ratio by 0.020 or greater, the applicant / property owner shall be responsible for all costs [even if in excess of the Letter of Credit] to design and construct the referenced street improvements. However, if said traffic movement measures 0.019 or less, the referenced Letter of Credit shall be returned to the applicant / property owner.

Green Building Design

The applicant / property owner proposes a building design which incorporates construction, architecture and operational measures consistent with the United States Green Building Council's (USGBC) design standards which uses a Leadership in Energy and Environmental Design (LEED) four (4) level rating system beginning with basic "certified" and then proceeding upward past "silver" and "gold" to "platinum". However, there are other organizations in addition to the USGBC [including, but not limited to, "Green Globes", "Green Point" and the "California Green Builder"] which are in the business of issuing green building certification using different rating systems, documentation procedures and fee schedules. Notwithstanding the leading status of the USGBC, staff is recommending the green building design requirement remain in place, but the attainment of a certification from one particular organization should be eliminated. Therefore, Condition No. 103 revises the language so as to eliminate the noted organizational reference while still requiring a green building design rating as deemed acceptable by the Building Official.

Development and Traffic Fees

Lastly, in response to the City's concerns with overall increase in traffic citywide and the need to address alternative methods of regional traffic mitigation measures, a new Condition No. 110 had been added requiring the applicant / property owner to be subject to all applicable future development and/or traffic impact fees until the date of the issuance of the final Certificate of Occupancy (C of O) or, final inspection as deemed necessary by the Building Official.

CONCLUSION:

Based on the original and supplemental analysis of the proposed project, staff continues to recommend the findings for the Site Plan Review approval can be made as more specifically outlined in the revised draft resolution.

ATTACHMENTS:

1. **Revised** Draft Resolution No. 2008-P007 / May 15, 2008.
11. **New** Sheet L-3: Proposed East / West Elevations
12. **New** Sheet L-4: Proposed North / South Elevations.

Previously Distributed:

- April 23, 2008, staff report
- 1. Draft Resolution No. 2008-P007 – **To Be Replaced**
- 2. Project Summary
- 3. Vicinity Map
- 4. Aerial Photograph
- 5. Preliminary Development Plans file dated April 14, 2008

6. Materials Board [To be on display at the meeting].
7. Traffic Study dated January 2008
8. Written Public Comments
9. CEQA Initial Study
10. CEQA Draft Negative Declaration.