

RESOLUTION NO. 2012-45-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING CONDITIONAL USE PERMIT NO. 2012-01 AND ARCHITECTURAL REVIEW BOARD NO. 2012-11 FOR THE BANDINI INDUSTRIAL CENTER PROJECT. THE CONDITIONAL USE PERMIT AND ARCHITECTURAL REVIEW BOARD PROVIDE THE STANDARDS FOR CONSTRUCTION AND OPERATION OF A 490,000 SQUARE FOOT WAREHOUSE DISTRIBUTION BUILDING WITH 188 VEHICULAR PARKING SPACES, 71 DOCK DOORS AND 78,000 SQUARE FEET OF LANDSCAPING; TO BE CONSTRUCTED ON ONE 21.26 ACRE PARCEL, WHICH STRADDLES THE BOUNDARY BETWEEN THE CITY OF BELL AND THE CITY OF VERNON; GENERALLY LOCATED ON THE NORTH SIDE OF BANDINI BOULEVARD BETWEEN PENNINGTON WAY AND YEAGER WAY; 5553 BANDINI BOULEVARD, CITY OF BELL, CA 90201 (APN: 6332-002-932, A PORTION OF 6332-002-933 AND 6332-002-940)

WHEREAS, an application for Conditional Use Permit No. 2012-01 and Architectural Review Board No. 2012-11, for the Bandini Industrial Center Project, including construction and operation of a 490,000 square foot warehouse distribution building with 188 vehicular parking spaces, 71 dock doors and 78,000 square feet of landscaping on a 21.26 acres parcel, of which 3.7 acres is in the City of Vernon, has been filed by Bandini XC-LLC, for a project located at 5553 Bandini Boulevard in the City of Bell, more generally located on the north side of Bandini Boulevard between Pennington Way and Yeager Way; and

WHEREAS, the westerly 3.7 acres of the site is located in the City of Vernon; and

WHEREAS, the City of Vernon has agreed to allow the City of Bell to be the lead agency for the project; and

WHEREAS, the City Council of City of Vernon has considered and approved a Tentative Parcel Map for their portion of the site at a public hearing on May 15, 2012; and

WHEREAS, the City of Vernon, has suggested conditions of approval to ensure that the project is compatible with their development standards and will not impact the future logical development of surrounding properties and that those conditions of approval have been incorporated into the City of Bell conditions of approval, attached as Exhibit 1; and

WHEREAS, the activity anticipated by the proposed Conditional Use Permit/Architectural Review Board permit is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

WHEREAS, after completion of an Initial Study, the Interim Community Development Director determined that the Project required preparation of a Mitigated Negative Declaration, attached as Exhibit 2 and Mitigation Monitoring and Reporting Program, attached as Exhibit 3, for the proposed project in compliance with the provisions of CEQA; and

WHEREAS, an Initial Study/Mitigated Negative Declaration was prepared for this project and was circulated to public agencies from March 30, 2012 through April 30, 2012; and

WHEREAS, the City received comment letters from five public agencies and provided written responses to each of these agencies on May 4, 2012; and

WHEREAS, based on information contained in the final Initial Study / Mitigated Negative Declaration, the impacts of the Bandini Industrial Center Project have been reduced to a less than significant level; and

WHEREAS, the City of Bell on April 26, 2012, published a legal notice in compliance with State law concerning Conditional Use Permit No. 2012-01 and Architectural Review Board No. 2012-11, in a local newspaper of general circulation. In addition, on April 26, 2012, a public hearing notice was mailed to each property owner within a 300-foot radius of the project site, indicating the date and time of the public hearing for Conditional Use Permit No. 2012-01 and Architectural Review Board No. 2012-11 in accordance with state law; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on May 16, 2012 at which public testimony was received concerning the Conditional Use Permit No. 2012-01 and Architectural Review Board No. 2012-11, at which time the Planning Commission considered the environmental impacts as analyzed in the final Initial Study/Mitigated Negative Declaration for the proposed project; and

WHEREAS, no new environmental impacts or issues were raised during the public hearing; and

NOW, THEREFORE, the Planning Commission of the City of Bell does hereby resolve, determine and order as follows:

Section 1 - The Planning Commission, in light of the whole record before it including but not limited to the City's local CEQA Guidelines and Thresholds of Significance, the proposed Mitigated Negative Declaration and documents incorporated therein by reference, any written comments received and responses provided, the proposed Mitigation Monitoring and Reporting Program and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, hereby finds and determines as follows:

- a) Review Period: That the City has provided the public review period for the Mitigated Negative Declaration for the duration required under CEQA Guidelines Sections 15073 and 15105; and
- b) Compliance with Law: That the Mitigated Negative Declaration and Mitigation Monitoring Program were prepared, processed, and noticed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.) and the local CEQA Guidelines; and
- c) Independent Judgment: That the Initial Study/Mitigated Negative Declaration for the Bandini Industrial Center Project represents the independent judgment of the City of Bell; and
- d) Mitigation Monitoring and Reporting Program: That the Mitigation Monitoring and Reporting Program is designed to ensure compliance during project implementation in that changes to the project and/or mitigation measures have been incorporated

into the project and are fully enforceable through permit conditions, agreements or other measures; and

- e) **No Significant Effect:** That revisions made to the project plans agreed to by the applicant and mitigation measures imposed as conditions of approval on the project, avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the revisions to the project and the mitigation measures imposed, the Planning Commission finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Therefore, the Planning Commission determines that the project will not have a significant effect on the environment.

Section 2 - Pursuant to the Bell Municipal Code and in light of the record before it including the staff report dated May 16, 2012, and all evidence and testimony heard at the public hearing for this item, the City Council make the following findings pertaining to Conditional Use Permit No. 2012-01 and Architectural Review Board No. 2012-11:

Finding 1: That the Site for the proposed use is adequate in size, shape and topography to accommodate the proposed use.

Evidence: The site is flat and has been developed previously as a distribution center for the U.S. Postal service. The site is surrounded by other industrial and distribution uses and the development of a warehouse distribution center as proposed is compatible with the surrounding land uses. The site is currently comprised of three parcels that will be combined to form a single parcel. The parcel size after consolidation is 21.26 acres, which is above the 5,000 square foot minimum parcel size required in the "T" Transitional Zone District. The parcel size and shape are adequate to construct the proposed warehouse distribution building and accommodate all associated parking, landscaping and circulations need for the proposed project.

Finding 2: That the site has sufficient access to public streets and highways adequate in width and pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use.

Evidence: The site is served by an existing driveway on Pennington Way and a proposed driveway on Bandini Boulevard. These driveways are adequate to provide movement of vehicles, trucks and pedestrians on and off local streets serving the project. The proposed project has been designed to meet all City standards applicable to industrial uses which include satisfactory pedestrian, vehicular, and truck circulation, emergency vehicle access and on-site and off-site public improvements. Further, all streets, utilities, and drainage facilities have been designed and are required to be constructed in conformance with applicable standards of the City of Bell; and where applicable the standards of Caltrans, City of Vernon and City of Commerce.

A traffic study was conducted for the project that looks at the impact of this project on local streets and connections to regional transportation routes such as Interstate 710 and Interstate 5. The final project design and conditions of approval reflect consultation and concurrence from the City of Vernon, City of Commerce and CALTRANS; that the project has sufficient access to public streets and highways adequate in width and

pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use.

Finding 3: That all buildings and structures proposed to be constructed or utilized in conjunction with the use will be architectural compatible with existing and prospective uses of land located in the immediate vicinity of the site:

Evidence: The site is located in an industrial area of the City and is surrounded on all sides by other industrial, warehouse, military and postal services uses. The architectural plans for the proposed structure were reviewed by an Architectural Review Board assembled for this particular project, which included both city staff and an urban design specialist, who reviewed the elevation and recommended changes and enhancements that are reflected in the proposed elevations. The proposed building is tilt-up concrete structure that has been enhanced through the introduction of various materials, colors and textures to create a harmonious and modern appearance that is architecturally compatible with existing and prospective used of land located in the immediate vicinity of the site.

