

## RESOLUTION NO. 2013-30

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES CERTIFYING AN ENVIRONMENTAL IMPACT REPORT; MAKING CERTAIN ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND, A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CRESTRIDGE SENIOR CONDOMINIUM HOUSING PROJECT (CASE NOS. ZON2012-00067 & SUB2012-00001) LOCATED AT 5601 CRESTRIDGE ROAD (APN 7589-013-009).**

WHEREAS, on February 22, 2012, applications for an Environmental Assessment, Conditional Use Permit, Grading Permit (ZON2012-00067) and Tentative Tract Map (SUB2012-00001) were submitted to the Community Development Department for 147,000 cubic yards of grading to accommodate a 60-unit senior (age restricted to 55 years and above) condominium housing project on a vacant 9.76-acre parcel located at 5601 Crestridge Road (APN 7589-013-009); and,

WHEREAS, after the submittal of additional information, Staff deemed the project applications complete on April 20, 2012, pursuant to the State Permit Streamlining Act (PSA), Government Code Section 65920 *et seq.*; 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 Regulations, 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 Environmental Impact Report (State Clearinghouse Number 2012051079) (the "EIR"); and,

WHEREAS, the City prepared an Initial Environmental Study (the "Initial Study") for the Project pursuant to Section 15063 of the CEQA Guidelines, and on May 29, 2012, the Initial Study (IS) and Notice of Preparation (NOP) were released to the public and public agencies for a comment period of 31 days (through June 29, 2012). Further, a Public Notice was mailed on May 29, 2012 to the 57 property owners that are within a 500-foot radius from the subject property. Subsequently, the Notice was published in the *Peninsula News* on May 31, 2012. Furthermore, the notice was posted on the City's website, and emailed to the 587 email addresses that are registered on the *listserve* for this project. Lastly, a copy of the Initial Study was made available at the public counter at City Hall, Hesse Park, the local libraries, and made available on the City's website for the public to download and review; and,

WHEREAS, on June 26, 2012, the Planning Commission conducted a public scoping meeting to provide a forum for agencies and members of the community to provide verbal comments on the IS/NOP, at which time the Planning Commission extended the comment period through July 12, 2012; and,

WHEREAS, after the NOP comment period ended, the Draft EIR was prepared taking various comments into account. After completing the Draft EIR, the document was made available to the public on August 21, 2012 for a 48-day public comment period that concluded on October 8, 2012; and,

WHEREAS, on September 26, 2012 the Planning Commission held a public comment session to provide the public with an opportunity to submit verbal comments, in addition to the typical written comments, on the Draft EIR; and,

WHEREAS, on October 25, 2012, the Final EIR was completed and Notice was provided via mail and publication in the *PV Peninsula News* that a public hearing was scheduled with the Planning Commission on November 13, 2012 to review the Final EIR and the entitlement applications for the proposed project. Subsequently, a notice was emailed to the 611 people registered on the City's listserve for this project; and,

WHEREAS, after notice was issued pursuant to the requirements of the Rancho Palos Verdes Development Code and CEQA, the Planning Commission held a duly noticed public hearing on November 13, 2012, at which time all interested parties were given an opportunity to be heard and further present evidence regarding the entitlements associated with the Project, the Final EIR and the responses to the comments received regarding the Draft EIR; and,

WHEREAS, on November 13, 2012 Planning Commission meeting, the Planning Commission directed Staff to include conditions to address lighting, landscaping, trail use, and tower height, and return to the Planning Commission on December 11, 2012 with Resolutions for consideration; and,

WHEREAS, on the December 11, 2012, the Planning Commission adopted PC Resolution No. 2012-22, recommending that the City Council certify the Environmental Impact Report; and, adopted PC Resolution No. 2012-23, recommending that the City Council conditionally approve Case Nos. SUB2012-00001 and ZON2012-00067 for a proposed 60-unit condominium subdivision known as the *Crestridge Senior Condominium Housing Project*; and,

WHEREAS, after notice was issued pursuant to the requirements of the Rancho Palos Verdes Development Code and CEQA, the City Council continued the public hearing to the April 2, 2013 City Council meeting at the applicant's request; and,

WHEREAS, on April 2, 2013, at the applicant's request, the public hearing was continued to May 21, 2013; and,

WHEREAS, on May 21, 2013, the City Council held a duly noticed public hearing, at which time all interested parties were given an opportunity to be heard and present evidence regarding the entitlements associated with the Project, the Final EIR, the responses to the comments received regarding the Draft EIR, and the Planning Commission recommendation:

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

**Section 1:** Pursuant to CEQA Guidelines Sections 15064 and 15081, and based upon information contained in the Initial Study, the City ordered the preparation of an Environmental Impact Report ("EIR") for the Project. The City contracted with independent consultants for the preparation of the technical studies for the EIR and on May 29, 2012, prepared and sent a Notice of Preparation of the EIR to responsible, trustee, and other interested agencies and persons in accordance with Guidelines Section 15082(a). Comments on the Notice of Preparation were accepted during an extended 45-day comment period ending on July 12, 2012. During the scoping period, the City held an advertised public meeting on June 26, 2012, to facilitate public input regarding the scope of the EIR.

**Section 2:** The City completed the Draft EIR, together with those certain technical appendices (the "Appendices"), on August 22, 2012. The City circulated the Draft EIR and the Appendices to the public and other interested parties from August 22, 2012 through October 8, 2012, for a 48-day comment period. In addition to receiving written comments submitted during this time, public comments were received at the September 25, 2012, regularly scheduled Planning Commission meeting.

**Section 3:** During the Draft EIR public comment period, including at the September 25, 2012 Planning Commission meeting, the City received numerous letters and comments. Responses to each of the individual comments, including a number of master responses, were prepared and made available on October 25, 2012. The comments and responses are found from pages 8-1 through 8-83 of the Final EIR, and are incorporated herein by reference. The written responses to comments were made available for public review in the Community Development Department, at the Rancho Palos Verdes Public Library and on the City's website. After reviewing the responses to comments, the revisions to the Draft EIR, and the Final EIR, the Planning Commission concluded that the information and issues raised by the comments and the responses thereto did not constitute new information requiring recirculation of the Draft EIR.

**Section 4:** The Final EIR is comprised of the Draft EIR, including Appendices, and the Comments and Response to Comments on the Draft EIR, dated October 2012; and the Mitigation Monitoring and Reporting Program.

**Section 5:** Consistent with the Planning Commission's recommendation, the City Council has independently reviewed and considered the content of the Final EIR, the public comments upon it, and other evidence before the Commission prior to making a recommendation to the City Council on the proposed project. The City Council finds that the Final EIR reflects the independent judgment of the City Council as to the Project. The City Council further finds that the additional information provided in the staff reports, in the Final EIR and the evidence presented in written and oral testimony at the Planning Commission and City Council hearings do not constitute new information requiring further recirculation of the EIR under CEQA. None of the information presented to the Planning Commission and the City Council deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the Project or a feasible mitigation measure or alternative that the City has declined to implement.

**Section 6:** Consistent with the Planning Commission's recommendation, the City Council finds that the comments regarding the Draft EIR and the responses to those comments were received by the Commission; that the Planning Commission and the City Council received documents and public testimony regarding the adequacy of the EIR; and that the Planning Commission and the City Council reviewed and considered all such documents and testimony and the Final EIR. In accordance with Guidelines Section 15090, the City Council hereby certifies that the Final EIR has been completed in compliance with CEQA, as to the Final Project.

**Section 7:** Based upon the Final EIR and the record before the Planning Commission and City Council, and consistent with the Planning Commission's recommendation, the City Council finds that the Project will not cause any significant environmental impacts after mitigation except in the area of aesthetics (Visual Character and Quality of the Site). Explanations for why the impacts

other than the foregoing were found to be less than significant are contained in the Environmental Findings set forth in Exhibit A to this Resolution and are more fully described in the Final EIR, all of which are incorporated herein by this reference

**Section 8:** Based upon the Final EIR and the record before the Planning Commission and City Council, and consistent with the Planning Commission's recommendation, the City Council finds that the Project will create a significant unavoidable impact to aesthetics (Visual Character and Quality of the Site). This significant impact is further described in the attached Exhibit "A", titled "Facts, Findings and Statement of Overriding Considerations regarding the Environmental Effects for the Crestridge Senior Housing Project", which is attached hereto and incorporated herein by this reference, and in the Final EIR. The findings in Exhibit A explain that all feasible mitigation, including project revisions, have been incorporated to reduce the level of this impact to the degree feasible, but that even after mitigation, this impact remains significant.

**Section 9:** The EIR describes, and the Planning Commission and City Council have fully considered, a reasonable range of alternatives to the Project. With respect to each of the alternatives analyzed in the EIR, the City Council hereby makes the findings, set forth in Exhibit "A" which is attached hereto and incorporated by reference. On the whole, the Project is environmentally superior to other feasible alternatives. As such, the City Council finds that all other alternatives and variations are infeasible or are not environmentally preferable for the reasons set forth in Exhibit "A".

**Section 10:** For the significant and unavoidable impact, consisting of aesthetics (Visual character and Quality of the site) as identified in the Final EIR as "significant and unavoidable," consistent with the Planning Commission's recommendation, the City Council hereby adopts the "Statement of Overriding Considerations" that is set forth in Exhibit "A", which is attached hereto and incorporated herein by reference. The City Council finds that each of the overriding benefits, by itself, would justify proceeding with the Project despite any significant unavoidable impacts identified in the Final EIR or alleged to be significant in the record of proceedings.

**Section 11:** The City Council hereby adopts the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit "B" and incorporated herein by this reference, and imposes each mitigation measure as a condition of the Project's approval. City staff shall be responsible for enforcement and monitoring the mitigation measures as described in Exhibit "B".

**Section 12:** For the foregoing reasons and based on the information and findings included in the Staff Reports, Environmental Assessment and other components of the legislative record, in the Final EIR, in the attached Exhibit "A", titled "Facts, Findings and Statement of Overriding Considerations regarding the Environmental Effects for the Crestridge Senior Housing Project", which is attached hereto and incorporated herein by this reference, and in the public comments received by the Planning Commission and City Council, the City Council of the City of Rancho Palos Verdes hereby certifies the Final EIR and adopts the attached Exhibit "A", titled "Facts, Findings and Statement of Overriding Considerations regarding the Environmental Effects for the Crestridge Senior Housing Project" and adopts the attached Mitigation Monitoring Program (Exhibit "B") associated with Case Nos. SUB2012-00001 and ZON2012-00067, thereby allowing 147,000 cubic yards of grading to accommodate a 60-unit senior (age restricted to 55 years and older

condominium housing project on a vacant 9.76-acre parcel located at 5601 Crestridge Road (APN 7589-013-009).

PASSED, APPROVED and ADOPTED this 21<sup>st</sup> day of May 2013.

*Benson Brooks*  
Mayor

ATTEST:

*Carla Morreale*  
City Clerk

State of California )  
County of Los Angeles ) ss  
City of Rancho Palos Verdes )

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 2013-30 was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on May 21, 2013.

*Carla Morreale*  
City Clerk

**CITY OF RANCHO PALOS VERDES CITY COUNCIL RESOLUTION NO. 2013-30**

**EXHIBIT "A"  
to Resolution No. 2013-30**

**FACTS, FINDINGS AND STATEMENT OF OVERRIDING  
CONSIDERATIONS REGARDING THE ENVIRONMENTAL  
EFFECTS FOR THE CRESTRIDGE SENIOR HOUSING PROJECT**

**SCH # 2012051079**

Lead Agency:  
**City of Rancho Palos Verdes**  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, California 90275  
Contact: Mr. Eduardo Schonborn, AICP, Senior Planner  
(310) 544-5228

May 21, 2013

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# STATEMENT OF FACTS AND FINDINGS

## I INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment. The Statement of Facts and Findings is the first set of findings where the Lead Agency identifies the significant impacts, presents facts supporting the conclusions reached in the analysis, makes one or more of three findings for each impact, and explains the reasoning behind the agency's findings.

The following statement of facts and findings has been prepared in accordance with the California Environmental Quality Act (CEQA) and Public Resources Code Section 21081. CEQA Guidelines Section 15091 (a) provides that:

*No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.*

There are three possible finding categories available for the Statement of Facts and Findings pursuant to Section 15091 (a) of the CEQA Guidelines.

*(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*

*(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*

*(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

These findings relevant to the project are presented in Sections V and VI.

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable significant impacts, the Lead Agency may still approve the project where its benefits outweigh the adverse impacts. Further, as provided in the Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project.



The City of Rancho Palos Verdes, the CEQA Lead Agency, finds and declares that the proposed Crestridge Senior Housing Project Environmental Impact Report (EIR) has been completed in compliance with CEQA and the *CEQA Guidelines*. The City of Rancho Palos Verdes finds and certifies that the EIR was reviewed and information contained in the EIR was considered prior to approving the proposed Crestridge Senior Housing Project, herein referred to as the "project."

Based upon its review of the EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project, represents the independent judgment of the Lead Agency, and sets forth an adequate range of alternatives to this project. On December 11, 2012, the Rancho Palos Verdes Planning Commission adopted PC Resolution No. 2012-22, recommending that the City Council Certify the EIR. Subsequently, the Rancho Palos Verdes City Council certified the EIR at its hearing of March 5, 2013.

The Final EIR is comprised of the following elements:

- The Final Crestridge Senior Housing EIR, including the responses to comments on the Draft EIR and changes made to the EIR based on the comments received, November 2012;); and
- Mitigation monitoring and reporting program.

The remainder of this document is organized as follows:

- II. Description of project proposed for approval;
- III. Effects determined to be less than significant in the Initial Study/Notice of Preparation;
- IV. Effects determined to be less than significant;
- V. Effects determined to be less than significant with mitigation and findings;
- VI. Environmental effects that remain significant and unavoidable after mitigation and findings;
- VII. Alternatives to the proposed project; and
- VIII. Statement of Overriding Considerations.

## **II DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL**

The proposed Crestridge Senior Housing project would involve the development of a senior-restricted (55+ years of age or older) for-sale residential community. The proposed project would include 60 attached residential units at an overall density of 6.15 units per acre. Of the 60



units, three units would be dedicated affordable units available to very-low-income households, in accordance with the City's inclusionary housing requirements.

The proposed townhome-style and single-level living stacked flat residences would have two bedrooms and two bathrooms in six different floor plans, ranging from approximately 1,700 square feet to 2,100 square feet. The units would be two stories in height with up to five residences per structure. The main architectural style of the residences and other onsite structures would be Spanish Colonial. Elements of this style include the use of arches, tile roofs, window grilles, wrought iron, corbels, tile or stone decorative elements low-pitched, exterior courtyards, tiled parapets and stucco walls. Other complimentary architectural styles would also be incorporated in the residential building designs. Proposed landscaping includes a mix of native and non-native plants and trees.

Maximum building heights would be approximately 27 feet from finished grade. Several proposed buildings would exceed 16 feet in height above existing grade, and thus the project requires approval of a Conditional Use permit pursuant to Municipal Code Section 17.26.040.B. A General Plan Amendment and Zoning Ordinance Amendment would be required to allow the proposed mix of uses and density.

To accomplish the project, the existing slope would be excavated to accommodate flat building pads stepping gradually downward from west to east. Much of the ridge itself would be removed and graded generally flat. The maximum depth of excavation would be approximately 40 feet at the western portion of the site. Site preparation would involve excavation of approximately 145,000 cubic yards of material (soil and rock) and placement of approximately 2,000 cubic yards of fill material. The project grading and construction would occur over approximately 13 months and be completed in 2014. Construction access would be from Crestridge Road.

The project would include a number of community amenities. A private community trail system would be provided in open space areas in the northern portion of the site adjacent to the Vista del Norte preserve. A portion of the on-site trails including a pedestrian connection from Crestridge Road to the preserve would be open to the public, which would serve to connect the off-site City trails on the neighboring Preserve with Crestridge Road through the proposed development. The community trails would also access the proposed 13,000-square-foot outdoor community recreation area located at the northeastern corner of the site. The amenities proposed for this area would include a patio and trellis, a community conversation and gathering stage, a sundeck and outdoor living room, barbecue facilities, bocce ball courts, and picnic tables. An approximately 2,400 square-foot Community Service Center building and sundeck would provide a second, centralized community amenity for the residents.

The proposed project would have a gated vehicular access off of Crestridge Road. The vehicular entry gate would have a key pad and call box with sufficient stacking distance at the entrance to allow multiple cars to enter without impeding traffic on Crestridge Road. Remote and keypad entry would be two options for residents accessing the site through the gate. Visitors would be able to use the call boxes to call residents to open the gates. A turnaround would be provided should visitors not be able to reach a resident to be allowed inside the community. Pedestrian



entry would also be provided adjacent to the driveway; however, it would be an un-gated pedestrian walkway with an entry feature.

Once inside the community, internal private streets would be designed to be a minimum of 26 feet wide. No parallel parking would be allowed on the streets. Guest parking would be provided by 31 perpendicular parking spaces distributed throughout the site to supplement the two-car garages available to each resident.

Public pedestrian access would be provided through the community. A sidewalk and trail system would be provided that connects visitors and residents from Crestridge Road through the site to view points and to the City's property to the north. As specified above, the pedestrian access would not be gated; this would facilitate and ensure public access through the community to the trails in the Vista del Norte Reserve to the north

The table below provides a summary of proposed development.

Lot Size	9.76 acres
Senior Residential Units	60
Density	6.15 dwelling units/acre
Maximum Building Height	Approximately 27 feet from finished grade
Project Square Footage	142,342 sf (units and garages) 2,400 sf (community room) <b>144,742 sf (total)</b>
Building Footprints	90,527 sf (21% of site)
Streets/Parking/Driveways	62,798 sf (15% of site)
Private Yards	16,404 sf (4% of site)
Open Space/Landscaping	255,394 sf (60% of site)
Parking	120 garage spaces (2 per unit) 31 uncovered spaces (0.52 per unit) <b>151 spaces (2.52 spaces/unit)</b>
Community Amenities	<ul style="list-style-type: none"> <li>• Community Trails</li> <li>• 13,000-sf outdoor community recreation area <ul style="list-style-type: none"> <li>○ patio and trellis</li> <li>○ conversation and gathering stage</li> <li>○ sundeck and outdoor living room</li> <li>○ barbeque facilities</li> <li>○ bocce ball courts</li> <li>○ picnic tables</li> </ul> </li> <li>• 2,400 sf Community Service Center <ul style="list-style-type: none"> <li>○ recreation and lounge area</li> <li>○ kitchen</li> <li>○ computer center/business room</li> <li>○ office</li> <li>○ fitness room</li> <li>○ indoor and outdoor fireplaces</li> <li>○ outdoor living area</li> <li>○ spa</li> <li>○ barbeque</li> <li>○ seating area</li> </ul> </li> <li>• Community garden and orchard</li> </ul>

*sf = square feet*

*Source: Trumark Companies, 2012*



### III EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE INITIAL STUDY/NOTICE OF PREPARATION

The City of Rancho Palos Verdes conducted an Initial Study to determine significant effects of the project. In the course of this evaluation, certain impacts of the project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not included in primary analysis sections of the Final EIR (refer to Appendix A, *Initial Study and Notice of Preparation*, in the Draft EIR).

