

RESOLUTION NO. 2014-06-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING CONDITIONAL USE PERMIT NO. 2013-03 FOR THE BANDINI SPECULATION PROJECT CONSISTING OF A 64,414 SQUARE FOOT WAREHOUSE DISTRIBUTION BUILDING WITH 7,634 SQUARE FEET OF SUPPORT OFFICE, 96 VEHICULAR PARKING SPACES, 16 DOCK DOORS, 32 TRUCK PARKING SPACES AND 10,010 SQUARE FEET OF LANDSCAPING; TO BE CONSTRUCTED ON ONE 3.86 ACRE SITE; GENERALLY LOCATED EAST OF EASTERN AVENUE AT 6025 BANDINI BOULEVARD, CITY OF BELL, CA 90201 (APN: 6332-005-017, 6332-005-018, 6332-005-019 & 6332-005-020)

WHEREAS, an application for Conditional Use Permit No. 2013-03, for the Bandini Speculation Project, including construction and operation of a 3 unit, 64,414 square foot warehouse distribution building, with 7,634 square feet of office including mezzanine, 96 vehicle parking spaces, 16 truck dock doors and 32 truck parking spaces and approximately 10,010 square feet of landscaping. The project site is located within the northeastern portion of the City of Bell at 6025 Bandini Boulevard in the City of Bell, more generally located on the north side of Bandini Avenue east of Eastern Avenue on a 3.86 acre site; and

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

WHEREAS, a public review period was conducted for minimum of twenty days and a Notice of Intent was filed with the County Recorder's Office on January 24, 2014; and

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

WHEREAS, the City of Bell on January 24, 2014, published a legal notice in compliance with State law concerning Conditional Use Permit No. 2013-03, in a local newspaper of general circulation. In addition, 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. 2013-03 in accordance with state law; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on February 12, 2014 at which public testimony was received concerning the Conditional Use Permit No. 2013-03, 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.

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 Speculation 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 section 17.96.040 of the Bell Municipal Code and in light of the record before it including the staff report dated February 12, 2014, 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. 2013-03:

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

Evidence: The site is flat and is vacant from development and partially unimproved. The site is surrounded by other commercial manufacturing and industrial uses and the development as proposed is compatible with the surrounding land uses. The site is currently comprised of four parcels with an aggregate total of 3.86 acres, which is above the 5,000 square foot minimum parcel size required in the M Zone. The parcel size and shape are adequate to construct the proposed warehouse distribution building and accommodate all associated parking, landscaping and circulation needs for the proposed project.

Finding 2: 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 two existing driveways on Bandini Boulevard. The existing 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 commercial warehousing uses which include satisfactory pedestrian, vehicular, and truck circulation, emergency vehicle access and on-site and off-site public improvements as applicable.

Finding 3: 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 a manufacturing corridor of the City and is surrounded on three sides by other manufacturing/warehousing uses. The architectural plans for the proposed structure were reviewed by city staff, who reviewed the design which is reflected in the proposed elevations. The proposed building is a typical concrete tilt-up 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 uses of land located in the immediate vicinity of the site.

Finding 4: 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 three sides by other manufacturing and industrial uses. The adjacent land uses include heavy industrial to the north, east, south and manufacturing to the west. Access to the site is achieved through existing driveway entrances on Bandini Boulevard. The entrance design and traffic circulation to and from the project have been reviewed to the satisfaction of the City Engineering Division. The proposed warehousing 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.

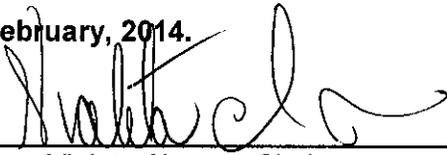
Finding 5: That the conduct of the proposed use will be in compliance with the applicable provisions of any specific plan applicable to such site, and with the City's General Plan.

