

## RESOLUTION NO. 2020-P016

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, (1) ADOPTING A CLASS 32 CATEGORICAL EXEMPTION; (2) APPROVING SITE PLAN REVIEW P2019-0291-SPR, ADMINISTRATIVE USE PERMIT P2019-0291-AUP, ADMINISTRATIVE MODIFICATION P2019-0291-AM; AND (3) RECOMMENDING TO THE CITY COUNCIL APPROVAL OF DENSITY AND OTHER BONUS INCENTIVES P2019-0291-DOBI, AND ZONING CODE MAP AMENDMENT P2019-0291-ZCMA FOR A PROPOSED 5-STORY MIXED-USE DEVELOPMENT, CONSISTING OF 6,820 SQ. FT. OF COMMERCIAL (RETAIL/OFFICE) FLOOR AREA, AND TWELVE (12) DWELLING UNITS, WITH SUBTERRANEAN PARKING AT 3727 ROBERTSON BOULEVARD IN THE INDUSTRIAL GENERAL (IG) ZONE.

(Site Plan Review, P2019-0291-SPR;  
Administrative Use Permit, P2019-0291-AUP;  
Administrative Modification, P2019-0291-AM;  
Density and Other Bonus Incentives, P2019-0291-DOBI;  
Zoning Code Map Amendment, P2019-0291-ZCMA)

WHEREAS, on November 1, 2019, 3727 Roberson, LLC (the "Applicant") filed an application for a Site Plan Review (SPR), Administrative Use Permit (AUP) Administrative Modification (AM), Density and Other Bonus Incentives (DOBI) and Zoning Code Map Amendment, to allow the construction of a new 5-story mixed-use development consisting of 6,820 square feet of commercial (retail/office) floor area, twelve (12) dwelling units including one (1) low-income unit, one (1) moderate income unit, and one (1) workforce unit, and a subterranean parking structure containing a total of 19 parking spaces (the "Project"). The Project Site is more specifically described by Los Angeles County Assessor's Numbers 4206-033-925 and 4206-033-057, 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 is required:

1           1.     Site Plan Review, P2020-0291-SPR, for the construction of the five-story, mixed-  
2 use structure with subterranean 19-car parking garage, 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; and  
6

7           2.     Administrative Use Permit, P2020-0291-AUP, to ensure the proposed use of  
8 tandem parking spaces within the proposed subterranean parking structure complies with all  
9 required standards and City ordinances, and to establish conditions of approval to ensure the  
10 use is compatible with the Project site and surrounding area; and  
11

12           3.     Administrative Modification, P2020-0291-AM, to ensure the proposed reduction  
13 to the minimum required parking stall width and backup/aisle dimensions complies with  
14 applicable required standards and City ordinances, and is necessary in that strict application  
15 of these standards creates a hardship or unreasonable regulation which is impractical to  
16 require; and  
17

18           4.     Density and Other Bonus Incentives, P2020-0291-DOBI, to ensure appropriate  
19 implementation of the requirements of State law for density bonuses and other bonus  
20 incentives, pursuant to Cal. Gov't Code § 65915, or as may be amended, and the goals and  
21 policies of the Housing Element of the City's General Plan; and  
22

23           5.     Zoning Code Map Amendment, P2019-0291-ZCMA: for the change of the  
24 existing designation from Industrial General (IG) to Commercial General (CG), to ensure the  
25 proper rezoning of the property and maintain consistency with the General Plan designation;  
26 and  
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29

1 WHEREAS, pursuant to CEQA Section 15332, Class 32 – In-Fill Development Projects,  
2 the Project is Categorically Exempt; and

3 WHEREAS, on December 9, 2020, after conducting a duly noticed public hearing on the  
4 subject application, including full consideration of the applications, plans, staff report,  
5 environmental information and all testimony presented, the Planning Commission, (i) by a vote  
6 of \_\_\_ to \_\_\_, adopted a Class 32 Categorical Exemption, in accordance with the California  
7 Environmental Quality Act (CEQA), finding the Project will not result in significant adverse  
8 environmental impacts; and (ii) by a vote of \_\_\_ to \_\_\_, conditionally approved Site Plan Review  
9 P2019-0291-SPR, Administrative Use Permit P2019-0291-AUP, and Administrative  
10 Modification P2019-0291-AM; and (iii) by a vote of \_\_\_ to \_\_\_, recommended to the City Council  
11 approval of Density and Other Bonus Incentives P2019-0291-DOBI, and Zoning Code Map  
12 Amendment, P2019-0291-ZCMA.  
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16 NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER  
17 CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

18 SECTION 1. Pursuant to the foregoing recitations and the provisions of Culver City  
19 Municipal Code (CCMC), the following findings are hereby made:  
20

21 **Site Plan Review**

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

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

The general layout of the Project is consistent with the proposed Commercial General (CG)  
zoning district and the Mixed-Use Development Standards. The building is located in

conformance with the minimum required Zoning Code setbacks, with the exception of the front setback for which the Project requests a concession as part of the DOBI request, and for which encroachments will be approved. Similarly, the proposed base height of 56-ft applicable to the CG Zone, is requested to be increased to 60'-9" as part of the waivers associated with the DOBI request, with additional projections conforming to Zoning Code allowances, and reaching up to 74'-3" in height to the top of the projections. The Project is designed to provide vehicular access from the public alley at the rear of the site and pedestrian access from Robertson Boulevard at the front of the site. The building entries face the front of the property, and the general building layout and design is oriented to communicate with Robertson Boulevard, where outdoor seating, landscape and bicycle parking will be provided within the front dedication area. The streetscape will be further enhanced by incorporation of street improvements, including street trees, in accordance with the TOD streetscape plan. The proposed building incorporates a flat roof with straight parapets, with alternating asymmetrical balconies at the front façade to provide variation and building articulation. Each dwelling unit meets the minimum required area of 900 square feet for a two-bedroom unit. Open space is provided on the rooftop deck. The minimum seventy-five (75) square foot Zoning Code requirement for open space is met by the rooftop deck, which is approximately 1,200 square feet.

The Project provides a total of nineteen (19) off-street parking spaces, in compliance with the minimum Zoning Code required number of spaces for the proposed commercial component. Vehicular access is oriented to occur from the rear public alley by means of a ten (10) foot wide driveway located along the southerly edge of the site, and designed in compliance with zoning standards. The driveway is designed to descend into the subterranean garage, where parking stalls are provided in a tandem configuration. The area within the garage provides sufficient back-up clearance to maneuver in and out of the parking stalls and the site in a forward direction, with adjustments to stall and backup/aisle dimensions in accordance with the requested AM and DOBI. Pedestrian access to the site is provided by means of a paved area abutting the public sidewalk, with stair and elevator access for the subterranean parking, second floor office space, and upper floor dwelling units. The Project will have sufficient parking and adequate vehicular and pedestrian access and the configuration of the proposed onsite driveway, vehicle maneuvering areas, and pedestrian access are designed in accordance with all applicable CCMC standards.

Concessions and waivers granted to the developer on height and setback standards in return for one low income dwelling unit are consistent with State Density Bonus Law and Culver City's Land Use and Housing Element objectives of providing affordable housing through incentive strategies (as discussed in further detail in the Density Bonuses and Other Bonus Incentives findings below). With the above noted exceptions, the structure orientation, location, open space, parking, and access maximize the site's development potential while conforming to applicable Zoning Code development standards. There are no other applicable design guidelines.

