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CITY PLANNING**

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Decision Date: February 1, 2017

Appeal Period Ends: February 10, 2017

Low Enterprise Real Estate Group (A) RE:
11777 San Vicente Boulevard,
Suite 900
Los Angeles, CA 90049

Vesting Tentative Tract Map No. 73977
Address(s): 8900-8946 West Venice Boulevard
Planning Area: Palms - Mar Vista - Del Rey
Zone : (T)(Q)M1-2D
D. M. : 120B169
C. D. : 5
CEQA : ENV-2015-4479-EAF

**Los Angeles County Metropolitan
Authority (O)**
Attn: Velma Marshall
One Gateway Plaza - 18th Floor
(Mail Stop 99-18-4)
Los Angeles, CA 90012

**Successor Agency to the Culver City
Redevelopment Agency (O)**
9770 Culver Boulevard
Culver City, CA 90232

The City of Culver City (O)
**Attn: Sol Blumenfeld, Community
Development Director**
9770 Culver Boulevard
Culver City, CA 90232

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633 West 5th Street, 32nd Floor
Los Angeles, CA 90071

Thomas Iacobellis (E)
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11145 Tampa Avenue, #158
Northridge, CA 91326

In accordance with provisions of Section 17.15 of the LAMC, the Advisory Agency approved Vesting Tentative Tract Map No. 73977 for the merger of Exposition Boulevard and re-subdivision of 22 lots into two (2) ground lots, six (6) air space lots and one (1) lot for Culver City Metro Station, located at 8900-8946 West Venice Boulevard, as shown on maps stamp-dated October 7, 2016 (for Sheets 2 and 3) and stamp-dated January 21, 2016 (for Sheets 1 and 4), in the Palms - Mar Vista - Del Rey Community Plan. (Verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That the City Department of Transportation in a letter to City Engineer shall determine that the merger area is not necessary for future Public Street.
2. That Department of the City Planning also determine that the proposed merger area is in consistence with all applicable General Plan Elements of Highway and Circulation Elements for LA Mobility Plan.
3. In the event that Department of Transportation has no objection to the street merger then portion of the Exposition Boulevard within the City of Los Angeles jurisdiction and as shown on the revised map stamp dated October 7, 2016 be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.
4. That the subdivider submit a letter issued by the City Of Culver City stating that the Culver City has no objection to the Exposition Boulevard portion within the City of Los Angeles being merged.
5. That any surcharge fee in conjunction with the street merger request be paid.
6. That a 13-foot wide strip of land be dedicated along National Boulevard adjoining the tract to complete a 53-foot wide half right-of-way. No 15-foot by 15-foot property line corner cut dedication at the intersection of Venice and National Boulevards shall be required.
7. No dedication along Robertson Boulevard, including any cut corner dedication at the intersection of Venice and Robertson Boulevards, shall be required.

8. That no portions of the proposed lots including airspace lots shall encroach above or below the existing or proposed public right-of-ways on the final map.
9. That a set of drawings for airspace lots be submitted to the City Engineer showing the followings:
 - a. Plan view at different elevations.
 - b. Isometric views.
 - c. Elevation views.
 - d. Section cuts at all locations where air space lot boundaries change.
10. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.
11. Proposed Lot No.3 appears to be under different ownership. Final map shall be signed by all title owners at the time of final map recordation stage.
12. That any fee deficit under Work Order No. EXT00656 expediting this project be paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

13. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated April 15, 2016, Log No. 91582 and attached to the case file for Vesting Tract No. 73977.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

14. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
15. Provide a copy of affidavit AF-89-1085707-LT, AFF-21129, AFF-32846, AFF-35546, AFF-65401, OB-15063, PKG-3532 and PKG-3533. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
16. Provide a copy of the case PM-5735. Show compliance with all the conditions/requirements of the case as applicable.