Finding 4: That the location of the proposed use on the site will be compatible with existing and prospective uses of land in the immediate vicinity of the site.

Evidence: The site is located in an industrial area of the City and is surrounded on all sides by other industrial, warehouse, military and postal services uses. The adjacent land uses include railroad and industrial to the north, United States Postal Service distribution center to the east, military storage/logistics uses to the south and refrigerated storage to the west. The western most portion of the site, consisting of mostly parking and truck loading areas, is in the City of Vernon; and is compatible with their industrial designation of this area in both their General Plan and zoning. Access to the site is achieved through an existing entrance on Pennington Way and a new entrance to be constructed on Bandini Boulevard, between Pennington Way and Yeager Way. The entrance design and traffic circulation to and from the project have been reviewed to the satisfaction of the City Engineering Division; the adjacent cities of Vernon and Commerce; and CALTRANS. The proposed warehouse distribution use and project design, with applied conditions of approval, will ensure that the proposed development of the use on the site will be compatible with existing and prospective uses of land located in the immediate vicinity of the site.

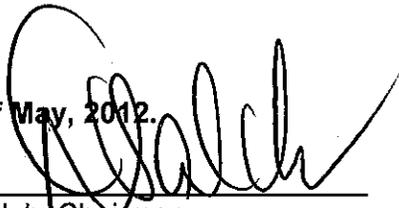
Finding 5: That the conduct of the proposed use will be in compliance with the applicable provisions of any specific plan applicable to such site, and with the city's General Plan. (ord. 1129 (part), 1997: prior code § 9266)

Evidence: The Current General Plan Land Use Designation for the project site is "Industrial", which is consistent with its zoning designation of "T" (Transitional) zone. Development standards for parcels in the "T" zone are the same as those for the "M" (Manufacturing) zone, which allows warehouse distribution uses with a Conditional Use Permit, as proposed. The project meets the development standards of the "M" zone, relative to setbacks, parking, loading, and landscaping. The project site is not in a specific plan.

Section 3: Based upon the findings outlined in Section 2 above, the Planning Commission of the City of Bell hereby takes the following actions:

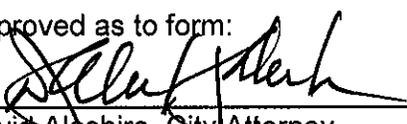
- a) Approve Permits: Approve Conditional Use Permit No. 2012-01 and Architectural Review Board No. 2012-11 for the construction and operation of a 490,000 square foot warehouse distribution building with 188 vehicular parking spaces, 71 dock doors and 78,000 square feet of landscaping; to be constructed on one 21.26 acre parcel, subject to the Conditions of Approval attached and incorporated herein by reference as Exhibit 1 ; and
- b) Filing Notice: Authorizes the filing of a Notice of Determination; and
- c) Location of Document: The development plans and documents incorporated therein and forming the record of decision therefore, shall be filed with the City of Bell Community Development Department at the Bell City Hall, located at 6330 Pine Avenue, Bell, California, 90201, and shall be made available for public review upon request.

PASSED, APPROVED AND ADOPTED this 16th day of May, 2012.



Ali Saleh, Chairman

Approved as to form:



David Alshire, City Attorney

(Attestation by City Clerk on Separate Page)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

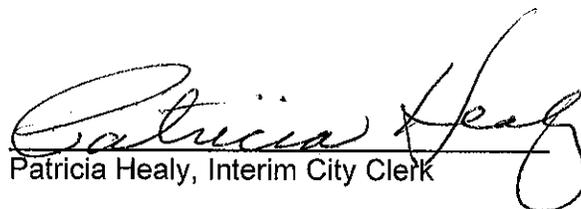
I, Patricia Healy, Interim City Clerk of the City of Bell, hereby attest to and certify that the foregoing resolution is the original Resolution No. 2012-45-PC adopted by the Bell City Council at its regular meeting held on the 16th day of May, 2012, by the following vote:

AYES: Harber, Quintana, Valencia, Alvarez, Saleh (5)

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)


Patricia Healy, Interim City Clerk

**CITY OF BELL
COMMUNITY DEVELOPMENT DEPARTMENT
CONDITIONS OF APPROVAL**

PROJECT #: CUP 2012-01 • ARB 2012-11 • PM 71920
SUBJECT: Bandini Industrial Center Project
APPLICANT: Bandini XC – LLC • Contact Person: John Grace, Development Manager
LOCATION: 5553 Bandini Blvd., Bell CA 90201 • APN: 6332-002-932, -933 & -940

A. ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT. APPLICANT SHALL CONTACT THE PLANNING DIVISION, (323) 588-6211, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS: General Requirements

Completion
Date

1. Indemnification. The applicant shall indemnify the City and its elected boards, commissions, officers, agents and employees and will hold and save them and each of them harmless from any and all actions, suites, claims, liabilities, losses, damages, penalties, obligations and expenses (including but not limited to attorneys' fees and costs) against the City and/or Agent for any such Claims or Litigation and shall be responsible for any judgment arising therefrom. The City shall provide the applicant with notice of the pendency of such action and shall request that the applicant defend such action. The applicant may utilize the City Attorney's office or use legal counsel of its choosing, but shall reimburse the City for any necessary legal cost incurred by City. The applicant shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and City shall have no liability to the applicant. The applicant's obligation to pay the cost of the action, including judgment, shall extend until judgment. After judgment in a trial court, the parties must mutually agree as to whether any appeal will be taken or defended. The applicant shall have the right, within the first 30 days of the service of the complaint, in its sole and absolute discretion, to determine that it does not want to defend any litigation attacking the City's approvals in which case the City shall allow the applicant to settle the litigation on whatever terms the applicant determines, in its sole and absolute discretion, but applicant shall confer with City before acting and cannot bind City. In that event, the applicant shall be liable for any costs incurred by the City up to the date of settlement but shall have no further obligation to the City beyond the payment of those costs. In the event of an appeal, or a settlement offer, the Parties shall confer in good faith as to how to proceed. Notwithstanding the applicant's indemnity for claims and litigation, the City retains the right to settle any litigation brought against it in its sole and absolute discretion and the applicant shall remain liable.

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2. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval. _ / _ / _

3. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement. _ / _ / _

4. Covenant, Conditions, and Restrictions (CC&Rs). Covenants, Conditions, and Restrictions (CC&Rs) shall be established for the project. The applicant or successor in interest shall pay for the cost of review and approval of the CC&Rs by the City Attorney. The CC&Rs shall provide for proper maintenance of the property and include other necessary conditions to carry out the terms herein, particularly relating to any conditions affecting the on-going use of the property, and shall be enforceable by City, and recorded prior to development of any parcels. An initial deposit of \$5,000 is required to cover processing costs. The applicant shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement. _ / _ / _

5. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project. _ / _ / _

6. Copies of the signed Planning Commission Resolutions of Approval No. 44 and No. 45; Conditions of Approval; and all environmental mitigations shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect. _ / _ / _

7. The applicant shall be required to pay any applicable balance on the fees for the payment to the City's project team such as Project Manager, City Engineer, Civil Engineer, Traffic Engineer and Environmental Planner, for the required Land Use Entitlements, prior to plan check. Further, the applicant shall enter into a fee contract agreement with the City for plan check and inspection services other than building plan check, to the satisfaction of the Chief Administrative Officer. _ / _ / _

8. The applicant shall be required to pay any applicable Fish and Game fees as shown below. The project planner will confirm which fees apply to this project. All checks are to be made payable to the Clerk of the Board Supervisors and submitted to the Planning Commission Secretary prior to the Planning Commission hearing: _____/_____/_____

- a) Notice of Exemption - \$50 _____
- b) Notice of Determination - \$50 _____
- c) Mitigated Negative Declaration - \$ 2,151.50 _____
- d) Environmental Impact Report - \$2,969.00 _____

9. Prior to issuance of building permits, the following note shall be shown of the final site plan: _____/_____/_____

Vehicular and truck traffic shall not be blocked or restricted except as noted on the approved site plan or as approved by the Community Development Director and County of Los Angeles Fire Department. The approved plan requires free movement of truck traffic between the Pennington Way and Bandini Boulevard entrances around the north side of the building. Normal truck traffic is restricted from the southwest corner of the site where the majority of the Vehicular parking is located; except for emergency and public safety vehicles. This same note must appear in the lease for all future tenants in the building.