**B. The architectural design of the structures and the materials and colors are compatible with the scale and character of surrounding development and other improvements on the site, and are consistent with the purpose and intent of this**

**Chapter, the requirements of the zoning district in which the site is located, and with all applicable development standards and design guidelines.**

The architectural design of the structure is characterized by a modern style, incorporating straight lines and right angles with a flat roof. The five-story structure reaches a maximum of 60'-9" in height to the roof. Rooftop projections provide additional height varying from forty-two (42) inches for guardrails/parapets, seven (7) feet for the architectural design features, 10'-8" for the stairwell, and 13'-6" for the elevator. The building is dressed in polished CMU in alternating tones of grey and smooth white plaster throughout all elevations, with glass and black metal railings. The structure is designed to minimize the visual impact of the off-street parking facilities from the public right-of-way, by utilizing a ten (10) foot wide driveway at the rear of the site. The building mass is broken up by use of material throughout the elevations, with wall segments alternating between the two (2) materials. The front and rear façades include a significant amount of glass glazing. The front façade incorporates significant articulation through the use of alternating asymmetrical balconies, which are a significant feature of the Project, as these balconies vary in depth from zero to ten (10) feet and are proposed to encroach into the dedication area. Smaller balconies are also provided at the rear façade, while the sides are more minimalistic with the south façade including an opening with glass railing at the central court of each of the residential levels. The building materials and color palette is minimal and simplistic to minimize visual clutter throughout the building façades. Further, the proposed development is sensitive to the character and scale of surrounding development in the neighborhood and overall transit-oriented development (TOD) district. Existing development in the surrounding neighborhood varies in architectural style, with many older buildings having a very utilitarian character and newer development having a more modern and contemporary style; building heights vary from one to five stories, with the color palette being generally subdued and using mostly neutral tones. Overall, the design of the proposed Project is compatible with the surrounding neighborhood, which is varied in styles and scale, and is consistent with the zoning standards of the CG Zone. There are no other applicable design guidelines.

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

The proposed landscaping meeting the requirements of the Zoning Code. Due to the site size and allowable building footprint, as well as necessary allocations for driveways, parking and walkways, there are limited opportunities for landscaping. The Project will be allowed to place pedestrian amenities at the ground-floor dedication area, and will include some landscape planters to enhance the Project street view. Additional landscaping will be internal to the Project, including planters within the first residential floor of the building. The floors above will have openings in the same outline as the planters in order to allow the plantings to have some height and be visible from the floors above. The central court at the fifth floor will be fully open to sky allowing air and sunlight for the plantings below. Planters will also be incorporated into the rooftop deck, and will include a limited variety of low-growth

1 plant materials, as well as three (3) trees to enhance the quality of the Project. Landscaping  
2 will also include street trees on Robertson Boulevard in accordance with the TOD  
3 streetscape plan, per the standards of the Public Works Department. Complete landscape  
4 and irrigation plans, indicating planting sizes, spacing and quantities, shall be submitted for  
review and approval by all applicable divisions/departments prior to installation and final  
inspection to ensure this meets all Zoning Code and applicable requirements.

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

9 The proposed building complies with applicable Zoning Code requirements, including the  
10 standards of the CG Zone and Mixed Use Ordinance, with some exceptions as provided for  
11 by the AM and DOBI provisions. Therefore, the Project will not impact the use and  
12 enjoyment of neighboring existing and future development. The Project design and layout  
13 is linear with building entries facing the street, so as to be compatible with surrounding  
14 smaller-scale non-residential development, which include both commercial and light  
15 industrial development in both single and multi-story structures, many with parking at the  
16 rear of the property. The site provides adequate onsite vehicular and pedestrian access,  
17 circulation and parking in compliance with all zoning code requirements, or exception  
18 allowances, and will not produce any vehicular or pedestrian hazards. Although a new  
19 driveway ramp will be provided, the location is consistent with the vehicular access provided  
20 to properties along Robertson Boulevard, and its design has been reviewed and accepted  
21 by the traffic engineer and the City. No off-site circulation hazards are presented by the  
22 proposed Project since access points are designed in the same manner as other abutting  
23 developments.

24 The Project does not negatively impact or interfere with the use and enjoyment of  
25 neighboring development, as the building is designed in a manner that is sensitive to  
26 surrounding development, including newer development within the TOD district. For  
27 example, the building's front façade, including ground floor amenities within the proposed  
28 dedication area, enhance the street view, create a pedestrian oriented streetscape, and  
29 activate the corridor, which is desirable for developments in such close proximity to the  
Metro light rail station. The conditions of approval and compliance with all applicable CCMC  
requirements will ensure the proposed Project will not be a detriment to the public interest,  
health, safety, or general welfare, or injurious to persons, property, or improvements in the  
vicinity and zoning district in which the property is located. Further, by improving an  
underutilized site and providing economically functioning commercial uses as well as  
additional housing, the Project will serve the public interest and welfare.

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

34 The site is located in an existing urbanized neighborhood, and is currently developed with  
35 a one-story non-residential building and surface parking. Therefore, public facilities to the

1 site currently exist. It is not anticipated that the proposed Project and resulting additional  
2 commercial floor area and new twelve (12) units will require new public facilities. Any  
3 upgrades to the existing facilities that are required will be provided. Improvements to the  
4 abutting right-of-way, such as new curb and gutter and street repair, will be implemented  
5 per the conditions of approval. Further, the existing and proposed public service facilities  
6 necessary to accommodate the Project such as: the width and pavement of the adjoining  
7 streets, traffic control devices, sewers, storm drains, sidewalks, street lights, proposed  
8 street trees, fire protection devices, and public utilities are provided for adequately as  
9 confirmed by the City Departments that reviewed the Project during the interdepartmental  
10 review process.

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

14 The proposed mixed-use development will provide up to 6,820 square feet of retail/office  
15 and twelve (12) net new residential dwelling units at the site, consistent with the General  
16 Plan's General Corridor Land Use designation. This designation emphasizes community-  
17 serving retail and is intended to support medium density housing opportunities. The Project  
18 is also consistent with the goals of the General Plan, specifically, Objective 2 of the Land  
19 Use Element, which calls for the retention and creation of housing throughout the City and  
20 the encouragement of multiple-family housing opportunities within neighborhoods  
21 designated for this development type. The Project is also consistent with Objectives 5 and  
22 6 of the Land Use Element, which calls for the encouragement of new business  
23 opportunities that expand the City's economic base and serve the needs of the City's  
24 residential and business community, and for the revitalization of the physical character and  
25 economic well-being of the City's commercial corridors. Based on review of the preliminary  
26 development plans, the proposed residential development is not anticipated to result in any  
27 significant impacts on surrounding uses or to be inconsistent with the goals of the General  
28 Plan. Furthermore, the addition of twelve (12) net units, including three (3) affordable units,  
29 will count toward meeting the Regional Housing Needs Assessment (RHNA) allocation for  
Culver City, and will be consistent with Objective 2 of the Housing Element, which  
encourages opportunities for developing a variety of housing types while protecting the  
character and stability of existing neighborhoods. There is no applicable Specific Plan for  
this area.

30 **Administrative Use Permit**

31 As outlined in CCMC Section 17.530.020, the following required findings for an Administrative  
32 Use Permit (AUP) are hereby made:

33 **A. The proposed use is allowed within the subject zoning district with the approval of  
34 an Administrative Use Permit and complies with all other applicable provisions of  
35 this Title and the CCMC.**

36 All non-residential zoning districts, including the proposed Commercial General (IG) zoning  
37 district, allow for the use of tandem parking configuration subject to an Administrative Use  
38 Permit as outlined in CCMC Section 17.320.035.C.1.b, and the proposed tandem parking  
39 layout complies with all other applicable provisions regarding parking design and layout

1 guidelines. Each tandem stall pair is required to be 9' 0" feet in width and 36 feet in depth,  
2 striped per the Zoning Code. The Project will request a reduction of the width by 10%  
3 through an Administrative Modification as indicated further below. In addition, all backup  
4 areas, drive aisles, and Code required circulation areas necessary for the tandem parking  
5 stalls will be in compliance with the dimensions specified by the Zoning Code, or as  
6 specified in the Administrative Modification findings below.

