



CITY OF GARDENA

PLANNING & ENVIRONMENTAL QUALITY COMMISSION

Meeting Agenda

1700 W. 162nd Street, Gardena, California

Website: www.cityofgardena.org

AGENDA

Tuesday, October 20, 2020
7:00 P.M.

In order to minimize the spread of the COVID 19 virus Governor Newsom has issued Executive Orders that temporarily suspend requirements of the Brown Act. Please be advised that the Council Chambers are closed to the public and that all the Gardena Planning and Environmental Quality Commissioners may attend this meeting telephonically.

1. This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on the ZOOM app. Details on how to access this live stream can be found on the City's website at <https://www.cityofgardena.org/agendas-planning-environmental-commission/>.
2. Observers may view the meeting by downloading the ZOOM app and clicking onto the following link:
<https://us02web.zoom.us/j/87826536142>
3. You may also dial in using your phone:
United States: +1 (669) 900 9128
Webinar ID: 878 2653 6142
4. We strongly encourage that if you wish to make a comment on a specific agenda item, to please submit your comment via email to CDDPlanningandZoning@cityofgardena.org prior to the meeting. Comments will be accepted via email up until 7:00pm on Tuesday, October 20, 2020.
5. If you wish to speak live on a specific agenda item during the meeting you, may use the "Raise your Hand" feature on Zoom, or if you are dialing in on your phone you may press *9 during the item you wish to speak on. For Non-Agenda Items, you would be allowed to speak during Oral Communications, and during a Public Hearing you would be allowed to speak when the Public Hearing is opened. Members of the public wishing to address the Planning Commission will be given three (3) minutes to speak.

6. Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection on the City's website at <https://www.cityofgardena.org/agendas-planning-environmental-commission/>.
7. The City of Gardena, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the Planning Division by phone (310) 217-9524 or email CDDPlanningandZoning@cityofgardena.org at least 6 hours prior to the scheduled special meeting to ensure assistance is provided.

The City of Gardena thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.

PUBLIC COMMENT: The Planning and Environmental Quality Commission will hear from the public on any item on the agenda or any item of interest that is not on the agenda. However, the Commission cannot take action on any item not scheduled on the agenda. These items may be referred for administrative action or scheduled on a future agenda.

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS

- Treat everyone **courteously**;
- Listen to others **respectfully**;
- Exercise **self-control**;
- Give **open-minded** consideration to all viewpoints;
- Focus on the issues and **avoid personalizing debate**; and
- **Embrace respectful disagreement** and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

Thank you for your attendance and cooperation.

1. Call meeting to order
2. Roll Call
3. Approval of Minutes – August 18, 2020
4. Oral Communications from the Public
5. **Environmental Assessment #5-20, Site Plan Review #3-20, Zone Change #2-20, General Plan Amendment #2-20, Tentative Tract Map #2-20 (Evergreen Residential Project)**
The applicant is requesting approval of a Site Plan Review to allow the development of 84 three-story attached condominium townhomes in 16 buildings, including two low-income units; a

Tentative Tract Map to subdivide 4.23 acres (TTM #83037); a Zone Change to change the zoning from C-3 (General Commercial) to R-4 (High Density Multiple-Family Residential); and a General Plan Amendment to change the land use designation from General Commercial to High Density Residential. A Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) have been prepared to address the environmental impacts. The Commission will consider the MND and MMRP at the same time as it considers all other requests. The Commission will act on the site plan review and tentative tract map and make a recommendation on the General Plan Amendment and Zone Change to the City Council.

Project Location: 13615, 13619, and 13633 Vermont Avenue (APNs: 6115-019-042, 043, 044, and 045)

Applicant: Melia Homes Inc.

6. Environmental Assessment #15-19, Site Plan Review #5-19, Zone Change #1-19, General Plan Amendment #1-19, Tentative Tract Map #3-19, Variance #2-19 (141st and Normandie Townhomes)

The applicant is requesting a Site Plan Review to allow the development of 50 three-story attached condominium townhomes in six buildings; a Zone Change to change the zoning from R-1/R-3 (Single-Family and Medium Multi-Family Residential Zone) to R-4 (High Density Multiple-Family Residential); a General Plan Amendment to change the land use designation from Low/Medium Residential to High Density Residential; a Tentative Tract Map to subdivide 2.02 acres for condominium units (VTTM #82945); and a Variance to construct a front yard fence abutting a public sidewalk. A Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) have been prepared to address the environmental impacts. The Commission will consider the MND and MMRP at the same time as it considers all other requests. The Commission will act on the site plan review, tentative tract map, and variance and make a recommendation on the General Plan Amendment and Zone Change to the City Council.

Project Location: 1335, 1337, 1341 and 1343 West 141st Street (APNs: 6115-013-007, 008, 009, 010, and 011)

Applicant: The Olson Company

7. Ordinance No. 1821

An ordinance adding Chapter 18.57 to the Gardena Municipal Code allowing low barrier navigation centers in the Mixed-Use Overlay and Commercial Residential zones as a permitted use as required by State law. A low barrier navigation center assists homeless individuals by removing barriers to finding temporary housing. The Ordinance is exempt from CEQA.

Project Location: Citywide

Applicant: City

8. Community Development Director's Report

9. Planning & Environmental Quality Commissioners' Reports

10. Adjournment

Dated this 16th day of October, 2020

/s/ RAYMOND BARRAGAN

Raymond Barragan, Secretary

Planning and Environmental Quality Commission

**CITY OF GARDENA
PLANNING & ENVIRONMENTAL QUALITY COMMISSION
MINUTES**

TUESDAY, AUGUST 18, 2020, MEETING
VIRTUAL MEETING VIA ZOOM

* * *

Called to order by Vice Chair Sherman at 7:01 P.M.

ROLL CALL

Present: Steve Sherman, Stephen Langley, Deryl Henderson, Brenda Jackson
Absent: Dale Pierce
Also in Attendance: Lisa Kranitz, Assistant City Attorney
Raymond Barragan, Acting Community Development Director
John F. Signo, AICP, Senior Planner
Amanda Acuna, Planning Assistant

PLEDGE OF ALLEGIANCE

None.

APPROVAL OF MINUTES

A motion was made by Commissioner Langley and seconded by Commissioner Sherman to approve the minutes of the meeting on August 4, 2020. The minutes were approved 4-0-1.

Ayes: Langley, Sherman, Henderson, Jackson
Noes: None
Absent: Pierce

ORAL COMMUNICATIONS FROM THE PUBLIC

Agenda Item #4

Assistant Planner Acuna addressed the Commission and public on procedures for conducting the online meeting since all participants were attending from a remote location. Instructions on how to comment and ask questions via the Zoom application was given.

There were no oral communications from the public.

PUBLIC HEARING

Agenda Item #5

**Site Plan Review #4-19; Tentative Tract Map #2-19
*Continued from the August 4, 2020 meeting***

Request for site plan review and tentative tract map approval for the construction of six new townhome units in the Medium Density Multiple-Family Residential (R-3) zone per

Section 18.44.010.E and Chapter 17.08 of the Gardena Municipal Code, and direction to staff to file a Notice of Exemption.

Project Location: 1621 W. 147th Street (APN: 6103-031-075)

Applicant: Julio Vargas

Assistant Planner Acuna gave the staff presentation. Ms. Acuna explained that the item was originally scheduled for the August 4, 2020 Planning Commission meeting, but continued to tonight's meeting. She gave a brief presentation of the surrounding area, project site, and proposed project. She indicated the project meets all development standards and required findings for approval. She stated the project was adequately noticed and staff did receive a number of comments from the public. Concerns included property maintenance, parking, blocking of traffic, and how the project would benefit the City. She explained that the property would be maintained by the homeowners once developed, that the Police Department could respond to parking violations and traffic concerns, and the project would help the City meet its regional housing needs obligation.

Assistant Attorney Kranitz explained that this project is a by-right product since it meets the development standards of the R-3 zone. The Planning Commission does have certain discretion over appearance and may condition the project to address concerns.

Commissioner Langley stated that this property jets out into the street more than adjacent properties. He asked if the street will be aligned.

Ms. Acuna stated that Public Works did review the project and will require a two-foot dedication to widen the street.

Commissioner Langley asked that since the City's population will be increased, is there a plan for new parks? Will Parks and Recreation determine where they will put new parks?

Ms. Kranitz indicated that the Recreation Department would be responsible for park development and information is included in the Open Space Plan of the City's Resources Element. If a site is available for recreation then information can be passed on to the Recreation Department.

Chair Jackson asked if there were any other questions of staff. Hearing none, she asked if the public hearing can be opened.

Ms. Kranitz explained that the public hearing is open from the previous meeting. It was continued to a date certain to avoid re-noticing.

Chair Jackson asked the applicant to speak.

Julio Cesar Vargas indicated he grew up in the area and lives in Inglewood. He attended Hawthorn High School and his family has a business in the City of Gardena and is familiar with the area. He added that he helped open the DaVita clinic on Redondo Beach Boulevard in the City.

Commissioner Henderson asked if there would be a block wall on the east side of the property to secure the park.

Ms. Acuna explained that the project plans does show a sliding gate.

Commissioner Henderson asked about the access gates. He asked about the spaces behind the units; are they accessible to other units?

Ms. Acuna explained that they would be accessible to other units.

Mr. Vargas added that he did reach out to other residents in the neighborhood and showed them the project plans. He stated they were impressed with the project and out of the seven residents he met, three asked for advice on home improvement.

Chair Jackson asked if there was an issue with the garage standards.

Ms. Kranitz explained this project did not have an issue and that standards for the R-3 zone were not changed in the recently approved zone text amendment.

Ms. Kesha Harris who is a neighbor to the west asked about the median cost for the townhouses. Would it change the property value in the area? Would it be comparable to other homes sold recently?

Mr. Vargas indicated he is a developer and contractor. They look at market price, but focus on first-time homebuyers. They would like people in the area who are renting to have an opportunity to buy their own home. He explained that if the houses were completed today, a two bedroom, two-and-a-half bath would go for around \$430,000 to \$500,000, and larger units would sell for around \$475,000 to \$550,000.

Ms. Harris indicated this answered her question and gave thanks.

Chair Jackson asked if there were any other speakers. There being none, the public hearing was closed.

MOTION: It was moved by Commissioner Henderson and seconded by Commissioner Langley to adopt Resolution No. PC 8-20 approving Site Plan Review #4-19 and Tentative Tract Map #2-19 subject to conditions of approval, and directing staff to file a Notice of Exemption.

The motion passed by the following roll call vote:

Ayes:	Henderson, Langley, Sherman, Jackson
Noes:	None
Absent:	Pierce

Agenda Item #6

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Acting Community Development Director Raymond Barragan indicated they are working on directives from the Commission from the last meeting and will be bringing those items to the next couple of meetings.

Agenda Item #7

PLANNING AND ENVIRONMENTAL QUALITY COMMISSION REPORTS

Commissioner Henderson asked if the City Council determined the setback distancing at the last meeting?

Mr. Barragan mentioned the adjustment was made to the R-4 zone. The distance went from 10 feet to 15 feet. City Council wanted a larger front yard setback. That was the only adjustment to the setbacks in that project.

Ms. Kranitz indicated a copy of the signed ordinance can be provided to the Commission. Commissioner Langley, Vice Chair Sherman, and Chair Jackson had no report.

ADJOURNMENT

Chair Jackson adjourned the meeting at 7:43 P.M.

Respectfully submitted,



RAYMOND BARRAGAN, SECRETARY
Planning and Environmental Quality Commission

BRENDA JACKSON, CHAIR
Planning and Environmental Quality Commission

**CITY OF GARDENA
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION**

**STAFF REPORT
RESOLUTION NO. PC 10-20
EA #5-20; SPR #3-20; TTM #2-20; ZC #2-20; GPA #2-20
APNS: 6115-019-042, 043, 044, and 045
AGENDA ITEM #5**

DATE: October 20, 2020

TO: Chair Jackson and Members of the Planning and Environmental Quality Commission

FROM: Raymond Barragan, Acting Community Development Director

CASE PLANNER: John F. Signo, AICP, Senior Planner

APPLICANT: Melia Homes Inc.

LOCATION: 13615, 13619, and 13633 Vermont Avenue
(APNs: 6115-019-042, 043, 044, and 045)

REQUEST: The applicant requests the following entitlements for the construction of an 84-unit townhome development on a 4.23 gross acre property:

- 1) General Plan Amendment (GPA #2-20) to change the land use designation from General Commercial to High Density Residential;
- 2) Zone Change (ZC #2-20) to change the zoning from C-3 (General Commercial) to R-4 (High Density Multiple-Family Residential);
- 3) Site Plan Review (SPR #3-20) allowing the development of the 84 townhomes in 16 buildings, including a condition requiring 2 affordable units; and
- 4) Tentative Tract Map (TTM #2-20; TTM #83037) subdividing the property for 84 condominium units.

Approval of these items requires adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) (EA #5-20).

BACKGROUND

On March 9, 2020, the applicant, Melia Homes Inc., filed an application to develop 84 residential units in 16 buildings at 13615, 13619, and 13633 Vermont Avenue, comprising 4.23 gross acres (the “Property”). The site is currently developed with an 11-room motel (Moneta Motel) in the

northeastern corner of the site and a retail garden center and commercial container nursery (Moneta Nursery Garden Center) comprising the remainder of the site.

PROJECT DESCRIPTION/SETTING

The project site is comprised of four parcels (APNs 6115-019-042, 43, 44, and 45) totaling 4.23 gross acres located on the west side of Vermont Avenue between 135th Street to the north and Rosecrans Avenue to the south. The project site's topography is relatively flat and the dimensions of the subject property are approximately 548.5 feet deep by 330 feet wide.

The motel portion of the site contains an approximately 3,100 square foot single-story structure with surface parking located immediately adjacent. The motel site is surrounded by chain-link fencing on the north, west, and south. An iron fence with retractable gate is located along the eastern portion of the site, adjacent to Vermont Avenue.

The nursery portion of the site contains an approximately 3,000-square-foot retail garden center and surface parking within the eastern portion of the site, adjacent to Vermont Avenue. The remainder of the site consists of rows of nursery containers/planter beds with a variety of plants and trees and an approximately 4,800-square-foot greenhouse structure. An iron fence with retractable gates is located along the eastern portion of the site, adjacent to Vermont Avenue.

The project site is bounded to the north and south by properties in the C-3 (Commercial General) zone, and to the west by single-family homes in the R-1 (Single-Family Residential) zone. Properties to the east across Vermont Avenue are in the City of Los Angeles and consist of single-family homes. Also, there is an approximately 65-foot-wide landscaped median on Vermont Avenue to the east of the project site that is in the O (Official) zone.

	Zoning Designation	General Plan Land Use Designation	Existing Land Uses
Project Site	C-3	General Commercial	Landscape Nursery and Motel
North	C-3	General Commercial	Apartments
South	C-3	General Commercial	Mobile Home Park
West	R-1	Low Density Residential	Single-Family Homes
East	O RD3-1-O (City of LA)	Public/Institutional Low Med. Res. (City of LA)	Landscape Median/ Homes (City of LA)

The applicant proposes to demolish all existing structures and construct an 84-unit, three-story, townhome community. The project includes 82 market-rate townhomes and two townhomes dedicated for low-income affordable units. The following table summarizes the proposed unit sizes.

	Number of Units	Floor Plan Types	Unit Sizes
Townhomes	82	4	1,528 SF – 1,801 SF
Affordable units	2	1	833 SF
TOTAL	84	5	--

In addition, the applicant proposes the following:

- 208 parking spaces (166 parking spaces in garages and 42 guest parking spaces)
- 50,706 square feet of common open space (603 square feet per unit), including a swimming pool, tot lot, barbecue area, and other amenities
 - A 14-foot high pool building which includes restrooms and an equipment room will be located next to the swimming pool
- 5,550 square feet of private open space via balconies (average of 66 square feet per unit)
- 56,256 square feet of total open space (669 square feet per unit)

Vehicular and pedestrian access will be from Vermont Avenue via a main gated driveway leading into the community in the southeastern portion of the site. Ingress to the site is right-turn only from southbound traffic; egress is right-turn only heading southbound due to a landscaped center median on Vermont Avenue. A motorized gate will provide security and a call box will be provided for guests. Existing curb cuts on Vermont Avenue will be removed so that a continuous sidewalk is provided along the front of the site. Interior units will front a courtyard area or the recreational area, and perimeter units will have access to a walkway. The project includes a seven-foot-high perimeter wall along the side and rear property lines. A portion of the northern perimeter will utilize the back of a neighboring building and an existing wall for security. A six-foot-high front wall will be setback five feet from the back of sidewalk with landscaping in between. The front wall will be made primarily of split-face block with tubular steel fencing located in front of driveways. A condition will be added requiring the planting of vines and increasing the amount of tubular steel.

Project construction could start at the beginning of 2021 and is expected to be complete by early 2022. It includes the following sequences: demolition, site preparation, grading, building construction, and paving, architectural coating, and landscaping. Home construction would occur over several phases, the timing of which would be dependent upon market conditions.

The project requires changes to the General Plan Land Use Map and Zoning Map to allow residential development. The General Plan land use designation will go from General Commercial to High Density Residential. The zoning will go from General Commercial (C-3) to High Density Multiple-Family Residential (R-4). The Planning Commission will make a recommendation to the City Council who will give final approval for these two legislative actions.

In addition to the legislative approvals, the applicant is also seeking a Tentative Tract Map to create the 84-condominium units in accordance with Gardena Municipal Code section 17.08.020 and the

Subdivision Map Act, and a site plan approval in accordance with Gardena Municipal Code Chapter 18.44.

The Planning Commission is being asked to take the following actions:

- 1) Adopt the MND and MMRP for purposes of the Tentative Tract Map and Site Plan, and recommend that the City Council adopt and approve the same for the General Plan Amendment and Zone Change;
- 2) Recommend that the City Council adopt the General Plan Amendment and Zone Change (the “Legislative Actions”);
- 3) Approve the Tentative Tract Map, subject to City Council approval of the Legislative Actions; and
- 4) Approve the Site Plan which includes a condition for the two affordable units, subject to City Council approval of the Legislative Actions.

ANALYSIS

GENERAL PLAN CONSISTENCY

Findings related to General Plan consistency are required for the Site Plan Review and Tentative Tract Map approval. Staff has determined that the project is consistent with the following goals and policies of the City’s General Plan:

A. Land Use Plan (LU) and Community Design Plan (DS) Policies:

- *LU 1.2: Promote sound housing and attractive and safe residential neighborhoods.*
- *LU 1.5: Provide adequate residential amenities such as open space, recreation, off-street parking and pedestrian features in multi-family residential developments.*
- *DS 2.3: Encourage a variety of architectural styles, massing, floor plans, color schemes, building materials, façade treatments, elevation and wall articulations.*
- *DS 2.11: Incorporate quality residential amenities such as private and communal open spaces into multi-unit development projects in order to improve the quality of the project and to create more attractive and livable spaces for residents to enjoy.*
- *DS 2.13: Encourage lot consolidation for multi-family development projects in order to produce larger sites with greater project amenities.*

The proposed project consolidates four underutilized parcels to create a new 84-unit residential condominium project with five different floor plan types and two affordable housing units. The buildings will be well-articulated to incorporate a variety of building materials, textures, and colors. The community will be gated with a perimeter wall surrounding the development. The project provides common open space in the form of a swimming pool, tot lot, barbecue area, and landscaping, and private open space in the form of balconies. Parking meets the City’s requirements with a total of 208 parking spaces, including 166 parking spaces in garages and 42 guest parking spaces.

B. Public Safety Plan Policies

- *PS 2.3: Require compliance with seismic safety standards in the Unified [sic] Building Code*
- *PS 2.4 Require geotechnical studies for all new development projects located in an Alquist-Priolo Earthquake Fault Zone or areas subject to liquefaction.*

A geotechnical study was prepared for the Project and construction will be required to comply with the recommendations of the study. Construction of the Project will be required to comply with the most current edition of the California Building Code as adopted by the City.

C. Housing Element Policies

- *Housing Goal 2.0: Provide opportunity for increasing the supply of affordable housing within the City, with special emphasis on housing for special needs groups.*
- *Housing Goal 4.0: Provide adequate residential sites through appropriate land use and zoning to accommodate the City's share of regional housing needs.*

The proposed project includes two affordable units that is much needed in the City. The rezoning of the property from commercial to a residential community will help accommodate the City's share of regional housing needs.

DEVELOPMENT STANDARDS

The proposed project has been reviewed for compliance with the development standards of the R-4 zone.

Development Standard Comparison			
Standard	R-4 Zone	Project	Compliant
Lot Area	5,000 SF	4.23 acres	Yes
Lot Width	50'	330'	Yes
Lot Depth	80'	548.5'	Yes
Density	20 DU/AC min. 30 DU/AC max.	20.24 DU/ acre	Yes
Building Height	40' or 45' w/ projections; max. 4 stories	40' max.	Yes
Min. Dwelling Unit Size	2 bedrooms: 800 SF 3 bedrooms: 1,000 SF No min. for affordable housing with agreement	2 bedrooms: 1,528-1,640 SF 3 bedrooms: 1,702-1,801 SF No min. for affordable housing with agreement	Yes
Setback ▪ Front	15' (min 50% landscaped)	20'	Yes

Development Standard Comparison			
Standard	R-4 Zone	Project	Compliant
<ul style="list-style-type: none"> ▪ Side & Rear 	Next to R1/R2: Height ≤35': 10' Height >35': 15' Interior lot: 5' Corner lot: 10' 1-st. access. bldg. in rear 1/3 of lot: 4' (except garage) Garage fronting public street: 10'	Next to R1/R2: Height ≤35': N/A Height >35': 22.9' Interior lot: 12' Corner lot: N/A 1-st. access. bldg. in rear 1/3 of lot: N/A Garage fronting public street: N/A	
Distance Between Buildings	Side to side: 10' Front to front w/ interior court: 10' Main to accessory: 6'	Side to side: 15' Front to front w/ interior court: 24' min. Main to accessory: 15' min.	Yes
Off Street Parking	2 sp. per DU 1 sp. for income-restricted 0.5 guest sp. per DU <ul style="list-style-type: none"> ▪ Required: 208 sp. <ul style="list-style-type: none"> ○ 166 garage sp. min. ○ 42 guest sp. 	82 units = 164 garage sp. 2 afford. units = 2 garage sp. 84 units = 42 guest sp. <ul style="list-style-type: none"> ▪ Provided: 208 sp. <ul style="list-style-type: none"> ○ 166 garage sp. ○ 42 guest sp. 	Yes
Open Space	300 SF/DU Common: Min. 150 SF Min. 8'W Min. 25% private and directly accessible from DU Min. 1/3rd of required useable OS shall be common (Front yard excluded)	Total OS: 56,256 SF (Avg. 670 SF/DU) Common: 50,706 SF (Avg. 604 SF/DU) Private: 5,550 SF (Avg. 66 SF/DU)	Yes
Fences	Front (cluster dev.): 7'H max. 1. Consist of wrought iron or tubular steel and interspersed with stone, brick, stucco, or decorative block 2. Min. 5' landscaping Side/rear: 7'H max.	Front fence has 5' landscaping Front wall consists of tubular steel Max. height is 7'	Yes
Refuse areas	Accommodate two 96-gallons bins in garage (green waste not needed because no individual landscaped yards)	Trash bins located in garage	Yes
Landscaping	Front: Min. 50% landscaped	All units have a garage	Yes

Development Standard Comparison			
<i>Standard</i>	<i>R-4 Zone</i>	<i>Project</i>	<i>Compliant</i>
	5'W in front of fence All areas (except balconies, decks, etc.) to be landscaped		
Projections	Porches, landings, patios: Front yards: 4' Side/rear yard: 2.5'	No encroachments	Yes
Storage Area	120 CF/DU Min. 2' dimension	Not labeled	Condition of Approval

TENTATIVE TRACT MAP NO. 83037

The purpose of a tentative tract map review is to identify those conditions that should be applied to ensure that each parcel is designed so as to comply with the State Subdivision Map Act and good design practice. As stated above, the applicant proposes a Tentative Tract Map (TTM #2-20; TTM #83037) for the development of an 84-unit condominium townhome project.

The condominium development will be regulated by specific covenants, conditions and restrictions (CC&Rs) that are enforced by a Homeowners Association. The condominium owners will have mutual ownership of the “common” areas within the development, and individual ownership of the “air space” occupied by each unit. These areas will be delineated on a condominium plan, which will be filed with the Department of Real Estate.

The State Subdivision Map Act includes a list of grounds for denial; if any one of the findings is made, the map must be denied:

- ❖ The map and design and improvement of the proposed subdivision is not consistent with applicable general and specific plan (§ 66474; § 66473.5).
 - A General Plan Amendment and Zone Change is concurrently being processed to change the land use designation from General Commercial to High Density Residential and C-3 to R-4, respectively. The project is for 84 condominium townhomes which is allowed in the R-4 zone.
 - The City’s Housing Element identifies various goals and policies that will set the stage for new opportunities for housing. Housing Plan Goal 4 provides for adequate residential sites through appropriate land use and zoning to accommodate the City’s share of regional housing needs. Policies for Goal 4 include implementing land use policies that allow for a range of residential densities (Policy 4.1). The proposed project will provide a density of 20.24 dwelling units per acre. Therefore, the project will be consistent with the City’s General Plan Land Use Plan and Housing Element Plan and meets the minimum requirements of the R-4 zone. The

project is also consistent with other policies in the General Plan as discussed above.

- ❖ The site is not physically suitable for the type or density of development (§ 66474)
 - The site is 4.23 gross acres and is essentially flat. The subject parcel can accommodate the 84 units within the various proposed buildings and the development adheres to the Municipal Code standards.
- ❖ The design of the subdivision or the proposed improvements are likely to cause serious public health problems, substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (§ 66474)
 - The Property is currently developed with a landscape nursery and motel. There is no natural environment, fish or wildlife in the area that will be harmed. The subdivision has been adequately designed to provide adequate access for pedestrians and vehicles, guests and residents along with adequate emergency access. Vehicular and pedestrian access is proposed from Vermont Avenue. The townhomes will not create environmental damage, nor will they create any public health problems, as further documented in the Mitigated Negative Declaration.
- ❖ The design of the subdivision or type of improvements will conflict with public access easements (§ 66474).
 - An 11-foot-wide dedication will be provided at the front of the property for a public sidewalk, curb, and gutter. This is consistent with the City's street plan for Vermont Avenue.
- ❖ The design of the subdivision does not provide for, to the extent feasible, future passive or natural heating and cooling opportunities (§ 66474.5).
 - Passive cooling opportunities exist as each unit contains windows that open to allow ventilation. The windows also allow sunlight for passive heating opportunities and natural lighting.
 - All buildings will comply with Title 24 requirements, including Cal Green standards.

The developer shall pay in lieu park fees based on a flat rate of \$10,000 per unit in accordance with Chapter 17.20 of the Gardena Municipal Code. Total in lieu park fees due for the development of 84 units is \$820,000 as affordable units are exempt from the fee pursuant to Resolution No. 6433. Payment will be paid in full to the City prior to final map recordation.

With the conditions of approval (Exhibit E to Resolution No. PC 10-20) and approval of the associated entitlements, the project and project design will be consistent with the General Plan, High-Density Multiple-Family Residential (R-4) zone, and the State Subdivision Map Act as supplemented by Title 17 of the Gardena Municipal Code.

SITE PLAN REVIEW

The proposed site plan is shown in Exhibit H to PC Resolution No. 10-20. Site plans may be approved where the Commission finds that the proposed development, including the uses and physical design is consistent with the general plan and municipal code and that the development will not adversely affect the orderly and harmonious development of the area and the general welfare of the City.

The following factors shall be considered in determining whether the site plan shall be approved.

1. The dimensions, shape and orientation of the parcel;

The site is 4.23 gross acres and measures approximately 548.5 feet deep by 330 feet wide. The parcel is an interior lot located on the west side of Vermont Avenue between 135th Street to the north and Rosecrans Avenue to the south. The dimension and orientation of the project site sets the stage for a development that offers open space opportunities, ample parking, and landscaping.

2. The placement of buildings and structures on the parcel;

The proposed project consists of 84 townhome units in 16 separate multifamily buildings. Each building contains four to six townhome units. Each unit includes an attached two-car garage, with exception to the two affordable units which each contain a one-car garage. Four townhome buildings front Vermont Avenue to the east of the property. The interior units face an interior courtyard between buildings; the perimeter buildings along the north, south, and west have access to a walkway. The swimming pool, tot lot, and barbecue area are located in the middle of the property approximately 100 feet northwest of the main entry gate.

The project is consistent with GMC section 18.19.070 because the structures, walls, and rooflines contain a variety of distinct parts, architectural elements, and surface treatments; garages are located in the back of units and face private interior driveways; and walls and fences in the front of the property will be compatible with the buildings.

3. The height, setbacks, bulk and building materials;

Each building will have a height of 40 feet to the top of the pitched roofs. The rooflines are off-set to provide architectural variation.

The proposed buildings fronting Vermont Avenue have a minimum setback of 20 feet from the property line. These buildings will have enhanced architecture to be more appealing from the public street. Fences and walls along the front property line will be setback five feet from the public sidewalk. Buildings in the rear are setback a minimum of 22.9 feet from the rear wall. Buildings along the northern and western property lines are setback at least 12 feet from the property line.

Building materials will be made of stucco walls, metal railing, and composite shingle roofing. Various colors will be used to provide variation. The proposed height, setbacks, bulk, and building materials of the development are consistent with Section 18.19.070 of the Municipal Code. The general perception of the size and volume of the buildings will not overbear the area and will be pleasant contrast to the surrounding neighborhood. A varied façade helps to decrease the massing of the buildings while the perimeter setbacks create separation from adjoining properties.

4. The distance between buildings or structures;

The proposed distance between buildings and structures varies throughout the site. Distance between buildings separated by the interior driveways are a minimum of 26 feet. Multifamily buildings fronting an interior courtyard are separated by a minimum of 24 to 32.8 feet. Buildings fronting the swimming pool, tot lot, and barbecue area will have a much greater separation and a view of the recreation area. A minimum of 15 feet is provided between the sides of the multi-family buildings.

5. The location, number, and layout of off-street parking and loading spaces;

A development of this size requires 208: 2 parking spaces per unit, 1 space per affordable unit, and one-half space per unit for guest parking. The proposed project provides 208 parking spaces; 166 garage spaces and 42 guest spaces. Each of the two affordable units will have a one-car garage. Visitor parking spaces are spread throughout the development in several locations: three spaces just behind the main entrance; six spaces next to the swimming pool area, including four handicap spaces; 19 spaces along the northern private driveway; and the remainder along the southern private driveway in various places. No loading spaces are provided or required as this is a completely residential project.

The proposed layout of the off-street parking spaces is consistent with Municipal Code Section 18.19.070. The location of off-street parking spaces does not detract from the architectural details or divide the visual impact of the site. Garage parking is located within interior driveways, away from pedestrian walkways, and guest parking is located throughout the development with various landscaping amenities.

6. The internal vehicular patterns and pedestrian safety features;

The vehicular entrance will be from Vermont Avenue in the southeastern part of the property. Several private driveways are spread throughout the development for access to garages. All driveways provide for two-way traffic.

Proposed pedestrian amenities include walkways that run throughout the project site, courtyard areas, and barbecue area. The pedestrian path connects to the public sidewalk at Vermont Avenue at the southwestern corner of the project site. A perimeter wall will enclose the community on all sides with a vehicular gate and pedestrian gate located at the southwestern corner of the site.