Evidence: The Current General Plan Land Use Designation for the project site is "Manufacturing", which is consistent with its zoning designation of "M" (Manufacturing) Zone. Development standards for parcels in the "M" Zone allow warehousing uses 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:

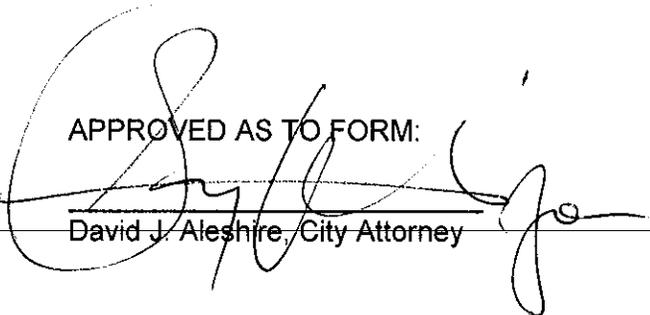
- a) Approve Permits: Approve Conditional Use Permit No. 2013-03 for the construction and operation of a 64,414 square foot warehousing distribution building, including the review of building elevations and other site improvements; to be constructed on a 3.86 acres site, subject to the Conditions of Approval attached and incorporated herein by reference as Exhibit 1, subject to modification based on any deviation from or modification to the Bandini Speculation Project from the date of this approval; 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.

ADOPTED AND APPROVED THIS 12th DAY OF February, 2014.



Violeta Alvarez, Chair

APPROVED AS TO FORM:



David J. Aleshire, City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

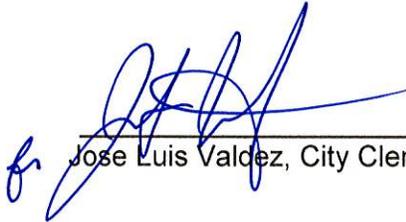
I, Jose Luis Valdez, City Clerk of the City of Bell, hereby attest to and certify that the foregoing resolution is the original resolution adopted by the Bell Planning Commission at its regular meeting held on the 12th day of February, 2014, by the following vote:

AYES: Commissioners Saleh, Valencia, Vice-Chair Quintana and Chair Alvarez

NOES: None

ABSENT: None

ABSTAIN: None



Jose Luis Valdez, City Clerk

EXHIBIT 1
Conditions of Approval

CITY OF BELL
COMMUNITY DEVELOPMENT DEPARTMENT
CONDITIONS OF APPROVAL

PROJECT #: Conditional Use Permit No. 2013-03
SUBJECT: Bandini Speculation Project
APPLICANT: John Cataldo Architects on behalf of 500 Bandini LLC
APN: 6332-005-017,018,019 & 20) at 6025 Bandini Blvd
LOCATION: 3.86 Acres property approx. 2,300 feet east of Eastern Avenue
APPLICANT SHALL CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT, (323) 588-6211, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:
The applicant shall submit the following plans and documents prior to approval of development plans.

A. General Requirements

1. Prior to the issuance of a grading permit, the developer shall prepare LID Plan specifically identifying the LID BMPs (Best Management Practices) that will be used for post development to control predictable pollutant runoff. The LID plan shall identifies potential sources of storm water pollution for the specific land use, pollution control measures, the location of the LID BMPs to be installed in the project site, and assignment of long term maintenance responsibilities (which shall also be included in the Maintenance Covenant of LID BMPs) per the City Ordinance 1197. The new MS4 Permit (Order No. R-2012-0175) was adopted by the California Regional Water Quality Control Board, Los Angeles Region on November 8, 2012 and became effective on December 28, 2012

The plan shall be prepared to the general form and content shown in the City of Bell LID manual available in the City of Bell, Engineering Division and submitted to the City Engineer for review and approval.

2. Prior to the issuance of a certificate of occupancy, the developer shall demonstrate that all LID Best Management Practices (BMP) described in the project's LID Plan have been constructed and installed. In addition, the developer is prepared to implement all non-structural BMP's described in the project's LID plan. One (1) copy of the LID plan 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 LID plan.