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

9 The subject site's General Plan land use designation is General Corridor, which  
10 corresponds to the proposed Commercial General (CG) zoning district. The proposed use  
11 of tandem parking, which is the subject of the Administrative Use Permit (AUP), is allowed  
12 in all non-residential zones, including CG and IG, subject to approval of an AUP and any  
13 related conditions of approval. Further, the General Corridor General Plan land use  
14 designation is designed to allow for a range of small- to medium-scale commercial uses,  
15 with an emphasis on community-serving retail; it is intended to support desirable existing  
16 and future neighborhood and community serving commercial uses, and limited medium-  
17 density housing opportunities. The proposed use of tandem parking for the proposed  
18 development will be consistent with this purpose as it will serve a new mixed-use  
19 development that is consistent with the goals of allowing small- to medium-scale  
20 commercial uses and medium-density housing within the subject land use designation.  
21 There is no applicable Specific Plan for this location.

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

24 The proposed use of tandem parking configuration is in compliance with the design and  
25 size requirements of the Zoning Code, with some exceptions as specified in the AM findings  
26 below. The parking is located at the surface and subterranean levels and accessed directly  
27 from the rear alley or by a proposed 10-ft wide descending driveway ramp along the  
28 southerly edge of the site. The proposed drive aisles provide sufficient vehicle circulation  
29 area to maneuver in and out of parking stalls and onto the driveway ramp in a forward  
direction, thus being compatible with the existing and future non-residential and mixed-use  
land uses in the surrounding vicinity. The proposed access is consistent with the  
surrounding properties, the majority of which are developed in a similar layout of having the  
building oriented to the front of the site with the off-street parking located towards the rear  
and accessible from the alley. Due to the expected use of the parking by two (2) tenants,  
the Project is conditioned to require that a parking operations management plan outlining  
how the tandem stalls will be assigned/managed will be provided be submitted for review  
and approval of the Director, and which will be updated as necessary should additional  
tenants or uses be approved to occupy the site. The design, size, location and operating  
characteristics of the proposed use of tandem parking comply with the Zoning Code, 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.



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

4 The Project site is comprised of two (2) underutilized parcels, which are rectangular in  
5 shape and generally flat in topography, totaling approximately 6,108 square feet (0.14  
6 acres) of lot area. The site is located along a primary artery (Robertson Boulevard) between  
7 two major corridors, within the TOD district, which is an urbanized area, and surrounded by  
8 other commercial and light industrial land uses. The applicant proposes to provide nineteen  
9 (19) off-street parking spaces in a subterranean garage with four additional spaces (public  
10 and carshare) at the ground level. Eighteen (18) of the spaces (9 pairs) in the subterranean  
11 garage and the four (4) spaces (2 sets) at the ground level will be in a tandem configuration  
12 in order to increase the amount of on-site parking within the site. The amount, size, and  
13 configuration of the parking spaces will be provided in compliance with the requirements of  
14 the Zoning Code, with some noted exceptions. The site provides sufficient room for the  
15 proposed parking configuration, including access driveway, back-up space necessary for  
16 vehicles to maneuver in and out of the parking stalls. Access will continue to be provided  
17 from the rear alley, consistent with the provision of access for parking on adjoining  
18 properties, and will comply with American's with Disabilities Act (ADA) standards. There  
19 are no physical constraints that would prevent or create a hazard by use of the provision or  
20 use of the tandem parking. The proposed tandem parking configuration will not create any  
21 conflicts with surrounding land uses and will not require the provision of additional utilities.

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

26 The requested AUP approval for the use of tandem parking, will result in an improvement  
27 to the site and property in the vicinity, as well as to the general public interest, safety and  
28 welfare, by maximizing the number of stalls within the site's footprint, rather than some  
29 alternatives, such as excavating another level. The parking will meet the minimum  
standards for size, access, circulation, and maneuverability, with the exceptions noted,  
ensuring safe vehicle circulation is preserved. Since the tandem parking will be primarily  
located within the proposed parking structure at the rear of the site, which is accessed by a  
long 10-ft wide driveway ramp, circulation along Robertson Boulevard will not be negatively  
affected. Further, the establishment of on-site tandem parking through this approval, and  
subject to the conditions of approval attached as Exhibit A, will not be detrimental to the  
public interest, health, safety, or general welfare or injurious to persons, property or  
improvements in the surrounding industrial zoning district or vicinity and will not create  
negative on-site or off-site impacts.

30 **Administrative Modification**

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

33 **1. The strict application of the applicable development standard creates an**

**unnecessary, involuntarily-created hardship, or unreasonable regulation that makes it obviously impractical to require compliance with the development standards.**

The proposed development consists of a 5-story mixed-use development with subterranean off-street parking on a 6,108 sq. ft. lot. Given the site's small footprint, and the need to allocate space for necessary for access (e.g. driveway, stairwells, elevator), structural support columns, and other required features, the physical space does not suffice to provide all the minimum dimensions. Specifically, the AM request is for a reduction (not to exceed 10%) for the tandem parking stall width and the backup/aisle width within the subterranean parking garage, reducing the parking minimum width of nine (9) feet to 8'-2" and the backup/aisle width from twenty-four (24) to 23'-6" as the subterranean level. Further, two (2) sets of tandem spaces in the subterranean garage are requested to be narrower, providing the width of a compact stall (i.e. 7'-6") as part of the DOBI waivers for the Project. This proposed AM reductions will still provide adequate turning radius and circulation area to maneuver in and out of each parking stall and exit back onto the public right-of-way in a forward direction. Strict application of the applicable development standards creates an unnecessary, involuntarily-created hardship due to the size of the site and the special needs of the Project for access and structural integrity. Strict compliance with the development standard would result in the loss of a significant number of parking stalls and associated floor area, or the excavation of additional parking levels, which would create unnecessary, involuntarily-created hardship and impractical development.

**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 proposed modification will allow for all of the tandem parking stalls to have a reduced width and for a reduced backup/drive aisle, not to exceed a maximum of 10% reduction from the Zoning Code requirements, with the exceptions requested under the DOBI. The modifications will be internal to the site and the parking will be managed in accordance with a parking operations management plan that will be subject to approval by the Director. This will ensure the parking is operated in a manner that is not detrimental or injurious to property or improvements in the vicinity. Further, this minimal reduction will allow for the provision of additional stalls within a smaller site footprint, and facilitate the provision of the commercial component to support the provision of affordable housing as part of the Project. The proposed development Project will comply with all other applicable Zoning Code standards. Therefore, the requested Administrative modification will not be detrimental or injurious to property or improvements in the vicinity and in the same zoning district.

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

The General Plan Land Use designation for the site is General Corridor, which is intended to allow for a range of small- to medium-scale commercial uses, with an emphasis on community-serving retail, and is intended to support medium-density housing opportunities.

