



## MEMORANDUM

**TO:** HONORABLE MAYOR & CITY COUNCIL MEMBERS  
**FROM:** JOEL ROJAS, AICP, DIRECTOR OF PLANNING,  
BUILDING AND CODE ENFORCEMENT  
**DATE:** JANUARY 5, 2010  
**SUBJECT:** BORDER ISSUES STATUS REPORT  
**REVIEWED:** CAROLYN LEHR, CITY MANAGER  
Project Manager: Kit Fox, Associate Planner

### RECOMMENDATION

Receive and file the current report on the status of border issues.

### EXECUTIVE SUMMARY

This month's report includes:

- A report on the most recent meeting of the San Pedro Facility Restoration Advisory Board (RAB); and,
- A brief final report on the *Silver Center* commercial project at 449 Silver Spur Road in Rolling Hills Estates.

### BACKGROUND

The following is the regular monthly report to the City Council on various "border issues" potentially affecting the residents of Rancho Palos Verdes. The complete text of the current status report is available for review on the City's website at:

[http://palosverdes.com/rpv/planning/border\\_issues/2010/20100105\\_BorderIssues\\_StatusRpt.cfm](http://palosverdes.com/rpv/planning/border_issues/2010/20100105_BorderIssues_StatusRpt.cfm)

**MEMORANDUM: Border Issues Status Report**

**January 5, 2010**

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**DISCUSSION**

**Current Border Issues**

*San Pedro Facility Restoration Advisory Board, US Navy/Los Angeles (San Pedro)*

The San Pedro Facility Restoration Advisory Board (RAB) held its most recent meeting on December 15, 2009. Staff was unable to attend the meeting. However, based upon the attached cover letter and agenda, it appears that the Navy has “closed the books” on the environmental remediation of the former San Pedro and Palos Verdes Drive North housing sites. The former San Pedro site is now the location of the proposed *Ponte Vista* project, while the former Palos Verdes Drive North site has been transferred to Marymount College, Rolling Hills Prep School and Volunteers of America. In the future, the RAB will only deal with environmental remediation at the active Defense Fuel Support Point (DFSP) San Pedro. Staff will continue to monitor this project in future Border Issues reports.

*Silver Center Commercial Project, Rolling Hills Estates*

On November 30, 2009, the Rolling Hills Estates Planning Commission conditionally approved the *Silver Center* project at 449 Silver Spur Road (see attached agenda, Staff report and Resolution). This project did not require the approval of the Rolling Hills Estates City Council. Staff will remove this item from future Border Issues reports.

**New Border Issues**

There are no new Border Issues on which to report at this time.

**Attachments:**

- Cover letter and Agenda for San Pedro Facility RAB meeting (received 12/4/09)
- RHE Planning Commission Agenda, Staff report and Resolution for the *Silver Center* project (dated 11/30/09)



DEPARTMENT OF THE NAVY  
NAVAL FACILITIES ENGINEERING COMMAND SOUTHWEST  
1220 PACIFIC HIGHWAY  
SAN DIEGO, CA 92132-5190

11000  
Ser JE30.SL/0033  
December 2, 2009

From: Commanding Officer, Naval Facilities Engineering Command Southwest

Subj: 2009 SAN PEDRO FACILITY RESTORATION ADVISORY BOARD (RAB) MEETING

Encl: (1) San Pedro Facility RAB Meeting Agenda

1. The Defense Fuel Support Point (DFSP) San Pedro will be holding a RAB meeting on Tuesday, December 15, 2009, from 7:00 pm to 9:00 pm, at the DFSP San Pedro Facility, Building 100. The enclosed agenda lists the proposed topics to be discussed and the location/address of the RAB meeting.

2. Environmental response actions at the former Palos Verdes and San Pedro housing areas have been conducted by the Navy Base Realignment and Closure Program Management Office (BRAC PMO). A determination has been made to adjourn the BRAC portion of the San Pedro Facility RAB pursuant to 32 C.F.R Part 202 (RAB Rule) and the RAB Rule Handbook. According to the RAB Rule, an installation may adjourn a RAB if there is no longer a need for the RAB or when community interest in the RAB declines, including under any of the following circumstances:

- a) A Record of Decision (ROD) is signed for all sites;
- b) Response complete or its equivalent has been achieved for all sites and no further restoration decisions are required;
- c) All remedies are in place;
- d) RAB goals have been achieved;
- e) The Land and/or control of environmental decision making for the site has been transferred to a non-DoD entity; or
- f) There is no longer sufficient and sustained community interest

BRAC PMO has completed all environmental response work for BRAC sites and the regulatory agencies have provided their concurrence with a signed ROD. Therefore, the BRAC RAB is no longer necessary and here by adjourned.

