

Attachment No. 1

RESOLUTION No. 2017-P012

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, (1) APPROVING ADMINISTRATIVE SITE PLAN REVIEW, P2017-0062-ASPR, AND TENTATIVE PARCEL MAP, P2017-0062-TPM; AND (2) RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN EXCEPTION TO CULVER CITY MUNICIPAL CODE (CCMC) CHAPTER 15.10: SUBDIVISIONS; TO ALLOW THE CONSTRUCTION AND CREATION OF FOUR DETACHED TOWNHOME STYLE RESIDENTIAL UNITS ON FOUR LOTS AT 4118 WADE STREET IN THE RESIDENTIAL LOW DENSITY MULTIPLE (RLD) ZONE.

(Administrative Site Plan Review, P2017-0062-ASPR;
Tentative Parcel Map, P2017-0062-TPM)

WHEREAS, on March 30, 2017, Ben Adams Studio (the "Applicant") filed an application on behalf of Brock Wyman (the "Owner") for an Administrative Site Plan Review and Tentative Parcel Map to construct a two-story, 4-unit, townhome style residential project, with a semi-subterranean parking garage, by creating four (4) detached townhome style dwelling units on four new lots within one existing residential lot at 4118 Wade Street (the "Project"). The Project site is legally described as Lot 14 of Tract No. 5740 in the City of Culver City, County of Los Angeles, State of California; and,

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

1. Administrative Site Plan Review, P2017-0062--ASPR: To ensure the Project complies with all required standards and City ordinances and to establish all onsite and offsite conditions of approval necessary to address the site features and ensure compatibility of the proposed Project with the development on adjoining properties and in the surrounding neighborhood, and

2. Tentative Parcel Map, P2017-0062--TPM: To ensure the subdivision complies with all required standards, City ordinances and state law; to ensure lot sizes compatible with

1 existing lot sizes in the immediate neighborhood; to provide necessary street dedication and
2 improvements; and to prevent interference with the opening or extension of streets for
3 emergency vehicular access, proper traffic circulation, drainage and the future development of
4 adjacent properties, and

5 3. Subdivision Design Standard Exception: To ensure the Project meets the criteria,
6 set forth in Culver City Municipal Code (CCMC) Section 15.10.085, for approving an exception
7 to certain subdivision requirements; and

8
9 WHEREAS, the Project qualifies for a Categorical Exemption, pursuant to CEQA
10 Section 15332, Class 32 – In-Fill Development Projects; and

11
12 WHEREAS, on July 12, 2017, after conducting a duly noticed public hearing on the
13 subject application, including full consideration of the application, plans, staff report,
14 environmental information and all testimony presented, the Planning Commission (i) by a vote
15 of _ to _, adopted a Categorical Exemption, in accordance with the California Environmental
16 Quality Act (CEQA), finding the Project will not result in significant adverse environmental
17 impacts; (ii) by a vote of _ to _, conditionally approved Administrative Site Plan Review, P2017-
18 0062-ASPR; and Tentative Parcel Map, P2017-0062-TPM (subject to City Council's approval
19 of an exception to certain required subdivision design standards), as set forth herein below;
20 and (iii) by a vote of ____ to ____, recommended to the City Council approval, pursuant to CCMC
21 Section 15.10.085, of an exception to a subdivision design standard requiring lot frontage along
22 a dedicated public street or access to same via a certain sized "stem" of a "flag lot" (CCMC
23 Section 15.10.700.C), as set forth herein below.
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26 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER
27 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:
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29

SECTION 1. Pursuant to the foregoing recitations and the provisions of the CCMC, the following findings are hereby made:

Administrative Site Plan Review

As outlined in CCMC Section 17.540.020, the following required findings for an Administrative 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 Residential Low Density Multiple (RLD) zoning district. The buildings' locations conform to the CCMC Zoning minimum required setbacks, and are designed to provide a common vehicular access, as well as a common pedestrian walkway to access the individual unit entries and private outdoor patios. The unit entries face the south facing side property line and are set back at least 13 feet from this property line. The general building layout and design is oriented to communicate with Wade Street where the front yard setback provides an open space area that includes landscaping and a small patio deck in accordance with the CCMC, thereby creating an enhanced streetscape. The overall height is 2 stories and 28 feet. This conforms with the Zoning Code maximum of two stories and 30 feet and meets the intent of the Neighborhood Design Guidelines. The conforming height and setbacks diminishes potential visual and compatibility impacts with the 1 and 2 story single and multi-family dwellings in the surrounding neighborhood.

The project provides a total of 9 parking spaces, consistent with code required parking for the four proposed units including one space. Vehicles access the site from Wade Street by means of a 10 to 12 foot wide driveway, in compliance with zoning standards. This access will not impact street parking since the proposed apron will replace one that already exists on the site. The driveway descends into the semi-subterranean garage where garages are a parallel to Wade Street allowing cars to enter in a forward direction. Three parking spaces are located at the end of the driveway perpendicular to Wade Street; vehicles in these spaces and all other vehicles can maneuver out of the site facing Wade Street because the project includes a full 24 foot wide driveway aisle back up space. Pedestrian access to the site is provided by an at grade paved walkway on the south side that connects the public sidewalk to individual enclosed entry patios. All pedestrian walkways will be at least 3 feet wide. The project will have sufficient parking and adequate vehicular and pedestrian access and the configuration of the proposed onsite driveway, vehicle maneuvering areas, and pedestrian access are designed in accordance with all applicable CCMC standards and design guidelines. The conditions of approval will further ensure all CCMC requirements

are met.

