

EXHIBIT A

CITY OF GARDENA

CONDITIONS OF APPROVAL FOR SITE PLAN REVIEW #5-21; CONDITIONAL USE PERMIT #5-21; CONDITIONAL USE PERMIT #6-21

GENERAL CONDITIONS

- GC 1. The applicant accepts all of the conditions of approval set forth in this document and shall sign the acknowledgement.
- GC 2. Applicant shall comply with all applicable written policies, resolutions, ordinances, and laws in effect at time of approval, or at time of permit applications. These conditions of approval shall supersede all conflicting notations, specifications, and dimensions which may be shown on the project development plans.
- GC 3. The approved resolution, including these conditions 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 plan check submittal. Said copies shall be included in all development plan submittals, including revisions and the final working drawings.
- GC 4. The site layout and physical appearance of the courts and existing structure shall be in accordance with the plans presented to and approved by the Planning and Environmental Quality Commission on February 15, 2022, and modified by these conditions of approval. 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 5. 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 prior to issuance of a final building permit.
- GC 6. Applicant/developer shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding, damages, costs (including, without limitation, attorney's fees), injuries, or liability against the City or its agents, officers, or employees arising out of the City's approval of Site Plan Review #5-21, Conditional Use Permit #5-21, and Conditional Use Permit #6-21. 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.

SITE PLAN REVIEW

SPR1. Site Plan Review #5-21 shall be utilized within a period not to exceed twelve (12) months from the date of approval unless an extension is granted in accordance with Section 18.46.040 of the Gardena Municipal Code. Utilization shall mean the issuance of building permits.

CONDITIONAL USE PERMITS

CUP1. Conditional Use Permit #5-21 shall be utilized within a period not to exceed 12 months from the date of approval unless an extension is granted in accordance with Section 18.46.040 of the Gardena Municipal Code. Utilization shall mean the issuance of a building permit.

CUP2. Conditional Use Permit #6-21 shall be utilized within a period not to exceed 12 months from the date of approval unless an extension is granted in accordance with Section 18.46.040 of the Gardena Municipal Code. Utilization shall mean the issuance of a building permit.

CUP3. In the event noise, lighting or traffic nuisances or other public safety issues are brought to the attention of the City, the Community Development Director may impose further conditions or restrictions on the site operations to ensure land use compatibility.

CUP4. All motorized equipment used in construction shall be equipped with functioning mufflers as mandated by the State.

CUP5. The applicant shall provide screening on the two automated parking structures, along the south and west elevations of each.

PLANNING

PL1. 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 24-inch box and shrubs shall be five (5) gallon size. Metal cages, painted green, shall be used to protect irrigation check valves and controllers. All above ground piping, such as double detector check valves, shall not be placed in front setbacks and shall be screened with landscaping and painted green. Protective bollards shall be of a decorative type and/or painted green where appropriate.

- PL2. The management office shall maintain landscaping in a healthy and well-kept manner at all times. All landscape areas shall be provided with automatic irrigation. Dead or damaged landscape material and vegetation shall be replaced immediately. The irrigation system shall be maintained at all times. Trees shall be permitted to grow to their maximum height.
- PL3. Protective bollards shall be of a decorative type and/or painted green where appropriate.
- PL4. Colors and materials as shown on the development plans as presented to the Planning Commission on February 22, 2022, are approved. Deviation from colors and materials shall not be made unless approved by the Community Development Director.
- PL5. The Applicant/developer shall maintain the property in a clean and orderly condition at all times and remove any graffiti from the site within 48 hours of its discovery in matching colors to the underlying surfaces.
- PL6. Any signage shall comply with the provisions of Chapter 18.58 of the Gardena Municipal Code.
- PL7. Decorative and colored concrete shall be provided at vehicular entrances along Western Avenue to the satisfaction of the Planning Division.
- PL8. 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.
- PL9. 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 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. All light fixtures shall be designed and located in a manner that does not allow spillover onto adjacent properties.
- PL10. The project shall comply with the City's Noise Ordinance (Gardena Municipal Code Chapter 8.36 and specifically Section 8.36.050, interior noise standards). If the project cannot comply with the Noise Ordinance the applicant shall provide an acoustical analysis which shall be submitted to the Gardena Building Division for review and approval in conjunction with the building permit application review.

BUILDING & 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/developer shall comply with all conditions set forth by other departments and agencies, including but not limited to: Gardena Planning, Gardena Public Works, Los Angeles County Public Works, and Los Angeles County Fire Department.
- BS3. The applicant/developer shall comply with the latest adopted Los Angeles County Fire Code and Fire Department requirements, as applicable.
- BS4. All structures shall have fire protection via a sprinkler system under a NFPA 13R system.
- BS5. The applicant/developer shall obtain separate County of Los Angeles Public Health Environmental Health approvals.
- BS6. The Applicant/developer shall obtain separate County of Los Angeles Department of Public Works Environmental Programs Division approvals.
- BS7. The Applicant/developer shall provide storm water management plan study prepared by a qualified engineer acceptable to the Building Official and the Engineering Division. These plans shall incorporate Low Impact Development Plan (LID) mitigation measures.
- 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 applicant shall provide a complete hydrology and hydraulic study prepared by a qualified engineer, and comply with the recommendations of the engineer, to the satisfaction of the Building Official.
- BS10. 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.