RECEIVED

DEC 04 2009

PLANNING, BUILDING AND  
CODE ENFORCEMENT

Subj: 2009 SAN PEDRO FACILITY RESTORATION ADVISORY BOARD (RAB)  
MEETING

3. Please note that the San Pedro Facility RAB will continue to meet with regard to ongoing Environmental work on the non-BRAC San Pedro sites.

4. If you have any questions, you may contact me at (619) 532-2295 or at si.t.le@navy.mil or you may contact Mr. John Hill with regard to BRAC sites at 619-532-0985 or john.m.hill@navy.mil.



S. T. Le  
By direction

Distribution:  
RAB members

Community members

Mr. Alan Hsu  
Remedial Project Manager  
Department of Toxic and Substances Control  
5796 Corporate Avenue  
Cypress, CA 90630

Mr. Henry Jones  
Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

**SAN PEDRO FACILITY  
RESTORATION ADVISORY BOARD (RAB) MEETING  
Defense Fuel Support Point San Pedro Facility  
3171 North Gaffey Street, Building 100  
San Pedro, California  
Tuesday, December 15, 2009  
7:00pm to 9:30pm**

**AGENDA**

- 7:00 PM      Welcome and Introductions
- Navy Co-Chair: Mr. Si Le  
Community Co-Chair: Mr. Gilbert Alberio
- 7:10 PM      Adjournment of RAB for Base Realignment and Closure (BRAC) Sites
- Mr. John Hill and Ms. Angela Lind  
BRAC Program Management Office West
- 7:40 PM      Installation Restoration (IR) Program Status
- Mr. Si Le, Naval Facilities Engineering Command Southwest
- 7:50 PM      IR Site 32 Remedial Investigation
- Ms. Kathy Monks, Tetra-Tech
- 8:20 PM      DLA Environmental Project Update
- Mr. Kola Olohu, Defense Energy Support Center
- 8:50 PM      Open Forum for RAB Members and Members of the Audience
- 9:30 PM      Meeting Adjourned



## PLANNING COMMISSION AGENDA

November 30, 2009, 7:30 pm

Regular Meeting

Note: Reports and documents relating to each agenda item are on file in the Planning Department and are available for public inspection.

1. CALL MEETING TO ORDER.
2. SALUTE TO THE FLAG.
3. ROLL CALL.
4. APPROVAL OF MINUTES (October 19, 2009).
5. AUDIENCE ITEMS.
6. CONSENT CALENDAR. The following routine matters will be approved in a single motion with the unanimous consent of the Planning Commission. There will be no separate discussion of these items unless good cause is shown by a member of the Commission or the public expressed under audience items prior to the roll call vote. (Items removed will be considered under Business Items.)
  - A. Waive reading in full of all resolutions that are presented for Planning Commission consideration on tonight's agenda and all such resolutions shall be read by title only.
7. BUSINESS ITEMS.
  - A. PLANNING APPLICATION NO. 18-08; APPLICANT: Silver Center; LOCATION: 449 Silver Spur Road; A Precise Plan of Design to construct a one-story, 4,745 square foot retail/office building in the Commercial General (CG) Zone with ground-level conventional parking on an 18,400 square foot (0.42 acre) vacant parcel. (KT)
  - B. PLANNING APPLICATION NO. 34-09; APPLICANT: Wells Fargo; LOCATION: 501 Deep Valley Drive; A Precise Plan of Design to amend the master sign plan for business identification signage. (KT)
8. PUBLIC HEARINGS.

None
9. COMMISSION ITEMS.
10. DIRECTOR'S ITEMS.
11. MATTERS OF INFORMATION.
  - A. Park and Activities Minutes (November 17, 2009)
  - B. City Council Actions (November 10, 2009).
12. ADJOURNMENT.



# Staff Report

City of Rolling Hills Estates

AGENDA  
NOV 30 2009  
ITEM NO. 7A

DATE: NOVEMBER 30, 2009  
TO: PLANNING COMMISSION  
FROM: KELLEY THOM, ASSOCIATE PLANNER  
SUBJECT: PLANNING APPLICATION 18-08  
APPLICANT: SILVER CENTER (AMIR OHEBSION)  
LOCATION: 449 SILVER SPUR ROAD

### OVERVIEW

The following is a request to approve:

1. A Precise Plan of Design (PPD) to construct a one-story, 4,745 square foot (sf) retail/office building in the Commercial General (CG) Zone with ground-level conventional parking on an 18,400 square foot (0.42 acre) vacant parcel;
2. A Mitigated Negative Declaration under the California Environmental Quality Act (CEQA), finding that the project, with mitigation measures, will not have a significant impact on the environment, and Mitigation Monitoring and Reporting Program (MMRP).