The proposed internal vehicular patterns and pedestrian safety features of the site are consistent with Municipal Code Section 18.19.070. By separating driveways from pedestrian walkways, the proposed development helps to ensure automobile uses do not detract from the pedestrian orientation of the site. Similarly, enhanced paving at the main entrance helps to promote the visual quality of the neighborhood.

7. The location, amount, and nature of landscaping;

A conceptual landscape plan and plant palette were prepared. Total proposed area of common area, including the swimming pool, tot lot, and barbecue area is 50,706 square feet. The applicant proposes a palette of trees and shrubs throughout the property. A mix of trees is located near the entrance and main driveway, and in the courtyard areas between buildings. Various other shrubs and groundcover are placed throughout the development.

In addition, the proposed plant palette includes species that are tolerant of local environmental conditions and require low maintenance. As a condition of approval, all landscaping is to be maintained by the development's homeowners association. The Landscape Plan is attached as Exhibit H to Resolution No. PC 10-20 for further reference.

8. The placement, height and, direction of illumination of light standards;

The area of the property fronting Vermont Avenue shall be lighted by streetlights located in the public right of way. Appropriate lighting, such as streetlamps and/or landscape lighting will be utilized throughout the development for safety and aesthetic purposes. Lighting standards will be either shielded or located in such a manner as to mitigate the impact to interior living spaces and neighboring properties.

9. The location, number, size and height of signs;

The provisions of Chapter 18.58 of the Gardena Municipal Code shall apply to signs within the proposed project. Address numbers will be lighted for safety and

aesthetics. Any signage depicted in the materials submitted by the applicant is representational only at this point.

10. The location, height and materials of walls, fences or hedges;

Multiple wall and fence types are proposed throughout the development. They will be utilized for privacy, sound attenuation, articulation, and security purposes. The western, northern, and southern perimeter walls will have a seven-foot high decorative block wall to buffer from abutting uses. The front yard wall will be up to seven feet high with metal fencing located in front of private driveways.

Section 18.42.070.C provides that where there is a substantial difference in the finished grade on either side of the fence, the height shall be measured from a grade as determined by the Director in order to protect the safety and general welfare of affected property owners. There are locations along the side and rear property lines where a grade difference will require the wall to be partially retaining. This is common with newer development due to drainage issues, but will not detrimentally affect neighboring properties.

The fences and walls are compatible with the finish material and architecture of the main buildings. Landscaping adjacent to the fences and walls will help soften the overall appearance from within the community and from the public right-of-way.

11. The location and method of screening refuse and storage areas, roof equipment, pipes, vents, utility equipment and all equipment not contained in the main buildings of the development;

Refuse areas for the proposed project are located within the enclosed garages. Utility storage cabinets and meters will be located at the sides of each building. Where utilities or all other equipment not contained in the main building exist, a combination of walls or landscaping may be used for screening.

The screening of refuse areas and utility equipment is consistent with Municipal Code Sections 18.42.130 and 18.42.140 by ensuring trash receptacles are entirely hidden from view and mechanical equipment is screened.

12. [Deleted]

No response needed.

13. Such other information which the community development director or commission may require to make the necessary findings that the provisions of this code are being complied with.

No additional information is required to make the necessary findings that the provisions of this code comply with the proposed plan.

AFFORDABLE HOUSING AGREEMENT

As mentioned above, the project contains 2 one-bedroom units that will be available for low income households subject to a 30 year term of affordability. The marketing of the units will initially focus on local residents. If there are more qualified applicants than units, buyers will be selected by lot. The requirement for affordable housing and the entering into of the agreement is a condition of the site plan review approval.

ENVIRONMENTAL REVIEW

De Novo Planning Group prepared an Initial Study, Mitigated Negative Declaration (MND), and Mitigation Monitoring and Reporting Program (MMRP) under contract to the City.

The IS/MND was prepared and noticed in accordance with all requirements of the California Environmental Quality Act (Public Resources Code § 21000 *et seq.*) and the CEQA Guidelines (14 Cal. Code of Regs. § 15000 *et seq.*) (collectively, “CEQA”). (Exhibit A to PC Resolution No. 10-20). The IS/MND was subject to a 20-day public review period of September 17, 2020 to October 6, 2020. The only comment received during that time was from the Los Angeles County Sanitation Districts. The letter addressed wastewater generation, capacity, and payment of a collection fee, but did not identify any new significant impacts nor did it address the adequacy of the IS/MND and no changes to the IS/MND were required.

An additional letter was received by the City from the Los Angeles County Fire Department on October 14, 2020 (dated October 8, 2020)(Attachment B). As with the Sanitation Districts’ letter, the response did not make any comments on the adequacy of the IS/MND, but provided conditions of approval which have been incorporated.

The IS/MND determined that there were potentially significant impacts with regard to a number of topics. However, the mitigation measures included in the Mitigation Monitoring and Reporting Program attached to the Resolution as Exhibit B will mitigate the impacts relating to Cultural Resources, Geology and Soils, and Tribal Cultural Resources to below a level of significance.

The City received a request for consultation from the Gabrieleno-Tongva Tribe and Gabrieleno Band of Mission Indians-Kizh Nation under Senate Bill (SB) 18 and Assembly Bill (AB) 52. A consultation was made on July 30, 2020, with the Gabrieleno-Tongva Tribe and an initial consultation was made on August 13, 2020, with the Gabrieleno Band of Mission Indians Kizh Nation, with ongoing discussions thereafter. As a result of the consultations, the City imposed Mitigation Measures TCR-1 regarding retaining a Native American monitor/consultant and TCR-2 regarding unanticipated discovery of tribal cultural and archaeological resources. The same mitigation measure for Tribal Cultural Resources also mitigates the potential impacts to Cultural Resources. Geological impacts will be mitigated by requiring a paleontologist to monitor ground disturbances greater than 5.0 feet below the historic surface elevation.

No other impact areas required mitigation as the impacts would be less than significant.

The IS/MND was independently reviewed by City staff. In making all of the required findings, the Planning Commission will exercise its independent judgment.

The Initial Study was prepared to determine whether implementation of the project may cause significant adverse environmental impacts. On the basis of this evaluation, it was found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures were added to the project. Ultimately, approval of the MND and adoption of the MMRP for the purposes of the site plan review and the tentative tract map lies with the Planning Commission and approval of the MND and adoption of the MMRP lies with the City Council for purposes of approving the general plan amendment and zone change.

ECONOMIC IMPACT

The project will be required to pay school impact fees to LAUSD, in lieu park fees in the amount of \$820,000 as discussed above, and the multi-family residential impact fee required by Chapter 15.48 of the Gardena Municipal Code of \$1,000 per unit for an additional \$82,000 as the affordable units are exempt from this fee as well.

RECOMMENDATION

Staff recommends the Planning Commission adopt Resolution No. PC 10-20 which does the following:

- 1) Adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for purposes of the Tentative Tract Map and Site Plan Review and recommends that the City Council adopt the same for the General Plan Amendment and Zone Change;
- 2) Recommends that the City Council adopt the General Plan Amendment and Zone Change;
- 3) Approves the Tentative Tract Map subject to the Legislative approvals; and
- 4) Approves the Site Plan subject to the Legislative approvals.

ATTACHMENTS

Attachment A – Notice of Public Hearing and Notice of Intent to Adopt an MND

Attachment B – Comment Letters

Attachment C – Resolution No. PC 10-20

- Exhibit A – Draft IS/MND dated September 2020 (under separate cover)
- Exhibit B – Mitigation Monitoring and Reporting Program
- Exhibit C – Draft General Plan Amendment Resolution
 - Exhibit A – General Plan Land Use Map change
- Exhibit D – Draft Ordinance Rezoning Property
 - Exhibit A – Zone Change Map
- Exhibit E – Conditions of Approval
- Exhibit F – Affordable Housing Agreement and attachments
- Exhibit G – TTM No. 83037 received Sept. 18, 2020 (under separate cover)
- Exhibit H – Development Plans received Sept. 18, 2020 (under separate cover)



Attachment A

CITY OF GARDENA

COMMUNITY DEVELOPMENT DEPARTMENT
1700 WEST 162ND STREET, GARDENA, CA 90247-3778

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Gardena Planning & Environmental Quality Commission will hold a **virtual** public hearing on **Tuesday, October 20, 2020 at 7:00 P.M.** on the following application:

**Environmental Assessment #5-20, Site Plan Review #3-20, Zone Change #2-20,
General Plan Amendment #2-20, Tentative Tract Map #2-20**

The applicant is requesting approval of a Site Plan Review to allow the development of 84 three-story attached condominium townhomes in 16 buildings; a Tentative Tract Map to subdivide 4.23 acres (TTM #83037); a Zone Change to change the zoning from C-3 (General Commercial) to R-4 (High Density Multiple-Family Residential); and a General Plan Amendment to change the land use designation from General Commercial to High Density Residential. A Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (MMP) have been prepared to address the environmental impacts. The Commission will consider the MND and MMP at the same time as it considers all other requests.

Project Location: 13615, 13619, and 13633 Vermont Avenue
(APNs: 6115-019-042, 43, 44, and 45)
Applicant: Melia Homes Inc.

The hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://www.cityofgardena.org/agendas-and-minutes/> no later than October 16, 2020. The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/agendas-planning-environmental-commission/>. You will have the opportunity to post questions during the hearing. Additionally, you are encouraged to pose any questions or comments ahead of time by emailing CDDPlanningandZoning@cityofgardena.org. If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning and Environmental Quality Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9530.

This notice is dated this 8th day of October, 2020.

John F. Signo, AICP
Senior Planner



DEPARTMENT of COMMUNITY DEVELOPMENT

1700 WEST 162nd STREET / GARDENA, CALIFORNIA 90247-3732 / WWW.CITYOFGARDENA.ORG / PHONE (310) 217-9530

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE
EVERGREEN RESIDENTIAL PROJECT**

TO: Responsible and Interested Parties

FROM: City of Gardena

Community Development Department

In accordance with the CEQA and the CEQA Guidelines, this notice is to advise you that the City of Gardena intends to adopt a Mitigated Negative Declaration (MND) for the proposed project described below:

LEAD AGENCY: City of Gardena

PROJECT TITLE: Evergreen Residential Project

PROJECT APPLICANT: Melia Homes Inc.

PROJECT LOCATION: 13615, 13619, and 13633 Vermont Avenue

City of Gardena, County of Los Angeles

ORIGINAL FILED

SEP 18 2020

LOS ANGELES COUNTY CLERK

PROJECT DESCRIPTION: The Evergreen Residential Project would redevelop a 4.23-acre site that contains a motel (Moneta Motel) and a retail garden center (Moneta Nursery Garden Center). The project would develop 84 three-story attached condominium townhomes in 16 buildings, and includes a tot lot, swimming pool, landscaping, and other amenities. Each building would contain four to six dwelling units and have a maximum height of 40 feet (to roof ridge). The townhomes would consist of a mix of floor plans with two to four bedroom options, ranging in size from 1,528 to 1,801 square feet, with the exception of two units which would be 833 square feet with one bedroom and a den. The Project includes a General Plan Amendment (GPA) #2-20, Zone Change (ZC) #2-20, Tentative Tract Map (TTM) #2-20 (TTM No. 83037), and Site Plan Review (SPR) #3-20 to allow development of a residential community.

ENVIRONMENTAL DETERMINATION: The City has prepared an Initial Study (EA #5-20) and determined that the Project may have a significant effect on the environment, but by implementing the identified mitigation measures, the Project's impacts would be reduced to less than significant levels. Accordingly, City staff is recommending that the Planning Commission adopt the Mitigated Negative Declaration. The Planning Commission shall consider adopting the MND as part of their consideration of the project at a future public hearing, tentatively scheduled for October 20, 2020 at 7:00 p.m.

TASHA CERDA, Mayor / MARK E. HENDERSON, Mayor Pro Tem

PAULETTE C. FRANCIS, Councilmember / ART KASKANIAN, Councilmember / RODNEY G. TANAKA, Councilmember
MINA SEMENZA, City Clerk / J. INGRID TSUKIYAMA, City Treasurer / CLINT OSORIO, City Manager / CARMEN VASQUEZ, City Attorney

Hazardous Waste Site: The Project site is not included on a list enumerated in Gov. Code section 65962.5.

DOCUMENT AVAILABILITY: Copies of the Draft IS/MND will be available for public review beginning September 17, 2020:

- City's website: <https://www.cityofgardena.org/community-development/planning-projects/>

If you are not able to download a copy of the Draft IS/MND, please contact John F. Signo, AICP at jsigno@cityofgardena.org.

PUBLIC REVIEW: The 20-day public review period begins on September 17, 2020 ends on October 6, 2020. Any interested person or agency may comment on this matter by submitting comments via email to jsigno@cityofgardena.org (please indicate "Evergreen Residential Project") in the subject or via postal mail to: John F. Signo, AICP, Senior Planner, 1700 West 162nd Street, Gardena, CA 90247. **Written comments on the Draft IS/MND should be submitted no later than 5:00 PM on October 6, 2020.** Due to possible mail delays, comments via email are preferred. Responsible agencies should limit their comments to those Project activities that are within your area of expertise or which will be required to be carried out or approved by your agency.



COUNTY OF LOS ANGELES FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2426
www.fire.lacounty.gov

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MARK RIDLEY-THOMAS
SECOND DISTRICT

SHEILA KUEHL
THIRD DISTRICT

JANICE HAHN
FOURTH DISTRICT

KATHRYN BARGER
FIFTH DISTRICT

Attachment B

October 8, 2020

John Signo, Planner
City of Gardena
Department of Community Development
1700 West 162nd Street
Gardena, CA 90247

Dear Mr. Signo:

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION,
"EVERGREEN RESIDENTIAL PROJECT," WOULD REDEVELOP A 4.23-ACRE SITE
THAT CONTAINS A MOTEL AND RETAIL GARDEN CENTER, THE PROJECT WOULD
DEVELOP 84 THREE-STORY ATTACHED CONDOMINIUM TOWNHOMES IN 16
BUILDINGS, AND INCLUDES A TOT LOT, SWIMMING POOL, LANDSCAPING, AN
OTHER AMENITIES, LOCATED AT 13615 VERMONT AVENUE, GARDENA,
FFER 2020006724**

The Notice of Intent to Adopt a Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

We have no comments.

For any questions regarding this response, please contact Loretta Bagwell, Planning Analyst, at (323) 881-2404 or Loretta.Bagwell@fire.lacounty.gov.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY
DIAMOND BAR
DUARTE

EL MONTE
GARDENA
GLENDORA
HAWAIIAN GARDENS
HAWTHORNE
HERMOSA BEACH
HIDDEN HILLS
HUNTINGTON PARK

INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE
LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER

LAWDALE
LOMITA
LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES

PARAMOUNT
PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

LAND DEVELOPMENT UNIT:

THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

FAILURE TO COMPLY WITH THE LAND DEVELOPMENT UNIT HOLDS DURING THE TENTATIVE MAP PROCESS PRIOR TO PUBLIC HEARING, AND/OR THE FINAL MAP REVIEW PRIOR TO RECORDATION, MAY RESULT IN THE BUILDING PLANS NOT BEING APPROVED DURING THE FIRE DEPARTMENT FIRE PREVENTION ENGINEERING SECTION BUILDING PLAN REVIEW.

FINAL MAP REQUIREMENTS:

1. The Final Map shall be submitted to our office for review and approval prior recordation.
2. Fire hydrant improvement plans for the new required fire hydrants should be submitted for review and approval prior clearance of the Final Map.
3. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.
4. The Private Driveways proposed as private streets for access throughout the development shall be labeled as "Private Driveway" on the Final Map. The portion of the private driveway intended for fire apparatus access shall be identified as "Fire Lane" on the Final Map. All widths and dimensions shall be clearly delineated with a reciprocal access agreement is required for all private driveways. Compliance required prior to Final Map clearance.

ACCESS REQUIREMENTS:

Verification for compliance will be performed during the architectural plan review prior to building permit issuance.

1. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires all weather access.
2. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.

3. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.2.
4. A minimum 5-foot-wide approved firefighter access walkway leading from the Fire Department Access Road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
5. Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
6. Dead-end Fire Apparatus Access Roads in excess of 150 feet in-length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5 Cross-hatch the Fire Department turnaround on the site plan. Include the dimensions of the turnaround. The orientation of the turnaround shall be properly placed in the direction of travel of the access roadway.
7. Multiple residential buildings having entrances to individual units not visible from the street or road shall have unit numbers displayed in groups for all units within each structure. Such numbers may be grouped on the wall of the structure or mounted on a post independent of the structure and shall be positioned to be plainly visible from the street or road as required by Fire Code 505.3 and in accordance with Fire Code 505.1.

WATER SYSTEM REQUIREMENTS:

1. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Code.
2. The required fire flow for the public fire hydrants for this project is 2,500 GPM at 20 pounds psi residual pressure for 2 hours. Three public fire hydrant(s) flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 and Appendix B105.1.
3. Install four (4) Public fire hydrants as noted on the Fire Access and Hydrant Location Plan for Tentative Tract Map 83037.
4. All required public shall be installed, tested, and approved prior to building occupancy. Fire Code 901.5.4.

5. Approved Automatic Sprinkler Systems in new buildings and structures shall be provided in locations described in Sections 903.2.1 through 903.2.12 of the County of Los Angeles Fire Code.
6. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
7. Parking shall be restricted 30 feet adjacent to any required public fire hydrant, 15 feet on each side measured from the center of the fire hydrant. Adequate signage and/or stripping shall be required prior to occupancy.

Future development on this property shall comply with applicable Building and Fire Code requirements. Submit construction plans to the Fire Department's Engineering Building Plan Check Unit for review and approval prior to issuance of any building permit.

Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department Land Development Unit's, Inspector Nancy Rodeheffer at (323) 890-4243.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

Under the Los Angeles County Oak tree Ordinance, a permit is required to cut, destroy, remove, relocate, inflict damage or encroach into the protected zone of any tree of the Oak genus which is 25 inches or more in circumference (eight inches in diameter), as measured 4 1/2 feet above mean natural grade.

If Oak trees are known to exist in the proposed project area further field studies should be conducted to determine the presence of this species on the project site.

The County of Los Angeles Fire Department's Forestry Division has no further comments regarding this project.

For any questions regarding this response, please contact Forestry Assistant, Joseph Brunet at (818) 890-5719.

John Signo, Planner
October 8, 2020
Page 5

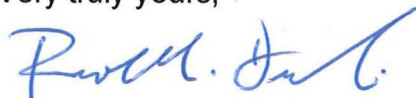
HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division of the Los Angeles County Fire Department has no comments or requirements for the project at this time.

Please contact HHMD senior typist-clerk, Perla Garcia at (323) 890-4035 or Perla.garcia@fire.lacounty.gov if you have any questions.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



RONALD M. DURBIN, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

RMD:ac



**LOS ANGELES COUNTY
SANITATION DISTRICTS**
Converting Waste Into Resources

Robert C. Ferrante

Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

October 6, 2020

Ref. DOC 5910322

Mr. John F. Signo, AICP, Senior Planner
Community Development Department
City of Gardena
1700 West 162nd Street
Gardena, CA 90247

Dear Mr. Signo:

NOI Response for Evergreen Residential Project

The Los Angeles County Sanitation Districts (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on September 19, 2020. The proposed project is located within the jurisdictional boundary of District No. 5. We offer the following comments:

4.19 UTILITIES AND SERVICES SYSTEM

1. Wastewater Generation, *page 140*, first paragraph – The proposed project's wastewater flow from the existing 8-inch sewer main within South Budlong Avenue is conveyed to the Districts' East Rosecrans Avenue Section 1 Trunk Sewer, located in Rosecrans Avenue at Normandie Avenue. The Districts' 15-inch diameter trunk sewer has a capacity of 1.5 million gallons per day (mgd) and conveyed a peak flow of 0.6 mgd when last measured in 2017.
2. Wastewater Generation, *page 140*, second paragraph – Development of the proposed project would result in an expected increase in average wastewater flow. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is used by the Districts to upgrade or expand the Sewerage System. Payment of a connection fee will be required before this project is permitted to discharge to the Districts' Sewerage System.

All other information concerning Districts' facilities and sewerage service contained in the document is current. If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717 or at araza@lacsd.org.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

cc: A. Schmidt
A. Howard

DOC 5928555.D05

Attachment C

RESOLUTION NO. PC 10-20

A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; APPROVING A TENTATIVE TRACT MAP AND SITE PLAN REVIEW; AND RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND APPROVE A GENERAL PLAN AMENDMENT AND ZONE CHANGE, ALL RELATED TO THE DEVELOPMENT OF AN 84-UNIT TOWNHOME PROJECT ON A 4.23 GROSS ACRE PARCEL AT 13615, 13619, AND 13633 VERMONT AVENUE

**(EA #5-20; SPR #3-20; TTM #2-20; ZC #2-20; GPA #2-20)
(APNS: 6115-019-042, 043, 044, and 045)**

WHEREAS, on March 9, 2020, the applicant, Melia Homes Inc., filed an application to develop an 84-unit residential condominium project consisting of attached three-story townhome style condominiums in 16 buildings on a 4.23-acre property located at 13615, 13619, and 13633 Vermont Avenue (the “Property”); and

WHEREAS, in order to develop the residential project, the following entitlements (collectively, the “Project”) are required: General Plan Amendment (GPA #2-20) to change the land use designation from General Commercial to High Density Residential; Zone Change (ZC #2-20) to change the zoning from C-3 (General Commercial) to R-4 (High Density Multiple-Family Residential); Tentative Tract Map (TTM #2-20; TTM #83037) subdividing the property for 84 condominium units; and Site Plan Review (SPR #3-20) allowing the development of 84 townhomes in 16 buildings including amenities; and

WHEREAS, the Project includes provision of two affordable dwelling units; and

WHEREAS, an Initial Study and Mitigated Negative Declaration (“IS/MND”) was prepared for the Project and the draft MND was circulated for a 20-day public review period between September 17, 2020 and October 6, 2020; and

WHEREAS, on October 20, 2020, the Planning Commission of the City of Gardena held a duly noticed public hearing on the draft IS/MND and the approvals required for the Project at which time it considered all evidence, both written and oral.

NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY CONTROL COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS.

A. The City retained De Novo Planning Group, an environmental consultant, to prepare the IS/MND, a copy of which is attached hereto as Exhibit A.

B. The IS/MND was prepared and noticed in accordance with all requirements of the California Environmental Quality Act (Public Resources Code § 21000 *et seq.*) and the CEQA Guidelines (14 Cal. Code of Regs. § 15000 *et seq.*) (collectively, “CEQA”).

C. The IS/MND adequately assesses the impacts of the Project.

D. The IS/MND determined that there would be potentially significant impacts with regard to the following topics: Cultural Resources (Archaeological Resources); Geology and Soils (Paleontological Discovery); and Tribal Cultural Resources (Monitor/Consultant and Unanticipated Discovery). Although impacts to the following would be considered less than significant, conditions of approval have been included: Geology and Soils; Hazards and Hazardous Materials; and Noise.

1. The Mitigation Measures listed in the Mitigation Monitoring and Reporting Program (“MMRP”), which is attached hereto as Exhibit B, will mitigate impacts to Cultural Resources, Geology and Soils, and Tribal Cultural Resources to below a level of significance.

2. Following compliance with the conditions of approval that will be imposed on the project for Geology and Soils; Hazards and Hazardous Materials; and Noise, potential impacts will be further reduced to less than significant and no mitigation is required for the impacts identified thereunder.

E. The City sent notices to the Native American tribes provided by the National American Heritage Commission. The City received a request for consultation from the Gabrieleno-Tongva Tribe and Gabrieleno Band of Mission Indians-Kizh Nation under Senate Bill (SB) 18 and Assembly Bill (AB) 52. A consultation was made on July 30, 2020, with the Gabrieleno-Tongva Tribe and consultation began on August 13, 2020, with the Gabrieleno Band of Mission Indians Kizh Nation and continued thereafter. As a result of the consultations, the City imposed Mitigation Measures TCR-1 regarding retaining a Native American monitor/consultant and TCR-2 regarding unanticipated discovery of tribal cultural and archaeological resources.

F. In addition to the letter received from the Kizh Nation, a comment letter on the IS/MND was received from the Sanitation Districts of Los Angeles County. The letter addressed wastewater generation, capacity, and payment of a collection fee, but did not identify any new significant impacts nor did it address the adequacy of the IS/MND and no change to the document was necessary. The Los Angeles County Fire Department also provided a comment letter received on October 14, 2020 (dated October 8, 2020)(Attachment B). As with the Sanitation Districts’ letter, the response did not make any comments on the adequacy of the IS/MND, but provided conditions of approval which have been incorporated.

G. The IS/MND were independently reviewed by City staff and the Planning Commission. In making all of the findings herein, the Planning Commission has exercised its independent judgment.

H. Based on the findings set forth above as well as the record of proceedings, the Planning Commission hereby approves the Mitigated Negative Declaration and adopts the Mitigation Monitoring and Reporting Program for purposes of Tract Map No. 83037 and Site Plan Review #3-20 and recommends that the City Council adopt the Mitigated Negative Declaration for General Plan Amendment #2-20 and Zone Change #2-20.

SECTION 2. GENERAL PLAN AND ZONING RECOMMENDATION.

The Planning Commission hereby recommends that the City Council: adopt the Resolution attached hereto as Exhibit C changing the General Plan land use designation for the Property from General Commercial to High Density Residential; and adopt the Ordinance attached hereto as Exhibit D changing the zoning from the Property from C-3 (General Commercial) to R-4 (High Density Multiple-Family Residential). In making this recommendation the Planning Commission incorporates the findings set forth in those Exhibits.

SECTION 3. TRACT MAP APPROVAL.

Tentative Tract Map No. 83037 shown on Exhibit G, dividing the property into 84 condominium lots is hereby approved, subject to the conditions of approval attached as Exhibit E, based on the fact that none of the findings which would prohibit the approval of a map are present and the map satisfies all of the requirements of the Gardena Municipal Code and the Subdivision Map Act.

A. The map and design and improvement of the proposed subdivision is consistent with applicable general and specific plan (Government Code § 66474; § 66473.5).

The Planning Commission has recommended that the City Council adopt a resolution amending the General Plan and Zoning to High Density Residential. If approved, the map will be consistent with the Land Use Plan of the Community Development Element of the General Plan. There are no applicable Specific Plans. Additionally, the development project authorized by the map is consistent with the following policies and goals from the General Plan as further elaborated on in the staff report:

- *LU 1.2: Promote sound housing and attractive and safe residential neighborhoods.*
- *LU 1.5: Provide adequate residential amenities such as open space, recreation, off-street parking and pedestrian features in multi-family residential developments.*
- *DS 2.3: Encourage a variety of architectural styles, massing, floor plans, color schemes, building materials, façade treatments, elevation and wall articulations.*
- *DS 2.11: Incorporate quality residential amenities such as private and communal open spaces into multi-unit development projects in order to improve the quality of the project and to create more attractive and livable spaces for residents to enjoy.*
- *DS 2.13: Encourage lot consolidation for multi-family development projects in order to produce larger sites with greater project amenities.*

- *PS 2.3: Require compliance with seismic safety standards in the Unified [sic] Building Code*
- *PS 2.4 Require geotechnical studies for all new development projects located in an Alquist-Priolo Earthquake Fault Zone or areas subject to liquefaction.*
- *Housing Goal 2.0: Provide opportunity for increasing the supply of affordable housing within the City, with special emphasis on housing for special needs groups.*
- *Housing Goal 4.0: Provide adequate residential sites through appropriate land use and zoning to accommodate the City's share of regional housing needs.*

B. The site is physically suitable for the type or density of development (Government Code § 66474).

The site is 4.23 gross acres consisting of four parcels which are flat, and serviced by all necessary utilities. The site has been previously developed. The size and topography of the parcels allows the development of the 84 townhomes in 16 buildings while adhering to Gardena Municipal Code standards. Furthermore, the zoning allows for a maximum density of 30 dwelling units to the acre and a minimum density of 20 units to the acre and falls within these requirements. The density of this project is 20.24 units per acre and falls within these requirements. The site also provides adequate ingress and egress. Therefore, the site is physically suitable for the type and density of the proposed development.

C. The design of the subdivision and the proposed improvements will not cause serious public health problems, substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Government Code § 66474).

The property has already been fully developed and has been used for a landscape nursery and motel. There are buildings on the property which are used for landscape sales and motel use. The paved areas of the property are used for parking. There is no natural environment, fish, or wildlife in the area which will be harmed by the proposed project. Furthermore, the subdivision has been designed to provide adequate access for pedestrians and vehicles, guests and residents, and emergency access. The townhomes will be located adjacent to an existing mobilehome park, apartment complex, and single-family homes. A mitigated negative declaration was prepared for the Project and approved by the Planning Commission for purposes of the Tract Map and Site Plan. The mitigated negative declaration determined that there would not be any public health problems, substantial environmental damage, or injury to fish and wildlife or their habitat.

D. The design of the subdivision or type of improvements will not conflict with public access easements (Government Code § 66474).

There are no public access easements on the property and therefore no conflict with such easements.

E. The design of the subdivision provides for, to the extent feasible, future passive or natural heating and cooling opportunities (Government Code § 66473.1).

The design of the subdivision provides for over 56,256 square feet of open space, including common open space and private balconies. Each townhome will be built to meet insulation, air and ventilation requirements pursuant to the Building Code. Windows and doors will allow for ventilation and natural light to penetrate inside townhomes for natural heating and cooling opportunities.

There are no grounds upon which to deny the map. Therefore, with the conditions of approval, the subdivision and subdivision design will be consistent with the General Plan and State Subdivision Map Act as supplemented by Title 17 of the Gardena Municipal Code.

SECTION 4. SITE PLAN REVIEW APPROVAL.

Site Plan Review (#3-20) for the construction of an 84-unit condominium development in 16 buildings, is hereby approved based on the following findings and subject to the conditions attached hereto as Exhibit E. The plans being approved are those received by the Community Development Department on September 18, 2020, attached hereto as Exhibit H, as the same may be modified by the conditions of approval.

A. The proposed development, including the uses and physical design, is consistent with the intent and general purpose of the general plan and provisions of the municipal code.

As part of the Project, Developer has sought approval of a General Plan amendment and zone change designation. Staff has determined that based on the calculation of density on gross acreage prior to dedication, the General Plan land use and zoning would have to be changed to high density residential to accommodate the development and the Planning Commission has recommended approval of these changes.

The High Density Residential land use category provides for a high quality, multiple-family living environment consisting of three-story multi-unit buildings. The high density multiple-family residential zone (R-4) implements this land use designation. The allowed density requires a minimum of 20 units per acre and a maximum of 30 units per acre under the City's Zoning Code for lots of this size; the General Plan also allows 30 units per acre.

In recommending approval of the General Plan Amendment and Zone Change, the Planning Commission has determined that high-density residential zoning represents good planning practices. The proposed density is approximately 20.24 units per acre and therefore falls within the allowable density requirements, so it is consistent with the General Plan and zoning. The Project is also consistent with the Goal and Policies of the General Plan Land Use Plan for the reasons set forth in Section 3(A) above.

As shown in the staff report, which is incorporated by reference, the site plan meets or exceeds all development standards of the zoning code. Furthermore, the project is providing two much-needed, low-income affordable units to the City.

B. The proposed development will not adversely affect the orderly and harmonious development of the area and the general welfare of the city.

As set forth above and in the staff report, which is incorporated by reference, the proposed site plan meets all of the development requirements, and the proposal, as conditioned, will be compatible with, and not detrimental to, the surrounding land uses and general welfare of the City.

SECTION 5. APPEAL. The approvals granted by this Resolution may be appealed within 10 calendar days from adoption of this resolution. All appeals must be in writing and filed with the City Clerk within this time period with the appropriate fee. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 6. RECORD.

Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 7. CUSTODIAN OF RECORD.

The Custodian of Record for the proceedings relating to the Project, including the MND and MMRP, is Raymond Barragan, Community Development Manager, City of Gardena, 1700 W. 162nd Street, Gardena, California 90247. Mr. Barragan's email is rbarragan@cityofgardena.org and his phone number is (310) 217-9546.

SECTION 8. NOTICE OF DETERMINATION.

Staff is hereby directed to file a Notice of Determination of the approvals granted herein with the County Recorder's office within five working days from the date of approval.

SECTION 9. EFFECTIVE DATE. This Resolution shall take effect immediately but the approvals granted by this Resolution shall only become effective if the City Council approves the General Plan Amendment and Zone Change as recommended in Section 2 above.

SECTION 10. CERTIFICATION.

The Secretary shall certify the passage of this resolution.

PASSED, APPROVED, AND ADOPTED this 20th day of October 2020.

BRENDA JACKSON, CHAIR
PLANNING AND ENVIRONMENTAL
QUALITY COMMISSION

ATTEST:

RAYMOND BARRAGAN, SECRETARY
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

I, Raymond Barragan, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify the following:

1. That a copy of this Resolution and the attachments will be sent to the applicant and to the City Council as a report of the findings and action of the Planning and Environmental Quality Commission; and
2. That the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 20th day of October 2020, by the following vote of the Planning and Environmental Quality Commission:

AYES:

NOES:

ABSENT:

Attachments:

- Exhibit A – Draft IS/MND dated September 2020 (under separate cover)
- Exhibit B – Mitigation Monitoring and Reporting Program
- Exhibit C – Draft General Plan Amendment Resolution
 - Exhibit A – General Plan Land Use Map change
- Exhibit D – Draft Ordinance Rezoning Property
 - Exhibit A – Zone Change Map
- Exhibit E – Conditions of Approval
- Exhibit F – Affordable Housing Agreement and attachments
- Exhibit G – TTM No. 83037 received Sept. 18, 2020 (under separate cover)
- Exhibit H – Development Plans received Sept. 18, 2020 (under separate cover)

Exhibit A

Draft IS/MND dated September 2020

(under separate cover)

Exhibit B



EVERGREEN RESIDENTIAL PROJECT

Mitigation Monitoring and Reporting Program

LEAD AGENCY: CITY OF GARDENA

1700 West 162nd Street
Gardena, California 90247
Contact: John F. Signo, AICP, Senior Planner
jsigno@cityofgardena.org
(310) 217-9530

PREPARED BY: DE NOVO PLANNING GROUP

180 E. Main Street, Suite 108
Tustin, California 92780
Contact: Starla Barker, AICP
sbarker@denovoplanning.com
(949) 396-8193

October 2020

MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6). Specifically, Public Resources Code § 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:*
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.*
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide the mechanism by which to monitor mitigation measures outlined in the Evergreen Residential Project Initial Study/Mitigated Negative Declaration (IS/MND). The Evergreen Residential Project MMRP has been prepared in conformance with Public Resources Code §21081.6 and City of Gardena (City) monitoring requirements.

State CEQA Guidelines §15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Gardena is the Lead Agency for the Evergreen Residential Project and is therefore responsible for ensuring MMRP implementation. This MMRP has been drafted to meet Public Resources Code §21081.6 requirements as a fully enforceable monitoring program.

The MMRP Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the Evergreen Residential Project file.

This MMRP delineates responsibilities for monitoring the Project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the MMRP Checklist. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

For the purposes of the environmental analysis in the IS/MND, impacts were analyzed in each environmental issue area for the proposed Project. Consideration of standard Conditions of Approval (COAs) that apply to each respective topical area was considered, particularly if that impact would be further reduced. If a potentially significant impact remained after implementation of applicable COAs, mitigation measures were also identified in order to reduce any significant impacts. Where mitigation measures were not required, it is noted as not applicable (NA) in the following table.

The numbering system in the following table corresponds with the IS/MND's numbering system. The MMRP table "Verification" column will be used by the parties responsible for documenting when the mitigation measure has been completed. The City of Gardena will complete ongoing documentation and mitigation compliance monitoring. The completed MMRP and supplemental documents will be kept on file at the City of Gardena Community Development Department.

Mitigation Monitoring and Reporting Program Checklist

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
CULTURAL RESOURCES						
Conditions of Approval						
NA						
Mitigation Measures						
Refer to Mitigation Measure TCR-2						
GEOLOGY AND SOILS						
Conditions of Approval						
COA GEO-1: Prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Gardena Community Development Department.	Prior to Ground-Disturbing Activities	WEAP Training	Community Development Manager and Applicant/ Contractor			
COA GEO-2: If fossils or fossil bearing deposits are encountered during ground-disturbing activities, work within a 25-foot radius of the find shall halt and a professional vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) 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.	During Construction	Paleontological Resources Evaluation	Community Development Manager and Paleontologist			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
Mitigation Measures						
GEO-1: Paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances greater than 5.0 feet below the historic surface elevation in native sediments. Auguring, potholing, and pile driving activities do not need to be monitored as these activities are unlikely to produce significant fossil because information about formation, depth, or context is impossible to discern. Should similar activities be planned, the qualified paleontologist shall be consulted prior to commencement so they may determine if that activity requires monitoring.	Prior to Ground Disturbing Activities During Ground Disturbing Activities	Paleontological Monitor Agreement Construction Site Monitoring & Completion of Daily Monitoring Logs	Community Development Manager, Approved Paleontologist, and Applicant/ Contractor			
HAZARDS AND HAZARDOUS MATERIALS						
Conditions of Approval						
COA HAZ-1: Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). The sampling method to be used shall be based on the statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than 1 percent in construction materials. The asbestos survey shall be provided to the City of Gardena Building Division. If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard.	Prior to Demolition Activities and Issuance of Demolition Permits	Asbestos Survey	Applicant/ Contractor and City Building Official			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.						
COA HAZ-2: If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall identify the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm ²) in/on readily accessible painted surfaces of the buildings. If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint	During Demolition Activities	Evaluation of Paint Waste	Applicant/ Contractor and City Building Official			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
removal shall provide evidence of abatement activities to the City of Gardena Building Division.						
Mitigation Measures						
NA						
NOISE						
Conditions of Approval						
<p>COA N-1: Prior to approval of grading plans and/or prior to issuance of demolition, grading, and building permits, the following noise reduction techniques shall be included in the construction plans or specifications:</p> <ul style="list-style-type: none"> • Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices. • The Project Applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible, including shutting off idling equipment. • During construction, equipment staging areas shall be located such that the greatest distance is between the staging area noise sources and noise-sensitive receptors. • Per Gardena Municipal Code Section 8.36.080, construction activities shall not occur during the hours of 6:00 p.m. and 7:00 a.m. on weekdays; between the hours of 6:00 p.m. and 9:00 a.m. on Saturday; or any time on Sunday or a Federal holiday. 	Prior to Grading Plan Approval and/or Prior to Issuance of Demolition, Grading and Building Permits	Construction Plans and Specifications	Applicant/ Contractor and City Building Official			
COA N-2: Prior to building permit issuance, the Project applicant would be required to demonstrate to the City of Gardena Building Division that the HVAC units proposed to be installed on-site would be within a noise level ranging between 62 to 77 dBA in order to comply with the City's Noise Ordinance (Gardena Municipal Code Chapter 8.36). Building permit issuance is contingent upon satisfactory demonstration that the HVAC units would comply with the City's Noise Ordinance.	Prior to Building Permit Issuance	HVAC Specifications	Applicant/ Contractor and City Building Official			

[illegible]

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
have indicated that the site has a low potential for impacting Tribal Cultural Resources, whichever occurs first.						
TCR-2: Upon discovery of any Tribal Cultural Resources or archaeological resources, construction activities shall cease in the immediate vicinity and construction activities shall be diverted away from the find (50-foot buffer around the find) until the find can be assessed. All Tribal Cultural Resources and archaeological resources unearthed by ground-disturbing activities shall be evaluated by the Tribal Monitor approved by the Consulting Tribe and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983). If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If the archaeologist determines that the resource constitutes a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines §15064.5(f) for historical resources and Public Resources Code § 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is infeasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin 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 offered to a local school or local historical society for educational purposes.	During Construction, if Unanticipated Discovery of Tribal Cultural and Archaeological Resources Occurs	Tribal Cultural and Archaeological Resource Evaluation	Applicant/ Contractor, Approved Tribal Monitor and Archaeologist, and Community Development Manager			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
In the event that human remains are discovered during on-site construction activities, the Tribal Monitor and/or qualified archaeologist shall immediately divert work at minimum of 50 feet and place an exclusion zone around the discovery location. The Tribal Monitor shall then notify the Tribe, the qualified lead archaeologist, and the construction manager who shall notify the County Coroner per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Work shall continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD). Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented to the extent feasible in accordance with Section 15064.5(e) of the State CEQA Guidelines.	During Construction	Evaluation of Remains	Tribal Monitor and/or Archaeologist and Community Development Manager			

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Exhibit C

RESOLUTION NO. 6480

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT #2-20 CHANGING THE LAND USE DESIGNATION OF PROPERTY LOCATED AT 13615, 13619, and 13633 VERMONT AVENUE FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL

(GPA #2-20; APNS: 6115-019-042- 045)

WHEREAS, on March 9, 2020, the applicant, Melia Homes Inc., filed an application to develop an 84-unit residential condominium project consisting of attached three-story townhome-style condominiums in 16 buildings on a 4.23 acre property located at 13615, 13619 and 13633 Vermont Avenue (the “Property”); and

WHEREAS, in order to develop the residential project, the following entitlements (collectively, the “Project”) are required: General Plan amendment changing the land use designation from General Commercial to High Density Residential (GPA #2-20); Zone Change to change the zoning from General Commercial (C-3) to High Density Multiple-Family Residential (R-4) (ZC #2-20); Tentative Tract Map to create 84 airspace condominium lots (TTM No. 83037); and Site Plan Review for the proposed Project (SPR #3-20); and

WHEREAS, the Project includes provision of two affordable dwelling units; and

WHEREAS, a Mitigated Negative Declaration (“MND”) was prepared for the Project and the draft MND was circulated for a 20-day public review period between September 17, 2020 and October 6, 2020; and

WHEREAS, on October 20, 2020, the Planning Commission of the City of Gardena held a duly noticed public hearing on the IS/MND and the approvals required for the Project at which time it considered all evidence, both written and oral; and

WHEREAS, at the close of the public hearing, the Planning Commission adopted PC Resolution No. 10-20 which approved the MND and adopted the Mitigation Monitoring Reporting Program for the Tentative Tract Map and Site Plan Review, conditionally approved the Tentative Tract Map and Site Plan, and recommended that the City Council approve the MND and adopt the Mitigation Monitoring and Reporting Program for the General Plan Amendment and Zone Change and approve the General Plan Amendment and Zone Change; and

WHEREAS, on November 10, 2020, the City Council held a duly noticed public hearing on the Project at which time it considered all evidence, both written and oral; and

WHEREAS, after the close of the public hearing and prior to adopting this Resolution the City Council adopted Resolution No. 6480 approving the Mitigated Negative Declaration and Mitigation Monitoring Program for the General Plan Amendment and Zone Change.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. APPROVAL AND FINDINGS – GENERAL PLAN AMENDMENT.

A. Section 18.52.010 of the Gardena Municipal Code provides that the land use and zoning of property may be amended “[w]henver the public necessity, convenience, general welfare, or good land use and zoning practices require. . .” The City Council hereby approves the General Plan land use designation change for the Property from General Commercial to High Density Residential as shown on Exhibit A, attached hereto.

B. In taking this action, the City Council finds that the change is in the best interests of the general welfare and represents good land use planning practices, including, but not limited to the following reasons:

1. The Property is located in an area which is predominantly residential: there is an apartment building to the north of the Property and a mobilehome park to the north of that; the property to the west is developed with single-family residential uses; the property to the south is developed with a mobilehome park and further south is the Carnelian Specific Plan residential development; and the property to the east, in the City of Los Angeles, is also residential. The residential condominiums will be compatible with the adjacent residential uses.

2. The Property is located in a mid-block location and because of the center median located in Vermont Avenue, is limited to a right-turn only in and out of the development. The location and the limitations on accessing the property make it a poor location for a viable commercial development.

3. The General Plan Amendment, and the Project which will be built thereunder, is consistent with a number of policies and goals of the General Plan, including those in the Land Use Plan relating to residential development, as detailed in the staff report which is incorporated by reference.

4. The General Plan Amendment will allow development of the Project which will include two new affordable housing units; these are the first affordable housing units to be built in the City in a number of years.

5. As there continues to be a need for housing in Gardena, and California in general, changing the land use designation to allow high-density multi-family housing makes good planning sense.

SECTION 2. RECORD.

Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based

on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 3. CUSTODIAN OF RECORD.

The Custodian of Record for the proceedings relating to the Project, including the MND and MMRP, is Raymond Barragan, Acting Community Development Director, City of Gardena, 1700 W. 162nd Street, Gardena, California 90247. Mr. Barragan's email is rbarragan@cityofgardena.org and his phone number is (310) 217-9546.

SECTION 4. EFFECTIVE DATE.

This Resolution shall take effect on the thirty-first day after passage.

SECTION 5. NOTICE OF DETERMINATION.

Staff is hereby directed to file a Notice of Determination of the approvals granted herein with the County Recorder's office within five working days from the date of approval.

SECTION 6. CERTIFICATION.

The City Clerk shall certify the passage of this resolution.

PASSED, APPROVED AND ADOPTED this 10th day of November, 2020.

TASHA CERDA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

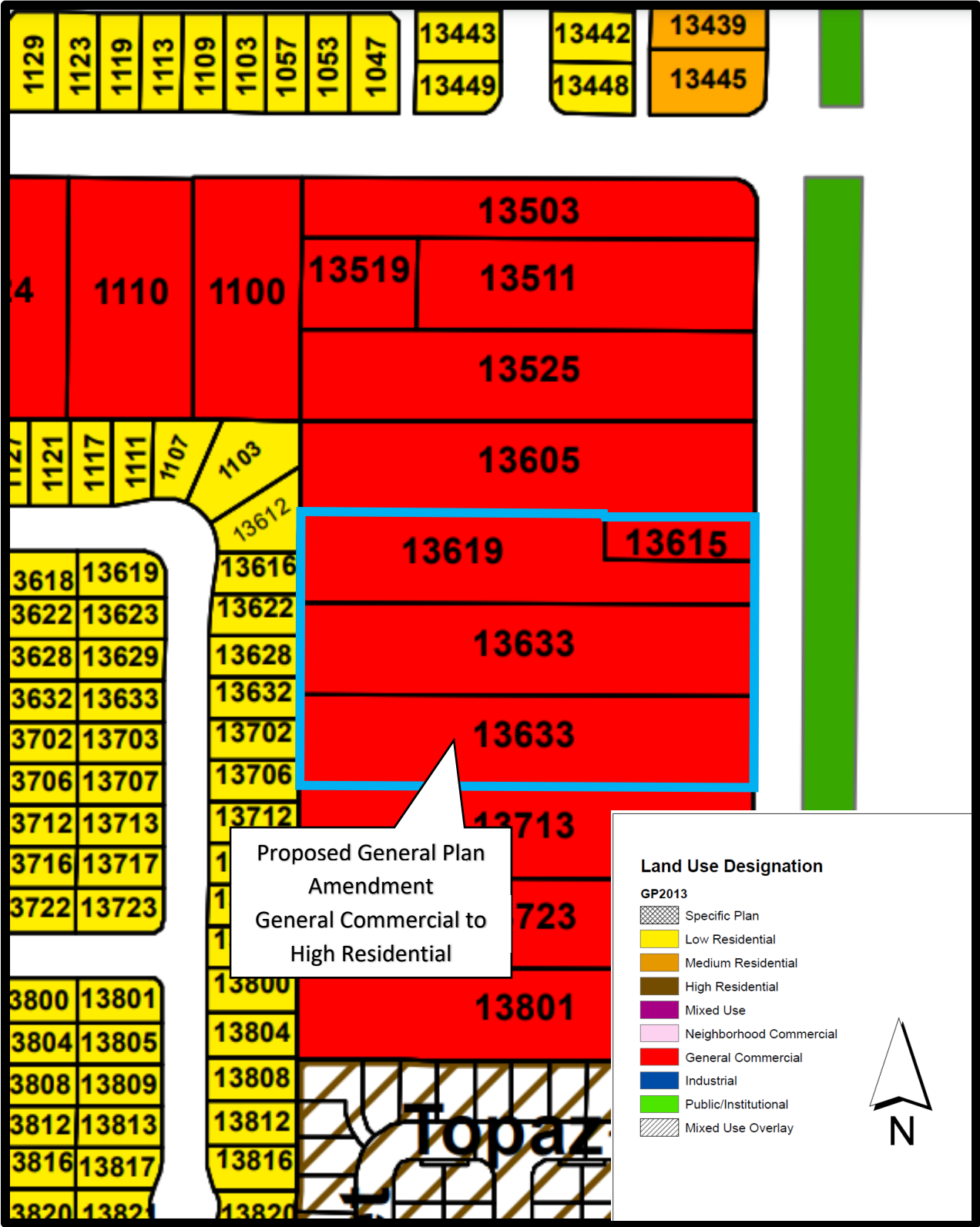
APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

Exhibit A – General Plan Land Use Map change

Exhibit A

Proposed General Plan Amendment #2-20



Adopted General Plan Amendment #2-20

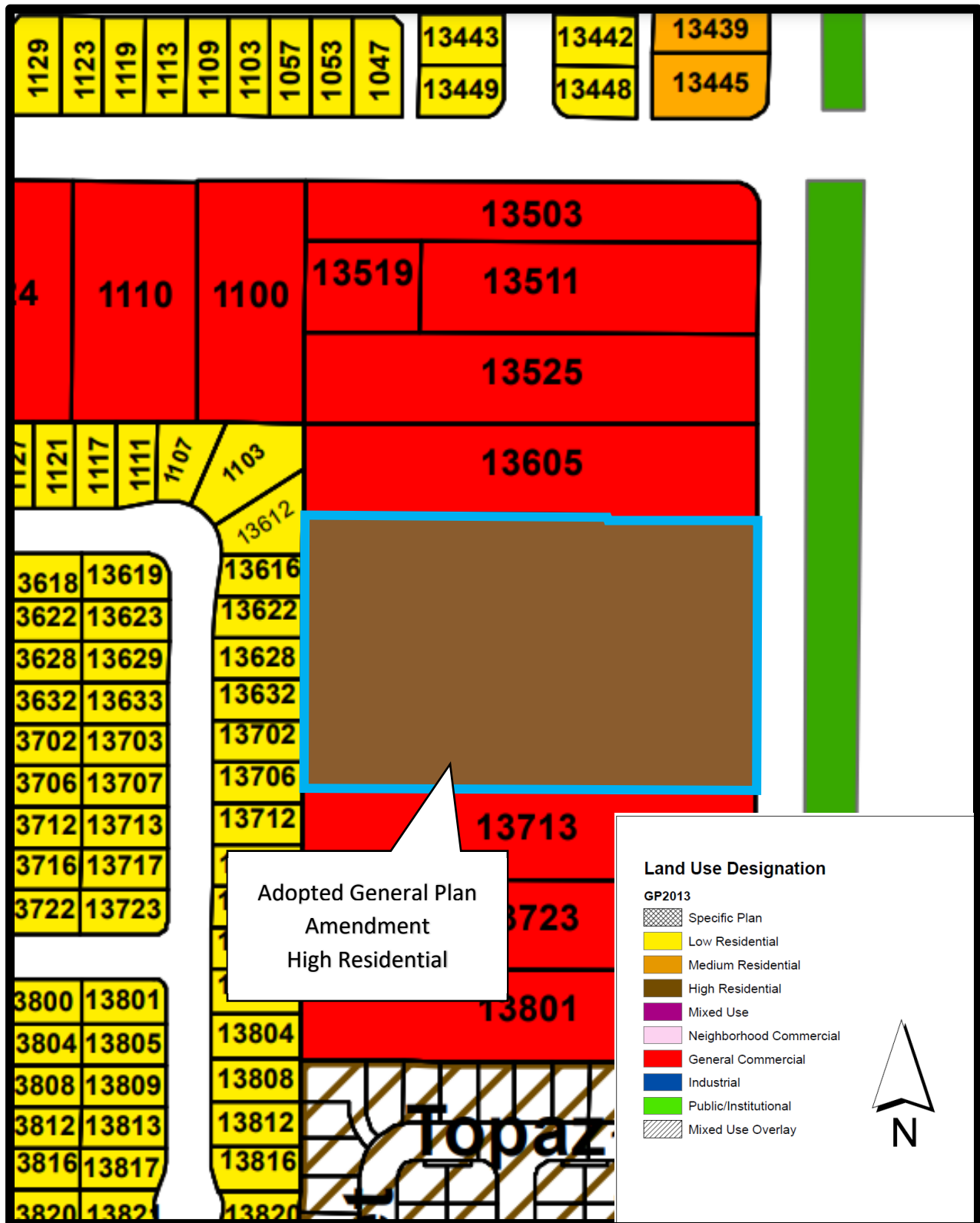


Exhibit D

ORDINANCE NO. 1822

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA APPROVING ZONE CHANGE #3-18 CHANGING THE ZONING OF PROPERTY LOCATED AT 13615, 13619, and 13633 VERMONT AVENUE FROM GENERAL COMMERCIAL (C-3) TO HIGH DENSITY RESIDENTIAL (R-4)

(ZC #2-20; APNS: 6115-019-042, 043, 044, and 045)

WHEREAS, on March 9, 2020, the applicant, Melia Homes Inc., filed an application to develop an 84-unit residential condominium project consisting of attached three-story townhome-style condominiums in 16 buildings on a 4.23 acre property located at 13615, 13619 and 13633 Vermont Avenue (the “Property”); and

WHEREAS, in order to develop the residential project, the following entitlements (collectively, the “Project”) are required: General Plan amendment changing the land use designation from General Commercial to High Density Residential (GPA #2-20); Zone Change to change the zoning from General Commercial (C-3) to High Density Multiple-Family Residential (R-4) (ZC #2-20); Tentative Tract Map to create 84 airspace condominium lots (TTM No. 83037); and Site Plan Review for the proposed Project (SPR #3-20); and

WHEREAS, the Project includes provision of two affordable dwelling units; and

WHEREAS, a Mitigated Negative Declaration (“MND”) was prepared for the Project and the draft MND was circulated for a 20-day public review period between September 17, 2020 and October 6, 2020; and

WHEREAS, on October 20, 2020, the Planning Commission of the City of Gardena held a duly noticed public hearing on the IS/MND and the approvals required for the Project at which time it considered all evidence, both written and oral; and

WHEREAS, at the close of the public hearing, the Planning Commission adopted PC Resolution No. 10-20 which approved the MND and adopted the Mitigation Monitoring Reporting Program for the Tentative Tract Map and Site Plan Review, conditionally approved the Tentative Tract Map and Site Plan, and recommended that the City Council approve the MND and adopt the Mitigation Monitoring and Reporting Program for the General Plan Amendment and Zone Change and approve the General Plan Amendment and Zone Change; and

WHEREAS, on November 10, 2020, the City Council held a duly noticed public hearing on the Project at which time it considered all evidence, both written and oral; and

WHEREAS, after the close of the public hearing and prior to adopting this Ordinance the City Council adopted Resolution No. 6480 approving the Mitigated Negative Declaration for the General Plan Amendment and Zone Change and approving a General Plan Amendment changing the land use designation of the property to High Density Residential.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA
DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. APPROVAL AND FINDINGS – ZONE CHANGE.

A. Section 18.52.010 of the Gardena Municipal Code provides that the land use and zoning of property may be amended “[w]henver the public necessity, convenience, general welfare, or good land use and zoning practices require. . .” The City Council hereby approves the zone change for the Property from General Commercial (C-3) to High Density Multiple-Family Residential (R-4) as shown on Exhibit A, attached hereto.

B. In taking this action, the City Council finds that the change is in the best interests of the general welfare and represents good land use planning practices, including, but not limited to the following reasons:

1. The Property is located in an area which is predominantly residential: there is an apartment building to the north of the Property and a mobilehome park to the north of that; the property to the west is developed with single-family residential uses; the property to the south is developed with a mobilehome park and further south is the Carnelian Specific Plan residential development; and the property to the east, in the City of Los Angeles, is also residential. The residential condominiums will be compatible with the adjacent residential uses.

2. The Property is located in a mid-block location and because of the center median located in Vermont Avenue, is limited to a right-turn only in and out of the development. The location and the limitations on accessing the property make it a poor location for a viable commercial development.

3. The General Plan Amendment, and the Project which will be built thereunder, is consistent with a number of policies and goals of the General Plan, including those in the Land Use Plan relating to residential development, as detailed in the staff report which is incorporated by reference.

4. The Zone Change will allow development of the Project which will include two new affordable housing units.

5. As there continues to be a need for housing in Gardena, and California in general, changing the land use designation to allow high-density multi-family housing makes good planning sense.

6. The change in zoning is consistent with the General Plan Amendment that was concurrently processed for this Project.

SECTION 2. RECORD.

Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 3. CUSTODIAN OF RECORD.

The Custodian of Record for the proceedings relating to the Project, including the MND and MMRP, is Raymond Barragan, Acting Community Development Director, City of Gardena, 1700 W. 162nd Street, Gardena, California 90247. Mr. Barragan's email is rbarragan@cityofgardena.org and his phone number is (310) 217-9546.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect on the thirty-first day after passage.

SECTION 5. NOTICE OF DETERMINATION.

Staff is hereby directed to file a Notice of Determination of the approvals granted herein with the County Recorder's office within five working days from the date of approval.

SECTION 6. CERTIFICATION.

The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2020.

TASHA CERDA, Mayor

ATTEST:

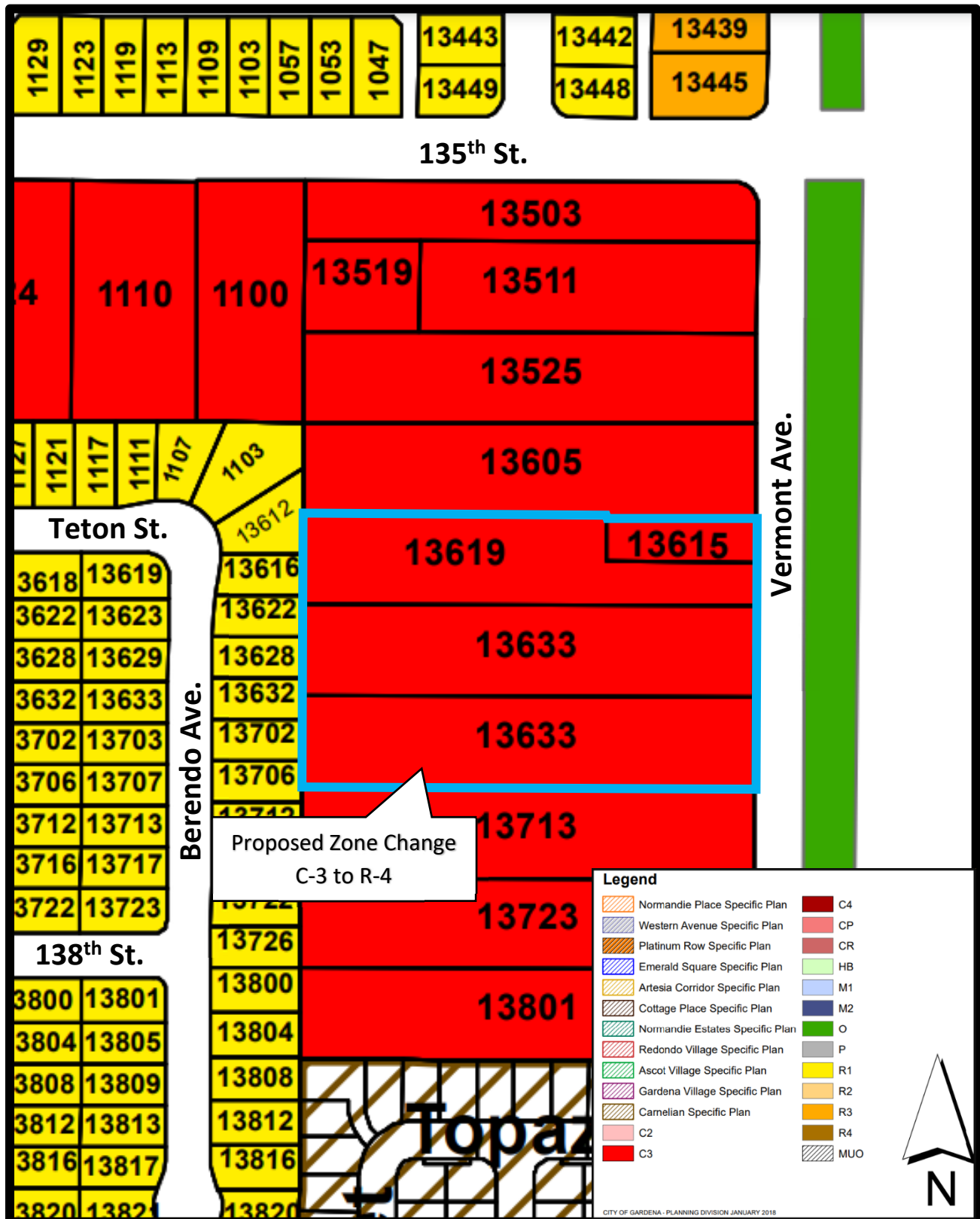
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

LISA KRANITZ, Assistant City Attorney

Exhibit A – Zone Change Map

Exhibit A
Proposed Zone Change #2-20



Adopted Zone Change #2-20

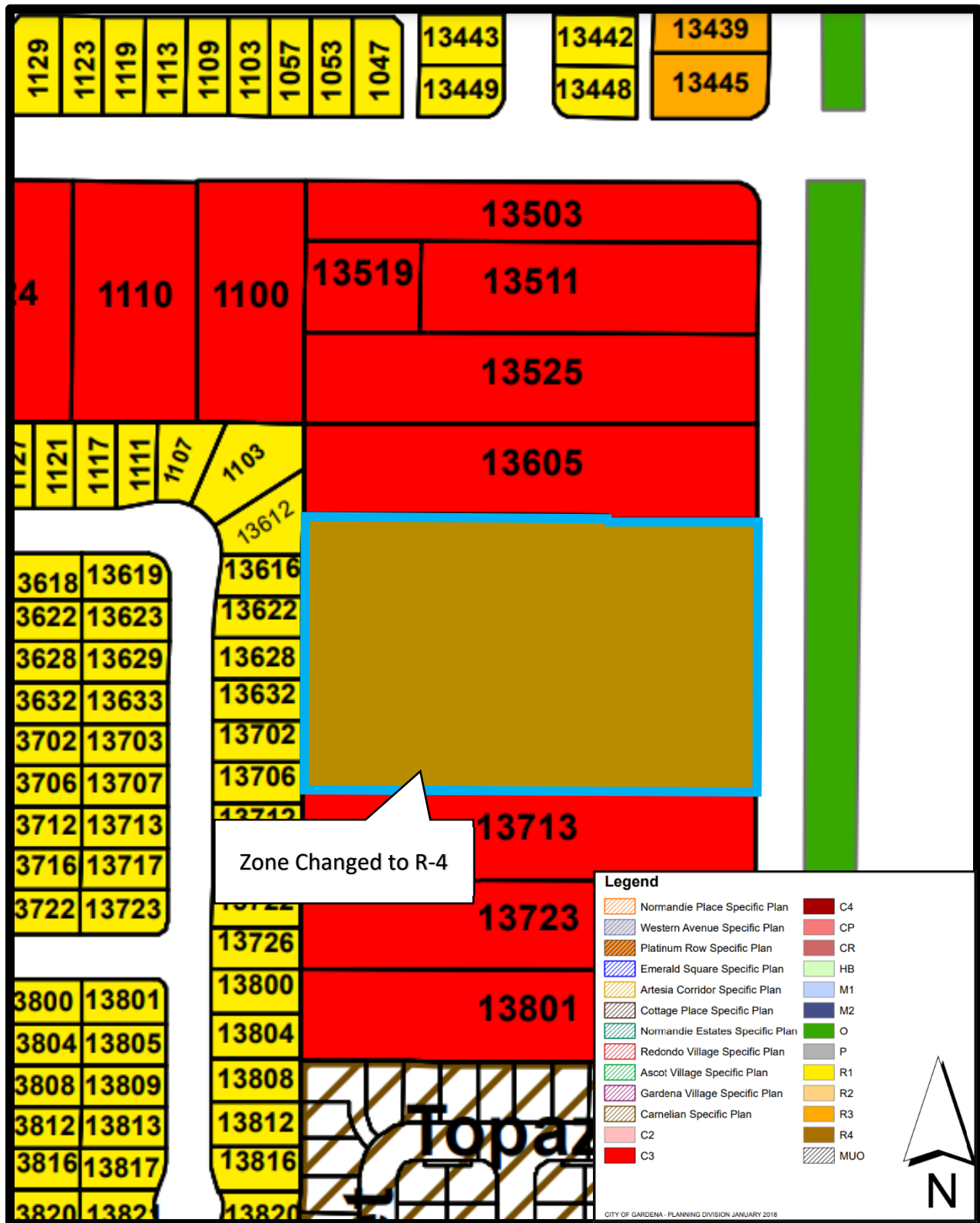


Exhibit E

CITY OF GARDENA

CONDITIONS OF APPROVAL FOR GENERAL PLAN AMENDMENT #2-20; ZONE CHANGE #2-20; SITE PLAN REVIEW #3-20; TENTATIVE TRACT MAP #2-20

GENERAL CONDITIONS

Standard

- 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 all items listed in these conditions which are required to be included in the CC&Rs or items for which the HOA is responsible. At a minimum, the following provisions shall be included, as may be further detailed by these conditions. The failure to include a condition on the list below does not relieve the responsibility to include it in the CC&Rs if otherwise provided herein.
- a. Any revisions to the CC&Rs shall require prior city approval.
 - b. All landscaping to be kept in a healthy and well-kept manner (PL4)
 - c. A prohibition against modifying the colors and materials without city approval (PL 6)
 - d. Crime Prevention Through Environmental Design (CPTED)(PD2)
 - e. Maintenance and repair obligations of all private streets/driveways.
 - f. Maintenance and repair obligations of all open spaces and common areas.
 - g. Prohibition against outdoor storage.
 - h. Prohibition against alterations to architectural treatments.
 - i. All garage spaces shall be maintained in such a manner as to be able to be used for parking of two cars.
 - j. Prohibition against parking in driveways areas and in front of garages.

