

P.C. RESOLUTION NO. 2008-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES APPROVING CASE NO. ZON2007-00492 (CONDITIONAL USE PERMIT #96 – REVISION “D”, GRADING PERMIT, MINOR EXCEPTION PERMIT, SIGN PERMIT, AND ENVIRONMENTAL ASSESSMENT), TO ESTABLISH A MASTER PLAN FOR THE ST. JOHN FISHER CHURCH AND SCHOOL PROPERTY INCLUDING THE CONSTRUCTION OF 32,426 SQUARE FEET OF NEW BUILDING AREA, THE DEMOLITION OF 10,329 SQUARE FEET OF EXISTING FACILITIES, A REMODEL OF 26,544 SQUARE FEET, A TOTAL OF 30,688 CUBIC YARDS OF ASSOCIATED GRADING AND A NEW MONUMENT SIGN ATTACHED TO THE NEW SANCUTARY FOR THE PROPERTY AT 5448 CREST ROAD, LOCATED AT THE SOUTHEAST CORNER OF CREST ROAD AND CRENSHAW BOULEVARD.

WHEREAS, on April 23, 1985, the Planning Commission approved Conditional Use Permit #96, thereby allowing the construction of a new social/meeting hall (Barrett Hall); and,

WHEREAS, on July 22, 1986, the Planning Commission approved Conditional Use Permit #96 – Minor Revision, thereby allowing the construction of a 121 square foot trellis over an existing sun deck, located above the garage of the church rectory; and,

WHEREAS, on January 11, 1994, the Planning Commission approved, with condition, Variance #116 and Conditional Use Permit #96 – Revision “B”, thereby allowing the construction of a 36’-6” tall elevator for access to the lower level meeting room, a 1,004 square foot expansion of the existing sanctuary and a 50’-0” tall bell tower and bells with a 15’-0” tall cross affixed to the top of the tower, for a maximum overall height of 65’-0”; and,

WHEREAS, on February 7, 1994, the applicant submitted a letter to the Planning, Building and Code Enforcement Department stating that the proposed tower and bells were eliminated from Conditional Use Permit #96 – Revision “B” due to funding restrictions and, as a result, would not be constructed; and,

WHEREAS, on February 11, 1997, the Planning Commission approved, with conditions, Conditional Use Permit, #96 – Revision “C”, thereby allowing the construction of 3,189 square feet, in two phases, to provide 10 elementary school classrooms; and,

WHEREAS, on October 5, 2007, Hyndman and Hyndman, representing St. John Fisher Church and School, submitted Case No. ZON2007-00492 including applications for a Conditional Use Permit #96 – Revision “D”, Grading Permit, Minor Exception Permit, Sign Permit and Environmental Assessment, for the subject property at 5448 Crest Road; and,

WHEREAS, on October 29, 2007 the project was deemed incomplete by Staff pending the submittal of additional information on the project plans and review and

approval from the Fire Department, City Traffic Consultant, City Geologist and City's National Pollution Discharge Elimination System (NPDES) Consultant; and,

WHEREAS, on April 29, 2008, upon submittal of all required information, the project was deemed complete by Staff; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulation, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes prepared an Initial Study and determined that, with appropriate mitigation, there is no substantial evidence that the approval of ZON2007-00492 would result in a significant adverse effect upon the environment and, therefore, a Mitigated Negative Declaration has been prepared and notice of same was given in the manner required by law; and,

WHEREAS, on May 31, 2008, a public notice was mailed to 102 property owners who reside within a 500-foot radius of 5448 Crest Road (St. John Fisher) and concurrently published a public notice in the *Peninsula News*; and,

WHEREAS, on June 4, 2008, a Mitigated Negative Declaration was circulated to the County Recorder for a posting and comment period of at least twenty (20) days and circulated to all appropriate public agencies for comments; and,

WHEREAS, after notice issued pursuant to the requirements of the Rancho Palos Verdes Development Code and CEQA, the Planning Commission held a duly noticed public hearing on June 24, 2008, at which time all interested parties were given an opportunity to be heard and present evidence; and,

WHEREAS, on June 24, 2008, the Planning Commission continued the item to the July 22, 2008 Planning Commission meeting to allow time for the applicant to address concerns with the height of the proposed sanctuary and steeple and provide clarification on the methodology used to determine the number of provided parking spaces; and,

WHEREAS, on July 2, 2008 the applicant submitted modified plans and updated information to Staff; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on July 22, 2008, at which time all interested parties were given an opportunity to be heard and present evidence; and,