At the Planning Commission meeting on November 16, the Commission continued this item for staff to prepare a resolution for adoption. In addition, the Commission had requested further information on traffic mitigation fees and whether the traffic study analyzed U-turns at the intersection adjacent to the project site.

As a response to the Commission's questions, the traffic mitigation fee for the project is \$21,134.23. In addition, the City's traffic engineer determined that the potential impacts of the added U-turns and volume would not have a detrimental effect on the intersection, based on the number of outbound trips identified in the project's Traffic Impact Analysis (TIA), and that the four estimated U-turn vehicle movements in the peak hour can be done safely and without adverse impacts to traffic circulation.

### RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution PA-18-08 for the approval of the Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MMRP), and the Precise Plan of Design (PPD).

(See the following page for a list of exhibits.)

**EXHIBITS**

**Attached**

1. Memorandum from the City Traffic Engineer, dated November 23, 2009
2. Minutes and Staff Report for PC meeting of November 16, 2009
3. Resolution No. PA-18-08 (with Exhibits A & B)

pa.thom-pa18-08 pm



## MEMORANDUM

**To:** Kelley Thom, Associate Planner

**From:** Erik Zandvliet, Traffic Engineer

**Date:** November 23, 2009

**Subject:** Planning Application  
Silver Center Development – 449 Silver Spur Road  
U-Turn Movement

At the recent Planning Commission meeting, a question was raised about the overall safety and circulation impact of vehicle trips exiting the planned development at 449 Silver Spur Road and subsequently making an eastbound to westbound U-turn on Silver Spur Road at Crossfield Drive. The Traffic Impact Analysis prepared for this project estimates that there will be approximately seven (7) outbound trips during the peak hour. Assuming that all trips would exit the Silver Spur Road, approximately four (4) would make the identified U-turn. This is equivalent to one U-turn movement every 15 minutes, or one every 10 traffic signal cycles. Of course, this is a worst case scenario, because 9 of the 23 parking spaces are oriented such that those outbound trips could exit via Crossfield Drive, and make a northbound to westbound left turn at the same intersection instead of making a U-turn.

I have studied the potential impacts of the added U-turns and determined that the volume would not have a detrimental effect on the intersection. The intersection operates at LOS-A (less than 60% capacity), and the eastbound left turn pocket has sufficient length and timing to easily accommodate the anticipated increase. The U-turn has adequate turning radius, and the movement is protected by a green arrow. In addition, there are several additional opportunities to complete U-turns further east on Silver Spur Road if the exiting vehicle does not find an adequate gap in eastbound traffic to enter the left turn pocket across two eastbound travel lanes. In conclusion, I have found that the four estimated U-turn vehicle movements in the peak hour can be done safely and without adverse impacts to traffic circulation.

MINUTES EXCERPT

REGULAR PLANNING COMMISSION MEETING

NOVEMBER 16, 2009

7. BUSINESS ITEMS

- A. PLANNING APPLICATION NO. 18-08; APPLICANT: SILVER CENTER; LOCATION: 449 SILVER SPUR ROAD; A PRECISE PLAN OF DESIGN TO CONSTRUCT A ONE-STORY, 4,745 SQUARE FOOT RETAIL/OFFICE BUILDING IN THE COMMERCIAL GENERAL (CG) ZONE WITH GROUND-LEVEL CONVENTIONAL PARKING ON AN 18,400 SQUARE FOOT (0.42 ACRE) VACANT PARCEL.

Associate Planner Thom gave a brief Staff Report, as per written material, and recommended adoption of the MND and MMRP and approval of the PPD for the next Planning Commission meeting.

COMMISSIONER SCOTT asked about traffic impact fees, and Planning Director Wahba advised that the fee study was adopted by the City Council several months ago, broken down by type of use and number of trips, and will be part of the resolution.

COMMISSIONER CONWAY asked whether there is any aspect of the project that does not comply with code, and Planning Director Wahba responded that there was not.