17. Provide a copy of CPC case CPC-2013-621-ZC-GPA-SP and CPC-2015-4478-GPA-ZC-HD-CU-CUB-ZAD-SPR. Show compliance with all the conditions/requirements of the CPC case(s) as applicable.
18. Zone Change must be recorded prior to obtaining Zoning clearance.
19. Obtain Bureau of Engineering approval for the proposed street merger.
20. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.
21. Provide and record a Covenant and Agreement (affidavit) regarding Maintenance of Building on Air Space Lots. Provide Metes and Bounds to establish and identify the boundaries of the parcel with the correct legal description.
22. Provide Approval Letter from City of Culver for removal of parking stalls and proposed construction within the portions of Lot within the jurisdiction of Culver City.

DEPARTMENT OF TRANSPORTATION

23. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively or to the satisfaction of the Department of Transportation.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. This determination does not include approval of the project's driveways and internal circulation or parking scheme. Adverse traffic impacts could occur due to access and circulation issues. A parking area and driveway plan be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Ave., Los Angeles, 90045.

FIRE DEPARTMENT

24. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Access for Fire Department apparatus and personnel to and into all structures shall be required.

- b. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- c. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- d. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- e. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- f. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- g. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

HELIPADS ON HIGHRISE BUILDINGS

- h. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing pads are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing pad.
- i. Each standpipe in a new high-rise building shall be provided with two remotely located FDC's for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- j. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

SECTION 510 - EMERGENCY RESPONDER RADIO COVERAGE

- k. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- l. The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include

clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6504. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF WATER AND POWER

25. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

BUREAU OF STREET LIGHTING

26. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

27. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

28. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8379.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

29. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Replacement by a minimum of 24-inch box trees in the parkway and on the site of the existing trees to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. **Note:** Removal of all trees in

the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

30. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- a. Limit the proposed development to a maximum of two (2) ground lots, six (6) air space lots and one (1) lot for Culver City Metro Station and a total of 238,509 square feet of commercial office, restaurant and retail uses. The subdivision includes the merger of Exposition Boulevard.
 - b. Provide off-street parking in conformance with L.A.M.C. Section 12.21-A,4.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
 - g. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
31. That prior to the issuance of the building permit or the recordation of the final map, a copy of the approval for Case No. CPC-2015-4478-GPA-ZC-HD-CU-CUB-ZAD-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. CPC-2015-4478-GPA-ZC-HD-CU-CUB-ZAD-SPR is not approved, the subdivider shall submit a tract modification.
32. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

33. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code § 7060, et seq.) and §§ 151.22-151.28 of the Los Angeles Municipal code.
34. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any

obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

35. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 36 and 37 of the Tract’s approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
36. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - MM-1. All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.
 - MM-2. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
 - MM-3. The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

MM-4. Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use. Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer.

MM-5. The Applicant shall be responsible for the implementation of mitigation to reduce impacts to migratory and/or nesting bird species to below a level of significance through one of two ways. Vegetation removal activities shall be scheduled outside the nesting season which runs from February 15 to August 31 to avoid potential impacts to nesting birds. This would insure that no active nests are disturbed.

Any construction activities that occur during the nesting season shall require that all suitable habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist, retained by the Applicant as approved by the City of Culver City, before commencement of clearing and prior to grading permit issuance. The survey shall be conducted within 72 hours prior to the start of construction. A copy of the pre-construction survey shall be submitted to the City. If any active nests are detected, a buffer of at least 300 feet (500 feet for raptors) shall be delineated, flagged, and avoided until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive.

If the biologist determines that a narrower buffer between the project activities and observed active nests is warranted, he/she should submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the project activities and the nest and foraging areas) to the City of Culver City and, upon request, the California Department of Fish and Wildlife Service. Based on the submitted information, the City of Culver City (and the Department, if the Department requests) shall determine whether to allow a narrower buffer.

MM-6. Removal of trees in the public right-of-way requires approval by the Board of Public Works. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077). The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

MM-7. The Applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards to oversee an archaeological monitor who shall be present during construction excavations

such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the project. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (younger alluvium vs. older alluvium), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Monitoring may be adjusted, or ceased entirely, as determined appropriate by the archaeological monitor.