10. Prior to final map recordation or issuance of building permits, the following note shall be shown of the Final Map and Final Site Plan exhibits: _____/_____/_____

No future lot division or development shall take place anywhere of the site without the review and approval of the City of Bell.

B. Time Limits

1. Approval of tentative tract map or tentative parcel map shall expire, unless extended by the Planning Commission or unless a complete final map is filed with the City Engineer within 2-years from the date of adoption of this resolution pursuant to California Government Codes Sec. 65864 through Sec. 65869.5 or Sec. 66452.6. _____/_____/_____

2. Conditional Use Permit, Architectural Review Board approval shall expire if building permits are not issued or approved use has not commenced within 2-years from the date of approval. _____/_____/_____

C. Site Development

1. The site shall be developed and maintained in accordance with the approved plans which include tentative parcel map, site plans, architectural elevations, exterior materials and colors, landscaping and grading on file in the Community Development Department, the conditions contained herein, and the Zoning Code. _____/_____/_____

2. Prior to issuance of building permits the applicant shall submit a revised site plan showing detailed plans for two employee lunch areas (one each in the vicinity of the office nodes). Detailed plans for the lunch areas shall be provided that include tables and seating, shade structures, trash receptacles, ashtrays, lighting and landscaping for review and approval of the Community Development Director.
3. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Community Development Director.
4. Occupancy of the facilities shall not commence until such time as all Uniform Building Code and State Fire regulations have been complied with. Prior to occupancy, plans shall be submitted to the County of Los Angeles County Fire Department and the Building and Safety Division to show compliance. The buildings shall be inspected for compliance prior to occupancy.
5. Revised site plans and building elevations incorporating all Conditions of Approval shall be submitted for Community Development Director for review and approval prior to the issuance of building permits.
6. All site, grading, landscape, irrigation, and street improvement plans shall be coordinated for consistency with each other and for consistency with the requirements and standards of the City of Bell and City of Vernon (with Bell as lead agency); prior to issuance of any permits (such as grading, tree removal, encroachment, building, etc.) or prior to final map approval, or approved use has commenced, whichever comes first.
7. Approval of this request shall not waive compliance with all sections of the Bell Municipal Code, all other applicable City Ordinances, and applicable Vernon Development Codes in effect at the time of building permit issuance.
8. A lighting plan, including a photometric diagram, shall be submitted with the building and site plans prior to issuance of a building permit. The lighting plan shall demonstrate that all on-site lighting will be shielded and that direct light will be confined within site boundaries. Parking lot and security lighting shall be clearly identified and be full cut-off fixtures preventing light above the horizontal plane of the fixture. Direct light spill-off shall not be permitted onto public rights of way or adjacent properties or be allowed to create a public nuisance. All such light fixtures shall be noted on project plans. The Plan shall be reviewed and approved by the Community Development Director and Police Department prior to the issuance of building permits.
9. Trash receptacle(s) are required and shall meet City standards. The final design, locations, and the number of trash receptacles shall be subject to Community Development Director review and approval prior to the issuance of building permits.
10. All ground-mounted utility appurtenances such as transformers, AC condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping to the satisfaction of the Community Development Director.

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- 11. All building numbers and individual units shall be identified in a clear and concise manner, including proper illumination. _/_/_
- 12. All parkways, open areas, and landscaping shall be permanently maintained by the property owner, or other means acceptable to the City. _/_/_
- 13. The developer shall submit a construction access plan and work schedule for the development of the project for Community Development Director and City Engineer approval; including, but not limited to, public notice requirements, special street posting, phone listing for community concerns, hours of construction activity, dust control measures, and security fencing. _/_/_
- 14. Walls and fencing shall be developed consistent with the approved site plan and any applicable conditions of approval. _/_/_
- 15. Graffiti shall be removed within 72 hours at the sole cost and expense of the property owner. _/_/_
- 16. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours. _/_/_
- 17. The Officer Richard Henry Pennington monument at the northwest corner of Bandini Boulevard and Pennington Way shall be protected in place during grading and construction operations. Any damage will be repaired to the satisfaction of the Director of Community Services and Water of the City of Vernon prior to the issuance of a Certificate of Occupancy. Any landscape treatments and permanent construction in the vicinity of the monument shall be designed to enhance the monument as approved by the City of Vernon. _/_/_

D. Building Design

- 1. Prior to issuance of building permits the applicant shall demonstrate that the project is designed and will be built to meet the California 2010 Green Building Standards Code (CALGREEN) requirements for the appropriate building size category and use type. _/_/_
- 2. All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections shall be screened from all sides and the sound shall be buffered from adjacent properties and streets as required by the Planning Division. Such screening shall be architecturally integrated with the building design and constructed to the satisfaction of the Community Development Director. Any roof-mounted mechanical equipment and/or ductwork, that projects vertically more than 18 inches above the roof or roof parapet, shall be screened by an architecturally designed enclosure which exhibits a permanent nature with the building design and is detailed consistent with the building. Any roof-mounted mechanical equipment and/or ductwork, that projects vertically less than 18 inches above the roof or roof parapet shall be painted consistent with the color scheme of the building. Details shall be included in building plans. _/_/_
- 3. For commercial and industrial projects, paint roll-up doors and service doors to match main building colors. _/_/_

E. Parking and Vehicular Access (indicate details on building plans)

- 1. All parking lot landscape islands shall have a minimum outside dimension of 6 feet and shall contain a 12-inch walk adjacent to the parking stall (including curb). _ / _ / _
- 2. Plans for any security gates shall be submitted to the Community Development Director, City Engineer, and County of Los Angeles Fire Department for review and approval prior to issuance of building permits. _ / _ / _
- 3. Handicap accessible stalls shall be provided as called for in the Bell Municipal Code. _ / _ / _
- 4. Prior to Issuance of Building Permits, the applicant shall demonstrate compliance with the parking requirements for the project at the following ratios:
 - a. *Office - 1 space per 250 square feet*
 - b. *Warehousing - 1 space per 1,000 square feet for the first 20,000 square feet; 1 space per 2,000 square feet for the second 20,000 square feet; 1 space per 4,000 square feet for all space in excess of the first 40,000 square feet.*_ / _ / _

F. Trip Reduction

- 1. A minimum of 10 bicycle storage spaces shall be provided. The design and location of the spaces shall be shown on the final landscape plans and review and approved by the Community Development Director prior to the issuance of building permit. _ / _ / _
- 2. Carpool and vanpool designated off-street parking close to the building shall be provided at a rate of 5 percent of the total parking area. _ / _ / _
- 3. Category 5 telephone cable or fiber optic cable shall be provided. _ / _ / _