- B. The architectural design of the structures and the 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 structures are designed in a modern style with straight lines and multiple planes positioned at right angles creating articulated facades. Building surfaces will be comprised of large rectangular and square glazing and white colored plaster finish walls. At various sections along the dwelling exteriors, grey lumber cladding and white perforated metal sheets will be applied to plaster finishes creating a tri surface look of grey wood, white plaster, and white metal exteriors. Grey plaster at the base of the various dwellings along with the grey lumber cladding will provide a color contrast opposing the white plaster and white metal sheets. Balcony terrace railing will be comprised of either the grey lumber cladding or the metal sheets while roof top terrace railing material will be mainly metal finishes. Roof top decks are set in from the rood edges beyond the setback limits and are bounded by the metal railing noted above as well as roof top mechanical equipment. These perimeter features enhance privacy for the both project residents and neighboring properties because they obscure line of site in both directions. The project massing is broken up by the separation of the project into 4 townhome style dwellings that have a narrow and tall look but that are still below the 30 foot maximum height limit for the RLD zone. Perimeter landscaping and extensive ground level decking within the RLD Zone's large setback areas (10 feet from the sides and 15 feet from the rear) along with the use of articulated surfaces and multiple material elements noted above further diminish the massing of the project. The proposed semi-subterranean garage is accessed by a 12 to 13 foot wide driveway and the entry into the first garage is set back approximately 32 feet from the front property line, thus minimizing the visual impact of the off-street parking. Overall, the project with its modern style and detached design is compatible with other modern style residential structures in the neighborhood. Its use of landscaped setbacks minimizes potential visual conflicts with older residential structures and the building height and massing is consistent with the zoning standards of the RLD Zone.

- 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 landscape plan proposes 21 shade trees located along the site's perimeter and within the first level 10 foot wide decks separating the units from each other. Four of the trees are existing to remain mature Loquats and the rest will be newly planted. They will include 36 inch box Madrone, 48 inch box Lacebark Elm, 60 inch box Sycamores. Trees will be planted within shrubs, grasses, and mulch. There will be planter boxes with plants and shrubs

1 within the 10 foot wide ground floor decks as well as within roof top decks for each unit.
2 The driveway along the north side will be made of permeable pavers and crushed gravel
3 joints allowing for water to percolate into the ground. The project is subject to the City's
4 Street Tree Master Plan and will provide street tree and parkway landscape improvements.
5 Private open spaces of at least 1,018 square feet for each unit will provide opportunities for
6 small landscape features such as planter boxes and will enhance outdoor areas for project
7 residents. The mix of existing and new trees and new street trees will provide screening
8 for both project residents and adjoining properties and will help to soften any sense of
9 massing that may exist. Landscaping is consistent with the purpose and intent of this
10 Chapter, the requirements of the zoning district in which the site is located, and with all
11 applicable development standards and design guidelines.

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

16 The proposed buildings comply with the minimum required setbacks, are broken up into
17 separate structures, and are below the maximum allowed height, so as to not impact the
18 use, privacy, and enjoyment of neighboring residential properties. The Project is compatible
19 with surrounding residential uses, which include 1 and 2 story single and multi-family
20 residential dwellings and is less massive than nearby single structure, multifamily
21 developments. The project will not produce any vehicular or pedestrian hazards because
22 it provides adequate onsite circulation and parking in compliance with all Zoning Code
23 requirements. There are no off-site circulation hazards because the Project access point is
24 designed in the same manner as similar developments seen in the surrounding
25 neighborhood. Further there is sufficient drive aisle space on-site to allow vehicles to exit
26 the development in the forward position.

27 The design and layout of the proposed project will not interfere with the use and enjoyment
28 of neighboring existing or future development. The Project provides a townhome style
29 development on separate land lots as opposed to the more common condominium type on
a common lot with airspace units. The design meets both the specific Code requirements
and the spirit and intent of the design guidelines including unit separation, massing towards
the center of each unit, and use of varying materials and articulation. The project is less
dense and is fully parked and overall fits exceedingly well with respect to the prevailing
scale and development patterns of the neighborhood. The conditions of approval and
compliance with all CCMC requirements will ensure that the proposed Project will not be a
detriment 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.

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

1 The site is located in an existing urbanized neighborhood, and is currently developed with
2 a triplex building. Public facilities to the site currently exist. The proposed project and
3 resulting net new one unit are not anticipated to require new public facilities. Upgrades to
4 the existing facilities if required, can be provided. Further, the existing and proposed public
5 service facilities necessary to accommodate the project such as: the width and pavement
6 of the adjoining streets, traffic control devices, sewers, storm drains, sidewalks, street lights,
7 proposed street trees, fire protection devices, and public utilities are adequately provided
8 as confirmed by the City agencies that reviewed the project during the interdepartmental
9 review process.

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

12 The proposed construction of four new detached residential dwellings will result in one net
13 new unit at a density consistent with the General Plan's Low Density Multiple Family Land
14 Use designation. The Project is also consistent with the goals of the General Plan,
15 specifically, Objective 2, which calls for the retention and creation of housing throughout the
16 City and the encouragement of multiple-family housing opportunities within neighborhoods
17 designated for this development type. Based on review of the Project plans, the proposed
18 residential development is not anticipated to result in any significant impacts on surrounding
19 uses or to be inconsistent with the goals of the General Plan. Furthermore, the addition of
20 one net unit will count toward meeting the Regional Housing Needs Assessment (RHNA)
21 allocation for Culver City and will be consistent with the goals and objectives of the Housing
22 Element specifically, Objective 2, which calls for opportunities for developing a variety of
23 housing types while protecting the character and stability of existing Culver City
24 neighborhoods. There is no applicable Specific Plan for this area and the project is
25 consistent with Neighborhood Design Guideline principles.