- MM-8. In the event that archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified archaeologist. The Applicant shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. In preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.
- MM-9. The archaeological monitor shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources. The report and the Site Forms shall be submitted by the Applicant to Culver City, the City of Los Angeles, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.
- MM-10. A qualified Paleontologist shall be retained to develop and implement a paleontological monitoring program for construction excavations that would encounter older Quaternary alluvium. The Paleontologist shall attend a pre-grading/excavation meeting to discuss a paleontological monitoring program. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified Paleontologist shall supervise a paleontological monitor who shall be present at such times as required by the Paleontologist during construction excavations into older Quaternary alluvium. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be determined by the Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of

excavation, and if found, the abundance and type of fossils encountered. Full-time monitoring can be reduced to part-time inspections, or ceased entirely, if determined adequate by the paleontological monitor.

- MM-11. If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing and evaluation. If preservation in place is not feasible, the paleontologist shall implement a paleontological salvage program to remove the resources from the project site. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school.
- MM-12. The paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Applicant to the lead agency and the Natural History Museum of Los Angeles County, and other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.
- MM-13. If human remains are encountered unexpectedly during implementation of the project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the land owner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the land owner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development

activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

MM-14. Site-specific structural and seismic design parameters and recommendations for foundations, retaining walls/shoring, and excavation shall be implemented per the project's Final Geotechnical Engineering Investigation, subject to review and approval by Culver City Building Safety Division and/or Los Angeles Department of Building and Safety, as necessary.

MM-15. The applicant shall provide a staked signage at the site with a minimum of three-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

MM-16. A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.

"Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.

"Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.

Movement and removal of approved fencing shall not occur without prior approval by LADBS.

MM-17. Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable.

MM-18. Prior to the issuance of a use of land or building permit, or issuance of a change of occupancy, the applicant shall obtain approval from the Fire Department and

the Department of Public Works, for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s).

Approved plans for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s) shall be submitted to the decision-maker for retention in the case file.

- MM-19. If the LARWQCB issues a case closure determination upon completion of the work outlined in the Draft Workplan for impacted soils at the 8801 Washington Boulevard site in accordance with Low Threat Case Closure Criteria, a Soils Management Plan (SMP) shall be prepared if to address the proper handling of soils that contain hydrocarbons at levels below the case closure criteria during construction activities. The SMP shall include procedures for handling, transportation, disposal, onsite controls, and Personal Protective Equipment (PPE) requirements for contractors. Soil that would be excavated in order to construct the underground parking shall be monitored in accordance with the SMP as well as regulations of the South Coast Air Quality Management District (SCAQMD). Impacted soil, if encountered, shall be segregated into stockpiles, which would be transported to an offsite facility for proper disposal. The stockpile(s) shall be tested in accordance with the requirements of the disposal facility.
- MM-20. If the LARWQCB determines that the subsurface soils characterization results of the Draft Workplan for impacted soils at the 8801 Washington Boulevard site do not meet the Low Threat Case Closure Criteria, the project applicant shall prepare a Soil Remediation Plan for review and approval by the LARWQCB. The plan would include measures to remove and/or treat/remediate the impacted soils to a level determined acceptable per applicable regulatory standards, under supervision of a certified environmental consultant licensed to oversee such remediation. Upon completion of the Soil Remediation Plan, the project applicant shall contact the LARWQCB to obtain a closure letter that states no further soils testing or remediation is required on the project site.
- MM-21. Prior to the issuance of any permit for the demolition or alteration of the existing on-site buildings, a comprehensive asbestos-containing materials (ACMs) survey of the buildings shall be performed. If no ACMs are found, the Applicant shall provide a letter to the Culver City Building Safety Division and/or Los Angeles Department of Building and Safety, as necessary, from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACMs) are present in the on-site buildings. If ACMs are found to be present, they shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- MM-22. Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a comprehensive lead-based paint (LBP) materials survey shall be performed to the written satisfaction of the Culver City Building Safety Division and/or Los Angeles Department of Building and Safety, as necessary. Should LBP materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

