

ATTACHMENT NO. 1

RESOLUTION NO. 2017-P015

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, (1) APPROVING ADMINISTRATIVE MODIFICATION, ADMINISTRATIVE USE PERMIT, AND SITE PLAN REVIEW, P2017-0021; (2) ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION AND MONITORING AND REPORTING PROGRAM; (3) RECOMMENDING TO THE CITY COUNCIL APPROVAL OF GENERAL PLAN MAP AMENDMENT, AND ZONING CODE MAP AMENDMENT, P2017-0021, FOR A NEW, 44 FOOT TO 56 FOOT, 3- TO 4-STORY, 155,986 SQUARE FOOT (SF) COMMERCIAL BUILDING WITH 75,467 SF OF SUBTERRANEAN PARKING AND 80,519 SF OF OFFICE AND RETAIL SPACE WHICH INCLUDES 13,598 SF OF GROUND FLOOR RETAIL AND RESTAURANT USES AT 9735 WASHINGTON BOULEVARD IN THE COMMERCIAL GENERAL (CG) AND COMMERCIAL DOWNTOWN (CD) ZONES.; AND (4) RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A REDUCTION IN REQUIRED PARKING SPACES BY TWENTY-FOUR (24) PARKING SPACES THROUGH THE USE OF AN IN-LIEU FEE.

(Administrative Modification, Administrative Use Permit, Site Plan Review, General Plan Map Amendment, and Zoning Code Map Amendment, Case No. P2017-0021)

WHEREAS, on January 27, 2017, Clarett West Development (the "Applicant") filed applications for an Administrative Modification, Administrative Use Permit, Site Plan Review, General Plan Map Amendment, and Zoning Code Map Amendment to allow the development of a new, 44 foot to 56 foot, 3- to 4-story, 155,986 Square Foot (SF) commercial building with 75,467 SF of subterranean parking and 80,519 SF of office and retail space which includes 13,598 SF of ground floor retail and restaurant uses (the "Project"). The Project Site is more specifically described by Los Angeles County Assessors Numbers 4207-002-014, 4207-002-024, and 4207-002-025 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 requests are required:

1 1. Site Plan Review: for the construction of the proposed office, retail, and
2 restaurant commercial building as described above, to ensure the Project complies with all
3 required standards and City ordinances, and to establish all onsite and offsite conditions of
4 approval necessary to address the site features and ensure compatibility of the proposed
5 Project with the development on adjoining properties and in the surrounding neighborhood;

6 2. Administrative Modification: for the reduction in the number of required parking
7 spaces and parking space dimensions, based on the finding that strict application of these
8 standards creates an unnecessary, involuntarily created hardship or unreasonable regulation
9 which makes it impractical to require compliance with the development standards;

10 3. Administrative Use Permit: for shared parking and the striping of tandem parking
11 spaces in the subterranean parking level, to ensure that the shared parking and tandem parking
12 spaces for some of the Project's required parking is in compliance with all required standards
13 and City ordinances and establish conditions of approval to ensure the uses are compatible
14 with the Project site and surrounding area; and,

15 4. General Plan Map Amendment: for the change in the General Plan Land Use
16 designation for a portion of the site from Downtown to General Corridor, to ensure the proposed
17 change only affects a portion of the site's land use designation and that such change is not
18 detrimental to the overall health safety and general welfare; and,

19 5. Zoning Code Map Amendment: for the change in the Zoning designation for a
20 portion of the site from CD to CG, to ensure consistency with the revised land use designation
21 and to ensure such change is not detrimental to the overall health safety and general welfare.
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1 6. Reduction in Required Parking Spaces: for the reduction of required parking
2 spaces by twenty-four (24) spaces, upon a finding that Project site conditions preclude the
3 provision of the number of required parking spaces on the lot for which the parking is required.

4 WHEREAS, on August 23, 2017, at the Applicant's request, the Planning Commission
5 continued the public hearing for the proposed development to a date uncertain; and,

6 WHEREAS, subsequent to the release of the Mitigated Negative Declaration ("MND")
7 and Mitigation Monitoring and Reporting Program ("MMRP") for the Project, which was
8 circulated for public comment from August 2, 2017, through August 23, 2017, certain noise
9 mitigation measures were replaced with equivalent or more effective noise mitigation measures
10 than originally included in the MND and MMRP; and,

11 WHEREAS, per the Guidelines for Implementation of the California Environmental
12 Quality Act ("CEQA Guidelines") Sections 15073.5(c) and 15074.1, recirculation of the MND is
13 not required where mitigation measures are replaced with equal or more effective measures;
14 and,

15 WHEREAS, on October 25, 2017, after conducting a duly noticed public hearing on the
16 subject applications, including full consideration of the applications, plans, staff report,
17 environmental information and all testimony presented, the Planning Commission (i) by a vote
18 of ___to ___, adopted a Mitigated Negative Declaration, in accordance with the California
19 Environmental Quality Act (CEQA), finding the Project, as mitigated, will not result in significant
20 adverse environmental impacts; (ii) by a vote of ___to ___, conditionally approved Administrative
21 Modification, Administrative Use Permit, and Site Plan Review, Case No. P2017-0021; (iii) by
22 a vote of ___ to ___, recommended to the City Council approval of General Plan Map
23 Amendment and Zoning Code Map Amendment, Case No. P2017-0021, as set forth herein

below; and (iv) recommended to the City Council approval of a reduction in required parking spaces by twenty-four (24) parking spaces through the use of an in-lieu fee.

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

SECTION 1. Pursuant to the foregoing recitations, the provisions of the Culver City Municipal Code (CCMC) and CEQA Guidelines Section 15074.1.(b)(2), the following findings are hereby made:

Site Plan Review:

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

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

The general layout of the Project is consistent with the Commercial General (CG) and Commercial Downtown (CD) zoning districts. The Project incorporates ground floor retail along Washington Boulevard and Delmas Terrace to create a pedestrian friendly commercial streetscape including the corner space at the southwest end of the Project consistent with ground floor land use restrictions for the CD Zone. The Project is divided into two parts with the Washington Boulevard fronting portion proposed to be 3 stories and 44 feet in height and the rear portion proposed to be 4 stories and 56 feet in height consistent with CD and CG Zone standards respectively. Zero setbacks along commercial streets are required and the Project's street fronting setbacks are at the street frontage except for the southwest corner that includes a colonnade area for outdoor dining. Large floor plates at all levels create flexible space for retail and restaurant uses at the ground floor and office tenants above. Large window framing further creates a transparent Project oriented to the street and inviting natural light into the building.

At the rear off of Delmas Terrace the Project offers a driveway of adequate width to accommodate two-way traffic to both the ground floor and subterranean parking while street level retail entrances and an office lobby leading to an elevator provide pedestrian access to all Project levels including the subterranean parking. Adequate parking with a code allowed reduction is provided and all parking is attendant regulated assuring efficient use of parking and minimizing potential queuing impacts. Parking areas have

code required drive aisle widths and driveway lengths and a gate controlled entrance to the subterranean parking is located at the bottom of the driveway ramp leading from the street level to the first subterranean level. This provides adequate on-site queuing diminishing impacts to Delmas Terrace. The 7 pairs of stacked parking spaces (14 cars total) are compliant with CCMC Section 17.320.025.G in that the stacked parking help to meet the Project's required parking; are designed with sufficient queuing areas for retrieval; are incorporated into an operations and maintenance plan; are screened by the Project's walls and ground floor tenant spaces; and are provided with a back-up power system. In the event of system wide failure the Project's required attendant parking will facilitate stacking of 14 cars within the lower level drive aisles.

B. The architectural design of the structure 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 Project is divided into two separate components and is named 'The Brick and the Machine'. The rear 56 foot high portion in the CG portion, or the Brick, will feature large scale window openings and an exterior surface of black manganese thin brick. In addition to the manganese thin brick, exterior materials within the Brick's design will include bronze panels, bronze anodized frames, and exposed concrete. The southern 44' feet high building component in the CD portion, known as the "Machine", will sit atop the pedestrian streetscape, featuring an operable concrete frame façade that will provide sliding doors and perforated screens. Tenants will operate the sliding doors throughout the day placing them in opened, closed, or semi-opened positions at their discretion; each sliding door will operate independently. This will allow tenants to modify their working environment, generating an indoor-outdoor atmosphere, specific to the desire of the office tenant. Exterior materials within the Machine's design would include perforated bronze anodized aluminum, bronze anodized frames, exposed concrete, aluminum frames, and perforated blue anodized aluminum (the sliding panels). Together, the Brick and the Machine will share a second level, open air, interior office courtyard, a roof terrace above the third level, and landscaping within these two deck/courtyard areas. Design materials within the ground level office lobby, restaurant, and retail uses would include bronze anodized aluminum, exposed concrete, manganese thin brick, and blue anodized aluminum. At the ground level the project proposes to introduce a pedestrian friendly environment. Use of full height glazing along Washington Boulevard and Delmas Terrace with roll-up windows at the corner is intended to invite pedestrians into the ground floor retail and restaurant uses.

The project will replace an older structure with a contemporary design that eliminates two driveways, makes use of the entire lot with office and retail square footage, and relocates the surface parking lot by moving it within the ground level at the rear away from Washington Boulevard and in the subterranean levels. This results in a more pedestrian friendly design consistent with surrounding Downtown buildings with zero setbacks, no visible parking lots, and pedestrian oriented ground floor uses. The

massing and building layout with zero setbacks and elimination of driveways that break up the pedestrian pathway make the site more compatible with similar Downtown developments. The contemporary design will be different than the older surrounding Downtown buildings but the use of brick and concrete will act to bridge the development with older concrete and brick Downtown buildings. Newer buildings with a mid-20th century modern design such as the Chase Bank and the Southern California Hospital will be consistent with the straight lines and contemporary style that defines the project. Older buildings that have newer façade styles such as stucco and wood cladding due to various tenant improvements over the last 20 years will complement the contemporary project design.

Overall the Project architecture is compatible with surrounding Downtown buildings and uses. It incorporates articulation through the use of two different buildings within a contemporary design of straight lines offset at both vertical and horizontal orientations with height differences between the Project's two zones. Use of contrasting colors and materials, inset windows, movable panels, and ground floor full height glazing further add to the Project's design.