1 The designation is characterized by areas with a two- to three-story height limit, and areas  
2 with up to a 56-foot height limit. The proposed AM will not create an operation inconsistent  
3 with this goal. By allowing the adjustments to parking stall and backup/aisle dimensions,  
4 the Project can be implemented with the proposed components as intended by the General  
5 Plan land use designation. In addition, the overall development will further Objective 5 of  
6 the Land Use Element, which calls the City to encourage new business opportunities that  
7 expand the City's economic base and serve the needs of the City's residential and business  
8 community; as well as Objectives 2 and 3 of the Housing Element which promote the  
9 increase of the housing supply and housing affordability. The proposed Project meets all  
10 other applicable Zoning Code requirements or applicable allowances, including Section  
11 17.550, which allows an increase or reduction of specified development standards by 10%  
12 or less of the required standard.

### **Density and Other Bonus Incentives**

10 As outlined in CCMC Section 17.580.020, the following required findings for a Density and  
11 Other Bonus Incentives are hereby made:

#### **A. The project would be compatible with the purpose and intent of the General Plan and the provisions of this Title.**

13 The Project is compatible and consistent with the General Plan's General Corridor Land  
14 Use designation, which emphasizes community-serving retail and is intended to support  
15 medium density housing opportunities. The Project is also consistent with the goals of the  
16 General Plan, specifically, Objective 2 of the Land Use Element, which calls for the retention  
17 and creation of housing throughout the City and the encouragement of multiple-family  
18 housing opportunities within neighborhoods designated for this development type. The  
19 Project is also consistent with Objectives 5 and 6 of the Land Use Element, which calls for  
20 the encouragement of new business opportunities that expand the City's economic base  
21 and serve the needs of the City's residential and business community, and for the  
22 revitalization of the physical character and economic well-being of the City's commercial  
23 corridors. In addition, the Project is consistent with Objective 23, which calls for the  
24 enhancement of residential and business uses within the Eastern sub-Area. Based on  
25 review of the preliminary development plans, the proposed residential development is not  
26 anticipated to result in any significant impacts on surrounding uses or to be inconsistent  
27 with the goals of the General Plan. Furthermore, the addition of twelve (12) net units,  
28 including three (3) affordable units, will count toward meeting the Regional Housing Needs  
29 Assessment (RHNA) allocation for Culver City, and will be consistent with Objective 2 of  
the Housing Element, which encourages opportunities for developing a variety of housing  
types while protecting the character and stability of existing neighborhoods. The granting  
of a density increase and other concessions and waivers from CCMC requirements (i.e.  
setbacks, height, parking dimensions) is consistent with Land Use Element Policy 3.A and  
Housing Element Policy 3A that call for providing incentives for the development of new  
affordable housing consistent with State Density Bonus Law. The Project is consistent with  
Housing Element Policy 3.B which calls for support of affordable housing development by  
private developers. The Project is consistent with General Plan Housing Element Measure  
4.A., which calls for the City to work with developers who wish to process DOBI applications.

The density increase from 35 to 65 dwelling units per acre is consistent with the Zoning Code provisions for Mixed Use and the City Council adopted Community Benefit Incentive Program. The developer is providing two (2) additional affordable units as a community benefit in return for increased density. Further, the density increase resulting in one (1) low income affordable dwelling unit is consistent with state and local laws and policies as noted above. These density increases are consistent with expected thresholds of development and build-out projections as delineated in the General Plan Land Use Element.

**B. The project 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 site provides adequate onsite circulation and parking in compliance with all Zoning Code requirements, modification allowances, and State Density Bonus Law requirements, and will not produce any vehicular or pedestrian hazards. No off-site circulation hazards are presented by the proposed Project since access points are designed to ensure elimination of conflicts between vehicles entering the surface parking and vehicles entering the subterranean parking. Adequate walkways and assure pedestrian and ADA access that is separated from the vehicular access points. Accordingly, the use and enjoyment of neighboring development is not negatively impacted or interfered with, as the Project conforms with applicable standards and is appropriately conditioned.

Proposed setback reductions, height increase and parking dimension reductions will not be detrimental to the public interest, health, safety, and general welfare because such relief from code requirements is allowed under State Density Bonus Law and results in three (3) affordable housing units, including one (1) low income unit, which is needed in the area. Further, massing of the Project, with the alternating asymmetrical front-facing balconies and build out to property lines at the front, sides, and rear is oriented towards the corridor and the TOD station to the east. The proposed height limit and setbacks are consistent with Commercial General development standards for commercial buildings, and is well-articulated by material changes, and balconies, while additional ground floor amenities enhance and activate the pedestrian environment. The site provides adequate onsite vehicular and pedestrian access, circulation and parking in compliance with all zoning code requirements, or exception allowances, and will not produce any vehicular or pedestrian hazards. The proposed building complies with applicable Zoning Code requirements, including the standards of the CG Zone and Mixed Use Ordinance, with the exceptions provided for by the AM and DOBI provisions. Therefore, the Project will not be detrimental to the public interest, health, safety, or general welfare, or injurious to persons, property, or improvements in the vicinity.

The conditions of approval and compliance with all CCMC requirements and other City standards and guidelines will ensure that the proposed Project will not be a detriment to the public interest, health, safety, or general welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located. The use of both Community Benefits and State Density Bonus Law density increases will compliment any future proposed mixed use projects in nearby commercial properties that may seek to

1 increase their density in a similar fashion. Further, by increasing housing density on the  
2 site and providing three affordable housing units, the Project will serve the best interest of  
the public health, and general welfare.

3 **C. The number of dwellings can be accommodated by existing and planned**  
4 **infrastructure capacities.**

5 The site is located in an existing urbanized neighborhood, within the TOD district, and along  
6 a primary artery between two (2) major corridors. Therefore, public facilities to the site are  
7 currently existing and will be upgraded, augmented, and/or replaced as needed. City review  
8 of the Project did not determine that upgrades to the existing facilities could not be achieved.  
9 Further, the existing and proposed public service facilities necessary to accommodate the  
10 Project such as: the width and pavement of the adjoining streets, traffic control devices,  
11 sewers, storm drains, sidewalks, street lights, proposed street trees, 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. Finally, the Project will  
result in upgrades to the abutting street (e.g. sidewalk, curb, gutter) as specified by the  
Public Works Department.

12 **D. Adequate evidence exists to ensure that the development of the property would**  
13 **result in the provision of affordable housing in a manner consistent with Cal. Gov't**  
14 **Code § 65915, or as may be amended, and the purpose and intent of this Title.**

15 The Project's base density per the Zoning Code after community benefits as allowed under  
16 Mixed Use standards is twelve (12) units. Based on State Density Bonus Law, the applicant  
17 is requesting a 20% density increase in return for reservation of at least 10% of the total  
18 base density units for low income households. The Project proposes a density increase of  
19 2 units for a total of 12 units. Ten percent of the base 10 units will be made affordable to  
20 low income households or individuals. This equates to 10% X 10 = 1 unit. Two (2) additional  
21 affordable units are provided as a community benefit. The Project will result in 12 units with  
22 one (1) of those units covenanted for 55 years for low income individuals or households.  
The covenant requiring affordability for 55 years will be a Project condition. The additional  
affordable (moderate income and workforce) housing units provided as a Community  
Benefit will also have a 55-year affordability term requirement, as specified in the  
Disposition and Development Agreement. Adequate evidence exists to ensure that the  
development of the property would result in the provision of affordable housing in a manner  
consistent with Government Code, Section 65915.

23 **E. There are sufficient provisions to guarantee that the designated dwelling units would**  
24 **remain affordable in the future.**

25 The Project will result in 12 units with one of those covenanted for 55 years for low income  
26 individuals or households. The additional affordable (moderate income and workforce)  
27 housing units provided as a Community Benefit, will also have a covenanted 55-year  
28 affordability term requirement, as per the associated DDA. The covenant requiring  
29 affordability for 55 years will be a Project condition and will be administered by the City's  
Housing Authority to ensure compliance with State affordable housing law including  
residents of these units meeting low income criteria.