- k. A requirement that trash and recycling cans shall be kept in the garage or out of public view.
- l. Parking shall be prohibited in the driveway areas and in front of the garages.
- m. Residents' vehicles shall be stored in the garages at all times while on the site.
- n. Residents shall not be allowed to use guest parking for their own vehicles.
- o. 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 condition required by this document can be found in the CC&Rs.

- GC 5. Prior to commencement of work, the contractor/applicant 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/applicant 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 6. 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 on October 20, 2020, 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 7. 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 federal holidays are strictly prohibited.
- GC 8. Trash pick-up and other exterior facility cleaning activities shall be restricted to the hours of 7 a.m. to 6 p.m., Monday through Friday. These activities shall be prohibited during peak traffic hours.
- GC 9. 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: General Plan Amendment #2-20; Zone Change #2-20; Site Plan Review #3-20; and Tentative Tract Map #2-20. 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.

Residential Development

- RD 1. Applicant shall pay a multiple-unit residential development impact fee of \$1,000/unit for a total of \$82,000 prior to building permit issuance in accordance with Chapter 15.48 of the Gardena Municipal Code for each of the market rate units. 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.

PLANNING

- PL1. The approvals granted herein 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 the applicable provisions 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 the surveillance camera location consistent with Condition PD1 below and outdoor lighting for all public/common areas. The lighting plan shall meet the requirements of 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 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. At a minimum, tree size shall be a mix of trees at 15-gallon and 24-inch box and shrubs shall be a minimum of one (1) gallon and five (5) gallon size, as approved by the Director of Community Development. 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 the back flow devices. All above ground piping, such as a back flow device for landscaping, and shall be screened with landscaping and painted green. Protective bollards shall be of a decorative type and/or painted green where appropriate.
- PL5. The CC&Rs shall provide that the homeowner's association 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.
- PL6. Colors and materials as shown on the development plans as presented to the Planning Commission on October 20, 2020, are approved. Deviation from colors and materials shall not be made unless approved by the Community Development Director.
- PL7. The CC&Rs shall contain a prohibition against modifying the colors and materials of any unit without approval by the Community Development Director.
- PL8. All motorized equipment used in construction shall be equipped with functioning mufflers as mandated by the State.

- PL9. Applicant shall pay school impact fees to the Los Angeles Unified School District and provide proof of payment prior to issuance of building permits.
- PL10. Any signage shall comply with the provisions of Chapter 18.58 of the Gardena Municipal Code.
- PL11. Decorative colored concrete shall be provided at the main vehicular entrance along Vermont Avenue and at the vehicular gate to the satisfaction of the Planning Division.
- PL12. Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). The sampling method to be used shall be based on the statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than 1 percent in construction materials. If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard.

Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.

- PL13. If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall identify the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm²) in/on readily accessible painted surfaces of the buildings.

If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to

reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City Engineer.

- PL14. Prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Gardena Community Development Department.
- PL15. If fossils or fossil bearing deposits are encountered during ground-disturbing activities, work within a 25-foot radius of the find shall halt and a professional vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) 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.
- PL16. Prior to approval of grading plans and/or prior to issuance of demolition, grading, and building permits, the following noise reduction techniques shall be included in the construction plans or specifications:
- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.
 - The Project Applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible, including shutting off idling equipment.
 - During construction, equipment staging areas shall be located such that the greatest distance is between the staging area noise sources and noise-sensitive receptors.

- Per Gardena Municipal Code Section 8.36.080, construction activities shall not occur during the hours of 6:00 p.m. and 7:00 a.m. on weekdays; between the hours of 6:00 p.m. and 9:00 a.m. on Saturday; or any time on Sunday or a Federal holiday.
- PL17. Prior to building permit issuance, the Project applicant would be required to demonstrate to the City of Gardena Building Division that the HVAC units proposed to be installed on-site would comply with the City's Noise Ordinance (Gardena Municipal Code Chapter 8.36). Building permit issuance is contingent upon satisfactory demonstration that the HVAC units would comply with the City's noise ordinance.
- PL18. An acoustical analysis would be required prior to the issuance of building permits for the Project to demonstrate compliance with City's Noise Ordinance (Gardena Municipal Code Chapter 8.36 and specifically Section 8.36.050, Interior noise standards). The interior noise study is required to be submitted to the City of Gardena Building Division for review and approval in conjunction with building permit application review; building permit issuance is contingent upon satisfactory demonstration that interior noise levels would comply with the City's noise ordinance.
- PL19. 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.
- PL20. Growing vines shall be placed at the base of the front block wall on the street side to the satisfaction of the Community Development Department.
- PL21. The width of the wrought iron or tubular steel for the front wall shall be increased in both sections to approximately one half the depth of the garage on each side. Plans shall be revised prior to submittal to Building plan check.
- PL22. Prior to submittal to Building plan check, the storage space for each unit shall be identified on the floor plans. The storage space shall be a minimum of 120 cubic feet with a minimum of two feet in any direction. Such space may be located in areas which include, but are not limited to, the garage, in an outside closet, or below stairways.
- PL23. Trash and recycling receptacles shall be provided in the pool area.
- PL24. The applicant shall be required to enter into an agreement for affordable housing in the form attached hereto as Exhibit F, as may be modified by the City Attorney.

ENVIRONMENTAL

The applicant shall comply with all mitigation measures set forth in the Mitigation Monitoring and Reporting Program.

MM GEO-1: Paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances greater than 5.0 feet below the historic surface elevation in native sediments. Auguring, potholing, and pile driving activities do not need to be monitored as these activities are unlikely to produce significant fossil because information about formation, depth, or context is impossible to discern. Should similar activities be planned, the qualified paleontologist shall be consulted prior to commencement so they may determine if that activity requires monitoring.

MM TCR-1: Prior to grading permit issuance, the Project Applicant shall retain and compensate for the services of a Tribal Monitor/consultant who is ancestrally affiliated with the Project area and listed under the NAHC's Tribal Contact list for the area of the Project location. A copy of the executed contract shall be submitted to the City of Gardena Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal Monitor/consultant will only be present on-site during the construction phases that involve the following ground-disturbing activities: grading, excavation, and trenching within the Project area. The Tribal Monitor/consultant shall complete daily monitoring logs that provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the Project site grading and excavation activities are completed, or when the Tribal Representatives and Tribal Monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources, whichever occurs first.

MM TCR-2: Upon discovery of any Tribal Cultural Resources or archaeological resources, construction activities shall cease in the immediate vicinity and construction activities shall be diverted away from the find (50-foot buffer around the find) until the find can be assessed. All Tribal Cultural Resources and archaeological resources unearthed by ground-disturbing activities shall be evaluated by the Tribal Monitor approved by the Consulting Tribe and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983). If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If the archaeologist determines that the resource constitutes a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines §15064.5(f) for historical resources and Public Resources Code § 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is infeasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin 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 offered to a local school or local historical society for educational purposes.

In the event that human remains are discovered during on-site construction activities, the Tribal Monitor and/or qualified archaeologist shall immediately divert work at minimum of 50 feet and place an exclusion zone around the discovery location. The Tribal Monitor shall then notify the Tribe, the qualified lead archaeologist, and the construction manager who shall notify the County Coroner per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Work shall continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD). Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented to the extent feasible in accordance with Section 15064.5(e) of the State CEQA Guidelines.

TENTATIVE TRACT MAP

- 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 applicant shall pay in lieu park fees in accordance with Chapter 17.20 of the Gardena Municipal Code and Resolution No. 6433 which requires a payment of \$10,000 per unit for market rate units. Total in lieu park fees due is \$820,000 and shall be paid in full to the City prior to final map.
- 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

General

- BS1. This project shall comply with all applicable portions of the Current Gardena Municipal Code and City Ordinances.
- BS2. The Applicant/developer shall comply with all applicable provisions of the California Building Code Standards, as modified by the City of Gardena, that are in effect at the time of plan submission; this includes, but is not limited to the CA Building Code, California Plumbing Code, California Mechanical Code, California Electrical Code, California Energy Code, and California Green Building Standards Code, as adopted.
- BS3. The Applicant/developer shall comply with the applicable provisions of the Los Angeles County Fire Code in effect at the time of plan submission as well as all Fire Department requirements, as applicable.
- BS4. All structures shall have fire protection via a sprinkler system acceptable to the Los Angeles County Fire Department (see Condition FD16).
- BS5. The applicant shall obtain separate Building Division permits for Demolition, Grading, Building, Site Development, Electrical, Plumbing, Mechanical, Fences.
- BS6. The approval of plans and specifications does not permit the violation of any section of the State Building Code, City Ordinances, and/or State Law.
- BS7. Address shall be on building and curb, both street and alley sides, per State Code and City standards.
- BS8. 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.

- BS9. The irrigation system shall be maintained at all times.
- BS10. Trees shall be permitted to grow to their maximum height.
- BS11. Conditions of approval shall be printed on the working drawings.
- BS12. All pavement, stripping and markings shall be maintained in a good condition at all times.
- BS13. Plans and specifications shall be signed by a California Licensed design professional per the California Business and Professions Code.

Residential Development

- BS14. The applicant shall show all accessible features, newly constructed, condominiums with four (4) or more dwelling units shall be accessible. The first floor living spaces shall be accessible.
- BS15. The Applicant shall identify parking restrictions, for emergency access, as a result of minimum widths of interior streets with project Covenants, Conditions and Restrictions.
- BS16. Security gate locks and devices shall be installed to the satisfaction of the Gardena Police and L.A. County Fire Departments. Knox boxes shall be provided at entry points.
- BS17. The CC&Rs shall provide that the Security Gates shall be maintained, in good condition, by the Homeowners Association.
- BS18. The Applicant shall be responsible for the construction of all on-site drainage facilities.
- BS19. The Applicant/developer shall provide a complete hydrology and hydraulic study prepared by a qualified engineer to the satisfaction of the Building Official.
- BS20. Applicant shall submit a Final Geotechnical Investigation for City review/approval and comply with its recommendations and any revisions deemed necessary by the City's Building Official. The Gardena Building Services Division will review construction plans to verify compliance with standard engineering practices, the GMC/CBSC, and the Geotechnical Investigation's recommendations.
- BS21. 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.

- BS22. 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, evaporation, or bio-treat storm water runoff.
- BS23. The Applicant/developer shall submit a site lighting plan, with photometrics, for review and approval by the Building Official and the Director of Community Development or designee prior to the issuance of building permits. The plan shall ensure that all exterior lighting (i.e., parking areas, building areas, and entries) shall employ illumination in a manner that meets the approval of the Building Official and the Director of Community Development or designee before building permits are issued. 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 Director of Community Development or designee.
- BS24. 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.
- BS25. The Applicant/developer shall install new public fire hydrant(s) to the satisfaction of the Los Angeles County Fire Department and City Engineer.
- BS26. 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.
- BS27. Permits are issued to the building address. Apply for addresses, in the CDD, prior to obtaining building permits.
- BS28. Provide Knox Boxes per LA County Fire Department and Gardena Police Department.
- BS29. Pool requires Health Department approval, prior to issuance of permit, for the pool.
- BS30. The Applicant/developer shall maintain the building in good condition at all times and shall repaint the approved buildings and accoutrements every eight (8) years at a minimum. The Director of Community Development or designee may require more frequent painting if the improvements are not maintained in good condition.
- BS31. The Applicant/developer shall re-slurry and re-stripe the driveway and parking areas every five (5) years at a minimum. The Director of Community Development or designee may require more frequent slurry and re-striping if the parking area is not maintained in good condition.

PUBLIC WORKS

- PW1. Applicant shall provide a Street Easement/Irrevocable Offer to Dedicate.
- PW2. Applicant shall pay a \$11,760.00 connection fee at permit issuance.

- PW3. Applicant shall remove and replace all curb, gutter, and sidewalk along Vermont Avenue fronting the property.
- PW4. Applicant shall remove all abandoned driveways and replace with new curb, gutter and sidewalk.
- PW5. Applicant shall remove and replace all existing traffic signs.
- PW6. Applicant shall remove/plant street trees per the Public Works Department.
- PW7. Applicant shall re-paint existing curbs and install new traffic signs per City of Gardena.
- PW8. Applicant shall show all sidewalk structures on plans (i.e. poles, hydrants and traffic signal conduit).
- PW9. Applicant shall provide traffic control plans per W.A.T.C.H. (Work Area Traffic Control Handbook) or California M.U.T.C.D.
- PW10. Applicant shall protect in place existing street lights as required by the Public Works Department.
- PW11. Applicant shall provide street improvement plan showing all requirements. Street plans shall be designed and signed by a registered Civil Engineer.
- PW12. Applicant shall obtain Public Works Encroachment/Excavation permit for any work done in the public right-of-way.
- PW13. The applicant shall secure a sewer easement with owner(s) to the west in order to connect to the sewer line along Berendo Avenue. Proof of easement shall be provided to the Community Development Department and Public Works Department prior to issuance of any permit.
- PW14. Requirements are based on preliminary review only. Additional requirements may be imposed upon full plan submittal and review.

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 to initiate application for new service installation.

LOS ANGELES COUNTY SANITATION DISTRICTS

- SD1. The applicant shall pay a connection fee before a permit to connect to the sewer 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

Land Development Unit

Final Map Requirements

- FD1. The Final Map shall be submitted to our office for review and approval prior recordation.

- FD2. Fire hydrant improvement plans for the new required fire hydrants should be submitted for review and approval prior clearance of the Final Map.
- FD3. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.
- FD4. The Private Driveways proposed as private streets for access throughout the development shall be labeled as "Private Driveway" on the Final Map. The portion of the private driveway intended for fire apparatus access shall be identified as "Fire Lane" on the Final Map. All widths and dimensions shall be clearly delineated with a reciprocal access agreement is required for all private driveways. Compliance required prior to Final Map clearance.

Access Requirements

- FD5. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires all weather access.
- FD6. Fire Department apparatus access shall be extended to within 150 feet of all portions of the exterior walls of any future buildings or structures.
- FD7. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 and 503.2.2.
- FD8. A minimum 5-foot-wide approved firefighter access walkway leading from the Fire Department Access Road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1.
- FD9. Approved building address numbers, building numbers, or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1.
- FD10. Dead-end Fire Apparatus Access Roads in excess of 150 feet in-length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5 Crosshatch the Fire Department turnaround on the site plan. Include the dimensions of the turnaround. The orientation of the turnaround shall be properly placed in the direction of travel of the access roadway.
- FD11. Multiple residential buildings having entrances to individual units not visible from the street or road shall have unit numbers displayed in groups for all units within each

structure. Such numbers may be grouped on the wall of the structure or mounted on a post independent of the structure and shall be positioned to be plainly visible from the street or road as required by Fire Code 505.3 and in accordance with Fire Code 505.1.

Water System Requirements

- FD12. All hydrants shall measure 6"x4"x 2-1/2" brass or bronze conforming to current AWWA standard C503 or approved equal and shall be installed in accordance with the County of Los Angeles Fire Code.
- FD13. The required fire flow for the public fire hydrants for this project is 2,500 GPM at 20 pounds psi residual pressure for 2 hours. Three public fire hydrant(s) flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 and Appendix 8105.1.
- FD14. Install four (4) Public fire hydrants as noted on the Fire Access and Hydrant Location Plan for Tentative Tract Map 83037.
- FD15. All required public shall be installed, tested, and approved prior to building occupancy. Fire Code 901.5.4.
- FD16. Approved Automatic Sprinkler Systems in new buildings and structures shall be provided in locations described in Sections 903.2.1 through 903.2.12 of the County of Los Angeles Fire Code.
- FD17. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
- FD18. Parking shall be restricted 30 feet adjacent to any required public fire hydrant, 15 feet on each side measured from the center of the fire hydrant. Adequate signage and/or stripping shall be required prior to occupancy.
- FD19. Future development on this property shall comply with applicable Building and Fire Code requirements. Submit construction plans to the Fire Department's Engineering Building Plan Check Unit for review and approval prior to issuance of any building permit.

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. These requirements shall be included in the CC&Rs.
- PD2. The builders shall use Crime Prevention Through Environmental Design (CPTED) measures including good lighting around the exterior of buildings and parking areas, eliminating blind spots caused by landscaping, and preventing areas prone to graffiti from being targeted by planting landscaping that create barriers.

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

Melia Homes, Inc., Representative

By _____

Dated _____

Exhibit F

AGREEMENT FOR THE PROVISION OF AFFORDABLE HOUSING

This Agreement for the Provision of Affordable Housing (“Agreement”) is entered into this ____ day of _____, 2020, by and between Melia Homes, a California corporation (“Developer”), and the City of Gardena. (“City”).

RECITALS

City has approved entitlements for Developer’s 84 unit residential condominium development project (the “Project”) located at 13615-13633 Vermont Avenue, Gardena California (the “Site”). City and Developer have agreed to a condition of approval that two of the one bedroom residential units shall be sold at an affordable purchase price to low-income households subject to 25 year term affordability covenants.

NOW, THEREFORE, the parties agree as follows:

I. DEFINITIONS

§1.1 “Affordable Housing Cost” shall have the meaning ascribed in Section 50052.5 of the California Health & Safety Code (Section 50052.5) as of the date of this Agreement or as subsequently amended from time to time. In computing affordable housing cost:

- a. Benchmark down payment amounts will be used in the Affordable Housing Cost calculations. The benchmark down payments will be set at no less than 5% of the affordable sales prices for the Program Units;
- b. The actual HOA fees shall be used as the basis for maintenance and insurance costs;
- c. The utility expenses, inclusive of gas, electricity, water, sewer and trash expenses, should be set based on the allowances for new units published by the Housing Authority of the County of Los Angeles;
- d. The property taxes should be based on the affordable price as that should be the actual tax valuation that will be applied to the units;
- e. The interest rate should be based on the lesser of: (a) the FNMA fixed interest rate 30 year fully amortizing mortgage for the quarter immediately preceding the unit’s sale or (b) the actual rate of the Participant’s financing. A 50 basis point premium will be added for mortgage insurance;

- f. Low income sales prices shall be calculated at 30% of 70% of the Median Income for the household size appropriate for the unit as defined by Section 50052.5.

§1.2 “Gross Household Income” means the income as defined in California Code of Regulations Title 25 Housing and Community Development, Section 6914 of all (i) members of the Household over the age of eighteen (18), and (ii) persons who will hold title to a Program Unit.

§1.3 “Household” means all persons who will occupy each Program Unit whether it be a single family, one person living alone, or any other group of related or unrelated persons who share living arrangements.

§1.4 “Participant” means the purchaser of a Program Unit.

§1.d “Preferred Buyers” shall mean: (i) residents of the City of Gardena who have resided in the City for at least six months as established by utility bills or other competent evidence.

§1.9 “Program Units” means the housing units developed on the Site that are to be sold by Developer at Affordable Housing Cost and covenanted as affordable housing units pursuant to the terms of this Agreement.

§1.11 “Maximum Sales Price of Program Units” means the sales price determined by Affordable Housing Cost for Low Income Households.

§1.14 “City” means the City of Gardena.

II. DEVELOPER’S OBLIGATIONS

§2.1 Sale and Covenanting of Program Units

§2.1.1 Developer shall sell two of the Project’s one-bedroom condominium units to Low Income Households at a price no greater than the Maximum Sales Price of Program Units. Developer shall ensure that prior to sale of each of these Program Units, a Unit Regulatory Agreement in the form attached hereto as Exhibit A will be recorded against the unit to ensure that, for a period of thirty (30) years, the unit will be owned and occupied at Affordable Housing Cost by a Low Income Household.

§2.1.2 Prior to marketing any Project Units, Developer shall designate the Program Units and shall identify those Program Units in writing to City. The designated Program Units shall be equivalent in quality of construction to the Project’s non-Program Units.

§2.1.3 The Developer’s declaration of CC&Rs for the Project shall provide that the affordability covenants are superior to and survive any lien foreclosures for dues or assessments.

§2.2 Marketing of Program Units. Developer will commence marketing of Program Units six months prior to the projected completion of construction. Initially, advertising for the sale of the Program Units will focus on local residents; advertising on City of Gardena operated bulletin boards at City Hall and on the City web-site and through the publications of the local community groups. In addition, site signage will include information regarding the sale of the Program Units. Contact and application information will be included in the Program Unit advertisements. If necessary, following the initial advertising period of at least 60 days, Developer may advertise the availability of the Program Units on a wider basis.

§2.3 Application/Selection Process

§2.3.1 Developer shall require Households interested in acquiring Program Units to fill out applications to demonstrate they meet the low-income requirements, understand the resale restrictions and have the down payment necessary for purchase. Application packets will be made available online and provided to the City of Gardena for distribution at the Planning Counter.

§2.3.2 Households will be verified for eligibility using a Verification Form in substantially the form attached hereto as Exhibit B.

§2.3.3 Once an applicant has submitted a complete application and Verification Form and has been determined by Developer to be qualified as a Low Income Household Developer will forward the file to City Manager or his/her designee for approval.

§2.3.4 The City will approve applications from Households that it determines qualify as Low Income Households. City shall notify Developer of its approval or disapproval in writing within 10 business days from receipt of a complete application and Verification Form. Failure of the City to approve or disapprove within that period shall be deemed an approval.

§2.3.5 Applications received during the initial advertising period from Preferred Buyers will be given preference over non-Preferred Buyers to the extent legally possible. If the Program Units are over-subscribed during the initial advertising period, buyers of the Program Units shall be selected by lot in a manner to be agreed upon by Developer and City. Applications received after the initial advertising period will be considered based on completeness and timeliness of their applications and the deposit of a refundable deposit into escrow as permitted by the California Department of Real Estate regulations, without regard to whether they are Preferred or non-Preferred Applicants.

III. MISCELLANEOUS PROVISIONS

§3.1 Construction. The Parties agree that each Party and its counsel have reviewed and revised this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not apply in the interpretation of this Agreement or any amendments or exhibits hereto.

§3.2 Notices, Demands and Communications Between the Parties. Notices, demands and communications between the City and the Developer shall be deemed sufficiently given if (i) delivered personally, (ii) dispatched by first class mail, postage prepaid or (iii) sent by nationally-recognized reputable overnight delivery service to the principal offices of the City and the Developer as set forth below. Such written notices, demands and communications may be sent in the same manner to such other addresses or to such other address as any Party may from time to time designate by mail as provided in this Section, and shall be deemed received upon delivery or refusal of delivery, if delivered personally, within three (3) business days after deposit of same in the United States mail, if mailed, or one (1) business day after deposit of same with a nationally recognized reputable overnight delivery service if sent by such a delivery service.

To the Developer:

Melia Homes
8951 Research Drive, #100
Irvine, CA 92618
Attention: President

To the City:

City of Gardena
1700 West 162nd Street,
Gardena, CA 90247
Attention: City Manager

§3.3 Attorneys' Fees. If any Party brings an action to enforce the terms hereof or declare its rights hereunder, the prevailing Party in any such action shall be entitled to its reasonable attorneys' fees to be paid by the losing Party as fixed by the court.

§3.4 Force Majeure. In the event that either Party is delayed or hindered from the performance of any act required hereunder by reason of strikes, lock-outs, labor troubles, inability to procure materials not related to the price thereof, failure of power, restrictive governmental laws and regulations, riots, insurrection, war or other reasons of a like nature beyond the control of such party, then performance of such acts shall be excused for the period of the delay, and the period

for the performance of any such act shall be extended for a period equivalent to the period of such delay.

§3.5 Applicable Law. The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

§3.6 Successors and Assigns. The provisions hereof shall be binding upon, and inure to the benefit of, the City and the Developer and their successors and assigns, as the case or context may require.

§3.7 No Joint Venture. Nothing contained herein shall be construed to render the City in any way or for any purpose a partner, joint venturer, or associated in any relationship with the Developer, nor shall this Agreement be construed to authorize either Party to act as agent for the other.

§3.8 Entire Agreement, Waivers and Amendments. This Agreement, together with all attachments and exhibits hereto and all documents to be executed and delivered pursuant to this Agreement, constitutes the entire understanding and agreement of the Parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. Any waiver, amendment, or modification of any provision of this Agreement must be in writing and signed by both Parties.

§3.9 Execution in Counterparts. This Agreement, may be executed in two or more counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.

§3.10 Severability. Each and every provision of this Agreement is, and shall be construed to be, a separate and independent covenant and agreement. If any term or provision of this Agreement or the application thereof shall to any extent be held to be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected hereby, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.

In witness whereof the parties have had their duly authorized officers execute this Agreement this ____ day of _____, 2020.

MELIA HOMES

By: _____

CITY OF GARDENA

By: _____
Mayor

Exhibit A

Recording Requested By
and when recorded return to:

City of Gardena
1700 West 162nd Street,
Gardena, CA 90247
Attention: City Manager

EXEMPT FROM RECORDING FEES PURSUANT TO GOVERNMENT CODE §§ 6103 AND 27383

(Space Above for Recorder's Use)

UNIT REGULATORY AGREEMENT

THIS UNIT REGULATORY AGREEMENT (this "Agreement") is dated as of ____, 202__, and is entered into by and between the CITY GARDENA, a California general law city ("City"), and MELIA HOMES, a California corporation ("Owner").

RECITALS

A. Owner is the owner of the land located in the City of Gardena, County of Los Angeles, State of California that is more particularly described in Exhibit "A" attached hereto (the "Land") and the improvements thereon.

B. City and Owner entered into that certain unrecorded Agreement for the Provision of Affordable Housing dated ____, 2020 (the "Housing Agreement"). Pursuant to the Housing Agreement, Owner agreed to develop and sell two one-bedroom condominium units (the "Program Units") only to a "Low-Income Household" at "Affordable Housing Cost" (as those terms are defined herein), and to record this Agreement against the Program Unit to memorialize the restrictions that apply to the sale, resale, occupancy, and use of the Program Unit for the "Term" set forth herein. The legal description of the Program Unit is attached hereto as Exhibit "B."

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

1. **Definitions.** For purposes of this Agreement, the terms listed below shall have the meanings ascribed:

(a) Affordable Housing Cost means a housing cost which does not exceed the limits set forth in California Health and Safety Code Section 50052.5(b)(4), (c), (e), (f), (g), and (h) and the implementing regulations set forth in California Code of Regulations, Title 25, Sections 6914, 6920 and 6932.

(b) Future Homeowner means any and all purchasers of the Property during the Term of this Agreement (it being understood that it is the intent of this Agreement to restrict Future

Homeowners to Low-Income Households who purchase the Property at an Affordable Housing Cost and occupy the Property as their primary residence).

(c) Low-Income Household means a person, family, or household meeting the income qualification limits set forth in California Health and Safety Code Section 50093 and the implementing regulations set forth in California Code of Regulations, Title 25, Sections 6910, et seq.

2. **Term.** The term of the restrictive covenants set forth herein (the “Term”) shall commence upon the recordation of this Agreement and shall remain in effect until the earlier of (i) the date that is thirty (30) years after the date that Owner conveys the Program Unit thereon) to the first Future Homeowner or (ii) the date this Agreement is terminated pursuant to Section 3(b) below, if applicable. City has determined that this is the longest period feasible for continuing the Term of this Agreement.

3. **Covenants to Maintain Affordability and Occupancy; Equity Sharing.**

(a) During the Term, Owner and each Future Homeowner shall not sell the Property to any person, family, household, or entity except to a Low-Income Household at an Affordable Housing Cost. In addition, Owner and each Future Homeowner shall at all times give preference in any such sale to households on any list(s) of eligible households that City may from time to time provide to Owner and/or Future Homeowner and Owner and each Future Homeowner shall fully cooperate with City in connection therewith; provided, however, that Owner and Future Homeowner shall not be required to provide such a preference if doing so would violate any applicable provision of federal, state, or local law.