3. Prior to the issuance of a grading permit, the developer shall prepare a precise grading plan that shows APN; area of subject property; building setback lines for front, sides and rear of lot per the zoning requirements; existing land uses of surrounding properties; existing and proposed topographic contour lines with key elevations; drainage pattern with direction of flow; location of onsite and off-site existing and proposed drainage facilities; existing and proposed right of way including curb, gutter, sidewalk, fire hydrants, water line sewer line and street lights; physical features on the property lines such as fences, walls, power poles building to be demolished, slopes etc.; proposed pad elevations of buildings; cross sections showing the relationship of the proposed grading to that of

surrounding grades; typical street cross sections with proposed construction notes for public improvements; existing and proposed onsite and off-site water and sewer systems; location of landscaping areas. The existing improvements shall be depicted using a dashed line, and proposed improvements shall be drawn in a solid line. **No alley type gutters shall be permitted in driveway isles between parking lot areas.**

4. Prior to the issuance of a grading permit, the developer shall submit sets of preliminary soils report, title report with reference underlying maps or easement documents

____/____/____

5. 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 liabilities, losses, damages, penalties, obligations and expenses (including but not limited to attorneys' fees and costs) resulting from claims, lawsuits, actions and judgments against the City and/or City officers, agents and employees attacking the City's approval of the Project (an "Action"), excluding, however, any liabilities, losses, damages, penalties, obligations and expenses resulting from the willful misconduct of the City or any City officer, agent or employee, except to the extent such willful misconduct by a City officer, agent, employee is outside of the scope of said officer, agent, or employee's office, agency, or employment, respectively. The City shall provide the applicant with written notice of the pendency of such Action and shall request in writing that the applicant defend such Action. The applicant may utilize the City Attorney's office or use legal counsel of the applicant's choosing, but shall reimburse the City for any necessary legal cost incurred by City. In the City's sole and absolute discretion, the applicant shall provide a deposit in the amount of 100% of the City's reasonable estimate of the cost of litigation of such Action, 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 in lieu of such deposit. 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 such Action attacking the City's approvals, in which case the City shall allow the applicant to settle the Action on whatever terms the applicant determines, in the applicant's sole and absolute discretion, but applicant shall confer with City before any final settlement of such Action is concluded and the applicant cannot bind City. If the applicant wishes to settle any Action and the City does not agree, then the applicant shall only be liable for any costs incurred by the City up to the date of the proposed settlement and 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 reasonable discretion and the applicant shall remain liable.

____/____/____

- 6. 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. ___/___/___

- 7. 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. ___/___/___

- 8. 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. ___/___/___

- 9. 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. ___/___/___

- 10. Copies of the signed Planning Commission Resolutions of Approval; 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. ___/___/___

- 11. 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. ___/___/___

12. 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 _____

13. The Applicant or a representative shall execute an Affidavit indicating that he/she is aware of all of the terms and accepts all the conditions imposed upon this Conditional Use Permit.

14. Applicant shall be responsible for filing any and all pertinent documents with the Los Angeles County Recorder's Office. Copies of all recorded documents shall be maintained on file with the City of Bell.

15. The applicant shall agree to maintain the property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, signs and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at applicant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) sweeping and trash removal; (ii) the care of all shrubbery, plantings, and other landscaping in a healthy condition and replacement of diseased or dead plant material with new material at an age similar to the material being replaced; (iii) maintenance of all irrigation systems in properly operating condition; and (iv) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such paving at all times be kept in a level and smooth condition.