26 **Tentative Parcel Map**

27 As outlined in CCMC Section 15.10.630, the following required findings for a Tentative Parcel
28 Map are hereby made:

29 **A. The proposed division will not be materially detrimental to the public welfare nor**
injurious to the property or improvements in the immediate vicinity.

The proposed division will create four small lots for four detached townhome style units
within one conforming standard land lot allowing separate ownership opportunities of the
units. Per Section 17.210.020 – Table 2-4, Residential District Development Standards
(RLD, RMD, RHD), the RLD Zone permits up to four units to be developed on the subject
property, based on the allowance of 1 unit per 2,904 square feet of net lot area. Accordingly,
the subdivision component of the Project will not increase the number of units allowed on
the site beyond the specified code limit, or cause any physical changes to surrounding lots
of similar zoning and density potential and, therefore, is not expected to have any
detrimental impacts to the public welfare or to property or improvements in the vicinity. The

dwelling units will comply with all applicable provisions of the Zoning Code and is permitted in the RLD Zone.

B. The proposed division will not be contrary to any official plan adopted by the Council of the City of Culver City or to any policies or standards adopted by the Commission or the Council and on file in the office of the City Clerk at or prior to the time of filing of the application hereunder.

The proposed subdivision is in compliance with the policies and standards of the City including the City's General Plan. The Public Works Department has also reviewed the tentative parcel map and determined it will not be contrary to any adopted public improvement plans. There is no overlay or Specific Plan designated for this area, and the proposed subdivision will not conflict with other adopted plans or with Neighborhood Design Guideline Principles.

C. Each proposed lot conforms in area and dimension to the provisions of the Zoning Code requirements, as set forth in Title 17 of this Code.

CCMC Section 17.210.020 requires minimum lot dimensions of fifty (50) feet in width and 100 feet in depth, and a minimum lot area of 5,000 square feet or the average area of residential lots within a 500-foot radius of proposed subdivision, whichever is greater, and further notes condominium, townhome, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area determined through the subdivision review process, provided that the overall development site complies with the minimum lot size requirements of the Chapter. The Project site measures 70 feet in width by 176 feet in depth and will, after a 6 foot dedication, measure 70 feet in width by 170 feet in depth for a net total of 11,900 square feet. This will be consistent with neighboring parcels on the subject block that also comply with minimum code required lot dimensions and area. Within this standard lot four (4) smaller parcels will be created for four (4) townhome style units which is allowed as noted above. Thus, the project site conforms to the provisions of the Zoning Code. In addition, review of the tentative parcel map by the Public Works Department has found the map in substantial conformance with the City's requirements.

D. Each lot in the proposed division will front on a dedicated street or have a vehicular access to a dedicated street approved by the City.

The proposed development has vehicular access by means of a driveway apron directly adjacent to Wade Street which is an existing public right-of-way abutting the west or front property line. The individual lots and corresponding dwelling units and assigned parking areas within the site will be accessed by means of a 10 to 12 foot wide easement for common use driveway purposes on the north side. A three (3) to four (4) foot wide common use pedestrian easement on the south side will directly abut Wade Street, connecting units with the public right-of-way. The Project site provides adequate onsite circulation and parking, in compliance with the Zoning Code.

CCMC Section 15.10.700.C, requires that all lots front on a dedicated public street or have access to same via a private street or the “stem” of a “flag lot”. Flag lots shall be allowed only when, in the opinion of the Commission, there is no reasonable alternative. The Project site is only 70 feet wide fronting Wade Street and so the Project’s two middle and rear lots can only be accessed from said dedicated public street with a flag or stem. It is not reasonable nor physically possible to require a 30 to 70 foot frontage for the two middle and rear lots. These lots as discussed above will have access via easements for common use driveway and pedestrian purposes. Further an exception to the minimum stem or flag width can reasonably be granted and is discussed below in the Subdivision Design Standard Exception findings.

E. Each lot in the proposed division is so designed and arranged that drainage to an approved drainage facility is provided for each lot.

Following review of the tentative parcel map by the Public Works Department, it has been conditioned that the applicant submit a Site Improvement Plan which shall include detailed on-site drainage and grading of the site indicated by topographical lines and spot elevations. Said plan will be required to meet the requirements of this finding. Further, the proposed division is for townhome style lots within the project lot with secured appropriate easements allowing drainage across the individual lots within the project lot and is designed such that the drainage is not impeded. The conditions of approval will ensure the proposed project will be in conformance with this required finding prior to any final approval of the proposed division.

F. The proposed division will not interfere with the widening, extension, or opening of any street or Master Plan highway.

Located within an existing urbanized residential neighborhood, the proposed division is provided access by means of the existing public right-of-way, Wade Street. Following Public Works review of the tentative parcel map, it was found that there is a requirement to widen Wade Street by six (6) feet and the map will secure this dedication as well project conditions requiring the dedication. Further, there were no items of potential interference identified between the proposed division and any known street Master Plan highway.