#### AESTHETICS

*Will the project:*

*Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

No Impact. There are no scenic resources such as trees, rock outcroppings, or historic buildings on the site, and there are no designated scenic highways in the vicinity of the site. Therefore, development of the project would not affect any scenic resources within a state scenic highway.

#### AGRICULTURAL RESOURCES

*Will the Project:*

*Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

No Impact. The project area is not located in an area designated as Prime or Unique Farmland, or within Farmland of Statewide Importance.

*Conflict with existing zoning for agricultural use or a Williamson Act contract, conflict with existing zoning or cause rezoning of forest land, or result in a loss of forest land?*

No Impact. The subject property is not zoned or otherwise designated for agricultural uses, nor is the site subject to a Williamson Act contract. The project site is not located adjacent to agricultural operations, and currently contains no significant agricultural operations. As such, no conflicts with a Williamson Act contract or existing zoning for agricultural use would occur. The project would not involve conversion of forest land to non-forest uses.

*Involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*



No Impact. The project site is located in an urbanized area in the City of Rancho Palos Verdes. As such, project development will not have the potential to result in the loss or conversion of farmland to non-agricultural use.

## **AIR QUALITY**

*Will the Project:*

*Create objectionable odors affecting a substantial number of people?*

Less Than Significant Impact. The project will involve adding 60 residential units for seniors in the City of Rancho Palos Verdes. The residential use of the property will not generate objectionable odors during normal operations. Therefore, the project will not generate objectionable odors that would affect a substantial number of people.

## **BIOLOGICAL RESOURCES**

*Will the Project:*

*Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. The project site is located in a suburban area surrounded by development. There are no watercourses or wetlands on or adjacent to the project site. The project does not involve development in a federally protected wetland and does not involve improvements that would impair or interrupt hydrological flow into a wetland.

## **CULTURAL RESOURCES**

*Will the Project:*

*Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

Less than Significant Impact. The proposed project would involve construction of new structures on a vacant site. There are no historic structures located on the adjacent properties; therefore, the project will not affect historic resources.

*Disturb any human remains, including those interred outside of formal cemeteries?*

No impact. No known burial sites have been identified within the project area or in the vicinity and given the previous disturbance at the site the likelihood of finding human remains is low. In the unlikely event that human remains were discovered at the site, California Health and Safety Code Section 7050.5 requires that all construction or excavation must be stopped in the event of an accidental



discovery of any human remains until the County coroner or medical examiner can determine whether the remains are those of a Native American.

## GEOLOGY AND SOILS

*Will the Project:*

*Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the Alquist -riolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault; or seismic-related ground failure, including liquefaction?*

Less than significant. There are no Alquist-Priolo Earthquake Fault Zones within the City. The project site is located approximately 0.8 miles northwest of the inactive Cabrillo Fault and approximately 2.5 miles southwest of the Palos Verdes Fault. Therefore, the potential for surface rupture at the project area is considered low. The project site is located within an area that has low to no potential for liquefaction. Further, project construction would be required to conform to the California Building Code as adopted by the City in Section 15.04.010 of the Municipal Code, which further reduce any impacts caused by unstable soils.

*Be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

Less than significant. According to the California Department of Conservation Seismic Hazard Zones Map, the site is not located in an area that is subject to settlement due to seismic shaking, liquefaction, or lateral spreading.

*Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

Less than Significant. The proposed development would be connected to the City sewer system and would not use on-site septic systems for wastewater treatment.

## HAZARDS AND HAZARDOUS MATERIALS

*Will the project:*

*Create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials?*

Less than significant. The project would involve construction of 60 residential units on vacant land. By their nature, the proposed residential uses would not involve the transport, use, or disposal of substantial quantities of hazardous materials and would not introduce any unusual hazardous materials to the area.



*Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within ¼ mile of an existing or proposed school? Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Less than significant. The project will not be located in an area with known soil or groundwater contamination, will not emit hazardous emissions or involve handling of hazardous materials, and was not determined to be at risk for any hazards in a Phase I prepared for an adjacent property. Therefore, the potential for the proposed project to release hazardous materials would be extremely low.

*For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. The project site is located over three miles from the nearest airport/airstrip, the Torrance Municipal Airport. No impacts are anticipated.

*Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

No Impact. The proposed project would not change the alignment of or access through streets serving the project site or surrounding area, and thus would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

*Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

Less than significant. The City of Rancho Palos Verdes, including the project site, is identified as a High Fire Hazard Area. However, Rancho Palos Verdes Municipal Code Section 8.08.010 adopts the Los Angeles County Fire Code, Title 32, as the Fire Code of the City of Rancho Palos Verdes. The County maintains fire safety requirements, development standards and regulations, and standard fees, for new development. Building standards for fire hazards, including roof coverings, construction materials, structural components, and clearing of brush and vegetative growth, are administered by the LACFD and the City's Building and Safety Division. The new residential buildings would be required to be constructed to the City's most recently adopted Building Code.

## **HYDROLOGY AND WATER QUALITY**

*Will the Project:*



*Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Place within a 100-year flood hazard area structures which would impede or redirect flood flows.*

No Impact. According to the Federal Emergency Management Agency the project site is located outside the 100-year flood zone). Therefore, no significant flood impacts are anticipated.

*Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?*

No Impact. No dams or levees are located in the vicinity of the project site. In addition, the project area does not lay within any known dam inundation zones. Thus, the potential for flooding due to dam failure is low

*Expose people or structures to a significant risk of loss, injury, or death from inundation by seiche, tsunami or mudflow?*

Less than significant. The project site is approximately two miles from the Pacific Ocean at an elevation of approximately 1,167 feet above sea level. In addition, the project area is located outside a tsunami inundation area.

## **LAND USE AND PLANNING**

*Would the Project:*

*Physically divide an established community?*

No Impact. The project would involve construction of 60 residential units on a single parcel of land that is surrounded by residential, open space, and institutional uses. The project would not physically divide an established community. No impacts would result.

*Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of mitigating an environmental effect?*

Less than significant. With approval of a Conditional Use Permit, the project would be consistent with the land use and zoning designations for the site. Also, the project would be generally consistent with the intent of the City of Rancho Palos Verdes Conceptual Trails Plan due to the provision of pedestrian pathways through the site that link Crestridge Road with the Vista Del Norte Ecological Preserve.

## **MINERAL RESOURCES**

*Would the Project:*



*Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

No Impact. The Rancho Palos Verdes General Plan states that there are no mineral resources present within the community that would be economically feasible for extraction. Construction of 60 residential units on a vacant site would not result in the loss of the availability of a known mineral resource that would be of value locally, regionally, or to the State.

## **NOISE**

*For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. The project area is not included within an airport land use plan, and is approximately 13 miles from the Los Angeles and Long Beach airports, and approximately three miles from Torrance Municipal Airport. The project is also not within the vicinity of a private airstrip. Significant impacts relating to aircraft noise are not anticipated.

## **POPULATION AND HOUSING**

*Will the project:*

*Induce substantial population growth in an area, either directly or indirectly?*

Less than significant. The current estimated population of the City is 41,897. With implementation of the proposed project, the population in the City would total 42,057. The population projections for Rancho Palos Verdes anticipate a population of 43,215 in 2020. Therefore, the increase in residents would not exceed planned growth forecasts in the City.

*Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

No Impact. Implementation of the proposed project would not displace any housing or people, as the site is currently vacant.

## **PUBLIC SERVICES**

*Would the project:*

*Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of*



*which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public services?*

Less Than Significant Impact. The proposed project is not expected to adversely affect any services.

## RECREATION

*Will the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?*

Less than significant. The project could incrementally increase the use of recreational facilities in the project vicinity, but would not cause substantial physical deterioration of recreational facilities. The project area contains existing residential uses and is adequately served by recreational facilities. In addition, the project applicant would be required to pay fees pursuant to City Municipal Code Section 16.20.100. Recreational amenities are included in the project; impacts of the construction of these facilities have been addressed as part of the project's potential effects as a whole.

## TRANSPORTATION/TRAFFIC

*Will the Project:*

*Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. The project would not result in any change in air traffic patterns.

## UTILITIES AND SERVICE SYSTEMS

*Will the Project:*

*Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less than significant. There is currently available capacity at the Joint Water Pollution Control Plant (JWPCP), which will treat wastewater from the site. Therefore, the JWPCP will have capacity to treat the additional flow of wastewater from the project and no improvements in the wastewater treatment system will be required.



*Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new expended entitlements needed?*

Less than significant. The project will generate demand for approximately 11,700 gpd or 13.1 acre-feet per year of water. Based on current and projected water supplies and demand for the West Basin Municipal Water District, sufficient water will be available to meet demand associated with the project.

*Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Comply with federal, state, and local statutes and regulations related to solid waste?*

Less than significant. Puente Hills Landfill is the primary landfill used by the City and has approximately 4,200 tons per day of available capacity. Although the project would incrementally increase solid waste generation, the daily solid waste generation by the project will be within the available capacity at the Puente Hills Landfill.



## IV EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE EIR

The City of Rancho Palos Verdes found that the project would have a less than significant impact with respect to a number of environmental topics discussed in the EIR, without the need for mitigation. A less than significant environmental impact determination was made for each topic area listed below.

### AESTHETICS

**Scenic Views or Vistas.** The proposed project is located in an area with rolling topography allowing views of developed and undeveloped hillsides in several directions from public and private viewpoints. The proposed project would alter the view of the project site from several of these viewpoints, but would not block or otherwise have a substantial adverse effect on a scenic view or vista, including those identified in the General Plan. This is a Class III, adverse, but less than significant impact. Note that the following mitigation measure is nonetheless recommended to further reduce impacts on impacts from viewpoints in the surrounding area.

*Recommended Mitigation Measure:*

**AES-1 Tree Maintenance.** All landscaping throughout the development (in both the common areas and in private yard and balcony areas) shall be maintained so not exceed the height of the line depicted on the photographs taken from properties along Mistridge Drive and Seaside Heights Drive (Exhibit B, to Resolution No. 2013-31).

Prior to issuance of building permits, the applicant shall prepare and submit for City review and approval a landscape plan for the project site. The plan shall demonstrate that:

- Foliage/trees are of a type of species than can be maintained so as not to exceed the height of the line illustrated and depicted on the photos in Exhibit B, to Resolution No. 2013-31, which are the highest visible roof ridgelines of the development.

**Light and Glare.** The proposed project would result in new sources of light and glare on and around the project site due to introduction of new buildings, hardscape and associated lighting. Some of the new light and glare would be visible from public and private viewpoints. However, with required adherence to the lighting restrictions in City's zoning ordinance, impacts related to light and glare would be Class III, less than significant.

### AIR QUALITY

**Operation of the Project.** Operation of the proposed project would generate criteria air pollutant emissions. However, regional emissions would not exceed



SCAQMD operational significance thresholds. Therefore, operational impacts to regional air quality would be Class III, less than significant.

**Consistency with Regional Plans.** The proposed project would generate population growth, but such growth is within the population projections upon which the Air Quality Management Plan (AQMP) is based. Therefore, proposed project would be consistent with the AQMP and impacts would be Class III, less than significant.

**Carbon Monoxide Concentrations from Increased Traffic.** Vehicle traffic associated with the proposed project could incrementally increase localized carbon monoxide (CO) levels. However, CO levels would not exceed SCAQMD thresholds for further CO hotspot analysis and would not be expected to exceed federal or state ambient air quality standards. Impacts would be Class III, less than significant.

## **BIOLOGICAL RESOURCES**

**Candidate, Sensitive or Special Status Species.** The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Impacts would be Class III, less than significant.

**Riparian Habitat.** The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Impacts would be Class III, less than significant.

## **GEOLOGY**

**Seismically-Induced Ground Shaking.** Seismically induced ground shaking could destroy or damage structures and infrastructure, resulting in loss of property or risk to human safety. However, mandatory compliance with applicable City of Rancho Palos Verdes and California Building Code requirements would reduce impacts to a Class III, less than significant, level.

## **GREENHOUSE GAS EMISSIONS**

**Generation of Greenhouse Gas Emissions.** The proposed project would generate additional GHG emissions beyond existing conditions. However, GHG emissions generated by the project would not exceed the applicable significance thresholds. Impacts would be Class III, less than significant.



**Consistency with Adopted Plans, Policies or Regulations.** Development facilitated by the proposed project would result in an incremental increase in GHG emissions. However, the proposed project would be consistent with the GHG reduction strategies set forth by the 2006 Climate Action Team Report as well as the 2008 Attorney General's Greenhouse Gas Reduction Measures. Impacts would be Class III, less than significant.

## HYDROLOGY AND WATER QUALITY

**Construction Discharge and Surface Water Quality.** During grading for and construction of the proposed project, the soil surface would be subject to erosion and the downstream watershed, including the Pacific Ocean, could be subject to temporary sedimentation and discharges of various pollutants. However, with implementation of NPDES requirements, impacts related to the potential for discharge of various pollutants, including sediment, would be Class III, less than significant.

**Operational Discharge and Site Drainage.** Development of the proposed project would increase the amount of impermeable surfaces on the project site, and would also generate various urban pollutants such as oil, herbicides and pesticides, which could adversely affect surface water quality. Increased impermeable surfaces on the site could also increase the flow rate of stormwater off the site compared to existing conditions resulting in increased erosion in downstream drainage channels. However, with implementation of NPDES requirements and the proposed onsite stormwater detention facilities, impacts related to surface water quality would be Class III, less than significant.

## NOISE

**Construction Noise.** Project construction would intermittently generate high noise levels on and adjacent to the site. However, the project would be required to comply with the City's regulations pertaining to the allowable timing of construction activities, and construction noise would not be expected to exceed typical levels associated with grading and construction. Therefore, impacts would be Class III, less than significant. Note that the following mitigation measure is nonetheless recommended to further reduce temporary noise levels associated with project construction.

*Recommended Mitigation Measures:*

**N-1(a) Noise Mitigation and Monitoring Program.** The applicant shall provide, to the satisfaction of the Community Development Director, a Noise Mitigation and Monitoring Program that requires all of the following:

- Construction contracts that specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.



- That property owners and occupants located within 0.25 miles of the project site shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the project. All notices shall be reviewed and approved by the Community Development Director prior to the mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and telephone number where residents can inquire about the construction process and register complaints.
- That prior to issuance of any Grading or Building Permit, the Applicant shall demonstrate to the satisfaction of the City's Building Official how construction noise reduction methods such as shutting off idling equipment and vehicles, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging and parking areas and occupied residential areas, and electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.
- That during construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.

**N-1(b) Construction Vehicle Idling.** During demolition, construction and/or grading operations, trucks shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way before 7:00 am, Monday through Saturday, in accordance with the permitted hours of construction.

**N-1(c) Staging Area.** The construction contractor shall provide staging areas onsite to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and sensitive receptors (neighboring residences and institutional uses). This would reduce noise levels associated with most types of idling construction equipment.

**N 1(d) Diesel Equipment Mufflers.** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers.

**N 1(e) Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.

**N-1(f) Restrictions on Excavation and Foundation/Conditioning.** Excavation, and conditioning activities shall be restricted to



between the hours of 8:15 AM and 4:15 PM, Monday through Friday and located to maximize the distance between activity and sensitive receptors (neighboring residences and institutional uses).

**N-1(g) Additional Noise Attenuation Techniques.** For all noise-generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels to the maximum extent feasible. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.

**Construction Vibration.** Project construction activities could generate intermittent levels of groundborne vibration affecting residences and buildings adjacent to the project site. However, these impacts are temporary in nature and would not exceed existing thresholds. Therefore, impacts would be Class III, less than significant.

**Traffic Noise.** Project-generated traffic would incrementally increase noise levels on area roadways. However, the increase in noise would not exceed significance thresholds and would therefore be Class III, less than significant.

**Operational Noise.** Operation of the proposed project would generate noise levels that may periodically be audible to existing uses near the project site. Onsite noise sources would include parking lot noise, deliveries and other service vehicles, visitors, and onsite machinery. However, noise from these sources would be below the thresholds used for this analysis and consistent with City Codes. Therefore, impacts would be Class III, less than significant.

## TRAFFIC AND CIRCULATION

**Intersections.** Project-generated traffic would increase traffic volumes and incrementally reduce levels of service at each of the five study intersections. However, the level of service impact would not exceed City thresholds at any intersection. Therefore, impacts to study area intersections would be Class III, less than significant.

**Roadway Segments.** Project-generated traffic would not exceed LOS standards for Crestridge Road. Therefore, impacts to street segments would be Class III, less than significant.

**Storage Capacity.** Project-generated traffic would not affect vehicle storage capacity at the intersection of Crenshaw Boulevard/Crestridge Road. Storage capacity for the westbound left-turn lane at the intersection of Highridge Road/Hawthorne Boulevard is currently inadequate and would remain inadequate in the Year 2015 scenario. However, project generated traffic would



not exacerbate issues with storage capacity. Therefore, impacts to intersection queuing would be Class III, less than significant.

**Site Access and Internal Circulation.** Vehicles exiting and entering the site would experience delays equivalent to LOS B during the AM and PM peak period for Year 2015 traffic conditions. In addition, review of the current site plan indicates that the proposed project driveway would provide an adequate storage reservoir to accommodate vehicles entering the site. The internal circulation system is also deemed to be adequate. Therefore, impacts related to site access and internal circulation would be Class III, less than significant. Note that the following mitigation measure is nonetheless recommended to further to further improve site circulation and access.

*Recommended Mitigation Measure:*

- T-4 Site Access.** Install a stop sign and stop bar at the proposed project driveway on Crestridge Road. This feature shall be shown on all project plans submitted for building permit review. Further, landscaping at or near the proposed driveway shall not obstruct a driver's clear line of site to the satisfaction of the City's Public Works Department.

**CMP Arterial Monitoring Intersections.** Project-generated trips at identified Congestion Management Program (CMP) locations would be below CMP thresholds for arterial monitoring intersection locations. Also, there are no CMP freeway monitoring locations in the vicinity of the proposed project. In addition, the existing transit service in the project area would adequately accommodate the increase of project generated transit trips. Impacts would therefore be Class III, less than significant.

**Construction Traffic.** Access to Crestridge Road and the project site during project grading and construction would be provided via Highridge Road and Crenshaw Boulevard. Although there would be an increase of traffic during grading and construction, construction traffic would not result in any significant impacts to key study intersections. Therefore, impacts relating to construction traffic would be Class III, less than significant.



## V EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION, AND FINDINGS

The City of Rancho Palos Verdes, having reviewed and considered the information contained in the Final EIR, the Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(1) and *CEQA Guidelines* 15091 (a)(1) that changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen to below a level of significance the following potentially significant environmental effects identified in the Final EIR in the following categories: Air Quality, Biological Resources, Geology, Traffic and Circulation. The potentially significant adverse environmental impacts that can be mitigated are listed below. The City of Rancho Palos Verdes City Council finds that these potentially significant adverse impacts can be mitigated to a less than significant level after implementation of mitigation measures identified in the Final EIR. The Draft EIR is incorporated by reference.