B. Time Limits

1. 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 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. Tarps are prohibited from use as carports, patio covers, shade covers, and covers for outdoor storage in all front and side setback areas, rear yard areas, and over driveways and in parking and circulation areas. _ / _ / _
6. 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. _ / _ / _
7. 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 prior to issuance of any permits. _ / _ / _
8. Approval of this request shall not waive compliance with all sections of the Bell Municipal Code, all other applicable City Ordinances, and applicable Development Codes in effect at the time of building permit issuance. _ / _ / _
9. The location of all backflow devices shall be approved by the City prior to installation. Backflow devices shall be screened with landscaping as approved by the City. _ / _ / _
10. There will be two trash enclosure installed on the site and shall include automatic locking solid metal doors and a decorative cover subject to the approval of the Community Development Department. 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. _ / _ / _

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| <p>11. <input checked="" type="checkbox"/> 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.</p> | <p>___/___/___</p> |
| <p>12. <input checked="" type="checkbox"/> All building numbers and individual units shall be identified in a clear and concise manner, including proper illumination.</p> | <p>___/___/___</p> |
| <p>13. <input checked="" type="checkbox"/> Stamped and stained concrete shall be installed within the front setback of each entry driveway. The color and design shall be approved by the Community Development Department.</p> | <p>___/___/___</p> |
| <p>14. <input checked="" type="checkbox"/> All parkways, open areas, and landscaping shall be permanently maintained by the property owner, or other means acceptable to the City.</p> | |
| <p>15. <input checked="" type="checkbox"/> There will be no deviation from the approved 96 parking spaces, including reserved parking, compact parking, loading spaces, car and vanpool parking and any other ancillary forms of parking provided.</p> | |
| <p>16. <input checked="" type="checkbox"/> All storage, including any equipment and/or supplies and storage racks will be located within the building and no outside storage will be allowed.</p> | |
| <p>17. <input checked="" type="checkbox"/> Prior to issuance of grading permit, 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.</p> | <p>___/___/___</p> |
| <p>18. <input checked="" type="checkbox"/> All standard vehicle parking spaces shall be 9 feet wide by 20 feet long. All compact spaces shall be 7.5 feet wide by 15 feet long. When a side of any parking space abuts a building, wall, support column, or other obstruction, the space shall be a minimum of 11 feet wide. There will be 32 truck parking spaces abutting the east elevation.</p> | <p>___/___/___</p> |
| <p>19. <input checked="" type="checkbox"/> All driveway and parking areas shall not incorporate center swales. All drainage in parking lot areas shall be underground and shall not incorporate open gutters or center swales.</p> | |
| <p>20. <input checked="" type="checkbox"/> Walls and fencing shall be developed consistent with the approved site plan and shall be installed as follows: All chain link fencing at the site will be removed. A six-foot high decorative wall will be installed on the west and north property lines. Additionally, a 14 foot high concrete screen wall, matching the building color, shall be installed behind the front setback at the eastern driveway to screen the loading docks, trucks and parking area. The 14 foot wall shall return along the east property line 100 feet and then step down to 10 feet in height for 50 feet. The eastern wall shall be six feet in height for the remaining distance to the rear property line. A wrought iron rolling gate with metal backing shall be installed at the eastern driveway.</p> | |

- 21. All loading and unloading shall be conducted within the interior of the subject property. Loading and unloading is prohibited on City of Bell public streets. ___/___/___
- 22. Graffiti shall be removed within 24 hours at the sole cost and expense of the property owner.
- 23. 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. ___/___/___

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. All building drainage shall be interior with no exterior downspouts or gutters. All building details shall be included in building plans. ___/___/___
- 4. All textures, materials, and colors utilized on exterior elevations of the building shall be submitted to the Community Development Director for approval. All approvals must be obtained prior to the installation. All colors and materials shall be approved separately from the design approval and from working drawings. ___/___/___

- 5. Roll-up doors and service doors shall be painted to match main building colors.
- 6. The installation of security bars on the exterior of windows and doors is prohibited.
- 7. No exterior structural alteration or building color change, other than those colors or building treatments originally approved by this application, shall be permitted without the prior approval of the Community Development Director.