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 Project involves a multi-story building with little or no setbacks minimizing the opportunity to provide landscaping. However the project is able to accommodate some landscaping at the ground level and is providing open spaces for office tenants that will include some landscaping. The Ground Level public open space along Washington Boulevard and Delmas Terrace will include a streetscape design that includes an 8- to 10-foot wide public sidewalk along Washington Boulevard and an 8-foot wide public sidewalk along Delmas Terrace with street trees and where allowed, landscape planters, tree grates, and outdoor tables for seating and dining. This will activate the pedestrian environment. The project will incorporate balconies for the office tenants above the ground floor, an open air interior office courtyard at the second level, and a roof terrace/garden and courtyard for use by office employees. The Level 2 open air interior office courtyard will be approximately 1,326 SF and will be composed of a vegetated wall backdrop, two mature shade trees with a built-in table system and seating beneath them, and separate landscaped congregation areas with additional outdoor tables and seating. Level 4 will contain approximately 10,927 SF of roof terrace/garden area. This roof top terrace will include separate landscaped congregation areas for leisure and entertainment activities with bench seating, an outdoor kitchen equipped with a barbeque area, and a covered patio with a shaded dining area with additional seating. From the roof terrace/garden, the office tenants could descend via a stairway to the recessed open air interior courtyard in the building's center on Level 2. A portion of the roof top deck will be used as outdoor dining for the ground floor restaurant. The edges

of the roof top deck will be set into the building center with a separation of about 10 to 15 feet from the edge of the level 4 roof thereby creating a sense of privacy for the employees using this area. Further privacy will be created by surrounding vegetation along the edges of the deck. These will include nine to ten shade trees, shrubs, and ground cover. The proposed open space and landscaping meets Zoning Code requirements and provides a visual relief that also acts to complement the use of the building's roof top areas.

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

The proposed location of the retail, restaurant, and office commercial building in Downtown Culver City will be consistent with commercial and institutional uses that comprise the majority of Downtown uses. The Project's design is contemporary with use of contrasting straight lines and brick, concrete, metal, and glazing materials. These design elements act as a bridge between more modern downtown buildings with similar elements and older downtown buildings that use more concrete and plaster. Inset windows, sliding panels, and a split height will provide articulation in the same manner that older Downtown buildings contain articulation through architectural elements such as arches and exterior wall reliefs. The building layout with zero setbacks at street frontages is consistent with most Downtown buildings constructed at the street fronting property line. The split height with a lower 44 feet elevation at the Washington Boulevard side will be consistent with other low to midrise Downtown buildings while the rear portion at a higher elevation of 56 feet will be consistent hospital and medical related buildings north of the site that are much higher than Downtown buildings. The Project has been designed to conform to all applicable provisions of the Commercial General (CG) and Commercial Downtown (CD) Zones.

Separation of the majority of the parking in the subterranean levels will lessen visual impacts caused by parking areas and will ensure maximum commercial use of the ground floor that has only 4 striped spaces and 7 pairs of stacked spaces. Adequate driveways lengths and widths internal to parking areas will decrease the potential for queuing impacts onto Delmas Terrace and the driveway off of Delmas Terrace will ensure an uninterrupted pedestrian sidewalk along the Project's Washington Boulevard frontage. These circulation features will ensure a more efficient use of the public right-of-way along the Project's perimeter lessening impacts to neighboring commercial properties.

Overall the Project's design and layout will lessen the possibility of interference with the use and enjoyment of adjacent Downtown commercial areas and future development of adjacent commercial areas. The Project will result in converting an unutilized, vacant building into an economically functioning modern building with commercial and office uses and is consistent with the City's intent to assure the on-going viability of its commercial corridors and is in the best interest of the public health, safety, and general

welfare.

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

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

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

The Culver City General Plan Land Use Element designates the property as General Corridor and Downtown and the property is zoned General Commercial (CG) and Commercial Downtown (CD). Both land use designations and the zoning permit the proposed Project. The application includes a request to amend the General Plan Land Use and Zoning designations for a portion of the Project Site. The proposed change will move the General Corridor and CG designations in the middle rear of the lot approximately 32 feet south towards Washington Boulevard. A substantial portion of the Project site will remain with the Downtown and CD designations. After these amendments the different Zones will remain consistent with Land Use designations.

This Project is consistent with General Plan Land Use Objective 5 – Economic Diversity – because as an office and retail/restaurant commercial development it will encourage new business opportunities that will expand Culver City’s economic base in both the Downtown and nearby TOD areas. The Project is consistent with General Plan Land Use Objective 6 – Commercial Corridors – because the commercial development will revitalize the physical character and economic wellbeing of this specific commercial site in Downtown Culver City. The site is currently vacant and underutilized. The Project is consistent with General Plan Land Use Objective 8 – Fiscal Health – because the commercial development will foster new business growth by providing an attractive, quality site for new restaurant, retail, and office users who will in turn have an economic multiplier effect on Downtown Culver City and the nearby TOD area. The Project is consistent with General Plan Land Use Objective 22 because it will encourage investment in the Downtown area by providing a new commercial site on an underutilized, vacant site thereby improving the local area’s economic, visual, and pedestrian vitality.

Administrative Modification:

As outlined in CCMC Title 17, Section 17.550.020, the following required findings for an Administrative Modification are hereby made:

- 1. The strict application of the applicable development standard creates an unnecessary, involuntarily created hardship or unreasonable regulation which makes it obviously impractical to require compliance with the development standards.**

The strict application of the Zoning Code parking requirements to include all required parking would make it necessary to provide 24 additional parking spaces. The site's offset property lines and required clearance from the north and east facing property lines due to sewer and utility easements result in a non-traditional floor plate shape. These offset property lines and indentations into the property for easements noted above make it difficult to provide all required parking spaces and all spaces at the code required lengths and widths unless there is additional excavation for another parking level. As a result a maximum 10% reduction in the required parking and in the required lengths and widths for some spaces is approved. The project will still provide code required driveway and aisle widths and the project will be conditioned with valet or attendant parking.

- 2. Approval of the Administrative Modification would not be detrimental to the public health, interest, safety, or general welfare and would not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district.**

Approval of the Administrative Modification will not be detrimental to the public health, interest, safety, or general welfare and will not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district. The project will be valet or attendant parked thereby assuring efficient use of the Project's parking. Efficient valet attendant parking will ensure Project users park on site thereby minimizing impacts to local street parking and parking structure areas. Code compliant stall lengths and widths will assure adequate on-site circulation. Use of Transportation Demand Management Program measures such as shower facilities, bicycle lockers, subsidies for Uber /Lift car share entities and location of the project to nearby multi-modes of transportation such as buses, the Metro Expo Light Rail, and bike routes will lessen the overall demand for parking on-site.

- 3. The project is consistent with the General Plan and complies with all other applicable provision of this Title.**

The reduced parking and reduced parking stall lengths and widths for some parking spaces will facilitate the parking requirements for a proposed office, restaurant, and retail development in Downtown Culver City. This Project is consistent with General Plan Land Use Objective 5 – Economic Diversity – because as an office and retail/restaurant commercial development it will encourage new business opportunities

that will expand Culver City's economic base in both the Downtown and nearby TOD areas. The Project is consistent with General Plan Land Use Objective 6 – Commercial Corridors – because the commercial development will revitalize the physical character and economic wellbeing of this specific commercial site in Downtown Culver City. The site is currently vacant and underutilized. The Project is consistent with General Plan Land Use Objective 8 – Fiscal Health – because the commercial development will foster new business growth by providing an attractive, quality site for new restaurant, retail, and office users who will in turn have an economic multiplier effect on Downtown Culver City and the nearby TOD area. The Project is consistent with General Plan Land Use Objective 22 because it will encourage investment in the Downtown area by providing a new commercial site on an underutilized, vacant site thereby improving the local area's economic, visual, and pedestrian vitality.

Administrative Use Permit:

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

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

The Project is proposing to use tandem parking and is proposing to consider the Project's common hallways, ground floor and elevator lobbies, utility rooms, and vaults as shared between all Project users thereby not counting these shared areas in calculating the parking. The existing Commercial General (CG) and Commercial Downtown (CD) zoning designations allow the proposed tandem parking and shared parking uses subject to an Administrative Use Permit as outlined in CCMC Section 17.320.035.C.1.b, and the proposed tandem parking layout and shared parking complies with all other applicable provisions regarding parking design and layout guidelines.

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

The proposed use of tandem parking and shared parking are required to facilitate the development of the office, retail, and restaurant commercial development. This Project is consistent with General Plan Land Use Objective 5 – Economic Diversity – because as an office and retail/restaurant commercial development it will encourage new business opportunities that will expand Culver City's economic base in both the Downtown and nearby TOD areas. The Project is consistent with General Plan Land Use Objective 6 – Commercial Corridors – because the commercial development will revitalize the physical character and economic wellbeing of this specific commercial site in Downtown Culver City. The site is currently vacant and underutilized. The Project is consistent with General Plan Land Use Objective 8 – Fiscal Health – because the commercial development will foster new business growth by providing an attractive,

quality site for new restaurant, retail, and office users who will in turn have an economic multiplier effect on Downtown Culver City and the nearby TOD area. The Project is consistent with General Plan Land Use Objective 22 because it will encourage investment in the Downtown area by providing a new commercial site on an underutilized, vacant site thereby improving the local area's economic, visual, and pedestrian vitality. The Project will be valet parked thereby assuring efficient use of the tandem spaces and overall management of the parking which will be partially shared. This will contribute to the overall success of the Project.