G. Landscaping

- 1. A detailed landscape and irrigation plan, shall be prepared by a licensed landscape architect and submitted for Community Development Director for review and approval prior to the issuance of building permits. _ / _ / _
- 2. A minimum of 30% of trees planted within industrial projects shall be specimen size trees - 24-inch box or larger. _ / _ / _
- 3. Within parking lots visible to the public, trees shall be planted at a rate of one 15-gallon tree for every five parking stalls. _ / _ / _
- 4. Trees shall be planted in areas of public view adjacent to and along structures at a rate of one tree per 30 linear feet of building. _ / _ / _

- 5. The final design of the perimeter parkways, walls, landscaping, and sidewalks shall be included in the required landscape plans and shall be subject to Community Development Director review and approval and coordinated for consistency with any parkway landscaping plan which may be required by the Cities of Bell and Vernon. _/_/_
- 6. Landscaping and irrigation systems required to be installed within the public right-of-way on the perimeter of this project area shall be continuously maintained by the developer. _/_/_
- 7. Landscaping and irrigation shall be designed to conserve water through the principles of water efficient landscaping and meet all applicable standards for the Cities of Bell and Vernon. _/_/_

H. Signs

- 1. The signs indicated on the submitted plans are conceptual only and not a part of this approval. Any signs proposed for this development shall comply with the Sign Ordinance and shall require separate application and approval by the Community Development Director prior to installation of any signs. _/_/_

I. Environmental

- 1. Mitigation measures are required for the project. The applicant is responsible for the cost of implementing said measures, including monitoring and reporting. Applicant shall be required to post cash, letter of credit, or other forms of guarantee acceptable to the Community Development Director, prior to the issuance of building permits, guaranteeing satisfactory performance and completion of all mitigation measures. These funds may be used by the City to retain consultants and/or pay for City staff time to monitor and report on the mitigation measures. Failure to complete all actions required by the approved environmental documents shall be considered grounds for forfeit. _/_/_
- 2. The applicant shall reimburse the City of Bell as an "in-lieu" fee for the loss of Utility Tax, and other negative impacts of the project at rate of 10% of the total annually electric bill for all uses on site. This condition shall be in the CC & R's and shall run with the land. The payment is due on a schedule as set forth in the CC & R's and with enforceability rights as approved by the City Attorney, including penalties for late payment. The property owner is responsible for providing documentation in the form of monthly utility bills or other proof acceptable to the Community Development Director, and be subject to an audit. _/_/_
- 3. In those instances requiring long term monitoring (i.e.) beyond final certificate of occupancy), the applicant shall provide a written monitoring and reporting program to the Community Development Director prior to issuance of building permits. Said program shall identify the reporter as an individual qualified to know whether the particular mitigation measure has been implemented. _/_/_
- 4. The following measures shall be implemented during construction to substantially reduce NOX related emissions. They shall be included in the Grading Plan, Building Plans, and contract specifications. Contract _/_/_

specification language shall be reviewed by the City prior to issuance of a grading permit.

- a. *Off-road diesel equipment operators shall be required to shut down their engines rather than idle for more than five minutes, and shall ensure that all off-road equipment is compliant with the CARB in-use off-road diesel vehicle regulation and SCAQMD Rule 2449.*
- b. *Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOX emissions requirements*
- c. *The following note shall be included on all grading plans: During project construction, all internal combustion engines/construction, equipment operating on the project site shall meet EPA-Certified Tier 3 emissions standards, or higher according to the following:*
 - 1) *January 1, 2012, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.*
 - 2) *Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.*
 - 3) *A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.*
- d. *The contractor and applicant, if the applicant's equipment is used, shall maintain construction equipment engines by keeping them tuned and regularly serviced to minimize exhaust emissions.*
- e. *Use low sulfur fuel for stationary construction equipment. This is required by SCAQMD Rules 431.1 and 431.2.*
- f. *Utilize existing power sources (i.e., power poles) when available. This measure would minimize the use of higher polluting gas or diesel generators.*
- g. *Configure construction parking to minimize traffic interference.*
- h. *Minimize obstruction of through-traffic lanes and provide temporary traffic controls*

such as a flag person during all phases of construction when needed to maintain smooth traffic flow. Construction shall be planned so that lane closures on existing streets are kept to a minimum.

- i. Schedule construction operations, affecting traffic, for off-peak hours to the greatest extent possible.
- j. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service.)
- k. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes.

APPLICANT SHALL CONTACT THE BUILDING AND SAFETY DIVISION, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

NOTE: ANY REVISIONS MAY VOID THESE REQUIREMENTS AND NECESSITATE ADDITIONAL REVIEW(S)

J. General Requirements

- 1. Submit three complete sets of plans including the following:
 - a. *Site/Plot Plan;*
 - b. *Foundation Plan;*
 - c. *Floor Plan;*
 - d. *Ceiling and Roof Framing Plan;*
 - e. *Electrical Plans including the size of the main switch, number and size of service entrance conductors, panel schedules, and single line diagrams;*
 - f. *Plumbing and Sewer Plans, including isometrics, underground diagrams, water and waste diagram, sewer system location, fixture units, and heating and air conditioning; and*
 - g. *Planning Division Project Number (i.e., CUP#, ARB #) clearly identified on the outside of all plans.*
- 2. Submit two sets of structural calculations, energy conservation calculations, and a soils report. Architect's/Engineer's stamp and "wet" signature are required prior to plan check submittal.
- 3. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
- 4. Separate permits are required for fencing and/or walls.
- 5. Business shall not open for operation prior to posting the Certificate of Occupancy issued by the Building and Safety Division.

___/___/___

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K. Site Development

- 1. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number. The applicant shall comply with the latest adopted California Codes, and all other applicable codes, ordinances, and regulations in effect at the time of permit application. _/_/_
- 2. Prior to issuance of building permits for a new commercial or industrial development project or major addition, the applicant shall pay development fees at the established rate. Applicant shall provide a copy of the school fees receipt to the Building and Safety Division prior to permits issuance. _/_/_
- 3. Construction activity shall not occur between the hours of 8:00 p.m. and 6:00 a.m. Monday through Saturday, with no construction on Sunday or holidays. _/_/_
- 4. Construction related truck trips shall not occur between the hours of 7:00 – 9:00 AM and 4:00 – 6:00 PM. _/_/_

L. New Structures

- 1. Provide compliance with the 2010 California Building Code (CBC) for property line clearances considering use, area, and fire-resistiveness. _/_/_
- 2. Provide compliance with the 2010 California Building Code for required occupancy separations. _/_/_
- 3. Upon tenant improvement plan check submittal, additional requirements may be needed. _/_/_

M. Existing Structures

- 1. Existing sewage disposal facilities shall be removed, filled and/or capped to comply with the California Building and Plumbing Codes. _/_/_
- 2. Underground on-site utilities are to be located and shown on building plans submitted for building permit application. _/_/_
- 3. Upon tenant improvement plan check submittal, additional requirements may be required. _/_/_
- 4. Prior to the issuance of a grading or building permit, a Certified Environmental Professional shall confirm the presence or absence of ACMs and LBPs prior to structural demolition/renovation activities. Should ACMs or LBPs be present, demolition materials containing ACMs and/or LBPs shall be removed and disposed of at an appropriately permitted facility. _/_/_

N. Grading

1. Grading of the subject property shall be in accordance with California Building Code, City Grading Standards, and accepted grading practices. Prior to issuance of grading permit by the City of Bell, the final grading (precise grading) plan shall be in substantial conformance with the approved grading plan showing building footprints, new and revised pads and elevations of finished grades, drainage routes, retaining walls, erosion and sediment control, Best Management Practices (BMPs) conforming to the approved Standard Urban Stormwater Management Plan (SUSMP), and other pertinent information. _ / _ / _

2. A soils report shall be prepared by a qualified engineer licensed by the State of California to perform such work. _ / _ / _

3. Prior to grading plan approval, the Project Applicant shall ensure that the project complies with Chapter 13.08, Stormwater and Urban Runoff Control, of the City of Bell Municipal Code. Water quality features intended to reduce construction-related erosion impacts shall be clearly denoted on the grading plans for implementation by the construction contractor.