WHEREAS, on July 22, 2008, the Planning Commission continued the item to the September 23, 2008 Planning Commission meeting to allow time for the applicant to consider providing a sound study to determine if any significant impacts would result from the proposed bells, a shadow study to determine if the height and/or scale of the sanctuary would create any significant impacts to surrounding properties, a copy of St. John Fisher's

recent parking counts, further clarification on the applicant's parking analysis and consideration from the applicant to provide additional parking on high peak days; and,

WHEREAS, on September 23, 2008, the Planning Commission held a duly noticed public hearing, at which time all interested parties were given an opportunity to be heard and present evidence; and,

WHEREAS, on September 23, 2008, the Planning Commission conceptually approved Case No. ZON2007-00492 and directed Staff to bring back the appropriate resolutions with Conditions of Approval; and,

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

Section 1: The site is adequate in size and shape to accommodate the intended use and implementation of the Project, as the site measures 399,804 square feet (9.2 acres), the majority of the site is relatively flat (less than 5% slope) and is large enough to accommodate the construction of a new sanctuary, administration building, art room, library, a new preschool, ancillary offices and storage area, and the elements of the Master Plan comply with the general development standards of the RPVMC. Additionally, the proposed parking and parking analysis was reviewed and determined to be adequate by the City's consulting Traffic Engineer.

Section 2: The site for the proposed uses relates to streets and highways that are properly designed to carry the type and quantity of traffic generated by the subject use as a traffic impact study, which was reviewed and approved by the City's Traffic Engineer, indicates that the increase in trip generation that would be caused by the Project is negligible and would not require mitigation as a result of the proposed Project. Further, a parking analysis was reviewed and approved by the City's Traffic Consultant whereby the highest number of parking spaces necessary to accommodate potential vehicles during the highest peak hours of operation for the entire property would be 331 parking spaces. Therefore, the Planning Commission hereby concludes that, as conditioned, the off-street parking that is proposed for the Project will be adequate to accommodate the uses that are conducted on site, even during the days and hours of peak use.

Section 3: There will be no significant adverse effect on adjacent property or the permitted use thereof because mitigation measures have been incorporated that reduce the potential impacts of the Project on Aesthetics, Air Quality, Geology and Soils, Hydrology and Water Quality, and Noise to an insignificant level. Further, additional conditions have been incorporated into the design of the Project that reduce to an insignificant level the potential impacts of the institutional use and related buildings on adjacent properties and the residents thereof. In that regard, a study was conducted to determine if the height of the proposed building and steeple will cast a shadow over adjacent residential properties. The conclusion of that study was that because of the size and configuration of the subject property, the height of the structures will not cast shadows on adjacent properties. Residents in the community also raised concerns about potential impacts that would be caused by the installation of bells within the steeple that will ring

periodically. After having heard the sound of the proposed bells, and imposing conditions that will regulate the time of day when the bells can be rung, and limiting the number of times and the duration of the ringing, the Planning Commission hereby finds that, as conditioned, the bells will not cause a significant adverse impact upon adjacent properties.

Section 4: The proposed Project is consistent with the General Plan's Institutional land use designation of the site, and with the types of land uses permitted within the Development Code's Institutional zoning district as the General Plan states that *"the City shall encourage the development of institutional facilities to serve the political, social and cultural needs of its citizens."*

Section 5: Conditions have been imposed to protect the health, safety and general welfare, which include setback and buffers, lighting, vehicular ingress and/or egress, landscaping, maintenance of structures, and other conditions, as identified in Exhibit "B," which is attached hereto and incorporated herein by this reference.

Section 6: The proposed grading is necessary for the implementation of the Project and the associated construction for the permitted primary use of the lot due to the size of the lot (9.2 acres) and the fact that a majority of the proposed grading will occur within the developed portions of the property.

Section 7: The proposed grading and/or related construction would not significantly adversely affect the visual relationships with nor views from the viewing area of neighboring properties as a majority of the existing grade elevations will be maintained between grade elevation 1219' and 1222', which are heights that do not interfere with the visual relationships with, nor views from, the viewing area of neighboring properties.

Section 8: The proposed grading minimizes disturbances to the natural contours and the finished contours are reasonably natural, as all grading will include blending man-made or manufactured slopes into the natural topography.

Section 9: The grading would not cause excessive and unnecessary disturbance of the natural landscape or wildlife habitat through the removal of vegetation as there is no evidence of natural landscape or wildlife on the property or within the surrounding neighborhood.

Section 10: The grading application is consistent with the purpose and intent of the Section 17.76.040, since it provides for the reasonable development of the parcel with an institutional use.

Section 11: Approval of the grading permit will not constitute a special privilege with limitations upon other properties in the vicinity as the surrounding neighborhood is inundated with hillside properties that utilize retaining walls and grading techniques. Further, the subject property has an existing pad area that will be maximized to accommodate the new construction in the connection with the Project.

