

## **CITY OF GARDENA**

### **CONDITIONS OF APPROVAL FOR SITE PLAN REVIEW #11-18 and TENTATIVE TRACT MAP NO. 82390 (#6-18)**

#### **GENERAL CONDITIONS**

- GC 1. Applicant accepts all of the conditions of approval set forth in this document and shall sign the acknowledgement. A copy of the signed document shall be submitted to the Community Development Department prior to issuance of any construction permit.
- GC 2. Development of this site shall comply with the requirements and regulations of Title 15 (Building and Construction), Title 17 (Subdivisions) and Title 18 (Zoning) of the Gardena Municipal Code.
- GC 3. Applicant shall comply with all written policies, resolutions, ordinances, and all applicable laws in effect at time of approval. The conditions of approval shall supersede all conflicting notations, specifications, and dimensions which may be shown on the project development plans.
- GC 4. Applicant shall provide the City with a copy of the Covenants, Conditions and Restrictions (CC&Rs) which shall apply to the townhomes for review and approval prior to approval of the final map or issuance of a certificate of occupancy, not including model homes. The CC&Rs shall include, at a minimum, the following provisions, as may be further detailed in these conditions:
- a. Any revisions to the CC&Rs shall require prior city approval.
  - b. Maintenance and repair obligations of all private streets/driveways.
  - c. Maintenance and repair obligations of all open spaces and Common Area.
  - d. Prohibition against outdoor storage.
  - e. Prohibition against alterations to architectural treatments.
  - f. All garage spaces shall be maintained in such a manner as to be able to be used for parking of two cars.
  - g. Prohibition against parking in driveways areas and in front of garages.
  - h. A requirement that trash cans shall be kept in the garage or out of public view.
  - i. Parking shall be prohibited in the driveway areas and in front of the garages.
  - j. Residents' vehicles shall be stored in the garages at all times while on the site. Residents shall not be allowed to use Guest Parking for their own vehicles.
  - k. The entire site, all walls and fencing, and all building walls shall be maintained at all times free and clear of litter, rubbish, debris, weeds and graffiti. Graffiti shall be removed within 24 hours and if paint is used to cover the graffiti, it shall be of the same color and texture as the building wall.

***When the draft is provided to the City for review, it shall be accompanied by a table specifying where each of the above conditions can be found.***

- GC 5. Applicant shall pay a multiple-unit residential development impact fee of \$1,000/unit for a total of \$114,000 prior to building permit issuance. California Government Section 66020(d)(1) requires that the project applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including Planning processing fees, building permit fees and park development fees, are not included under this noticing requirement. The applicant has ninety (90) days from the date of adoption of this Resolution to protest the impositions described above. The applicant is also notified of the 180-day period from the date of this notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.
- GC 6. Prior to commencement of work, the contractor/developer shall schedule a pre-job meeting with the City's engineering and building inspectors to minimize construction noise levels, including sound-reduction equipment as deemed necessary by the City. Prior to the issuance of demolition or construction permits, the contractor/developer shall prepare and implement a construction management plan, approved by the City, which includes procedures to minimize off-site transportation of heavy construction equipment.
- GC 7. The site layout and physical appearance of the structures shall be in accordance with the plans presented to and approved by the Planning and Environmental Quality Commission, and modified by these conditions of approval. The final completed project shall be in substantial compliance with the plans upon which the Commission based its decision, as modified by such decision. Minor modifications or alterations to the design, style, colors, and materials shall be subject to the review and approval of the Community Development Director. Substantial modifications will require review and approval by the Planning Commission.
- GC 8. Grading and construction activities on the project site shall adhere to the requirements of Chapter 8.36 of the Gardena Municipal Code, which limits construction activities to the hours of 7 a.m. to 6 p.m., Monday through Friday, and 9 a.m. to 6 p.m. on Saturdays. Construction activities on Sundays and public holidays are strictly prohibited.
- GC 9. Trash pick-up and other exterior facility cleaning activities shall be restricted to the hours of 7 a.m. to 10 p.m., seven days a week. These activities shall be prohibited during peak traffic hours. Any and all roof-mounted equipment, devices or materials shall be totally screened from public view. The screen enclosures shall be constructed of the same or similar materials, colors and texture of the building.

- GC 10. The applicant shall reimburse the City for all attorney's fees spent in processing the project application, including review of all documents required by these conditions of approval.
- GC 11. Applicant/developer shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding, damages, costs (including, without limitation, attorney's fees), injuries, or liability against the City or its agents, officers, or employees arising out of the City's approval of Site Plan Review #11-18, General Plan Amendment #2-18, Zone Change #3-18, Tentative Tract Map #6-18 (TTM No. 82390) and the subsequent Notices of Determination. The City shall promptly notify the applicant/developer of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant/developer of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant/developer shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Although the applicant/developer is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of any action with the attorneys of its own choosing, but such participation shall not relieve the applicant/developer of any obligation under this condition, including the payment of attorney's fees.