### AIR QUALITY

The project's potential impacts with regard to air quality that can be mitigated or are otherwise less than significant are discussed in Section 4.2, *Air Quality*, of the Draft EIR.

#### *LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.*

**Construction-Related Air Emissions.** Construction activity would generate on and off site air pollutant emissions that would exceed South Coast Air Quality Management District (SCAQMD) construction thresholds for nitrogen oxides (NO<sub>x</sub>) and particulates less than 10 microns in diameter (PM<sub>10</sub>). On-site construction-related emissions would also exceed SCAQMD Localized Significance Thresholds (LSTs) for PM<sub>10</sub> and particulates less than 2.5 microns in diameter (PM<sub>2.5</sub>).

#### Finding

- *Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

#### Facts in Support of Finding

The potential impacts to air quality from construction activities have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

**AQ-1(a) Construction Equipment Controls.** The following shall be implemented during construction to minimize emissions of NO<sub>x</sub> associated with diesel-fuelled construction equipment.

1. *All diesel construction equipment shall meet Interim Tier 4 EPA emission standards.*



2. *Construction contractors shall minimize equipment idling time throughout construction. Engines shall be turned off if idling would be for more than five minutes.*
3. *Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.*
4. *The number of pieces of equipment operating simultaneously shall be minimized.*
5. *Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric), when feasible.*
6. *The engine size of construction equipment shall be the minimum practical size.*
7. *Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible.*
8. *During the smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.*

**AQ-1(b) Fugitive Dust Control Measures.** The following shall be implemented during construction to minimize fugitive dust emissions:

1. *All exposed, disturbed, and graded areas onsite shall be watered three times (3x) daily until completion of project construction to minimize the entrainment of exposed soil.*
2. *Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.*
3. *Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:*
  - *Trucks transporting material on and off the site must be tarped from the point of origin or must maintain at least one foot of freeboard.*
  - *All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.*
4. *Ground cover must be replaced in disturbed areas as quickly as possible.*
5. *During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either off-site or on-site.*



6. *The contractor must provide adequate loading/unloading areas that limit track-out onto adjacent roadways through the utilization of wheel washing, rumble plates, or another method achieving the same intent.*
7. *Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.*
8. *Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.*
9. *All residential units located within 500 feet of the construction site must be sent a notice regarding the construction schedule of the proposed project. A sign legible at a distance of 50 feet must also be posted in a prominent and visible location at the construction site, and must be maintained throughout the construction process. All notices and the signs must indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.*
10. *Visible dust beyond the property line emanating from the project must be prevented to the maximum extent feasible.*
11. *Signs shall be posted on-site limiting construction traffic to 15 miles per hour or less.*
12. *Dust control requirements shall be shown on all grading plans.*
13. *These control techniques must be indicated in project specifications. Compliance with the measure shall be subject to periodic site inspections by the City.*

## **BIOLOGICAL RESOURCES**

The project's potential impacts with regard to biological resources that can be mitigated or are otherwise less than significant are discussed in Section 4.3, *Biological Resources*, of the Draft EIR.

### *LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.*

**Wildlife Movement and Corridors.** The proposed project would not be expected to interfere substantially with the movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. However, native bird species commonly encountered in urban areas could nest in the dispersed toyon shrubs and Brazilian peppertrees found at the project site.

### **Finding**

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### **Facts in Support of Finding**



The potential impacts to wildlife movement associated with the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of the mitigation measure identified in the Draft EIR.

*Mitigation Measures:*

**BIO-3 Nesting Bird Surveys and Avoidance.** Site disturbance shall be prohibited during the general avian nesting season (February 1 – August 30), if feasible. If breeding season avoidance is not feasible, a qualified biologist shall conduct a preconstruction nesting bird survey to determine the presence/absence, location, and status of any active nests on or adjacent to the project site. The surveys shall be conducted by a qualified biologist approved by the Community Development Department. The extent of the survey buffer area surrounding the site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by MBTA and the Fish and Game Code of California, nesting bird surveys shall be performed twice per week during the three weeks prior to the scheduled vegetation clearance. In the event that active nests are discovered, a suitable buffer (e.g. 30-50 feet for passerines) should be established around such active nests and no construction within the buffer allowed until a qualified biologist has determined that the nest is no longer active (e.g. the nestlings have fledged and are no longer reliant on the nest). No ground disturbing activities shall occur within this buffer until the City-approved biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting birds surveys are not required for construction activities occurring between August 16 and February 1.

**Consistency with Natural Conservation Community Plan.** The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. In addition, the project site is not within an adopted Habitat Conservation Plan area. However, potential introduction of non-native plant species associated with on-site landscaping could conflict with the adopted Natural Conservation Community Plan (NCCP).

**Finding**

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

**Facts in Support of Finding**

The potential impacts resulting from conflicts with the NCCP associated with the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of the mitigation measures identified in the Draft EIR.



**BIO-4(a) Construction Best Management Practices.** The following measures shall be employed as part of construction monitoring for the site:

- Contractors shall be educated regarding the off-site Reserve and the need to keep equipment and personnel within the project site prior to the initiation of construction.
- Temporary construction fencing shall be placed at the planned limits of disturbance adjacent to the Reserve.

**BIO-4(b) Provisions for Invasive Species and Native Habitat Elements in the Landscaping Plan.** No species listed in the Cal-IPC Invasive Plant Inventory (2006) or identified as potentially invasive ornamental species in the Rancho Palos Verdes NCCP Subarea Plan (2004) will be utilized in the landscaping plan for the site. Species listed in the Subarea Plan include everblooming acacia (*Acacia longifolia*), Sydney golden wattle (*Acacia cyclops*), Peruvian pepper tree (*Schinus molle*), Brazilian pepper tree (*Schinus terebenthifolia*), black locust (*Robinia pseudo-acacia*), myoporum (*Myoporum laetum*), gum tree (*Eucalyptus* spp.), and pines (*Pinus* spp.). In addition, to the extent feasible the proposed project shall incorporate native habitat elements into the landscaping plan for the 1.67-acre passive park with trails, scenic overlooks, and community gardens in the northern portion of the Crestridge Senior Housing development project. Native habitat elements include using locally sourced native shrubs such as toyon, California sagebrush, coastal bluff buckwheat, native grasses, and native perennial forbs as part of the planting palette.

**BIO-4(c) Construction Staging and Stockpiling Areas.** Grading and building plans submitted for the proposed project for City review and approval shall identify areas for construction staging, fueling and stockpiling. These areas shall be located as far as practical from the Vista del Norte Preserve, and not closer than 70 feet from the Preserve boundary.

## CULTURAL RESOURCES

The project's potential impacts with regard to cultural resources that can be mitigated or are otherwise less than significant are discussed in the Initial Study, Appendix A to the Draft EIR.

*LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.*

*Will the Project:*

*Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5? Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*



**Potential to Disturb Undiscovered Archaeological or Paleontological Resources.** Previous archaeological studies in the project area and at the site itself have not identified any archaeological resources. In addition, the site and surrounding areas have been extensively disturbed over the years. Therefore, the potential for archeological resources, unique paleontological resources or unique geologic features to be found onsite is low. However, construction activity for the residential units would involve earthwork such as grading and trenching, which has the potential to unearth yet-to-be discovered archaeological and paleontological resources. However, potential impacts to previously unknown resources are likely mitigable with standard mitigation measures and procedures to be followed if resources or remains are discovered during grading and site preparation.

## Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

## Facts in Support of Finding

The potential impacts upon archaeological or paleontological resources associated with the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of the mitigation measures identified in the Draft EIR.

CR-1 Discovery Procedure. If cultural resources are encountered during construction, the construction manager shall ensure that all ground disturbance activities are stopped, and shall notify the City Building and Safety Department immediately to arrange for a qualified archaeologist to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions to mitigate impacts to the resources must be identified in consultation with a qualified archaeologist. Depending upon the nature of the find, such mitigation may include avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. The archeologist shall complete a report of excavations and findings, and shall the report to the South Central Coastal Information Center. After the find is appropriately mitigated, work in the area may resume.

CR-2 Paleontological Monitoring. Prior to the commencement of grading, the applicant shall retain a qualified paleontologist approved by the City to monitor grading and excavation. Monitoring onsite shall occur whenever grading activities are occurring. Additional monitors in addition to one full-time monitor may be required to provide adequate coverage if earth-moving activities are occurring simultaneously. Any cultural resources discovered by construction personnel or subcontractors shall be reported immediately to the paleontologist. In the event undetected buried resources are encountered during grading and excavation, work shall be halted or diverted from the area and the paleontologist shall evaluate the



resource and propose appropriate mitigation measures. Measures may include testing, data recovery, reburial, archival review and/or transfer to the appropriate museum or educational institution.

All testing, data recovery, reburial, archival review or transfer to research institutions related to monitoring discoveries shall be determined by the qualified paleontologist and shall be reported to the City.

## **GEOLOGY**

The project's potential impacts with regard to geology that can be mitigated or are otherwise less than significant are discussed in Section 4.4, *Geology*, of the Draft EIR.

### *LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.*

**Slope Stability.** The slope stability analysis prepared for the project site concluded that the on-site existing and proposed slopes could be subject to landslides.

### **Finding**

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### **Facts in Support of Finding**

The potential impacts from slope instability as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measures identified in the Draft EIR.

#### *Mitigation Measure:*

**GEO-2(a)** Compliance with the recommendations included in the previous geotechnical studies undertaken at the site shall be required. These recommendations include maintenance of a uniform, near optimum moisture content in the slope soils, and avoidance of over-drying or excess irrigation, which will reduce the potential for softening and strength loss. In addition, slope maintenance shall include the immediate planting of the slope with approved, deep rooted, lightweight, drought resistant vegetation, as well as proper care of erosion and drainage control devices, and a continuous rodent control program. Brow ditches and terraces shall be cleaned each fall, before the rainy season, and shall be frequently inspected and cleaned, as necessary, after each rainstorm. Access to the slopes, including foot traffic outside of designated pedestrian footpaths, should be minimized to avoid local disturbance to surficial soils. The City of Rancho Palos Verdes Public Works Department shall review and approve all final plans for slope maintenance prior to issuance of a grading permit.



- GEO-2(b)** The proposed retaining wall at the top of the existing cut slope at the eastern boundary of the site shall be designed as a buried retaining wall to support the project and underlying adverse geologic structure. The system requires a design and depth of embedment that would safeguard onsite improvements in the event the offsite slope failed.
- GEO-2(c)** An as-graded geotechnical report shall be prepared by the project geotechnical consultant following completion of grading. The report shall include the results of in-grading density tests, and a map clearly depicting buttress fill keyway locations and depths, removal area locations and depths, sub-drainage system locations and depths and geological conditions exposed during grading.
- GEO-2(d)** If required by the final geotechnical report, as reviewed and approved by the City Geologist, the applicant shall install permanent inclinometer stations at the site to allow the northern slope to be monitored for possible movement following implementation of the project. The number and location of the inclinometer stations shall be determined by the City Geologist. The applicant shall submit a record of inclinometer readings along with any recommendations from a geotechnical engineer to the City every six months during the lifetime of the project or until the City Geologist agrees that semi-annual readings are no longer necessary. In addition, readings and geotechnical recommendations shall be submitted to the City following a heavy rainfall event (>2 times average monthly rainfall) or following a magnitude 5.0 or greater seismic event within 20 miles of the project site.

If the geotechnical engineer determines that sufficient movement has taken place that warrants further corrective or preventative action, the project applicant shall be responsible for all expenses associated with the costs of implementing any remediation recommended by the geotechnical engineer to ensure that the slope remains stable. Further monitoring by inclinometers may be required, if recommended by the geotechnical engineer or required by the City.

**Expansive Soils.** The proposed project is located in an area underlain by expansive soils. Expansive soils swell or heave with increases in moisture content and shrink with decreases in moisture content. The shrinking and swelling of soil beneath structures can potentially result in cracking of foundations and other structural damage.

### Finding

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### Facts in Support of Finding



The potential impacts from expansive soils as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

*Mitigation Measures:*

**GEO-3(a) Geotechnical Recommendations.** Prior to issuance of any Grading Permit or Building Permit, the project applicant shall comply with all recommendations contained within the Geology and Geotechnical Investigation prepared by Group Delta Consultants (2003) including:

- Following grading, the expansion potential of the exposed subgrade shall be tested. The design of foundations and slabs shall consider the high expansion potential. Following completion of grading and until slabs and footings are poured, the exposed soil and bedrock materials shall be periodically wetted to prevent them from drying out. Pre-saturation is also recommended.

**GEO-3(b) Expansive Soil Removal and/or Treatment.** Suitable measures to reduce impacts from expansive soils could include one or more of the following techniques, as determined by a qualified geotechnical engineer and approved by the City of Rancho Palos Verdes Public Works Department:

- Excavation of existing soils and importation of non-expansive soils. All imported fill shall be tested and certified by a registered Geotechnical Engineer and certified for use as a suitable fill material; and
- On-site foundations shall be designed to accommodate certain amounts of differential expansion in accordance with Chapter 18, Division III of the UBC.

## **TRAFFIC AND CIRCULATION**

The project's potential impacts with regard to traffic and circulation that can be mitigated or are otherwise less than significant are discussed in Section 4.8, *Traffic and Circulation*, of the Draft EIR.

*LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.*

**Sight Distance.** Adequate vertical sight distance would be provided from the proposed project driveway to the crest on Crestridge Road. However, a motorist's sight distance could be obstructed by future project landscaping and/or hardscape along the project frontage.

## **Finding**



- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### **Facts in Support of Finding**

The potential impacts related to sight distance have been eliminated or substantially lessened to a less than significant level by virtue of the mitigation measure identified in the Draft EIR.

#### *Mitigation Measure:*

- T-5      **Maintain Sight Distance.**** Final project plans shall show that landscaping and/or hardscape at or near the proposed project driveway is designed such that a driver's clear line of sight is not obstructed. In addition, curbside parking shall be prohibited along the property frontage within the identified sight visibility lines shown on Figure 4.8-5 of the EIR.



## VI ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION AND FINDINGS

The EIR for the Crestridge Senior Housing Project identifies potentially significant environmental impacts within one issue area which cannot be fully mitigated and is therefore considered significant and unavoidable ("Class I"). That impact is related to Aesthetics. The City of Rancho Palos Verdes, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(3) and *CEQA Guidelines* 15091 (a)(3), that to the extent this impact remains significant and unavoidable, such impact is acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations, included as Section VIII of these Findings. The Class I impact identified in the FEIR document is discussed below, along with the appropriate findings per CEQA Guidelines Section 15091.

### AESTHETICS

#### *SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.*

**Visual Character and Quality of the Site.** The proposed project would introduce structural development, new landscaping, and hardscape to an open and undeveloped site, and project grading would substantially alter the site's slope and ridgeline topography. In addition, the site is identified on the Rancho Palos Verdes General Plan Visual Aspects Map as a "canyon and ridge" feature and as "Undeveloped Lands Impacting Visual Character;" grading for and construction of the proposed project would eliminate both of these attributes.

#### Findings

- *Specific economic, legal, social, technological, or other considerations, including considerations discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

#### Facts in Support of Findings

The existing visual character of the project site is defined by both its undeveloped, open condition and its topography, which consists of a moderate to steep slope and a ridgeline. The General Plan's Visual Aspects Map (General Plan Figure 41) identifies the project site, together with the adjacent Vista del Norte Preserve, as "Canyons and Ridges" and as "Undeveloped Lands Impacting Visual Character."

The proposed project would substantially alter the visual character of the site related to its topography by grading the existing slopes into stepped, relatively flat pad areas, and by removing the site's natural ridgeline. The existing open, undeveloped visual character, which is accentuated and made more visible to the public by the site's sloping topography, would be completely altered to a fully developed condition. The substantial alteration of the visual character of the project site and proposed removal of the visual aspects as identified in the General Plan would result in a significant adverse impact related to the visual character and



quality of the site. Mitigation measures are not available to reduce the impact of the proposed project to the visual character of the site.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.



## VII ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR, in Section 6.0 *Alternatives* (incorporated by reference), discusses the environmental effects of alternatives to the proposed project. A description of these alternatives, a comparison of their environmental impacts to the proposed project, and the City Council's findings are listed below. These alternatives are compared against the project relative to the identified project impacts, summarized in sections V and VI, above, and to the project objectives, as stated in Section 2.0 *Project Description* of the Draft EIR. In making the following alternatives findings, the City of Rancho Palos Verdes certifies that it has independently reviewed and considered the information on alternatives provided in the Draft EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

### A NO PROJECT ALTERNATIVE

This alternative assumes that development of the proposed project would not occur and that the site would remain an undeveloped hillside. The site would remain in its current condition and no improvements (including trails) would occur.

#### Finding

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of senior housing in proximity to services, consistency with the existing Institutional Zoning at the site and compatibility with existing development in the area, as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

#### Facts in Support of Finding

The No Project alternative would avoid the proposed project's significant and unavoidable aesthetics impact as it would not change the visual character of the site. The proposed project's potentially significant but mitigable aesthetic impacts, such as light and glare, impacts to biological resources related to nesting birds and non-native plant species, geology impacts related to slope stability and expansive soils, traffic impacts related to sight distance at the project entrance, and construction impacts related to air quality, would also be avoided.

However, the No Project alternative would not provide new senior housing opportunities in Rancho Palos Verdes or the pedestrian trails that would connect Crestridge Road to the Vista Del Norte Ecological Preserve. As such, this alternative would not meet the objectives of the proposed project or the Institutional Zoning in place at the site. Implementation of the No Project alternative would not preclude future development on the site.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.



## **B REDUCED PROJECT ALTERNATIVE**

This alternative assumes that 12 new senior-restricted (55+ years of age or older) for-sale residential units would be developed on the project site. These units would be located along Crestridge Road and would correspond to units 1 to 12 as shown on the site plan for the proposed project (see Figure 2-4 of the Draft EIR). As with the proposed project, the height of several of these units would exceed 16 feet above existing grade; therefore, a conditional use permit would be required. Access would be provided through the site to the City-owned lands (Vista Del Norte Preserve) to the north. The undeveloped portion of the property would be restored with native vegetation, with pedestrian trails connecting this area of the site to the adjacent preserve.

### **Finding**

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of senior housing in proximity to services, and compatibility with form and scale of existing development in the area, as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

### **Facts in Support of Finding**

The intent of this alternative is to provide the public and City decision makers with a comparative analysis between the impacts of the proposed project and a reduced project which would reduce but not avoid the proposed project's significant and unavoidable visual character impacts. The Reduced Project Alternative would introduce structural development, new landscaping, and hardscape to an open and undeveloped site. While the intensity of grading required for this alternative would be substantially reduced when compared to the proposed project, alteration of the site's slope and ridgeline topography would likely still be required to accommodate development of this alternative at the project site.

Due to the reduction in grading required, this alternative would also reduce impacts related to aesthetics, air quality, biological resources, geology, greenhouse gases, hydrology and water quality, noise and transportation and circulation; however, with the exception of air quality, these impacts are already less than significant with implementation of the proposed project. This alternative would not avoid the significant and unavoidable impact to aesthetics associated with the proposed project. This alternative would achieve some of the objectives of the proposed project, but not to the extent desired by the applicant. In addition, the reduced density of this alternative may not be economically feasible.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.