(b) Notwithstanding Section 3(a) above, if Owner or a Future Homeowner delivers reasonable evidence to the City Manager of City or his/her designee that the Owner or Future Homeowner has used diligent and reasonable efforts to sell the Property to a Low-Income Household for a period of one hundred and eighty (180) days but no prospective buyer has offered to enter into a purchase and sale agreement during such period (and the Owner or Future Homeowner has attempted to sell to eligible households on any list maintained by the City as described in Section 3(a) above, if applicable), then the Owner or Future Homeowner may sell the Property to a buyer who is not a Low-Income Household at a price higher than the price that would result in an Affordable Housing Cost for a Low-Income Household provided that the Owner or Future Homeowner who is selling the Property pays to the City (through the escrow for the sale) one hundred percent (100%) of the amount by which the net sales price being paid for the Property (“net” meaning net of reasonable closing costs payable by the seller) exceeds the Affordable Housing Cost; however, said percentage shall be reduced by five percent (5%) for each full calendar year that any selling Future Homeowner resided in the Property as his/her principal residence without any violation of this Agreement, but in no event shall the reduction reduce such percentage to less than fifty percent (50%) (i.e., if the selling Future Homeowner so resided for ten (10) full calendar years or more, the percentage would be reduced to 50%). In the event the Owner or a Future Homeowner sells the Property to a buyer who is not a Low-Income Household at a price higher than Affordable Housing Cost in accordance with this Section 3(b), City shall cooperate with the Owner or Future Homeowner in executing (in recordable form) such document or documents as may be required to terminate this Agreement and the Notice of Affordability

Restrictions on Transfer of Property of record and, upon payment to City of the foregoing sums in connection with the sale of the Property (as shown on the final settlement statement for the sale escrow) and compliance with the other requirements of this Section, this Agreement shall terminate.

(c) Notwithstanding any other provision set forth in the Housing Agreement or this Agreement to the contrary, none of the following situations shall constitute a violation of this Agreement: (i) Owner's retention of ownership of the Property prior to the first sale of the Property to an eligible Future Homeowner at Affordable Housing Cost; (ii) Owner's or a Future Homeowner's sale or transfer of the Property (or interest therein) to a permitted transferee in accordance with Section 5 of this Agreement; or (iii) a Future Homeowner's continued occupancy of the Affordable Housing Unit on the Property if his/her income changes after the date of its initial purchase/occupancy of such unit and such Future Homeowner no longer qualifies as a Low-Income Household (subject to Section 5 below).

4. **Owner Occupancy.** During the Term hereof and the period of his/her ownership, each Future Homeowner shall occupy the Property as his/her primary residence. In no event shall the Property be leased or rented.

5. **Permitted Transfers.** Notwithstanding any other provision set forth in the Housing Agreement or this Agreement to the contrary, the following transfers of title are permitted and shall not violate Section 3 or Section 4 above: (i) a transfer by gift, devise, or inheritance to any Future Homeowner's spouse, children, grandchildren, or other family member or the taking of title by the surviving joint tenant that is a Future Homeowner's spouse; (ii) transfer of title to a spouse as part of a divorce or dissolution proceedings; and (iii) acquisition of title by a spouse in conjunction with marriage. In the event of a permitted transfer pursuant to the foregoing, if the transferee household does not qualify as a Low-Income Household at the time the transfer occurs, the transferee household shall not be permitted to occupy the Affordable Housing Unit on the Property and shall act with reasonable diligence to sell or transfer the Property to an eligible Low-Income Household at Affordable Housing Cost consistent with this Agreement.

6. **Subordination to Financing.** City shall subordinate Owner's covenants and restrictions set forth in this Agreement to the lien of Developer's construction loan deed of trust. "Developer Deed of Trust.

In addition, City agrees to and shall subordinate any Future Homeowner's covenants and restrictions set forth in this Agreement to the lien of any deed or deeds of trust securing a purchase money loan or loans used by such Future Homeowner to purchase the Property and to the lien of any deed or deeds of trust securing any refinancing obtained by a Future Homeowner that encumbers the Property provided that the refinancing loan does not exceed the principal balance of the purchase money loan being refinanced plus closing costs and loan costs payable by the Future Homeowner. However, the City Manager or his/her designee shall have the authority to approve, in writing, a refinancing that exceeds such limited amount by up to \$25,000 (the "Cash Out Amount") provided the interest rate for the refinancing loan is materially lower than the interest rate of the loan being refinanced and the Future Homeowner provides satisfactory evidence to the City Manager or his/her designee that the additional Cash Out Amount is needed to remedy a specific and significant current or identifiable future adverse financial condition of the Future

Homeowner and the City Manager or his/her designee additionally determines, in his/her reasonable discretion, that the payment of such additional amount to the Future Homeowner will not jeopardize the continuation of the Program Unit as an Affordable Housing Unit in accordance with the other terms and conditions set forth herein.

In order to process a request for City Manager (or designee) approval of subordination, the Future Homeowner or its prospective purchaser, as applicable, shall deliver the following information to the City Manager or his/her designee at least fifteen (15) days prior to the anticipated closing of the Future Homeowner Loan: (i) the name and address of the lender, including the name and contact information of the lender's representative who will provide and/or sign the subordination agreement on behalf of the lender; (ii) a summary of the terms of the Future Homeowner Loan, including principal, interest rate, term, payment schedule, and loan fees; (iii) the anticipated closing date of the Future Homeowner Loan; (iv) a copy of the proposed loan documents and any or other agreements between the Future Homeowner and the proposed lender; and (v) if the Future Homeowner Loan exceeds the Cash Out amount referred to in the first sentence of the preceding paragraph and requires City Manager (or designee) approval under either clause (i) or (ii) thereof, an explanation of the facts that support City subordination as set forth therein.

The form of the subordination agreement used to effect any such subordination shall be prepared by the holder or prospective holder of the deed(s) of trust, shall be reasonably satisfactory to City's counsel and the City Manager or his/her designee as to form, and shall provide to City (i) a right to cure a default on the Future Homeowner Loan within the time period for curing such a default that is available to the Future Homeowner thereunder, (ii) an agreement that if prior to the foreclosure of the Future Homeowner Loan by the holder thereof City takes title to the Property and cures the default on the Future Homeowner Loan the holder thereof will not exercise any right it may have to accelerate the loan by reason of the transfer of title to City, (iii) a right to negotiate with the holder of the Future Homeowner Loan after City's receipt of a notice of default therefrom (provided that such right shall not limit the discretion of said holder or require the holder to delay any foreclosure or related proceedings with regard to its loan), and (iv) a right to purchase the Property from the Future Homeowner at any time after a default on the Future Homeowner Loan and prior to completion of any foreclosure proceeding or the Future Homeowner's conveyance of a deed in lieu of foreclosure, whichever first occurs. City hereby finds that an economically feasible alternative method of financing, refinancing, or assisting the Property on substantially comparable terms and conditions as is provided for in the HOUSING AGREEMENT and this Agreement, but without subordination, is not reasonably available, and City further finds that if the written commitments referred to herein are incorporated into the subordination agreement City's investment in the event of default will be adequately protected.

7. Sale/Resale Procedures.

(a) If Owner (as to the first sale of the Property to a Low-Income Household) or a Future Homeowner (as to each subsequent sale of the Property during the Term) elects at any time to sell or transfer the Property during the Term (or is required to sell or transfer the Property pursuant to the last sentence of Section 5), then Owner or the Future Homeowner, as applicable, shall first provide to City a notice (the "Notice of Proposed Sale") setting forth Owner's or the Future Homeowner's intention to sell the Property. In the event Owner or the Future Homeowner

desires Agency assistance in locating a Low-Income Household to purchase the Property, Owner or the Future Homebuyer shall notify City in the Notice of Proposed Sale. If City locates a Low-Income Household, City shall notify Owner or the Future Homebuyer in writing, within thirty (30) days after receipt of Owner's or the Future Homebuyer's Notice of Proposed Sale. Notwithstanding the foregoing, nothing contained herein shall be construed as imposing upon City any obligation to find a purchaser of the Property.

(b) For the purpose of confirming with City that a proposed purchaser is a Low-Income Household that will be paying a purchase price that is in compliance with the terms hereof, Owner or the Future Homeowner, as applicable, shall notify City in writing of any offer from a prospective purchaser which Owner or the Future Homeowner intends to accept, disclosing the identity of such prospective purchaser and providing City with such financial, credit, and other information relating to such prospective purchaser as may be reasonably required by City, including the following: (i) the name and address of the purchaser; (ii) the number of persons comprising the purchaser's household and their names and ages; and (iii) the proposed purchase price of the Property, and any other consideration for the purchase of the Property; (iv) the amount of the proposed down payment; (v) the terms of any loan that will be used by the purchaser to finance the purchase of the Property, including but not limited to the estimated principal, interest rate, payment schedule, term, and loan fees; (vi) the anticipated closing date; (vii) the aggregate annual gross income of the purchaser's household; (viii) the most recent federal and state income tax returns of the purchaser and all other members of the purchaser's household for the preceding two (2) calendar years, and verification of the proposed purchaser's salary or wages from the purchaser's employer; (ix) a copy of any proposed purchase and sale agreement, escrow instructions, loan application, or other agreements between Owner or the Future Homeowner, as applicable, and the proposed purchaser of the Property; and (x) a written statement signed by the proposed purchaser that the Property will be occupied by the purchaser and used as his or her primary residence. The City Manager or his/her designee may also require the purchaser to submit other written documentation as may be reasonably necessary to enable the City Manager or designee to verify the information provided by the purchaser and to determine that the income and Affordable Housing Cost restrictions of this Agreement will be satisfied. Within fifteen (15) calendar days after receiving documentation regarding a proposed purchaser, the City Manager or his/her designee shall review all such documentation and shall notify Owner or the Future Homeowner, as applicable, the prospective purchaser, and the escrow agent in the transaction (if escrow has been opened at that time) as to whether the proposed purchaser does or does not qualify as a Low-Income Household, whether the purchase price does or does not qualify as Affordable Housing Cost, or whether additional documentation is necessary in order for City to make either such determination. If the City Manager or his/her designee disapproves any of such submittals, he/she shall do so in writing and shall explain the reasons therefor. If the City Manager or designee fails to timely approve or disapprove a request for approval of the transaction, he/she shall be conclusively deemed to have approved the transaction on the terms and conditions set forth in the request (and any other minor revisions to such terms and conditions that do not materially change the information previously submitted to the City Manager or designee relating to the eligibility of the purchaser and the fact of the purchase price qualifying as an Affordable Housing Cost); provided, however, that if the sale is to a buyer who is not a Low-Income Household, the Future Homeowner shall nevertheless pay to City through the escrow for the Sale any sums that would be payable under Section 3(b) above as if the City Manager or designee consented to a sale by the Future Homeowner to a buyer who is not a Low-Income Household.

8. **Compliance Verification.** City shall have the continuing right to verify that the restrictions, limitations, and requirements of this Agreement are being complied with. In connection therewith, on an annual basis, each Future Homeowner shall promptly complete, sign and return a questionnaire delivered by City and shall deliver such written information as City may reasonably request. Additionally, City may contact occupants of the Property at reasonable times during the day and ask them questions regarding Owner (if Owner is still the fee owner) or any Future Homeowner's compliance with this Agreement.

9. **Confidentiality of Information.** To the maximum extent permitted by law, any personal or financial information submitted by, about, or on behalf of any Future Homeowner relating to the identity of the persons in the household, employment, income, tax returns, and the like shall be kept strictly confidential and shall not be disclosed to any third persons without the express written consent of the applicable Future Homeowner or court order. All such information shall be retained for no more than five (5) years after the date City receives the information and shall thereafter be destroyed in accordance with applicable provisions of the California Government Code.

10. **Remedies of City.** City shall have all equitable rights and remedies available to City in connection with any violation of this Agreement, including, without limitation, the right to enjoin any violation of this Agreement and the right to obtain specific performance of this Agreement. In addition, upon a sale of the Property in violation of this Agreement, or any other default by Owner or a Future Homeowner under this Agreement which is not cured within thirty (30) days after written notice by City (an "Event of Default"), City shall have the right to an order ejecting any occupant from the Affordable Housing Unit whose occupancy violates this Agreement, and/or such other relief as may be available at law or in equity.

11. **Successors and Assigns; Covenants to Run With the Land.** The covenants and restrictions contained herein shall run with the land and shall be a burden upon the Program Unit and shall be enforceable against Owner and each Future Homeowner during the period(s) of their respective ownership(s). Owner and each Future Homeowner shall furnish a copy of this instrument to any successors-in-interest. Neither Owner nor any Future Homeowner shall be liable for any default that occurs prior or subsequent to the period of its ownership of the Property, but shall nevertheless remain liable for participating in any transaction that violates the term of this Agreement.

12. **Independent and Severable Provisions.** In the event that any provision of this instrument is held by a court of competent jurisdiction to be unenforceable or invalid, such holding shall not render unenforceable any other provision hereof, each provision hereof being expressly severable and independently enforceable to the fullest extent permitted by law.

13. **Further Assurances and Recordations.** Owner, on behalf of itself and each Future Homeowner, covenants that upon Agency's request, Owner and such Future Homeowner shall execute, acknowledge, and deliver, or cause to be executed, acknowledged, and delivered, such further instruments and agreements and do such further acts as may be necessary, desirable, or proper to carry out more effectively the purpose of this Agreement.

14. **No Waiver.** No waiver by City of its rights hereunder, or of any breach by Owner or any Future Homeowner of any covenant, restriction, or condition herein contained, shall be effective unless such waiver is in writing, signed by City and delivered to Owner or the Future Homeowner, as applicable. Any waiver by City of its power to terminate any covenant, restriction, or condition herein contained, or the failure by City to exercise any right or remedy with respect to any breach or breaches, shall not constitute a waiver or relinquishment of any right regarding subsequent sales, or of any such covenant or condition, nor bar any City right or remedy in respect of any subsequent breach.

15. **Notices.** All notices to be delivered to the parties pursuant to the terms hereof shall be in writing and shall be delivered in person, by certified mail, return receipt requested, or by reputable nationally recognized overnight delivery service that provides a receipt indicating the date of delivery (such as Federal Express) to the addresses listed below. Any of the following addresses may be changed by written notice given in accordance with this Section, and the change will be effective three (3) business days after such notice is so given.

If to Owner or a Future Homeowner:	To the Property
If to City:	City of Gardena 1700 West 162nd Street, Gardena, CA 90247 Attention: City Manager

16. **Entire Agreement.** This instrument constitutes the entire agreement of the parties hereto, and the provisions hereof may be modified or amended only by a written instrument signed by the party to be charged.

17. **Attorneys' Fees.** In any action brought to declare the rights granted herein or to enforce or to interpret any of the terms of this Agreement, the prevailing party shall be entitled to an award of its attorneys' fees and costs.

18. **Time of Essence.** Time is of the essence hereof.

19. **Counterparts.** This Agreement may be simultaneously executed in multiple counterparts, all of which shall constitute one and the same instrument, and each of which shall be deemed to be an original.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year written above.

OWNER:

MELIA HOMES

CITY:

CITY OF GARDENA
a California general law city

_____,

By: _____

Attest: _____
_____, City Clerk

Exhibit B

SAMPLE INCOME VERIFICATION FORM

Head or Household (Print Name): _____
 Address: _____
 Telephone Number/Home: _____ Work: _____
 Date of Birth: _____ SS# _____

HOUSEHOLD COMPOSITION

Name	Sex	Age	Dependent Yes/No	Social Security #

List additional household members on a separate sheet of paper.

MONTHLY GROSS INCOME-

PART 1 - EARNED INCOME	Head of Household	Other Household Member	Total
1. Gross amount, before payroll deductions of wages, salaries, overtime pay, commission, fee, tips and bonuses			
2. Net income from business			
3. Social security, annuities, insurance policies, pension/retirement fund, disability or death benefit received periodically			
4. Payment in full of caring, such as unemployment and disability compensation, workers' compensation and severance pay			
5. Public assistance, welfare payments			
6. Alimony, child support, other periodic allowances			
7. Regular pay, special pay and allowances of members of Armed Forces			
B. Other (describe)			
SUB-TOTAL EARNED INCOME			

MONTHLY GROSS INCOME - CONTINUED

PART 2 - INVESTMENT INCOME	Head of Household	Other Hshld Members	Total
1. Income from real property (i.e. rental property)			
2. Interest paid on Bank and Savings Accounts			
3. Dividends and other payments from stocks and bonds			
4. Other (describe)			
SUB-TOTAL INVESTMENT INCOME			

*Note: The following items are not considered income: casual or sporadic gifts; amounts specifically for or in reimbursement of medical expenses; lump sum payments such as inheritances, insurance payments, capital gains and settlement for personal or property losses; educational scholarships paid directly to the student or educational institution; special pay to a serviceman head of family away from home and under hostile fire; relocation payments under federal, state or local law; foster child care payments; value of coupon allotments for purpose of food under Food Stamp Act of 1964 which is in excess of amount actually charged the eligible household; payments received pursuant to participation in the following programs: VISTA, Service Learning Programs, and Special Volunteer Programs, SCORE, ACE, Retired Senior Volunteer Program, Foster Grandparent Program, Older American Community Services Program, and National Volunteer Program to Assist Small Business Experience.

ASSETS**

Sources of Assets	Head of Household	Does this asset generate income? If yes, specify in Part 2 - Investment Income above. If no, write N/A.	Other Hshld Members	Does this asset generate income? If yes, specify in Part 2 - Investment Income above. If no, write N/A.	Total
1. Equity in Real Property (other than hshld's full-time residence)					
2. Bank & Savings Accounts					
3. Stocks & Bonds					
4. Other (describe)					
SUB-TOTAL					

**Note: If total value of household assets exceeds \$5000, income shall include the greater of (i) the actual amount of income, if any, derived from all of the household assets, or (ii) 10 percent of the value of all such assets.

***Note: Necessary items used for personal use are excluded from household assets. Collections of items for hobby, investment or business purposes must be included in household assets.

CALCULATION OF HOUSEHOLD'S ANNUAL GROSS INCOME

Does the Household's TOTAL ASSET VALUE exceed \$5,000? yes / no

If yes, skip to 2, below.

1. If no, the Household's ANNUAL GROSS INCOME =
ANNUAL GROSS EARNED INCOME + ANNUAL GROSS INVESTMENT INCOME

_____ + _____ = \$ _____
ANNUAL GROSS INCOME

2. If yes, calculate 10% x TOTAL ASSET VALUE = \$ _____

Circle the greater of:

- (i) Household's ANNUAL GROSS INVESTMENT INCOME = \$ _____, or
(ii) 10% of Household's TOTAL ASSET VALUE = \$ _____.

The Household's ANNUAL GROSS INCOME = the number circled above

[GREATER OF (10% TOTAL ASSET VALUE)
OR (ANNUAL GROSS INVESTMENT INCOME)] + ANNUAL GROSS
EARNED INCOME

_____ + _____ = \$ _____
ANNUAL GROSS INCOME

DOCUMENTATION

Attached are true copies of the following:

___ Paycheck stubs from two most recent pay periods	___ Bank/savings account verification
___ Employment verification	___ Self-employment verification
___ Income tax return	___ Unemployment verification
___ Social Security verification	___ Welfare verification
___ Alimony/child support verification	___ Disability verification
___ Other (Describe: _____)	

Exhibit G
Tract Map
(under separate cover)

Exhibit H
Development Plans
(under separate cover)

**CITY OF GARDENA
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION**

**STAFF REPORT
RESOLUTION NO. PC 9-20
EA #15-19; SPR #5-19; GPA #1-19; ZC #1-19; VTTM #3-19 (82945);
APNS: 6115-013-007, 008, 009, 010, and 011
AGENDA ITEM #6**

DATE: October 20, 2020

TO: Chair Jackson and Members of the Planning and Environmental Quality Commission

FROM: Raymond Barragan, Acting Community Development Director

CASE PLANNER: Amanda Acuna, Senior Planner

APPLICANT: The Olson Company

LOCATION: 1335, 1337, 1341 and 1343 West 141st Street
(APNs: 6115-013-007, 008, 009, 010, and 011)

REQUEST: The applicant requests the following entitlements for the construction of a 50-unit townhome development on a 2.02 gross acre property:

- 1) Site Plan Review (SPR #5-19) allowing the development of the 50 townhomes in six buildings;
- 2) General Plan Amendment (GPA #1-19) to change the land use designation from Low/Medium Residential to High Density Residential;
- 3) Zone Change (ZC #1-19) to change the zoning from R-1 and R-3 (Single-Family and Medium Multi-Family Residential Zone) to R-4 (High Density Multiple-Family Residential);
- 4) Tentative Tract Map (VTTM #3-19; TTM #82945) subdividing the property for 50 condominium units; and a
- 5) Variance (VAR #2-19) to construct a front yard fence 14" from a public sidewalk.

Approval of these items requires adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) (EA #15-19).

BACKGROUND

On November 19, 2019 the applicant, the Olson Company, filed an application to develop 50 residential units at 1335, 1337, 1341 and 1343 West 141st Street, comprising 2.02 gross acres (the “Property”).

An Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring Program (MMP) were prepared by the City’s Consultant, and the documents were circulated for a 20-day review period. A public hearing was noticed and scheduled for a public hearing on the October 20, 2020, Planning Commission meeting.

PROJECT DESCRIPTION/SETTING

The subject property is located on the northeast corner of the intersection of Normandie Avenue and West 141st Street and is comprised of five parcels with a total gross acreage of 2.02. The project site’s topography is relatively flat, and the dimensions of the subject property are approximately 298 feet deep and 295 feet wide. The site is currently operating as a landscape nursery (Lloyd’s Nursery) and contains two residential structures. One of the residential structures serves as an office for the nursery and the other services the residence for the nursery’s groundskeeper.

The project site is bounded to the north by condominium residential units and single-family home properties in the R-1 (Single-Family Residential) and R-3 (Medium Density Multiple-Family Residential) zones, to the east by a single-family home and vacant land in the R-1 zone, to the south by single-family homes in the C-3 (General Commercial) and R-1 zone across West 141st Street, and to the west by Normandie Avenue. Properties to the west across Normandie Avenue are in the M-1 zone and consist of well-maintained warehouse structures.

TABLE 1: ADJACENT ZONING AND LAND USES

	Zoning Designation	General Plan Land Use Designation	Existing Land Uses
Project Site	R-1/R-3	Low/Medium Residential	Landscape Nursery/ Single Family Dwelling Units
North	R-1/R-3	Low/Medium Residential	Condominium Residential Homes/ Single Family Homes
South	C-3/R-1	General Commercial/Low Residential	Single Family Homes
West	M-1	Industrial	Warehouse
East	R-1	Low Residential	Single Family Home/Vacant Lot

The applicant proposes to demolish all existing structures and construct a residential community consisting of 50 three-story attached townhomes with a mix of floor plans with two to three-bedroom options ranging from 1,260 square feet to 1,659 square feet. Six buildings are proposed with a range of six to eleven units per building.

In addition, the applicant proposes the following:

- 125 parking spaces (100 parking spaces in garages and 25 guest parking spaces)
- 24,543 square feet of common open space (490 square feet per unit), including a barbecue area, fire-pit with shaded areas and other amenities
- 8,693 square feet of private open space via balconies and private patios.
- 33,236 square feet of total open space (664.7 square feet per unit)

Vehicular and pedestrian access is proposed from 141st Street via a two-way driveway and pedestrian walkway and main gate. All garages are located away from public view. A motorized gate will provide security and a call box will be provided for guests. A new curb and gutter will be constructed so that a continuous sidewalk is provided along the front of the site along West 141st Street. Interior units will front a courtyard area that includes a large lawn, shaded area, barbecue, and fire-pit area. The project also includes a six-foot-high perimeter wall /fencing along the front, interior side and rear property lines. The block wall located along the western property line will be interspersed with black tubular steel allowing the landscaping on the other side to be visible from the public right-of-way. The development will include street-facing entries with the fifteen residential units being oriented toward West 141st Street and will also include lush, landscaped area creating an attractive entrance into the development.

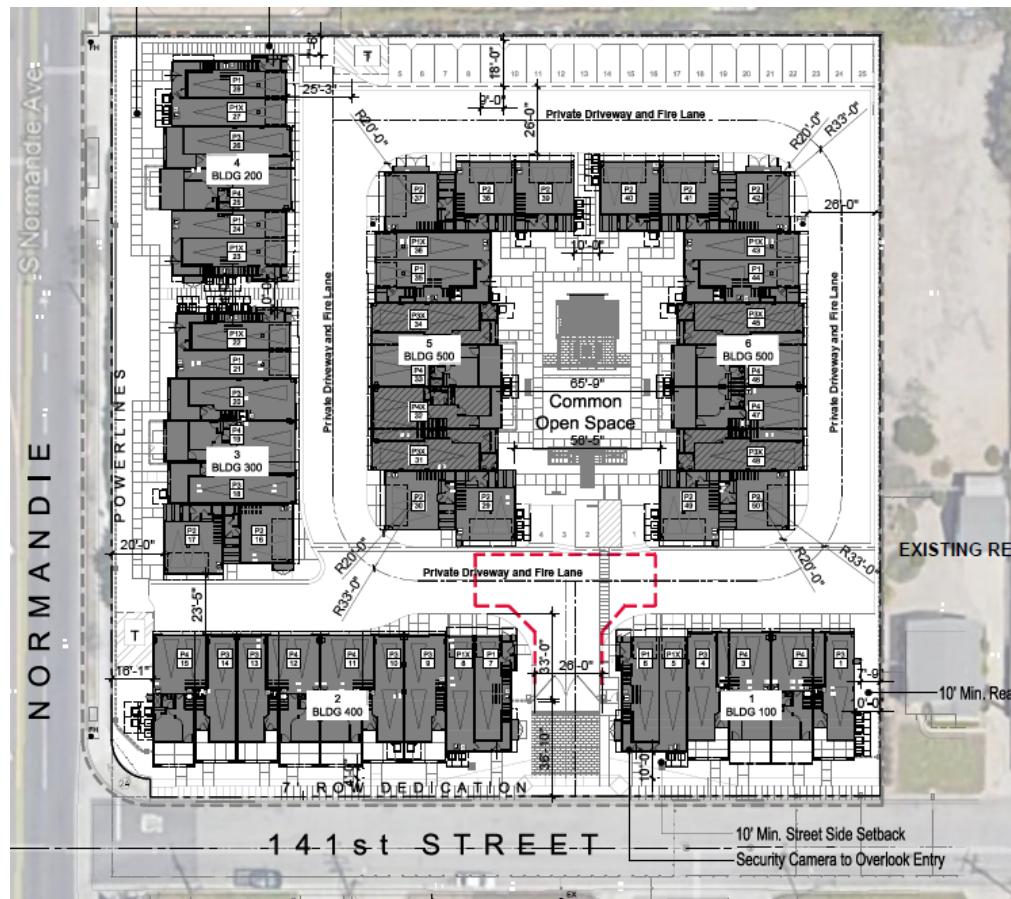


FIGURE 1: SITE PLAN

The project requires changes to the General Plan Land Use Map and Zoning Map to allow for the proposed residential development. The General Plan land use designation will go from Low and Medium Density Residential to High Density Residential. The zoning will go from Single-Family and Medium Multi-Family Residential Zone (R-1/R-3) to High Density Multiple-Family Residential (R-4). The Planning Commission will make a recommendation to the City Council who will give final approval for these two legislative actions.

In addition to the legislative approvals, the applicant is also seeking a site plan approval in accordance with Gardena Municipal Code (“GMC”) Section 18.44.010, an approval of a tentative tract map to create the 50-condominium units in accordance with Gardena Municipal Code Section 17.08.020 and the Subdivision Map Act, and a variance to construct a six-foot front yard fence 14 inches behind the property line (behind the public sidewalk). Additionally, approval of these items requires adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP).

The Planning Commission is being asked to take the following actions:

- 1) Adopt the MND and MMRP for purposes of the Site Plan Review, Tentative Tract Map, and Variance and recommend that the City Council adopt the same for the General Plan Amendment and Zone Change;
- 2) Recommend that the City Council adopt the General Plan Amendment and Zone Change (the “Legislative Actions”);
- 3) Approve the Site Plan Review, subject to City Council approval of the Legislative Actions;
- 4) Approve the Tentative Tract Map, subject to City Council approval of the Legislative Actions; and
- 5) Approve the Variance, subject to City Council approval of the Legislative Actions.

ANALYSIS

GENERAL PLAN AMENDMENT AND ZONE CHANGE

Per GMC Section 18.52.010, whenever the public necessity, convenience, general welfare, or good land use and zoning practices require, the council may amend, supplement or change the land use designation, regulations, zone boundaries or classifications of property in accordance with the procedures of the California Government Code, as supplemented by the provisions of the GMC.

The existing use on the property, landscape nursery, is considered a legal non-conforming use as the General Plan designation and zoning are Low/Medium Residential (R-1/R-3) and plant nurseries are only allowed in the Industrial zoning districts through an approved Conditional Use Permit. While the property is designated for residential uses, the maximum density allowed in these zoning areas prevent the land to be developed to its highest potential. Three of the five parcels have a lot area ranging from 19,083 square feet to 23,417 square feet and are zoned R-1 (Single-Family Residential). The R-1 zone is intended as a low-density residential district of single-family homes with one dwelling per lot and customary accessory buildings. The average size of a lot in the R-1 zone is around 5,000 square feet. When comparing that to the sizes of the subject lots that are zoned R-1, they are roughly four times larger the average R-1 lot throughout the City. The

other two parcels within the project site are zone R-3, which allows for a density of 17 units per acre. As seen in the project plans (Exhibit E), the applicant is proposing to construct a residential development with a density of 24.7 units per the acre, which would be consistent with the development standards of the R-4 (High Density Multi-Family Residential) zone.

The corresponding General Plan Land Use designation to the R-4 zoning is High Density Residential, which is intended to provide high-quality, compact, multiple-family living environments. The applicant is proposing a very high-quality development that will create an exceptional, walkable, residential community.

The zone change and general plan amendment will allow a productive development within an underutilized parcel of land that will assist the City in reaching its regional housing goals, as well as providing much needed revenue from impact fees, property taxes, and utility user tax.

Allowing the 50-unit townhome project would be consistent with various goals and policies of the General Plan Land Use Plan (LU), Community Design Plan (DS), and Housing Element including the following:

- LU Policy 1.2: Promote sound housing and attractive and safe residential neighborhoods
- LU Policy 1.5: Provide adequate residential amenities such as open space, recreation, off-street parking and pedestrian features in multi-family residential developments.
- DS Goal 2: Enhance the aesthetic quality of the residential neighborhoods in the City.
- DS Policy 2.3: Encourage a variety of architectural styles, massing, floor plans, color schemes, building materials, façade treatments, elevation and wall articulations.
- DS Policy 2.10: Provide landscape treatments (trees, shrubs, groundcover, and grass areas) within multi-family development projects in order to create a “greener” environment for residents and those viewing from public areas
- DS Policy 2.11: Incorporate quality residential amenities such as private and communal open spaces into multi-unit development projects in order to improve the quality of the project and to create more attractive and livable spaces for residents to enjoy.
- DS Policy 2.13: Encourage lot consolidation for multi-family development projects in order to produce larger sites with greater project amenities.
- Housing Plan Goal 4: provide for adequate residential sites through appropriate land use and zoning to accommodate the City’s share of regional housing needs.
- Housing Policy 4.1: Implement land use policies that allow for a range of residential densities.
- Housing Policy 4.4: Encourage development at maximum attainable densities and encourage use of density bonuses for inclusion of affordable units.

The proposed project consolidates five underutilized parcels to create a new 50-unit three-story attached townhome development with a mix of floor plans with two to three-bedroom options

ranging from 1,260 square feet to 1,659 square feet. The proposed project consists of a contemporary architectural theme that incorporates a variety of building materials, textures, and colors. The community will be gated with a perimeter wall surrounding the development. The project provides common open space including a large lawn, shaded area, barbecue and fire-pit area, dining area, lounge seating, and private open space in the form of balconies private patios. Various plants and shrubbery will be placed in the side yard setback that fronts West 141st Street enhancing the overall public view of not only the subject property, but the overall neighborhood.

The project adds 50 single-family attached residences to the City's overall housing stock. The residential development creates an attractive living environment for prospective homebuyers in this area of Gardena.

DEVELOPMENT STANDARDS

The proposed project has been reviewed for compliance with the development standards of the R-4 zone.