G. Lot lines are so designed that easements will be located in such positions as to be suitable for the proposed use.

The existing parcel is currently developed with a triplex dwelling and includes existing utility easements that provide various utility services to the site. The proposed subdivision will not encroach into or interfere with these existing easements. Further, the site layout is designed such that the proposed lots and associated dwelling units are located to allow access and open space whereby future required easements may be adequately placed.

Subdivision Design Standard Exception

As outlined in CCMC Section 15.10.085, the following findings for an exception to subdivision

requirements are hereby made:

A. The conditions affecting the property warrant and require that an exception be made.

The Zoning Code requires a minimum lot area of 5,000 square feet, or the average area of residential lots within a 500-foot radius of proposed subdivision, and further states that condominium, townhome, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area determined through the subdivision review process. The overall project will maintain its current 12,320 square foot lot area with a reduction to 11,900 square feet after a six (6) foot dedication for future widening of Wade Street. The overall 70 foot lot width will not change and the overall lot length of 176 feet will be reduced to 170 feet after the six (6) foot dedication noted above. Through the subdivision process, four (4) small land lots for townhome style development will be created within the existing conforming lot.

CCMC Section 15.10.700 sets forth general design standards governing the approval of any subdivision map. Specifically, CCMC Section 15.10.700.C, requires that all lots front on a dedicated public street or have access to same via a private street or the "stem" of a "flag lot". Flag lots shall be allowed only when, in the opinion of the Commission, there is no reasonable alternative. The Project's two middle and rear lots, which do not front on a dedicated public street, cannot accommodate the City Subdivision standard minimum of a 10 foot stem each (for stems which are contiguous for 50% or more of their length) per CCMC Section 15.10.700.C. The Project is providing a 10 to 12 foot wide driveway easement for all three lots on which the dwellings will be located similar to a standard condominium or townhome development wherein all four units are attached. The Project is consistent in design and function with condominium and attached townhome developments. The key difference is that each resident will own the dwelling as well as the land around it as opposed to all four residents owning the land around the dwellings in common. The 70 foot lot width does not allow for three 10 foot wide stems because the driveway would be 30 feet, diminishing the ability to provide a viable living space.

For these reasons, the conditions affecting the property warrant and require that an exception be made to the requirement for public street frontage and the minimum stem size required for access to the public street via a flag lot.

B. The exception is not an exception to any requirement of the Subdivision Map Act.

The exception does not violate the Subdivision Map Act because a 10 to 12 wide easement for common driveway purposes is provided assuring public right-of-way access for each lot within the development.

C. The exception will not be materially detrimental to the public welfare nor injurious to the property or improvements in the immediate vicinity.

All required subdivision findings can be made for the Project and all required vehicular, pedestrian, and utility/drainage easements will be made a part of the final map assuring all

1 four lots have required access to the public right-of-way. This exception will not be
2 materially detrimental to the public welfare nor injurious to the property or improvements in
3 the immediate vicinity.

4 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
5 Commission of the City of Culver City, California, hereby (i) adopts a Categorical Exemption,
6 in accordance with the California Environmental Quality Act (CEQA), finding the Project will not
7 result in significant adverse environmental impacts; (ii) approves Administrative Site Plan
8 Review, P2017-0062-ASPR and Tentative Parcel Map, P2017-0062-TPM (subject to City
9 Council's approval of an exception to certain required subdivision design standards); and (iii)
10 recommends to the City Council approval of an exception to a subdivision design standard
11 requiring lot frontage along a dedicated public street or access to same via a certain sized
12 "stem" of a "flag lot" (CCMC Section 15.10.700.C) , subject to the conditions of approval set
13 forth in Exhibit A attached hereto and incorporated herein by this reference.
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15

16 APPROVED and ADOPTED this 12th day of July, 2017.
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20 _____
21 DAVID VONCANNON, CHAIRPERSON
22 PLANNING COMMISSION
23 CITY OF CULVER CITY, CALIFORNIA

24 Attested by:
25
26

27 _____
28 Susan Yun
29 Senior Planner

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	These Conditions of Approval are being imposed on a 4 unit townhome style subdivision (the "Project"), for the property located at 4118 Wade Street (the "Property").	All	Standard	
2.	A copy of the Resolution approving the Project, and a copy of these Conditions of Approval, shall be printed on the plans submitted as part of any building permit application for the Project.	Planning	Standard	
3.	All building permit applications for the Project shall include sufficient information and detail to clearly reflect compliance with all applicable requirements of the Culver City Municipal Code (the "CCMC") and with these Conditions of Approval.	Planning	Standard	
4.	The land use permit to which these Conditions of Approval apply (the "Land Use Permit") shall expire <u>(3) three years</u> from the date of final approval of said Land Use Permit, if the use has not been exercised. As provided in CCMC Section 17.595.030 – "Time Limits and Extensions", an applicant may request an extension of said expiration date by filing a written request with the Planning Division prior to the expiration of the land use permit.	Planning	Standard	
5.	Pursuant to CCMC Section 17.630.010.C.4 – "Posted Notice", the public notification sign(s) installed in accordance with the public notification requirements for the Land Use Permit shall be removed within ten days after the end of the appeal period or the final decision by the City Council on the Land Use Permit, whichever occurs last.	Planning	Standard	
6.	The Project shall be developed pursuant to CCMC Chapter 17.300 – "General Property Development and Use Standards".	Planning	Standard	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