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

The proposed use, design, location, size and operating characteristics of the tandem parking spaces will not have an impact on adjacent uses and are therefore found to be compatible with the existing and future commercial land uses in the vicinity of the subject site. All tandem spaces will be located in subterranean, secured parking areas and will be managed through valet or attendant parking. Overall the tandem parking operation will assist in meeting the Project's on-site parking requirements thereby assuring the Project does not have an impact on nearby street or public structure parking. All tandem spaces are consistent with code standards or as modified through an Administrative Modification and back up drive aisle widths are compliant with minimum code standards. The Project's shared parking between the restaurant, retail, and office uses takes into account shared or common areas such as common hallways, ground floor and elevator lobbies, utility rooms, and vaults that by their nature do not generate parking requirements. Therefore not counting these non-parking generating areas will not increase Project parking demand on local streets and parking facilities. The reduced parking requirement resulting from shared parking will be valet managed to ensure efficient use of onsite parking for all Project users. Thus existing and future Downtown land uses will not be impacted with Project parking.

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

The generally flat configuration of the site, the vehicular access to the site from the driveway at the north side of the site, the adequate design of the ramp down into the subterranean parking where the tandem parking is located, and the proposed onsite parking configuration are physically suitable to accommodate tandem parking. The tandem parking is compatible with the adjoining commercial uses because of its secured nature and the use attendant parking which will lessen parking impacts by the Project on adjoining commercial areas. The tandem parking will not impact any utilities and there are no physical constraints that would prevent the use of tandem parking. The shared parking is due to not counting shared areas within the Project such as common hallways, ground floor and elevator lobbies, utility rooms, and vaults that by their nature do not generate parking requirements. All required Project parking which will not take into account these shared areas is provided on-site with adequate drive aisles,

driveways, and modified parking stall lengths and widths and can be accommodated within the Project boundaries. The shared and tandem parking is therefore compatible with adjoining land uses as the Project will provide its required parking.

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

The establishment of tandem parking and shared parking will not be detrimental to the public interest, health, safety or general welfare or injurious to persons, property or improvements in the surrounding commercial zoning district or vicinity since said tandem parking and shared parking will not generate any onsite or offsite parking impacts. As required by the Code a Parking study was provided that concluded the parking provided is consistent with peak demand for the combined office, restaurant, and retail uses. All parking for the various uses will occur on the Project site thereby meeting the Code's maximum distance requirement between shared parking. The Project Applicant will be required to sign a covenant that restricts common, shared areas such that they cannot be converted to leasable commercial space for individual tenants. Overall the shared parking will not be detrimental to the public interest, health, safety or general welfare or injurious to persons, property or improvements in the vicinity and zoning district in which the property is located.

General Plan Map and Zoning Code Map Amendment:

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

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

The Project is proposing a General Plan Map Amendment and Zoning Code Map Amendment that will move a portion of the Project's General Corridor designated area a maximum of 23 feet to the south towards Washington Boulevard with an accompanying Zone Change from CD to CG. The current line dividing the Project's General Corridor and Downtown land use designations and its CG and CD zoning designations occurs at an angle within the Site boundaries. The shift will make the division line between the Project's land use and zoning designations parallel with the rear property line creating the ability to provide a more uniform and efficient building division where height will increase from a maximum allowed 44 feet in the CD Zone to a maximum allowed 56 feet in the CG Zone. The change in the land use designation for a small portion of the site will necessitate the change in the zoning designation for the same portion thereby maintaining land use and zoning consistency. These minor map amendments will result in changing one type of commercial designation for another

1 type of commercial designation on a small portion of a lot in the Downtown commercial
2 area. Overall General Plan commercial related goals, policies, and strategies will not
3 be affected by this minor shift in the Project's internal boundary between the two different
4 commercial land use and zoning designations. The Projects two separate components
5 will include office, retail, and restaurant uses which are allowed in both the CG and CD
6 Zones. The retail and restaurant uses will be required at the ground floor as stipulated
7 in the CD Zone. The differing heights will be consistent with the CG maximum allowed
8 56 feet and the CD maximum allowed 44 feet and three stories. The different heights
9 will occur at the new internal boundary between the two different commercial land use
10 and zoning designations thereby assuring consistency with the Zoning Code.

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

13 The map amendments affecting the Project's internal boundary between two different
14 land use and zoning designations will only affect the Project site and no other
15 surrounding properties. Further the amendments result in changing a small portion of
16 the Project site from one commercial land use and zoning designation to another
17 commercial land use and zoning designation. The only significant result from this
18 amendment is that the Project's height limit of 56 feet in the CD Zoned portion of the
19 Project will be shifted a maximum of 23 feet south towards Washington Boulevard.
20 Allowed commercial land uses and CD ground floor restrictions will not be affected. The
21 majority of the site will maintain its General Plan Downtown and CD Zone designations
22 which are more restrictive compared to the Project's General Plan Downtown and CD
23 Zone designations which will continue to be at the rear of the Project site. Therefore the
24 proposed amendment would not be detrimental to the public interest, health, safety,
25 convenience or welfare of the City.

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

28 The proposed General Plan and Zoning Code Map Amendments are in compliance with
29 CEQA as more fully outlined in the Initial Study and Mitigated Negative Declaration
environmental finding and related documentation for this Project including the Project's
traffic study.

30 **4. Additional Finding for Zoning Map Amendments: The site(s) is physically suitable**
31 **(including access, provision of utilities, compatibility with adjoining land uses**
32 **and absence of physical constraints) for the requested zoning designation(s) and**
33 **anticipated land use development.**

34 The site is physically suitable (including access, provision of utilities, compatibility with
35 adjoining land uses and absence of physical constraints) for the requested zoning and
36 the anticipated land use development because a full review by City staff determined all
37 applicable design standards and public services can be provided.

1 The Project's internal boundary between its two different Zoning designations occurs at
2 an arbitrary point. Without the Zoning Map Amendment the building would be comprised
3 of two irregularly shaped structures creating difficulty in mapping floor plans for each
4 level. This minor map amendment will result in changing one type of commercial zone
5 for another type of commercial zone for only a small portion of the property. This Zoning
6 Code Map Amendment will facilitate a commercial development that is consistent with
7 surrounding Downtown commercial uses and that is less intense than the nearby
8 hospital use. The Project's height, setbacks, and proposed office and pedestrian
9 oriented commercial uses are consistent with development standards and allowed land
10 uses as stipulated the CCMC for the CG and CD Zones. These same standards apply
11 to adjacent and surrounding Downtown properties that also support similar office and
12 pedestrian oriented commercial uses. The amendment will shift the boundary between
13 the Project's CG and CD Zoned areas by approximately 23 feet while still assuring that
14 the majority of the Project site is designated with the more restrictive CD Zone.
15 Vehicular access to the Project site has been located at a physically suitable location
16 that is sufficiently distant from the Washington Boulevard frontage. In addition, locating
17 on-site parking access from Delmas Terrace will lessen potential traffic conflicts with
18 commercial uses along Washington Boulevard.

12 **In Lieu Fees**

13 As outlined in CCMC Title 17, Section 17.320.025, the following finding for the requested
14 reduction in required parking is hereby made:

15 **Conditions on the Project site preclude the provision of the number of required**
16 **parking spaces on the lot for which the parking is required and In Lieu Fees**
17 **established by the City Council are appropriate as an alternative parking**
18 **provision.**

19 Conditions on the Project site preclude the provision of the number of required parking
20 spaces on the lot. The site's offset property lines and required clearance from the north
21 and east facing property lines due to sewer and utility easements result in a non-
22 traditional floor plate shape. These offset property lines and indentations into the
23 property for easements noted above make it difficult to provide all required parking
24 spaces. CCMC Section 17.320.025.A (In Lieu Fees), allows for a reduction in the
25 number of parking spaces required by Section 17.320.020 (Number of Parking Spaces
26 Required) if the City Council authorizes the use of an in-lieu fee to be paid by the
27 Applicant towards the development of public parking facilities. As provided in Project
28 Condition of Approval No. 18, the Applicant is required to pay an in-lieu fee to offset the
29 reduction of twenty four (24) required parking spaces, which fee shall be reserved for
the future development of remote parking facilities outside of the immediate Downtown
area or other mobility measures as necessary to reduce vehicle trips and traffic
congestion that are associated with under parked older Downtown developments.
Subject to approval by City Council resolution, the amount of the in-lieu fee shall be
based upon a construction contract supplied by the Applicant to the City identifying the

cost of the total Project parking, and the cost per space, and shall be calculated as the cost per space multiplied by the net reduction of twenty-four (24) parking spaces.

CEQA Guidelines Section 15074.1(b)(2) Required Finding for Replacement Mitigation Measures:

As outlined in CEQA Guidelines Section 15074.1(b)(2), the following required finding for the replacement noise mitigation measures is hereby made:

The replacement mitigation measures are equivalent or more effective in mitigating or avoiding potential significant effects and the replacement measures themselves will not cause any potentially significant effect on the environment.

The replacement noise mitigation measures for Noise Mitigation Nos 1, 3, and 5 are equivalent or more effective in avoiding potential noise impacts to the nearby Southern California Hospital and an apartment building than the original Noise Mitigations that were a part of the MND and Initial Study for the CEQA review period from August 2, 2017, through August 23, 2017, for this Project. These replacement mitigation measures will not cause potentially significant effects on the environment.

Specifically, Mitigation Measure NOISE-1 has been modified to explicitly require that noise control devices, such as muffler systems, be employed during construction to achieve a noise level reduction consistent with the Federal Highway Administration (FHWA) standards. The original mitigation did not have this FHWA standard.

Mitigation Measure NOISE-3 has been modified to prohibit operating more than one piece of motorized equipment simultaneously within 15 feet of adjacent sensitive receptors during construction and demolition activities. The revision further requires that should one piece of motorized equipment be operational within 15 feet of the hospital and the apartment building, all other motorized equipment must be operated at a minimum of 120 feet from the hospital and the apartment building. The original noise mitigation did not have this degree of specificity on distance of motorized equipment to sensitive receptors and was not as definitive in controlling for simultaneously generated noise as noted in the revised mitigation.

Mitigation Measure NOISE-5 has been modified to require construction contractors to use low-impact construction technologies, and avoid the use of heavy vibrating equipment. Further, large bulldozers will not be allowed closer than 20 feet to the Project Site boundary and any bulldozer needed within 20 feet of the boundary will have to be a small bulldozer. Two continuously operational automated vibrational monitors adjacent to the hospital and the residential building will be required. If vibrations reach a certain threshold, steps will be taken to reduce vibratory levels, including but not limited to halting/staggering concurrent activities and utilizing lower-vibratory techniques. Further, in the event of excessive vibrations, work in the vicinity will be halted and the adjacent hospital and residential building will be inspected for damage. In the event damage occurs due to construction vibration, repairs will be arranged. The original

mitigation did not have a monitoring requirement nor did it specify type of bulldozer to be used.