## **Zoning Code Map Amendment**

As outlined in CCMC Section 17.620.030.A, the following required findings for a 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, in the case of a Zoning Code amendment, will not create any inconsistencies with this Title.**

The existing General Plan Land Use designation is General Corridor for both parcels and the surrounding neighborhood. The existing Zoning designation is Industrial General (IG) for both parcels. The proposed amendment will change the Zoning designation for the entire Project site to Commercial General (CG). The proposed amendment will serve the purpose of creating consistency between the General Plan Land Use designation and the Zoning Code Map designation. The amendment will also aid in the implementation of the proposed development Project, which follows the standards and requirements applicable to the CG Zone and the existing General Plan Land Use designation, including residential uses, which are not allowed in the current IG Zone. The proposed amendment and development Project will be consistent with site's General Plan Land Use designation of General Corridor, which is intended to allow a range of small to medium-scale commercial uses, with an emphasis on community serving retail, and to support medium-density housing opportunities. The designation is characterized by areas with a two- to three-story height limit, recognizing its proximity to residential neighborhoods, and other areas with up to a 56-foot height limit. The Land Use Element further indicates commercial designations are established to support desirable existing and future commercial uses, and also to address urban design and revitalization.

The proposed development achieves the intent of the General Plan designation by creating a well-designed development that augments and expands upon the TOD district and TOD developments in the surrounding area. In addition, the overall development will further Objective 5 of the Land Use Element, which proposes to encourage new business opportunities that expand the City's economic base and serve the needs of the City's residential and business community. The Project will also implement Objective 6, which calls for the revitalization of the physical character and economic well-being of the City's commercial corridors, including the implementation of streetscape improvements. Based on review of the preliminary development plans, the proposed Project is not anticipated to result in any significant impacts on surrounding uses or to be inconsistent with the goals of the General Plan and ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and the Zoning Code.

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

The proposed Zoning Code Map Amendment will serve to allow the development of the mixed-use Project, while creating consistency between the zoning and general plan land

1 use designations. The CG Zone designation will allow the implementation of development  
2 standards and uses envisioned by the General Plan, and the creation of a mixed-use  
3 development that will further the ongoing revitalization occurring in the TOD district,  
4 encourage new business, activate pedestrian activity, and complement existing  
5 development in this neighborhood within City. Business and commercial opportunities add  
6 to the economic vitality that serves the community and protects the quality of life, and when  
7 combined with residential promotes the minimization of reliance on private automobiles.  
8 The Project design will aid in the creation of a pedestrian friendly environment. The  
9 proposed development and uses are no different than those that are allowed under the  
10 current General Plan Land Use designation. The proposed map amendment has been  
11 reviewed by City Departments to ensure compliance with all relevant City standards, codes  
12 and policies, and Project conditions of approval have been incorporated to ensure  
13 compatibility with surrounding development. Therefore, the proposed map amendments  
14 will not be detrimental to the public interest, health, safety, convenience or welfare of the  
15 City.

16  
17 **3. The proposed amendment is in compliance with the provisions of the California**  
18 **Environmental Quality Act (CEQA).**

19 The proposed Zoning Code Map Amendment and General Plan Map Amendment is in  
20 compliance with CEQA as more fully detailed in the Project's environmental documentation,  
21 including the Class 32 Technical Memo and related Project studies. As detailed in the  
22 memo and supporting documents, there are no potential impacts, including air quality,  
23 traffic, and cultural resources. In accordance with CEQA, the environmental documentation  
24 was prepared and made available for review.

25 As outlined in CCMC Section 17.620.030.B, the following additional required finding for a  
26 Zoning Code Map Amendment is hereby made:

27 **4. The site(s) is physically suitable (including access, provision of utilities,**  
28 **compatibility with adjoining land uses and absence of physical constraints) for the**  
29 **requested zoning designation(s) and anticipated land use development.**

The proposed mixed-use development consists of a total of 6,820 square feet of commercial  
floor area for retail and office uses, twelve (12) residential dwelling units, a subterranean  
parking garage containing nineteen (19) parking stalls, and associated site improvements.  
The Project Site is comprised of two (2) parcels totaling 6,108 square feet (0.14 acres),  
rectangular and generally flat in topography. It is located along a designated primary artery  
(per the Circulation Element) between two major corridors (Washington Boulevard and  
Venice Boulevard), within the TOD district and urbanized area. The site is surrounded by  
commercial and light industrial uses, as well as other mixed-use development; the closest  
residential neighborhood south of Washington Boulevard. The Project will result in the  
redevelopment of an underutilized site, with uses consistent with the General Plan and  
proposed Zoning, and compatible with existing transit-oriented development. Specifically,  
the current General Plan land use designation would allow the proposed commercial and  
residential uses. Access (pedestrian and vehicular) is provided from pathways and

1 driveways meeting the minimum Zoning Code standards, from the various public right-of-  
2 ways surrounding the site, including public alleys and Robertson Boulevard. Existing  
3 utilities will be removed and new utilities will be provided in a manner and location that will  
4 accommodate the anticipated land use development. As rectangular and flat land, the site  
5 is absent of constraints for development. The Project is designed to meet the Zoning Code  
6 development standards, with exceptions under allowable provisions, such that it is  
7 compatible with surrounding development. Based on review of the preliminary development  
8 plans, the subject site is suitable for the requested zoning designation and anticipated land  
9 use development.

10  
11 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning  
12 Commission of the City of Culver City, California, hereby (1) adopts a Class 32 Categorical  
13 Exemption, in accordance with the California Environmental Quality Act (CEQA), finding the  
14 Project will not result in significant adverse environmental impacts; (2) approves Site Plan  
15 Review P2019-0291-SPR, Administrative Use Permit P2019-0291-AUP, and Administrative  
16 Modification P2019-0291-AM; and (3) recommends to the City Council approval of Density and  
17 Other Bonus Incentives P2019-0291-DOBI and Zoning Code Map Amendment P2019-0291-  
18 ZCMA; subject to the conditions of approval set forth in Exhibit A and the map illustrating the  
19 Zoning Code Amendment (Exhibit B), attached hereto and incorporated herein by this  
20 reference.

21  
22 APPROVED and ADOPTED this 9th day of December, 2020.

23  
24  
25  
26  
27  
28  
29  

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DAVID VONCANNON – CHAIRPERSON  
PLANNING COMMISSION  
CITY OF CULVER CITY, CALIFORNIA

Attested by:

\_\_\_\_\_  
Susan Yun, Senior Planner



EXHIBIT A  
 RESOLUTION NO. 2020-P016  
 Case No. P2019-0291-SPR, AUP, AM, DOBI, ZCMA  
 3727 Robertson Boulevard