- MM-23. If dewatering activities occur on-site during future redevelopment, samples shall be obtained from the water and analyzed for volatile organic compounds (VOCs) and oxygenates to ensure that they do not exceed applicable discharge requirements. Should the samples exceed VOC, oxygenates or any other applicable discharge requirement, a dewatering plan shall be prepared by the Project Applicant for submittal to the Los Angeles Regional Water Quality Control Board (LARWQCB) and other appropriate agencies determined appropriate in consultation with the LARWQCB for review and approval. The plan shall include but not be limited to sampling of groundwater that may be contaminated; and treatment and disposal of contaminated groundwater in compliance with applicable regulatory requirements. Written verification from the LARWQCB of approval of a dewatering plan completion shall be submitted to the City of Culver City Department of Planning and Public Works prior to issuance of grading permit.
- MM-24. An acoustical analysis of the architectural plans of the proposed buildings shall be prepared by a qualified acoustical engineer, prior to issuance of building permits, to ensure that the building construction (i.e., exterior wall, window, and door) would provide adequate sound insulation to meet the acceptable interior noise level of 45 dBA CNEL.
- MM-25. Construction Traffic Management Plan – A Construction Traffic Management Plan shall be developed by the project contractor in consultation with the project's traffic and/or civil engineer and approved by the City of Culver City City Engineer and Planning Manager and the City of Los Angeles Department of Public Works prior to issuance of any project demolition, grading or excavation permit. The Construction Traffic Management Plan shall also be reviewed and approved by the Cities Fire and Police Departments. The Culver City City Engineer and Planning Manager reserve the right to reject any engineer at any time and to require that the Plan be prepared by a different engineer. The construction management plan shall include, at minimum, the following:
- The name and telephone number of a contact person who can be reached 24 hours a day regarding construction traffic complaints or emergency situations;
 - An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the site, and maps showing access to and within the site and to adjacent properties;
 - Procedures for the training and certification of the flag persons used in implementation of the Construction Traffic Management Plan;
 - The location, times, and estimated duration of any roadway closures, traffic detours, use of protective devices, warning signs, and staging or queuing areas;

- Identify the locations of the off-site truck parking and staging and provide measures to ensure that trucks use the specified haul route, and do not travel through nearby residential neighborhoods or schools;
 - Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on surrounding streets;
 - Establish requirements for loading/unloading and storage of materials on the project site;
 - During construction activities when construction worker parking cannot be accommodated on the project site, a Construction Worker Parking Plan shall be prepared which identifies alternate parking location(s) for construction workers and the method of transportation to and from the project site (if beyond walking distance) for approval by Culver City and the City of Los Angeles. The Construction Worker Parking Plan shall prohibit construction worker parking on residential streets and prohibit on-street parking, except as approved by Culver City and the City of Los Angeles.
- MM-26. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-27. Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
- MM-28. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
- MM-29. Robertson Boulevard at National Boulevard Intersection. Re-stripe the eastbound approach to provide two left-turn, one through and one through-right lane per consultation with and approval by LADOT and Culver City. Should improvement be deemed infeasible by LADOT and/or Culver City, the City(s) shall substitute an alternative measure of equivalent effectiveness.

- MM-30. National Boulevard at Venice Boulevard Intersection. Re-stripe the northbound approach to provide two left-turn, two through and one right-turn lanes per consultation with and approval by LADOT and Culver City. Provide minor striping re-alignment for the north leg of National Boulevard if required per the direction of LADOT and Culver City. Should improvement be deemed infeasible by LADOT and/or Culver City, the City(s) shall substitute an alternative measure of equivalent effectiveness.
- MM-31. National Boulevard. Install a traffic signal at the project's main driveway on National Boulevard between Venice Boulevard and Washington Boulevard, and provide traffic signal interconnection to adjacent traffic signals to the satisfaction of Culver City. A southbound right turn lane shall be installed along National Boulevard at the intersection of Washington/National and at the Main Project Driveway/National.
- MM-32. The developer and contractors shall maintain ongoing contact with administrator of Hamilton High School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- MM-33. LADBS shall assign specific haul route hours of operation based upon Hamilton High School hours of operation. Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
- MM-34. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
- Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
- MM-35. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
- MM-36. Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.

Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.

Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.

Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

MM-37. The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

MM-38. Install/retrofit high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.

Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.

Install/retrofit and utilize only restroom faucets of a self-closing design.

Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.).

37. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
 - c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
- CM-2. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-9. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

DEPARTMENT OF CITY PLANNING - STANDARD COMMERCIAL CONDOMINIUM CONDITIONS

- CC-1. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- CC-2. In order to expedite the development, the applicant may apply for a building permit for a commercial/industrial building. However, prior to issuance of a building permit for a commercial/industrial building, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for a commercial/industrial building will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a commercial/industrial building and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with LAMC Section 64.11.2.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.

- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That one-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any one-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15 percent.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) No street lighting is required.
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to

current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve National Boulevard adjoining the subdivision by the construction of the followings:
 - (1) A concrete curb, a concrete gutter, and a 13-foot concrete sidewalk with tree wells.
 - (2) Suitable surfacing to join the existing pavements and to complete a 40-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvement.
 - (4) The necessary transitions to join the existing improvements.
 - b. Improve Robertson Boulevard adjoining the subdivision by the construction of the followings:
 - (1) Any necessary removal and reconstruction of existing improvement.
 - (2) The necessary transitions to join the existing improvements.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due

to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05-N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features, which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

On March 14, 2016, Culver City adopted a Mitigated Negative Declaration (MND) in junction with its approval of an ordinance approving a Comprehensive Plan, Height Exception and Tentative Tract Map (P2015-0141).

The MND found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character, light, shade/shadow);
- Air Quality (construction, operational);
- Biological Resources (tree removal);
- Cultural Resources (historic, archaeological, paleontological);
- Geology and Soils (construction, seismic, liquefaction);
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials (liquefaction, methane, asbestos);
- Hydrology and Water Quality (stormwater);
- Noise (construction, operational);
- Public Services (fire, police, schools, street improvements);
- Transportation/Circulation (emergency access, West LA TIMP); and
- Utilities (solid waste).

The Deputy Advisory Agency, finds that based on its independent judgment, after consideration of the entire administrative record, that the project was environmentally assessed Mitigated Negative Declaration No. ENV-2015-4479-MND and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 36 and 37 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as earth, animal life and risk of upset are concerned. However, measures required as part of this approval will mitigate the any mentioned impacts to a less than significant level. Furthermore, the project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 35.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, California 90012.

MEASURE JJJ

Vesting Tentative Tract Map No. 73977 was filed on January 21, 2016 as a related case to CPC-2015-4478-GPA-ZC-HD-CU-CUB-ZAD-SPR. Case No. VTT-73977 was deemed complete on March 7, 2016 and was scheduled for an April 26, 2016 joint public hearing (Deputy Advisory Agency and Hearing Officer) with Case No. CPC-2015-4478-GPA-ZC-HD-CU-CUB-ZAD-SPR. Case No. VTT-73977 was subsequently placed on hold due to issues relating to dedication and improvement requirements requested by the Bureau of Engineering. Case No. CPC-2015-4478-GPA-ZC-HD-CU-CUB-ZAD-SPR was subsequently scheduled for a June 9, 2016 City Planning Commission hearing and ultimately adopted by the City Council on October 19, 2016 (Ordinance No. 184,536; effective November 28, 2016).

Furthermore, Case No. VTT-73977 does not involve the construction of any residential dwelling units.

Therefore, in light of the type of development associated with Case No. VTT-73977 and its relationship to Case No. CPC-2015-4478-GPA-ZC-HD-CU-CUB-ZAD-SPR, which was adopted by the City Council on October 19, 2016 and became effective on November 28, 2016 under Ordinance No. 184,536, Case No. VTT-73977 is exempt from the provisions of Measure JJJ.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 73977, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The project site includes a total of approximately 5.53 acres, including 1.38 acres within the City of Los Angeles and 4.15 acres within Culver City. That portion within the City of Los Angeles is presently zoned (T)(Q)M1-1 within the Palms - Mar Vista - Del Rey Community Plan which designates the subject property for Limited Manufacturing land use with the corresponding zones of CM, MR1 and M1 per the General Plan Land Use

Map for the Palms - Mar Vista - Del Rey Community Plan. The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to liquefaction or landslide. The site is not under the jurisdiction of any Specific Plans or Interim Control Ordinances.