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 200 square feet*
 - b. *Warehousing - 1 space per 1,000 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 total of 10,010 square feet of landscaping will be installed in the front of and throughout the site. The front yard setback will include 21-33 feet of landscaping, all of which will include a minimum of 36" box trees, mounded sod and foundation planting and shrubs. ___/___/___
- 2. A detailed landscape and irrigation plan, shall be prepared by a licensed landscape architect and submitted for Community Development Director review and approval prior to the issuance of building permits.
- 3. A minimum of 30% of trees planted within industrial projects shall be specimen size trees - 36-inch box or larger. ___/___/___
- 4. Within parking lots visible to the public, trees shall be planted at a rate of one 15-gallon tree for every five parking stalls. ___/___/___
- 5. 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. ___/___/___

- 6. 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 City of Bell prior to issuance of grading permits. ___/___/___
- 7. 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. ___/___/___
- 8. Landscaping and irrigation shall be designed to conserve water through the principles of water efficient landscaping and meet all applicable standards for the City of Bell. ___/___/___

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. 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. ___/___/___
- 3. The following measures shall be implemented by the contractor 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.

___/___/___

___/___/___

___/___/___

___/___/___

___/___/___

K. Site Construction

- 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 a.m. and 9:00 a.m.; and 4:00 p.m. and 6:00 p.m. Applicant shall observe all City noise standards at all times. ___/___/___
- 5. Prior to the issuance of a certificate of occupancy, the developer shall submit a final grading certification signed and stamped by civil and grading contractor. ___/___/___

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. If there are any existing sewage disposal facilities found, they shall be removed, filled and/or capped to comply with the California Building and Plumbing Codes. ___/___/___
- 2. Any 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. All improvement and grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by the registered civil engineer or other registered professional as required. ___/___/___

2. Prior to the issuance of a grading permit, the applicant shall demonstrate to the Director of Community Development Department 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. 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 Watershed Management Program accompanying LID and Green Street Policies. _ / _ / _
4. 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.*
5. The pad grading certification and compaction reports shall be completed, submitted, and approved by the City Engineer prior to the issuance of building permits. _____/_____/_____
6. 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. _____/_____/_____
7. 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 descendents 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

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

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 site plan. 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 site plan.

9. 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.

10. 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. Surety with an agreement shall be executed guaranteeing completion of all on-site drainage facilities necessary for dewatering all parcels to the satisfaction of the Building and Safety Official prior to the issuance of grading permits. _____/_____/_____

11. All slope banks in excess of 5 feet in vertical height shall be seeded with native grasses or planted with ground cover for erosion control upon completion of grading or some other alternative method of erosion control shall be completed to the satisfaction of the Building and Safety Official. In addition, a permanent irrigation system shall be provided. _____/_____/_____

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

O. Traffic

- | | |
|--|-------------|
| 1. <input checked="" type="checkbox"/> 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. <input checked="" type="checkbox"/> 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. <i>Clearly denote lane closures, detours, and turning restrictions, with appropriate signs and other traffic control devices to alert travelers;</i> | |
| b. <i>Ensure vehicular and emergency access to the project area is maintained during construction; and</i> | |
| c. <i>Maintain pedestrian circulation; and</i> | |
| d. <i>Construction equipment traffic shall be controlled by flaggers, as appropriate.</i> | |
| 3. <input checked="" type="checkbox"/> The TMP shall be reviewed and approved by the City Engineer for compliance with the California Manual on Uniform Traffic Control Devices. The TMP shall be implemented by a qualified contractor holding a valid C31 license. | |
| 4. <input checked="" type="checkbox"/> 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. | ___/___/___ |
| 5. <input checked="" type="checkbox"/> 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. | ___/___/___ |
| 6. <input checked="" type="checkbox"/> 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. | ___/___/___ |

7. The applicant shall pay a one-time traffic mitigation fee to the City in the amount of \$197,398 (see table below). This fee shall be paid prior to the issuance of building permits.