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
<b>GENERAL</b>				
1.	These Conditions of Approval are being imposed on a 5-story mixed use development consisting of twelve (12) residential dwelling units above 6,820 square feet of commercial space with subterranean and ground-level parking (the "Project"), for the property located at 3727 Robertson 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.	Current 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.	Current 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 Current Planning Division prior to the expiration of the land use permit.	Current 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.	Current Planning	Standard	
6.	The Project shall be developed pursuant to CCMC Chapter 17.300 – "General Property	Current Planning	Standard	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
<b>GENERAL</b>				
	Development and Use Standards".			
7.	All planted areas on the Property shall be landscaped and irrigated pursuant to CCMC Chapter 17.310 - "Landscaping".	Current Planning	Standard	
8.	All parking areas on the Property shall be developed pursuant to CCMC Chapter 17.320 - "Off-Street Parking and Loading".	Current Planning	Standard	
9.	The subterranean parking driveway entry/exit shall be equipped with mechanisms to alert drivers of incoming/outgoing vehicles, as approved by the Community Development Director and the Mobility and Traffic Engineering Division.	Current Planning	<b>Special</b>	
10.	<p>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>A. Six (6) short-term parking spaces (two (2) for residential and four (4) for commercial), and</p> <p>B. Seven (7) long-term parking spaces (three (3) for residential and four (4) for commercial</p> <p>The long-term spaces shall be provided in individual bike lockers or bike racks in a secure locking enclosure, accessible only to the bicycle owners, and shall be located so they are protected from the weather, easily accessed and are visible to promote usage and enhance security. Any long-term bike parking not located on the ground floor shall be located within 50-ft walking distance of an elevator, and the elevator closest to the bike parking area shall be at least 6 feet in depth to accommodate bicycles.</p> <p>The short-term spaces must be provided on the project site, using three (3) "Inverted - U" bicycle</p>	Public Works	<b>Special</b>	

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<b>GENERAL</b>				
	<p>racks or similar. The short-term bicycle parking spaces shall be provided within 50-ft walking distance of the main pedestrian entrance to the building.</p> <p>Bicycle parking location, layout and equipment shall comply with the City's approved Bicycle and Pedestrian Master Plan Design Guide (except as noted below), and the development plans shall be revised to 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> <p>If an enclosure is constructed to secure long-term bicycle parking, the enclosure shall provide the following interior dimensions: parking area footprint length for each bicycle of 72"; aisles width of 48" between bicycle parking areas; a minimum 30" separation between parallel bicycle racks; and, a minimum 24" separation between the bicycle rack and any adjacent enclosure wall. These requirements are consistent with the Association of Pedestrian and Bicycle Professional (APBP) recommended Bicycle Parking Guidelines, 2nd Edition.</p> <p>The plans submitted for Building Permit shall provide detailed design and location information on the bicycle parking for the project to the Culver City Public Works Department. The development plans submitted for Building Permit shall provide detailed 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>Prior to issuance of any Public Works Department/Engineering Division Permit for the</p>			

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<b>GENERAL</b>				
	<p>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>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>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 any Certificate of Occupancy. All required bicycle parking shall be provided free to any building tenant, tenant employees and/or visitors.</p>			
11.	<p>The Project shall implement the following additional mobility measures:</p> <ul style="list-style-type: none"> <li>• Provision of a minimum of one (1) carshare space</li> <li>• Providing a minimum of three (3) tap cards or twenty (20) percent of the office employees, for a minimum of five (5) years</li> </ul>	Current Planning	<b>Special</b>	
12.	Signs proposed for the Project shall meet all applicable requirements of CCMC Chapter 17.330 - "Signs". All signs require a separate permit and approval.	Current Planning	Standard	
13.	Each dwelling unit shall be equipped with a seismic shutoff valve at all gas connections.	Current Planning	<b>Special</b>	

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
<b>GENERAL</b>				
14.	Each dwelling unit shall be equipped with its own individual water meter.	Current Planning	<b>Special</b>	
15.	All proposed equipment (i.e. gas meters, transformers, access ladders, fire standpipes, water connections, air conditioning units, vents, utility risers, downspouts, rain gutters, and similar equipment) shall conform to applicable setback and height restrictions and shall be screened from public view in accordance with CCMC Section 17.300.035(C). The method of screening must be architecturally integrated with the building in terms of materials, color, shape and size.	Current Planning	<b>Special</b>	
16.	All permits and licenses required in connection with the development or use of the Project shall be applied for and obtained separately.	All	Standard	
17.	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	
18.	All existing driveway approaches which will no longer be necessary due to this project shall be removed and replaced with full height sidewalk, parkway, and curb and gutter. In addition, meters and striping to accommodate two (2) additional on-street parking spaces along the Project frontage, shall be provided as determined feasible by the Public Works Department.	Public Works	<b>Special</b>	
19.	All existing curb and gutter and sidewalk shall be removed and reconstructed along the project's frontage.	Public Works	<b>Special</b>	
20.	The Project shall conduct a 3-inch grind and overlay for the half width of Robertson Boulevard along the project's frontage; asphalt pavement shall be rubberized.	Public Works	<b>Special</b>	

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<b>GENERAL</b>				
<b>21.</b>	An arborist report shall be prepared to address the health of the existing street tree and if it can withstand the shock of the root removal that will take place when the existing curb, gutter, and sidewalk are reconstructed.	Public Works	<b>Special</b>	
<b>22.</b>	This project is subject to the City's Transit Oriented Development (TOD) Area Streetscape Plan. A separate streetscape plan for the public right-of-way shall be submitted to the Engineering Division, Community Development Department, and the City's Landscape Architect for review, approval, and permitting. This plan shall include street trees, tree wells, tree grates, trash/recycling receptacles, planters, bicycle racks, landscape irrigation, and other improvements consistent with the TOD streetscape plan. The streetscape improvements shall be installed along the Project frontage of Robertson Boulevard. 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 that is easily accessible to City staff. The irrigation system shall have a Calsense controller and rain sensor with stainless steel enclosures. 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.	Public Works Current Planning	<b>Special</b>	
<b>23.</b>	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	Public Works	Standard	

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<b>GENERAL</b>				
	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.			
<b>24.</b>	Drainage devices, concrete curbs and gutters, sidewalks, drive approaches, and roadway pavement shall be designed in conformity with all provisions of the latest edition of the American Public Works Association Standard Plans ("APWA Standards").	Public Works	Standard	
<b>25.</b>	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	
<b>26.</b>	<p>Trash enclosures shall be provided and shall each have a minimum inside dimension of 10 feet x 12 feet, automatic roll up doors or swing gates with a minimum clear opening of 10 feet and 6-1/2 feet overhead clearance, and a 6-inch-high by 6-inch-wide concrete curb along the inside perimeter wall, or as directed by Environmental Programs and Operation (EPO) Division Manager or his/her designee. Each enclosure shall also have at least a 6-inch thick concrete slab that drains at a one (1) percent gradient out of the enclosure.</p> <p>Final approval for the size, location, and type of equipment needed for the adequate storage and disposal of all solid and recyclable waste generated by the Project shall be obtained from the City's Environmental Programs and Operations Manager. A fire suppression sprinkler system shall be provided within any covered trash enclosure area as required by the Fire Marshal. All refuse containers assigned to or otherwise used by the Project shall be stored</p>	Public Works/ Fire/ Current Planning	Standard	

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<b>GENERAL</b>				
	on-site in the trash enclosures.  A Trash/Recycling Management Plan (Plan) shall be submitted for review and approval by City's Environmental Programs and Operations Manager that demonstrates adequate trash and recycling capacity and compliance with Assembly Bills 939, 1826, and 341 waste diversion goals.			
27.	All Project related solid and recyclable waste material handling, including for demolition and construction, 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	
28.	The Project shall meet all provisions of CCMC Section 7.05.015 – "Transportation Demand and Trip Reduction Measures".	Trans.	Standard	
29.	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	
30.	The Project shall provide and conform to the following:  A. Fire sprinklers per 2016 NFPA 13/13R requirements and CCMC 9.02, and associated Fire Department Connection (FDC), which shall be located as approved by Fire Marshal, within 150 feet of a public fire hydrant.  B. A new fire hydrant may be required to meet this requirement, if the above distance cannot be achieved.	Fire	<b>Special</b>	