4. Prior to issuance of any grading permit, the Grading Plan shall incorporate all engineering recommendations contained within the Geotechnical Engineering Investigation, prepared by NorCal Engineering, dated March 16, 2011, and any additional recommendations identified by the City Engineer. _ / _ / _

5. Prior to issuance of any Grading Permit, the City Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures will reduce short-term fugitive dust impacts on nearby sensitive receptors and shall be noted on the grading plans: _ / _ / _
 - a. *All active portions of the construction site shall be watered every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excessive amounts of dust;*
 - b. *Pave or apply water every three hours during daily construction activities or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering shall occur if dust is observed migrating from the site during site disturbance;*
 - c. *Any on-site stockpiles of debris, dirt, or other dusty material shall be enclosed, covered, or watered twice daily, or non-toxic soil binders shall be applied;*
 - d. *All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour;*
 - e. *Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area;*
 - f. *Gravel bed trackout aprons (3 inches deep, 25 feet long, 12 feet wide per*

lane and edged by rock-berm or row of stakes) shall be installed to reduce mud/dirt trackout from unpaved truck exit routes;

- g. On-site vehicle speed shall be limited to 15 miles per hour;
- h. All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
- i. Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
- j. All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;
- k. Reroute construction trucks away from congested streets or sensitive receptor areas;
- l. Track-out devices shall be used at all construction site access points; and
- m. All delivery truck tires shall be watered down and/or scraped down prior to departing the job site.

6. The final grading plan, appropriate certifications and compaction reports shall be completed, submitted, and approved by the Building and Safety Division prior to the issuance of building permits. _/_/_

7. A separate grading plan check submittal is required for all new construction projects and for existing buildings where improvements being proposed will generate 50 cubic yards or more of combined cut and fill. The grading plan shall be prepared, stamped, and signed by a California registered Civil Engineer. _/_/_

8. The following note shall be placed on the grading plan prior to issuance of grading permit: _/_/_

In the event human remains are found during construction, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98 and California Health and Safety Code Section 7050.5.determined; within two working days of notification of the discovery. If the County Coroner determines that the remains are or believed to be Native American, the County Coroner shall notify the Native American Heritage Commission in Sacramento within 48 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains

9. The following note shall be placed on the grading plan prior to issuance of grading permit: _____/_____/_____

The final grading plan for this parcel shall be substantially the same, specifically with regard to pad elevations, size, and configuration; as the proposed grading illustrated on the approved Tentative Parcel Map. If there is a significant deviation between the two plans the Community Development Director and the City Engineer will review the plans and determine if a finding of substantial conformance can be made prior to the issuance of a grading permit. The Community Development Director and the City Engineer may refer the matter to the Planning Commission for an opinion before making a decision. Failure to achieve such a finding will require processing a revised Tentative Map; prior to recordation of a Final Parcel Map.

10. The following note shall be placed on the grading plan prior to issuance of grading permit: _____/_____/_____

In the event that paleontological resources are unearthed during subsurface construction activities, a Los Angeles County-certified paleontologist shall be retained to evaluate the discovery prior to resuming grading in the immediate vicinity of the find. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the City of Bell and property owner, which ensure proper exploration and/or salvage. A technical report shall be prepared and include the period of inspection, a catalogue and analysis of the fossils found, and the present repository of the fossils. The Project Applicant shall prepare excavated material to the point of identification and shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis.

11. Prior to issuance of a grading permit, the developer shall guarantee completion of grading by posting adequate security and entering into a grading agreement with the City. _____/_____/_____

APPLICANT SHALL CONTACT THE ENGINEERING DIVISION, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

O. Traffic

1. All onsite and offsite landscaping, walls, fences, and monument signage shall be subject to the review and approval of the City Engineer to ensure sight distance is not obstructed. _____/_____/_____

2. The project applicant shall cooperate with and fully support the efforts of the City of Bell to acquire rights to access the site from Yeager Way. Such rights could be in the form of an easement, fee title, or other mechanism. All costs associated with the acquisition of access rights shall be borne by the project applicant. Said costs and scope of improvements shall be mutually agreed to by applicant and the City. If access rights are acquired, the project applicant shall take advantage of them by diverting all inbound and outbound truck traffic from the project's Bandini Boulevard driveway to Yeager Way. This diversion shall be accomplished through physical modifications to the Bandini Boulevard driveway, median opening, signing, markings, and/or onsite improvements to the satisfaction of the City Engineer. Design of the physical modifications shall commence within 3 months following acquisition of the access rights and shall be diligently pursued to the satisfaction of the City. The project applicant shall be responsible for all associated costs, such as plan check, construction, and inspection, subject to the provisions contain in Condition A5 General Requirements –Deposit Account. _ / _ / _
3. Prior to issuance of a building permit, the project applicant shall modify the design of the project's Bandini Boulevard driveway to prevent truck inbound right turns to the satisfaction of the City Engineer. _ / _ / _
4. Prior to issuance of a building permit, the project applicant shall modify the site design to improve truck circulation around the northwest and northeast corners of the building to the satisfaction of the City Engineer. It is anticipated that this will entail setback of the building corners and relocation or removal of exterior stairwells. _ / _ / _
5. Prior to the issuance of any grading or building permits, the Project Applicant shall prepare a Traffic Management Plan (TMP) to address traffic and safety concerns resulting from any lane closure(s) necessary to implement the Conditions of Approval. At a minimum, the TMP shall include measures to accomplish the following: _ / _ / _
- a. *Clearly denote lane closures, detours, and turning restrictions, with appropriate signs and other traffic control devices to alert travelers;*
 - b. *Ensure vehicular and emergency access to the project area is maintained during construction; and*
 - c. *Maintain pedestrian circulation; and*
 - d. *Construction equipment traffic shall be controlled by flaggers, as appropriate.*
6. The TMP shall be reviewed and approved by the City Engineer for compliance with the California Manual on Uniform Traffic Control Devices and is also subject to review and approval by the Cities of Vernon and Commerce. The TMP shall be implemented by a qualified contractor holding a valid C31 license.

7. Prior to issuance of a Certificate of Occupancy by the City of Bell, the project applicant shall modify the Garfield Avenue-Bandini Boulevard traffic signal to provide a southbound Garfield Avenue right turn overlap phase. This overlap phase shall allow southbound right turns to occur simultaneously with eastbound left turns. The improvements shall include addition of right turn arrow signal indications, wiring, and other ancillary improvements as necessary, to the satisfaction of the City of Commerce. _ / _ / _

8. Prior to issuance of a Certificate of Occupancy by the City of Bell, the project applicant shall provide to the City of Bell a letter from Caltrans indicating that improvements to the I-710 southbound off-ramp at Bandini Boulevard have been completed or, at a minimum, the design has been approved, an agreement executed requiring construction of the improvements, and sufficient bonds have been posted guaranteeing fulfillment of the agreement. The project applicant shall be fully responsible for construction of the improvements, which shall generally consist of the conversion of the existing right-turn lane on the off-ramp to a free right-turn lane to allow for increased efficiency of ramp operations. The improvements shall include widening, traffic signal modifications, utility relocation, and other ancillary improvements as necessary. However, the project applicant may be relieved of this condition if Caltrans issues a letter stating that queuing and merge/diverge analyses have demonstrated the project will not significantly impact the ramp or mainline operation. The queuing and merge/diverge analyses shall be the responsibility of the project applicant. _ / _ / _