TABLE 2: DEVELOPMENT STANDARDS FOR THE R-4 ZONE

Development Standard Comparison			
Standard	R-4 Zone	Project	Compliant
Lot Area	5,000 SF	2.02 AC	N/A
Lot Width	50 Feet	295 Feet	N/A
Lot Depth	80 Feet	298 Feet	N/A
Density	20 DU/AC min. 30 DU/AC max.	24.7 DU/ AC	Yes
Building Height	40 Feet or 45 Feet w/ projections; max. 4 stories	36 Feet 7 Inches	Yes
Setback			
▪ Front	15 Feet	16 Feet and 20 Feet	Yes
▪ Side (Interior)	5 Feet/ 10 Feet	5 Feet and 44 Feet	
▪ Side (Exterior)	10 Feet	10 Feet	
▪ Rear	10 Feet	10 Feet	
Distance Between Buildings	Side to side: 6 Feet if openings are offset from adjacent openings; otherwise 10 Feet	10 Feet	Yes
Off Street Parking (Minimum)	Two spaces per DU 0.5 guest spaces per DU		Yes
	▪ Required: 125 spaces ○ 100 garage spaces	▪ Provided: 125 spaces ○ 100 garage spaces	

Development Standard Comparison			
Standard	R-4 Zone	Project	Compliant
	○ 25 guest spaces	○ 25 guest spaces	
Useable Open Space (Minimum)	300 SF/DU	Total: 33,236 SF 664 SF/DU Common: 24,543 SF Private: 8,693 SF	Yes
Fences (Maximum)	Front (cluster dev.): 7-Feet High 1. Consist of wrought iron or tubular steel and interspersed with stone, brick, stucco, or decorative block 2. Min. 5-feet landscaping Side/rear: 7-Feet high	6-Feet decorative block with tubular steel; Front fence does not have 5-Feet landscaping 6-Feet high	Variance required for front fence.
Refuse areas	Accommodate two 96-gallons bins in garage (green waste not needed because no individual landscaped yards)	Trash bins will be located in each individual garage	Yes
Storage Area	120 CF/DU Min. 2' dimension	200 CF – 240 CF With one dimension of at least 2'	Yes

DU: Dwelling Unit
AC: Acres
SF: Square Feet
CF: Cubic Feet

SITE PLAN REVIEW

Site plan review approval is required pursuant to Gardena Municipal Code section 18.44.010.A, as there is another discretionary approval being sought, and section 18.44.010.E which requires site plan approval for all new multifamily development of four units or more. The applicant is proposing a site plan that is consistent with the conceptual site plan shown in Exhibit E to Resolution No. PC 9-20. Site plans may be approved where the Commission finds that the proposed development, including the uses and physical design is consistent with the general plan and municipal code and that the development will not adversely affect the orderly and harmonious development of the area and the general welfare of the City.

The following factors shall be considered in determining whether the site plan shall be approved.

1. The dimensions, shape and orientation of the parcel;

The site is a 2.02-acre rectangular parcel and measures 295 feet wide by 298 feet in depth. The parcel is a corner lot and has an east/west orientation. The parcel

fronts West 141st Street to the south and Normandie Avenue to the west. The dimension and orientation of the project site sets the stage for a development that offers open space opportunities, ample parking, and landscaping.

2. The placement of buildings and structures on the parcel;

The proposed project consists of six separate townhome buildings that contain between six to eleven attached condominium units. Fifteen of those units face West 141st Street, another thirteen units face a private walkway and perimeter wall abutting Normandie Avenue, and the rest face towards the communal area. Each unit includes an attached two-car garage and guest parking is located along the northern property line and directly below the communal area. Furthermore, the subdivision has been designed to provide adequate access for vehicles by a two-way driveway that circles the development, for pedestrians by private walkways that are located away from traffic, and for all necessary emergency access.

3. The height, setbacks, bulk and building materials;

The R-4 zone allows for a maximum height of 40-feet, with an additional five feet allowed for architectural projections and shall consist of no more than four stories. The proposed structures are all three-stories that are less than 40-feet in height.

The proposed development is setback 10-feet from the new public right-of-way on the south end (side) fronting West 141st Street. The buildings along Normandie Avenue (front) are setback 16 to 20 feet from the property line. Buildings on the north end of the property (side) are setback five feet on the northwest corner of the property and approximately 44 feet from the rest of the northern property line.

The proposed project consists of a contemporary architectural theme consisting of various roof pitches and changes in plane that assists in the scaling and massing of the proposed structures. The proposed height, setbacks, bulk, and building materials of the development are consistent with section 18.42.095 of the Municipal Code. The general perception of the size and volume of the buildings is compatible with that of the surrounding neighborhood, and varied façade helps to decrease the massing of the buildings.

4. The distance between buildings or structures;

The proposed residential development will be meeting the minimum distance between buildings of 10-feet between all condominium buildings that are side to side.

5. The location, number, and layout of off-street parking and loading spaces;

Per the Gardena Municipal Code, Chapter 18.40, a development of this size requires 125 parking spaces: 2 parking spaces per unit, plus one-half space per unit for guest parking. The proposed project meets and incorporates this requirement by providing a total of 125 parking spaces: 100 garage spaces (two per unit) and 25 guest spaces. Nineteen of the condominium units provide tandem garage spaces, which is allowed in the R-4 zone (GMC§18.18.020.I.1). The majority of the guest parking spaces are located along northern property line. There will be four guest parking spaces located along the central main driveway, adjacent the common open space area. One accessible parking spaces is provided. No loading spaces are provided or required.

6. The internal vehicular patterns and pedestrian safety features;

The primary vehicular access to the site is proposed off 141st Street that will lead to a swinging driveway gate, providing access to the private garages. The driveway gate is setback roughly 36-feet from the public right-of-way as to prevent queuing of vehicles on the public street. All secondary driveways provide for two-way traffic; however, they do not provide for through traffic.

Proposed pedestrian amenities include walkways that run throughout the project site and communal areas. A perimeter wall will enclose the community on the sides and rear ends of the project.

The proposed internal vehicular patterns and pedestrian safety features of the site are consistent with Municipal Code Section 18.42.095 E. By separating driveways from pedestrian walkways, the proposed development helps to ensure automobile uses do not detract from the pedestrian orientation of the site.

7. The location, amount, and nature of landscaping;

A conceptual landscape plan and plant palette were prepared that provides landscaping throughout the development. Total proposed area of common area, including the large lawn, shaded area, barbecue and fire-pit area is 24,543 square feet and includes various landscape ground cover and planting. The applicant proposes a palette of trees and shrubs throughout the property. Various trees are also located along the West 141st Street frontage enhancing the curb public view of not only the subject property, but the overall neighborhood.

In addition, the proposed plant palette includes species that are tolerant of local environmental conditions and require low maintenance. As a condition of approval, all landscaping is to be maintained by the development's homeowner's association. The Landscape Plan is attached for further reference (Exhibit E).

8. The placement, height and, direction of illumination of light standards;

The area of the property fronting Normandie Avenue shall be lighted by streetlights located on the public right of way. Appropriate lighting, such as streetlamps and/or landscape lighting will be utilized throughout the development for safety and aesthetic purposes, as shown in the schematic lighting plan (Exhibit E). Lighting standards will be either shielded or located in such a manner as to mitigate the impact to interior living spaces and neighboring properties. Additionally, as conditioned, the applicant shall provide a lighting plan that shall demonstrate an average of 2-foot candle with no single point less than 1-foot candle for all public/common areas.

9. The location, number, size and height of signs;

The provisions of Chapter 18.58 of the Gardena Municipal Code shall apply to signs within the proposed project. Address numbers will be lighted for safety and aesthetics.

10. The location, height and materials of walls, fences or hedges;

Multiple wall and fence types are proposed throughout the development. They will be utilized for privacy, sound attenuation, articulation, and security purposes. The proposed development includes a decorative six-foot high decorative block wall along the northern, eastern and a portion of the western perimeters. The fences and walls are compatible with the finish material and architecture of the main buildings.

In accordance with GMC Section 18.42.070.2.d.i the perimeter fence along the western property line shall consist of wrought iron or tubular steel and shall be interspersed with stone, brick, stucco, or decorative block for aesthetic reasons, as it located in the front yard setback. The project complies with this requirement as a portion of the six-foot high block wall will include a section of black tubular steel, approximately 68-feet in length.

The project will not comply with GMC Section 18.42.070.2.d.ii, which requires a minimum five-foot landscaped setback between the front of the fence and the back of the sidewalk area along Normandie Avenue. As such the applicants request includes a variance as part of the proposed entitlements.

11. The location and method of screening refuse and storage areas, roof equipment, pipes, vents, utility equipment and all equipment not contained in the main buildings of the development;

Refuse areas for the proposed project are located within the enclosed garages of each individual residence in a way that will not obstruct the designated parking spaces. Where utilities or all other equipment not contained in the main building exist, a combination of screen walls, trellises, vines, or shrubbery are used to screen them from sight.

Therefore, the project is consistent with Municipal Code Sections 18.42.130 and 18.42.140 by ensuring trash receptacles are entirely hidden from view and mechanical equipment is to be screened.

12. Such other information which the community development director or commission may require to make the necessary findings that the provisions of this code are being complied with.

No additional information is required to make the necessary findings that the provisions of this code comply with the proposed plan.

The Land Use Plan and the zoning map designate the project site as Single-Family Residential Zone (R-1) and Medium Density Multiple-Family Residential Zone (R-3); however, a general plan amendment and zone change are included in the proposed entitlements to allow development of the proposed multi-family residential use. The project will involve 50 residential townhomes on a 2.02-acre lot. The development as a whole will conform to all applicable development standards of the High Density Multiple-Family Residential Zone (R-4) residential standards, except as allowed by the variance, and will be consistent with the goals of the Municipal Code and General Plan.

VESTING TENTATIVE TRACT MAP NO. 82945 (#3-19)

The purpose of a tentative tract map review is to identify those conditions that should be applied to ensure that each parcel is designed so as to comply with the State Subdivision Map Act and good design practice. As stated above, the applicant proposes a Vesting Tentative Tract Map (TTM #3-19; VTTM #82945) for the development of a 50-unit condominium townhome project.

In accordance with the City of Gardena General Plan, including the Open Space Plan, and in accordance with the Subdivision Map Act, specifically Government Code Section 66477, the City of Gardena requires either the dedication of land, the payment of fees, or a combination of both for the park or recreational purposes as a condition of the approval of a tentative or parcel map for residential subdivisions. The total parkland required for the subject project is 0.44 gross acres. The applicant has chosen to pay the in-lieu fee, which is \$10,000 per unit in accordance with Resolution No. 6433. Total in lieu park fees due is \$500,000 and shall be paid in full to the City prior to recordation of the final map.

The condominium development will be regulated by specific covenants, conditions and restrictions (CC&Rs) that are enforced by a Homeowners Association. The condominium owners will have mutual ownership of the “common” areas within the development, and individual ownership of the “air space” occupied by each unit. These areas will be delineated on a condominium plan, which will be filed with the Department of Real Estate.

The State Subdivision Map Act includes a list of grounds for denial; if any one of the findings is made, the map must be denied:

- ❖ The map and design and improvement of the proposed subdivision is not consistent with applicable general and specific plan (§ 66474; § 66473.5)
 - The Land Use Plan and the zoning map currently designate the project site as Low/Medium Residential; however, a general plan amendment and zone change are included in the proposed entitlements to maintain consistency with the proposed multi-family residential use. The project will involve 50 residential townhome-style condominiums and will conform to all the applicable development standards of the High-Density (R-4) Residential zone. Additionally, the project will be consistent with the following goals and policies of the General Plan: LU Policy 1.2, LU Policy 1.5, DS Goal 2, DS Policy 2.3, DS Policy 2.10, DS Policy 2.11, and DS Policy 2.13.
 - The City's Housing Element identifies various goals and policies that will set the stage for new opportunities for housing. Housing Plan Goal 4 provides for adequate residential sites through appropriate land use and zoning to accommodate the City's share of regional housing needs. Policies for Goal 4 include implementing land use policies that allow for a range of residential densities (Policy 4.1) and encourage development at maximum attainable densities (Policy 4.4). The proposed project will provide a density of 24.7 dwelling units per acre. Therefore, the project will be consistent with the City's General Plan Land Use Plan and Housing Element Plan and meets the minimum requirements of the R-4 zone.
- ❖ The site is not physically suitable for the type or density of development (§ 66474)
 - The site is 2.02 gross acres and is essentially flat. The subject parcel can accommodate the 50 units within the various proposed buildings and the development adheres to the Gardena Municipal Code standards.
- ❖ The design of the subdivision or the proposed improvements are likely to cause serious public health problems, substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (§ 66474)
 - The Property is currently developed with a landscape nursery. The Project site is currently developed and in active use as a landscape nursery with associated office use and residential use for the nursery's groundskeeper. Plants and trees within the nursery are primarily located within nursery containers/planter beds and do not contain natural habitat. However, there are trees located at the southwest corner, in front of the residences, and along the western perimeter of the property. Although not anticipated, there is the potential for trees to support nesting migratory birds. To avoid any potential injury to wildlife the application is conditioned to remove the trees located on the property outside of the state identified nesting season for

- migratory birds, or required to conduct a Construction Nesting Bird Survey shall be properly conducted.
- As further documented in the Mitigated Negative Declaration, the townhomes will not create environmental damage, nor will they create any public health problems.
- ❖ The design of the subdivision or type of improvements will conflict with public access easements (§ 66474).
 - A seven-foot-wide dedication along 141st Street will be provided at the side of the property for a public sidewalk, curb, and gutter. This is consistent with the City's street plan for West 141st Street.
- ❖ The design of the subdivision does not provide for, to the extent feasible, future passive or natural heating and cooling opportunities (§ 66474.5).
 - During winter, a north/south alignment of parcels provides for southern exposure to the winter path of the Sun. During the summer, prevailing winds are west/southwest from the north (Los Angeles International Airport) and west from the south (Torrance Airport). The general direction of these prevailing winds can be expected to allow the development to benefit from natural and passive cooling opportunities in the summer. Therefore, the design of the proposed subdivision provides for the configuration structures to provide for future passive or natural heating and cooling opportunities.
 - Additionally, all buildings will comply with Title 24 requirements, including Cal Green standards.

With the conditions of approval (Exhibit G to Resolution No. PC 9-20) and approval of the associated entitlements, the project and project design will be consistent with the General Plan, High-Density Multiple-Family Residential (R-4) zone, and the State Subdivision Map Act as supplemented by Title 17 of the Gardena Municipal Code.

VARIANCE

The applicant is proposing to build a block wall between the homes that face Normandie Avenue and the sidewalk along Normandie Avenue. The wall is six feet in height and will consist of a decorative block wall interspersed with black tubular steel. In accordance with GMC Section 18.42.070.2.d.ii, in cluster developments that provide perimeter fencing in the front yard setback may be up to seven feet in height provided there is a minimum of five feet of landscaping between the front of the fence and the back of the sidewalk area closest to the fence. The applicant is proposing to construct the fencing 14-inches behind the property line along Normandie Avenue in

order to accommodate the needed storm drain facilities and to place a second transformer in the location.

Although the fence will not have a five-foot landscaped setback from the street, it will not be detrimental to the public health, safety or welfare as it will actually be a much needed improvement over existing conditions which will providing an attractive development to an underutilized lot. Additionally, there is an existing planter along Normandie Avenue along the project site that includes multiple street trees, which will assist the walkability around the development.

The fence will be of proper material and will be no higher than six feet. However, a variance request is needed in order to locate the fence as proposed.

A variance is allowed when certain findings can be made:

- There are special circumstances, including size, shape, topography, location or surroundings which would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications;

To accommodate the drainage of the project site the applicant is proposing to collect storm runoff via a private area drain system consisting of a detention basin, storm water storage pipes, and electrical transformer. To properly collect the storm water this system will be located within the area of the property that abuts Normandie Avenue. In order to allow for the proper maintenance of this required equipment a block wall cannot be constructed on top of this area and consequently the five-foot landscape setback requirement cannot be met.

- That the variance shall be subject to conditions to assure that the adjustment shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the zone in which the property is located;

The project shall be required to provide a decorative block wall and tubular steel or similar type of fencing in order to allow the landscaping along the property line that abuts Normandie Avenue be visible from the public right-of-way. Additionally, the conditions will require that the landscaping be kept in a thriving manner and that the wall be maintained graffiti free.

- That granting the variance will not be materially detrimental to the public health, safety, convenience and welfare or injurious to property and improvements in the same vicinity and zone in which the property is located;

Although the wall will not have a five-foot landscaped setback from the street side, it will not be detrimental to the public health, safety, or welfare. Allowing for the variance will provide additional security to the residents of the project and the

landscaping that will be provided behind the fence will be an aesthetic improvement along Normandie Avenue.

- That granting the variance will not adversely affect or be in conflict with the General Plan.

Allowing the proposed block wall along Normandie Avenue would not impact the City's General Plan. The new wall will be consistent with Goal 1 and Policy DS 1.4 and DS 1.6 of the Community Design Plan by enhancing the visual environment and creating a positive image of the City in gateway areas by providing landscaping.

ENVIRONMENTAL REVIEW

De Novo Planning Group prepared an Initial Study, Mitigated Negative Declaration (MND), and Mitigation Monitoring and Reporting Program (MMRP) under contract to the City.

The IS/MND was prepared and noticed in accordance with all requirements of the California Environmental Quality Act (Public Resources Code § 21000 *et seq.*) and the CEQA Guidelines (14 Cal. Code of Regs. § 15000 *et seq.*) (collectively, "CEQA"). (Exhibit A to Resolution No. PC 9-20.) The IS/MND was subject to a 20-day public review period of September 17, 2020 to October 6, 2020. The only comment received during that time was from the Los Angeles County Sanitation Districts (Exhibit H). The letter addressed wastewater generation, capacity, and payment of a collection fee, but did not identify any new significant impacts nor did it address the adequacy of the IS/MND and it was not necessary to revise the document.

The IS/MND determined that there were potentially significant impacts with regard to a number of topics. However, the mitigation measures included in the Mitigation Monitoring and Reporting Program attached to the Resolution as Exhibit B will mitigate the impacts relating to Biological Resources, Cultural Resources, Geology and Soils, Hazardous Materials, and Tribal Cultural Resources to below a level of significance. Standard conditions of approval, which are imposed on all projects negated the need for mitigation measures for Noise impacts and reduced the need for mitigation in other topic areas.

The City received a request for consultation from the Gabrieleno Band of Mission Indians-Kizh Nation under Senate Bill (SB) 18 and Assembly Bill (AB) 52. A consultation was made on May 7, 2020. As a result of the consultation, the City imposed Mitigation Measures TCR-1 regarding retaining a Native American monitor/consultant and TCR-2 regarding unanticipated discovery of tribal cultural and archaeological resources. TCR-2 also covers the impacts related to Cultural Resources. Biological impacts to migratory birds will be mitigated by requiring a nesting bird. Paleontological resources will be protected by having an on-site monitor for ground disturbances greater than 5.0 feet below the historic surface. Additionally, in order to protect against hazardous materials, construction of the units will not take place until the Department of Toxic Substances Control issues an approval letter.

No other impact areas required mitigation as the impacts would be less than significant.

The IS/MND was independently reviewed by City staff. In making all of the required findings, the Planning Commission will exercise its independent judgment.

The Initial Study was prepared to determine whether implementation of the project may cause significant adverse environmental impacts. On the basis of this evaluation, it was found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case, because mitigation measures were added to the project. Ultimately, approval of the MND and adoption of the MMRP for the purposes of the site plan review, tentative tract map, and variance lies with the Planning Commission and approval of the MND and adoption of the MMRP lies with the City Council for purposes of approving the general plan amendment and zone change.

ECONOMIC IMPACT

The project will be required to pay school impact fees to LAUSD, in lieu park fees in the amount of \$500,000 as discussed above, and the multi-family residential impact fee required by Chapter 15.48 of the Gardena Municipal Code of \$1,000 per unit for an additional \$50,000.

RECOMMENDATION

Staff recommends the Planning Commission adopt Resolution No. PC 9-20 which does the following:

As the name indicates, the Resolution:

- 1) Adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for purposes of the Site Plan Review, Vesting Tentative Tract Map and Variance and recommends that the City Council adopt the same for the General Plan Amendment and Zone Change;
- 2) Recommends that the City Council adopt the General Plan Amendment and Zone Change;
- 3) Approves the Site Plan subject to the Legislative approvals;
- 4) Approves the Vesting Tentative Tract Map subject to the Legislative approvals; and
- 5) Approves the Variance, subject to City Council approval of the Legislative Actions.

ATTACHMENTS

Attachment A - Resolution No. PC 9-20

- Exhibit A – Draft IS/MND dated September 2020
- Exhibit B – Mitigation Monitoring and Reporting Program
- Exhibit C – Draft General Plan Amendment Resolution
 - Exhibit – General Plan Land Use Map change
- Exhibit D – Draft Ordinance Rezoning Property
 - Exhibit – Zone Change Map
- Exhibit E – Development Plans
- Exhibit F – Tentative Tract Map
- Exhibit G – Conditions of Approval
- Exhibit H – Comment Letter from Los Angeles County Sanitation Districts

RESOLUTION NO. PC 9-20

A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR A SITE PLAN REVIEW, VESTING TENTATIVE TRACT MAP, AND VARIANCE AND RECOMMENDING THAT THE CITY COUNCIL ADOPT THE SAME FOR A GENERAL PLAN AMENDMENT AND ZONE CHANGE; RECOMMENDING THAT THE CITY COUNCIL ADOPT A GENERAL PLAN AMENDMENT AND ZONE CHANGE; AND APPROVING A SITE PLAN REVIEW, VESTING TENTATIVE TRACT MAP, AND VARIANCE ALL RELATED TO THE DEVELOPMENT OF AN 50-UNIT TOWNHOME PROJECT ON A 2.02 GROSS ACRE PARCEL AT 1335, 1337, 1341 AND 1343 WEST 141ST STREET

**(*EA #15-19; SPR #5-19; GPA #1-19; ZC #1-19; TTM #3-19; VAR #2-19*)
(APNS: APNs: 6115-013-007, 008, 009, 010, and 011)**

WHEREAS, on November 19, 2020, the applicant, the Olson Company, filed an application to develop a 50-unit residential condominium project consisting of attached three-story townhome style condominiums in six buildings on a 2.02-acre property located at 1335, 1337, 1341 and 1343 West 141st Street (the “Property”); and

WHEREAS, in order to develop the residential project, the following entitlements (collectively, the “Project”) are required: General Plan Amendment (GPA #1-19) to change the land use designation from Low/Medium Residential to High Density Residential; Zone Change (ZC #1-19) to change the zoning from R-1 and R-3 (Single- Family and Medium Multi-Family Residential Zone) to R-4 (High Density Multiple-Family Residential); Site Plan Review (SPR #5-19) allowing the development of the 50 townhomes in six buildings; Tentative Tract Map (TTM #3-19; VTTM #82945) subdividing the property for 50 condominium units; and a Variance (VAR #2-19) to construct a front yard fence 14 inches behind the public sidewalk; and

WHEREAS, an Initial Study and Mitigated Negative Declaration (“IS/MND”) was prepared for the Project and the draft MND was circulated for a 20-day public review period between September 17, 2020 and October 6, 2020; and

WHEREAS, on October 20, 2020, the Planning Commission of the City of Gardena held a duly noticed public hearing on the draft IS/MND and the approvals required for the Project at which time it considered all evidence, both written and oral; and

WHEREAS, in making the various findings set forth herein, the Planning Commission has considered all of the evidence presented by staff, the applicant, and the public, whether written or oral, and has considered the procedures and the standards required by the Gardena Municipal Code. The record of these proceedings can be found at the Community Development Department, Room

101, 1700 West 162nd Street, Gardena, California. The Director of Community Development is the custodian of such record

NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY CONTROL COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING.

A. The City retained De Novo Planning Group, an environmental consultant, to prepare the IS/MND, a copy of which is attached hereto as Exhibit A.

B. The IS/MND was prepared and noticed in accordance with all requirements of the California Environmental Quality Act (Public Resources Code § 21000 *et seq.*) and the CEQA Guidelines (14 Cal. Code of Regs. § 15000 *et seq.*) (collectively, “CEQA”).

C. The IS/MND adequately assesses the impacts of the Project.

D. The IS/MND determined that there would be potentially significant impacts with regard to the following topics: Biological Resources, Geology and Soils, Hazardous Material, Noise, and Tribal Cultural Resources.

1. The Mitigation Measures listed in the Mitigation Monitoring and Reporting Program (“MMRP”), which is attached hereto as Exhibit B will mitigate impacts to Biological Resources, Cultural Resources, Geology and Soils, Hazardous Material, and Tribal Cultural Resources to below a level of significance.

2. Following compliance with the conditions of approval that will be imposed on the project impacts on Geology and Soils, Hazardous Material, and Noise, will be further reduced to less than significant and no mitigation is required for the impacts identified thereunder.

E. The City sent notices to the Native American tribes provided by the National American Heritage Commission. The City received a request for consultation from the Band of Mission Indians-Kizh Nation under Senate Bill (SB) 18 and Assembly Bill (AB) 52. A consultation was made on May 7, 2020. As a result of the consultations, the City imposed Mitigation Measures TCR-1 regarding retaining a Native American monitor/consultant and TCR-2 regarding unanticipated discovery of tribal cultural and archaeological resources.

F. In addition to the letter received from the Kizh Nation, additional comment letters on the IS/MND were received from the Sanitation Districts of Los Angeles County. The letter addressed wastewater generation, capacity, and payment of a collection fee, but did not identify any new significant impacts nor did it address the adequacy of the IS/MND.

G. After the public review period, the City modified Mitigation Measure HAZ-1 for clarification purposes only to make clear the City would not allow construction of the residential

units until appropriate clearance is received from the Department of Toxic Substances Control. This change in language does not require recirculation of the IS/MND.

H. The IS/MND were all independently reviewed by City staff and the Planning Commission. In making all of the findings herein, the Planning Commission has exercised its independent judgment.

I. Based on the findings set forth above as well as the record of proceedings, the Planning Commission hereby approves the Mitigated Negative Declaration and adopts the Mitigation Monitoring and Reporting Program for purposes of Site Plan Review #5-19, Vesting Tentative Tract Map No. 82945 (TTM #3-19), and Variance #2-19 and recommends that the City Council adopts the Mitigated Negative Declaration (EA #15-19) for General Plan Amendment #1-19 and Zone Change #1-19.

SECTION 2. GENERAL PLAN AND ZONING RECOMMENDATION.

The Planning Commission hereby recommends that the City Council: adopt the Resolution attached hereto as Exhibit C changing the General Plan land use designation for the Property from Low/Medium Residential to High Density Residential; and adopt the Ordinance attached hereto as Exhibit D changing the zoning from the Property from R-1 and R-3 (Single-Family and Medium Multi-Family Residential Zone) to R-4 (High Density Multiple-Family Residential). In making this recommendation the Planning Commission incorporates the findings set forth in those Exhibits.

SECTION 3. SITE PLAN REVIEW APPROVAL.

Site Plan Review (#5-19) for the construction of a 50-unit condominium development in six buildings, is hereby approved based on the following findings and subject to the conditions attached hereto as Exhibit G. The plans being approved are those dated, September 9, 2020, attached hereto as Exhibit E as the same may be modified by the conditions of approval.

A. The proposed development, including the uses and physical design, is consistent with the intent and general purpose of the general plan and provisions of the municipal code.

As part of the Project, Developer has sought approval of a General Plan amendment and zone change designation. Staff has determined that based on the calculation of density on gross acreage prior to dedication, the General Plan land use and zoning would have to be changed to high density residential to accommodate the development and the Planning Commission has recommended approval of these changes.

As shown in the staff report, which is incorporated by reference, the site plan meets or exceeds all development standards of the proposed R-4 zoning code. The High-Density Residential land use designation provides for a high quality, multiple-family living environment consisting of three-story multi-unit buildings. The high density multiple-family residential zone (R-4) implements this land use designation. The allowed density

requires a minimum of 20 units per acre and a maximum of 30 units per acre under the City's Zoning Code for lots of this size; the proposed General Plan land use designation also allows 30 units per acre.

In recommending approval of the General Plan Amendment and Zone Change, the Planning Commission has determined that high-density residential zoning represents good planning practices. The proposed density is approximately 24.7 units per acre and therefore falls within the allowable density requirements, so it is consistent with the General Plan and zoning, as proposed.

The Project is also consistent with the following Goal and Policies of the General Plan Land Use Plan, Community Design Plan, and Housing Element:

- LU Policy 1.2: Promote sound housing and attractive and safe residential neighborhoods
- LU Policy 1.5: Provide adequate residential amenities such as open space, recreation, off-street parking and pedestrian features in multi-family residential developments.
- DS Goal 2: Enhance the aesthetic quality of the residential neighborhoods in the City.
- DS Policy 2.3: Encourage a variety of architectural styles, massing, floor plans, color schemes, building materials, façade treatments, elevation and wall articulations.
- DS Policy 2.10: Provide landscape treatments (trees, shrubs, groundcover, and grass areas) within multi-family development projects in order to create a “greener” environment for residents and those viewing from public areas
- DS Policy 2.11: Incorporate quality residential amenities such as private and communal open spaces into multi-unit development projects in order to improve the quality of the project and to create more attractive and livable spaces for residents to enjoy.
- DS Policy 2.13: Encourage lot consolidation for multi-family development projects in order to produce larger sites with greater project amenities.
-
- Housing Plan Goal 4: provide for adequate residential sites through appropriate land use and zoning to accommodate the City's share of regional housing needs.
- Housing Policy 4.1: Implement land use policies that allow for a range of residential densities.
- Housing Policy 4.4: Encourage development at maximum attainable densities and encourage use of density bonuses for inclusion of affordable units.

B. The proposed development will not adversely affect the orderly and harmonious development of the area and the general welfare of the city.

As set forth above and in the staff report, which is incorporated by reference, the proposed site plan meets all of the development requirements, and the proposal, as conditioned, will be compatible with, and not detrimental to, the surrounding land uses and general welfare of the City.

SECTION 4. TRACT MAP APPROVAL.

Vesting Tentative Tract Map No. 82945 shown on Exhibit F, dividing the property into 50 condominium lots is hereby approved, subject to the conditions of approval attached as Exhibit G based on the fact that none of the findings which would prohibit the approval of a map are present and the map satisfies all of the requirements of the Gardena Municipal Code and the Subdivision Map Act.

A. The map and design and improvement of the proposed subdivision is consistent with applicable general and specific plan (Government Code § 66474; § 66473.5).

The Planning Commission has recommended that the City Council adopt a resolution amending the General Plan and Zoning to High Density Residential. If approved, the map will be consistent with the Land Use Plan of the Community Development Element and Housing Element of the General Plan. There are no applicable Specific Plans.

The City's Housing Element identifies various goals and policies that will set the stage for new opportunities for housing. Housing Plan Goal 4 provides for adequate residential sites through appropriate land use and zoning to accommodate the City's share of regional housing needs. Policies for Goal 4 include implementing land use policies that allow for a range of residential densities (Policy 4.1) and encourage development at maximum attainable densities (Policy 4.4). The proposed project will provide a density of 24.7 dwelling units per acre. Therefore, the project will be consistent with various goals and policies of the General Plan, as listed in Section 3, and meets the minimum requirements of the R-4 zone.

B. The site is physically suitable for the type or density of development (Government Code § 66474).

The site is 2.02 gross acres and is essentially flat. The subject parcel can accommodate the 50 units within the various proposed buildings and the development adheres to the Gardena Municipal Code standards.

C. The design of the subdivision and the proposed improvements will not cause serious public health problems, substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Government Code § 66474).