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<b>GENERAL</b>				
	<p>C. A class III standpipe system with 2 1/2" and 1 1/2" reducing outlets located in each stairwell landing and per 100 foot of hose and 30 foot of stream.</p> <p>D. A site plan specifying the square footage and construction type of the buildings to determine fire flow and hydrant location requirements (CFC 903.3).</p> <p>E. Hydrants in a quantity and at the spacing prescribed in the 2016 CFC Appendix B. Please show the location of all hydrants within 300 feet of the property.</p> <p>F. Addresses viewable from the public way.</p> <p>G. Fire sprinkler monitoring and fire alarm system per 2016 NFPA 72. Fire monitoring system shall be separate from the security system.</p> <p>H. Audible visual devices per NFPA 72 public mode. fire control room(s) shall be provided per review and approval of the CCFD. Comply with Ch. 5 of 2016 CFC Emergency Responder Radio Coverage.</p> <p>I. Fire apparatus access roads shall be provided for every facility, building or portion of a building when any portion of the building or exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building (CFC 902.2.1). Additional fire department access is required to reach within 150' of each building.</p> <p>J. A completed CCFD Water Availability Form, signed by the local water agency (CFC 903.2).</p> <p>K. Trash areas shall be protected by fire sprinklers.</p>			

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NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
<b>GENERAL</b>				
	<p>L. Fascia and tops of exterior walls shall be constructed of hard materials able to withstand the weight of firefighters and firefighting equipment. Contact CCFD for requirements.</p> <p>M. Knox Box and/or Knox key switches. Motorized access gates shall have Knox key switch.</p> <p>N. Fire extinguishers, with types, sizes, and locations subject to the approval of the Fire Marshal.</p> <p>O. Concrete surfaces between the street and main entrance for each building shall be paved to allow the rolling of a medical gurney, and any other access for emergency fire and medical personnel.</p> <p>P. Emergency lights and exit lights with self-contained battery backup power.</p> <p>Q. An underground fire protection piping plan is required for the installation of an automatic fire sprinkler system or for a private fire hydrant system. A separate plan submittal is required.</p>			
<b>31.</b>	Any new utilities shall be placed underground or enclosed within the building construction; no new overhead utilities shall be permitted.	Building/ Current Planning	Standard	
<b>32.</b>	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	
<b>33.</b>	The Project shall comply with the all applicable requirements relating to solar photovoltaic requirements as set forth in CCMC Section 15.02.100, et. seq.	Building	Standard	
<b>34.</b>	Provide Accessibility Plan that has been reviewed by a CASp with a letter stating that the	Building	<b>Special</b>	

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<b>GENERAL</b>				
	design is in compliance with the requirements Chapter 11A and 11B (if applicable) of the California Building Code.  Accessible EV charging space shall comply with CALGreen 4.106.4.2.2.			
<b>35.</b>	This project is subject to a DDA with the City to provide three City-controlled at-grade parking spaces and one affordable housing unit	Econ Develop.	<b>Special</b>	
<b>36.</b>	The project shall have a maximum number of 12 dwelling units, 3 of which shall be reserved as affordable (low income, moderate income, and workforce), have height, setbacks and parking consistent with Predevelopment Plans approved by the Planning Commission at the December 9, 2020, Planning Commission Meeting and in accordance with DOBI related density increases, concessions, and waivers.	Current Planning Econ Develop.	<b>Special</b>	
<b>37.</b>	The project shall have a base density of 10 dwelling units per City Council approved Community Benefits and the DOBI related density increase shall be based on the base 10 units City Council approved Disposition and Development Agreement and any subsequent amendments.	Current Planning Econ Develop.	<b>Special</b>	
<b>38.</b>	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”.	Current Planning	<b>Standard</b>	

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<b>PRIOR TO BUILDING PERMIT ISSUANCE</b>				
<b>39.</b>	A covenant and agreement, on a form provided by the Current 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	Current Planning/ City Attorney	Standard	

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	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 Current Planning Division.			
<b>40.</b>	The Applicant and Property Owner shall indemnify, hold harmless and defend (at the Applicant's and Property Owner's sole cost and expense, with legal counsel selected by the City in its sole discretion) the City, its elected and appointed officials, officers, employees, agents, contractors and consultants from and against any and all claims, lawsuits, judgments, liability, injury or damage arising from or in any manner connected to any and all permits or approvals relating to the Project, including without limitation associated and reasonably incurred attorneys' fees and court and litigation costs arising out of the defense of any such claims and/or lawsuits, and actual attorneys' fees and court and litigation costs that may be awarded by the court and required to be paid by the City. 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 Property Owner.	City Attorney	Standard	
<b>41.</b>	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 Current Planning Division for review and approval.	Current Planning/ Parks & Rec.	Standard	
<b>42.</b>	Payment of New Development Impact Fees pursuant to CCMC Section 15.06.005 et. seq. shall be submitted.	Current Planning/ Building	Standard	

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43.	Payment of the applicable City's Sewer Facility Charge shall be submitted.	Public Works	Special	
44.	A Final 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	
45.	A Final 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	
46.	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 and qualifications 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	
47.	A Construction Traffic Management Plan shall be prepared by a traffic or civil engineer registered in the State of California. The	Current Planning/ Public	Standard	

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	<p>Construction Traffic Management Plan shall be submitted to the City Engineer and Current Planning Manager for review and approval prior to the issuance of any Project demolition, grading, or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the City's Fire and Police Departments. The City Engineer and Current Planning Manager reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The Construction Traffic Management Plan shall contain, but not be limited to, the following:</p> <p>A. The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations.</p> <p>B. An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the Property, and maps showing access to and within the Property and to adjacent properties.</p> <p>C. Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan.</p> <p>D. The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas.</p> <p>E. The location and travel routes of off-site staging and parking locations.</p>	Works		
48.	A Standard Urban Stormwater Mitigation Plan	Public	Special	

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	(SUSMP) shall be prepared for the Project, and shall be preceded by the submittal of a preliminary drainage plan that considers the requirements of a preliminary SUSMP.	Works		
49.	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	
50.	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 Current 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/ Current Planning	Standard	
51.	Prior to issuance of a building permit, notice of the Project construction schedule shall be provided to all property owners and occupants within a minimum 100-ft radius. 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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<b>PRIOR TO BUILDING PERMIT ISSUANCE</b>				
52.	Prior to the commencement of any excavation, a 30-Day Notice of Excavation shall be provided to all adjacent property owners and occupants is required.	Building	Special	
53.	A pre-construction coordination meeting shall be held prior to issuance of the building permit, and shall include the on-site field superintendent and City staff.	Building	Special	
54.	The construction contractor shall advise the Public Works inspector of the schedule and shall meet with the inspector prior to commencement of work.	Public Works	Special	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
<b>DURING CONSTRUCTION</b>				
55.	During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers of the Applicant, Property Owner, construction contractor(s), superintendent, and the City, 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 Current Planning Manager and Building Official. The sign will also specify the allowed construction hours and the minimum safety gear mandatory for all staff onsite (i.e. long pants, a shirt with sleeves, closed toe shoes, hardhat, gloves and eye and ear protection as necessary).	Building/ Current Planning	Standard	
56.	The Property shall be maintained daily so that it is free of trash and litter; any graffiti shall be immediately removed.	Building	Standard	
57.	During construction, dust shall be controlled by regular watering or other methods as determined by the Building inspector.	Building	Standard	