COMMISSIONER O'DAY asked whether there had been an analysis of the number of U-turns at that corner, especially when school lets out. Planning Director Wahba responded that the number of vehicle trips is going to have a negligible effect on the traffic system, but the 15- to 20-minute peak time when U-turns could be a conflict hasn't been looked at. COMMISSIONER SOUTHWELL agreed that it would be worth looking at and perhaps prohibiting a U-turn there, especially with all the inexperienced drivers when school lets out.

COMMISSIONER HUFF asked about the lighting impact on the surrounding homes overlooking the project. Planning Director Wahba responded that the City requires a lighting plan, which must meet specific code requirements.

CHAIRWOMAN BAYER asked about the rain garden and grasscrete. Associate Planner Thom explained the grasscrete design.

CHAIRWOMAN BAYER then asked at what point the 15-foot setback is measured. Associate Planner Thom responded that it is measured from the property line and does not include the sidewalk.

Hamid Gabbay (9107 Wilshire Boulevard, Los Angeles) came forward as the architect on the project. Mr. Gabbay discussed the changes from the previous design and explained the rain garden and grasscrete concepts.

COMMISSIONER CONWAY expressed his appreciation with the ecological applications and applauded his efforts with the green management plan and site-specific health and safety plan.

Mr. Gabbay pointed out that the City Staff is extremely detail oriented, and therefore, the project is already well planned out and will be easy to move forward.

COMMISSIONER O'DAY asked about financing due to the issues that have prevented previously-approved projects from moving forward.

Amir Ohebsion (1875 Century Park East, #1500, Los Angeles) came forward representing RHE Equity LLC and explained that this is a relatively small project, and about 70% of the equity required for construction is in the bank right now, so it will require only a small loan.

COMMISSIONER O'DAY asked whether tenants had been solicited yet, and Mr. Ohebsion responded that 2700 of the 4500 square feet is already pre-leased to HSBC Bank.

CHAIRWOMAN BAYER commended Mr. Ohebsion for working with Staff to bring back something that the Commission could appreciate and feel comfortable with, in addition to going for Silver "LEED" certification, which is wonderful.

COMMISSIONER O'DAY added that this is a great project, simple with no Variances and in compliance with the Code. It is also in a good financial position with a bank as a tenant. COMMISSIONER O'DAY is still curious about U-turns and traffic impacts but doesn't see them as an obstacle.

COMMISSIONERS CONWAY and SOUTHWELL agreed.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER SCOTT,

TO DIRECT STAFF TO PREPARE A RESOLUTION FOR ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVE THE PRECISE PLAN OF DESIGN AND BRING BACK THE RESOLUTION TO REVIEW THE U-TURN FREQUENCY AND ADDRESS TRAFFIC IMPACTS.

AYES: O'Day, Conway, Southwell, Rein, Scott, Huff, Chairwoman Bayer  
NOES: None  
ABSTAIN: None  
ABSENT: None

PLANNING COMMISSION  
CITY OF ROLLING HILLS ESTATES  
LOS ANGELES COUNTY, CALIFORNIA

RESOLUTION NO. PA-18-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS ESTATES, APPROVING A PRECISE PLAN OF DESIGN (PPD) AND MITIGATED NEGATIVE DECLARATION (MND) FOR A SINGLE-STORY, 4,745 SQUARE FOOT COMMERCIAL/RETAIL BUILDING WITH GROUND-LEVEL CONVENTIONAL PARKING ON AN 18,400 SQUARE FOOT (0.42 ACRE) VACANT PARCEL. APPLICANT: SILVER CENTER (MR. AMIR OHESSION, ROLLING HILLS ESTATES EQUITY, LLC); LOCATION: 449 SILVER SPUR ROAD.

WHEREAS, Mr. Amir OheSSION filed an application with the Planning Department requesting permission to construct a single-story, 4,745 square foot commercial/retail building with ground-level, conventional parking on an 18,400 square foot (0.42 acre) vacant parcel; such an application as required by Chapters 17.30 and 17.58 of the Rolling Hills Estates Municipal Code; and

WHEREAS, Section 17.30.020(B) of the Rolling Hills Estates Municipal Code requires approval of a Precise Plan of Design for a commercial/retail development to locate within the C-G Zone; and

WHEREAS, an Initial Study was prepared by the City pursuant to the requirements of the California Environmental Quality Act (CEQA) and it was found that the project would not have a significant impact on the environment with proper mitigation, thus, a Mitigated Negative Declaration was prepared; and

WHEREAS, in accordance with Section 65033 of the Government Code, the public, abutting cities, affected agencies and districts were notified of the availability of the Initial Study and Mitigated Negative Declaration and were given an opportunity to review and comment; and