## **C OPEN SPACE PRESERVE ALTERNATIVE**

This alternative involves incorporation of the site into the adjacent Vista Del Norte Ecological Preserve and maintaining the site as open space. Recreational amenities would be added to the



site for use by the public, including trails connecting to the existing Vista Del Norte Ecological Preserve, which would replace the existing informal paths used by the public at present. Amenities such as an overlook area with seating would also be added.

This alternative would require a change in the land use designation and zoning for the site from Institutional to Open Space. As part of this alternative, the site could be designated as reserve open space under the Rancho Palos Verdes Natural Communities Conservation Planning (NCCP) Subarea Plan.

### **Finding**

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of senior housing in proximity to services, consistency with the existing Institutional Zoning at the site, compatibility with existing development in the area, cost of land acquisition and existing environmental and view character of the area, as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

### **Facts in Support of Finding**

This alternative would avoid the significant impact to visual character that would result from implementation of the proposed project. However, it would not achieve any of the project objectives discussed in Section 2.0, *Project Description*, of the DEIR. For example, as noted in Section 2.0 *Project Description*, the proposed project provides market rate and affordable senior housing. In addition, the proposed project would provide a residential community that is of a scale and density that is consistent with the adjacent senior housing facilities. This alternative would not fulfill the intent of the existing Institutional Zoning at the site and would require a change in land use designation and zoning to accommodate formal open space at the site. Finally, this alternative would require the expenditure of funds to acquire the site; there are other properties that would be higher priorities for acquisition for these purposes based on superior aesthetic, recreational or biological resources.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.

## **D OTHER INSTITUTIONAL USE**

This alternative would involve development of an approximately 18,000 square foot, single-story (16 feet maximum height) building, or strip of buildings depending on the use or uses at the site, directly adjacent to Crestridge Road that would be occupied uses allowed under the site's Institutional Zoning. The remainder of the site would be left in its current undeveloped state. Grading at the site would be limited to only what is required to accommodate the building and the supporting infrastructure; retaining walls would be constructed at the rear of the structure to limit the amount of alteration required to the slopes north of Crestridge Road. No on-site parking would be provided as part of this alternative; therefore, all workers and visitors to the site would be required to use on-street parking.



This alternative would not include provision for a pedestrian link to the adjacent Vista Del Norte Preserve.

### **Finding**

- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of senior housing in proximity to services, provision of pedestrian trails, compatibility with existing development in the area and existing environmental and view character of the area, as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

### **Facts in Support of Finding**

While this alternative would not achieve the project objectives stated in Section 2.0, *Project Description*, it would reduce the significant unavoidable impact related to the change in the visual character of the site to a less than significant level. However, it would not continue the senior housing and services development of the area, and a project at the small scale contemplated in the alternative might not be economically feasible.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.



## VIII STATEMENT OF OVERRIDING CONSIDERATIONS

### A INTRODUCTION

The California Environmental Quality Act (CEQA) and the *CEQA Guidelines* provide in part the following:

- CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Environmental Impact Report (EIR) but are not avoided or substantially lessened, the agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3) of the *CEQA Guidelines*.
- If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the *CEQA Guidelines*).

The City of Rancho Palos Verdes, having reviewed and considered the information contained in the Environmental Impact Report (EIR) for the Crestridge Senior Housing Project (the project), Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impact in reaching a decision on the project.

### B SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Although mitigation measures have been included where feasible for potential project impacts as described in the preceding findings, there is no complete mitigation for the following project impact:

- Aesthetics - Visual Character and Quality of the Site.

Details of this significant unavoidable adverse impact are discussed in the Crestridge Senior Housing Project EIR and are summarized in Section VI, *Environmental Effects Which Remain Significant and Unavoidable After Mitigation, and Findings*, in the Statement of Facts and Findings.

### C OVERRIDING CONSIDERATIONS

The proposed action involves discretionary actions needed for approval of the Crestridge Senior Housing Project. Analysis in the EIR for this project has concluded that the proposed project



would result in an impact to aesthetics that cannot be mitigated to a less than significant level. All other potential significant adverse project impacts can be mitigated to a less than significant level through mitigation measures in the Final EIR.

The California Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The City of Rancho Palos Verdes has determined that the significant unavoidable adverse project impacts, which would remain significant after mitigation, are acceptable and are outweighed by social, economic and other benefits of the project. Further, the alternatives that were identified in the Final EIR would not provide the project benefits, as summarized below, to the same extent as the proposed project:

1. The City of Rancho Palos Verdes finds that all feasible mitigation measures have been imposed to lessen project impacts to less than significant levels; and furthermore, that alternatives to the project are infeasible because while they have similar or fewer/reduced environmental impacts, they do not provide all of the benefits of the project, or are otherwise socially or economically infeasible when compared to the project, as described in the Statement of Facts and Findings.
2. The project is consistent with the *City of Rancho Palos Verdes General Plan* land use designation and Institutional Zoning, with approval of the requested Conditional Use Permit. As such, development of the site with senior housing is consistent with the City's vision for the site and surrounding area as evidenced by the approved development pattern of senior housing to the west and east of the site; Belmont Village and Mirandela.
3. The project is compatible in form and scale with the adjacent senior housing facilities and as such would complement the pattern of development in the area. Conversion of this site to designated open space would require a land use designation and zone change and potentially require a financial outlay by the City that could potentially be directed more beneficially elsewhere.
4. The City's Housing Element (2010) encourages and facilitates development of senior housing through density bonuses for new housing that provide at least 50% of all units for seniors. Further, the project will provide for additional affordable senior housing to qualified lower-income households, consistent with the City's inclusionary housing requirements and the City's certified Housing Element.
5. The project will enhance the pedestrian environment by providing public pedestrian pathways that link Crestridge Road to trails on the Vista del Norte Ecological Preserve to the north. Further, the inclusion of this pedestrian link between Crestridge Road and the trails on the Preserve will facilitate implementation of the Conceptual Trails Plan. Signage will help direct the public through the project site to the public trails and trailheads.



6. The determination that the proposed project will result in an unavoidable adverse impact on the visual character and quality of the site is based on the identification of the project site, together with the adjacent Vista del Norte Preserve, as “Canyons and Ridges” and as “Undeveloped Lands Impacting Visual Character in the Visual Aspects Map of the City’s General Plan (General Plan Figure 41). These designations were placed on the site in 1975, at a time when the environmental and view character of the surrounding area were different from present. While at one time there may have been expansive views of the site and its associated ridgelines from Crenshaw Boulevard and beyond (as identified in on General Plan Figure 41) much of these views of the site have been blocked by development along Silver Spur Road since the General Plan was adopted. As such, while the existing designations necessitated an impact finding of significant and unavoidable, the conditions that prompted the inclusion of those designations in the 1975 General Plan exist to a lesser extent today.
7. The project will add new senior residential units, increasing the availability of this type of housing in the City of Rancho Palos Verdes to serve local seniors. The location of the project site will allow creation of a residential community in walking and bicycling distance to services to the north and thus has the potential to result in reduced per-capita greenhouse gas emissions.
8. Any development at the project site will require substantial grading activities to lower the site to maintain views from the upslope residential properties to the south. Reducing the number of residences or altering the type of development at the site would not be economically feasible given the amount of earthworks that would still be required to accommodate development.

Therefore, the City of Rancho Palos Verdes, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the public record, adopts the Statement of Overriding Considerations that has been balanced against the unavoidable adverse impacts in reaching a decision on this project.



## MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the EIR, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program (MMRP).

To implement this MMRP, the City of Rancho Palos Verdes will designate a Project Mitigation Monitoring and Reporting Coordinator ("Coordinator"). The coordinator will be responsible for ensuring that the mitigation measures incorporated into the project are complied with during project implementation. The coordinator will also distribute copies of the MMRP to those responsible agencies identified in the MMRP, which have partial or full responsibility for implementing certain measures. Failure of a responsible agency to implement a mitigation measure will not in any way prevent the lead agency from implementing the proposed project.

The following table will be used as the coordinator's checklist to determine compliance with required mitigation measures.

Key:	DRP	Los Angeles County Department of Regional Planning	ED	Los Angeles County Engineering Department
	EP	Los Angeles County Public Works Environmental Programs Division	LACFD	Los Angeles County Fire Department
	BD	Los Angeles County Department of Building and Safety		

Mitigation Measure/Condition of Approval	Monitoring Milestone/ Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
<b>AESTHETICS</b>						
<p><b>AES-1 Landscape Maintenance.</b> In order to minimize view impairing foliage when viewed from the residences along Mistridge Drive, Oceanridge Drive and Seaside Heights Drive, all [private/common] landscaping throughout the development shall be maintained so that it will not exceed the height of the line illustrated and depicted on the photographs taken from the residences along Mistridge Drive and Seaside Heights Drive, which are on file with the Planning Department (Exhibit B to City Council Resolution No. 2013-31). If it is brought to the City's attention that foliage in the development exceeds the aforementioned line and impairs a view as viewed from any residence along Mistridge Drive, Seaside Heights Drive or Oceanridge Drive, then said foliage shall be trimmed down to a level that no longer impairs the view.</p> <p>Prior to issuance of building permits, the applicant shall prepare and submit for City review and approval a landscape plan for the project site. The plan shall demonstrate that:</p> <ul style="list-style-type: none"> <li>Foliage/trees are of a type of species than can be maintained so as not to exceed the height of the line illustrated and depicted on the photos in Exhibit B, to Resolution No. 2012-31, which are the highest visible roof ridgelines of the development.</li> </ul>	Once prior to issuance of building permits, once prior to occupancy clearance	Community Development Department – Planning and Zoning Division	Review landscape plan for compliance with the measure, and ensure implementation in the field			
<b>AIR QUALITY</b>						
<p><b>AQ-1(a) Construction Equipment Controls.</b> The following shall be implemented during construction to minimize emissions of NOx associated with diesel-fuelled construction equipment.</p> <ol style="list-style-type: none"> <li>All diesel construction equipment shall meet Interim Tier 4 EPA emission standards.</li> <li>Construction contractors shall minimize equipment idling time throughout construction. Engines shall</li> </ol>	Periodically during grading and construction	Onsite construction manager, Community Development Department – Building and Safety Division	Verification of implementation in the field during grading and construction			

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
<p>be turned off if idling would be for more than five minutes.</p> <p>3. Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.</p> <p>4. The number of pieces of equipment operating simultaneously shall be minimized.</p> <p>5. Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric), when feasible.</p> <p>6. The engine size of construction equipment shall be the minimum practical size.</p> <p>7. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible.</p> <p>8. During the smog season (May through October), the construction period should be lengthened as permitted by the City's Municipal Code so as to minimize the number of vehicles and equipment operating at the same time.</p>						
<p><b>AQ-1(b) Fugitive Dust Control Measures.</b> The following shall be implemented during construction to minimize fugitive dust emissions:</p> <p>1. All exposed, disturbed, and graded areas onsite shall be watered three times (3x) daily until completion of project construction to minimize the entrainment of exposed soil.</p> <p>2. Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize</p>	Periodically during grading and construction	Onsite construction manager, Community Development Department – Building and Safety Division	Verification of implementation in the field during grading and construction			



Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
<p>fugitive dust during grading activities.</p> <p>3. Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:</p> <ul style="list-style-type: none"> <li>• Trucks transporting material on and off the site must be tarped from the point of origin or must maintain at least one feet of freeboard.</li> <li>• All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.</li> </ul> <p>4. Ground cover must be replaced in disturbed areas as quickly as possible.</p> <p>5. During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either off-site or on-site.</p> <p>6. The contractor must provide adequate loading/unloading areas that limit track-out onto adjacent roadways through the utilization of wheel washing, rumble plates, or another method achieving the same intent.</p> <p>7. Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent</p>						

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
streets and roads.						
8. Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.						
9. All residential units located within 500 feet of the construction site must be sent a notice regarding the construction schedule of the proposed project. A sign legible at a distance of 50 feet must also be posted in a prominent and visible location at the construction site, and must be maintained throughout the construction process. All notices and the signs must indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.						
10. Visible dust beyond the property line emanating from the project must be prevented to the maximum extent feasible.						
11. Signs shall be posted on-site limiting construction traffic to 15 miles per hour or less.						
12. Dust control requirements shall be shown on all grading plans.						
13. These control techniques must be indicated in project specifications. Compliance with the measure shall be subject to periodic site inspections by the City.						
<b>BIOLOGICAL RESOURCES</b>						
<b>BIO-3 Nesting Bird Surveys and Avoidance.</b> Site disturbance, including brush clearance, shall be prohibited during the general avian nesting season (February 1 – August 30), if feasible. If breeding season avoidance is not feasible, a qualified biologist shall conduct a preconstruction nesting bird survey to	Once prior to initiating grading or construction; if work planned during nesting season, periodically during	Community Development Department – Planning and Zoning Division	Verification of completed surveys, if applicable; verification that prescribed measures taken if			



Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
determine the presence/absence, location, and status of any active nests on or adjacent to the project site. The surveys shall be conducted by a qualified biologist approved by the Community Development Department. The extent of the survey buffer area surrounding the site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by MBTA and the Fish and Game Code of California, nesting bird surveys shall be performed twice per week during the three weeks prior to the scheduled vegetation clearance. In the event that active nests are discovered, a suitable buffer (e.g. 30-50 feet for passerines) should be established around such active nests. No ground disturbing activities shall occur within this buffer until the City-approved biologist has confirmed that breeding/nesting is completed and the young have fledged the nest.	grading and construction		species observed			
<p><b>BIO-4(a) Construction Best Management Practices.</b> The following measures shall be employed as part of construction monitoring for the site:</p> <ul style="list-style-type: none"> <li>Contractors shall be educated regarding the off-site Reserve and the need to keep equipment and personnel within the project site prior to the initiation of construction.</li> <li>Temporary construction fencing shall be placed at the planned limits of disturbance adjacent to the Reserve.</li> </ul>	Once prior to initiating grading or construction, periodically during grading and construction	Onsite construction manager, Community Development Department	Verification in the field that education takes place and fencing erected and maintained			
<p><b>BIO-4(b) Provisions for Invasive Species and Native Habitat Elements in the Landscaping Plan.</b> No species listed in the Cal-IPC Invasive Plant Inventory (2006) or identified as potentially invasive ornamental species in the Rancho Palos Verdes NCCP Subarea Plan (2004) will be utilized in the landscaping plan for the site. Species listed in the Subarea Plan include everblooming acacia (<i>Acacia longifolia</i>), Sydney golden wattle (<i>Acacia cyclops</i>), Peruvian pepper tree (<i>Schinus</i></p>	Once prior to issuance of grading or building permits, once prior to occupancy clearance	Community Development Department – Planning and Zoning Division	Review landscape plan for compliance with the measure, and ensure implementation in the field			

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
				Initials	Date	Comments
<p><i>molle</i>), Brazilian pepper tree (<i>Schinus terebenthifolia</i>), black locust (<i>Robinia pseudo-acacia</i>), myoporum (<i>Myoporum laetum</i>), gum tree (<i>Eucalyptus spp.</i>), and pines (<i>Pinus spp.</i>). In addition, to the extent feasible the proposed project shall incorporate native habitat elements into the landscaping plan for the 1.67-acre passive park with trails, scenic overlooks, and community gardens in the northern portion of the Crestridge Senior Housing development project. Native habitat elements include using locally sourced native shrubs such as toyon, California sagebrush, coastal bluff buckwheat, native grasses, and native perennial forbs as part of the planting palette.</p>						
<p><b>BIO-4(c) Construction Staging and Stockpiling Areas.</b> Grading and building plans submitted for the proposed project for City review and approval shall identify areas for construction staging, fueling and stockpiling. These areas shall be located as far as practical from the Vista del Norte Preserve, and not closer than 70 feet from the Preserve boundary.</p>	<p>Once prior to issuance of grading or building permits, periodically during grading and construction</p>	<p>Onsite construction manager, Community Development Department – Building and Safety Division</p>	<p>Review plans for proper staging, fueling and stockpiling locations, verify compliance in field</p>			
<p><b>CULTURAL RESOURCES</b></p>						
<p><b>CR-1 Discovery Procedure.</b> If cultural resources are encountered during grading or construction, the construction manager shall ensure that all ground disturbance activities are stopped, and shall notify the City Building and Safety Department immediately to arrange for a qualified archaeologist to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions to mitigate impacts to the resources must be identified in consultation with a qualified archaeologist. Depending upon the nature of the find, such mitigation may include avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. The archeologist shall complete a report of excavations and findings, and shall the report to the South Central Coastal Information Center. After the find is appropriately</p>	<p>Ongoing during site preparation and grading</p>	<p>Onsite construction manager, Community Development Department – Planning and Zoning Division</p>	<p>If potential cultural resources are encountered, verify that work is stopped and found materials are properly assessed and addressed</p>			



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mitigated, work in the area may resume.						
<p><b>CR-2 Paleontological Monitoring.</b> Prior to the commencement of grading, the applicant shall retain a qualified paleontologist approved by the City to monitor grading and excavation. Monitoring onsite shall occur whenever grading activities are occurring. Additional monitors in addition to one full-time monitor may be required to provide adequate coverage if earth-moving activities are occurring simultaneously. Any cultural resources discovered by construction personnel or subcontractors shall be reported immediately to the paleontologist. In the event undetected buried resources are encountered during grading and excavation, work shall be halted or diverted from the area and the paleontologist shall evaluate the resource and propose appropriate mitigation measures. Measures may include testing, data recovery, reburial, archival review and/or transfer to the appropriate museum or educational institution.</p> <p>All testing, data recovery, reburial, archival review or transfer to research institutions related to monitoring discoveries shall be determined by the qualified paleontologist and shall be reported to the City.</p>	Ongoing during site preparation and grading	Onsite construction manager, Community Development Department – Building and Safety and Planning and Zoning Divisions	Verify that qualified paleontologist is retained and on site during grading, and that all measures are taken if resources discovered			
<b>GEOLOGY AND SOILS</b>						
<p><b>GEO-2(a)</b> Compliance with the recommendations included in the previous geotechnical studies undertaken at the site shall be required. These recommendations include maintenance of a uniform, near optimum moisture content in the slope soils, and avoidance of over-drying or excess irrigation, which will reduce the potential for softening and strength loss. In addition, slope maintenance shall include the immediate planting of the slope with approved, deep rooted, lightweight, drought resistant vegetation, as well as proper care of erosion and drainage control devices, and a continuous rodent control program. Brow ditches and terraces shall be cleaned each fall, before the rainy season, and shall be frequently inspected and cleaned, as necessary, after</p>	Once prior to issuance of grading permits, ongoing during project grading and site preparation	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation during grading and construction			