- BS11. 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.
- BS12. 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.
- BS13. 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.
- BS14. The applicant/developer submit a grading plan for review and to the satisfaction of the Chief Building Official. 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
- BS15. 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. Sheet flowing storm-water, without filtering, is no longer acceptable.
- BS16. 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.
- BS17. The applicant/developer shall install new public fire hydrant(s) to the satisfaction of the Los Angeles County Fire Department and City Engineer.
- BS18. 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.
- BS19. Address shall be posted on the outside gate and on the curb per CA Building and Fire codes. The Applicant/developer shall apply for new addresses with the Community Development Department, prior to obtaining building permits.

PUBLIC WORKS – ENGINEERING DIVISION

- PW1. All work in the public right of way shall be constructed in accordance with the Standard Plans and Standard Specifications for Public Works Construction, latest edition. This includes supplements thereto and City of Gardena Standard Drawings.
- PW2. Before undertaking any Encroachment/Excavation within the public right of way, the owner must first obtain the applicable permit from the Public Works Engineering Division.

PW3. The project shall utilize the County's benchmarks and any controlling survey monumentation (property lines, tract lines, street centerline, etc.) which are at risk of being destroyed or disturbed during the course of the project must be preserved in accordance with Section 8771(b) of the California Business and Professions Code (Professional Land Surveyors Act). Preconstruction field ties, along with the preparation and filling of the required Corner Records or Record of Survey with the County of Los Angeles, shall be accomplished by, or under the direction of, a licensed surveyor or civil engineer authorized to practice land surveying.

Copies of said records shall be furnished to the City Engineering for review and approval prior to issuance of any onsite or offsite construction permit. In addition, any monuments disturbed or destroyed by this project must be reset and post-construction Corner Records or Record of Survey filed with the County of Los Angeles. A copy of the recorded documents shall be submitted to the Engineering office for review and approval prior to issuance and/or finalizing any permits within the public right of way.

PW4. Prior to issuance of permits, all public improvements (if any) shall be guaranteed to be installed by the execution of an Agreement for Public Improvements secured by sufficient bond sureties or cash, complete indemnification form, Certification of Insurance (General Liability, Auto & Workers Compensation) naming City of Gardena as additional insured, contractor State License and City Business License.

PW5. All public improvements, studies, designs, plans, calculations and other requirements shall be installed, provided and supplied by the developer in accordance with City and State codes, policies and requirements at no cost to the City.

All work shall comply with City Standards and specifications and with the City of Gardena Municipal Codes and to be designed and signed by a registered Civil Engineer or other applicable professional license engineer(s).

PW6. The applicant shall remove and replace all sidewalk, curb & gutter, abandoned driveways, ADA ramps, street and traffic signages, fronting the property. All incidental improvements such as traffic markings, re-painting existing curbs, curb drains, etc., shall also be included.

PW7. The applicant shall remove all three (3) existing trees along Western Ave. and replant with 24" box Bronze Loquat per the city's standard tree planting detail. Remove one (1) existing damage tree along 132nd Street and replant with 24" box Crape Myrtle per the city's standard tree planting detail. All street tree(s) improvements to be coordinate with City Public Works Park's Superintendent, Kevin Thomas (310.217.9657).

PW8. The applicant shall provide sewer capacity analysis for the proposed sewer main connection to be submitted to the Public Works Engineering Division for review. If determined that the existing connection and main line(s) are deficient

or in poor condition, improvements to be imposed. Sewer fees will be based on type of facility. Industrial waste clearance may be required.

- PW9. The applicant shall provide traffic control plans per WATCH (Work Area Traffic Control Handbook) and/or California MUTCD (California Manual on Uniform Traffic Control Devices) per the latest standard pending proposed controls (permanent-overnight or temporary). The temporary/permanent traffic control plans shall be prepared by, or under the direction of, a licensed civil engineer or other authorized to practice traffic engineering.
- PW10. The applicant shall provide Street Improvement Plans showing all requirements and submit to Public Works Department for review and approval. Street Improvement Plan shall be stamped and signed by a Civil Engineer Registered in the state of California. An As-built plan signed and stamped by the Engineer of Record shall be submitted to Public Works Department prior to finalizing and closing permit. Any deviations from the approved plan will require a submittal of plan revision for the City review and approval.
- PW11. The applicant/developer is responsible for all applicable permit, plan check surety, and other incidental fees pertaining to the proposed project.

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.

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.

Lee Johnson, West Realty Group, Inc., certifies that he has read, understood, and agrees to the project conditions listed herein.

Lee Johnson
West Realty Group, Inc.

Date