9. Prior to issuance of a Certificate of Occupancy by the City of Bell, the applicant shall provide to the City of Bell a letter from Caltrans or other evidence to the City's satisfaction that a fair-share payment has been made to Caltrans for the installation of an Adaptive Traffic Control system at the Atlantic Boulevard/Bandini Boulevard intersection. The Adaptive Traffic Control system may consist of improvements such as signal controller modification, loop detection, and/or video detection to improve the efficiency of operations at the intersection. The method of calculating the amount of the fair-share payment shall be subject to review and approval by the City of Bell. _ / _ / _

10. Prior to issuance of a Certificate of Occupancy by the City of Bell, the project applicant shall modify the Bandini Boulevard median to provide an eastbound left turn pocket at the proposed project driveway. The left turn pocket shall provide 380-400 feet of vehicle storage and the median opening shall be designed to prevent outbound left turns from the driveway. The improvements shall include curbs, paving, lighting, signing, striping, and other ancillary improvements as necessary, to the satisfaction of the City Engineer. _ / _ / _

11. Prior to issuance of a Certificate of Occupancy by the City of Bell, the project applicant shall design and construct, to the satisfaction of the City Engineer, signing, striping, & markings to indicate allowed/prohibited truck movements onsite and at the project entry points. _ / _ / _

12. All approved project driveways shall remain open to traffic during business hours and all other times when vehicles are expected to enter or exit the site. _ / _ / _

- 13. To prevent formation of inbound vehicle queues on Pennington Way, no raised median or guard checkpoint will be allowed at the project driveway on Pennington Way. _/_/_
- 14. On-street parking or staging of vehicles will not be permitted to occur in conjunction with operation of the project facility. If actual parking or loading demand exceeds that provided, the project applicant shall either reconfigure the site to accommodate the demand or provide additional parking offsite within a reasonable walking distance. The design and construction of any site reconfiguration is subject to City review and approval. The arrangements for offsite parking, as well as any associated design and construction, are subject to City review and approval. _/_/_
- 15. Prior to issuance of a Certificate of Occupancy by the City of Bell, the project applicant shall construct/reconstruct improvements as necessary to provide sidewalk across the entire Bandini Boulevard frontage to the satisfaction of the City Engineer. Obstructions such as power poles shall be relocated as part of these improvements. _/_/_
- 16. Vehicular access rights shall be dedicated to the City for the following streets, except for approved openings: on Bandini Boulevard. _/_/_

P. Street Improvements

- 1. If the existing pavement conditions of Bandini Boulevard is determined unsuitable due to cracking, subsidence, irregular surface, age, material composition, water damage, and/or failure to meet structural section requirements of the City standards and ordinances, the pavement shall be resurfaced and/or replaced for half-street along the project frontage. All public improvements (streets, medians, landscape, drainage facilities, etc.) shown on the plans and/or tentative map shall be constructed to City of Bell standards, ordinances, policies and/or reasonably determined by the City Engineer to be applicable to the project; except that improvements in the City of Vernon, shall be constructed to satisfy either the Bell or Vernon standards whichever is more restrictive. Street improvements shall include, but are not limited to, curb and gutter, AC pavement, drive approaches, sidewalks, street lights, street trees, median and utility line relocation. Plans for signing, striping, and other traffic control devices shall be approved by the City Engineer. _/_/_
- 2. Prior to issuance of Certificate of Occupancy, Improvement Plans and Construction shall be completed:
 - a. *Street improvement plans, including street trees, street lights, and intersection safety lights on future signal poles, and traffic signal plans shall be prepared by a registered Civil Engineer and shall be submitted to and approved by the Bell City Engineer; for such improvements in the City of Vernon their concurrent review and approval is also required. Security shall be posted and an agreement executed to the satisfaction of the City Engineer and the City Attorney guaranteeing completion of the public and/or private street improvements, prior to final map approval or the issuance of building permits, whichever occurs first.* _/_/_

- b. *Prior to any work being performed in public right-of-way, fees shall be paid and a construction permit shall be obtained from the Engineering Services Division and if applicable the City of Vernon, in addition to any other permits required.* _ / _ / _
- c. *Handicapped access ramps shall be installed on all corners per City Standards or as directed by the City Engineer.* _ / _ / _
- d. *Existing City roads requiring construction shall remain open to traffic at all times with adequate detours during construction. Street or lane closure permits are required.* _ / _ / _
- e. *Concentrated drainage flows shall not cross sidewalks. Under sidewalk drains shall be installed to City Standards.* _ / _ / _
- f. *All driveway approaches, ADA ramps, sidewalk, curb, gutter, signs, median, landscape and street lights shall conform to the applicable City of Bell standards, ordinances and policies.* _ / _ / _
- g. *Parcel access shall be restricted on except at the intersections of pre-approved locations and shall be noted on the Final Parcel Map.* _ / _ / _
- 3. *Water improvement plans including distribution system and appurtenances shall be approved by the County of Los Angeles Fire Marshal, the Water District/Company, and the City Engineer. Sanitary sewer plans shall be approved by the Los Angeles Sanitary Sewer District and the City Engineer.* _ / _ / _

Q. Public Maintenance Areas

- 1. *A separate set of landscape and irrigation plans per Engineering Public Works Standards shall be submitted to the Engineering Services Division for review and approval prior to final map approval or issuance of building permits, whichever occurs first.* _ / _ / _
- 2. *All required public landscaping and irrigation systems shall be continuously maintained by the developer to the satisfaction of the City of Bell.* _ / _ / _

R. Drainage and Flood Control

1. Prior to the issuance of a grading permit, a complete hydrology and hydraulic study (include off-site areas affecting the development) shall be prepared by a qualified engineer and shall be submitted to the City Engineer for review and approval. The report shall include detailed drainage studies indicating how the grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 50-year flood per the Los Angeles County Flood Control District Hydrology Manual. The project development shall be designed to accept and properly dispose of all off-site drainage flowing onto or through the site. If the quantities exceed the existing downstream capacity, the developer shall provide adequate drainage facilities to mitigate the impact as approved by the City Engineer. / /

2. Prior to the issuance of a grading permit, the applicant shall demonstrate to the Community Development Director and the City Engineer that coverage has been obtained under California's General Permit for Storm Water Discharge Associated with Industrial 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 to the Building Official. Prior to the issuance of a grading permit, the applicant shall submit to the Building Official for review and approval a Stormwater Pollution Prevention Plan (SWPPP). A copy of the approved SWPPP shall be kept at the project site and available for review upon request. / /

3. Trees are prohibited within 5 feet of the outside diameter of any public storm drain pipe measured from the outer edge of a mature tree trunk. / /

4. Prior to the issuance of a grading permit, the applicant shall prepare a Standard Urban Stormwater Mitigation Plan (SUSMP) specifically identifying the Best Management Practices (BMP's) that will be used on site to control predictable pollutant runoff. The plan shall identify the types of structural and non-structural measures to be used. The plan shall comply with the Los Angeles County Stormwater Management Plan. Particular attention should be addressed to the appendix section "Best Management Practices for New Development." The SUSMP shall clearly show the locations of structural BMP's, and assignment of long term maintenance responsibilities (which shall also be included in the Maintenance Agreement). The plan shall be prepared to the general form and content shown in the Los Angeles County SUSMP template and shall be submitted to the City Engineer for review and approval. / /

5. The applicant shall provide proof in the form of stamped plans or a letter from the City of Vernon showing that they have approved the Standard Urban Stormwater Mitigation Plan (SUSMP) plan for that portion of the project that is within the City of Vernon prior to the issuance of grading permits. / /

6. The fire access roadway plan shall be submitted to the City of Vernon Fire Department for review and approval before it is submitted to County of Los Angeles Fire Department for final approval. / /