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GENERAL				
7.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - "Landscaping".	Planning	Standard	
8.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - "Off-Street Parking and Loading".	Planning	Standard	
9.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - "Signs". All signs require a separate permit and approval.	Planning	Standard	
10.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.	All	Standard	
11.	All work within the public right-of-way (including but not limited to curb, gutter, sidewalk, and driveways) shall be designed and completed to the satisfaction of the City Engineer.	Public Works	Standard	
12.	Street trees shall be installed, to the satisfaction of the City Engineer, in conformity with the City's approved Street Tree Master Plan including tree wells and irrigation. All new (and existing) street trees shall be supplied with irrigation water from the overall site irrigation system which shall include a timer and a rain sensor. All new (and existing) street trees, landscaping, and irrigation shall be indicated on the overall site landscaping/ irrigation plan.	Public Works	Standard	
13.	Drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway pavement shall be designed in conformity with all provisions of the latest edition of the American Public Works Association Standard Plans ("APWA Standards").	Public Works	Standard	
14.	At the sole cost and expense of the Property Owner, any broken or damaged curbs, gutters, sidewalks, and street pavement resulting from	Public Works	Standard	

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RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

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GENERAL				
	construction of the Project shall be repaired and reconstructed in conformity with APWA Standards.			
15.	The project shall provide trash enclosure/ rooms that have adequate trash and recycling capacity and shall comply with Assembly Bill 939, 1826, and 341 waste diversion goals. Unless the project provides individual residential organic, recycling, and solid waste trash cans for each unit, the project shall provide the following: a trash enclosure(s) that has a minimum inside dimension of 10 feet x 12 feet, a gated opening that is at least 8 feet wide, and a 6 inch high by 6 inch wide concrete curb along the inside perimeter wall; each enclosure shall also have at least a 6 inch thick concrete slab that drains at a one percent gradient out of the enclosure. Final approval for the size, location, and type of equipment needed for the adequate storage and disposal of all solid and recyclable waste generated by the Project shall be obtained from the City's Environmental Programs and Operations Manager. A fire suppression sprinkler system shall be provided within any covered trash enclosure area as required by the Fire Marshal. All refuse containers assigned to or otherwise used by the Project shall be stored on-site in the trash enclosures.	Public Works/ Fire/ Planning	Standard/ Special	
16.	All Project related solid and recyclable waste material handling shall be in accordance with CCMC Section 5.01.010 – "Solid Waste Management", which outlines the Sanitation Division's exclusive franchise for this service.	Public Works	Standard	
17.	The Project shall meet all provisions of CCMC Section 7.05.015 -"Transportation Demand and Trip Reduction Measures".	Trans.	Standard	
18.	All buildings and structures to be constructed as part of the Project shall be designed and constructed in accordance with all applicable	Building/ Fire	Standard	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

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GENERAL				
	regulations and standards of the City's Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of issuance of a building permit.			
19.	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Building/ Planning	Standard	
20.	The Project shall comply with all applicable requirement of the Culver City Green Building Program as set forth in CCMC Section 15.02.1100, et.seq.	Building	Standard	
21.	The Project shall comply with the all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq.	Building	Standard	
22.	Changes to the Project or use approved as part of the Land Use Permit may only be made in accordance with the provisions of CCMC Section 17.595.035 – "Changes to an Approved Project".	Planning	Standard	
23.	The Project as constructed shall comply with the Culver City Municipal Code (CCMC) and the Predevelopment Plans approved by the Planning Commission on July 12, 2017.	All Depts	Special	
24.	The pantries, storage areas, and restrooms in the semi-subterranean parking level shall only be used for storage and restroom space and shall not be converted to livable space, bedrooms or offices, and shall not be rented out as separate dwelling units. A covenant will be required that restricts these areas as noted herein in this special condition.	Planning	Special	
25.	All driving surfaces shall have a no-skid or broom finish surface.	Planning	Special	

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RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

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GENERAL				
26.	Covenants, Conditions, and Restrictions (CC&Rs) shall be required to ensure management and maintenance of common access and easement areas. Draft CC&Rs shall be submitted to the City Attorney for review.	Planning	Special	
27.	The turning space underneath Unit 4 in the semi-subterranean parking level that is directly adjacent to Unit 4's bike and general storage rooms and perpendicular to the common driveway leading out to Wade Street shall be cross hatched and labeled "No Parking. Vehicle Maneuvering Area Only".	Planning	Special	
28.	The residential parking shall be constructed with the infrastructure necessary to allow for future installation of Electrical Vehicle (EV) charging stations should residents in the future request or need EV charging stations at their parking stalls.	Planning	Special	
29.	<p>a. Two (2) sets of the On-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 On-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.</p> <p>b. Concurrent with the submittal of the On-Site Improvement/Grading Plans, two sets of Off-Site Improvement Plans, prepared by a civil engineer registered in the State of California, shall be submitted to the Engineering Division for review, approval and permitting for all proposed improvements along the Public Right of Way. The Off-Site Improvement Plan shall include all proposed improvements off site, detailed off-site drainage systems, all existing utilities and their</p>	Public Works	Special	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	<p>point of connections, and proposed sewer and storm drain lines (if any). The plan check fee for this review will be included with the review fee for the On-Site Improvement/Grading Plans.</p> <p>c. An erosion control plan shall be prepared by a registered civil engineer that incorporates Best Management Practices for the control of storm water and non-storm water from discharging from the site during construction.</p> <p>d. The existing curb, gutter, and sidewalk along the project's frontage with Wade Street shall be removed and reconstructed to the satisfaction of the City Engineer. The new sidewalk will be placed adjacent to the curb and will measure six (6) feet in width from the front face of the curb to the back edge of the sidewalk.</p> <p>e. The existing drive approach shall be removed and reconstructed with curb, gutter, sidewalk, and parkway landscaping to APWA standards.</p> <p>f. The proposed driveway ramp shall be designed to be compatible with the future widening of Wade Street.</p> <p>g. The Wade Street parkway shall be landscaped and irrigated to the satisfaction of the City's landscape architect and arborist. One new street tree shall be planted having a minimum 24" box size and be of the same species as the existing street tree. The irrigation shall be connected to the private on site irrigation system. The property owner shall be responsible for the future maintenance of the parkway landscaping, including the street trees. A parkway landscape and irrigation plan shall be submitted directly to the Engineering Division for review, approval, and permitting.</p>			