Finally revised Noise Mitigation Measures will require that the Building Official, or designated representative, conduct periodic site visits to ensure compliance with noise related requirements.

The replacement Noise Mitigations will avoid or reduce significant Noise impacts to at least the same degree as, or to a greater degree than the originally drafted Noise Impacts for the CEQA review period from August 2, 2017, through August 23, 2017. Further, the replacement mitigations themselves will not create additional adverse impacts.

SECTION 2. Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby; (i) adopts a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) with replacement Noise Mitigation measures, in accordance with the California Environmental Quality Act (CEQA), finding the Project, as mitigated, will not result in significant adverse environmental impacts; (ii) approves Administrative Modification, Administrative Use Permit, and Site Plan Review, Case No. P2017-0021; (iii) recommends to the City Council approval of General Plan Map Amendment and Zoning Code Map Amendment, Case No. P2017-0021, subject to the conditions of approval and mitigation measures set forth in Exhibit A and the map illustrating the General Plan Map Amendment and Zoning Code Map Amendment (Exhibit B), attached hereto and incorporated herein by this reference; and (iv) recommends to the City Council approval of a reduction in required parking spaces by twenty-four (24) parking spaces through the use of an in-lieu fee.

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2 APPROVED and ADOPTED this 25th day of October, 2017.
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5 DANA AMY SAYLES, AICP- CHAIRPERSON
6 PLANNING COMMISSION
7 CITY OF CULVER CITY, CALIFORNIA

8 Attested by:

9 Susan Yun, Senior Planner
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EXHIBIT A
 RESOLUTION NO. 2017-P015
 Administrative Modification, Administrative Use Permit,
 Site Plan Review, General Plan Map Amendment, and
 Zoning Code Map Amendment, Case No. P2017-0021
 9735 Washington Boulevard

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
1.	These Conditions of Approval are being imposed on a 3 to 4 story office, retail, and restaurant building with subterranean and stacked parking (the "Project"), for the property located at 9735 Washington Boulevard (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 one year 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	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
6.	The Project shall be developed pursuant to CCMC Chapter 17.300 – “General Property Development and Use Standards”.	Planning	Standard	
7.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - “Landscaping”.	Planning	Standard	
8.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - “Off-Street Parking and Loading”.	Planning	Standard	
9.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - “Signs”. All signs require a separate permit and approval.	Planning	Standard	
10.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.	All	Standard	
11.	All work within the public right-of-way (including but not limited to curb, gutter, sidewalk, and driveways) shall be designed and completed to the satisfaction of the City Engineer.	Public Works	Standard	
12.	Street trees shall be installed, to the satisfaction of the City Engineer, 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	Public Works	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	American Public Works Association Standard Plans ("APWA Standards").			
14.	At the sole cost and expense of the Property Owner, any broken or damaged curbs, gutters, sidewalks, and street pavement resulting from construction of the Project shall be repaired and reconstructed in conformity with APWA Standards.	Public Works	Standard	
15.	<p>a. Project shall provide adequate trash and recycling capacity and shall comply with Assembly Bill 939, 1826, and 341 waste diversion goals and to the satisfaction of the City Engineer or his/her designee.</p> <p>b. Trash enclosures shall be provided and shall each have a minimum inside dimension of 10 feet x 12 feet, a gated opening that is at least 10 feet wide, and a 6 inch high by 6 inch wide concrete curb along the inside perimeter wall. The area shall be increased to an additional 40 square feet for each additional bin required with the minimum inside depth of 10 feet maintained. The size of trash enclosure(s)/trash room(s) and number of bins shall be based on the project's approved Trash/Recycling Management Plan. An 8 foot concrete loading pad shall be paved in front of the proposed trash enclosure/trash room and a separate pedestrian access door for tenant use shall be provided. Each enclosure shall also have at least a 6 inch thick concrete slab that drains at a one percent gradient and directly connected to the sewer line. 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</p>	Public Works/ Fire/ Planning	Standard/ Special	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	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.			
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.	<p>The Project shall meet all provisions of CCMC Section 7.05.015 -“Transportation Demand and Trip Reduction Measures”. The applicant shall indicate compliance with five (5) of the following CCMC Section 7.05.015 Transportation Demand and Trip Reduction Measures on the Building Permit Plans to be submitted for review and approval by the Planning Division and the Transportation Department. Measures shall include any 5 of the following:</p> <p>1. One end of trip facility including Employee Bicycle Lockers consistent with the bicycle parking condition included within this document; the applicant shall provide a design that identifies number of employees served by the facility.</p> <p>2. Public Transportation and Shared-ride Uber/Lift Information Kiosks for both ground floor and office employees; the information kiosk shall include a touch screen media device which can provide real time arrivals for various bus lines and other public transit and/or Shared-ride related information.</p>	Planning/ Public Works/ Trans.	Standard/ Special	

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GENERAL				
	<p>3. Twenty two (22) marked parking stalls constructed with infrastructure necessary to allow for future installation of Electrical Vehicle (EV) charging stations in the subterranean parking levels and two (2) EV ready parking spaces at the ground level consistent with the predevelopment plans; EV ready parking spaces shall be consistent with applicable California Green Building Code standards.</p> <p>4. At least two low/zero emission vehicle designated parking spaces and at least one carpool/vanpool designated parking at each subterranean parking level; the infrastructure ready EV spaces may be used.</p> <p>5. With approval from Public Works, designated loading areas for shared-ride vehicles along Washington Blvd and/or Delmas Terrace or an onsite designated loading area for shared-ride vehicles.</p> <p>6. Subsidized Shared-Ride/Uber/Lift Service – The Project shall provide employees with a voucher or similar system for Uber/Lift ridesharing services to facilitate use of rideshare services. The subsidy shall be for two years after C of O and provide up to \$12 per day (or \$5 to \$6 per trip per day with a trip limit of two per day) for up to 50 employees and up to a maximum of \$312,000 over the two year period. The Project owner or property management firm shall provide evidence and/or accounting annually to the City of such subsidy.</p> <p>7. Promotion of walking through a “walk to work” program in coordination with the on-site office</p>			

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GENERAL				
	<p>employees and a posted neighborhood map with approximate walking distances and times to local neighborhood amenities.</p> <p>8. Two bicycle sharing spaces with accompanying bicycles to be owned/ensured/maintained by the Project's property management company.</p> <p>9. Other potential Measures which may be required consistent with City mobility measures, if adopted, prior to Certificate of Occupancy.</p> <p>10. TAP Cards – The Project will subsidize the purchase of up to 50 TAP cards for a period of three years for employees who opt to take Metro instead of personal vehicles, and will not be provided on-site parking accommodations and not receive a car share subsidy per Condition No 17 – 6; or, the Project will offer a cash-out bonus to individuals who opt to use other modes of commuting options such as carpools, car share, shuttles, bicycles, or walking. The cash-out bonus will count towards the 50 employee obligation.</p> <p>Further, the Applicant shall procure and register TAP cards for project tenants and the Project owner or property management firm shall provide evidence and/or accounting annually to the City of such subsidy.</p>			
18.	In addition to the TDM conditions in Condition No. 17, described above, and subject to City Council approval in accordance with CCMC Section 17.320.025 – “Alternative Parking Provisions”, the number of required parking	CDD/ Planning	Special	

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GENERAL				
	spaces shall be reduced by twenty four (24) parking spaces through the use of an in-lieu fee to be paid by Applicant. The in-lieu fee shall be deposited in a fund administered by the City for the purpose of future development of remote parking facilities outside of the immediate downtown area or other mobility measures as necessary to reduce vehicle trips and traffic congestion that are associated with under parked older Downtown developments. Subject to approval by City Council resolution, the in-lieu fee: (a) shall be based upon a construction contract supplied by the Applicant for cost of the total Project parking and the cost per space, and shall be calculated as the cost per space multiplied by the net reduction of twenty-four (24) parking spaces; and (b) shall be paid by Applicant prior to Certificate of Occupancy.			
19.	All buildings and structures to be constructed as part of the Project shall be designed and constructed in accordance with all applicable regulations and standards of the City's Building Code, Fire Code and any related codes as determined by the Building Official and Fire Marshal; and all other applicable provisions of the CCMC which are adopted and in effect at the time of issuance of a building permit.	Building/ Fire	Standard	
20.	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Building/ Planning	Standard	
21.	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	
22.	The Project shall comply with the all applicable requirements relating to solar photovoltaic	Building	Standard	

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GENERAL				
	requirements as set forth in CCMC Section 15.02.100, et. seq.			
23.	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	
24.	<p>Energy saving and sustainable design features shall be incorporated throughout the Project which include, but not be limited to:</p> <p>a. Use of non-wood alternatives for exposed wood products such as Nichiha (simulated wood manufactured from fiber cement) on the wood siding and Resysta (simulated wood manufactured from rice husks) in the wood decks.</p> <p>b. Permeable roof pedestal paving surfaces to reduce stormwater runoff.</p> <p>c. Implementation of Green Roof and Green Planter Systems to reduce stormwater runoff and CO2 Emissions.</p> <p>d. Water saving fixtures in all locations including waterless urinals in public restrooms and water saving landscaping.</p> <p>e. Incorporation of low-water and drought tolerant plants in the landscape plan for the streetscape and green roof.</p> <p>f. Irrigation using captured stormwater unless the applicant demonstrates alternative measures to the satisfaction of the Director that satisfies the Condition’s intent.</p>	Planning/ Building Safety	Special	