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
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each rainstorm. Access to the slopes, including foot traffic outside of designated pedestrian footpaths, should be minimized to avoid local disturbance to surficial soils. The City of Ranch Palos Verdes Public Works Department shall review and approve all final plans for slope maintenance prior to issuance of a grading permit.						
<b>GEO-2(b)</b> The proposed retaining wall at the top of the existing cut slope at the eastern boundary of the site shall be designed as a buried retaining wall to support the project and underlying adverse geologic structure. The system requires a design and depth of embedment that would safeguard onsite improvements in the event the offsite slope failed.	Once prior to issuance of grading permits, ongoing during project grading and site preparation	Onsite construction manager, Community Development Department – Building and Safety Division	Verify that plans comply with measure, and implementation during grading and construction			
<b>GEO-2(c)</b> An as-graded geotechnical report shall be prepared by the project geotechnical consultant following completion of grading. The report shall include the results of in-grading density tests, and a map clearly depicting buttress fill keyway locations and depths, removal area locations and depths, sub-drainage system locations and depths and geological conditions exposed during grading.	Once following completion of grading	Onsite construction manager, Community Development Department – Building and Safety Division	Review as-graded report			
<b>GEO-2(d)</b> If required by the final geotechnical report, as reviewed and approved by the City Geologist, the applicant shall install permanent inclinometer stations at the site to allow the northern slope to be monitored for possible movement following implementation of the project. The number and location of the inclinometer stations shall be determined by the City Geologist. The applicant shall submit a record of inclinometer readings along with any recommendations from a geotechnical engineer to the City every six months during the lifetime of the project or until the City Geologist agrees that semi-annual readings are no longer necessary. In addition, readings and geotechnical recommendations shall be submitted to the City following a heavy rainfall month (>2 times average monthly rainfall) or following a magnitude 5.0 or greater seismic event within 20 miles of the project site.	Once following completion of grading; every six months during the lifetime of the project or until the City Geologist agrees that semi-annual readings are no longer necessary	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation during grading and construction			

Mitigation Measure/Condition of Approval	Monitoring Milestone/Frequency	Responsible Agency or Party	Action Indicating Compliance	Compliance Verification		
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If the geotechnical engineer determines that sufficient movement has taken place that warrants further corrective or preventative action, the project applicant shall be responsible for all expenses associated with the costs of implementing any remediation recommended by the geotechnical engineer to ensure that the slope remains stable. Further monitoring by inclinometers may be required, if recommended by the geotechnical engineer or required by the City.						
<p><b>GEO-3(a) Geotechnical Recommendations.</b> Prior to issuance of any Grading Permit or Building Permit, the project applicant shall comply with all recommendations contained within the Geology and Geotechnical Investigation prepared by Group Delta Consultants (2003) including:</p> <ul style="list-style-type: none"> <li>Following grading, the expansion potential of the exposed subgrade shall be tested. The design of foundations and slabs shall consider the high expansion potential. Following completion of grading and until slabs and footings are poured, the exposed soil and bedrock materials shall be periodically wetted to prevent them from drying out. Pre-saturation is also recommended.</li> </ul>	Once prior to issuance of building or grading permits, once following completion of grading	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation following grading and construction			
<p><b>GEO-3(b) Expansive Soil Removal and/or Treatment.</b> Suitable measures to reduce impacts from expansive soils could include one or more of the following techniques, as determined by a qualified geotechnical engineer and approved by the City Geologist:</p> <ul style="list-style-type: none"> <li>Excavation of existing soils and importation of non-expansive soils. All imported fill shall be tested and certified by a registered Geotechnical Engineer and certified for use as a suitable fill material; and</li> <li>On-site foundations shall be designed to accommodate certain amounts of differential expansion in accordance with Chapter 18, Division</li> </ul>	Once prior to issuance of building or grading permits, periodically during grading	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation during grading and construction			

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				Initials	Date	Comments
III of the UBC.						
<b>NOISE</b>						
<p><b>N-1(a) Noise Mitigation and Monitoring Program.</b>                      The applicant shall provide, to the satisfaction of the Community Development Director, a Noise Mitigation and Monitoring Program that requires all of the following:</p> <ul style="list-style-type: none"> <li>• Construction contracts that specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.</li> <li>• That property owners and occupants located within 0.25 miles of the project site shall be sent a notice by the developer, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the project. All notices shall be reviewed and approved by the Community Development Director prior to the mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and telephone number where residents can inquire about the construction process and register complaints.</li> <li>• That prior to issuance of any Grading or Building Permit, the Applicant shall demonstrate to the satisfaction of the City's Building Official how construction noise reduction methods such as shutting off idling equipment and vehicles, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging and parking areas and occupied residential areas, and electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.</li> <li>• That during construction, stationary construction equipment shall be placed such that emitted noise is</li> </ul>	Once prior to issuance of grading and building permits; ongoing during project grading and construction	Onsite construction manager, Community Development Department – Building and Safety Division	Review and approve plan, verify implementation during grading and construction			



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directed away from sensitive noise receivers.						
<b>N-1(b) Construction Vehicle Idling.</b> During demolition, construction and/or grading operations, trucks and other construction vehicles shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way prior to the grading and construction hours.	Ongoing during project grading and construction	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation during grading and construction			
<b>N-1(c) Staging Area.</b> The construction contractor shall provide staging areas onsite to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and sensitive receptors (neighboring residences and institutional uses). This would reduce noise levels associated with most types of idling construction equipment.	Once prior to grading and construction; ongoing during project grading and construction	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation during grading and construction			
<b>N 1(d) Diesel Equipment Mufflers.</b> All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers.	Ongoing during project grading and construction	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation during grading and construction			
<b>N 1(e) Electrically-Powered Tools and Facilities.</b> Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.	Ongoing during project grading and construction	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation during grading and construction			
<b>N-1(f) Restrictions on Excavation and Foundation/Conditioning.</b> Excavation and conditioning activities shall be restricted to between the hours of 8:15 AM and 4:15 PM, Monday through Friday and located to maximize the distance between activity and sensitive	Ongoing during project grading and construction	Onsite construction manager, Community Development Department –	Verify implementation during grading and construction			

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receptors (neighboring residences and institutional uses).		Building and Safety Division				
<b>N-1(g) Additional Noise Attenuation Techniques.</b> For all noise-generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels to the maximum extent feasible. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.	Ongoing during project grading and construction	Onsite construction manager, Community Development Department – Building and Safety Division	Verify implementation during grading and construction			
<b>TRAFFIC AND CIRCULATION</b>						
<b>T-4 Site Access.</b> Install a stop sign and stop bar at the proposed project driveway on Crestridge Road. This feature shall be shown on all project plans submitted for building permit review.	Once prior to issuance of building permits, once prior to occupancy	Onsite construction manager, Community Development Department – Building and Safety Division	Review plans for compliance with the measure, and verify implementation in the field			
<b>T-5 Maintain Sight Distance.</b> Project plans shall show that landscaping and/or hardscape at or near the proposed project driveway is designed such that a driver's clear line of sight is not obstructed, to the satisfaction of the Director of Public Works. In addition, curbside parking shall be prohibited along the property frontage within the identified sight visibility lines shown on Figure 4.8-5 of the EIR.	Once prior to issuance of building permits, once prior to occupancy	Onsite construction manager, Community Development Department – Building and Safety Division	Review plans for compliance with the measure, and verify implementation in the field			

## RESOLUTION NO. 2013-31

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES CONDITIONALLY APPROVING CASE NOS. SUB2012-00001 AND ZON2012-00067 FOR A TENTATIVE TRACT MAP, CONDITIONAL USE PERMIT AND GRADING PERMIT TO ALLOW THE CRESTRIDGE SENIOR CONDOMINIUM HOUSING PROJECT (CASE NOS. ZON2012-00067 & SUB2012-00001) LOCATED AT 5601 CRESTRIDGE ROAD (APN 7589-013-009).**

WHEREAS, on February 22, 2012, applications for an Environmental Assessment, Conditional Use Permit, Grading Permit (ZON2012-00067) and Tentative Tract Map (SUB2012-00001) were submitted to the Community Development Department for 147,000 cubic yards of grading to accommodate a 60-unit senior (age restricted to 55 years and above) condominium housing project on a vacant 9.76-acre parcel located at 5601 Crestridge Road (APN 7589-013-009); and,

WHEREAS, after the submittal of additional information, Staff deemed the project applications complete on April 20, 2012, pursuant to the State Permit Streamlining Act (PSA), Government Code Section 65920 *et seq.*; 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 Regulations, 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 Environmental Impact Report (State Clearinghouse Number 2012051079) (the "EIR"); and,

WHEREAS, the City prepared an Initial Environmental Study (the "Initial Study") for the Project pursuant to Section 15063 of the CEQA Guidelines, and on May 29, 2012, the Initial Study (IS) and Notice of Preparation (NOP) was released to the public and public agencies for a comment period of 31 days (through June 29, 2012). Further, a Public Notice was mailed on May 29, 2012 to the 57 property owners that are within a 500-foot radius from the subject property. Subsequently, the Notice was published in the *Peninsula News* on May 31, 2012. Furthermore, the notice was posted on the City's website, and emailed to the 587 email addresses that are registered on the *listserve* for this project. Lastly, a copy of the Initial Study was made available at the public counter at City Hall, Hesse Park, the local libraries, and made available on the City's website for the public to download and review; and,

WHEREAS, on June 26, 2012, the Planning Commission conducted a public scoping meeting to provide a forum for agencies and members of the community to provide verbal comments on the IS/NOP, at which time the Planning Commission extended the comment period through July 12, 2012; and,

WHEREAS, after the NOP comment period ended, the Draft EIR was prepared taking various comments into account. After completing the Draft EIR, the document was made available to the public on August 21, 2012 for a 48-day public comment period that concluded on October 8, 2012; and,

WHEREAS, on September 26, 2012 the Planning Commission held a public comment session to provide the public with an opportunity to submit verbal comments, in addition to the typical written comments, on the Draft EIR; and,

WHEREAS, on October 25, 2012, the Final EIR was completed and Notice was provided via mail and publication in the *PV Peninsula News* that a public hearing was scheduled with the Planning Commission on November 13, 2012 to review the Final EIR and the entitlement applications for the proposed project. Subsequently, a notice was emailed to the 611 people registered on the City's listserve for this project; and,

WHEREAS, after notice was issued pursuant to the requirements of the Rancho Palos Verdes Development Code and CEQA, the Planning Commission held a duly noticed public hearing on November 13, 2012, at which time all interested parties were given an opportunity to be heard and further present evidence regarding the entitlements associated with the Project, the Final EIR and the responses to the comments received regarding the Draft EIR; and,

WHEREAS, on November 13, 2012 Planning Commission meeting, the Planning Commission directed Staff to include conditions to address lighting, landscaping, trail use, and tower height, and return to the Planning Commission on December 11, 2012 with Resolutions for consideration; and,

WHEREAS, on the December 11, 2012, the Planning Commission adopted PC Resolution No. 2012-22, recommending that the City Council certify the Environmental Impact Report; and, adopted PC Resolution No. 2012-23, recommending that the City Council conditionally approve Case Nos. SUB2012-00001 and ZON2012-00067 for a proposed 60-unit condominium subdivision known as the *Crestridge Senior Condominium Housing Project*; and,

WHEREAS, after notice was issued pursuant to the requirements of the Rancho Palos Verdes Development Code and CEQA, the City Council continued the public hearing to the April 2, 2013 City Council meeting at the applicant's request; and,

WHEREAS, on April 2, 2013, at the applicant's request, the public hearing was continued to May 21, 2013; and,

WHEREAS, on May 21, 2013, the City Council held a duly noticed public hearing, at which time all interested parties were given an opportunity to be heard and present evidence regarding the entitlements associated with the Project, the Final EIR, the responses to the comments received regarding the Draft EIR, and the Planning Commission recommendation:

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

**Section 1:** The proposed project includes 60 age-restricted (aged 55+), for-sale condominium units accessed by one driveway at the southwestern portion of the site. The 60 units will be located within 18 different buildings distributed throughout the site, where

some buildings will be two-story structures and others will be split-level, two-story structures.

The proposed project also includes a 2,400 square foot community building for the residents of the development; a community garden area for the residents at the northwest portion of the site; an outdoor community recreation area at the northeast portion of the site; and a series of public and private pedestrian trails. Three of the condominium units are proposed to be made available to qualified very-low-income senior households in accordance with the City's inclusionary affordable housing requirements contained in Chapter 17.11 (Affordable Housing).

To facilitate the development, a total of 147,000 cubic yards of grading is proposed, which includes 145,000 cubic yards of cut (143,000 cubic yards of export) and 2,000 cubic yards of fill. The topography of the site will be lowered by as much as approximately 38-feet on the western side of the property to create a flatter and lower site. This grading will result in the structures on the west side of the property being well below the maximum 16-foot height limit, as measured from existing grade.

### **TENTATIVE TRACT MAP**

**Section 2:** Consistent with the Planning Commission's recommendation, the City Council makes the following findings of fact with respect to the application for Vesting Tentative Tract Map No. 71878 to subdivide the 9.76-acre site for a 60-unit, age-restricted (aged 55+), condominium project:

- A. The proposed map and the design and improvement of the proposed subdivision are consistent with the Rancho Palos Verdes General Plan. The goal of the Urban Environment Element of the General Plan *"to preserve and enhance the community's quality living environment; to enhance the visual character and physical quality of existing neighborhoods; and to encourage the development of housing in a manner which adequately serves the needs of all present and future residents of the community."* Additionally, it is a policy of the General Plan to *"Review the location and site design of future institutional uses very carefully to ensure their compatibility with adjacent sites"*. Furthermore, it is a Housing Activity Policy of the City's General Plan to *"[require] all new housing developed to include suitable and adequate landscaping, open space, and other design amenities to meet the community standards of environmental quality."* The proposed project meets this goal and these policies as it provides an aesthetically pleasing senior housing project that is compatible with existing land uses and serves the needs of residents within the community, and is consistent with the City's vision for the site and surrounding area as evidenced by the approved development pattern of senior housing to the west and east of the site; Belmont Village and Mirandela, respectively. Lastly, based upon the proposed 60-unit project, the applicant shall be obligated to provide three (3) dwelling units (or their equivalents) that are affordable to households with very low incomes.

- B. The site is physically suitable for the type and density of development proposed in that the subject property measures 9.76-acres in area and is sufficient in size to accommodate the proposed Senior Housing Condominium Project. The buildings are sufficiently spaced, the project provides for open space, outdoor recreational areas for the future tenants, complies with applicable setbacks, and has a density of approximately 6 units to the acre.
- C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, nor are they likely to cause serious public health problems. The subject property has never been developed and has remained a vacant parcel. Further, there have been past approvals and proposals that call out the subject property for the use that is now being proposed. There are no sensitive plant or animal species; no known historical, archaeological or paleontological resources; and no known hazardous materials or conditions on the subject property. In the event that any of these are encountered prior to or during construction of the project, the recommended mitigation measures and conditions of approval will reduce any potential impacts upon the environment, fish and wildlife, sensitive habitats or public health to less-than-significant levels.
- D. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. There are no known public access easements across the subject property that should be preserved as a part of this project. However, since the City's Conceptual Trails Plan (CTP) calls for a trail to connect Crestridge Road to Indian Peak Road below, the project will provide and record a public pedestrian trail easement through the development, consistent with the City's CTP to connect Crestridge Road with the trails in the City's Preserve property to the north adjacent to Indian Peak Road.

### ***CONDITIONAL USE PERMIT***

**Section 3:** Consistent with the Planning Commission's recommendation, the City Council makes the following findings of fact with respect to the application for a conditional use permit to; 1) establish a senior condominium residential development project on the subject property; and, 2) to allow certain building heights to exceed the Institutional District's development standards of 16'-0" tall and one-story:

- A. The site is adequate in size and shape to accommodate the proposed use and for all of the yards, setbacks, walls, fences, landscaping and other features required by Title 17 (Zoning) or by conditions imposed under Section 17.60.050 to integrate said use with those on adjacent land and within the neighborhood, such as:
  - 1. The proposed structures will comply with and exceed all of the required setbacks of the Institutional zoning district.
  - 2. Parking throughout the site will be provided to residents of the facility within dedicated 2-car garages for each unit, and visitor parking will be available

- throughout the site.
3. The proposed project will contain landscaping throughout the facility and will be conditioned to minimize view impairment by requiring the landscaping to be maintained to specified height limits, and the appearance of the buildings will not be apparent due to the landscaping.
  4. The subject site will be lowered by up to 38' from existing grade to create the proposed building pads, internal roadway and parking area, and will create a manageable slope for the site to accommodate the development, which would continue to slope from west to east, but it would be less of a dramatic slope. Further, lowering the site will bring the western portion of the project closer in elevation to the adjacent Belmont Assisted Living facility, which was also lowered substantially from its pre-construction grade; and, lowering the site also reduces the height of the existing slopes along the roadway, which will be planted as part of the project, and will minimize the use of retaining walls along the street. Furthermore, lowering the site substantially and reducing the height of some of the structures reduces the potential view impacts over the site from the upslope residences to the south along Mistridge Drive.
  5. The building designs are of a residential character, with a mix of two-story structures and split-level two story structures, and will be consistent with other residential type structures along Crestridge Road, such as the Belmont Assisted Living Facility, Mirandela Senior Apartments, and the Canterbury Congregate Care Facility, as well as the residential character of the existing single-family residential neighborhoods to the east and south of the site.
- B. The site for the proposed use relates to streets and highways sufficient to carry the type and quantity of traffic generated by the subject use. The project takes direct access from Crestridge Road, a collector roadway connecting Crenshaw Boulevard and Highridge Road. The project plans and traffic study have been reviewed by the City's traffic engineer. The traffic study considered five intersections and focused on assessing potential traffic impacts during the morning and evening commute peak hours and found that the five (5) key study intersections currently operate and are forecast to continue to operate at an acceptable LOS with project implementation. The cumulative projects analysis also found that the five (5) key study intersections are forecast to continue to operate at an acceptable LOS with the addition of project generated traffic. Construction traffic was also assessed since construction includes 143,000 cubic yards of export, and concluded that the increased traffic generated by the project will not exceed the impact threshold. Lastly, sight distance related to the project's access way onto Crestridge Road is adequate due to a mitigation measure limiting landscaping height and prohibiting curbside parking along Crestridge Road within the identified sight visibility lines.
- C. In approving the subject use for age-restricted (aged 55+), Senior condominiums at the specific location, there will be no significant adverse effect on adjacent property or the permitted use thereof. The use will not be in conflict with other

uses in the area and will add to the mixture of housing types offered by providing additional senior housing.

Since the project includes structures that exceed 16-feet above existing grade, Staff conducted view analyses from various residences along Seaside Heights, Mistridge, and Oceanridge Drives. The residences are located to the south of the project site, and contain up to 180-degree views over the subject property. The residences along Oceanridge and Seaside Heights Drives are at a substantially higher elevation than the subject property, and the proposed development will not project into their views. As a result, the proposed project would not result in a significant impact upon views (i.e., adverse effect) to the residences along Seaside Heights and Oceanridge Drives.