Section 12: The proposed grading will not be detrimental to the public safety, nor to other properties as the City's geotechnical consultant will be required to approve a soil engineering report for the grading and retaining walls. Further, all structures and retaining walls will be required to be engineered to meet the requirements of the building code.

Section 13: The proposed grading is acceptable as the maximum height of cut and/or fill of remedial grading was determined by a geology and soils report submitted by the applicant and approved "in-concept for planning purposes" by the City's Geologist.

Section 14: The minor exception to allow three combination walls to exceed 6'-0" from the highest elevation is necessary to avoid inconsistencies with the general intent of Title 17 of the RPVMC as there will be greater than 30" of fall adjacent to the neighboring properties and other areas of the subject property. The applicant will be required to construct a guardrail or fence on top of the proposed retaining walls to protect the safety of people on the subject property and adjacent properties.

Section 15: The minor exception is warranted as the height of the combination wall will not be detrimental to the public safety and welfare as the fence on top of the proposed retaining walls provide a safety barrier for people between the subject lot and the neighboring properties to the south and east as well as for the play area for the students and pedestrians in the parking lot.

Section 16: The minor exception is warranted as the line of sight over or through the fences is adequate for safety and the walls do not significantly impair a view from the viewing area of an adjacent parcels as there are no views over the site that are enjoyed from the viewing areas of adjacent parcels.

Section 17: The minor exception permit is warranted as the proposed combination walls will be located outside of the intersection visibility triangle.

Section 18: The minor exception permit is warranted as the retaining portion of the combination walls do not exceed the grading limits set forth in Section 17.76.040 of the RPVMC.

Section 19: The proposed signs are consistent with the sign standards of the City's Development Code and, accordingly, are approved for that reason.

Section 20: Any interested person aggrieved by this decision or by any portion of this decision may appeal to the City Council. Pursuant to Sections 17.02.040(C)(1)(g) of the Rancho Palos Verdes Municipal Code, any such appeal must be filed with the City, in writing, setting forth the grounds of the appeal and any specific actions requested by the appellant, and accompanied by the appropriate appeal fee, no later than fifteen (15) days following October 14, 2008, the date of the Planning Commission's final action.

Section 21: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby conditionally approves a

Conditional Use Permit #96 – Revision “D”, Grading Permit, Minor Exception Permit and Sign Permit (Planning Case No. ZON2007-00492) for the establishment of a Master Plan for the St. John Fisher Church and School property including: 32,426 square feet of new building area for a new sanctuary, preschool, administration building, library, art room, storage area, storage garage and offices; demolition of 10,329 square feet, including the existing rectory, youth building and offices; remodel 26,544 square feet of existing building area, including existing offices, classrooms, converting the existing convent into a new rectory and converting the existing sanctuary into a new gymnasium; a total of 30,688 cubic yards of grading, including 19,694 cubic yards of raw cut and 10,994 cubic yards of raw fill, resulting in 8,700 cubic yards of exportation; and a new monument sign, attached to the sanctuary, at the corner of Crest and Crenshaw, located at 5448 Crest Road, subject to the conditions of approval in the attached Exhibit 'B', which is incorporated herein by this reference.

PASSED, APPROVED, and ADOPTED this 14th day of October 2008 by the following roll call vote:

AYES: **Commissioners Ruttenberg, Vice Chair Lewis, and Chair Perestam**

NOES: **Commissioners Gerstner and Knight**

ABSTENTIONS: **Commissioner Tetreault**

ABSENT:

RECUSALS: **Commissioner Tomblin**


Stephan Perestam
Chairman

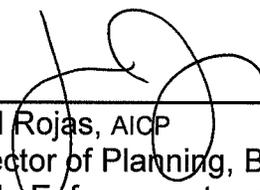

Joel Rojas, AICP
Director of Planning, Building and
Code Enforcement; and, Secretary
to the Planning Commission

Exhibit "B"
Conditions of Approval
Case No. ZON2007-00492
(Conditional Use Permit #96 – Revision "D", et. all.)