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GENERAL				
	<p>g. Dual low emissivity glazing; high reflective roof material; high efficiency heating and air conditioning systems.</p> <p>h. Occupancy sensor lighting in all common areas.</p> <p>i. Reliance on fluorescent, LED or other type of high efficiency systems for all interior and exterior lighting. New lighting installed in parking structures and all common areas shall be motion sensor controlled;</p> <p>j. Natural ventilation.</p> <p>k. Operable solar shading screens built into façade system.</p> <p>l. On-Site recycling collection facilities.</p>			
25.	The Project site shall provide on-site security which shall include provisions for 24-hour video surveillance and a full-time security guard.	Planning	Special	
26.	To the extent feasible the setback areas at the street level shall be enhanced with landscaping and outdoor dining and seating. If outdoor dining is installed within the public sidewalk, landscaping shall be incorporated into the outdoor dining area.	CDD Planning/ Public Works	Special	
27.	<p>The sidewalks surrounding the project shall be enhanced with streetscape improvements and landscaping pursuant to the City's standards for benches, street trees and in ground planters pursuant to City streetscape plans approved by the Public Works and Community Development Director.</p> <p>The Project applicant/owner or their successors shall maintain all landscaping in the public right-</p>	CDD/ Planning/ Public Works	Special	

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GENERAL				
	of-way in perpetuity. The new street trees installed by the Project applicant/owner shall be guaranteed for a one-year period starting after the City accepts all work completed in the public right-of-way.			
28.	Consistent with the predevelopment plans, final building permit plans shall incorporate balconies depths of at least 5 feet with sliding panels that open to allow for natural light and air circulation. In addition the restaurant space on the ground level shall contain bi-folding or roll-up doors to create an indoor/outdoor effect to open up to the sidewalk, integrating it with outdoor dining and the public sidewalk.	Planning/ Public Works	Special	
29.	<p>a. The Project shall be responsible for the partial restriping of Washington Boulevard along the Project frontage and at the intersection of Washington Boulevard and Delmas Terrace. The restriping shall add sharrows at Project frontage along Washington Boulevard.</p> <p>b. The existing sidewalk, curb, and gutter along the project's frontage with Washington Boulevard and Delmas Terrace shall be reconstructed according to APWA standards. The gutter along Washington Boulevard shall be reduced to 18 inches.</p> <p>c. Any drive approach, or portion thereof, not being utilized for the project shall be removed and reconstructed with full height curb and gutter and sidewalk.</p> <p>d. The project shall be responsible for repaving Washington Boulevard from the curb face to the raised center median, and from the easterly property line to the center line of Delmas Terrace. The existing pavement shall be cold</p>	Public Works	Special	

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	<p>milled and repaved with a 2-inch asphalt inlay. Any street striping disturbed by this paving shall be repainted with thermoplastic paint.</p> <p>e. The curb ramp at the corner of Delmas Terrace and Washington Boulevard shall be reconstructed and shall include truncated domes. The curb return shall be constructed to 25-foot radius. The existing street light and drain inlet may need to be relocated in order to accommodate this. Corner cut off shall be dedicated to the City.</p> <p>f. The existing street lights along the project's frontage shall be upgraded to low voltage LED lighting. This work shall include, but not be limited to include new conduits, wiring, pull boxes, lenses, pole standards and a meter service enclosure.</p> <p>g. The applicant shall obtain sewer easements for the existing sewer line. The easement shall be 10 feet wide (5 feet on each side).</p> <p>h. A separate streetscape plan for the public right-of-way shall be submitted to the Engineering Division for review, approval, and permitting and shall include: One palm tree on Washington Boulevard shall be removed and four new street trees shall be placed along with tree grates and irrigation; On Delmas Terrace, the existing street trees shall be removed and replaced with new ones along with tree grates and irrigation; The landscaping and street trees shall be irrigated from an onsite meter source; The irrigation for the landscaping in the public right-of-way shall be separated from the onsite irrigation; All required valves and controllers shall be located onsite and be located in an area</p>			

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GENERAL				
	<p>that is easily accessible to City staff; The irrigation system shall have a Calsense controller and rain sensor with stainless steel enclosures.</p> <p>i. The developer shall maintain all landscaping in the public right-of-way in perpetuity. The new street trees installed by the developer shall be guaranteed for a one year period starting after the City accepts all work completed in the public right-of-way.</p> <p>j. All concrete used in the public right-of-way shall have a minimum strength of 3,250 psi.</p> <p>k. Two (2) sets of on-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. Among other things, the on-site improvement plans shall include detailed on-site drainage and grading of the site indicated by topographical lines and spot elevations. This plan shall be approved for on-site construction only.</p> <p>l. Two (2) 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 within the public right-of-way. Separate plans for street improvements, street light improvements, and sewer improvements shall be prepared. Landscape plans for the public parkway area and storm drain plans for the relocation of existing catch basins shall be included in the street improvement plans.</p>			

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GENERAL				
	<p>m. The applicant shall pay an initial plan check fee in the amount of \$750.00 each upon submittal of the on-site-Improvement and off-site Improvement plans for review. Additional plan check and permit fees will be determined per the Engineering Division's Schedule of Fees and Charges.</p> <p>n. Concurrent with the submittal of the on-site improvement plan, a Standard Urban Stormwater Mitigation Plan (SUSMP) shall be submitted for review and approval by the City Engineer as outlined in CCMC Chapter 5.05. The SUSMP shall be developed and implemented in accordance with the requirements of the Los Angeles County Municipal Stormwater National Pollution Discharge Elimination System (NPDES) Permit No. CAS614001 (Order No. 01-182). The SUSMP shall provide Best Management Practices (BMP's) that adequately address the pollutants generated during the post-construction stage and shall be designed for filtration, infiltration and retention for the first 1.1 inches of rainfall. The site improvement plans shall note the contractor shall comply with the "California Stormwater Best Management Practice Handbooks". The On Site Improvement Plans shall not be accepted for review unless the SUSMP is included in the submittal package, including the plan check fee associated with the SUSMP. Said SUSMP shall be used to guide the "Conceptual – Not For Construction" Post Development Hydrology / SUSMP Map. The approval of the SUSMP is required prior to issuance of the building permit. The SUSMP shall cover the new building and parking lot.</p>			

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GENERAL				
	<p>o. Concurrent with the submittal of the on-site improvement plan, a Local Storm Water Pollution Prevention Plan (LSWPPP) shall be submitted for review and approval by the City Engineer. The erosion control plan shall be developed and implemented in accordance with the requirements of the Los Angeles County Stormwater Quality Management Program, NPDES Permit No. CAS614001. The plan shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit the entry of pollutants from the construction site into the public street or storm drain system. The improvement plans shall note that the contractor shall comply with the "California Storm Water Best Management Practice Handbooks." 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 and LSWPPP requirements. The Storm Water Pollution Prevention Plan shall be submitted to the Engineering Division prior to any permit issuance. The Site Improvement Plans shall not be accepted for review unless the LSWPPP is included in the submittal package, including the plan check fee associated with the LSWPPP.</p> <p>p. This project is subject to the City's Sewer Facility Charge. This charge shall be paid prior to the issuance of building permits or any construction permits issued by the Engineering Division.</p> <p>q. All public improvements shall be completed and accepted by the City prior to the issuance of</p>			

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GENERAL				
	a Certificate of Occupancy or the subdivider shall post an acceptable form of security.			
30.	<p>a. Secure bicycle parking shall be provided to accommodate a minimum of thirteen (13) bicycles, to meet the bicycle parking requirements for the project. The bicycle parking shall be provided as follows:</p> <p>i. Office- six (6) long-term parking spaces; and, three (3) short-term parking positions.</p> <p>ii. Retail/Restaurant - two (2) long-term parking spaces; and, two (2) short-term parking positions</p> <p>b. The long-term spaces shall be provided in individual bike lockers or bike racks in a secure locking enclosure, and shall be located so they are protected from the weather, easily accessed <u>and visible to from the adjacent parking area in order to promote usage and enhance security.</u> The short-term spaces shall be provided on the public sidewalk along Washington Boulevard and/or Delmas Terrace frontage, using three (3) City approved "Inverted - U" Bicycle Racks. The short-term bicycle parking spaces shall be provided within 50-ft walking distance of the main pedestrian entrances to the building lobby, and the commercial tenant spaces in the building. Bicycle parking location, layout and equipment shall comply with the City's approved Bicycle and Pedestrian Master Plan Design Guide, and the development plans shall provide detailed information on the type of all bicycle parking provided, and detailed dimensions of the paths of travel/aisle widths, and the widths of maneuvering areas and clearances within the bicycle parking areas. Bicycle parking shall be installed only on all-weather surfaces.</p>	Public Works	Special	

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GENERAL				
	<p>c. Concurrent with submitting any application for Building Permit for any work involving vehicle parking, the applicant shall provide detailed design and location information on the bicycle parking for the project to the Public Works. The development plans submitted for Building Permit shall provide all detailed information necessary to ensure compliance with these Conditions, including information on the type of all bicycle parking provided, and detailed dimensions of the paths of travel/aisle widths, the widths of maneuvering areas and clearances.</p> <p>d. Prior to issuance of any Public Works Department/Engineering Division Permit for the Project, the developer shall obtain a determination from the Public Works Department staff that the final bicycle parking layout is in compliance with these bicycle parking requirements.</p> <p>e. Prior to issuance of any Public Works Department/Engineering Division Permit for offsite improvements, the developer shall submit, for review and approval of the City Engineer or his designee, a bicycle handling plan for the work zone in the public right-of-way and detailing the type and content of bicycle related construction warning signage and location. The bicycling handling plan may be incorporated into a traffic handling plan submitted for the same work zone.</p> <p>f. All bicycle parking required above, shall be installed, maintained and managed by the developer or their successors, and approved by the Public Works Director or their designee, prior to issuance of <u>any</u> Certificate of Occupancy. All required bicycle parking shall be provide free to</p>			