WHEREAS, the Planning Department responded in writing to said comments in the Initial Study; and

WHEREAS, upon giving the required notice the Planning Commission conducted a Public Meeting for the subject project on the 16<sup>th</sup> day of November, 2009, and all interested parties were given full opportunity to be heard and to present evidence; and

WHEREAS, as a result of studies and investigations made by the Planning Commission and on its behalf, revealed that the facts as set forth in the Initial Study and Mitigated Negative Declaration, and those discussed during the public meeting show the following:

That with the granting of this Precise Plan of Design application, the commercial/retail development will comply with all provisions of the zoning ordinance (Section 17.58 of the Rolling Hills Estates Municipal Code) to mitigate project impacts.

That with the granting of this Precise Plan of Design application, the commercial/retail development will be so designed and/or arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are provided and no adverse effect on surrounding property will result.

That with the granting of this Precise Plan of Design application, the commercial/retail development will comply with all the development standards of the City and would be consistent with the City's General Plan.

That with the granting of this Precise Plan of Design application, the commercial/retail development within the Peninsula Center will be compatible with the goals of the Land Use Element of the General Plan.

NOW, THEREFORE, the Planning Commission of the City of Rolling Hills Estates does hereby resolve as follows:

SECTION 1. That the foregoing facts constitute conditions necessary to the granting of a Precise Plan of Design pursuant to Chapter 17.58 of the Rolling Hills Estates Municipal Code and

a Mitigated Negative Declaration under CEQA for a single-story, 4,745 square foot commercial/retail building with ground-level conventional parking on an 18,400 square foot (0.42 acre) vacant parcel. Therefore, the Planning Commission approves PA-18-08. Unless otherwise stated, these conditions must be met at all times by the applicant, otherwise, this approval becomes null and void.

General Conditions

1. That the development shall be located and constructed as shown on *Exhibit A*.
2. That all construction shall be in conformance with the approved plans. Any alterations or additions to the approved plans, or any changes to the exterior treatment including but not limited to exterior building materials or the size, shape, or location of windows or other openings, or changes to the size, location or amount of any hardscape shall be reviewed by the Planning Director to determine if further Planning Commission approval is necessary.
3. That all applicable requirements of the State, County, City and other Governmental entities, must be met.
4. That prior to issuance of Building Permits, a Zone Clearance shall be obtained from the Planning Department.
5. That, unless the use is inaugurated or construction of that project is commenced and being diligently pursued not later than one hundred and eighty (180) days after the date this approval is granted, the approval will automatically expire on that date; however, if there have been no changes in the proposed plans or adjacent areas, the Planning Commission may grant a time extension for use inauguration up to an additional one hundred and eighty (180) day period.
6. The applicant shall defend, hold harmless and indemnify at his own expense the City, its agents, officers and employees, from any claim, action, or proceeding, to attack, set aside, void or annul the approval granted in this resolution and shall reimburse the City, its agents, officers and employees for any damages, court costs and attorneys' fees incurred as a result of such action. The City at its sole discretion may participate in the defense of any such action but such participation shall not relieve applicant of his obligation under this condition.
7. That the applicant shall comply with the City's Noise Ordinance during the construction of the development.

Traffic

8. Prior to issuance of a grading or building permit, a 20-foot diagonal corner cut-off street dedication shall be provided to the City at the southwest corner of Silver Spur Road and Crossfield Drive, and the proposed right-of-way dedication shall be identified on the plans. The developer shall construct new sidewalk in the dedicated area and shall modify the pedestrian ramp to current standards.

Air Quality/Greenhouse Gas Emissions Control Measures

9. Prior to the issuance of any grading or building permit, the project plans and specifications shall include a statement which shall be reviewed and approved by the Planning Director, as follows:
  - a. Construction equipment shall be shut off when not in use and shall not idle for more than 15 minutes.
  - b. Queuing of trucks on and off site shall be limited to periods when absolutely necessitated by grading or construction activities.
  - c. On-road construction trucks and other vehicles greater than 10,000 pounds shall be shut off when not in use and shall not idle for more than 5 minutes.
  - d. To the extent feasible, all diesel- and gasoline-powered construction equipment shall be replaced with equivalent electric equipment.
10. Prior to the issuance of a building permit, the applicant shall demonstrate that the project complies with the measures listed below and shall provide documentation of compliance to the Planning Director and Building Official for review and approval. Installation of the

identified design features or equipment will be confirmed by the City Building Official prior to the issuance of a certificate of occupancy, as follows:

- a. The design of the proposed buildings or structures exceeds Title 24 requirements subject to review by the City Building Official.
  - b. The design of the proposed buildings or structures incorporates basic or enhanced insulation such that heat transfer and thermal bridging is minimized.
  - c. Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
  - d. The design of the proposed buildings or structures meets or exceeds the performance of an ENERGY STAR labeled home subject to review.
  - e. The design of the proposed buildings or structures incorporates ENERGY STAR rated windows or better.
  - f. The design of the proposed buildings or structures incorporates ENERGY STAR rated space heating and cooling equipment or better.
  - g. The design of the proposed buildings or structures incorporates ENERGY STAR rated light fixtures or better.
  - h. The design of the proposed buildings or structures incorporates ENERGY STAR rated appliances or better.
  - i. The design of the proposed buildings or structures includes installation/operation of renewable electric generation systems.
  - j. The design of the proposed buildings or structures incorporate energy-efficient domestic hot-water systems.
  - k. That pre-wire for future solar panels have been installed and shall be operated on all main buildings.
  - l. The landscape plan for the proposed building or structures is designed to plant shade trees around main buildings, particularly along southern elevations.
11. That prior to the issuance of a building permit, the applicant shall demonstrate that the roof can support the weight of and would otherwise be suitable for future placement of solar panels.
  12. Prior to the issuance of any certificate of occupancy, the applicant shall demonstrate that all interior building lighting uses compact fluorescent light bulbs to the satisfaction of the Building Official. Compliance with this measure on an ongoing basis shall be monitored by the Building Official.
  13. Every five years after issuance of any certificate of occupancy, the applicant shall provide a third-party energy audit, and innovative power-saving technology identified as part of the audit shall be installed where feasible. The audit and any structural, mechanical, or maintenance alterations implemented shall be provided to the City for review and approval by the Planning Director.
  14. Prior to issuance of any Conditional Use Permit (CUP), certificate of occupancy, or business license, the CUP, certificate, or license shall include a statement the on-road delivery trucks and other vehicles greater than 10,000 pounds shall be shut off when not in use and shall not idle for more than five minutes. The statement in the CUP shall be reviewed and approved by the Planning Director.

#### Noise

15. Prior to issuance of a building permit, the project applicant shall submit a noise analysis to the Planning Director for review and approval. The noise analysis shall demonstrate the existing noise levels on site and noise levels with project build out and build out of approved projects in the project vicinity and mitigation, if required, to meet the City's exterior and interior noise standards. Measures to attenuate noise could include, but are not limited to, installation of insulation or windows beyond existing Building Code requirements.
16. Contractor shall ensure that construction equipment is fitted with modern sound-reduction equipment.

#### Utilities and Service Systems

17. That all utility work located in and connecting to Silver Spur Road and Crossfield Drive shall be subject to review and approval by the City's Department of Public Works prior to issuance of a grading permit for the project.

18. That prior to the issuance of a building permit, the developer shall coordinate with the various utility companies serving the site and pay the necessary fees to ensure adequate and timely service to the proposed development.
19. Any utilities that are in conflict with the development shall be relocated at the developer's expense.
20. That the project plans shall be subject to review by the City's Department of Public Works prior to issuance of a building permit to ensure that no right-of-way impacts will result from installation of the project utilities and service systems.
21. Power, telephone and cable television service shall be underground.

#### Landscaping Requirements

22. That prior to issuance of a building permit, a final landscaping plan shall be submitted to the Park and Activities Commission for review and approval. The final landscaping plan shall include the location, spacing, numbers, sizes, and identity of all planting and material, an irrigation plan, water conservation statement, wall plans, sign plans, and other such plans and drawings required by the Park and Activities Commission. The landscape plan shall comply with the requirements of Chapter 17.59 (Landscaping and Irrigation) of the Municipal Code. Furthermore, commercially available ornamental trees may be replaced on-site with any commercially available species, as long as the species is not prohibited for installation by the City of Rolling Hills Estates Public Works Department along right-of-ways and the species has not been identified by the California Exotic Pest Plant Council as an invasive risk in southern California.
23. That prior to issuance of a grading permit, a soils test shall be submitted per the landscape water conservation ordinance for the review and approval of the Park and Activities Commission.
24. That prior to the issuance of a building permit, water conservation and energy conservation features shall be designed and incorporated into the plumbing and irrigation equipment.
25. That all landscaped areas shall be provided with an automatic irrigation system. The detailed specifications shall be reviewed and approved by the Park and Activities Commission prior to the issuance of Zone Clearance.
26. That the applicant and its successors in interest shall ensure that site planting and irrigation meet the conditions required by Guidelines for Water Conservation in Landscaping (Chapter 17.59 of the Municipal Code). The Park and Activities Commission shall review the proposed landscaping and irrigation to ensure water usage compliance and compatibility with City's desired landscape palette.
27. That the landscape plan shall utilize extensive mulching.