The Project site is currently developed and in active use as a landscape nursery with associated office use and residential use for the nursery's groundskeeper. Plants and trees within the nursery are primarily located within nursery containers/planter beds and do not contain natural habitat. However, there are trees located at the southwest corner, in front of the residences, and along the western perimeter of the property. Although not anticipated, there is the potential for trees to support nesting migratory birds. To avoid the potential injury to wildlife the application is conditioned to remove the trees located on the property outside of the state identified nesting season for migratory birds, or if construction activities

cannot be conducted during this period a Construction Nesting Bird Survey shall be properly conducted.

As further documented in the Mitigated Negative Declaration, the townhomes will not create environmental damage, nor will they create any public health problems.

D. The design of the subdivision or type of improvements will not conflict with public access easements (Government Code § 66474).

A seven-foot-wide dedication will be provided at the south side of the property for a public sidewalk, curb, and gutter. This is consistent with the City's street plan for West 141st Street.

E. The design of the subdivision provides for, to the extent feasible, future passive or natural heating and cooling opportunities (Government Code § 66473.1).

During winter, a north/south alignment of parcels provides for southern exposure to the winter path of the Sun. During the summer, prevailing winds are west/southwest from the north (Los Angeles International Airport) and west from the south (Torrance Airport). The general direction of these prevailing winds can be expected to allow the development to benefit from natural and passive cooling opportunities in the summer. Therefore, the design of the proposed subdivision provides for the configuration structures to provide for future passive or natural heating and cooling opportunities.

Additionally, all buildings will comply with Title 24 requirements, including Cal Green standards.

There are no grounds upon which to deny the map. Therefore, with the conditions of approval, the subdivision and subdivision design will be consistent with the General Plan and State Subdivision Map Act as supplemented by Title 17 of the Gardena Municipal Code.

SECTION 5. VARIANCE APPROVAL.

Variance # 2-19 t to construct a front yard fence abutting a public sidewalk along Normandie Avenue is hereby approved based on the following findings and the conditions set forth in Exhibit G.

A. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this title would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.

To accommodate the drainage of the project site the project is designed to collect storm runoff via a private area drain system consisting of a detention basin, storm water storage pipes, and electrical transformer. To properly collect the storm water this system is located within the area of the property that abuts Normandie Avenue. To allow for the proper maintenance of this required equipment a block wall cannot be constructed on top of this area and consequently the five-foot landscape setback requirement cannot be met.

B. That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

The project is conditioned to provide a decorative block wall and tubular steel or similar type of fencing in order to allow the landscaping along the property line that abuts Normandie Avenue be visible from the public right-of-way. Additionally, as conditioned, the applicant shall ensure all landscaping be kept in a thriving manner and that any block wall be maintained graffiti free.

C. That the granting of the variance will not be materially detrimental to the public health, safety, convenience and welfare or injurious to property and improvements in the same vicinity and zone in which the subject property is situated.

Although the wall will not have a five-foot landscaped setback from the street side, it will not be detrimental to the public health, safety, or welfare. Allowing for the variance will provide additional security to the residents of the project and the landscaping that will be provided behind the fence will be an aesthetic improvement along Normandie Avenue.

D. That the granting of such variance will not adversely affect or be in conflict with the policies of the General Plan of the city.

Allowing the proposed block wall along Normandie Avenue would not impact the City's General Plan. The new wall will be consistent with the General Plan as indicated in Section 3A above.

SECTION 6. APPEAL. The approvals granted by this Resolution may be appealed within 10 calendar days from adoption of this resolution. All appeals must be in writing and filed with the City Clerk within this time period with the appropriate fee. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 7. RECORD.

Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 8. CUSTODIAN OF RECORD.

The Custodian of Record for the proceedings relating to the Project, including the MND and MMRP, is Raymond Barragan, Community Development Manager, City of Gardena, 1700 W. 162nd Street, Gardena, California 90247. Mr. Barragan's email is rbarragan@cityofgardena.org and his phone number is 310/217-9546.

SECTION 9. NOTICE OF DETERMINATION.

Staff is hereby directed to file a Notice of Determination of the approvals granted herein with the County Recorder's office within five working days from the date of approval.

SECTION 10. EFFECTIVE DATE. This Resolution shall take effect immediately but the approvals granted by this Resolution shall only become effective if the City Council approves the General Plan Amendment and Zone Change as recommended in Section 1 above.

SECTION 11. CERTIFICATION.

The Secretary shall certify the passage of this resolution.

PASSED, APPROVED, AND ADOPTED this 20th day of October 2020.

BRENDA JACKSON, CHAIR
PLANNING AND ENVIRONMENTAL
QUALITY COMMISSION

ATTEST:

RAYMOND BARRAGAN, SECRETARY
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

I, Raymond Barragan, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify the following:

1. That a copy of this Resolution and the attachments will be sent to the applicant and to the City Council as a report of the findings and action of the Planning and Environmental Quality Commission; and
2. That the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 20th day of October 2020, by the following vote of the Planning and Environmental Quality Commission:

AYES:
NOES:
ABSENT:

Attachments:

Exhibit A – Draft IS/MND dated September 2020
Exhibit B – Mitigation Monitoring and Reporting Program
Exhibit C – Draft General Plan Amendment Resolution
○ Exhibit – General Plan Land Use Map change
Exhibit D – Draft Ordinance Rezoning Property
○ Exhibit – Zone Change Map
Exhibit E – Development Plans
Exhibit F – Tentative Tract Map
Exhibit G – Conditions of Approval

*Exhibit A – Draft IS/MND dated September 2020
(Under separate cover)*

Exhibit B



141ST AND NORMANDIE TOWNHOMES PROJECT

Mitigation Monitoring and Reporting Program

LEAD AGENCY: CITY OF GARDENA

1700 West 162nd Street
Gardena, California 902472
Contact: Amanda Acuna, Senior Planner
aacuna@cityofgardena.org
(310) 217-9530

PREPARED BY: DE NOVO PLANNING GROUP

180 E. Main Street, Suite 108
Tustin, California 92780
Contact: Starla Barker, AICP
sbarker@denovoplanning.com
(949) 396-8193

October 2020

MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6). Specifically, Public Resources Code § 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:*
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.*
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide the mechanism by which to monitor mitigation measures outlined in the 141st and Normandie Townhomes Project Initial Study/Mitigated Negative Declaration (IS/MND). The 141st and Normandie Townhomes Project MMRP has been prepared in conformance with Public Resources Code §21081.6 and City of Gardena (City) monitoring requirements.

State CEQA Guidelines §15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Gardena is the Lead Agency for the 141st and Normandie Townhomes Project and is therefore responsible for ensuring MMRP implementation. This MMRP has been drafted to meet Public Resources Code §21081.6 requirements as a fully enforceable monitoring program.

The MMRP Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the 141st and Normandie Townhomes Project file.

This MMRP delineates responsibilities for monitoring the Project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the MMRP Checklist. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

For the purposes of the environmental analysis in the IS/MND, impacts were analyzed in each environmental issue area for the proposed Project. Consideration of standard Conditions of Approval (COAs) that apply to each respective topical area was considered, particularly if that impact would be further reduced. If a potentially significant impact remained after implementation of applicable COAs, mitigation measures were also identified in order to reduce any significant impacts. Where mitigation measures were not required, it is noted as not applicable (NA) in the following table.

The numbering system in the following table corresponds with the IS/MND's numbering system. The MMRP table "Verification" column will be used by the parties responsible for documenting when the mitigation measure has been completed. The City of Gardena will complete ongoing documentation and mitigation compliance monitoring. The completed MMRP and supplemental documents will be kept on file at the City of Gardena Community Development Department.

Mitigation Monitoring and Reporting Program Checklist

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
CULTURAL RESOURCES						
Conditions of Approval						
NA						
Mitigation Measures						
Refer to Mitigation Measure TCR-2						
BIOLOGICAL RESOURCES						
Conditions of Approval						
NA						
Mitigation Measures						
BIO-1: Construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the Project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.	Pre-Construction if not outside of the nesting season	Pre-Construction Nesting Bird Survey	Community Development Manager			
GEOLOGY AND SOILS						
Conditions of Approval						
COA GEO-1: Prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be	Prior to Ground-Disturbing Activities	WEAP Training	Community Development Manager and Applicant/ Contractor			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Gardena Community Development Department.						
COA GEO-2: If fossils or fossil bearing deposits are encountered during ground-disturbing activities, work within a 25-foot radius of the find shall halt and a professional vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) 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.	During Construction	Paleontological Resources Evaluation	Community Development Manager and Paleontologist			
Mitigation Measures						
GEO-1: Paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances greater than 5.0 feet below the historic surface elevation in native sediments. Auguring, potholing, and pile driving activities do not need to be monitored as these activities are unlikely to produce significant fossil because information about formation, depth, or context is impossible to discern. Should similar activities be planned, the qualified paleontologist shall be consulted prior to commencement so they may determine if that activity requires monitoring.	Prior to Ground Disturbing Activities During Ground Disturbing Activities	Paleontological Monitor Agreement Construction Site Monitoring & Completion of Daily Monitoring Logs	Community Development Manager, Approved Paleontologist and Applicant/ Contractor			
HAZARDS AND HAZARDOUS MATERIALS						
Conditions of Approval						
COA HAZ-1: Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health	Prior to Demolition Activities and	Asbestos Survey	Applicant/ Contractor and City			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<p>(Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). The sampling method to be used shall be based on the statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than 1 percent in construction materials. The asbestos survey shall be provided to the City of Gardena Building Division. If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard.</p> <p>Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.</p>	Issuance of Demolition Permits		Building Official			
COA HAZ-2: If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall identify	During Demolition Activities	Evaluation of Paint Waste	Applicant/ Contractor and City Building Official			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<p>the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm²) in/on readily accessible painted surfaces of the buildings.</p> <p>If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City of Gardena Building Division.</p>						
Mitigation Measures						
HAZ-1: Except The City shall issue permits for demolition and grading as may be required for soil excavation or remediation activities, in accordance with Department of Toxic Substances Control requirements, <u>the City shall not issue any other permits towards the vertical construction of the residential units until the</u> The Department of Toxic Substances Control may issues a <u>No Further Action letter or a</u> Conditional No Further Action (Conditional NFA) letter allowing additional construction in pursuit of a Final NFA.	Prior to Issuance of Demolition and Grading Permits	Department of Toxic Substances Control Documentation	Department of Toxic Substances Control and Community Development Manager			
NOISE						
Conditions of Approval						
COA N-1: Prior to approval of grading plans and/or prior to issuance of demolition, grading, and building permits, the following noise reduction techniques shall be included in the construction plans or specifications:	Prior to Grading Plan Approval and/or Prior to Issuance of Demolition,	Construction Plans and Specifications	Applicant/ Contractor and City Building Official			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<ul style="list-style-type: none"> Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices. The Project Applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible, including shutting off idling equipment. During construction, equipment staging areas shall be located such that the greatest distance is between the staging area noise sources and noise-sensitive receptors. Per Gardena Municipal Code Section 8.36.080, construction activities shall not occur during the hours of 6:00 p.m. and 7:00 a.m. on weekdays; between the hours of 6:00 p.m. and 9:00 a.m. on Saturday; or any time on Sunday or a Federal holiday. 	Grading and Building Permits					
COA N-2: Prior to building permit issuance, the Project applicant would be required to demonstrate to the City of Gardena Building Division that the HVAC units proposed to be installed on-site would comply with the City's Noise Ordinance (Gardena Municipal Code Chapter 8.36). Building permit issuance is contingent upon satisfactory demonstration that the HVAC units would comply with the City's noise ordinance.	Prior to Building Permit Issuance	HVAC Specifications	Applicant/ Contractor and City Building Official			
COA N-3: An acoustical analysis would be required prior to the issuance of building permits for the Project to demonstrate compliance with City's Noise Ordinance (Gardena Municipal Code Chapter 8.36 and specifically Section 8.36.050, Interior noise standards). The interior noise study is required to be submitted to the City of Gardena Building Division for review and approval in conjunction with building permit application review; building permit issuance is contingent upon satisfactory demonstration that interior noise levels would comply with the City's noise ordinance.	Prior to Building Permit Issuance	Interior Acoustical Noise Analysis	Applicant/ Contractor and City Building Official			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
Mitigation Measures						
NA						
TRIBAL CULTURAL RESOURCES						
Conditions of Approval						
NA						
Mitigation Measures						
TCR-1: Prior to the commencement of any ground disturbing activity at the Project site, the Project Applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the Tribe that consulted on this Project pursuant to Assembly Bill A52 - SB18 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Gardena Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal Monitor will only be present on-site during the construction phases that involve ground-disturbing activities, as provided for below. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. Notwithstanding the above, due to the nature of the fill material within the first 2 feet, ground disturbance activities occurring within the first 2 feet need only be spot-checked to identify if the layer is uniform throughout the site or thinner in certain locations so that original soil would be impacted before reaching the 2-foot criteria level. If original soil is impacted in the first 2 feet, then full-time monitoring will be necessary for those areas. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all	Prior to Ground Disturbing Activities	Tribal Monitor Agreement	Applicant/ Contractor and Community Development Manager			
	During Ground Disturbing Activities	Construction Site Monitoring & Completion of Daily Monitoring Logs	Approved Tribal Monitor and Community Development Manager			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.						
TCR-2: Upon discovery of any Tribal Cultural Resources or archaeological resources, construction activities shall cease in the immediate vicinity and construction activities shall be diverted away from the find (50-foot buffer around the find) until the find can be assessed. All Tribal Cultural Resources and archaeological resources unearthed by ground-disturbing activities shall be evaluated by the Tribal Monitor approved by the Consulting Tribe and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983). If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If the archaeologist determines that the resource constitutes a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines §15064.5(f) for historical resources and Public Resources Code § 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is infeasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin 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 offered to a local school or local historical society for educational purposes.	During Construction, if Unanticipated Discovery of Tribal Cultural and Archaeological Resources Occurs	Tribal Cultural and Archaeological Resource Evaluation	Applicant/ Contractor, Approved Tribal Monitor and Archaeologist, and Community Development Manager			

Conditions of Approval (COA) and Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
In the event that human remains are discovered during on-site construction activities, the Tribal Monitor and/or qualified archaeologist shall immediately divert work at minimum of 50 feet and place an exclusion zone around the discovery location. The Tribal Monitor shall then notify the Tribe, the qualified lead archaeologist, and the construction manager who shall notify the County Coroner per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Work shall continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD). Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented to the extent feasible in accordance with Section 15064.5(e) of the State CEQA Guidelines.	During Construction	Evaluation of Remains	Tribal Monitor and/or Archaeologist and Community Development Manager			

EXHIBIT C

RESOLUTION NO. 6481

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR GENERAL PLAN AMENDMENT #1-19 AND ZONE CHANGE #1-19 CHANGING THE LAND USE DESIGNATION AND ZONING OF PROPERTY LOCATED AT 13615, 13619, AND 13633 VERMONT TO HIGH DENSITY RESIDENTIAL

(GPA #1-19; ZC #1-19; APNS: APNS: 6115—013-007 -011)

WHEREAS, on November 19, 2019, the applicant, The Olson Company, filed an application to develop a 50-unit residential condominium project consisting of attached three-story townhome-style condominiums in six buildings on approximately 2.0 acres located at 1335, 1337, 1341, and 1343 West 141st Street (the “Property”), which is at the northeast corner of Normandie Avenue and West 141st Street; and

WHEREAS, in order to develop the residential project, the following entitlements (collectively, the “Project”) are required: General Plan amendment changing the land use designation from Low and Medium Density Residential to High Density Residential (GPA #1-19); Zone Change to change the zoning from Single Family (R-1) and Medium Density Multiple-Family (R-3) Residential to High Density Multiple-Family Residential (R-4) (ZC #1-19); Vesting Tentative Tract Map to create 50 airspace condominium units in six buildings (VTTM No. 82945); Site Plan Review to allow the development as designed and presented to the Planning Commission (SPR #5-19); and a Variance to allow the wall along Normandie Avenue to be constructed 14 inches from the property line to accommodate the needed storm drain facilities and place a second transformer in the location (VAR #2-19); and

WHEREAS, a Mitigated Negative Declaration (“MND”) was prepared for the Project and the draft MND was circulated for a 20-day public review period between September 17, 2020 and October 6, 2020; and

WHEREAS, on October 20, 2020, the Planning Commission of the City of Gardena held a duly noticed public hearing on the IS/MND and the approvals required for the Project at which time it considered all evidence, both written and oral; and

WHEREAS, at the close of the public hearing, the Planning Commission adopted PC Resolution No. 9-20 which approved the MND and adopted the Mitigation Monitoring Reporting Program for the Vesting Tentative Tract Map, Site Plan Review and Variance, conditionally approved those same entitlements and recommended that the City Council approve the MND and adopt the Mitigation Monitoring and Reporting Program for the General Plan Amendment and Zone Change and approve the General Plan Amendment and Zone Change; and

WHEREAS, on November 10, 2020, the City Council held a duly noticed public hearing on the Project at which time it considered all evidence, both written and oral; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. CEQA FINDINGS.

A. The City retained De Novo Planning Group, an environmental consultant, to prepare the IS/MND, a copy of which is attached hereto as Exhibit A.

B. The IS/MND was prepared and noticed in accordance with all requirements of the California Environmental Quality Act (Public Resources Code § 21000 *et seq.*) and the CEQA Guidelines (14 Cal. Code of Regs. § 15000 *et seq.*) (collectively, “CEQA”).

C. The IS/MND adequately assesses the impacts of the Project.

D. The IS/MND determined that there were potentially significant impacts with regard to the following topics: Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Tribal Cultural Resources; and Mandatory Findings of Significance. The Mitigation Measures listed in the Mitigation Monitoring and Reporting Program (“MMRP”), attached hereto as Exhibit B, relating to these impact areas will mitigate those impacts below a level of significance.

E. The City sent notices to the Native American tribes provided by the National American Heritage Commission. The City received one request for consultation from the Gabrieleno Band of Mission Indians – Kizh Nation. After consultation with both tribes, the City imposed Mitigation Measures TCR-1 regarding retaining a Native American monitor/consultant and TCR-2 regarding unanticipated discovery of tribal cultural and archaeological resources.

F. On October 6, 2020 the City received a comment letter from the Los Angeles County Sanitation Districts; the letter did not raise any issue with the IS/MND, but provided additional information and specified that a connection fee would be required. No change to the MND was required as a result of this letter.

G. The Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring Program were all independently reviewed by City staff and the Planning Commission, as well as by the City Council. In making all of the findings herein, the City Council has exercised its independent judgment.

H. With the mitigation measures set forth in the MMRP, there is no evidence, let alone substantial evidence, that the Project could result in a significant impact that could not be mitigated.

I. The Custodian of Record for the proceedings relating to the Project, including the MND and MMRP, is Raymond Barragan, Acting Community Development Director, City of Gardena, 1700 W. 162nd Street, Gardena, California 90247. Mr. Barragan’s email is rbarragan@cityofgardena.org and his phone number is 310/217-9546.

SECTION 2. APPROVAL.

Based on the findings set forth above as well as the record of proceedings, the City Council hereby approves the Mitigated Negative Declaration and Mitigation Monitoring Program for General Plan Amendment #1-19 and Zone Change #1-19. Staff is directed to file a Notice of Determination.

SECTION 3. RECORD.

Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately.

SECTION 5. CERTIFICATION. The City Clerk shall certify the passage of this resolution.

PASSED, APPROVED AND ADOPTED this 10th day of November, 2020.

TASHA CERDA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

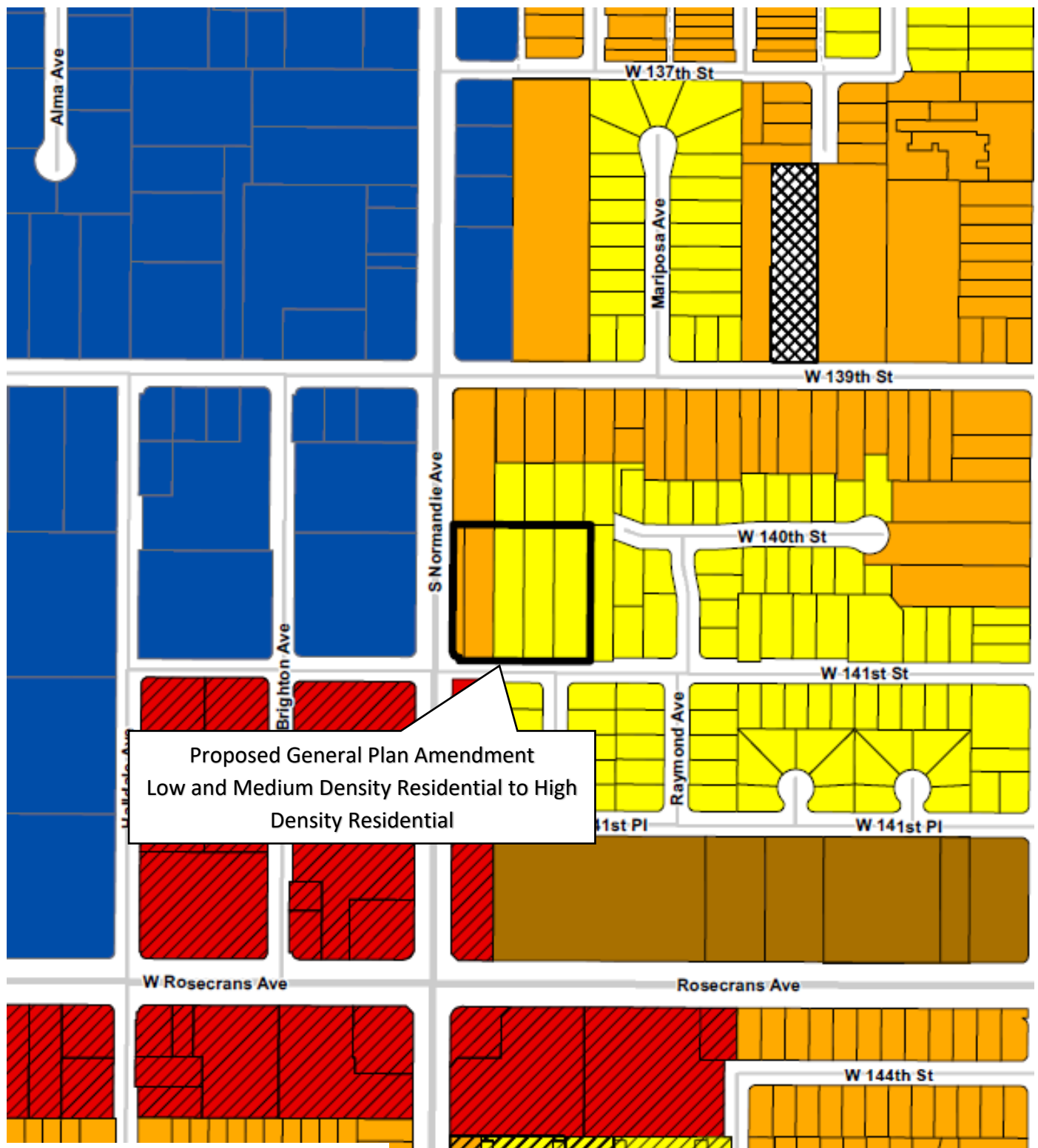
Lisa E. Kranitz, Assistant City Attorney

Attachments:

Exhibit A – IS/MND

Exhibit B – Mitigation Monitoring Program

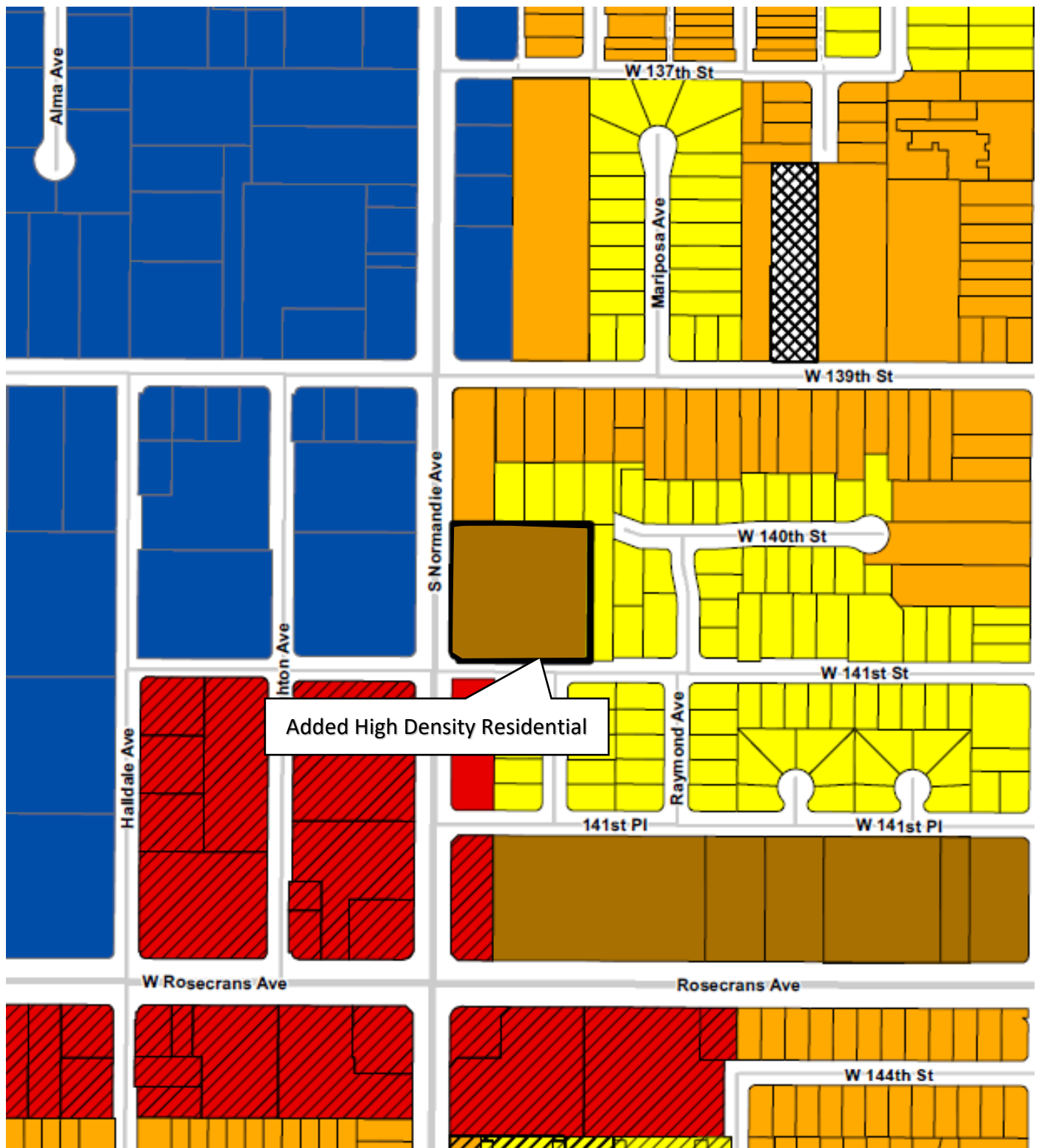
Proposed General Plan Land Use Map Amendment #1-19



Legend

- | | |
|--------------------|----------------------|
| Project Boundary | High Residential |
| Mixed Use Overlay | General Commercial |
| Specific Plan | Public/Institutional |
| Low Residential | Industrial |
| Medium Residential | |

Adopted General Plan Land Use Map Amendment #1-19



Legend

- | | |
|--------------------|----------------------|
| Project Boundary | High Residential |
| Mixed Use Overlay | General Commercial |
| Specific Plan | Public/Institutional |
| Low Residential | Industrial |
| Medium Residential | |

EXHIBIT D

ORDINANCE NO. 1823

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GARDENA, CALIFORNIA APPROVING ZONE CHANGE #3-18
CHANGING THE ZONING OF PROPERTY LOCATED AT 1335, 1337,
1341, and 1343 WEST 141ST STREET FROM LOW AND MEDIUM
DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL (R-4)
(ZC #1-19; APNS: 6115—013-007 -011)**

WHEREAS, on November 19, 2019, the applicant, The Olson Company, filed an application to develop a 50-unit residential condominium project consisting of attached three-story townhome-style condominiums in xx buildings on approximately 2.0 acres located at 1335, 1337, 1341, and 1343 West 141st Street (the “Property”), which is at the northeast corner of Normandie Avenue and West 141st Street; and

WHEREAS, in order to develop the residential project, the following entitlements (collectively, the “Project”) are required: General Plan amendment changing the land use designation from Low and Medium Density Residential to High Density Residential (GPA #1-19); Zone Change to change the zoning from Single Family (R-1) and Medium Density Multiple-Family (R-3) Residential to High Density Multiple-Family Residential (R-4) (ZC #1-19); Vesting Tentative Tract Map to create 50 airspace condominium units in six buildings (VTTM No. 82945); Site Plan Review to allow the development as designed and presented to the Planning Commission (SPR #5-19); and a Variance to allow the wall along Normandie Avenue to be constructed 14 inches from the property line to accommodate the needed storm drain facilities and place a second transformer in the location (VAR #2-19); and

WHEREAS, a Mitigated Negative Declaration (“MND”) was prepared for the Project and the draft MND was circulated for a 20-day public review period between September 17, 2020 and October 6, 2020; and

WHEREAS, on October 20, 2020, the Planning Commission of the City of Gardena held a duly noticed public hearing on the IS/MND and the approvals required for the Project at which time it considered all evidence, both written and oral; and

WHEREAS, at the close of the public hearing, the Planning Commission adopted PC Resolution No. 9-20 which approved the MND and adopted the Mitigation Monitoring Reporting Program for the Vesting Tentative Tract Map, Site Plan Review and Variance, conditionally approved those same entitlements and recommended that the City Council approve the MND and adopt the Mitigation Monitoring and Reporting Program for the General Plan Amendment and Zone Change and approve the General Plan Amendment and Zone Change; and

WHEREAS, on November 10, 2020, the City Council held a duly noticed public hearing on the Project at which time it considered all evidence, both written and oral; and

WHEREAS, after the close of the public hearing and prior to adopting this Ordinance the City Council adopted Resolution No. 6481 approving the Mitigated Negative Declaration for the General Plan Amendment and Zone Change and approved Resolution No. 6482 approving a General Plan Amendment changing the land use designation of the property to High Density Residential;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. APPROVAL AND FINDINGS – ZONE CHANGE.

A. Section 18.52.010 of the Gardena Municipal Code provides that the land use and zoning of property may be amended “[w]henver the public necessity, convenience, general welfare, or good land use and zoning practices require. . .” The City Council hereby approves the zone change for the Property from General Industrial (M2) with a Mixed Use Overlay (MUO) to High Density Multiple-Family Residential (R-4) as shown on Exhibit A, attached hereto.

B. In taking this action, the City Council finds that the change is in the best interests of the general welfare and represents good land use planning practices, including, but not limited to the following reasons:

1. The Property is located in an area which contains a mix of uses. There is a mix of commercial and single-family residential to the south; medium density residential to the north; single-family residential to the east; and industrial to the west, across Normandie Avenue. Normandie Avenue, which is the western border of the Project, is both a Major Collector street designed to carry 15,000 – 20,000 trips a day and a designated Truck Route in the City.

2. Gardena, like all of California, has a need for housing. This development will add five different floor plans with a range of bedrooms and square footage that will accommodate different price points in the City.

3. The General Plan Amendment, and the Project which will be built thereunder, is consistent with a number of policies and goals of the General Plan, including those in the Land Use Plan relating to residential development, as detailed in the staff report which is incorporated by reference.