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
GENERAL				
	any building residents, tenants, tenant's employees and/or visitors.			
31.	<p>a. The garage areas shall be a minimum 2 hour rated to all other areas. Any penetrations through 2 hour garage separations shall be a minimum 2 hour rated.</p> <p>b. All exterior construction and exterior finishes on the building shall be 100% non-combustible. The applicant shall provide UL details for all floor, wall, ceiling, etc. ratings and all proposed rated penetration details. All walls directly adjacent to property lines shall be 2 hour rated non-combustible construction, with non-combustible exterior finish. All walls directly adjacent to property lines shall be capable of being built entirely from within the Project site property without crossing the property line.</p> <p>c. All shafts in general and all stair shafts shall be a minimum 2 hour rated.</p> <p>d. All exit passages shall be continuously 2 hour enclosed until they daylight at the ground level. The west exit shall be 2 hour rated to the driveway and 2 hour rated to the 1st floor retail/restaurant space. The ground floor exit corridors shall be 2 hour rated.</p> <p>e. The building structure shall be 100% non-combustible, minimum 2 hour fire rated; all exterior finishes shall be non-combustible or approved as fire retardant treated.</p> <p>f. No future horizontal ducts for future commercial kitchen exhaust hood ducting will be permitted. All future commercial kitchen hood exhaust ducting shall be vertical or at a 45</p>	Building Safety	Special	

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	<p>degree slope. If future commercial kitchens are anticipated provide 2 hour rated chases to the roof.</p> <p>g. The Project shall provide a life safety analysis for each floor including all types of construction, occupancy classifications, occupant loads, exit capacities, exit paths, travel distances, etc.</p> <p>h. 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. As the project nears completion no partial or grand openings shall be permitted without applying for and gaining approval of a CO or TCO. Partial or full openings shall not be advertised without City approval.</p> <p>k. The applicant shall provide a Culver City CalGreen checklist on the construction permit drawings. Provide solar pv power, based on the office/ retail/ restaurant square footage.</p> <p>l. The applicant shall install a seismic gas shut off valve.</p>			
32.	a. The Project applicant shall provide an NFPA 13 fire sprinkler system throughout all portions of this project; density shall meet minimum requirements by occupancy classifications; the parking garage shall be designed as extra Hazard Group II minimum density; a class I stand pipe system shall be provided for review by the Culver city Fire Department. Sectional valves are required at each level with valves per	Fire	Special	

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	<p>review with CCFD; a DDCA and other exterior fire sprinkler system equipment shall be installed per water company and Culver City Fire Department with the Planning Department screening requirements.</p> <p>b. The Project applicant shall provide an NFPA 72 automatic detection system in common areas, 1 manual pull station, waterflow tamper and a complete automatic fire alarm system shall be provided. The system shall include an audible visual system fire warning and shall comply with NFPA 72 Public Mode requirements. A fire control room(s) shall be provided for review and approval by the CCFD. All interior corridors shall be protected with system photo electric detection devices as approved by CCFD. Duct smoke detectors shall be part of the fire alarm system.</p> <p>c. The Project applicant shall provide an offsite reporting system per NFPA 72 requirements.</p> <p>d. All parapets over 5 feet shall have noncombustible catwalks and ladders as approved by CCFD.</p> <p>e. All fascia and wall tops shall be constructed of solid materials. A fire department and building department review and approval is required for all other proposed materials.</p> <p>f. The Project applicant shall provide a Knox Key access system as approved by CCFD.</p> <p>g. All floor levels below grade shall have a mechanical standalone smoke control system installed in compliance with the requirements of Chapter 9 of the CA Building Code. Backup</p>			

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	<p>power shall be provided. Installation and materials shall be reviewed by the Culver City Building Department. The engineering design of system with computer modeling shall be reviewed and approved by the Culver City Fire Department. This system will involve connection to the Fire Control panel for activation, control and fan status.</p> <p>h. A smooth surface shall be provided to each main entry for FD emergency use. Elevators shall be gurney accessible per CA Building and Fire Code Requirements</p> <p>i. All exterior doors on this project shall have keysets and handles.</p> <p>j. Addresses shall be viewable and legible from the public way, as approved by the CCFD.</p> <p>k. Each lobby shall have a floor plan and unit numbering system for emergency use.</p> <p>l. A number system shall be provided for all stairs, landings, rooms and spaces in all buildings. Electrical rooms, mechanical rooms and all other specific uses shall have room use on main floor plan and adjacent to each room. Stairs shall indicate: ROOF ACCESS" or "NO ROOF ACCESS".</p> <p>m. All trash rooms within five feet of any building shall be provided with fire sprinklers. Trash compactors shall have 2-1/2" swivels 2 minimum per compactor.</p>			

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33.	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	
34.	A covenant and agreement, on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, tying all Project lots together such that they cannot be sold separately and construction across property lines shall be allowed, 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	Special	
35.	Consistent with CCMC Section 17.320.025.F.3 (Shared Parking), a covenant and agreement, on a form provided by the Planning Division and in form and substance acceptable to the City Attorney, that includes a description of the proposed shared parking arrangement that does not allow any tenant leasable space for all current and future tenants in the ground floor common lobby; ground floor common corridor; elevator and stairwell cores and elevator utility rooms; and ground floor utility and vault rooms,	Planning/ City Attorney	Special	

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	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. All current and future tenants shall adhere to this covenant and a provision in the covenant shall ensure the Project owner pays all liquidated damages for violations of this condition of approval.			
36.	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	
37.	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	
38.	Payment of New Development Impact Fees pursuant to CCMC Section 15.06.005 et. seq. shall be submitted.	Planning/ Building	Standard	

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39.	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	
40.	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	
41.	Plans submitted as part of the building permit application shall include a schedule of the special inspections anticipated, the firm proposed for the special inspections, and the resumes of all proposed special inspectors. The Building Official reserves the right to reject any special inspector at any time for the duration of the Project. All special inspection reports shall be made available to the Building Official and to any Culver City Building Safety inspector as required by the Building Official. No work shall be covered without a Culver City Building Safety inspection, whether or not a special inspection was performed on such work.	Building	Standard	
42.	A Construction Traffic Management Plan shall be prepared. This standard condition is superseded by Mitigation Measure PS-1 located below. Mitigation Measure PS-1 includes all	Planning/ Public Works/ Fire/ Police	Standard/ CEQA Mitigation Measure PS-1	

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	<p>requirements of this Standard condition with additional requirements.</p> <p>PS-1: Construction Traffic Management Plan – A Final Construction Traffic Management Plan shall be developed by the project contractor in consultation with the project’s traffic and/or civil engineer and approved by Culver City’s Building Official, Engineer and/or Planning Manager, as applicable, prior to issuance of any project demolition, grading or excavation permit. The Final Construction Traffic Management Plan shall also be reviewed and approved by Culver City’s Fire and Police Department. The Culver City’s Building Official, Engineer and/or Planning Manager, as applicable reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer.</p> <p>Prior to commencement of construction, the contractor shall advise the Public Works Inspector and Building Inspector (“Inspectors”) of the construction schedule and shall meet with the Inspectors. Also, biweekly construction management meetings with City Staff and other surrounding developments that would potentially be under construction at around the same time as the project shall be required, as determined appropriate by City Staff, to ensure concurrent construction projects are managed in collaboration with one another.</p> <p>The Final Construction Traffic Management Plan shall identify, at a minimum, the following to the satisfaction of the City:</p> <ul style="list-style-type: none"> ▪ The name and telephone number of a contact person who can be reached 24 			

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	<p>hours a day regarding construction traffic complaints or emergency situations.</p> <ul style="list-style-type: none"> ▪ 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 site, and maps showing access to and within the site and to adjacent properties. ▪ Procedures for the training and certification of the flag persons. ▪ The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas. ▪ The location and travel routes of off-site staging and parking locations. ▪ The location of temporary power, portable toilet and trash and materials storage locations. ▪ The timing and duration of all street and/or lane closures and shall be made available to the City in digital format for posting on the City's website and distribution via email alerts on the City's "Gov Delivery" system. The Plans shall be updated weekly during the duration of 			

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	<p>project construction, as determined necessary by the City Department of Public Works or designee determined appropriate by Public Works.</p> <ul style="list-style-type: none"> ▪ Prior to approval of the Plan, the applicant shall conduct one (1) Community Meeting pursuant to the notification requirements of the City's Community Meeting guidelines, to discuss and provide the following information to the surrounding community: <ol style="list-style-type: none"> 1) Construction schedule and hours. 2) Framework for construction phases. 3) Identify traffic diversion plan by phase and activity. 4) Potential location of construction parking and office trailers. 5) Truck hauling routes and material deliveries (i.e. identify the potential routes and restrictions. Discuss the types and number of trucks anticipated and for what construction activity). 6) Emergency access plan. 7) Demolition plan. 8) Staging plan for the concrete pours, material loading and removal. 9) Crane location(s). 			

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	10) Accessible applicant and contractor contacts during construction activity and during off hours (relevant email address and phone numbers).			
43.	Reasonable efforts shall be used to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment and systems. A Demolition Debris Recycling Plan that indicates where select demolition debris is to be sent shall be provided to the Building Official prior to the issuance of a demolition permit. The Plan shall list the material to be recycled and the name, address, and phone number of the facility of organization accepting the materials.	Building	Standard	
44.	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	
45.	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	

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46.	A project kick-off meeting must be held in City Hall prior to the issuance of the demolition, grading, and overall building permits; the field superintendent shall attend.	All Depts	Special	
47.	The Project applicant shall submit the qualifications of any special inspectors to Building Safety in advance. Building Safety reserves the right to dismiss any special inspector at any time.	Building	Special	
48.	<p>BIO-1: The applicant shall be responsible for the implementation of mitigation to reduce impacts to migratory and/or nesting bird species to below a level of significance through one of two ways. Either:</p> <p>(1) Vegetation removal activities shall be scheduled outside the nesting season which runs from February 15 to August 31 to avoid potential impacts to nesting birds. This would insure that no active nests are disturbed; or</p> <p>(2) If avoidance of the avian breeding season (February 15 through August 31) is not feasible, then:</p> <p>(a) A qualified biologist shall conduct a preconstruction nesting bird survey within 15 days and again within 72 hours prior to any ground disturbing activities (staging, grading, vegetation removal or clearing, grubbing, etc.). The survey shall be conducted to ensure that impacts to birds, including raptors, protected by the MBTA and/or the California Fish and Game Code are avoided. Survey areas shall include suitable nesting habitat within 200 feet of</p>	Planning	CEQA Mitigation Measure BIO-1	