___/___/___

Summary of Mitigation Costs

Project Description	Total Project Cost	Project Share	Cost	Notes
Improvements at Bandini/Eastern	\$ 672,000	18.4%	\$123,648	Identified in Speculation Traffic Study
Reconstruction of Bandini from Eastern to Yeager	\$ 2,650,000	2.5%	\$66,250	Project Share Estimated as percent of truck traffic on Bandini per the Speculation Traffic Study
Traffic Study and Additional Striping in the Atlantic/Bandini/I-710 Area	\$ 75,000	10.0%	\$7,500	Mitigation identified as Cumulative in Bell Business Center Study
Total Mitigation Cost			\$197,398	(to be paid by developer)

P. Street Improvements

1. If the applicant/ developer proposes subdivision map, the tentative tract or parcel map shall be recorded as one tract/parcel map, but may be developed in phases. If a construction phasing for the off-site public improvements is required, a construction phasing plan shall be reviewed and approved by the Director of Community Development Department prior to recordation of the final map. Financial security shall be provided for the entire improvements required for the project development prior to approval of the final map by the City Council.

___/___/___

2. Improvement plans shall be based upon a centerline profile extending beyond the project boundaries a minimum distance of 150 feet at a grade and alignment approved by the City Engineer.

___/___/___

3. The street design and improvement concept of this project shall be coordinated with adjacent improvements.

___/___/___

4. Prior to recordation of a final map, the applicant/developer shall enter into an agreement and 100 percent securities (faithful performance and labor & material) guaranteeing design and construction of public improvements including, but not limited to the following:

Street improvements including pavements, curb and gutter, sidewalks, driveway approaches, street lights, signing, striping, traffic signal, public storm drain facilities, landscaping, undergrounding of utility lines.

5. The street improvement plans shall comply with the following design standards throughout this project:

- a) All driveway approaches shall conform to alley type per City of Bell standard and shall be shown on the street improvement plans.
- b) Lot access shall be restricted except at intersections or pre-approved locations and shall be so noted on the final map.
- c) Street centerline radii shall be a minimum of 1,500 ft.
- d) The minimum centerline and flow line grades shall be one (1%) percent unless otherwise approved by the City Engineer.
- e) All reverse curves shall include a minimum tangent of fifty (50) feet in length.
- f) Utility trenches shall be in accordance with City Standard and subject to the City Engineer.
- g) Street lights shall be provided along streets adjoining and within the subject site in accordance with Standard or as approved by the City Engineer. Pull boxes shall be No. 6 at the intersections and No. 5 along streets, a maximum of 200 feet apart staggered. Conduit shall be 3-inch galvanized steel with pull rope or as specified.
- h) ADA access ramps and path of travel shall be installed on all corners and driveways per City Standards and as directed by the City Engineer.
- i) 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.
- j) Concentrated drainage flows shall not cross sidewalks. Under sidewalk drains shall be installed to City Standards.

6. 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. 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. Applicant shall agree to maintain the property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, signs and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at applicant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) sweeping and trash removal; (ii) the care of all shrubbery, plantings, and other landscaping in a healthy condition and replacement of diseased or dead plant material with new material at an age similar to the material being replaced; (iii) maintenance of all irrigation systems in properly operating condition; and (iv) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such paving at all times be kept in a level and smooth condition.
3. 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. 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.