Light industrial uses in the [Q]CM and M1 Zones make up the general character of the surrounding neighborhood. The merger of Exposition Boulevard and re-subdivision of 22 lots into two (2) ground lots, six (6) air space lots and one (1) lot for Culver City Metro Station is substantially consistent with the applicable General Plan affecting the project site and demonstrates compliance with Sections 17.06 of the Los Angeles Municipal Code as well as with the intent and purpose of the General Plan, with regard to density and use.

(b) **THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

Pursuant to Section 66418 of the Subdivision Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the "design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05-C of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). The requested map meets the required components of a tentative map.

The design and layout of the tentative map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Department of Building and Safety, Bureau of Engineering, and Bureau of Sanitation) have reviewed the originally-submitted map. Those comments that have been included as conditions of approval. In addition, the project will be required to comply with providing necessary public access to the on-site easements. Therefore, as conditioned, the design and improvement of the proposed subdivision are consistent with the intent and purpose of the applicable General and Specific Plans.

(c) **THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.**

The project site includes a total of approximately 5.53 acres, including 1.38 acres within the City of Los Angeles and 4.15 acres within Culver City. That portion within the City of Los Angeles is presently zoned (T)(Q)M1-1 within the Palms - Mar Vista - Del Rey Community Plan which designates the subject property for Limited Manufacturing land use with the corresponding zones of CM, MR1 and M1 per the General Plan Land Use

Map for the Palms - Mar Vista - Del Rey Community Plan. The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to liquefaction or landslide. The site is not under the jurisdiction of any Specific Plans or Interim Control Ordinances. Venice Boulevard is a Boulevard II dedicated to a 110-foot width at the project's street frontage. National Boulevard is a Boulevard II dedicated to a 106-foot width at the project's street frontage.

The site is not identified as having hazardous waste or past remediation. The site is not within Flood Zone. The site is not in a Methane Zone or a landslide or liquefaction area, a tsunami-inundation zone, flood-prone area, or a High Wind Velocity Area.

Light industrial uses in the [Q]CM and M1 Zones make up the general character of the surrounding neighborhood. The development of a commercial office building is an allowed use on the site under the (T)(Q)M1-2D Zone and would be a compatible use with the existing mixed use density of the neighborhood. Therefore, the project site is physically suitable for the proposed type of development.

- (d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The project site is zoned (T)(Q)M1-1 within the Palms - Mar Vista - Del Rey Community Plan, which designates the site for Limited Manufacturing land use with the corresponding zones of CM, MR1 and M1 per the General Plan Land Use Map for the Palms - Mar Vista - Del Rey Community Plan. The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to liquefaction or landslide. The site is not under the jurisdiction of any Specific Plans or Interim Control Ordinances.

The project site includes a total of approximately 5.53 acres, including 1.38 acres within the City of Los Angeles and 4.15 acres within Culver City. Light industrial uses in the [Q]CM and M1 Zones make up the general character of the surrounding neighborhood. The proposed commercial office building is permitted under the existing (T)(Q)M1-2D Zone, and as such, the site is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The subject site and surrounding properties are fully developed and there are no wildlife habitats in proximity to the project. As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

The applicant will be required to provide public access to the easements. The project site contains a legally recorded lot as identified by the Assessor Parcel Maps Nos. 4312031901, 4312014276, 4312014271, 4312014273, 4312014274, 4312014275, 4312014277, 4312014270, 4312014278, 4312014279, 4312014280, 4312014281 and 4312014272. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park, or any officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcels to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 73977.

Vincent P. Bertoni, AICP
Advisory Agency



NICHOLAS HENDRICKS
Deputy Advisory Agency

NH:HB:ON:bk

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

Marvin Braude San Fernando Valley
Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818 374-5050

Forms are also available on-line at <http://cityplanning.lacity.org/>.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Development Services Center staff at (213) 482-7077 or (818) 374-5050.