## **PLANNING**

- PL1A. Site Plan Review #11-18 shall be modified to conform to the revised Open Space Enlargement Plan dated October 2, 2019.
- PL1. Site Plan Review #11-18 shall be utilized within a period not to exceed twelve (12) months from the date of approval, unless an extension is granted in accordance with Section 18.46.040 of the Gardena Municipal Code. Utilization shall mean the issuance of building permits.
- PL2. The approved Resolution, including the Conditions of Approval contained herein and the signed acknowledgement of acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including revisions and the final working drawings.
- PL3. A security and lighting plan shall be submitted for review and approval by the Community Development Director or designee prior to issuance of a building permit that shows surveillance camera locations and outdoor lighting for all public/common areas. The lighting plan shall include photometrics that show an average of 2-foot candle with no single point less than 1-foot candle for all public/common areas pursuant to GMC Section 18.42.150. All light fixtures shall be designed and located in a manner that does not allow spillover onto adjacent properties. Additionally, the

exterior lighting fixtures shall be architecturally consistent with the design of the building, as reviewed and approved by the Community Development Director or designee.

- PL4. The Applicant/developer shall maintain landscaping in a healthy and well-kept manner at all times. Dead or damaged landscape material/vegetation shall be replaced immediately per the approved landscape plan. The irrigation system shall be maintained at all times. Trees shall be permitted to grow to their maximum height.
- PL5. The Project has been conditioned to provide a minimum of a five-foot landscape area along 178th Street on the street side of the wall. Applicant shall work with the City's Engineering Department for an approved sidewalk plan prior to a building permit for the front wall.
- PL6. An eight-foot-high decorative solid masonry wall shall be constructed along the eastern property line to buffer from the nonresidential parking lot to the east pursuant to GMC Section 18.42.070.A.4. Such wall shall uniformly step down to a height of three and one-half feet within the required front yard setback area.
- PL7. All construction traffic shall be restricted to 178th Street via Western Avenue or Normandie Avenue. No trips into neighborhoods to the south shall be permitted.
- PL8. Colors and materials as shown on plan sheets A-8, A-9, A-10, A-11, L-1, and L-2 as presented to the Planning Commission on September 17, 2019 are approved. Deviation from colors and materials shall not be made unless approved by the Community Development Director.
- ~~PL9. *The applicant shall work with staff to reprogram existing open space areas to be more useable for active use. [Added by Planning Commission at 9/17/19 public hearing.]*~~

## **ENVIRONMENTAL**

- EN1. The applicant shall comply with all mitigation measures and standard conditions set forth in the Mitigation Monitoring Program that are hereby incorporated as conditions of approval.
- EN2. **Paleontological Resources (GEO-1).** For ground disturbances greater than 3.0 feet where sediments are known to produce significant fossil discoveries, prior to ground-disturbing activities, field personnel shall be alerted to the possibility of buried paleontological resources. If fossils or fossil bearing deposits are encountered during ground-disturbing activities, work within a 100-foot radius of the find shall halt and a professional vertebrate paleontologist shall be contacted immediately to evaluate the find. The paleontologist shall have the authority to stop or divert construction, as necessary. Documentation and treatment of the discovery shall occur in accordance with Society of Vertebrate Paleontology standards. The significance of the find shall be

evaluated pursuant to the State CEQA Guidelines. If the discovery proves to be significant, before construction activities resume at the location of the find, additional work such as data recovery excavation may be warranted, as deemed necessary by the paleontologist.

- EN3. **Recreational Facilities (REC-1).** The developer shall pay in lieu park fees in accordance with Gardena Municipal Code Chapter 17.20. Total in lieu park fees shall be paid in full to the City prior to Final Map.
- EN4. **Transportation.** Although partial closure of West 178th Street would occur during utility-related construction, no full street closure would occur. Construction within a City right-of-way or interferences with normal traffic flow are required to obtain an encroachment permit from the Gardena Public Works Department Engineering Division. Compliance with Work Area Traffic Control Handbook (WATCH) standards would be required for short- term intermittent closures, and a Traffic Control Plan approved by the Public Works Department would be required if prolonged closures are required. Standards may include signage, coning, and traffic control persons.