The residences along Mistridge Drive are lower in elevation than the residences along Oceanridge Drive. Consequently, although they are higher in elevation than the subject property, due to the topography of the area, these residences do not have a view of the Santa Monica Bay; rather, their views are predominantly of the Los Angeles basin over the subject property and in a northeasterly direction over the abutting Mirandela Senior Housing Project. Staff visited several residences along Mistridge Drive, which have been incorporated into the Aesthetics section of the EIR with view simulations. There are 9 structures that are above the 16-foot height limit dispersed throughout the site as follows:

- a) four, 2-story split level structures that front along Crestridge Road;
- b) one, 2-story split-level structure along the easternmost side of the development;
- c) one, 2-story split-level structure in the middle of the development;
- d) one, 2-story structure in the middle of the development; and,
- e) two, 2-story structures at the rear of the development.

Ultimately, of the 9 structures that are above the 16-foot height limit, the two-story structures (a total of 3 that are identified as “d” and “e”, above) result in some type of view impairment, as the portions above the 16-foot height limit (i.e., 16-feet above existing grade) impair a small portion of the city view at the bottom of the view frames from the existing residences on Mistridge Drive. The proposed structures that are along Crestridge Road and the eastern property line (identified as “a” and “b”, above) are at lower elevations than the other structures on the site; as a result, these structures are in the foreground and will not project into the view frames from the residences along Mistridge Drive. The remaining 3 structures along the rear of the development and in the middle of the development (identified as “d” and “e”, above) are also above the 16-foot limit (i.e., 16-feet above existing grade). Since these buildings are located near the center of the site, they are in the middle of the view corridors of the properties along Mistridge Drive. The heights of these proposed structures, coupled with the location within the view frames, makes them more apparent

and results in some type of view impairment from the residences along Mistridge Drive. As a result, these buildings have been modified in the following manner:

- Reduce the plate heights of the structures containing units 19 thru 22, and 45 and 46 – This reduces the height of the buildings by up to 2-feet.
- Reduce the roof pitch from 3:12, to 1.75:12 for the structures containing units 19 thru 22, and 45 and 46– This reduces the height of the buildings by up to 1-foot
- Change the roofs on the eastern portions of the three buildings from gable roofs to hip-pitched roofs – This reduces the amount of horizontal projections and opens up more view.

The modifications will result in a reduction in the structure heights by 3-feet, resulting in structures that are approximately 23-feet above finish grade, and reduces the roof massing with incorporation of a hip on these buildings. Consequently, these modifications minimize the view impairment such that the buildings will minimally project into the city lights views while maintaining the larger panoramic view from the residences along Mistridge Drive.

- D. The proposed use is not contrary to the General Plan. Specifically, the goal of the Urban Environment Element of the General Plan is *"to preserve and enhance the community's quality living environment; to enhance the visual character and physical quality of existing neighborhoods; and to encourage the development of housing in a manner which adequately serves the needs of all present and future residents of the community."* Additionally, it is a policy of the General Plan to *"Review the location and site design of future institutional uses very carefully to ensure their compatibility with adjacent sites"*. Furthermore, it is a Housing Activity Policy of the City's General Plan to *"[require] all new housing developed to include suitable and adequate landscaping, open space, and other design amenities to meet the community standards of environmental quality."* The proposed project meets this goal and these policies as it provides an aesthetically pleasing senior housing project that is compatible with existing land uses and serves the needs of residents within the community, and is consistent with the City's vision for the site and surrounding area as evidenced by the approved development pattern of senior housing to the west and east of the site; Belmont Village and Mirandela, respectively. Lastly, based upon the proposed 60-unit project, the applicant shall be obligated to provide three (3) dwelling units (or their equivalents) that are affordable to households with very low incomes.
- E. The subject property is not located within an overlay control district.
- F. Conditions, which the Planning Commission finds to be necessary to protect the health, safety and general welfare, have been imposed upon this project. Specifically, as included in the Mitigation Monitoring Program and as shown in the exhibits attached to City Council Resolution Nos. 2013-30 and 2013-31, and briefly described below, the project includes conditions that address:

- Limitations on the heights of walls and fences;
- Conditions regarding the placement and type of exterior light fixtures;
- Requirements for marking fire lanes and prohibiting parking therein;
- Requirements for compliance with the City's attached unit development standards regarding the transmission of sound and vibration through common walls and floors;
- Requirements for dedication of an easement for trail purposes, consistent with the Conceptual Trails Plan.
- Requirements for water-conserving landscaping and irrigation;
- Further limitations or restrictions on the height of foliage and trees; and,
- Restrictions on the number and types of signage for the project.
- Limitations on the heights, roof types and roof pitches for the buildings identified above.

**Section 4:** Consistent with the Planning Commission's recommendation, the City Council makes the following findings of fact with respect to the application for a Grading Permit for 147,000 cubic yards of grading related to the development of the proposed condominium project:

- A. The grading does not exceed that which is necessary for the permitted primary use of the lot, as defined in Section 17.96.2210 of the Development Code. The proposed project encompasses 147,000 cubic yards of total earth movement (cut and fill combined) throughout the 9.76-acre parcel. The grading will substantially lower the existing topography in an effort to maintain views over the subject property. The site will be lowered by approximately 38-feet on the west side of the site, which will result in structures that are lower than the existing topography. Grading of the entire site will occur, and will serve to accommodate the various structures on-site, the internal roadway that will loop through the development, the community building and the outdoor recreation area. Since the intent of the grading is primarily to lower the site's topography, there will be 143,000 cubic yards of export. The export will lower the site to provide a better designed project and will allow the majority of the buildings to be set lower on the site than could be allowed "by right" without the proposed grading (or with less grading).
- B. The grading and/or related construction does not significantly adversely affect the visual relationships with, nor the views from, neighboring properties. The proposed grading results in most structures being lower than would be permitted "by right" without the proposed grading. Furthermore, while there is some fill throughout the site, no fill under buildings is necessary and the proposed project will not significantly affect the visual relationships with, nor the views from neighboring properties.
- C. The nature of the grading minimizes disturbance to the natural contours, and finished contours are reasonably natural. The existing site topography slopes from west to east, and the topography is higher than the adjacent developments

(i.e., Belmont and Mirandela). Artificial fill has been identified at the site, which was placed during grading operations for the construction of Crestridge Road along the southerly property line. The site also slopes up from Crestridge Road to the middle of the site, then slopes down towards the City's Reserve property to the north. Thus, some of the slopes on the site appear to have been manmade and are not natural. Nonetheless, the majority of the grading is to lower the site, and in doing so the resulting structures will be in line with the developments on either side, which slopes down from west to east. Due to the existing topography of the site, which is convex in shape, the grading will also prepare the site for development. The existing contours will be removed, but the finished contours will ensure a gentler sloping site that continues to slope from west to east.

- D. While portions of the topographic features appear to be man-made as a result of the construction of surrounding roadways, and not of a natural topographic feature, the proposed project still considers the topographic features and appearance of the existing site by creating new slopes that are similar to the existing slopes. There will continue to be a transitional slope up to Belmont and down to Mirandela, which aid in creating a stepped development that is in line with the adjacent developments. As a result, the proposed development would not be topographically out of scale with the surrounding area.
- E. The required finding that, for new single-family residences, the grading and/or related construction is compatible with the immediate neighborhood character, as defined in Section 17.02.040(A)(6) of the Development Code, is not applicable because the proposed project is not a new single-family residence.
- F. In new residential tracts, the grading includes provisions for the preservation and introduction of plant materials so as to protect slopes from soil erosion and slippage, and minimize visual effects of grading and construction on hillside areas. The proposed project is a new residential tract, although it is not a single family subdivision. This intent of this finding is to minimize the visual impacts and disturbance of existing vegetation that commonly occurs with cut-and-fill grading of terraced single-family neighborhoods. The grading will lower the site and will result in a development that steps down from west to east such that there is an aesthetic symmetry linking the developments on either side. As a result, the slopes and pervious areas will contain landscaping to prevent erosion and create an aesthetically pleasing site. Further, the landscaping will be conditioned so as to prevent foliage from growing above the heights of the buildings and creating view impairment to the residents to the south of the site. Thus, as proposed and conditioned, adequate landscaping will be provided throughout the site to make the project less apparent.
- G. The grading utilizes street designs and improvements which serve to minimize grading alternatives and harmonize with the natural contours and character of the hillside. The proposed project involves a private roadway that loops within the development to provide access to the various buildings, and includes one

ingress/egress point along Crestridge Road. The street will slope with the resulting topography and will be of a width that can accommodate two-way traffic, will prohibit street parking, and will accommodate emergency personnel. Lastly, beside the ingress/egress driveway along Crestridge Road, the interior roadway will not be visible from the public rights-of-way.

- H. The grading would not cause excessive and unnecessary disturbance of natural landscape or wildlife habitat through removal of vegetation. A Biological Resources Assessment was performed for the EIR. According to the assessment, the subject property is regularly cleared and maintained through disking and grubbing. As such, there is no protected habitat (CSS) present on site. Further, non-native vegetation is present on the site, which provides for poor habitat for wildlife species. The site is, however, adjacent to the City's Reserve property. As such, there are mitigation measures proposed to minimize disturbance and impacts to the City's Reserve, which includes native landscaping, especially for those areas that abut the City's Reserve.
- I. The proposed project is inconsistent with 3 of the grading criteria contained within Municipal Code Section 17.76.040(E)(9) pertaining to grading on slopes over 35% steepness, maximum finished slopes, and maximum depth of cut or fill.

However, a deviation from the criteria regarding grading on slopes greater than 35% is hereby approved because the grading will not threaten the public health, safety and welfare, since development of the subject site will require City Geologist approval and building permits that will ensure that the proposed project will not threaten public health, safety and welfare.

Furthermore, a deviation to the criteria regarding maximum finished slopes and maximum depth of cut and fill is hereby approved because unusual topography, soil conditions, previous grading and other circumstances make such grading reasonable and necessary. However, it is important to consider that the subject site is a vacant parcel with undulating topography and some un-compacted fill material that was placed on the site previously must be removed and exported in order to render the site buildable. Lastly, grading down of the site provides better views and a better visual representation of the project and consistency with the surrounding areas are circumstances that warrant approval of the increased depth of cut and fill.

In regards to a deviation from the grading criteria regarding maximum finished slopes, upslope retaining wall heights, and restricted grading areas, the City Council finds that:

- a) The criteria of subsection (E)(1) through (E)(8) of Municipal Code Section 17.76.040 are satisfied, as noted in A through E above.
- b) The project is consistent with the purpose of the Grading Permit, which is 1) to permit reasonable development of land, 2) ensure the maximum

preservation of natural scenic character of the area consistent with reasonable economic use of the property, 3) ensure that the development of land occurs in a manner harmonious with adjacent lands, and 4) ensure that the project is consistent with the General Plan. Specifically, the proposed project will lower the site while maintaining a similar topographic configuration of a flatter area with slopes, thereby helping to preserve views over the site and not cause visual impacts, which will develop the site in a manner harmonious with adjacent lands. In doing so the project permits the reasonable development of land while maintaining the natural scenic character.

- c) Departure from the standards in subsection (E)(9) of Municipal Code Section 17.76.040 will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity. Lowering the site will ensure less than significant view and visual impacts. Development proposals on large vacant parcels with similar grading have been approved in the past; approval of this project is consistent with prior actions on other Institutional uses along Crestridge Road, namely the Belmont Assisted Living Facility and the Mirandela Senior Affordable Housing projects wherein those sites were also lowered substantially for the same purposes. Lastly, departure from the standards of subsection (E)(9) of Municipal Code Section 17.76.040 will not be detrimental to the public safety nor to other properties, because a geological report for this project has been submitted to and approved by the City geologist.

**Section 5:** Based upon the Final EIR and the record before the Planning Commission and City Council, and consistent with the Planning Commission's recommendation, the City Council finds that the Project will create a significant unavoidable impact to aesthetics (Visual Character and Quality of the Site). This significant impact is further described in the Exhibit "A", titled "Facts, Findings and Statement of Overriding Considerations regarding the Environmental Effects for the Crestridge Senior Housing Project" of Resolution No. 2013-30, which is incorporated herein by this reference .

**Section 6:** The mitigation measures set forth in the Mitigation Monitoring Program, Exhibit "B" to Resolution No. 2013-30, are incorporated into the scope of the proposed project by this reference.

**Section 7:** The time within which the judicial review of the decision reflected in this Resolution, if available, must be sought is governed by Section 1094.6 of the California Code of Civil Procedure or other applicable shortened periods of limitation.

**Section 8:** For the foregoing reasons and based on the information and findings included in the Staff Reports and all of the documents that were presented to the Planning Commission and the City Council, the Minutes and other records of the proceedings related to this application, the City Council of the City of Rancho Palos Verdes hereby conditionally approves Tentative Tract Map No. 71878, Conditional Use Permit, and Grading Permit (Planning Case Nos. SUB2012-00001 and ZON2012-00067), in conjunction with certification of an Environmental Impact Report, to allow the subdivision of

a 9.76-acre site into sixty (60), age-restricted (aged 55+), senior condominium units, located at 5601 Crestridge Road (APN 7589-013-009), subject to the recommended conditions of approval in the attached Exhibits "A" and "B", which are incorporated herein by this reference.

PASSED, APPROVED and ADOPTED this 21<sup>st</sup> day of May 2013.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

State of California                    )  
County of Los Angeles            ) ss  
City of Rancho Palos Verdes     )

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, hereby certify that the above Resolution No. 2013-31 was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on May 21, 2013.

  
\_\_\_\_\_  
City Clerk

**EXHIBIT 'A' TO RESOLUTION 2013-31  
CONDITIONS OF APPROVAL  
FOR CONDITIONAL USE PERMIT, GRADING PERMIT,  
AND TENTATIVE TRACT MAP NO. 71878  
(PLANNING CASE NOS. ZON2012-00067 & SUB2012-00001)**

General

1. This approval is for the following:
  - A. A 60-unit, for-sale, age-restricted (55 years and older) condominium housing complex, distributed amongst 18 individual buildings
  - B. Three (3) units affordable to "Extremely Low" and/or "Very Low" income households in accordance with the City's Inclusionary Housing requirements.
  - C. A private and public trail system in open space areas on the north, and a public trail through the development connecting Crestridge Road with the public trail system in open space areas on the north.
  - D. A 13,000-square foot outdoor community recreation area located at the northeastern corner of the site. The amenities for this area include a patio, a community conversation and gathering stage, a sundeck and outdoor living room, barbeque facilities, bocce ball courts, and picnic tables.
  - E. A 2,400 square-foot Community Service Center building and sundeck providing secondary, centralized community amenities for the project's residents. The Community Service Center building will provide a recreation and lounge area for community gatherings, kitchen, computer center/business room, office, fitness room, bathrooms, indoor and outdoor fireplaces, outdoor living area, spa, barbeque and seating area. The Community Service Center could also be used for community gatherings and as a social venue for regular resident activities like movie nights, book clubs and cooking classes.
  - F. A gated vehicular access off of Crestridge Road. The vehicular entry gate would have a key pad and call box.
  - G. A pedestrian entry tower and access point adjacent to the gated vehicular access.
  - H. An internal private street that is a minimum of 26 feet wide.
  - I. A total of 31 guest parking spaces distributed throughout the site to supplement the two-car garages available for each condominium unit.

- J. A community garden area at the northwest portion of the site (behind the existing Belmont Assisted Living facility) for the residents and/or owners of the Crestridge Senior Housing Condominium project.
2. Within ninety (90) days of this approval, the applicant and/or property owner shall submit to the City a statement, in writing, that they have read, understand and agree to all conditions of approval contained in this approval. Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.
  3. The developer shall supply the City with one mylar, one copy, and an electronic copy of the map after the final map has been filed with the Los Angeles County Recorders Office.
  4. This approval expires twenty-four (24) months from the date of approval of the tentative tract map by the City Council, unless extended per the Subdivision Map Act and Municipal Code. Any request for extension shall be submitted to the Planning Department in writing prior to the expiration of the map.
  5. Construction of the approved project shall substantially comply with the plans originally stamped APPROVED; with the Institutional Zoning District; the mitigation measures, conditions and development standards contained in PC Resolution No. 2012-22 and PC Resolution No. 2012-23; City Council Resolution No. 2013-31; and, the Rancho Palos Verdes Development Code.
  6. The Community Development Director 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.
  7. All mitigation measures contained in the approved Mitigation Monitoring and Reporting Program (MMRP) contained in PC Resolution No. 2012-22 and City Council Resolution No. 2013-30 for the Environmental Impact Report (EIR) shall be adhered to. The mitigation measures are repeated herein under the appropriate subject heading, sometimes with clarifying language that may differ from the MMRP. Where the conditions differ from the mitigation measures, the stricter of the two shall govern. All costs associated with implementation of the Mitigation Monitoring Program shall be the responsibility of the Developer, and/or any successors in interest.
  8. The Conditions of Approval contained herein shall be subject to review and modification, as deemed necessary and appropriate by the Planning Commission at a noticed public hearing held one year after issuance of a final Certificate of Occupancy for the last building constructed. At the review hearing, the Planning

Commission may add, delete or modify any conditions of approval as deemed necessary and appropriate. Notice of said review hearing shall be published and provided to owners of property within a 500' radius from the entire project's boundary, 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. As part of the one year review, the Planning Commission may consider and review compliance with all the conditions of approval, assess any lighting and noise impacts, and address any other concerns raised by Staff, 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 review.

9. In order to minimize view impairing foliage when viewed from the residences along Mistridge Drive, Oceanridge Drive and Seaside Heights Drive, all private landscaping throughout the development shall be maintained so that it will not exceed the height of the line illustrated and depicted on the photographs taken from the residences along Mistridge Drive and Seaside Heights Drive, which are on file with the Planning Department (Exhibit B to City Council Resolution No. 2013-31). If it is brought to the City's attention that foliage in the development exceeds the aforementioned line and impairs a view as viewed from any residence along Mistridge Drive, Seaside Heights Drive or Oceanridge Drive, then said foliage shall be trimmed down to a level that no longer impairs the view.
10. Permitted hours and days for construction activity (other than the aforementioned grading activity) are 7:00 AM to 7:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Municipal Code without a special construction permit.

#### Tentative Tract Map No. 71878

11. The proposed project approval permits 60, age restricted (aged 55+) condominium units on the existing 9.76-acre subject parcel as shown on Tentative Tract Map No. 71878, as approved by the City Council on May 21, 2013.
12. Prior to submitting the Final Map for recordation, the subdivider shall obtain clearances from affected departments and divisions, including a clearance from the City's Engineer for the following items: mathematical accuracy, survey analysis, correctness of certificates and signatures, etc.
13. The Final Map shall be in conformance with the lot size and configuration shown on the Tentative Tract Map.
14. Prior to approval of the Final Map, copies of the Covenants, Conditions and

Restrictions (CC&R's) shall be submitted for review and approval by the Director and the City Attorney. Said CC&R's shall reflect the applicable conditions of approval contained in this Resolution. All necessary legal agreements, including homeowners' association, deed restrictions, covenant, dedication of development rights, public easements and proposed methods of maintenance and perpetuation of drainage facilities and any other hydrological improvements shall be submitted for review and approval prior to the approval of the Final Map.