- 7. Prior to the issuance of a certificate of occupancy, the developer shall demonstrate that all structural Best Management Practices (BMP) described in the project's Standard Urban Stormwater Management Plan (SUSMP) have been constructed and installed. In addition, the developer is prepared to implement all non-structural BMP's described in the project's SUSMP. Two (2) copies of the SUSMP shall be available on-site. Prior to the issuance of a certificate of occupancy, all equipment shall be in place and in good working order as indicated in the SUSMP. _ / _ / _
- 8. Upon completion of project construction, the project applicant shall submit a Notice of Termination (NOT) to the State Water Resources Quality Control Board (SWRCB) to indicate that construction is completed. _ / _ / _

S. Final Parcel Map

- 1. Prior to approval of Final Parcel Map, the developer shall simultaneously process a Certificate of Compliance in accordance with the provisions of Section 664989.35 of Subdivision Map Act. _ / _ / _
- 2. The developer shall dedicate a minimum of a 15-foot corner property cut-off for clear sight triangles and ADA ramp shall be maintained at the south east corner of Bandini Boulevard and US Postal access. _ / _ / _
- 3. Developer shall provide for quitclaim or relocation of any easement as applicable in final map review process. _ / _ / _
- 4. Developer shall provide to the City Engineer for review a preliminary Title Report no older than 60 days from the Final Parcel Map submittal date. _ / _ / _
- 5. Subdivision Improvement Agreement for Monumentation only with accompanying securities as required, except in the case that Monumentation be established prior to approval of the map by City Council. _ / _ / _
- 6. Prior to approval of the Final Parcel Map, pursuant to the Subdivision Improvement Agreement for Public Improvements, the developer shall provide security in an amount specified in writing by the Registered Civil Engineer or a Licensed Land Surveyor of record. The developer shall enter into an agreement providing for the necessary right-of-way, design and construction of missing public improvements, which shall be constructed in coordination with adjacent existing improvements prior to occupancy of the development and subject to review and approval by the City Engineer. _ / _ / _
- 7. Prior to the exoneration of any security, the developer shall submit one (1) duplicate mylar of the Final Parcel Map and all as built public improvement plans, in a manner acceptable to the City Engineer. _ / _ / _

T. Utilities

- 1. Provide underground utility services including sanitary sewerage system, water, gas (optional), electric power, telephone, and cable TV in accordance with the Utility Standards. Easements shall be provided as required. _ / _ / _

- 2. The developer shall be responsible for the relocation of existing utilities as necessary. _/_/_
- 3. Water and sewer plans shall be designed and constructed to meet the requirements of the Los Angeles County Sanitation District (Sanitation District), California Water Service Company (Cal Water), and the County of Los Angeles Fire Department (Fire Department). Letters of compliance from the Sanitation District, Cal Water, and the Fire Department are required prior to final map approval or issuance of permits, whichever occurs first. Such letters must have been issued by the water district within 90 days prior to final map approval. _/_/_
- 4. Approvals have not been secured from all utilities and other interested agencies involved. Approval of the final parcel map will be subject to any requirements that may be received from them. _/_/_

U. General Requirements and Approvals

- 1. Permits shall be obtained from the following agencies for work within their right-of-way:
 - a. *City of Vernon* _/_/_
 - b. *City of Commerce* _/_/_
 - c. *Caltrans* _/_/_
- 2. All improvement and grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. _/_/_
- 3. The Tentative Parcel Map shall be recorded as one Parcel Map, and shall be developed as one Parcel. Financial security shall be provided for the entire improvements within the parcel prior to Parcel Map recordation. _/_/_
- 4. Prior to issuance of Certificate of Occupancy, all existing and new utilities including overhead power lines adjacent to and on-site shall be placed underground. _/_/_
- 5. Drainage easements, when required in Final Map review, shall be shown on the Final Parcel Map and noted as follows: "Drainage Easement - no buildings, obstructions, or encroachments by landfills are allowed." _/_/_

APPLICANT SHALL CONTACT THE POLICE DEPARTMENT AND OBTAIN WRITTEN APPROVAL FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

V. Security Lighting

- 1. All parking, common, and storage areas shall be lighted to maintain a minimum of 1-foot candle power. These areas should be lighted from sunset to sunrise and be on photo sensed cell. _/_/_

- 2. All buildings shall have minimal security lighting to eliminate dark areas around the buildings, with direct lighting to be provided by all entryways. Lighting shall be consistent around the entire development. _ / _ / _
- 3. Lighting in exterior areas shall be in vandal-resistant fixtures. _ / _ / _

W. Security Fencing

- 1. All businesses with security fencing and gates will provide the police with a keypad access and a unique code or other universal key access as is acceptable to the Police Department. The initial code is to be submitted to the Police Department along with plans for the site and structure. If this code is changed due to a change in personnel or for any other reason, the new code must be supplied to the Police within 24-hours. _ / _ / _

X. Building Numbering

- 1. Numbers and the backgrounds shall be of contrasting color and shall be reflective for nighttime visibility. _ / _ / _

APPLICANT SHALL CONTACT THE CITY OF VERNON; DIRECTOR OF COMMUNITY SERVICES AND WATER OF THE CITY OF VERNON, AND OBTAIN APPROVAL FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

Y. City of Vernon Parcel Map Conditions: The following Draft Conditions of Approval from the City of Vernon will be revised to reflect the actual conditions as adopted by the City of Vernon, at its scheduled May 15, 2012 City Council meeting, prior to issuance of the Final Conditions of Approval for the project.

- 1. The applicant shall widen the existing 3-foot sidewalk along the west boundary of Parcel 1 (Pennington Way Frontage). New sidewalk shall be constructed per City of Vernon's Standard Plan PV582. The new sidewalk shall be 9.79-foot wide from curb face to back-of-sidewalk and shall commence at the southerly line of Assessor's Parcel Number 6332-002-814 and continue south to the beginning of curb return for the northeast corner of Bandini Boulevard and Pennington Way. _ / _ / _
- 2. The applicant shall landscape the City of Vernon's excess right-of-way along Pennington Way from back of new 9.79-foot wide sidewalk to the westerly property line on the subject property, in a manner approved by the City and in compliance with the City of Vernon's water conservation ordinance. The applicant shall enter into an agreement with the City of Vernon to maintain the landscape area. _ / _ / _
- 3. The applicant shall protect the southerly curb of Bandini Boulevard in place and replace the existing 7.5-foot dirt parkway with new sidewalk from back of curb to the south boundary line of Parcel 1 (Bandini Boulevard Frontage). New sidewalk shall be constructed per City of Vernon's Standard Plan PV 582. Sidewalk shall commence at the end-of-curb return of the northwest corner of Bandini Boulevard and Pennington Way and terminate east at the City of Vernon's boundary line. _ / _ / _

- 4. The currently closed left turn pocket at the east approach of Bandini Boulevard and Pennington Way shall be permanently removed by the applicant by widening the existing 3.5-foot wide median island to a 14-foot wide median island. _ / _ / _
- 5. The existing left turn pocket at the west approach of Bandini Boulevard and Pennington Way shall be extended by the applicant to a 225-foot capacity. This will require that a portion of the existing median island be reconstructed to accommodate the larger capacity left turn pocket. _ / _ / _
- 6. The applicant shall have fire hydrants placed every 300-feet along the eastside of Pennington Way and the north side of Bandini Boulevard frontage in the City of Vernon. _ / _ / _
- 7. The applicant shall re-stripe Bandini Boulevard's existing Channelization lines in the westerly direction, from east City boundary line to the east approach of the Bandini Boulevard an Pennington Way intersection. _ / _ / _
- 8. The applicant shall replace the existing dirt culvert leading to the northwest corner of Parcel 1 from the pump station outlet east of Atlantic Boulevard with a reinforced concrete pipe. The applicant shall perform a hydraulic and hydrology study to determine the size of the pipe. _ / _ / _
- 9. The building and parking area shall be maintained substantially in compliance with the site plan submitted, as part of this Tentative Parcel Map, unless otherwise approved by the Director of Community Services and Water of the City of Vernon. _ / _ / _
- 10. The applicant shall re-landscape the Bandini Boulevard median from the City of Vernon's easterly boundary line to Pennington Way. The design of the landscaping, including plantings, hardscapes, irrigation systems and backflow devices, shall be approved by the City of Vernon. _ / _ / _
- 11. The Pennington Way access driveway to the subject site shall be widened to City of Vernon standards with the width at the back of the sidewalk being a minimum of 70-feet in order ensure proper truck ingress and egress movements into and out of the site. All interfering structures, including but not limited to signs, power poles, light poles and catch basins shall be relocated to City of Vernon Standards at the applicant's expense. The size of the landscape planters on either side of this driveway shall be maintained as shown on the proposed site exhibit. Any driveway widening must maintain the proposed landscape areas intact or as modified by the City of Bell, Community Development Director. _ / _ / _
- 12. The applicant is required to provide an electrical easement to the City of Vernon for all future Vernon light and power electrical lines and facilities serving power to any building located on the Project site. _ / _ / _