4. The change in zoning is consistent with the General Plan Amendment that was concurrently processed for this project.

SECTION 3. RECORD.

Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based

on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 4. CUSTODIAN OF RECORD.

The Custodian of Record for the proceedings relating to the Project, including the MND and MMRP, is Raymond Barragan, Acting Community Development Director, City of Gardena, 1700 W. 162nd Street, Gardena, California 90247. Mr. Barragan's email is rbarragan@cityofgardena.org and his phone number is 310/217-9546.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the thirty-first day after passage.

SECTION 6. NOTICE OF DETERMINATION.

Staff is hereby directed to file a Notice of Determination of the approvals granted herein with the County Recorder's office within five working days from the date of approval.

SECTION 7. CERTIFICATION.

The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2020.

TASHA CERDA, Mayor

ATTEST:

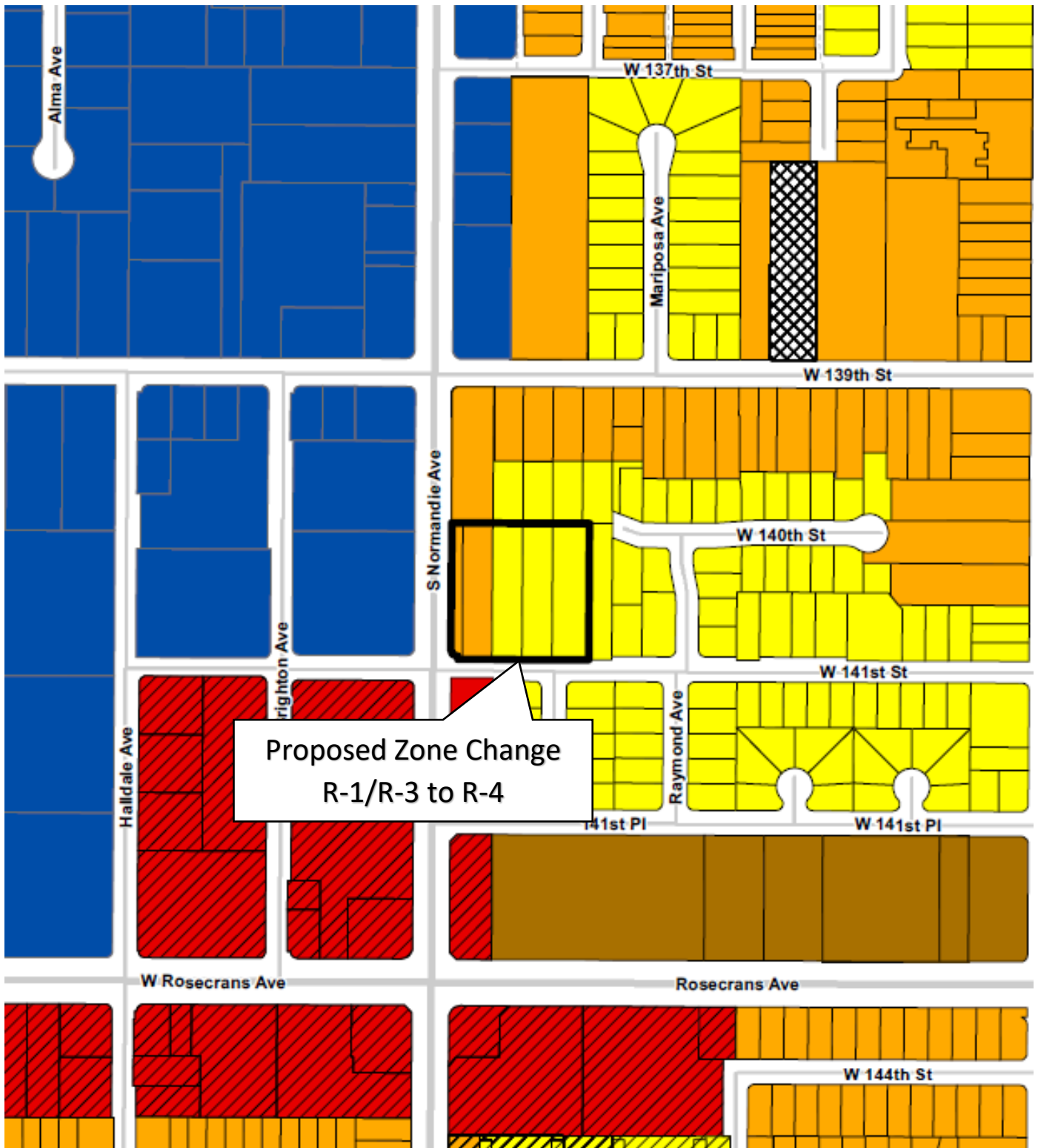
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

LISA KRANITZ, Assistant City Attorney

Exh. A – Zoning Map

Proposed Zone Change #1-19

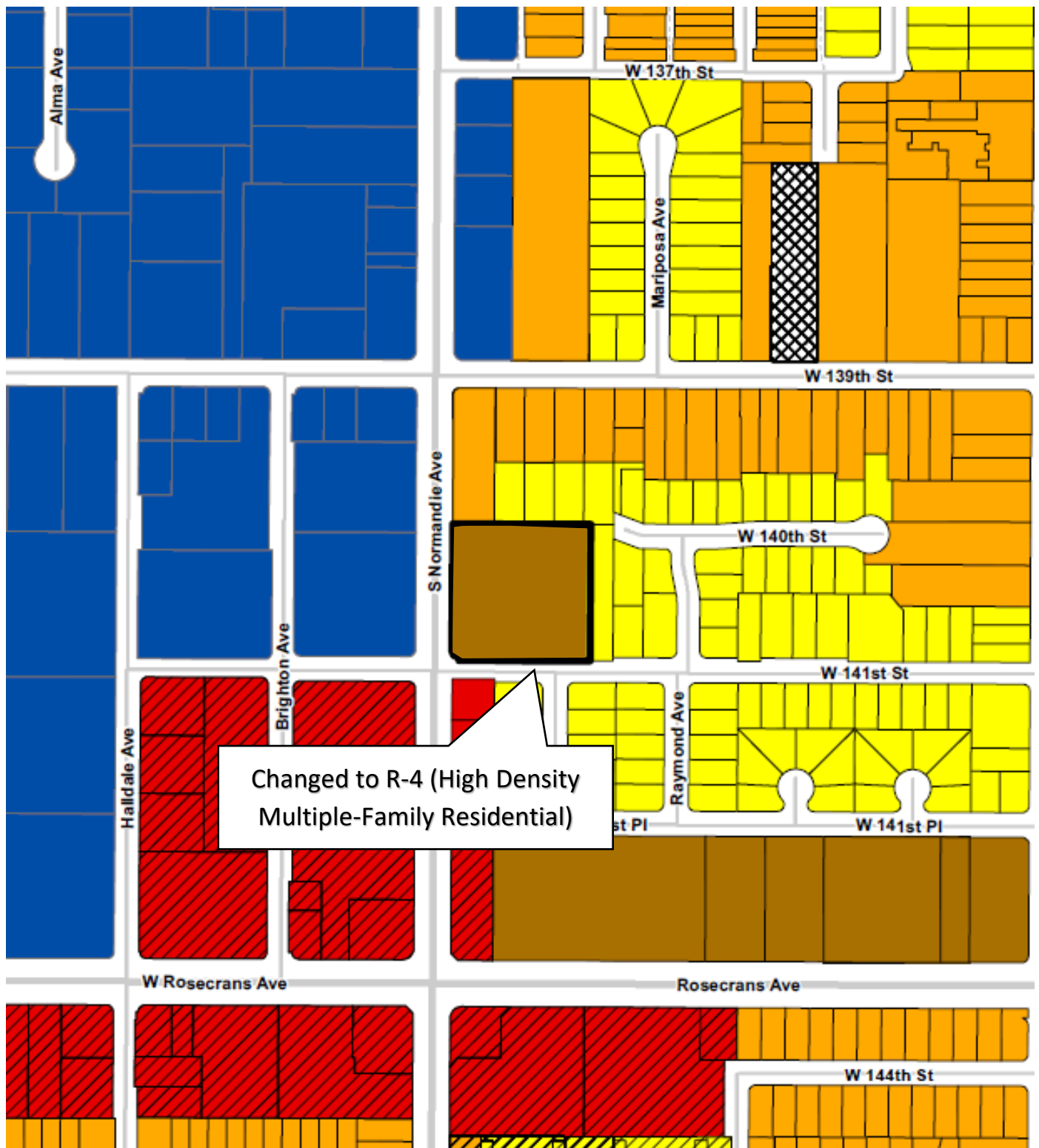


Proposed Zone Change
R-1/R-3 to R-4

Legend

	Project Boundary		R2		M1
	Mixed Use Overlay		R3		M2
	Ascot Village Specific Plan		R4		P
	Platinum Row Specific Plan		C3		O
	R1		C4		

Adopted Zone Change #1-19



Legend

	Project Boundary		R2		M1
	Mixed Use Overlay		R3		M2
	Ascot Village Specific Plan		R4		P
	Platinum Row Specific Plan		C3		O
	R1		C4		

Exhibit E – Development Plans
(Under separate cover)

Exhibit F – Tentative Tract Map
(Under separate cover)

EXHIBIT G

CITY OF GARDENA

CONDITIONS OF APPROVAL FOR ENVIRONMENTAL ASSESSMENT #15-19; SITE PLAN REVIEW #5-19; GENERAL PLAN AMENDMENT #1-19; ZONE CHANGE #1-19; VESTING TENTATIVE TRACT MAP NO. 82945 (#3-19); AND VARIANCE #2-19

GENERAL CONDITIONS

- GC 1. The 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. The 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. The 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 all items listed in these conditions which are required to be included in the CC&Rs or items for which the HOA is responsible. At a minimum, the following provisions shall be included, as may be further detailed by these conditions. The failure to include a condition on the list below does not relieve the responsibility to include it in the CC&Rs if otherwise provided herein:
- a. Any revisions to the CC&Rs shall require prior city approval (PL 5).
 - b. All landscaping to be kept in a healthy and well-kept manner (PL 4).
 - c. Maintenance and repair obligations of all private streets/driveways (BS 12).
 - d. Maintenance and repair obligations of all open spaces and Common Area.
 - e. The Security Gates shall be maintained, in good condition (BS 17).
 - f. Prohibition against outdoor storage.
 - g. Prohibition against alterations to architectural treatments (PL 7).
 - h. All garage spaces shall be maintained in such a manner as to be able to be used for parking of two cars.
 - i. Prohibition against parking in driveway areas and in front of garages.
 - j. A requirement that trash cans shall be kept in the garage or out of public view, except for pick up.

- k. Residents' vehicles shall be stored in the garages at all times while on the site.
- l. Residents shall not be allowed to use Guest Parking for their own vehicles.
- m. 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. 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 6. The site layout and physical appearance of the structures shall be in accordance with the plans dated September 4, 2020, 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 7. 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 Federal holidays are strictly prohibited.
- GC 8. Trash pick-up and other exterior facility cleaning activities shall be restricted to the hours of 7 a.m. to 6 p.m., Monday through Friday. These activities shall be prohibited during peak traffic hours.
- GC 9. 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. The 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 Environmental Assessment #15-19, Site Plan Review #5-19, General Plan Amendment #1-19, Zone Change #1-19, Tentative Tract Map #3-19 (TTM No. 82945), Variance #2-19, 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.

Residential Development

- RD 1. Applicant shall pay a multiple-unit residential development impact fee of \$1,000/unit for a total of \$50,000 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.

PLANNING

- PL1. The approvals granted herein 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 the applicable provisions 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 meet the requirements of 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 CC&Rs shall provide that the homeowner's association 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. Any revisions to the CC&Rs shall require prior city approval.
- PL6. Colors and materials as shown on development plans as presented to the Planning Commission on October 20, 2020 are approved. Deviation from colors and materials shall not be made unless approved by the Community Development Director.
- PL7. The CC&Rs shall contain a prohibition against modifying the colors and materials of any unit without approval by the Community Development Director.
- PL8. All motorized equipment used in construction shall be equipped with functioning mufflers as mandated by the State.
- PL9. The applicant shall pay school impact fees to the Los Angeles Unified School District, by phase and provide proof of payment prior to issuance of building permits.
- PL10. Any signage shall comply with the provisions of Chapter 18.58 of the Gardena Municipal Code.
- PL11. Decorative colored concrete or pavers shall be provided at the main vehicular entrance along West 141st Street and at the vehicular gate to the satisfaction of the Planning Division. Plans shall be revised to show this prior to issuance of a building permit.
- PL12. The applicant shall submit a Final Geotechnical Investigation for City review/approval and comply with its recommendations and any revisions deemed necessary by the City's Building Official. The Gardena Building Services Division will review construction plans

to verify compliance with standard engineering practices, the GMC/CBSC, and the Geotechnical Investigation's recommendations

- PL13. Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). The sampling method to be used shall be based on the statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than 1 percent in construction materials. If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard.

Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.

- PL14. If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall identify the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm²) in/on readily accessible painted surfaces of the buildings.

If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good

worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City Engineer.

- PL15. Prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Gardena Community Development Department.
- PL16. If fossils or fossil bearing deposits are encountered during ground-disturbing activities, work within a 25-foot radius of the find shall halt and a professional vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) 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.
- PL17. Prior to approval of grading plans and/or prior to issuance of demolition, grading, and building permits, the following noise reduction techniques shall be included in the construction plans or specifications:
- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.
 - The Project Applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible, including shutting off idling equipment.
 - During construction, equipment staging areas shall be located such that the greatest distance is between the staging area noise sources and noise-sensitive receptors.
 - Per Gardena Municipal Code Section 8.36.080, construction activities shall not occur during the hours of 6:00 p.m. and 7:00 a.m. on weekdays; between the hours of 6:00 p.m. and 9:00 a.m. on Saturday; or any time on Sunday or a Federal holiday.
- PL18. Prior to building permit issuance, the Project applicant would be required to demonstrate to the City of Gardena Building Division that the HVAC units proposed to be installed on-

site would comply with the City's Noise Ordinance (Gardena Municipal Code Chapter 8.36). Building permit issuance is contingent upon satisfactory demonstration that the HVAC units would comply with the City's noise ordinance.

- PL19. An acoustical analysis would be required prior to the issuance of building permits for the Project to demonstrate compliance with City's Noise Ordinance (Gardena Municipal Code Chapter 8.36 and specifically Section 8.36.050, Interior noise standards). The interior noise study is required to be submitted to the City of Gardena Building Division for review and approval in conjunction with building permit application review; building permit issuance is contingent upon satisfactory demonstration that interior noise levels would comply with the City's noise ordinance.

ENVIRONMENTAL

- EN1. The applicant shall comply with all mitigation measures set forth in the Mitigation Monitoring and Reporting Program which are set forth below:
- EN2. **Biological Resources (BIO-1).** Construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible. If construction activities cannot be conducted outside of nesting season, a Pre- Construction Nesting Bird Survey within and adjacent to the Project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.
- EN3. **Paleontological Resources (GEO-1).** Paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances greater than 5.0 feet below the historic surface elevation in native sediments. Auguring, potholing, and pile driving activities do not need to be monitored as these activities are unlikely to produce significant fossil because information about formation, depth, or context is impossible to discern. Should similar activities be planned, the qualified paleontologist shall be consulted prior to commencement so they may determine if that activity requires monitoring.
- EN4. **Hazardous Material (HAZ-1).** HAZ-1: Except for demolition and grading as may be required for soil excavation or remediation activities, in accordance with Department of Toxic Substances Control requirements, the City shall not issue any other permits towards

the vertical construction of the residential units until the Department of Toxic Substances Control issues a No Further Action letter or a Conditional No Further Action (Conditional NFA) letter allowing additional construction in pursuit of a Final NFA.

- EN5. **Tribal Cultural Resources (TCR-1).** Prior to the commencement of any ground disturbing activity at the Project site, the Project Applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the Tribe that consulted on this Project pursuant to Assembly Bill A52 - SB18 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Gardena Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal Monitor will only be present on-site during the construction phases that involve ground-disturbing activities, as provided for below. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. Notwithstanding the above, due to the nature of the fill material within the first 2 feet, ground disturbance activities occurring within the first 2 feet need only be spot-checked to identify if the layer is uniform throughout the site or thinner in certain locations so that original soil would be impacted before reaching the 2-foot criteria level. If original soil is impacted in the first 2 feet, then full-time monitoring will be necessary for those areas. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.
- EN6. **Tribal Cultural Resources (TCR-2).** Upon discovery of any Tribal Cultural Resources or archaeological resources, construction activities shall cease in the immediate vicinity and construction activities shall be diverted away from the find (50-foot buffer around the find) until the find can be assessed. All Tribal Cultural Resources and archaeological resources unearthed by ground-disturbing activities shall be evaluated by the Tribal Monitor approved by the Consulting Tribe and an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (National Park Service 1983). If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If the archaeologist determines that the resource constitutes a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines §15064.5(f) for historical resources and Public Resources Code § 21083.2(b) for unique archaeological resources. Preservation in place

(i.e., avoidance) is the preferred manner of treatment. If preservation in place is infeasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin 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 offered to a local school or local historical society for educational purposes.

In the event that human remains are discovered during on-site construction activities, the Tribal Monitor and/or qualified archaeologist shall immediately divert work at minimum of 50 feet and place an exclusion zone around the discovery location. The Tribal Monitor shall then notify the Tribe, the qualified lead archaeologist, and the construction manager who shall notify the County Coroner per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Work shall continue to be diverted while the coroner determines whether the remains are human and subsequently Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD). Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented to the extent feasible in accordance with Section 15064.5(e) of the State CEQA Guidelines.

TENTATIVE TRACT MAP

- 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 new 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 the issuance of the Certificate of Occupancy for the first phase, all above ground and underground infrastructure shall be installed.
- TTM 8. The applicant shall pay in lieu park fees in accordance with Chapter 17.20 of the Gardena Municipal Code and Resolution No. 6433 which requires a payment of \$10,000 per unit. Total in lieu park fees due is \$500,000 and shall be paid in full to the City prior to final map recordation.
- 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. The applicant/developer shall comply with all applicable portions of the California Building Standards Code (Title 24, California Code of Regulations) in effect at the time of permit application.
- BS2. The applicant shall obtain separate Building Division permits for Demolition, Grading, Building, Site Development, Electrical, Plumbing, Mechanical, and Fences.
- BS3. The approval of plans and specifications does not permit the violation of any section of the Building Code, Cities Ordinances, and or State Law.
- BS4. The applicant/developer shall comply with the latest adopted Los Angeles County Fire Code and Fire Department requirements, as applicable.
- BS5. The applicant/developer shall provide a storm water management plan study prepared by a qualified engineer acceptable to the Building Official and the Engineering Division. Drainage from parking lots to the public right-of-way shall be filtered through

- a City approved filter system. The filter shall be located on the development property and maintained by the property owner.
- BS6. The applicant shall be responsible for the construction of all on-site drainage facilities. Provide a master plan for drainage. This will include Low Impact Development (LID) referring to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and local aquatic habitat.
- BS7. 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. 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. At a minimum, tree size shall be a mix of trees at 15-gallon and 24-inch box and shrubs shall be a minimum of one (1) gallon and five (5) gallon size, as approved by the Director of Community Development. 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 the back flow devices. All above ground piping, such as a back flow device for landscaping, shall be screened with landscaping and painted green. Protective bollards shall be of a decorative type and/or painted green where appropriate.
- BS9. The applicant/developer shall provide a complete hydrology and hydraulic study prepared by a qualified engineer to the satisfaction of the Building Official.
- BS10. The applicant/developer shall grade the subject property in accordance with the Grading Ordinance and to the satisfaction of the 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. The Applicant/developer shall submit a site lighting plan, with photometrics, for review and approval by the Building Official and the Director of Community Development or designee prior to the issuance of building permits. The plan shall ensure that all exterior lighting (i.e., parking areas, building areas, and entries) shall employ illumination in a manner that meets the approval of the Building Official and the Director of Community Development or designee before building permits are issued. 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 Director of Community.

- BS12. 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. The Applicant/developer shall install new public fire hydrant(s) to the satisfaction of the Los Angeles County Fire Department and City Engineer.
- BS14. 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. Permits are issued to the building address. Apply for addresses, in the CDD, prior to obtaining building permits.
- BS16. Security gate locks and devices shall be installed to the satisfaction of the Gardena Police and L.A. County Fire Departments. Knox boxes shall be provided at entry points.
- BS17. The CC&Rs shall provide that the Security Gates shall be maintained, in good condition, by the Homeowners Association.
- BS18. The Applicant/developer shall re-slurry and re-stripe the driveway and parking areas every five (5) years at a minimum. The Director of Community Development or designee may require more frequent slurry and re-striping if the parking area is not maintained in good condition.
- BS19. The Applicant/developer shall maintain the building in good condition at all times and shall repaint the approved buildings and accoutrements every eight (8) years at a minimum. The Director of Community Development or designee may require more frequent painting if the improvements are not maintained in good condition.
- BS20. The applicant/developer shall submit a Final Priority WQMP to the Building Division for review and approval.
- BS21. Addresses shall be on the building, both street and alley sides, per State Code and City standards.
- BS22. All pavement, stripping and markings shall be maintained in a good condition at all times.
- BS23. Plans and specifications shall be signed by a California Licensed design professional per the California Business and Professions Code.

PUBLIC WORKS

- PW1. The applicant shall provide a sewer video and sewer capacity analysis for the subject site.
- PW2. The applicant shall provide a seven-foot Street Easement and Irrevocable Offer to Dedicate along West 141st Street.

- PW3. The applicant shall pay a \$7,000 sewer connection fee to the City at permit issuance.
- PW4. The applicant shall remove all sidewalk, curb and gutter and construct per street easement along West 141st Street.
- PW5. The applicant shall remove all abandoned driveways and replace with new curb, gutter, and sidewalk.
- PW6. The applicant shall remove/plant street trees per the Public Works Department.
- PW7. The applicant shall remove and replace all existing traffic signs.
- PW8. The applicant shall repaint existing curbs, remove, replace, or install traffic signs per City of Gardena's Public Works Department.
- PW9. The applicant shall show all sidewalk structures on plans (i.e. poles, hydrants and traffic signal conduit).
- PW10. The applicant shall provide a street improvement plan showing all requirements. Street plans shall be designed and signed by a registered Civil Engineer.
- PW11. The applicant shall provide traffic control plans per W.A.T.C.H. (Work Area Traffic Control Handbook) or California M.U.T.C.D.
- PW12. The applicant shall pay a surety in the amount of \$15,000 to Public Works Department.
- PW13. Public Works Encroachment/Excavation permit is required for all work in public right-of-way.
- PW14. Additional requirements may be imposed upon full plan submittal and review.

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 to initiate application for new service installation.

LOS ANGELES COUNTY SANITATION DISTRICTS

- SD1. The applicant shall pay a connection fee before a permit to connect to the sewer 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 homeowner's association and recordings should be kept for a minimum of 30 days. These requirements shall be included in the CC&Rs.
- PD2. The builders shall use Crime Prevention Through Environmental Design (CPTED) measures including good lighting around the exterior of buildings and parking areas, eliminating blind spots caused by landscaping, and preventing areas prone to graffiti from being targeted by planting landscaping that create barriers.

The Olson Company certifies that it has read, understood, and agrees to the Project Conditions listed herein.

The Olson Company, Representative

By _____

Dated _____

*Exhibit H – Comment Letter from Los Angeles
County Sanitation Districts*



**LOS ANGELES COUNTY
SANITATION DISTRICTS**
Converting Waste Into Resources

Robert C. Ferrante

Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

October 6, 2020

Ref. DOC 5910760

Ms. Amanda Acuna, Senior Planner
Community Development Department
City of Gardena
1700 West 162nd Street
Gardena, CA 90247

Dear Ms. Acuna:

NOI Response for 141st and Normandie Townhomes Project

The Los Angeles County Sanitation Districts (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on September 21, 2020. The proposed project is located within the jurisdictional boundary of District No. 5. We offer the following comments:

4.19 UTILITIES AND SERVICES SYSTEM

1. Wastewater Generation, *page 152*, top of page – The proposed project's wastewater flow from the local sewer line is conveyed to the Districts' East Rosecrans Avenue Section 1 Trunk Sewer, located in Rosecrans Avenue at Normandie Avenue. The Districts' 15-inch diameter trunk sewer has a capacity of 1.5 million gallons per day (mgd) and conveyed a peak flow of 0.6 mgd when last measured in 2017.
2. Wastewater Generation, *page 152*, first paragraph – Development of the proposed project would result in an expected increase in average wastewater flow. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is used by the Districts to upgrade or expand the Sewerage System. Payment of a connection fee will be required before this project is permitted to discharge to the Districts' Sewerage System.

All other information concerning Districts' facilities and sewerage service contained in the document is current. If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717 or at araza@lacsd.org.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

**CITY OF GARDENA
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION**

**STAFF REPORT
RESOLUTION NO. PC 11-20
AGENDA ITEM #7**

DATE: October 20, 2020

TO: Chair Jackson and Members of the Planning and Environmental Quality Commission

FROM: Raymond Barragan, Community Development Director
Lisa Kranitz, Assistant City Attorney

APPLICANT: City

LOCATION: Citywide

REQUEST: Recommendation to the City Council to adopt Ordinance Number 1821 adding Chapter 18.57 to the Gardena Municipal Code Relating To Low Barrier Navigation Centers

BACKGROUND

In 2019 the Legislature adopted numerous bills relating to housing. Part of AB 101 (Chapter 159) relates to Low Barrier Navigation Centers. These Centers are a way to help deal with homelessness and can allow pets, personal items, and couples which are traditionally a barrier keeping homeless people from shelters.

AB 101 enacts Government Code sections 65560 through 65568. Under the new law, Low Barrier Navigation Centers must be allowed by right in any area zoned for mixed use and nonresidential zones permitting multifamily uses when it meets the requirements of State law.

Ordinance No. 1821 simply implements the provisions of State law which would apply regardless of whether the Ordinance was adopted. As the provisions of State law only remain in effect until January 1, 2027, the GMC was amended by adding a new Chapter rather than spreading the provisions out between definitions and the various zones where it is allowed. In this way, the entire Chapter 18.57 will no longer be of further force and effect as of January 1, 2027.

The Ordinance is exempt from CEQA because it can be seen with certainty that there will not be any significant impacts as the provisions apply regardless of whether the Ordinance is adopted.

RECOMMENDATION

Staff recommends the Planning and Environmental Quality Commission:

1. Open the public hearing;
2. Receive testimony from the public; and

3. Adopt Resolution No. PC 11-20 recommending that the City Council approve Ordinance No. 1821.

ATTACHMENTS

Resolution No. PC 11-20

Exhibit A – Ordinance No. 1821

RESOLUTION NO. PC 11-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 1821 ADDING CHAPTER 18.57 TO THE GARDENA MUNICIPAL CODE RELATING TO LOW BARRIER NAVIGATION CENTERS

WHEREAS, during the last legislative session the legislature enacted AB 101 (Chapter 159) relating to housing issues; and

WHEREAS, AB 101 added Article 12 to Chapter 4.5 of the Government Code (sections 65660 et seq.) relating to Low Barrier Navigation Centers and provides that these uses are allowed by right in areas zoned for mixed use and nonresidential zones where multifamily uses are allowed; and

WHEREAS, in compliance with AB 101, the City is required to amend its Municipal Code to allow for such Low Barrier Navigations Centers; and

WHEREAS, on October 20, 2020 the Planning Commission of the City of Gardena held a duly, noticed public hearing on this Ordinance at which time it considered all evidence presented both oral and written;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission hereby recommends that the City Council adopt Ordinance No. 1821 attached hereto as Exhibit A based on the fact that it incorporates those provisions of State law that the City is required to implement.

SECTION 2. CEQA. The Planning Commission recommends that the City Council find that the Ordinance is exempt from CEQA under the common sense exemption set forth in CEQA Guidelines section 15061(b)(3) that CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

PASSED, APPROVED, AND ADOPTED this 20th day of October, 2020.

BRENDA JACKSON, CHAIR
PLANNING COMMISSION

ATTEST:

RAYMOND BARRAGAN, SECRETARY
PLANNING COMMISSION

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

AYES:

NOES:

ABSENT:

Attachments:

- Exhibit A – Ordinance No. 1821

ORDINANCE NO. 1821

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA ADDING CHAPTER 18.57 TO THE GARDENA MUNICIPAL CODE RELATING TO LOW BARRIER NAVIGATION CENTERS

WHEREAS, during the last legislative session the legislature enacted AB 101 (Chapter 159) relating to housing issues; and

WHEREAS, AB 101 added Article 12 to Chapter 4.5 of the Government Code (sections 65660 et seq.) relating to Low Barrier Navigation Centers and provides that these uses are allowed by right in areas zoned for mixed use and nonresidential zones where multifamily uses are allowed; and

WHEREAS, in compliance with AB 101, the City is required to amend its Municipal Code to allow for such Low Barrier Navigations Centers; and

WHEREAS, on October 20, 2020 the Planning Commission of the City of Gardena held a duly, noticed public hearing on this Ordinance at which time it considered all evidence presented both oral and written; and

WHEREAS, after the close of the public hearing the Planning Commission recommended that the City Council adopt this Ordinance; and

WHEREAS, on _____, 2020 the City Council of the City of Gardena held a duly, noticed public hearing on this Ordinance at which time it considered all evidence presented both oral and written;

NOW, THEREFORE, THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 18.57 is hereby added to the Gardena Municipal Code to read as follows:

CHAPTER 18.57

LOW BARRIER NAVIGATION CENTERS

18.57.010 Purpose.

The purpose of this Chapter is to implement the provisions of Government Code section 65660 et seq. relating to Low Barrier Navigation Centers.

18.57.020 Definitions.

For purposes of this Chapter, the following definitions shall apply:

- A. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to the applicable provisions of the Code of Federal regulations as specified in Government Code Section 65662, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- B. “Low Barrier” means best practices to reduce barriers to entry, and may include, but is not limited to the following:
 - 1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth;
 - 2. Pets;
 - 3. The storage of possessions; or
 - 4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
- C. “Low Barrier Navigation Center” means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

18.57.030 Allowed Zones.

Low barrier navigation centers shall be allowed as an allowed use in the following zones provided they meet the requirements of Section 18.57.040:

- A. Mixed-Use Overlay Zone; and
- B. Commercial Residential Zone.

18.57.040 Requirements.

A low barrier navigation center shall meet the following requirements:

- A. It offers services to connect people to permanent housing through a services plan that identifies services staffing.

- B. It is linked to a coordinated entry system, so that staff in the interim facility or staff who collocate in the facility may conduct assessments and provide services to connect people to permanent housing.
- C. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- D. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

18.57.050 Application Procedures.

- A. An application shall be submitted to the Planning Division of the Community Development Department.
- B. The City shall act within 60 days of receipt of a completed application.

18.57.060 Effective Date.

This Chapter shall remain in effect until January 1, 2027 and as of that date is repealed.

SECTION 2. CEQA.

The adoption of this Ordinance is exempt from CEQA under the common sense exemption set forth in CEQA Guidelines section 15061(b)(3) that CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The Low Barrier Navigation Center provisions are set forth in State law. The adoption of this Ordinance simply implements what is already required by State law and the provisions apply even if the City fails to adopt an ordinance.

SECTION 3. EFFECTIVE DATE.

This Ordinance shall take effect on the thirty-first day after passage.

SECTION 4. CERTIFICATION.

The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2020.

TASHA CERDA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

LISA E. KRANITZ, Assistant City Attorney