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<b>DURING CONSTRUCTION</b>				
<b>58.</b>	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	
<b>59.</b>	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	
<b>60.</b>	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 as determined by the Building Official and Current Planning Manager.	Building/ Current Planning	Standard	
<b>61.</b>	Prior to the commencement of any demolition and/or excavation, a temporary construction fence shall be installed around the site. The height and fence material is subject to approval by the City Engineer, Building Safety Division, and the Current Planning Manager.	Building/ Current Planning/ Public Works	Standard	
<b>62.</b>	Hours of construction shall be limited to the following: 8:00 AM to 8:00 PM Monday through Friday; 9:00 AM to 7:00 PM Saturday; and 10:00 AM to 7:00 PM 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. All construction activity or any activity making any sound shall stop and start within the allowed construction hours. All concrete pours including	Building/ Public Works	Standard	

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	any set-up or staging activities, or any finishing activities, shall start and stop within the allowed construction hours. No radios or music on site. The Culver City Building and Safety Division reserves the right to reduce the allowed construction hours.			
<b>63.</b>	All staging and storage of construction equipment and materials, including the construction dumpster, shall be on-site only. The Applicant/Property Owner shall obtain written permission from adjacent property owners for any construction staging occurring on adjacent property. The Culver City Building Safety Division reserves the right to adjust allowed construction staging areas during the course of the project.	Building/ Public Works	Standard	
<b>64.</b>	<p>Compliance with the following noise standards shall be required with at all times:</p> <p>A. No construction equipment shall be operated without an exhaust muffler, and all such equipment shall have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original equipment;</p> <p>B. All construction equipment shall be properly maintained to minimize noise emissions;</p> <p>C. If any construction vehicles are serviced at a location onsite, the vehicle(s) shall be setback from any street and other property lines so as to maintain the greatest distance from the public right-of-way and from Noise Sensitive Receptors;</p> <p>D. Noise impacts from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) shall be minimized by proper selection of equipment and the installation of acoustical shielding as</p>	Building/ Current Planning	Standard	

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	<p>approved by the Current 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>			
65.	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/ Current Planning	Standard	
66.	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	
67.	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	
68.	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	Building/ Public Works	Standard	

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	shall be of sufficient length to accommodate large trucks without being unduly disruptive to traffic operations. The drivers of these trucks shall be in radio or phone communication with on-site personnel who shall advise the drivers when to proceed from the staging location to the Property. Construction-related vehicles shall not be permitted to park on public streets.			
<b>69.</b>	All trucks and construction-related vehicles driving to the job-site shall obtain Culver City haul route permits from the Culver City Public Works Department, Engineering Division.	Building/ Public Works	<b>Special</b>	

NO.	CONDITIONS OF APPROVAL	Agency	Source	Compliance Verification
<b>PRIOR TO CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION</b>				
<b>70.</b>	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 December 5, 2019 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	
<b>71.</b>	All requirements of the City's Residential Development Park Dedication and In Lieu Parkland Fees, as set forth in CCMC Section 15.06.300, et. seq., shall be fully satisfied prior to the issuance of a certificate of occupancy; provided, that if such requirements will be satisfied by the payment of the in-lieu parkland fee, the same shall be paid prior to the issuance of a building permit.	Current Planning/ Parks	Standard	
<b>72.</b>	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;	Cultural Affairs	Standard	

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	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.			
<b>73.</b>	The Project shall pay it's fair-share towards the restriping of Higuera Street, based on number of projects as determined by the Public Works Department.	Public Works	<b>Special</b>	
<b>74.</b>	The Project shall dedicate the front ten (10) feet of the subject site, for future street widening along the project's frontage on Robertson Boulevard.  All elements along the building frontage (e.g. outdoor dining, landscaping, and bicycle parking) that are within the required 10-foot dedication, are subject to removal in the future, and any required improvements (e.g. bicycle parking) will need to be accommodated elsewhere within the site at that time.	Public Works	<b>Special</b>	
<b>75.</b>	A covenant and agreement, on a form provided by the Current Planning Division and in form and substance acceptable to the City Attorney, which ties the two (2) parcels into one (1), 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 Current Planning Division	Current Planning	<b>Special</b>	
<b>76.</b>	A covenant and agreement, on a form provided by the Current Planning Division and in form and substance acceptable to the City Attorney, reserving for a period of 55 years commencing with the first day being the date of recordation with the County of Los Angeles, three (3) units within the development for individuals or families or households meeting the income levels as	Current Planning	<b>Special</b>	

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	established by the State of California and the County of Los Angeles, with rent levels complying with Federal, State, County, and Culver City affordable housing criteria for one (1) low income, one (1) moderate income, and one (1) workforce, 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 and the Housing Authority. The 55-year requirement shall remain in place even if the project is modified from a rental project to a for-sale project in the future.			
77.	The Housing Authority shall create a process which the applicant shall abide by for selection of renters (or purchasers) for the three (3) affordable units. The Housing Authority shall confirm eligibility of all selected applicants.	Current Planning/ Housing Authority	<b>Special</b>	
78.	A covenant and agreement, on a form provided by the Current Planning Division and in form and substance acceptable to the City Attorney, acknowledging within a mixed use development, and shall include statements that the occupant(s) understand(s) and accept(s) he/she is living in a mixed use development and that commercial activities are permitted pursuant to the regulations of the CCMC, 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 Current Planning Division.  Such acknowledgement shall also be included in	Current Planning	<b>Special</b>	

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	any rental lease/agreement for the residential dwellings.			
<b>79.</b>	A parking operations management plan shall be submitted for review and approval by the Director, outlining the proposed operations, assignment, and management of the proposed tandem parking. Tandem pairs of off-street parking shall be assigned to employees in a manner that maximizes the availability of un-blocked stalls for visitors, and an attendant may be required if deemed necessary by the Director. The parking management plan shall be updated as necessary should additional or different tenants or uses be approved to occupy the site.	Current Planning	<b>Special</b>	
<b>80.</b>	<p>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, Current 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:</p> <p>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</p> <p>B. One set of as-built plans as described above in a digital format compatible with the City's computer system.</p>	All	Standard	



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<b>ON-GOING</b>				
81.	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 December 9, 2020, excepted as modified by these Conditions of Approval.	Current Planning	Standard	
82.	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	
83.	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, Current 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	
84.	The Project shall comply will all requirements set forth in CCMC Subchapter 9.11.200, et seq., relating to the regulation of smoking in multi-unit housing, including, but not limited to, the following:  A. All dwelling units of a multi-unit residential	City Attorney	Special	



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	<p>property (containing two or more units) shall be designated nonsmoking units.</p> <p>B. Smoking in units, common areas and exclusive-use unenclosed areas shall be prohibited.</p> <p>C. Landlords and HOA Boards are required to provide in their leases and rules, respectively, the following terms related to nonsmoking:</p> <ul style="list-style-type: none"> <li>i. It is a material breach of the lease and a violation of the HOA rules (if applicable) to allow or engage in smoking in a unit;</li> <li>ii. It is a material breach of the lease, or violation of the HOA rules, as applicable, to engage in smoking in any common area, except in an outdoor designated smoking area, if one has been lawfully established and approved by the City;</li> <li>iii. It is a material breach of the lease, or violation of the HOA rules, as applicable, to violate any of the smoking laws while anywhere on the property; and</li> <li>iv. Other occupants of the property are express third-party beneficiaries of the provisions of the lease concerning smoking (for leases only).</li> </ul> <p>Smoking includes the smoking of tobacco, marijuana or any other weed or plant, but excludes e-cigarettes, incense and wood burning.</p> <p>The foregoing is not an exclusive list of requirements and the Project is subject to each and every provision set forth in CCMC Subchapter 9.11.200, et seq.</p>			

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<b>85.</b>	All graffiti shall be removed from the Property within 48 hours of its application.	Building/ Current Planning/ Public Works	Standard	
<b>86.</b>	The Property Owner shall maintain all street trees along the property frontage at his/her sole cost and expense.	Public Works	Standard	

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