General

1. All mitigation measures contained in the approved Mitigation Monitoring Program contained in P.C. Resolution No. 2008-34 for the Mitigated Negative Declaration, shall be incorporated into the implementation of the proposed Project and adhered to, and are incorporated herein by reference.
2. The proposed Project, including site layout, the building and appearances, and signage throughout the site, shall be constructed and maintained in substantial compliance with the plans reviewed and approved by the Planning Commission on October 14, 2008, and stamped APPROVED by the City with the effective date of the Notice of Decision.
3. The Conditions of Approval contained herein shall be subject to review and modifications, as deemed necessary and appropriate by the Planning Commission, six (6) months after issuance of a final Certificate of Occupancy for all structures within Phase One to review the applicant's compliance with the conditions of approval, and if the conditions are accomplishing their intended purposes. Notice of said review hearing shall be published and provided to owners of property within a 500' radius, to persons requesting notice, to all affected homeowners associations, and to the property owner in accordance with Rancho Palos Verdes Development Code Section 17.80.090. At that time, the Planning Commission may add, delete, or modify the conditions of approval as deemed necessary and appropriate. As part of the six month review, the Planning Commission shall consider the on-site lighting, parking conditions, circulation patterns and the hours of operation for the uses permitted on-site, in addition to other concerns raised by the Commission and/or interested parties. If necessary, the Planning Commission may impose more restrictive standards and conditions to mitigate any impacts resulting from the operation of the Project.
4. The Director of Planning, Building and Code Enforcement is authorized to approve minor modifications to the approved plans or any of the conditions if such modifications achieve substantially the same results as would strict compliance with said plans and conditions. Otherwise, all other modifications shall be subject to review and approval by the Planning Commission.
5. Prior to the submittal of plans into Building and Safety plan check, the applicant and the property owner shall submit to the City a statement, in writing, that they have read, understand and agree to all conditions of approval listed below. Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.

6. Prior to the submittal of plans into Building and Safety plan-check, the applicant shall obtain an encroachment permit from the Director of Public Works for any curb cuts or any other temporary or permanent improvements within the public rights-of-way.
7. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Rancho Palos Verdes Municipal Code shall apply.
8. The project development on the site shall conform to the specific standards contained in these conditions of approval or, if not addressed herein, shall conform to the appropriate development and operational standards of the City's Municipal Code.
9. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project pursuant to the revocation procedures contained in Section 17.86.060 of the City's Municipal Code.
10. In the event that any of these conditions conflict with the requirements of another permitting agency or City department, the stricter standard shall apply.
11. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess material may include, but is not limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or fixtures.
12. All applicable permits required by the Building and Safety Division shall be obtained by the applicant prior to the commencement of construction.
13. All mechanical equipment, whether roof-mounted or ground-mounted, shall be adequately screened to the extent practicable from other properties and/or public rights-of-way.
14. The project applicant shall maintain, in good condition, two access driveways. One access driveway shall be maintained from Crest Road and a second access driveway shall be maintained from Crenshaw Boulevard.

Project Description

15. This approval establishes a Master Plan (St. John Fisher Master Plan) for the St. John Fisher property located at 5448 Crest Road. The approved Master Plan identifies a combined total of 32,426 square feet of new building area for a new sanctuary, preschool, administration building, library, art room, storage area, storage garage and offices, 10,329 square feet of existing facilities to be demolished, including offices, a youth building and the existing rectory along the

north property line, and 26,544 square feet of the existing facilities to be remodeled, including converting the existing convent into a new rectory, converting the existing sanctuary into a new gymnasium and remodeling existing classrooms and offices.

16. The approved St. John Fisher Master Plan allows for the following additions to the property:

⇒ A new 17,000 square foot sanctuary (to replace the existing 15,402 square foot sanctuary) to be located at the northwest corner of the subject property. The sanctuary also includes a 900 square foot basement for the housing of mechanical equipment. The new sanctuary will be circular in shape, whereby the main structure will range in height from 15'-0" at the northeast end of the structure to 43'-0" at the southwest. In addition, the new sanctuary will include a steeple, at the west end of the structure, with a maximum height of 60'-0" to the top of the steeple and 74'-0" to the top of the cross which will be affixed to the top of the steeple.

⇒ A new 9,788 square foot administration building (7,488 square foot first floor and 2,300 square foot basement); and

⇒ A 1,074 square foot addition for the creation of two new classrooms for the preschool; and

⇒ A new 1,289 square foot art room at the northwest corner of the existing classrooms; and

⇒ A new 1,217 square foot school library at the northeast corner of the existing classrooms; and

⇒ A 304 square foot expansion to Barrett Hall for storage area; and

⇒ A new 454 square foot garage at the southeast corner of the property, adjacent to the priest's new rectory (previously a convent); and

⇒ A 400 square foot addition north of the existing music room to accommodate two (2) new offices.

17. The style and exterior materials of the proposed buildings shall be consistent with the architectural plans presented to and approved by the Planning Commission on October 14, 2008.

Lighting

18. Exterior lighting shall be in compliance with the standards of Section 17.56.040 of the Rancho Palos Verdes Development Code and as identified and conditioned in the Certified Mitigated Negative Declaration.