#### Special Conditions

28. That the applicant shall ensure that lighting on the project site shall be directed only onto the property where the light source is located. No lighting shall be permitted which results in the direct illumination of other properties. Prior to issuance of building permits, a lighting plan shall be reviewed and approved by the Planning Director.
29. That, prior to the installation of any signs for the project, a master sign plan shall be reviewed and approved by the Planning Commission.
30. All construction activity shall be limited to between the hours of 7:00 A.M. and 5:00 P.M. Monday through Friday, and 9:00 A.M. and 5:00 P.M. on Saturday. No work shall be permitted on Sundays or holidays (New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day).
31. No queuing of trucks or arrival of construction materials and/or workers to the construction site shall be permitted outside the permitted construction hours and days.
32. That trucks transporting dirt, organic material, and demolition debris from the site shall be covered and hosed down in a location on-site prior to exiting the property. Any trucks transporting dirt and or organic material to the site shall be covered or properly secured to

- prevent off-site debris to the satisfaction of the City Traffic Engineer.
33. Contractor shall prohibit off-site heavy truck activities in local residential areas as well as establish City-approved haul routes.
  34. The project shall be served by adequately sized water system facilities, which shall include fire hydrants of the size, type and location as determined by the Fire Chief.
  35. The water mains shall be of sufficient size to accommodate the total domestic and fire flow required for the land division. Domestic flows required are to be determined by the California Water Service Company. Fire flows required are to be determined by the Fire Chief.
  36. The applicant shall comply with City of Rolling Hills Estates Construction Debris recycling requirements.
  37. That all roof-mounted equipment shall be screened from view to the satisfaction of the Planning Director.
  38. The public improvements serving this project shall comply with Federal and State requirements for the disabled community.
  39. That all handicapped spaces shall be posted and painted to meet the State Handicapped Parking Requirements for the Americans with Disabilities Act (ADA).
  40. Prior to issuance of building permits, the project applicant shall be required to pay applicable fees \$21,134.23 for traffic mitigation and \$2,851.75 for the General Plan Fee.
  41. That any City required or proposed hardscape/landscape improvements in the public right-of-way shall be reviewed and approved by the Park and Activities Commission and/or Public Works with all soft and hard costs payable by the applicant.
  42. That prior to the issuance of a grading and/or building permit, the applicant shall be required to post a security in an amount to be determined by the City of Rolling Hills Estates in an amount sufficient to pay for repairs caused by any damage to public streets or other facilities. Prior to the issuance of a certificate of occupancy, the applicant shall also be responsible for repair of any broken or damaged curb, street, gutter or other utility or public improvements or demolition permits resulting from any construction activity.
  43. Prior to commencement of construction, all on-site construction personnel shall be provided written and verbal instructions and shall be contractually obligated to respect the natural environment including prohibitions against destruction and/or harassment to all forms of plant and animal life.
  44. That all Project Mitigation Measures, as identified in the attached Mitigation Monitoring and Reporting Program (*Exhibit B*), shall be completed to the satisfaction of the responsible Department/Agency.

SECTION 2. This approval shall not be effective for any purpose until applicant has filed an Affidavit of Acceptance stating that he/she is aware of and accepts all of the conditions. If applicant does not accept the conditions within thirty (30) days from the effective date of this approval, all rights hereby granted shall be void. The Affidavit of Acceptance must be received by the City prior to Zone Clearance.

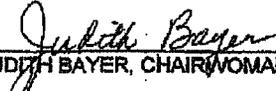
SECTION 3. If any portion of this approval is violated or held to be invalid or if any law, statute, or ordinance is violated by the issuance of this approval or by any one or more of the requirements thereof, said use shall be void and privileges herewith shall lapse and such use shall thereupon cease.

SECTION 4. The City Clerk shall forward a copy of this Resolution to the applicant, to the Building Department, respectively, for their attention.

SECTION 5. That, unless appealed pursuant to the requirements of Article VIII of the Rolling Hills Estates Municipal Code, this Resolution shall become effective twenty (20) days from the date of adoption.

SECTION 6. That the City Clerk shall certify to the adoption of this Resolution.

ADOPTED this 30<sup>th</sup> day of November, 2009.