Z. County of Los Angeles Fire Department

- 1. APPLICANT SHALL CONTACT THE LOS ANGELES COUNTY FIRE DEPARTMENT, FOR COMPLIANCE WITH FIRE REGULATIONS. PRIOR TO ISSUANCE OF BUILDING PERMIT PROOF OF PLAN CHECK INCLUDING _ / _ / _

FIRE SPRINKLER PLAN APPROVAL IS REQUIRED.

a. *See letter to follow:*



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3200
(323) 881-2401

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April 23, 2012

Nancy Fong, Interim Director
City of Bell
Community Development Department
6330 Pine Street
Bell, CA 90201

Dear Ms. Fong:

MITIGATED NEGATIVE DECLARATION, NOTICE OF INTENT TO ADOPT/NOTICE OF AVAILABILITY MITIGATED NEGATIVE DECLARATION, BANDINI INDUSTRIAL CENTER PROJECT, PROPOSES THE DEVELOPMENT OF A 536,400 SQUARE-FOOT WAREHOUSE, MANUFACTURING AND OFFICE BUILDING, 5555 BANDINI BLVD, BELL (FFER #201200050)

The 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:

4.14 PUBLIC SERVICES

a. 1) Fire Protection

The following paragraph has been corrected to state the jurisdictional fire station for the project site, not the fire station that is located in the City of Bell. See corrections below:

Less Than Significant Impact. The Los Angeles County Fire Department (LACFD) provides fire protection services to the City of Bell. Fire Station #463 27, located at ~~6320 Pine Avenue 6031 Rickenbacker Road, Commerce, CA 90040-3031~~, is the jurisdictional station (1st-due) for the project; it is located approximately 2.5 .8 miles from the project site. Implementation of the proposed project could potentially result in additional demand for fire protection and emergency medical services beyond existing conditions. However, implementation of the proposed project would be consistent with the land uses anticipated for the site and surrounding area and would not result in a substantial

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

AGOURA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MON
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKELAND	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENDALE	IRVINDALE	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYW
BELLFLOWER	CUJAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VIL
GRADBUCK							WHITTIER

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increase in the need for fire protection facilities. The proposed project has two access points and driveway/road access around the entire building. The proposed project would be required to comply with LACFD requirements for emergency access, fire flow, fire protection standards, fire lanes and other site design/building standards. Thus, impacts would be less than significant in this regard.

LAND DEVELOPMENT UNIT:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Land Development Unit, are the review of and comment on, all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for fire fighting operations and local/regional access issues. However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department. We are responsible for the review of all projects within Contract Cities (cities that contract with the County of Los Angeles Fire Department for fire protection services). We are responsible for all County facilities, located within non-contract cities.

The County of Los Angeles Fire Department, Land Development Unit may also comment on conditions that may be imposed on a project by the Fire Prevention Division, which may create a potentially significant impact to the environment.

2. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.
3. Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.
4. When involved with subdivision in a city contracting fire protection with the County of Los Angeles Fire Department, the Fire Department requirements for access, fire flows and hydrants are addressed during the subdivision tentative map stage.
5. Fire Department requirements for access, fire flows and hydrants are addressed during the building permit stage.
6. Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are not technically and economically feasible for residential use.
7. The development may require fire flows up to 8,000 gallons per minute at 20 pounds per square inch residual pressure for up to a four-hour duration. Final fire flows will be based on the size of buildings, its relationship to other structures, property lines and types of construction used.

8. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
 - a) No portion of lot frontage shall be more than 200 feet via vehicular access from a fire hydrant.
 - b) No portion of a building shall exceed 400 feet via vehicular access from a properly public fire hydrant.
 - c) Additional hydrants will be required if hydrant spacing exceeds specified distances
 - d) When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid block.
 - e) A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use.
 9. Turning radii shall not be less than 32 feet. This measurement shall be determined at centerline of the road. A Fire Department approved turning area shall be provided for driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
 10. All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls first story of any building. The centerline of the access driveway shall be located parallel and within 30 feet of an exterior wall on one side of the proposed structure.
 11. Driveway width for non-residential developments shall be increased when any of the following conditions will exist:
 - a) Provide 34 feet in-width, when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure
 - b) Provide 42 feet in-width, when parallel parking is allowed on each side of the access roadway/driveway.
 - c) Any access way less than 34 feet in-width shall be labeled "FIRE LANE" on the final recording map and final building plans.
 - d) For streets or driveways with parking restrictions: The entrance to the street/driveway intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling necessary to ensure access for Fire Department use.
 12. All access devices and gates shall meet the following requirements:
 - a) Any single gated opening used for ingress and egress shall be a minimum of 26 feet width, clear-to-sky.
 - b) Any divided gate opening (when each gate is used for a single direction of travel i.e. ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
- BB.**

- c) Gates and/or control devices shall be positioned a minimum of 50 feet from a public way, and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right side of the road to the intercom control device.
 - d) All limited access devices shall be of a type approved by the Fire Department.
 - e) Gate plans shall be submitted to the Fire Department, prior to installation. These plans shall show all locations, widths and details of the proposed gates.
13. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review, prior to implementation.
 14. Notify the County of Los Angeles Fire Department, Fire Stations 27 at (323) 721-4140, at (323) 721-3886, and FS 163 at (323) 560-1571, at least three days in advance of any closures that may affect Fire/Paramedic responses in the area.
 15. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.
 16. When developing the infrastructure and when actual construction is proposed, the following requirements shall be incorporated into the project proposals.
 17. The County of Los Angeles Fire Department, Land Development Unit comments are on general requirements. Specific fire and life safety requirements and conditions set during environmental review process will be addressed and conditions set at the building and check phase. Once the official plans are submitted for review there may be additional requirements.
 18. Submit three sets of water plans to the County of Los Angeles Fire Department, Land Development Unit. The plans must show all proposed changes to the fire protection water system, such as fire hydrant locations and main sizes. The plans shall be submitted to the local water company.
 19. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department, Land Development Unit Inspector, Nancy Rodeheffer, at (323) 890-4243 or nrodeheffer@fire.lacounty.gov.
 20. The County of Los Angeles Fire Department, Land Development Unit appreciates the opportunity to comment on this project.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

- CC. 1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, and other environmental concerns.

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fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological cultural resources and the County Oak Tree Ordinance.

2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. Based on the submitted reports, the Health Hazardous Materials Division recommends to site grading, a soil gas survey for volatile organic compound should be conducted at proposed building pad to assess the potential vapor intrusion.

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

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

DD. CV:ll

**EXHIBIT 2
Mitigated Negative Declaration**

AND

**EXHIBIT 3
Mitigated Monitoring and Reporting Program**

ARE UNDER SEPARATE COVER