### County Recorder

15. If signatures of record title interests appear on the final map, the developer shall submit a preliminary guarantee. A final guarantee will be required at the time of filing of the final map with the County Recorder. If said signatures do not appear on the final map, a preliminary title report/guarantee is needed that covers the area showing all fee owners and interest holders. The account for this preliminary title report guarantee shall remain open until the final map is filed with the County Recorder.

### Public Works and City Engineer Conditions

16. Subject to review and approval by the Director of Public Works, prior to final certificate of use and occupancy, the following items shall be addressed:
  - Sidewalk must be constructed on Crestridge Road that provides for a total sidewalk width of 6' from Face of Curb to Back of Sidewalk (to match existing conditions on Crestridge Road).
  - Relocate electrical facilities along Crestridge Road to provide for 4' clear sidewalk access to match other updated facilities and to adhere to ADA.
  - Provide for ADA compliant access across the top of the proposed site entry driveway on Crestridge Road.
  - Indicate the ADA path of travel from Crestridge Rd. throughout the interior of the site.
  - Any other requirements made by the Public Works Department in reviewing the construction plans.
17. Per the Department of Public Works and subject to approval by the Director of Public Works, the Applicant shall ensure the following to the satisfaction of the Public Works Director:
  - No above ground utilities permitted in the Public Right of Way.
  - All utilities must be outside of the driveway approach (minimum 2 feet away from driving edge).
  - Only cement concrete or asphalt concrete surface are allowed in the ROW.

- The engineer shall provide a longitudinal profile of the driveway approach and driveway centerline depicting vertical curves and slopes.
- Driveway approach slope and details needs to comply with APWA STD PLAN 110-0 (latest edition) and other applicable drawings.
- 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 civil engineer and approved by the City Engineer. The report shall include detail drainage conveyance system including applicable swales, channels, street flows, catch basins, and storm drains which will allow building pads to be safe from inundation by rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.
- It is the property owner's responsibility to maintain any landscaping in the abutting public right-of-way and keep it in a safe condition.
- Any cuts made into the existing asphalt roadway of Crestridge Road will require full width resurfacing of the road for a length to be determined by the Director of Public Works or his designee.
- All damaged curb and gutter, sidewalk, and asphalt in front of the proposed property must be removed and replaced in kind.
- All ADA improvements shall be completed by the developer in the ROW.
- Catch basins shall have "NO Dumping-Drain to Ocean" painted on them in the ROW and on the property.
- Filtering and Water Quality devices shall be installed in all storm drain inlets, including existing catch basins where a connection to the development's system is required.
- Plans shall provide Best Management Practices (BMP's) and Water Quality Management Plan (WQMP).
- Plans shall provide Sewer connection information, and shall be approved by LA County Public Works Department prior to approval by the City of Rancho Palos Verdes.
- Plans shall provide clear sight triangle at driveway per Caltrans standards.

### Sewers

18. A bond, cash deposit, or other City approved security, shall be posted prior to recordation of the Final Map or start of work, whichever occurs first, to cover costs for construction of and connection to a sanitary sewer system, in an amount to be determined by the Director of Public Works.
19. Prior to approval of the final map, the subdivider shall submit to the Public Works Director a written statement from the County Sanitation District approving the design of the tract with regard to the existing trunk line sewer. Said approval

shall state all conditions of approval, if any, and state that the County is willing to maintain all connections to said trunk lines.

20. Approval of this subdivision of land is contingent upon the installation, dedication and use of local main line sewer and separate laterals to serve each unit of the land division.
21. Sewer easements may be required, subject to review by the City Engineer, to determine the final locations and requirements.
22. Prior to construction, the subdivider shall obtain approval of the sewer improvement plans from the County Engineer Sewer Design and Maintenance Division.

### Water

23. Prior to recordation of the Final Map or prior to commencement of work, whichever comes first, the subdivider must submit a labor and materials bond in addition to either:
  - a. An agreement and a faithful performance bond in the amount estimated by the City Engineer and guaranteeing the installation of the water system; or
  - b. An agreement and other evidence satisfactory to the City Engineer indicating that the subdivider has entered into a contract with the serving water utility to construct the water system, as required, and has deposited with such water utility security guaranteeing payment for the installation of the water system.
24. There shall be filed with the City Engineer a statement from the water purveyor indicating that the proposed water mains and any other required facilities will be operated by the water purveyor and that, under normal operating conditions, the system will meet the needs of the developed tract.
25. At the time the final land division map is submitted for checking, plans and specifications for the water systems facilities shall be submitted to the City Engineer for checking and approval, and shall comply with the City Engineer's standards. Approval for filing of the land division is contingent upon approval of plans and specifications mentioned above.
26. The project shall be served by adequately sized water system facilities that shall include fire hydrants of the size and type and location as determined by the Los Angeles County Fire Department. The water mains shall be of sufficient size to accommodate the total domestic and fire flows required for the land division. The City Engineer shall determine domestic flow requirements. Fire flow

requirements shall be determined by the Fire Department and evidence of approval by the Fire Chief is required.

27. Framing of structures shall not begin until after the Los Angeles County Fire Department has determined that there is adequate firefighting water and access available to said structures.
28. Prior to issuance of the first building permit, the applicant shall ensure that construction plans and specifications for the project include the following interior water-conservation measures:
  - Reduce water pressure to 50 pounds per square inch or less by means of a pressure-reducing valve;
  - Install water-conserving clothes washers;
  - Install water-conserving dishwashers and/or spray emitters that are retrofitted to reduce flow; and,
  - Install one-and-one-half gallon, ultra-low flush toilets.
29. Prior to issuance of the first building permit, the applicant shall submit landscape and irrigation plans for the common open space areas for the review and approval of the Community Development Director. If the Community Development Director utilizes a landscape consultant to review the plans, the applicant shall be responsible for all costs associated with said view. Said plans shall incorporate, at a minimum, the following water-conservation measures:
  - Extensive use of native plant materials.
  - Low water-demand plants.
  - Minimum use of lawn or, when used, installation of warm season grasses.
  - Grouped plants of similar water demand to reduce over-irrigation of low water demand plants.
  - Extensive use of mulch in all landscaped areas to improve the soil's water-holding capacity.
  - Drip irrigation, soil moisture sensors, and automatic irrigation systems.
  - Use of reclaimed wastewater, stored rainwater or grey water for irrigation.

In addition, the landscaping plan shall include the following:

- A pesticide management plan to control the introduction of pesticides into site runoff. The pesticide management plan shall be approved by the Director of Public Works.
- Landscaping at or near the proposed driveway that does not obstruct a driver's clear line of sight to the satisfaction of the City's Public Works Department.
- Foliage/trees are of a type of species that can be maintained so as not to exceed the height of the line illustrated and depicted on the photos in Exhibit B, to Resolution No. 2012-23, which are the highest visible roof ridgelines of the development.

## Drainage

30. All drainage swales and any other on-grade drainage facilities, including gunite, shall be of an earth tone color approved by the Community Development Director prior to building permit final of the last building.
31. Site surface drainage measures included in the project's geology and soils report shall be implemented by the project developer during project construction.
32. Subject to review and approval by the City's Public Works Department and Building and Safety Division, prior to issuance of any grading permit, the project proponent shall submit a stormwater management plan which shows the on-site and off-site stormwater conveyance system that will be constructed by the project proponent for the purpose of safely conveying stormwater off of the project site. These drainage structures shall be designed in accordance with the most current standards and criteria of the Director of Public Works and Los Angeles County Department of Public Works to ensure that default drainage capacity is maintained. The plan shall also show whether existing stormwater facilities off the site are adequate to convey storm flows.
33. In accordance with the Clean Water Act, the developer shall coordinate with the Regional Water Quality Control Board (RWQCB) regarding the required National Pollutant Discharge Elimination System (NPDES) permit for the project. The developer shall obtain this permit and provide the City with proof of the permit before construction activities begin on the project site.
34. Appropriate Best Management Practices (BMPs), including sandbags, shall be used to help control runoff from the project site during project construction activities.
35. In accordance with the Clean Water Act, the project proponent shall coordinate with the Regional Water Quality Control Board (RWQCB) on the preparation of a Stormwater Pollution Prevention Plan (SWPPP) for the proposed project.
36. Prior to issuance of any grading permit, the City's NPDES consultant shall review and approve the project to ensure that the project will comply with all applicable requirements for the control and treatment of erosion and run-off from the project site.

## Streets

37. Prior to recordation of the final tract map, the applicant shall post a bond or other

security acceptable to the Director of Public Works for any approved improvements within the public right-of-way of Crestridge Road.

38. The contractor shall be responsible for repairs to any neighboring streets in the City of Rancho Palos Verdes (those streets to be determined by the Director of Public Works) which may be damaged during development of the project. Prior to issuance of a grading permit, the developer shall post a bond, cash deposit or City approved security, in an amount determined by the Director of Public Works to be sufficient to cover the costs to repair any damage to streets or appurtenant structures as a result of this development. Said streets shall be videotaped by the applicant and submitted to the Public Works Department on CD prior to issuance of a grading permit.
39. Prior to issuance of any Certificate of Occupancy for the project, and subject to review and approval by the Director of Public Works, the Applicant shall be responsible for installing 1) a "STOP" sign and stop bar at the project driveway that intersects with Crestridge Road. This feature shall be shown on all project plans submitted for building permit review. (Mitigation Measure T-4)  
  
Subject to review and approval by the Director of Public Works and the Sheriff's Department, the text of said sign shall be worded in such a way and the location of said sign shall be placed in such a way that the sign will be enforceable by the Sheriff's Department.
40. Landscaping, walls or other site improvements at or near the proposed project driveway shall not obstruct a driver's clear line of sight, to the satisfaction of the Director of Public Works. (Mitigation Measure T-4)
41. On-street parking shall be prohibited along the property frontage within the identified sight visibility lines as determined by the Public Works Director. (Mitigation Measure T-4)

#### Survey Monumentation

42. Prior to recordation of the Final Map, a bond, cash deposit, or combination thereof shall be posted to cover costs to establish survey monumentation in an amount to be determined by the City Engineer.
43. Within twenty-four (24) months from the date of filing the Final Map, the developer shall set survey monuments and tie points and furnish the tie notes to the City Engineer.
44. All lot corners shall be referenced with permanent survey markers in accordance with the City's Municipal Code.

45. All corners shall be referenced with permanent survey markers in accordance with the Subdivision Map Act.

#### Street Names and Unit Numbering

46. Any street names and/or unit numbering by the developer must be approved by the City Engineer.

#### Grading

47. Prior to recordation of the final map or the commencement of work, whichever occurs first, a bond, cash deposit, or combination thereof, shall be posted to cover the costs of grading in an amount to be determined by the City Engineer.
48. Permitted hours and days for grading of the site, including site preparation, import and export, shall be limited to the hours between 8:15 AM and 4:15 PM, Monday through Friday, with no such activities permitted on Saturdays, Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Municipal Code without a special construction permit.
49. Prior to issuance of a grading permit by Building and Safety, the applicant shall submit to the City a Certificate of Insurance demonstrating that the applicant has obtained a general liability insurance policy in an amount not less than 5 million dollars per occurrence and in the aggregate to cover awards for any death, injury, loss or damage, arising out of the grading or construction of this project by the applicant. Said insurance policy must name the City and its officers, agents and employees as additional insureds and be issued by an insurer with a minimum rating of A-VII by Best's Insurance Guide. Said insurance shall not be canceled or reduced during the grading or construction work and shall be maintained in effect for a minimum period of one (1) year following the final inspection and approval of said work by the City, and without providing at least thirty (30) days prior written notice to the City.
50. Approval of the project shall allow a total of 147,000 cubic yards of earth movement, consisting of 145,000 cubic yards of cut and 2,000 cubic yards of fill, of which 143,000 cubic yards will be exported from the site. Any revisions that result in a substantial increase to the aforementioned grading quantities shall be reviewed and approved by the City Council as a revision to the grading application.
51. The construction of three retaining walls shall be permitted as part of the proposed project. These include one, 6-foot high upslope retaining wall behind each of the three structures on the west side of the development, as illustrated on the approved plans. Subject to review and approval by the Community

Development Director, and prior to issuance of any permits, the Applicant shall provide a landscape plan and/or other plan showing how the retaining walls will be aesthetically screened by use of landscaping and wall materials that are aesthetically pleasing.

52. A construction plan shall be submitted to the Community Development Director prior to issuance of a grading permit. Said plan shall include but not be limited to: limits of grading, estimated length of time for rough grading and improvements, location of construction trailer, location and type of temporary utilities. The use of rock crushers shall be prohibited.
53. Prior to filing the Final Map, a grading plan shall be reviewed and approved by the City Engineer and City Geologist. This grading plan shall include a detailed engineering, geology and/or soils engineering report and shall specifically be approved by the project's California State Licensed geologist and/or soils engineer and show all recommendations submitted by them. It shall also be consistent with the tentative map and conditions, as approved by the City.
54. Grading shall conform to Chapter 29, "Excavations, Foundations, and Retaining Walls", and Chapter 70, "Excavation and Grading of the Uniform Building Code".
55. Prior to issuance of a grading permit, haul routes used to transport soil exported from the project site shall be approved by the Director of Public Works to minimize exposure of sensitive receptors to potential adverse noise levels from hauling operations. In reviewing the haul route, the Public Works Director shall take into account and consideration the school traffic along the haul routes, and shall have the ability to modify the approved haul route, modify the hours of the grading operation, and impose any traffic-control conditions in the interest of public safety, if deemed necessary.
56. The following shall be implemented during construction to minimize emissions of NOx associated with diesel-fuelled construction equipment.
  - a) All diesel construction equipment shall meet Interim Tier 4 EPA emission standards.
  - b) Construction contractors shall minimize equipment idling time throughout construction. Engines shall be turned off if idling would be for more than five minutes.
  - c) Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.
  - d) The number of pieces of equipment operating simultaneously shall be minimized.
  - e) Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric), when feasible.
  - f) The engine size of construction equipment shall be the minimum practical

- size.
- h) Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible.
  - i) During the smog season (May through October), the construction period should be lengthened as permitted by the City's Municipal Code so as to minimize the number of vehicles and equipment operating at the same time. (Mitigation Measure AQ-1(a))
57. The following shall be implemented during construction to minimize fugitive dust emissions:
- a) All exposed, disturbed, and graded areas onsite shall be watered three times (3x) daily until completion of project construction to minimize the entrainment of exposed soil.
  - b) Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.
  - c) Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:
    - Trucks transporting material on and off the site must be tarped from the point of origin or must maintain at least one foot of freeboard.
    - All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.
  - d) Ground cover must be replaced in disturbed areas as quickly as possible.
  - e) During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either off-site or on-site.
  - f) The contractor must provide adequate loading/unloading areas that limit track-out onto adjacent roadways through the utilization of wheel washing, rumble plates, or another method achieving the same intent.
  - g) Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
  - h) Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

- i) All residential units located within 500 feet of the construction site must be sent a notice regarding the construction schedule of the proposed project. A sign legible at a distance of 50 feet must also be posted in a prominent and visible location at the construction site, and must be maintained throughout the construction process. All notices and the signs must indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.
- j) Visible dust beyond the property line emanating from the project must be prevented to the maximum extent feasible.
- k) Signs shall be posted on-site limiting construction traffic to 15 miles per hour or less.
- l) Dust control requirements shall be shown on all grading plans.
- m) These control techniques must be indicated in project specifications. Compliance with the measure shall be subject to periodic site inspections by the City. (Mitigation Measure AQ-1(b))

#### Common Area Improvements and CC&Rs

- 58. The community garden area at the northwest portion of the site shall not be planted with any type of trees, including but not limited to citrus trees, avocado trees, etc. The individual gardens in this area shall not be enclosed with any fencing taller than 42-inches in height.
- 59. In order to minimize view impairing foliage when viewed from the residences along Mistridge Drive, Oceanridge Drive and Seaside Heights Drive, all common landscaping throughout the development shall be maintained so that it will not exceed the height of the line illustrated and depicted on the photographs taken from the residences along Mistridge Drive and Seaside Heights Drive, which are on file with the Planning Department (Exhibit B to City Council Resolution No. 2013-31). If it is brought to the City's attention that foliage in the development exceeds the aforementioned line and impairs a view as viewed from any residence along Mistridge Drive, Seaside Heights Drive or Oceanridge Drive, then said foliage shall be trimmed down to a level that no longer impairs the view.
- 60. The Community Service Center shall not be rented to or used by non-residents or non-owners of the community. Additionally, the Center shall be closed daily by no later than 10pm.
- 61. The entry tower shall be limited to a maximum height of 16-feet, as measured from adjacent finish grade to the highest point of the structure.
- 62. An improved public pedestrian access trail shall be provided through the community and maintained by the developer and subsequent HOA. Specifically,

the trail system shall be provided for the general public that connects Crestridge Road to the Vista del Norte Trail and the Indian Peak Loop Trail located on the City's Reserve property to the north.

63. The pedestrian access point at the entry tower shall not contain a gate or other similar enclosure that would prevent the general public from entering, or discouraged from entering, the site to access the trailheads at the rear of the property or the trails located on the City's Reserve property to the north. Further, public access shall not be impeded by any gate, fence, or improvement along the entire length of the public trail easement.
64. The public trail shall be limited to pedestrian use only; and shall facilitate and ensure public access through the community to the trails in the Vista del Norte Reserve to the north.
65. The trail portions at the north of the development that connect to the City trails shall be constructed using decomposed granite or other material approved by the Community Development Director and maintained by the developer and subsequent HOA.
66. Directional signage shall be posted along the entire length of the public trail to guide the general public through the development and to the two trails identified above. The location and signage design shall be approved by the Community Development Director prior to installation
67. Any temporary or permanent project signage shall require the approval of a sign permit by the Community Development Director, and shall be consistent with the provisions of Section 17.76.050(E)(2).
68. No parking shall be allowed on the internal private street.
69. The internal private street shall be maintained by the developer and subsequent HOA.
70. A minimum of 31 guest parking spaces shall be provided and maintained throughout the development.

Lighting:

71. All exterior lighting shall be in compliance with the standards of Section 17.56.040 of the Rancho Palos Verdes Development Code.
72. Prior to Building Permit issuance, the applicant shall submit a final site lighting plan, prepared by a lighting consultant, for the review and approval of the

Community Development Director. The lighting plan shall include the location, height, number of lights, foot candles by area and, estimates of maximum illumination on site with no spill/glare at the property line. The lighting color temperature shall be limited to a range between 2,700 to 3,700 Kelvin for lights. The lighting plan shall also demonstrate that all lighting fixtures on the buildings and throughout the entire project site are designed and installed so as to contain light on the subject property and not spill over or be directed toward adjacent properties or public rights-of-way. The light source on each fixture shall be shielded such that the light source is not visible from the public rights-of-way or adjacent properties.