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	<p>With the additional six (6) feet of required street dedication, there will be a total of 9.54 ft. of parkway R/W beyond the sidewalk that shall be landscaped to the satisfaction of the Public Works Department.</p> <p>h. A registered civil engineer shall provide calculations determining the appropriate size and capacities of the proposed sump pump for the subterranean garage. A secondary emergency pump system shall also be provided.</p> <p>i. Each proposed residence shall be separately sewered and shall connect to the existing sewer main in Wade Street.</p> <p>j. Prior to the commencement of any excavation, the applicant shall install a temporary construction fence around the site. The height and fence material is subject to approval by the City Engineer.</p> <p>k. Due to the increased number of units and bedrooms, this project is subject to the City's Sewer Facility Charge. This charge shall be paid prior to the issuance of any permit.</p> <p>l. On site drainage shall not flow into the proposed trash enclosure areas.</p> <p>m. All public utility service connections on the property between the utility source and the termination facility on each of the proposed structures shall be placed underground. The owner shall be responsible for making arrangements for such installations and shall perform necessary construction, subject to applicable rules, regulations and tariffs of the utility company.</p>			

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	<p>n. The construction contractor shall advise the Public Works inspector of the schedule and shall meet with the inspector prior to commencement of work.</p> <p>o. The existing utility/street light pole shall maintain at least 5 feet from the proposed driveway approach. If it is within 5 feet of any part of the driveway approach, including the "X" (flare), the applicant shall relocate it.</p> <p>p. Common use easements (or general common access easement agreements) shall be secured to ensure all parcels or lots within the Project have necessary vehicular, pedestrian, utility, drainage, and sewage access to public rights of way and City and utility main lines. Said easements shall ensure the common maintenance of all utility connections to the public mains and utility company main lines. These easements need to be part of the CC&R's which shall be reviewed by the City Attorney prior to approval.</p>			
30.	The applicant shall offer to dedicate to the City of Culver City an irrevocable offer of dedication of six (6) feet for street purposes along the project's frontage with Wade Street. This 6-foot strip shall remain as private property until such time as Wade Street is widened and the City accepts the easement. There shall be no building within this strip and it shall be maintained as a landscape area by the property owner.	Public Works	Special	
31.	<p>Tentative Parcel Map Conditions:</p> <p>a. The tentative parcel map shall expire three (3) years after approval by the Planning Commission.</p>	Public Works	Special	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	<p>b. The final map shall be prepared by a Land Surveyor or Civil Engineer licensed in the State of California and submitted to the Los Angeles County Department of Public Works for review and approval. A duplicate copy of the first plan check submittal shall be submitted to the Engineering Division along with the required administrative fee.</p> <p>c. The final parcel map shall be submitted to the Los Angeles County Department of Public Works for review and approval.</p> <p>d. The applicant shall dedicate, on the final map, an irrevocable offer of dedication of six (6) feet for private and future street purposes along the project's frontage with Wade Street.</p> <p>e. 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 Wade Street to indicate the intersection of the prolongation of the project's northerly property line with this street. Each monument shall be tied to at least four (4) points, with lead and tags, and centerline tie notes filed with the Engineering Division.</p> <p>f. The final map shall be recorded prior to the issuance of a Certificate of Occupancy.</p>			
32.	<p>a. All parking and driveway areas shall be constructed to a minimum one (1) hour rating to all other spaces.</p> <p>b. All shafts shall be constructed to a minimum one (1) hour rating from the foundation to the underside of the roof deck or to the top of parapet walls as part of any shaft construction.</p>	Building Safety	Special	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	<p>All shafts shall be enclosed at all levels to other areas of the building.</p> <p>c. If required per the CBC, emergency egress will be required from the lower level storage spaces.</p> <p>d. Each unit shall have a minimum one (1) hour rated wall to each other unit.</p> <p>e. The Project shall provide a minimum 6 foot clear run-out length at the bottom run of any pedestrian ramp.</p> <p>f. All trash rooms or service rooms shall be constructed to a minimum one (1) hour rating to all other areas.</p> <p>g. All exterior wall finishes shall be noncombustible and any exterior wood shall be fire retardant treated per an approved standard.</p> <p>h. Exterior glazing shall be at minimum spectrally selective, low e, dual glazing and tempered or laminated glazing shall be specified at all hazardous locations.</p> <p>i. The construction permit application review time shall be a minimum of 20 City working days and may be extended at the option of City staff.</p> <p>j. The project will be required to comply with CalGreen mandatory residential measures and the applicant shall provide a checklist of such compliance on the plans.</p>			
33.	a. Fire sprinklers are required per CCMC Section 9.02 and the 2016 California Fire Code, Chapter 9.	Fire	Special	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	<p>b. Water meter and main service lines to the buildings shall meet the minimum requirements of the hydraulic calculations for the fire sprinkler system.</p> <p>c. The fire sprinkler system shall be installed in the new buildings per CCMC 9.02.</p> <p>d. Address shall be viewable and legible from the Public Right-of-Way and the size and font shall meet the Fire and Building Code requirements.</p>			