19. All exterior lighting shall be arranged and shielded as to prevent direct illumination of surrounding property and to prevent distraction of drivers of vehicles on public rights-of-way. Luminaries shall be of low-level, indirect and diffused type.
20. No one light fixture shall exceed 1,200 watts and the light source shall not be directed toward or result in direct illumination of an adjacent parcel of property or properties other than that upon which such light source is physically located. All exterior lighting shall be arranged and shielded so as to prevent direct illumination of abutting properties and to prevent distraction of drivers of vehicles on public rights-of-way.
21. No building-mounted outdoor lighting shall be permitted where the light source or fixture is mounted more than sixteen (16) feet above grade, as measured from grade, adjacent to the building.
22. All outdoor lighting, including all outdoor illuminated signs, shall be turned off by 1 A.M. Monday through Sunday, except for lighting used for security, lighting of the sanctuary on Christmas Eve and Easter Vigil, which shall be turned off by 2 A.M, and additional security lighting the first Friday of every month. The applicant shall provide the Planning Department with a lighting plan for review and approval by the Planning Director that indicates the lights that will remain lit throughout the evening for security.
23. After installation of all lighting, but prior to Issuance of Certificate of Use and Occupancy of the proposed sanctuary and parking lot, the developer shall request that the City conduct an inspection of the site to ensure that there is no spill-over of light onto adjacent properties. A trial period of six (6) months from issuance of Certificate of Use and Occupancy for assessment of exterior lighting impacts shall be instituted. At the end of the six-month period, the City may require additional screening or reduction in intensity of any light that has been determined to be excessively bright.

Grading and Drainage

24. This approval allows a total of 30,688 cubic yards of grading with the following quantity breakdown:
 - a. 19,694 cubic yards of excavation
 - b. 10,994 cubic yards of fill
25. Stockpiling of earthwork shall be limited to a maximum of 200 cubic yards in any given area, shall not be stockpiled on the property for more than a period of six (6) months, and the applicant shall adequately screen the visibility of all stockpiles to the extent practicable from the public right-of-way, as determined by the City's Building Official.
26. A maximum of 8,700 cubic yards of excavation is permitted for export.

27. The applicant is allowed to construct a total of five (5) retaining walls as described below:
- a. A combination wall along the east property line, adjacent to the existing driveway, shall not exceed a maximum height of 11'-6",
 - b. A combination wall along the west side of the existing driveway, accessed from Crest Road (maximum height of 11'-6"),
 - c. A combination wall to accommodate new parking along the south property line (maximum height of 11'-6"),
 - d. A new retaining wall, just north of the proposed parking lot (maximum height of 7'-6",
 - e. An 8'-0" tall retaining wall between the proposed Parish Activity Center/gymnasium and new sanctuary for a columbarium.
28. The applicant shall install wrought-iron or aluminum decorative fencing for all proposed combination walls. The wrought-iron or aluminum fencing shall be constructed in a manner by which not less than eighty (80%) of the vertical surface is open to permit the transmission of light, air or vision through said surface in a horizontal plane, as described in the development code definition for a "fence" pursuant to the RPVMC.
29. Construction of buildings is prohibited on extreme slopes (35% or greater slope).

Parking

30. Only the uses which are listed in the approved parking analysis that was approved by the Planning Commission on October 14, 2008, shall be allowed to be constructed on the St. John Fisher property. These uses will generally take place in the following structures:
- Sanctuary (assembly space)
 - Elementary School (classrooms)
 - Preschool (classrooms)
 - Administrative Building (office space)
 - School Library
 - Barrett Hall Complex (including the assembly space)
 - Parish Activity Center/Gymnasium (assembly space)
 - Fireside Room (assembly space)
 - Multi-purpose room (assembly space)
 - Rectory (single-family residential)
 - K-8 Religious education (in existing structures)
 - Art Room (classroom)
31. All facilities, activities and/or uses on the St. John Fisher property shall be operated in such a manner so as not to create simultaneous demand for maximum on-site

parking requirements that would exceed 331 spaces when the St. John Fisher School is in session and 392 parking spaces (331 regular spaces and 61 seasonal/peak parking spaces) when school is not in session, without approval from the Director of Planning, Building and Code Enforcement of a Special Use Permit.