#### **TENTATIVE TRACT MAP**

- TTM 1A. The tract map shall be revised to conform to the revised Open Space Enlargement Plan dated October 2, 2019 that was approved as part of the Site Plan approval.
- TTM 1. The final tract map shall be recorded with the Los Angeles County Recorder's office within a period not to exceed twenty-four (24) months from the date of approval, unless an extension is granted in accordance with Gardena Municipal Code section 17.08.070 or by State law. If said map is not recorded within such time, the life of the map shall be deemed expired and said approval shall be considered null and void.
- TTM 2. The tentative tract map shall conform to the provisions of the State Subdivision Map Act and Title 17 of the Gardena Municipal Code (Subdivisions).
- TTM 3. In accordance with Section 17.08.170 of the Gardena Municipal Code, the applicant shall dedicate all necessary rights-of-way for public improvements, and shall construct such improvements at no cost to the City. Such improvements may include, but not be limited to, site grading and drainage, new sidewalk, curb and gutter, driveways, street trees, roadway paving, street lights, traffic control devices, gas mains, electric power lines, telephone and cable lines, all of which shall be installed in accordance with the specifications of the Public Works Department. All utilities shall be underground.
- TTM 4. Pursuant to Government Code § 66495, at least one exterior boundary line of the land being subdivided must be adequately monumented or referenced before the map is recorded.

- TTM 5. In accordance with Government Code § 66473.1, the design of the subdivision shall provide, to the extent feasible, for future passive/natural heating or cooling opportunities.
- TTM 6. Private driveways shall be indicated on the final map as “Private Driveway and Fire lane” with the widths clearly depicted and shall be maintained in accordance with the Fire Code. All required fire hydrants shall be installed, tested and accepted prior to construction.
- TTM 7. Prior to initial phase associated with building construction, all above-ground and underground infrastructure shall be installed.
- TTM 8. The developer shall pay in lieu park fees in accordance with Chapter 17.20 of the Gardena Municipal Code. Total parkland (common open space) required for the project is 0.99 gross acres of land. Total in lieu park fees due is \$979,884.35 and shall be paid in full to the City prior to final map. This fee is based on the fair market value of land based on the County Assessor’s assessed value plus two percent per year for two years until close of escrow in accordance with Gardena Municipal Code section 17.20.040. No credit is given for open space provided.
- TTM 9. Model homes shall be permitted prior to final map recordation provided that all Fire Department requirements for health and safety are satisfied prior to issuance of a building permit.

### **BUILDING AND SAFETY**

- BS1. CODE COMPLIANCE: The Applicant/developer shall comply with all applicable City of Gardena Municipal Codes and Ordinances.
- BS2. BUILDING PERMITS: The Applicant/developer shall comply with all applicable Codes in effect at the time the plans are submitted, and obtain all required permits from the Building Division.
- BS3. LA COUNTY FIRE DEPARTMENT: The Applicant/developer shall comply with the Codes in effect at the time the plans are submitted.
- BS4. SPRINKLERS: All structures shall have fire protection via a sprinkler system under a NFPA 13R or 13D system as applicable.
- BS5. PROPERTY MAINTENANCE: The Applicant/developer shall maintain the property in a clean and orderly condition at all times and remove any graffiti from the site within forty-eight (48) hours of its discovery in matching colors to the existing improvements.
- BS6. STORM WATER: The Applicant/developer shall provide storm water management plan study prepared by a qualified engineer acceptable to the Building Official and the Engineering Division.
- BS7. STORM WATER POLLUTION/PREVENTION PLAN: The Applicant/developer shall demonstrate that coverages has been obtained under California’s General Permit

for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing shall be provided to the Chief Building Official and the City Engineer. Projects subject to this requirement shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP shall be kept at the project site and be available for review on request. Best Management Practices shall be used during construction to prevent construction materials and soil from entering the storm drain.

- BS8. HYDROLOGY/HYDRAULIC STUDY: The Applicant/developer shall provide a complete hydrology and hydraulic study prepared by a qualified engineer to the satisfaction of the Building Official.
- BS9. SOILS REPORT: The Applicant/developer shall provide a geotechnical investigation report prepared by a qualified engineer to the satisfaction of the Building Official.
- BS10. GRADING: The Applicant/developer shall grade the subject property in accordance with the Grading Ordinance and to the satisfaction of the Chief Building Official. A grading plan shall be submitted by the Applicant/developer for review and approval. Grading shall be in substantial conformance with the proposed grading that is approved by the Planning Commission. Surety shall be posted to the satisfaction of the Building Official and the City Attorney guaranteeing completion of grading within the project.
- BS11. FINAL WATER QUALITY MANAGEMENT PLAN: The Applicant/developer shall submit a Final Priority WQMP to the Building Division for review and approval. This plan shall be in conformance with all current NPDES requirements. The WQMP must implement Low Impact Development (LID) principles such that projects infiltrate, harvest, re-use, evapotranspire, or biotreat storm water runoff.
- BS12. PARKING LOT STRUCTURAL SECTIONS: The Applicant/developer shall provide parking lot structural sections, which shall be based on recommendations of a soils engineer, to be approved by the City Engineer and Building Official.
- BS13. FIRE HYDRANTS: The Applicant/developer shall install new public fire hydrant(s) to the satisfaction of the Los Angeles County Fire Department and City Engineer.
- BS14. RECYCLING PLAN: The Applicant/developer shall prepare construction and demolition waste recycling plans for review and approval by the Building Division. Applicant/developer shall enroll in the city's waste diversion program.
- BS15. BUILDING/UNIT ADDRESSING: Permits are issued to the building address. Apply for addresses, in the CDD, prior to obtaining building permits.
- BS16. POOL APPROVAL: Pool requires Health Department approval, prior to issuance of permit, for the pool.
- BS17. BUILDING REPAINTING: The Applicant/developer shall maintain the building in good condition at all times.
- BS18. PAVEMENT RESURFACING: The Applicant/developer shall re-slurry and re-stripe the driveway and parking areas as required to maintain them in good condition.