73. Exterior lighting fixtures in the landscape area shall be low, downcast, bollard-type fixtures, not to exceed forty-two 42" inches in height and shall employ downcast and shielded lumieres.
74. 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 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.
75. No outdoor lighting shall be permitted where the light source or fixture, if located on a building is more than 7-feet above existing grade, adjacent to the building, with the exception of ceiling lights in the ceilings above exterior covered balconies.
76. Prior to issuance of a Certificate of Occupancy for each building, the applicant shall request that the Director or his designee conduct an inspection of the site to ensure that there is no spill-over of light onto adjacent properties or cause a negative impact to adjacent properties or public rights-of-way and that the light sources on each fixture are appropriately shielded such that the light source is not visible from the public rights-of-way or adjacent properties. Upon determination by the Director that any installed lighting creates an impact, the property owner shall modify said lighting to the satisfaction of the Director.
77. All exterior lighting fixtures on the grounds, pathways and common areas, including any street lights, shall not exceed 5 feet in height, as measured from adjacent grade.
78. No internally-illuminated signage may be used on the project site.
79. All proposed lighting shall be shielded so that it is down-cast and does not create any direct illumination impacts to off-site properties.

### Street Names and Numbering

80. Any street names and/or house numbering by the developer must be approved by the City Engineer.

### Park, Open Space and Other Dedications

81. Prior to final tract map recordation, the applicant shall pay to the City a fee equal to the value of parkland in lieu of the dedication of such land to the City, pursuant to the provision of Section 16.20.100 of the Rancho Palos Verdes Municipal Code.
82. A pedestrian trail easement shall be dedicated to the City and recorded on the Final Tract Map to connect Crestridge Road with the two existing trails located on the City's Reserve property to the north. The trail portions at the north of the development that are not associated with the trail network for project residents shall be constructed using decomposed granite or other material approved by the Community Development Director.
83. The community services building, internal roadway and public trail shall all be constructed and completed to the satisfaction of the Community Development Director, prior to the building permit final for the first condominium building.

### Affordable Housing

84. The applicant shall construct three (3) units affordable to households with very low incomes. The three (3) affordable units shall be similar in exterior appearance, interior appointments, configuration and basic amenities (such as storage space and outdoor living areas) to the market rate units in the proposed project, as demonstrated to the satisfaction of the Community Development Director prior to building permit final of the affordable units. Covenants and agreements required by Chapter 17.11 of the City's Municipal Code must be recorded against the three (3) affordable units, which shall be specifically designated, concurrently with the recordation of the final map or the issuance of the certificate of occupancy for any building, whichever occurs first.

### Geology

85. Prior to the issuance of a building permit by the City's Building Official, the applicant shall obtain final approval of the grading and construction plans from the City's geotechnical consultant. This review shall include analysis of any potential impacts resulting from the former landslide condition on the subject

property. The applicant shall be responsible for the preparation and submittal of all soil engineering and/or geology reports required by the City's geotechnical consultant in order to grant such final approval.

86. All geologic hazards associated with this proposed development shall be eliminated or the City Geologist shall designate a restricted use area in which the erection of buildings or other structures shall be prohibited.
87. Prior to issuance of grading or building permits, the developer shall submit a Geology and/or Soils Engineer's report on the expansive properties of soils on all building sites in the proposed subdivision. Such soils are defined by Building Code Section 2904 (b).
88. An as-built geological report shall be submitted for structures founded on bedrock. An as-built soils and compaction report shall be submitted for structures founded on fill as well as for all engineered fill areas.
89. Compliance with the recommendations included in the previous geotechnical studies undertaken at the site shall be required. These recommendations include maintenance of a uniform, near optimum moisture content in the slope soils, and avoidance of over-drying or excess irrigation, which will reduce the potential for softening and strength loss. In addition, slope maintenance shall include the immediate planting of the slope with approved, deep rooted, lightweight, drought resistant vegetation, as well as proper care of erosion and drainage control devices, and a continuous rodent control program. Brow ditches and terraces shall be cleaned each fall, before the rainy season, and shall be frequently inspected and cleaned, as necessary, after each rainstorm. Access to the slopes, including foot traffic outside of designated pedestrian footpaths, should be minimized to avoid local disturbance to surficial soils. The City of Rancho Palos Verdes Public Works Department shall review and approve all final plans for slope maintenance prior to issuance of a grading permit. (Mitigation Measure GEO-2(a))
90. The proposed retaining wall at the top of the existing cut slope at the eastern boundary of the site shall be designed as a buried retaining wall to support the project and underlying adverse geologic structure. The system requires a design and depth of embedment that would safeguard onsite improvements in the event the offsite slope failed. (Mitigation Measure GEO-2(b))
91. An as-graded geotechnical report shall be prepared by the project geotechnical consultant following completion of grading. The report shall include the results of in-grading density tests, and a map clearly depicting buttress fill keyway locations and depths, removal area locations and depths, sub-drainage system locations and depths and geological conditions exposed during grading. (Mitigation Measure GEO-2(c))

92. If required by the final geotechnical report, as reviewed and approved by the City Geologist, the applicant shall install permanent inclinometer stations at the site to allow the northern slope to be monitored for possible movement following implementation of the project. The number and location of the inclinometer stations shall be determined by the City Geologist. The applicant shall submit a record of inclinometer readings along with any recommendations from a geotechnical engineer to the City every six months during the lifetime of the project or until the City Geologist agrees that semi-annual readings are no longer necessary. In addition, readings and geotechnical recommendations shall be submitted to the City following a heavy rainfall month (>2 times average monthly rainfall) or following a magnitude 5.0 or greater seismic event within 20 miles of the project site. If the geotechnical engineer determines that sufficient movement has taken place that warrants further corrective or preventative action, the project applicant shall be responsible for all expenses associated with the costs of implementing any remediation recommended by the geotechnical engineer to ensure that the slope remains stable. Further monitoring by inclinometers may be required, if recommended by the geotechnical engineer or required by the City. (Mitigation Measure GEO-2(d))
93. Prior to issuance of any Grading Permit or Building Permit, the project applicant shall comply with all recommendations contained within the Geology and Geotechnical Investigation prepared by Group Delta Consultants (2003) including:
- Following grading, the expansion potential of the exposed subgrade shall be tested. The design of foundations and slabs shall consider the high expansion potential. Following completion of grading and until slabs and footings are poured, the exposed soil and bedrock materials shall be periodically wetted to prevent them from drying out. Pre-saturation is also recommended. (Mitigation Measure GEO-3(a))
94. Suitable measures to reduce impacts from expansive soils could include one or more of the following techniques, as determined by a qualified geotechnical engineer and approved by the City Geologist:
- Excavation of existing soils and importation of non-expansive soils. All imported fill shall be tested and certified by a registered Geotechnical Engineer and certified for use as a suitable fill material; and
  - On-site foundations shall be designed to accommodate certain amounts of differential expansion in accordance with Chapter 18, Division III of the UBC. (Mitigation Measure GEO-3(b))

### Utilities

95. Prior to building permit issuance, the applicant shall provide evidence of confirmation from the applicable service providers that provide water, wastewater

treatment and solid waste disposal, that current water supplies are adequate to serve the proposed project.

96. Prior to building permit issuance, the applicant shall ensure that construction plans and specifications for the project includes the following interior water-conservation measures for the following plumbing devices and appliances: Reduce water pressure to 50 pounds per square inch or less by means of a pressure-reducing valve; Install water-conserving clothes washers; Install water-conserving dishwashers and/or spray emitters that are retrofitted to reduce flow; and, install one-and-one-half gallon, ultra-low flush toilets.
97. All utilities to and on the property shall be provided underground, including cable television, telephone, electrical, gas and water. All necessary permits shall be obtained for their installation. Cable television shall connect to the nearest trunk line at the developer's expense.

Biology:

98. Site disturbance, including brush clearance, shall be prohibited during the general avian nesting season (February 1 – August 30), if feasible. If breeding season avoidance is not feasible, a qualified biologist shall conduct a preconstruction nesting bird survey to determine the presence/absence, location, and status of any active nests on or adjacent to the project site. The surveys shall be conducted by a qualified biologist approved by the Community Development Department. The extent of the survey buffer area surrounding the site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by MBTA and the Fish and Game Code of California, nesting bird surveys shall be performed twice per week during the three weeks prior to the scheduled vegetation clearance. In the event that active nests are discovered, a suitable buffer (e.g. 30-50 feet for passerines) should be established around such active nests. No ground disturbing activities shall occur within this buffer until the City-approved biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. (Mitigation Measure BIO-3)
99. The following measures shall be employed as part of construction monitoring for the site:
  - Contractors shall be educated regarding the off-site Reserve and the need to keep equipment and personnel within the project site prior to the initiation of construction.
  - Temporary construction fencing shall be placed at the planned limits of disturbance adjacent to the Reserve. (Mitigation Measure BIO-4(a))
100. No species listed in the Cal-IPC Invasive Plant Inventory (2006) or identified as

potentially invasive ornamental species in the Rancho Palos Verdes NCCP Subarea Plan (2004) will be utilized in the landscaping plan for the site. Species listed in the Subarea Plan include everblooming acacia (*Acacia longifolia*), Sydney golden wattle (*Acacia cyclops*), Peruvian pepper tree (*Schinus molle*), Brazilian pepper tree (*Schinus terebenthifolia*), black locust (*Robinia pseudo-acacia*), myoporum (*Myoporum laetum*), gum tree (*Eucalyptus spp.*), and pines (*Pinus spp.*). In addition, to the extent feasible the proposed project shall incorporate native habitat elements into the landscaping plan for the 1.67-acre passive park with trails, scenic overlooks, and community gardens in the northern portion of the Crestridge Senior Housing development project. Native habitat elements include using locally sourced native shrubs such as toyon, California sagebrush, coastal bluff buckwheat, native grasses, and native perennial forbs as part of the planting palette. (Mitigation Measure BIO-4(b))

101. Grading and building plans submitted for the proposed project for City review and approval shall identify areas for construction staging, fueling and stockpiling. These areas shall be located as far as practical from the Vista del Norte Preserve, and not closer than 70 feet from the Preserve boundary. (Mitigation Measure BIO-4(c))
102. Cut/fill slopes not subject to fuel modification and adjacent to the City's Reserve property shall be re-vegetated with appropriate native species approved by the PVPLC.
103. Avoid sidecasting of materials during road and utility construction and maintenance.
104. Construction adjacent to drainage shall occur during periods of minimum flow (i.e., summer through the first significant rain of fall) to avoid excessive sedimentation and erosion and to avoid impacts to drainage-dependent species.

### Cultural Resources

105. If cultural resources are encountered during grading or construction, the construction manager shall ensure that all ground disturbance activities are stopped, and shall notify the City Building and Safety Department immediately to arrange for a qualified archaeologist to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions to mitigate impacts to the resources must be identified in consultation with a qualified archaeologist. Depending upon the nature of the find, such mitigation may include avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. The archeologist shall complete a report of excavations and findings, and shall the report to the South Central Coastal Information Center. After the find is

appropriately mitigated, work in the area may resume. (Mitigation Measure CR-1)

106. Prior to the commencement of grading, the applicant shall retain a qualified paleontologist approved by the City to monitor grading and excavation. Monitoring onsite shall occur whenever grading activities are occurring. Additional monitors in addition to one full-time monitor may be required to provide adequate coverage if earth-moving activities are occurring simultaneously. Any cultural resources discovered by construction personnel or subcontractors shall be reported immediately to the paleontologist. In the event undetected buried resources are encountered during grading and excavation, work shall be halted or diverted from the area and the paleontologist shall evaluate the resource and propose appropriate mitigation measures. Measures may include testing, data recovery, reburial, archival review and/or transfer to the appropriate museum or educational institution. All testing, data recovery, reburial, archival review or transfer to research institutions related to monitoring discoveries shall be determined by the qualified paleontologist and shall be reported to the City. (Mitigation Measure CR-2)

### Noise

107. The applicant shall provide, to the satisfaction of the Community Development Director, a Noise Mitigation and Monitoring Program that requires all of the following:
- Construction contracts that specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.
  - That property owners and occupants located within 0.25 miles of the project site shall be sent a notice by the developer, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the project. All notices shall be reviewed and approved by the Community Development Director prior to the mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and telephone number where residents can inquire about the construction process and register complaints.
  - That prior to issuance of any Grading or Building Permit, the Applicant shall demonstrate to the satisfaction of the City's Building Official how construction noise reduction methods such as shutting off idling equipment and vehicles, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging and parking areas and occupied residential areas, and electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.

- That during construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. (Mitigation Measure N-1(a))
108. During demolition, construction and/or grading operations, trucks and other construction vehicles shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way prior to the grading and construction hours specified in condition nos. 10 and 48, above. (Mitigation Measure N-1(b))
  109. The construction contractor shall provide staging areas onsite to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and sensitive receptors (neighboring residences and institutional uses). This would reduce noise levels associated with most types of idling construction equipment. (Mitigation Measure N-1(c))
  110. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers. (Mitigation Measure N-1(d))
  111. Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities. (Mitigation Measure N-1(e))
  112. Excavation and conditioning activities shall be restricted to between the hours of 8:15 AM and 4:15 PM, Monday through Friday and located to maximize the distance between activity and sensitive receptors (neighboring residences and institutional uses). (Mitigation Measure N-1(f))
  113. For all noise-generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels to the maximum extent feasible. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors. (Mitigation Measure N-1(g))

#### Development Standards

114. Unless specific development standards for the development of the property are contained in these conditions of approval, the development of the lots shall comply with the requirements of Title 17 of the City's Municipal Code.
115. Prior to submittal of plans to the Building and Safety Division for plan check, the buildings identified in the associated Staff Report to the Planning Commission dated November 13, 2012, shall be modified as follows:

**Building containing units 23 and 24:** A hip roof shall be added to the East end of the building so that most of the building is below 16 feet in height in order to reduce roof mass at the East end of the building.

**Building containing units 19, 20, 21, 22:** Hip roofs shall be added to both West and East building ends; the roof pitch shall be changed from 3:12, to 1-3/4:12; and the plate heights of the units shall be reduced by 1 foot, from 10 feet to 9 feet in order to reduce the overall building height by 3 feet and reduce the roof mass at both ends of the building. Maximum overall building height shall be limited to 24-feet.

**Building containing units 45 and 46:** A hip roof shall be added to the East end of the building; the roof pitch shall be changed from 3:12, to 1-3/4:12; and the plate heights of the units shall be reduced by 1 foot, from 10 feet to 9 feet in order to reduce the overall building height by 3 feet and reduce the roof mass at the East end of building. Maximum overall building height shall be limited to 24-feet.

116. All buildings shall maintain minimum setbacks of at least twenty-five feet (25'-0") front and street side setbacks, and twenty (20'-0") side and rear setbacks.
117. Driveway slopes shall conform to the maximum 20-percent standard set forth in the Development Code.
118. The private driveway and parking areas shall meet Fire Department standards, including any painting or stenciling of curbs denoting its existence as a Fire Lane and turn-arounds.
119. Prior to building permit issuance, the building elevations shall be revised to provide architectural trim and detailing on any blank 2-story facades of the facing wings of the building.
120. With the exception of the buildings identified in Condition no. 115 above, the maximum building heights shall be limited to the ridgeline elevations identified in the plan reviewed by the Planning Commission on December 11, 2013, and approved by the City Council on March 5, 2013. BUILDING HEIGHT CERTIFICATION REQUIRED for every building, prior to roof sheathing inspection.
121. The pad elevations for each structure shall be limited to the pad elevations identified on the grading plan reviewed by the Planning Commission on December 11, 2012, and approved by the City Council on March 5, 2013. PAD ELEVATION CERTIFICATION REQUIRED for each building pad, prior to construction of each building on that pad. Further, a FINISH FLOOR

ELEVATION CERTIFICATION for each building shall also be provided prior to placement of concrete.

122. The approved project shall consist of sixty (60) 2-bedroom condominium units, age restricted to 55 years and older.
123. The approved project shall provide and maintain a 2 car enclosed garage for each unit. Further, a minimum of 31 off-street guest parking spaces shall be provided and maintained.
124. Chimneys, vents and other similar features shall be no higher than the minimum requirements of the Uniform Building Code.
125. The following attached unit development standards from Chapter 17.06 of the Rancho Palos Verdes Development Code shall apply to all units in the building:
  - a. No plumbing fixture or other such permanent device which generates noise or vibration shall be attached to a common wall adjacent to a living room, family room, dining room, den or bedroom of an adjoining unit. All plumbing fixtures or similar devices shall be located on exterior walls, on interior walls within the unit or on common walls, if adjacent to a similar fixture or device.
  - b. All water supply lines within common walls and/or floors/ceilings shall be isolated from wood or metal framing with pipe isolators specifically manufactured for that purpose and approved by the city's building official. In multistory residential structures, all vertical drainage pipes shall be surrounded by three-quarter-inch thick dense insulation board or full thick fiberglass or wool blanket insulation for their entire length, excluding the sections that pass through wood or metal framing. The building official may approve other methods of isolating sound transmission through plumbing lines where their effectiveness can be demonstrated.
  - c. All common wall assemblies which separate attached single-family units shall be of a cavity-type construction.
  - d. All common wall assemblies which separate all other attached dwelling units (multiple-family condominiums, stock cooperatives, community apartment houses) or a dwelling unit and a public or quasi-public space shall be of a staggered-stud construction.
  - e. All common wall assemblies which separate dwelling units from each other or from public or quasi-public spaces (interior corridors, laundry rooms, recreation rooms and garages) shall be constructed with a minimum rating of fifty-five STC (sound transmission class).
  - f. All common floor/ceiling assemblies which separate dwelling units from each other or from public or quasi-public spaces (interior corridors, laundry rooms, recreation rooms and garages) shall be constructed with a minimum rating of fifty STC (sound transmission class) and a minimum

rating of fifty-five IIC (impact insulation class). Floor coverings may be included in the assembly to obtain the required ratings, but must be retained as a permanent part of the assembly and may only be replaced by another insulation.

- g. STC and IIC ratings shall be based on the result of laboratory measurements and will not be subjected to field testing. The STC rating shall be based on the American Society for Testing and Materials system specified in ASTM number 90-66t or equivalent. The IIC rating shall be based on the system in use at the National Bureau of Standards or equivalent. Ratings obtained from other testing procedures will require adjustment to the above rating systems. In documenting wall and floor/ceiling compliance with the required sound ratings, the applicant shall either furnish the city's building official with data based upon tests performed by a recognized and approved testing laboratory, or furnish the building official with verified manufacturer's data on the ratings of the various wall and floor/ceiling assemblies utilized.

- 126. Fences and walls located within the 25-foot front-yard setback area shall not exceed forty-two inches (42") in height, with the exception of the intersection visibility triangle at the driveway and Crestridge Road, where the height of any fences or walls shall be subject to review and approval by the Public Works Department. No perimeter fencing is approved with these entitlements; however, any future request to install perimeter fencing shall be subject to review and approval by the Community Development Director prior to installation of any perimeter fencing.
- 127. With the exception of solar panels, roof-mounted mechanical equipment is not permitted. Mechanical equipment may encroach upon the rear- and side-yard setback areas, provided that such equipment does not generate noise levels in excess of 65 dBA at the property line.
- 128. The condominium development is a senior housing development for seniors aged 55 and older. The development shall comply with all applicable Federal and State Laws governing senior housing for seniors aged 55 and older.

Exhibit B



Mistridge Drive Residence

Exhibit B



Mistridge Drive Residence

Exhibit B



Mistridge Drive Residence

Exhibit B



Seaside Heights Drive Residence