32. If an event or activity is proposed that would occupy the parking spaces, thereby reducing available parking by more than 25% of the 331 required parking spaces, a Special Use Permit shall be required.
33. Of the 331 required parking spaces, 265 standard parking spaces shall be provided, which meet the minimum dimensions set forth in Section 17.50 of the RPVMC (9' width by 20' depth).
34. Of the 331 required parking spaces, a maximum 66 compact parking spaces are permitted, provided the spaces meet the minimum dimensions set forth in Section 17.50 of the RPVMC (8' width by 15' depth).
35. In addition to the required 331 parking spaces, the applicant shall provide a minimum of 3 loading spaces, which shall meet the minimum dimensions set forth in Section 17.50 of the RPVMC (10' width by 20' depth with 14' clearance).
36. In addition to the required 331 parking spaces, the property owner shall maintain 61 additional seasonal/peak parking spaces for overflow parking. The seasonal/peak parking spaces shall not be used on days when St. John Fisher Elementary School or Preschool is in session.
37. The seasonal/peak parking areas shall be planted and maintained with turf that is wear-resistant.
38. The seasonal/peak parking spaces shall meet the minimum dimensions and requirements for standard parking spaces (9' width by 20' depth) and compact parking standards (8' width by 15' depth). A maximum of 20% of the seasonal/peak parking spaces may be dedicated for compact parking.
39. The seasonal/peak parking areas shall be located in the areas depicted on the Planning Commission-approved site plan. Specifically, a minimum of 61 seasonal/peak parking spaces shall be located in the turf area just south of Barrett Hall and the courtyard area north of Barrett Hall, south of the existing classrooms.
40. The property owner shall execute an agreement with the property owner of Daughters of Mary and Joseph, to be recorded with the County of Los Angeles, prior to issuance of a building permit and/or grading permit, allowing St. John Fisher to use a minimum of 50% of the Daughters of Mary and Joseph paved parking spaces (45 spaces) for overflow parking on Christmas Eve, Easter Sunday and during the construction period.
41. Throughout all phases of demolition, construction and grading, the applicant shall make reasonable efforts to maintain the 331 required parking spaces. However, at a minimum, the property owner shall maintain a minimum of 217 non-seasonal/peak

parking spaces for the sanctuary at all times during construction.

42. No overnight parking or storage of vehicles associated with construction shall be permitted in the public right-of-way during construction.

Building Heights and Square Footage

43. The new sanctuary shall not exceed a maximum footprint of 17,000 square feet with a 900 square foot basement beneath the main floor. The new sanctuary shall not exceed a maximum height of 15'-0" at the northeast end of the structure and 60'-0" at the top of the steeple and 74'-0" at the top of the cross at the west end of the structure. The sanctuary shall be setback a minimum of 57'-0" from the west street-side property line along Crenshaw Boulevard and 62'-0" from the north street-side property line along Crest Road.

BUILDING AREA CERTIFICATION IS REQUIRED. A LICENSED CIVIL ENGINEER OR SURVEYOR SHALL PREPARE THE CERTIFICATION. CERTIFICATION SHALL BE SUBMITTED TO THE CITY'S BUILDING OFFICIAL FOR REVIEW AND APPROVAL PRIOR TO BUILDING PERMIT FINAL.

SETBACK CERTIFICATION IS REQUIRED. A LICENSED CIVIL ENGINEER OR SURVEYOR SHALL PREPARE THE CERTIFICATION. CERTIFICATION SHALL BE SUBMITTED TO THE CITY'S BUILDING OFFICIAL FOR REVIEW AND APPROVAL PRIOR TO POURING OF FOOTINGS.

BUILDING HEIGHT CERTIFICATION IS REQUIRED. A LICENSED CIVIL ENGINEER OR SURVEYOR SHALL PREPARE THE CERTIFICATION. CERTIFICATION SHALL BE SUBMITTED TO THE CITY'S BUILDING OFFICIAL FOR REVIEW AND APPROVAL PRIOR TO ROOF FRAMING/SHEETING INSPECTION.

44. The new administrative building, along the west side of the existing school, shall not exceed a maximum footprint of 7,488 square feet. Additionally, a 2,300 square foot basement beneath the main floor shall be permitted. The new administrative building shall not exceed a maximum height of 26'-0", as measured from lowest adjacent grade.

BUILDING AREA CERTIFICATION IS REQUIRED. A LICENSED CIVIL ENGINEER OR SURVEYOR SHALL PREPARE THE CERTIFICATION. CERTIFICATION SHALL BE SUBMITTED TO THE CITY'S BUILDING OFFICIAL FOR REVIEW AND APPROVAL PRIOR TO BUILDING PERMIT FINAL.

BUILDING AREA CERTIFICATION IS REQUIRED. A LICENSED CIVIL ENGINEER OR SURVEYOR SHALL PREPARE THE CERTIFICATION. CERTIFICATION SHALL BE SUBMITTED TO THE CITY'S BUILDING OFFICIAL FOR REVIEW AND APPROVAL PRIOR TO BUILDING PERMIT FINAL.