___/___/___

___/___/___

3. A permit from the Los Angeles County Flood Control District is required for new connections and work within its right-of-way. _ / _ / _
4. Drainage easements, when required, shall be shown on the final map and noted as follows: "Drainage Easement - no buildings, obstructions, or encroachments by landfills are allowed." _ / _ / _
5. Prior to the approval of the improvement plans, the hydrology study shall show that the 25-year storm flow will be contained within the street from curb to curb and the 50-year storm flow shall be contained within the street right-of-way. When either of these criteria are exceeded, additional drainage facilities shall be installed. _ / _ / _
6. Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. ' Secondary emergency flow bypass shall also be provided as approved by the Director of Public Works. _ / _ / _
7. A parcel shall drain toward the street unless otherwise approved by the City Engineer. The drainage to the street shall be by side yard swales independent of adjacent lots or by an underground piping system in accordance with City standards. Concentrated drainage on commercial lots shall be diverted through parkway drains under sidewalks. _ / _ / _
8. The project shall be designed to accept and properly dispose of all off-site drainage flowing onto or through the site. The storm drain design and improvements shall be subject to review and approval of the City Engineer. The City does allow use of streets for drainage purposes in most instances. Should the quantities exceed the street capacity or if the use of streets is prohibited for drainage purposes, the developer shall provide adequate facilities as approved by the City Engineer. _ / _ / _
9. The fire access roadway plan shall be submitted to the County of Los Angeles Fire Department and the City Engineer for approval. _ / _ / _
10. 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. _ / _ / _
11. Drainage easements for safe disposal of surface water that are conducted onto or over adjacent properties are to be delineated and recorded to the satisfaction of the Building and Safety Official prior to the issuance of grading and building permits. _ / _ / _
12. On-site drainage improvements, necessary for dewatering and protecting the subdivided properties, are to be installed prior to issuance of Certificate of Occupancy permit for construction upon any parcel that may be subject to drainage flows entering, leaving, or within a parcel relative to which a building permit is requested. _ / _ / _

S. Lot Merger

- 1. The developer shall process and record a Certificate of Compliance or Conditional Certificate of Compliance in accordance with the provisions of Section 66499.35 of Subdivision Map Act with the purposed of consolidating parcels 6332-005-017,018,019 & 20 and hold all parcels as one lot, to be completed no later than a year from the approval date. ___/___/___
- 2. Prior to the issuance of a an occupancy permit, the developer shall process and record a Lot Merger to consolidate 4 parcels (APN 6332-005-017, 018, 019 & 20) to one parcel per Subdivision Map Act.
- 3. Prior to the issuance of a certificate of occupancy, the developer shall process and record a quitclaim of easement if determined unnecessary.
- 4. Pedestrian easements for public sidewalks to be placed outside the public right-of-way shall be dedicated to the City. ___/___/___
- 5. The separate parcels contained within the project boundaries shall be legally combined into one parcel prior to issuance of building permits. ___/___/___

T. Utilities

- 1. Before issuance of grading permits the developer shall obtain approval from the all interested utility agencies and the City to 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 to underground. ___/___/___
- 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. ___/___/___

U. General Requirements and Approvals

- 1. Permits shall be obtained from the following agencies for work within their right-of-way:
 - a. *City of Commerce* ___/___/___
 - b. *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.

___/___/___

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

V. Security Lighting

1. That the applicant agrees to maintain proper lighting on the property that promotes a secure and safe environment. A lighting plan, including a photometric diagram, shall be submitted with the building and site plans prior to issuance of a building permit and it shall be subject to approval by the City. The lighting plan shall demonstrate that all on-site lighting will be shielded and that direct light will be confined within site boundaries.
2. 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.
3. 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.
4. 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.
5. 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.

___/___/___

Y. 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.

Z. Modifications to Conditions of Approval

1. Should the Bandini Speculation Project deviate from being a 64,414 sq. ft. warehouse distribution building with 7,634 square feet of support office, 96 vehicular parking spaces, 16 dock doors, 32 truck parking spaces, and 10,010 square feet of landscaping, the City reserves the right (but not the obligation) to require Applicant to seek new entitlements based on the revised Project.

____/____/____

EXHIBIT 2

Mitigated Negative Declaration

AND

**EXHIBIT 3
Mitigated Monitoring and Reporting Program**

ARE UNDER SEPARATE COVER