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

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

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
37.	A Construction Management Plan prepared by the construction contractor, which identifies the areas of construction staging, temporary power, portable toilet, and trash and material storage locations, shall be submitted to and approved by the Building Official. Prior to commencement of work the construction contractor shall advise the Public Works Inspector and the Building Inspector ("Inspectors") of the construction schedule and shall meet with the Inspectors.	Building/ Public Works	Standard	
38.	A Pedestrian Protection Plan shall be submitted to and approved by the Building Official. Such plan shall identify all areas of pedestrian protection and indicate the method of pedestrian protection or pedestrian diversion when required. When pedestrian diversion is required, the Pedestrian Protection Plan must also be approved by the Public Works Director.	Building/ Public Works	Standard	
39.	Plans submitted as part of the building permit application shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of all proposed special inspectors. The Building Official reserves the right to reject any special inspector at any time for the duration of the Project. All special inspection reports shall be made available to the Building Official and to any Culver City Building Safety inspector as required by the Building Official. All jobsite supervisors, contractors, subcontractors, etc. shall give their priority to a Culver City Building Safety Inspector on site. No work shall be covered without a Culver City Building Safety inspection, whether or not a special inspection was performed on such work.	Building	Standard	
40.	A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer registered in the State of California. The Construction Traffic Management Plan shall be	Planning/ Public Works	Standard	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

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

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
	use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials.			
42.	A vector/pest control abatement plan prepared by a pest control specialist licensed or certified by the State of California shall be submitted for review and approval by the Planning Manager and the Building Official. Said plan shall outline all steps to be taken prior to the commencement of any demolition or construction activity in order to ensure that any and all pests (including, but not limited to, rodents, bees, ants and mosquitoes) that may populate the Property do not relocate to or impact adjoining properties.	Building/ Planning	Standard	
43.	Prior to issuance of a building permit, notice of the Project construction schedule shall be provided to all abutting property owners and occupants. Evidence of such notification shall be provided to the Building Division. The notice shall identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish).	Building	Standard	
44.	A construction kick-off meeting to review the project conditions of approval shall be held in City Hall prior to issuance of the overall building and/or civil permits and the project superintendent shall attend that meeting.	All Depts.	Special	
45.	A detailed photo survey shall be made of the surrounding properties prior to construction and	Building Safety	Special	

EXHIBIT A
 RESOLUTION NO. 2017-P012
 P2017-0062-ASPR & P2017-0062-TPM
 4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO BUILDING PERMIT ISSUANCE				
	shall be forwarded to the Building Safety Division. Any movement of adjoining properties or any damage to adjoining properties shall result in a general stop work notice and/ or administrative assessments.			

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
DURING CONSTRUCTION				
46.	During all phases of construction, a "Construction Rules Sign" that includes the contractor's 24 hour phone number, the contractor's name and address, contact names and telephone numbers of the Applicant, Property Owner, construction contractor(s), and the City, the allowed construction hours, and minimum safety gear to be worn by all personnel on site that shall include but not be limited to closed toe shoes, long pants, a shirt with sleeves, a hard hat, and a safety vest, shall be posted on the Property in a location that is visible to the public. These names and telephone numbers shall also be made available to adjacent property owners and occupants to the satisfaction of the Planning Manager and Building Official.	Building/ Planning	Standard/ Special	
47.	The Property shall be maintained daily so that it is free of trash and litter.	Building	Standard	
48.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building	Standard	
49.	The Building Division may apply administrative assessments and/ or post general stop work notices for any violations of the Conditions of Approval for the Project, and any violations of the CCMC.	Building	Standard	
50.	During all phases of construction, best efforts shall be used to ensure that all construction workers, contractors and others involved with the Project park on the Property or at designated offsite locations approved by the City, and not in the surrounding neighborhood.	Building	Standard	
51.	When foundation shoring and/or foundation piles will be part of the Project, the engineer of record shall use noise dampening measures such as the drilling of shoring supports and piles	Building/ Planning	Standard	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
DURING CONSTRUCTION				
	as determined by the Building Official and Planning Manager.			
52.	Prior to the commencement of any excavation, a temporary construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer and the Planning Manager.	Building/ Planning/ Public Works	Standard	
53.	Hours of construction shall be limited to the following: 8:00 AM to 8:00 PM Monday through Friday; and 9:00 AM to 6:00 PM Saturday; no construction shall be allowed 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. All construction workers shall be respectful of the surrounding neighborhood and keep non-construction related noise to a minimum prior to, during, and after permissible construction hours.	Building/ Public Works	Standard/ Special	
54.	All construction activity or any activity making any sound shall stop and start within the allowed construction hours. All concrete pours including any set-up or staging activities or any finishing activities shall start and stop within the allowed construction hours. No radios or music shall be allowed on site. Building Safety reserves the right to adjust allowed construction staging areas during the course of the project. Building Safety reserves the right to reduce the allowed hours of construction.	Building/ Public Works	Special	
55.	All staging and storage of construction equipment and materials, including the construction dumpster, shall be on-site only. The Property Owner must obtain written permission from adjacent property owners for any construction staging occurring on adjacent property.	Building/ Public Works	Standard	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
DURING CONSTRUCTION				
56.	<p>Compliance with the following noise standards shall be required with at all times:</p> <p>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;</p> <p>B. All construction equipment shall be properly maintained to minimize noise emissions;</p> <p>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;</p> <p>D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as approved by the Planning Manager and the Building Official in order to comply with the City's Noise Regulations and Standards as set forth in CCMC Chapter 9.07; and</p> <p>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.</p>	Building/ Planning	Standard	
57.	In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other violations of the CCMC, Project construction shall be stopped until such time that it is determined to the satisfaction of the Community Development Director, that causes of such	Building/ Planning	Standard	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