Phasing

45. Installation of any temporary modular buildings, other than those used by the contractor during construction, shall require a Special Use Permit during all phases of the St. John Fisher Master Plan.
46. The proposed St. John Fisher Master Plan is broken up into two main phases as described below. If within one year of the final effective date of the Notice of Decision, the applicant has not submitted an application for a building permit for the approved project or not commenced the approved project as described in Phase One below, approval of the project shall expire and be of no further effect unless, prior to expiration, a written request for extension is filed with the Department of Planning, Building and Code Enforcement and approved by the Director. All elements of the approved Master Plan that are not submitted as described in Phase One and Phase Two below, shall require additional future review and approval through the CUP process and additional CEQA review. Phase One and Phase Two are described as follows:
 - a. Phase One: Phase One includes the construction of the new sanctuary, remodel of the existing sanctuary into a gymnasium/parish activity center, construction of a new parking lot, demolition of the existing rectory and youth building on the north and east sides of the property, remodel/conversion of existing convent into rectory and site work that will not be impacted by future phase construction. The Planning Entitlements for all construction described under "Phase One" shall remain in full force and effect for a maximum of one (1) year from the final effective date of the Notice of Decision for the St. John Fisher Master Plan unless construction plans have been submitted to Building and Safety for plan check.
 - b. Phase Two: Phase Two includes the construction of the new administration building, remodel the existing administration building into meeting rooms, construction of a new preschool, library, and art room and remaining site work associated with phase two construction. The Planning Entitlements for all construction described under "Phase Two" shall remain in full force and effect for a maximum of five (5) years from the final effective date of the Notice of Decision for the St. John Fisher Master Plan unless construction plans for the final phase of construction have been submitted to Building and Safety for plan check.

Affordable Housing Requirement

47. The property owner and/or applicant shall provide affordable housing as required by Section 17.11.140(A) (Affordable Housing) of the RPVMC prior to issuance of the first Certificate of Occupancy associated with the St. John Fisher Master Plan, unless the applicant demonstrates to the satisfaction of the Director of Planning,

Building and Code Enforcement that they are exempted from such requirement pursuant to the exemptions described in Section 17.11.140(B) of the RPVMC.

Landscaping

48. A Landscape Plan shall be submitted to the City and approved by the City's Landscape Consultant prior to issuance of a Building Permit or Grading Permit. The proposed landscaping shall be in substantial compliance with the Planning Commission approved Landscape Plan provided on September 23, 2008 and shall screen the new sanctuary from neighboring properties and the surrounding rights-of-way, and shall be in substantial compliance with the site plan reviewed and approved by the Planning Commission on September 23, 2008. The landscaping plan shall also indicate the species, growth rate and maximum heights of all proposed trees.
49. The applicant shall retain a majority of the existing mature trees located along the west street side property line, along Crenshaw Boulevard. Included in the Landscape Plan identified in Condition No. 48, the applicant shall submit a Tree Retention Plan indicating which existing trees will be removed and which trees will be maintained in a thriving manner along Crenshaw Boulevard. Said plan shall be reviewed and approved by the Director of Planning, Building and Code Enforcement prior to issuance of grading permits or building permits.
50. All landscaping at the corner of Crest and Crenshaw Boulevard shall be planted and installed prior to issuance of Certificate of Occupancy of the new sanctuary to the satisfaction of the Director of Planning, Building and Code Enforcement.
51. Trees provided for screening of the new sanctuary at the corner of Crest Road and Crenshaw Boulevard shall consist of non-deciduous trees and shall be reviewed and approved by the City's Landscape Consultant.
52. All existing trees that are not affected by the proposed construction, shall be maintained in a thriving manner.
53. Landscaping shall be provided and maintained along south property line, adjacent to the parking lot. In the event the required landscaping is destroyed and/or removed, the property owner shall either install a 5'-0" tall masonry wall along the south property line or restore the landscaping to adequately screen the parking lot from the residential neighborhood to the south, as determined by the Director of Planning, Building and Code Enforcement.

Bell Schedule

54. The carillon bells are permitted to ring on the following days and times only:
 - a. Monday through Saturday at 8:00 AM, 12:00 PM, and 6:00 PM; and
 - b. Either shortly before or at the commencement of Sunday Masses, for a maximum of six (6) times, not before 8:50 AM or after 6:00 PM; and