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	<p>construction site boundaries. This two-tiered survey method is intended to provide the project applicant with time to understand the potential issue and evaluate solutions if nests are present, prior to mobilizing resources. If active nests are not identified, no further action is necessary.</p> <p>(b) If active nests are identified during pre-construction surveys, an avoidance buffer shall be demarcated for avoidance using flagging, staking, fencing, or another appropriate barrier to delineate construction avoidance until the nest is determined to no longer be active by a qualified biologist (i.e., young have fledged or no longer alive within the nest). An active nest is defined as a structure or site under construction or preparation, constructed or prepared, or being used by a bird for the purpose of incubating eggs or rearing young. Perching sites and screening vegetation are not part of the nest. Given the high disturbance level, general avoidance buffers include a minimum 100-foot avoidance (for smaller birds more tolerant of human disturbance) to a 250-foot avoidance buffer for passerine and a 500-foot avoidance buffer from active raptor nests, or reduced buffer distances determined at the discretion of a qualified biologist familiar with local nesting birds and breeding bird behavior within the project area.</p> <p>Construction personnel shall be informed of the active nest and avoidance requirements. A biological monitor shall review the site, at a</p>			

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	minimum of one-week intervals, during all construction activities occurring near active nests to ensure that no inadvertent impacts to active nests occur. Pre-construction nesting bird surveys and monitoring results shall be submitted to the Culver City Planning Division via email or memorandum upon completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.			
49.	CULT-1: Prior to issuance of demolition permit, the applicant shall retain a qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (Qualified Archaeologist) to oversee an archaeological monitor who shall be present during construction excavations such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the project. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (younger alluvium vs. older alluvium), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered, as determined by the Qualified Archaeologist). Full-time field observation can be reduced to part-time inspections or ceased entirely if determined appropriate by the Qualified Archaeologist. Prior to commencement of excavation activities, an Archaeological and Cultural Resources Sensitivity Training shall be given for construction personnel. The training session, shall be carried out by the Qualified Archaeologist and Gabrielino Tribe and shall	Building Safety/ Public Works/ Planning	CEQA Mitigation Measures CULT-1 Through CULT-8	

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	<p>focus on how to identify archaeological and cultural resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.</p> <p>CULT-2: Prior to issuance of demolition permit, the applicant shall retain a Native American tribal monitor from a Gabrieleno Tribe who shall be present during construction excavations such as clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the project. The frequency of monitoring shall take into account the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native versus artificial fill soils and older versus younger soils), and the depth of excavation, and if found, the abundance and type of prehistoric archaeological resources encountered. Full-time field observation can be reduced to part-time inspections or ceased entirely if determined appropriate by the Gabrieleno Tribe.</p> <p>CULT-3: In the event that historic or prehistoric archaeological resources (e.g., bottles, foundations, refuse dumps, Native American artifacts or features, etc.) are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. An appropriate buffer area shall be established by the Qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by the Qualified Archaeologist and the Gabrielino Tribe. If the resources are Native American in origin, the</p>			

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	<p>Gabrielino Tribe shall consult with the City and Qualified Archaeologist regarding the treatment and curation of any prehistoric archaeological resources. If a resource is determined by the Qualified Archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. The treatment plan shall incorporate the Gabrielino Tribe’s treatment and curation recommendations. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. The treatment plan shall include measures regarding the curation of the recovered resources that may include curation at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material and/or the Gabrielino Tribe. If no institution or the Gabrielino Tribe accept the resources, they may be donated to a local school or historical society in the area for educational purposes.</p> <p>CULT-4: Prior to the release of the grading bond, the Qualified Archaeologist shall prepare</p>			

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	<p>a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. The report and the Site Forms shall be submitted by the applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.</p> <p>CULT-5: A qualified Paleontologist shall be retained to develop and implement a paleontological monitoring program for construction excavations that would encounter older Quaternary sediments. The Paleontologist shall attend a pre-grading/excavation meeting to discuss a paleontological monitoring program. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified Paleontologist shall supervise a paleontological monitor who shall be present at such times as required by the Paleontologist during construction excavations into older Quaternary sediments. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be determined by the Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the</p>			

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	<p>depth of excavation, and if found, the abundance and type of fossils encountered. Full-time monitoring can be reduced to part-time inspections, or ceased entirely, if determined adequate by the Paleontologist.</p> <p>CULT-6: If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock/sediment samples for initial processing and evaluation. If preservation in place is not feasible, the Paleontologist shall implement a paleontological salvage program to remove the resources from the project site. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school.</p> <p>CULT-7: The paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the</p>			

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	<p>fossils collected and their significance. The report shall be submitted by the project applicant to the City and the Natural History Museum of Los Angeles County, and other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.</p> <p>CULT-8: If human remains are encountered unexpectedly during implementation of the project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the land owner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the land owner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not</p>			

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	<p>damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.</p> <p>Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.</p>			
50.	GEO-1: Site-specific structural and seismic design parameters and recommendations for foundations, retaining walls/shoring, and excavation shall be implemented per the project's Final Geotechnical Engineering Investigation, subject to review and approval by the Culver City Building Safety Division.	Building Safety	CEQA Mitigation Measure GEO-1	
51.	HAZ-1: Prior to the issuance of any permit for the demolition or alteration of the existing on-site building, a comprehensive ACMs survey of the buildings shall be performed. If no ACMs are found, the project applicant shall provide a letter	Building Safety/ Fire/ Planning	CEQA Mitigation Measures HAZ-1	

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	<p>to the Culver City Building Safety Division from a qualified asbestos abatement consultant indicating that no ACMs are present in the on-site buildings. If ACMs are found to be present, an operations and maintenance (O&M) program shall be implemented to safely manage the suspect ACMS located at the project site. Further, ACMs found to be present shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.</p> <p>HAZ-2: Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a comprehensive LBP materials survey shall be performed to the written satisfaction of the Culver City Building Safety Division. Should LBP materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.</p>		through HAZ-2	

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52.	During all phases of construction, a "Construction Rules Sign" that includes: contact names and telephone numbers of the Applicant, Property Owner, construction contractor(s), construction superintendent, and the City; the allowed hours of construction, and the minimum safety gear mandatory for all staff on site such as long pants, a shirt with sleeves, closed toe shoes, a hardhat, gloves and eye and ear protection as necessary; 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	
53.	The Property shall be maintained daily so that it is free of trash and litter.	Building	Standard	
54.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building	Standard	
55.	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	
56.	During all phases of construction, all construction workers, contractors and others involved with the Project shall park on the Property or at designated offsite locations approved by the City, and not in the surrounding neighborhood.	Building	Standard	
57.	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	

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	as determined by the Building Official and Planning Manager.			
58.	Prior to the commencement of any excavation, a decorative construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer and Community Development Director	CDD Building/ Planning/ Public Works	Standard	
59.	Hours of construction shall be limited to the following: 8:00 AM to 7:00 PM Monday through Friday; 9:00 AM to 6:00 PM Saturday; no work shall be allowed on Sunday and National holidays. Dirt hauling and construction material deliveries or removal are prohibited during the morning (7:00 AM to 9:00 AM) and afternoon (4:00 PM to 6:00 PM) peak traffic periods. All construction workers shall be respectful of the surrounding neighborhood and keep non-construction related noise to a minimum prior to, during, and after permissible construction hours. Construction hours shall include any activity on the construction site or on City streets including any staging activities or any vehicle operation or any activity of any kind.	Building/ Public Works	Standard	
60.	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	
61.	Compliance with the following noise standards shall be required at all times; these noise standards are in addition to the noise standards listed in Mitigation Measures Noise-1 through Noise-5 included below:	Building/ Planning	Standard	

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	<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>			
62.	<p>NOISE-1: Noise-generating equipment operated at the project site shall be equipped with the most effective noise control devices, (i.e., mufflers, lagging, and/or motor enclosures) <u>achieving a minimum 10 dB reduction in equipment noise.</u> All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained</p>	Building/ Planning	CEQA Mitigation Measures Noise-1 through Noise-5	

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	<p>parts, would be generated. <u>The Chief Building Official, or designated representative, shall conduct periodic site visits to ensure compliance with the requirements set forth in this measure.</u></p> <p>NOISE-2: The project applicant shall designate a construction relations officer to serve as a liaison with surrounding residents and property owners who is responsible for responding to any concerns regarding construction noise and vibration. The liaison's telephone number(s) shall be prominently displayed at the project site. Signs shall also be posted at the project site that includes permitted construction days and hours.</p> <p>NOISE-3: Construction and demolition activities shall be scheduled so as to avoid operating <u>more than one piece several pieces of motorized equipment simultaneously within 15 feet of the adjacent sensitive receptors. Should one piece of motorized equipment be operational within 15 feet of an adjacent sensitive receptor, all other motorized equipment must be operated at a minimum of 120 feet from that receptor. The Chief Building Official, or designated representative, shall conduct periodic site visits to ensure compliance with the requirements set forth in this measure.</u></p> <p>NOISE-4: Temporary noise barriers that provide a minimum of 20 dB noise reduction shall be used to block the line-of-site between construction equipment and noise-sensitive receptors (residences) during project construction. Noise barriers shall be a minimum of 20-feet tall along the north boundary adjacent to residential uses.</p>			

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	<p>NOISE-5: Contractors shall would phase in construction activity, use low-impact construction technologies, and avoid the use of heavy vibrating equipment where possible to reduce or avoid construction vibration impacts. <u>A large bulldozer shall not be used closer than 20 feet of the Project Site boundary. In the event that a bulldozer is needed within 20 feet of the Project Site boundary, a small bulldozer shall be used. Especially, contractors shall use smaller and lower impact construction technologies to avoid human annoyance to the adjacent buildings. Contractors shall avoid the use of driving piles and drill piles instead where necessary to avoid structural damage.</u></p> <p><u>In order to ensure that construction vibration levels do not exceed applicable thresholds, the contractor shall install and maintain at least two continuously operational automated vibrational monitors with one on the adjacent hospital building and one on the adjacent residential building. The monitoring system must produce real-time specific alarms (via text message and/or email to on-site personnel) when velocities exceed predetermined levels. In the event of an alarm, feasible steps must be taken to reduce vibratory levels, including but not limited to halting/staggering concurrent activities and utilizing lower-vibratory techniques. In the event of an exceedance of the regulatory level, work in the vicinity shall be halted and the adjacent hospital and residential buildings inspected for damage. In the event damage occurs to due to construction vibration, repairs shall be arranged.</u></p> <p><u>The construction contractor shall be responsible for implementing this measure during the construction phase. The Chief Building Official, or designated representative, shall conduct</u></p>			