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

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
61.	All provisions, and requirements set forth in these Conditions of Approval, in the Resolution approving the project, in the CCMC, or in any applicable written comments as provided by City representatives on April 19, 2017, at the Project Review Committee meeting on the Land Use Permit application, shall be fulfilled and satisfied to the satisfaction of all City departments before the use may be established or the Project occupied.	All	Standard	
62.	All requirements of the City's Residential Development Park Dedication and In Lieu Parkland Fees, as set forth in CCMC Section 15.06.300, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the in-lieu parkland fee, the same shall be paid prior to the issuance of a building permit.	Planning/ Parks	Standard	
63.	All requirements of the City's Art in Public Places Program, as set forth in CCMC Section 15.06.100, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the public art in-lieu fee, the same shall be paid prior to the issuance of a building permit.	Cultural Affairs	Standard	
64.	All onsite and offsite improvements and all conditions of approval except those which are deferred pursuant to a bond or letter of credit as determined and approved by the Building Official, Fire Marshal, Planning Manager, and/or City Engineer shall be completed prior to issuance of any certificate of occupancy. Prior to issuance of any certificate of occupancy the following shall be provided to and approved by the City: A. Five full sets of as-built plans that shall include at a minimum the site plan, grading	All	Standard	

EXHIBIT A
 RESOLUTION NO. 2017-P012
 P2017-0062-ASPR & P2017-0062-TPM
 4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
	<p>and utility plan, landscape and irrigation plan, floor plan for each level of the Project, parking structure plan, roof plan with all mechanical equipment identified as to purpose and source and all offsite improvements; and</p> <p>B. One set of as-built plans as described above in a digital format compatible with the City's computer system.</p>			
65.	As the project nears completion no partial or grand openings shall be permitted without applying for and gaining approval of a Certificate of Occupancy or Temporary Certificate of Occupancy. No partial or full openings shall be scheduled or advertised without City approval of a Special Event Permit.	Building Safety	Special	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
ON-GOING				
66.	The use and development of the Property shall be in substantial conformance with the plans and materials submitted with the application for the Land Use Permit as reviewed by the Planning Commission at its meeting on July 12, 2017, except as modified by these Conditions of Approval.	Planning	Standard	
67.	Pursuant to CCMC Section 17.650.020 - "Inspection", the Property Owner and Applicant shall allow authorized City officials, or their designees, access to the Property where there is reasonable cause to believe the Property is not in compliance with these Conditions of Approval or other requirements of the CCMC.	All	Standard	
68.	The use and development of the Property shall comply with these Conditions of Approval and all applicable local, special district or authority, county, state and federal statutes, codes, standards, and regulations including, but not limited to, Building Division, Fire Department, Planning Division and Public Works Department requirements, and shall comply with all applicable CCMC requirements and all comments made during the City's building permit plan check review process. Failure to comply with said Conditions, statutes, codes, standards, and regulations may result in reconstruction work, demolition, stop work orders, withholding of certificate of occupancy, revocation of land use permit approval and/or any other lawful action the City might deem reasonable and appropriate to bring about compliance.	All	Standard	
69.	All graffiti shall be removed from the Property within 48 hours of its application.	Building/ Planning/ Public Works	Standard	
70.	The Project shall comply will all requirements set forth in CCMC Subchapter 9.11.200, et seq.,	City Attorney	Standard	

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
ON-GOING				
	<p>relating to the regulation of smoking in multi-unit housing, including, but not limited to, the following:</p> <p>A. All dwelling units of a multi-unit residential property (containing two or more units) shall be designated nonsmoking units.</p> <p>B. Smoking in units, common areas and exclusive-use unenclosed areas shall be prohibited.</p> <p>C. Landlords and HOA Boards are required to provide in their leases and rules, respectively, the following terms related to nonsmoking:</p> <p>i. It is a material breach of the lease and a violation of the HOA rules (if applicable) to allow or engage in smoking in a unit;</p> <p>ii. It is a material breach of the lease, or violation of the HOA rules, as applicable, to engage in smoking in any common area, except in an outdoor designated smoking area, if one has been lawfully established and approved by the City;</p> <p>iii. It is a material breach of the lease, or violation of the HOA rules, as applicable, to violate any of the smoking laws while anywhere on the property; and</p> <p>iv. Other occupants of the property are express third-party beneficiaries of the provisions of the lease concerning smoking (for leases only).</p> <p>Smoking includes the smoking of tobacco, marijuana or any other weed or plant, but excludes e-cigarettes, incense and wood burning.</p> <p>The foregoing is not an exclusive list of requirements and the Project is subject to each and every provision set forth in CCMC Subchapter 9.11.200, et seq.</p>			

EXHIBIT A
RESOLUTION NO. 2017-P012
P2017-0062-ASPR & P2017-0062-TPM
4118 WADE STREET

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
ON-GOING				
71.	The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.	Public Works	Standard	