- c. Christmas Eve Masses, but at no time before 8:00 AM or after 6:00PM; and
 - d. After Weddings, but at no time before 8:00 AM or after 6:00PM; and
 - e. After Funerals, but at no time before 8:00 AM or after 6:00PM; and
 - f. the following Holy Days: 1) The Assumption of the Blessed Mother (August 15), 2) All Saints Day (November 1), and 3) The Immaculate Conception (December 8), but at no time before 7:00 AM or after 6:00PM.
55. The carillon bells shall not chime for more than a period of 90 seconds at each allotted time.
56. The speakers for the carillon bells shall face the interior of the lot and shall not directly face any adjacent residential properties.
57. The speakers for the carillon bells shall not exceed a maximum height of 16'-0", as measured from grade, adjacent to the location of the bells on the sanctuary.
58. The speakers for the carillon bells shall be setback a minimum of 110'-5" from any property line, as noted on the approved project plans.
59. The speakers for the carillon bells shall only be used for the sounding of bells at the approved times.
60. No later than two (2) months after installation of the carillon bells, the Planning Commission shall review the impacts of the carillon bells to assess the effectiveness of the Conditions of Approval in minimizing the impacts of the bells to neighboring properties. To address this concern, the applicant will be required to submit a Trust Deposit to cover the cost of a City-Approved Noise Consultant to measure the decibel rating of the carillon bells and prepare a report that will be presented to the Planning Commission. At that time, the Planning Commission may add, relieve, delete and/or modify any of the respective conditions of approval or may prohibit the use of bells if the Commission determines that the imposed conditions are not effective in minimizing sound effects to neighbors. Said modifications shall not result in substantial changes to the design of the sanctuary or other ancillary structures. Notice of said review hearing shall be published and provided to owners of property within a 500-foot radius of the subject site, to persons requesting a notice, to all affected homeowner associations and to the property owner in accordance with the RPVMC. The Planning Commission may require such subsequent additional reviews, as the Planning Commission deems appropriate.

Signs

61. The signage on the subject property shall be subject to the following conditions:
- a) One major wall sign at the corner of Crest Road and Crenshaw Boulevard, attached and parallel to the proposed building façade of the new sanctuary.
 - b) The maximum sign area shall not exceed a maximum of 75 square feet (63

square feet proposed).

- c) The signage shall not be internally illuminated.

Indemnification

- 62. The owner of the property upon which the project is located shall hold harmless and indemnify City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency official, (collectively, "Indemnitees"), from any claim, demand, damage, liability, loss, cost or expense, including but not limited to death or injury to any person and injury to any property, resulting from willful misconduct, negligent acts, error or omissions of the owner, the applicant, the project operator, or any of their respective officers, employees, or agents, arising or claimed to arise, directly or indirectly, in whole or in part, out of, in conjunction with, resulting from, or related to the construction approved by this resolution.

Source Reduction and Recycling

- 63. Prior to issuance of any Certificate of Occupancy, the applicant shall prepare and submit to the Director of Public Works for review and approval a comprehensive Integrated Waste Management Plan (Plan) that addresses source reduction, reuse and recycling.
- 64. Prior to issuance of any building and/or grading permits, an approved Construction and Demolition Materials Management Plan (CDMMP) shall be prepared and submitted to the Director of Public Works for approval.
- 65. Prior to issuance of any Certificate of Occupancy, a Construction and Demolition Materials Disposition Summary (Summary) shall be submitted to the Director of Public Works upon completion of deconstruction and construction. The Summary shall indicate actual recycling activities and compliance with the diversion requirement, based on weight tags or other sufficient documentation.
- 66. Where possible, the site design shall incorporate the use of recycled building materials and the re-use of on-site demolition debris.
- 67. The project site design shall incorporate areas for collection of solid waste with adequate space for separate collection of recyclables.

Miscellaneous

- 68. The access stairs and ramp at the corner of Crest and Crenshaw shall only be installed if required by the California Building Code or Fire Department, and if required, shall not vary materially from the minimum specifications of size required by law.

69. Prior to issuance of building permits and/or grading permits, the property owner shall submit final geotechnical and soils reports to the City for review and approval by the Building Official and the City's Geotechnical Consultant. All conditions specified in the approved geotechnical and soils reports shall be incorporated into the project.
70. Prior to the issuance of a building and/or grading permit from the City's Building and Safety Division, the applicant shall obtain NPDES approval from the City's NPDES consultant.
71. Prior to issuance of demolition, building, and/or grading permits, a construction haul route plan shall be submitted and approved by the City's Public Works Department.
72. The speakers attached to the existing sanctuary that is proposed to be remodeled into a new Parish Activity Center/Gymnasium shall be removed prior to issuance of certificate of occupancy for the new sanctuary.
73. Evening use of the Parish Activity Center/Gymnasium and/or Barrett Hall shall not be permitted after 11:00 PM Sundays through Thursdays and 12:00 AM on Fridays and Saturdays without the review and approval from the Director of Planning, Building and Code Enforcement of a Special Use Permit.
74. The Parish Activity Center/Gymnasium shall not be used by unaffiliated sports leagues of which St. John Fisher is not a member without the review and approval by the Director of Planning, Building and Code Enforcement of Special Use Permit.