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	<u>periodic site visits to ensure compliance with the requirements set forth in this measure. Vibration monitoring data shall be collected by the contractor and reported to the City Chief Building Office on a weekly basis.</u>			
63.	In the event three citations are issued in connection with the Project for violations of these Conditions of Approval or for other violations of the CCMC, Project construction shall be stopped until such time that it is determined to the satisfaction of the Community Development Director, that causes of such violations have been eliminated or corrected and that the Project will be able to proceed in full compliance with these Conditions of Approval and the CCMC.	Building/ Planning	Standard	
64.	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	
65.	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	
66.	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	Building/ Public Works	Standard	

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	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.			
67.	<p>a. During construction priority shall be given to any City Inspector. The contractor and subcontractors should arrange a time and place where they will typically meet any City Inspector arriving on site.</p> <p>b. The temporary construction fence shall be in place for the duration of construction.</p> <p>c. Crossing over neighboring properties for the duration of construction shall be prohibited.</p> <p>d. Any damage to neighboring property during construction shall be repaired at sole expense of the Project applicant.</p> <p>e. Any damage to the City right of way or any damage to any neighboring property will result in administrative assessments and/ or general stop work notices.</p> <p>f. During construction the Project applicant shall have a predetermined location for the special inspection reports, for easy access by the Building Safety staff.</p>	Building Safety	Special	
68.	WQ-1: If dewatering activities occur on-site during future redevelopment, samples shall be obtained from the water and analyzed for volatile organic compounds (VOCs) and oxygenates to ensure that they do not exceed applicable discharge requirements. Should the samples exceed VOC, oxygenates or any other applicable discharge requirement, a dewatering plan shall be prepared by the project applicant	Building Safety/ Public Works/ Planning	CEQA Mitigation Measure WQ-1	

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	for submittal to the Los Angeles Regional Water Quality Control Board (LARWQCB) and other appropriate agencies determined appropriate in consultation with the LARWQCB for review and approval. The plan shall include but not be limited to sampling of groundwater that may be contaminated; and treatment and disposal of contaminated groundwater in compliance with applicable regulatory requirements. Written verification from the LARWQCB of approval of a dewatering plan completion shall be submitted to the Culver City Planning Division and Department of Public Works prior to issuance of grading permit.			

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PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION				
69.	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 March 2, 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	
70.	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	
71.	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 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	All	Standard	

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	B. One set of as-built plans as described above in a digital format compatible with the City's computer system.			
72.	<p>A Comprehensive Parking Operations Plan shall be submitted to the Planning Division for review and approval. That plan shall comply with CCMC Section 17.320.025.G (Stacked Parking) and shall include the following provisions:</p> <p>a. Full-time valet/attendant parking shall be provided for the entire Project Site and Project users shall not self-park unless they park in primary, non-staked spaces that do not block other spaces or park in an available ground mounted Stacked space.</p> <p>b. Full time attendant parking, including attendant parking at the ground level shall be available from at least 6 AM to 2 AM.</p> <p>c. There shall be one (1) to two (2) attendants available during non-peak hours and three (3) to four (4) attendants available during peak hours to provide parking assistance.</p> <p>d. The Project and the valet/attendant parking service shall comply with the Project's Park Plus System Operations Plan.</p> <p>e. Only valet/attendant parking service personnel shall operate the stacked parking lifts; no tenants shall be allowed to operate this device.</p> <p>f. The ground level parking shall be for office tenants only.</p>	Planning	Special	

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	<p>g. The parking lifts (stackers) and mechanical equipment associated the lifts shall be inspected by a certified technician twice a year.</p> <p>h. In the event of non-operation and system failure of the parking lifts the lift manufacturer shall replace and repair parts within 48 hours.</p> <p>h. During non-operation of the parking lifts, all cars that would have been parked on the parking lifts shall be valet parked and stacked along drive aisles in the subterranean levels of the Project.</p> <p>i. In the event of non-operation, an alternative parking plan must be submitted to the City within three (3) days of any non-operation exceeding two business days due to system failure. Such a plan shall be required upon the occurrence of each non-operation event.</p> <p>j. Queuing for vehicle drop-off and pick-up and reservoir parking in the Stacker parking area on the ground floor shall be within the ground floor level parking drive aisle and driveway. Queuing for valet attendant vehicle drop off and pick up in the subterranean parking shall be beyond the entrance gate arm at the bottom of the ramp leading from the ground floor to Parking Level P1.</p> <p>k. Any future changes to the uses/tenants occupying the building will require the submittal of an updated/revised Comprehensive Parking Operations Plan.</p>			
73.	As the project nears completion no partial or grand openings shall be permitted without applying for and gaining approval of a CO or TCO. Partial or full openings shall not be advertised without City approval.	Building Safety	Special	

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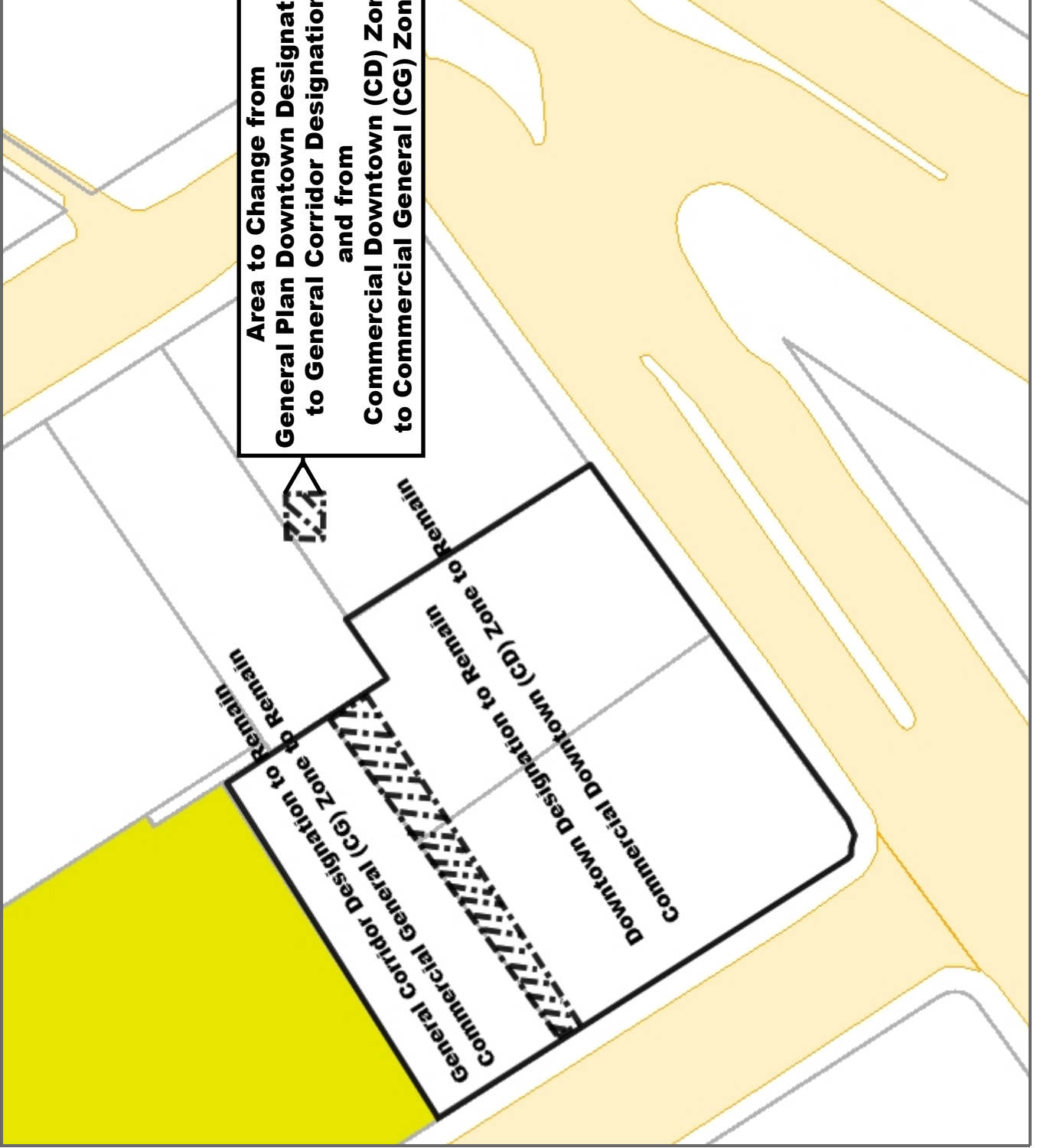
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ON-GOING				
74.	The use and development of the Property shall be in substantial conformance with the plans and materials submitted with the application for the Land Use Permit as reviewed by the Planning Commission at its meeting on August 23, 2017, excepted as modified by these Conditions of Approval.	Planning	Standard	
75.	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	
76.	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	
77.	All graffiti shall be removed from the Property within 48 hours of its application.	Building/ Planning/ Public Works	Standard	

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ON-GOING				
78.	The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.	Public Works	Standard	
79.	All mitigation measures set forth in any environmental document relating to the Project (including any reports of the type contemplated by the California Environmental Quality Act) shall be completed as specified in the MMRP and in mitigation measures included in this Exhibit.	Planning	Standard	
80.	<p>The Project and all current and future tenants shall be comply with the following On-Going parking related conditions:</p> <p>a. The City approved Comprehensive Parking Operations Plan noted above in another condition.</p> <p>b. The Shared Parking covenant as noted above in another condition of approval.</p>	Planning	Special	

EXHIBIT B

Brick and Machine General Plan and Zone Map Change



**General Plan Map
Amendment and Zoning
Map Amendment,
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**THE CITY OF
CULVER CITY**



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