- BS19. LANDSCAPE PLANS: The Applicant/developer shall submit for review and approval detailed landscape and irrigation plans prepared by a licensed landscape architect to the Director of Community Development or designee and the Director of Public Works that is consistent with the State's Water Efficient Landscape Guidelines. Planting shall be consistent with the approved landscape plan. Spacing of ground cover plants shall be spaced at 12-18 inches on center and shrubs shall be spaced at 18-24 inches on center. Metal cages, painted green, shall be used to protect irrigation check valves and controllers. All above ground piping, such as double detector check valves, shall not be placed in front setbacks and shall be screened with landscaping and painted green. Protective bollards shall be of a decorative type and/or painted green where appropriate.
- BS20. MAILBOXES: The Applicant/developer shall place all mailboxes in accordance with U.S. Postal Regulations, as reviewed and approved by the Director of Community Development and the Gardena Postmaster prior to the issuance of a Certificate of Occupancy, with exception to the model homes.

### **PUBLIC WORKS**

- PW1. Applicant shall pay a \$15,960.00 sewer connection fee to be paid at permit issuance.
- PW2. Applicant shall remove and replace all sidewalk along 178<sup>th</sup> Street abutting the project site.
- PW3. Applicant shall remove and replace all curb and gutter along 178<sup>th</sup> Street abutting the project site.
- PW4. Applicant shall remove all abandoned driveways and replace with new curb, gutter and sidewalk.
- PW5. Applicant shall show all sidewalk structures on plans (i.e., poles, hydrants and traffic signal conduit).
- PW6. Applicant shall provide a street improvement plan showing all requirements. Street plans shall be designed and signed by a registered civil engineer.
- PW7. Public Works Encroachment/Excavation permit is required for all work in public right-of-way.
- PW8. Applicant shall provide traffic control plans per W.A.T.C.H. (Work Area Traffic Control Handbook) or California M.U.T.C.D.
- PW9. Furnish and install 2 new sewer lift station pumps (min. 475 GPM capacity).
- PW10. Furnish and install a new electrical control panel compatible with new pumps and existing systems.
- PW11. Furnish 1 additional sewer lift station pump to the city as backup.
- PW12. A Registered Professional Engineer shall provide (stamped and signed) the pump system materials and installation specifications that ensures new system is compatible and has 475 GPM capacity at 15' of total dynamic head.
- PW13. Certificate of Occupancy shall not be issued prior to the above items being completed (not to include model units).



- PW14. The 178th Street sewer lift station will remain as a public facility owned and operated by the City of Gardena.
- PW15. Additional requirements may be imposed upon full plan submittal and review.
- PW16. The applicant shall stripe 178<sup>th</sup> Street between Western and Normandie Avenues if approved by the Public Works Department. [Added by City Council at October 22, 2019 public hearing]***

**GOLDEN STATE WATER COMPANY**

- GS1. The applicant shall contact GSWC for review of the existing water main once LA County Fire Department has issued their fire protection requirements on the aforementioned project.
- GS2. The applicant shall contact GSWC to initiate application for new service installation.

**LOS ANGELES COUNTY SANITATION DISTRICT**

- SD1. Payment of a connection fee will be required before a permit to connect to the sewer fee is issued. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at (562) 908-4288, extension 2727.

**LOS ANGELES COUNTY FIRE DEPARTMENT**

- FD1. The applicant shall submit the plans to the Los Angeles County Fire Department for approval and shall comply with all applicable Los Angeles County Fire Department requirements.

**GARDENA POLICE DEPARTMENT**

- PD1. Install one surveillance camera at the entrance of the development. Surveillance cameras shall be maintained by the homeowners association and recordings should be kept for a minimum of 30 days.

Melia Homes certifies that it has read, understood, and agrees to the Project Conditions listed herein.

\_\_\_\_\_  
Melia Homes

By \_\_\_\_\_

Dated \_\_\_\_\_

Melia COA – revised for 10/22/19 City Council approval