  
\_\_\_\_\_  
JUDITH BAYER, CHAIRWOMAN

ATTEST:

  
\_\_\_\_\_  
DOUGLAS R. PRICHARD, CITY CLERK

I HEREBY CERTIFY that the foregoing Resolution No. PA-18-08 was adopted by the Planning Commission of the City of Rolling Hills Estates at a regular meeting held thereof on the 30<sup>th</sup> day of November, 2009, by the following vote:

AYES: Conway, Bayer, Huff, Southwell, Scott, Rein

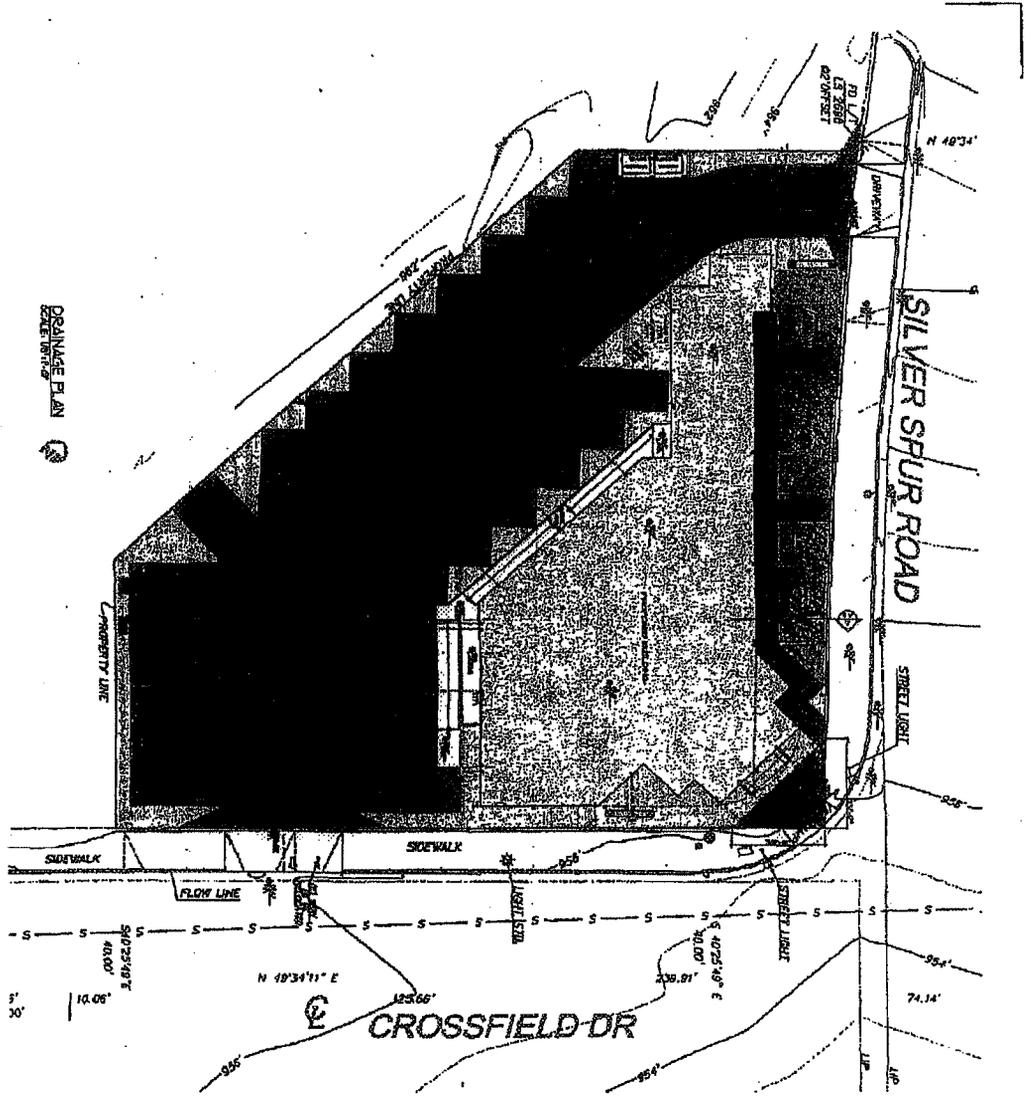
NOES:

ABSENT: O'Day

ABSTAIN:

  
\_\_\_\_\_  
DOUGLAS R. PRICHARD, CITY CLERK





DRAINAGE PLAN  
 EZE 11/17/09

LEGEND

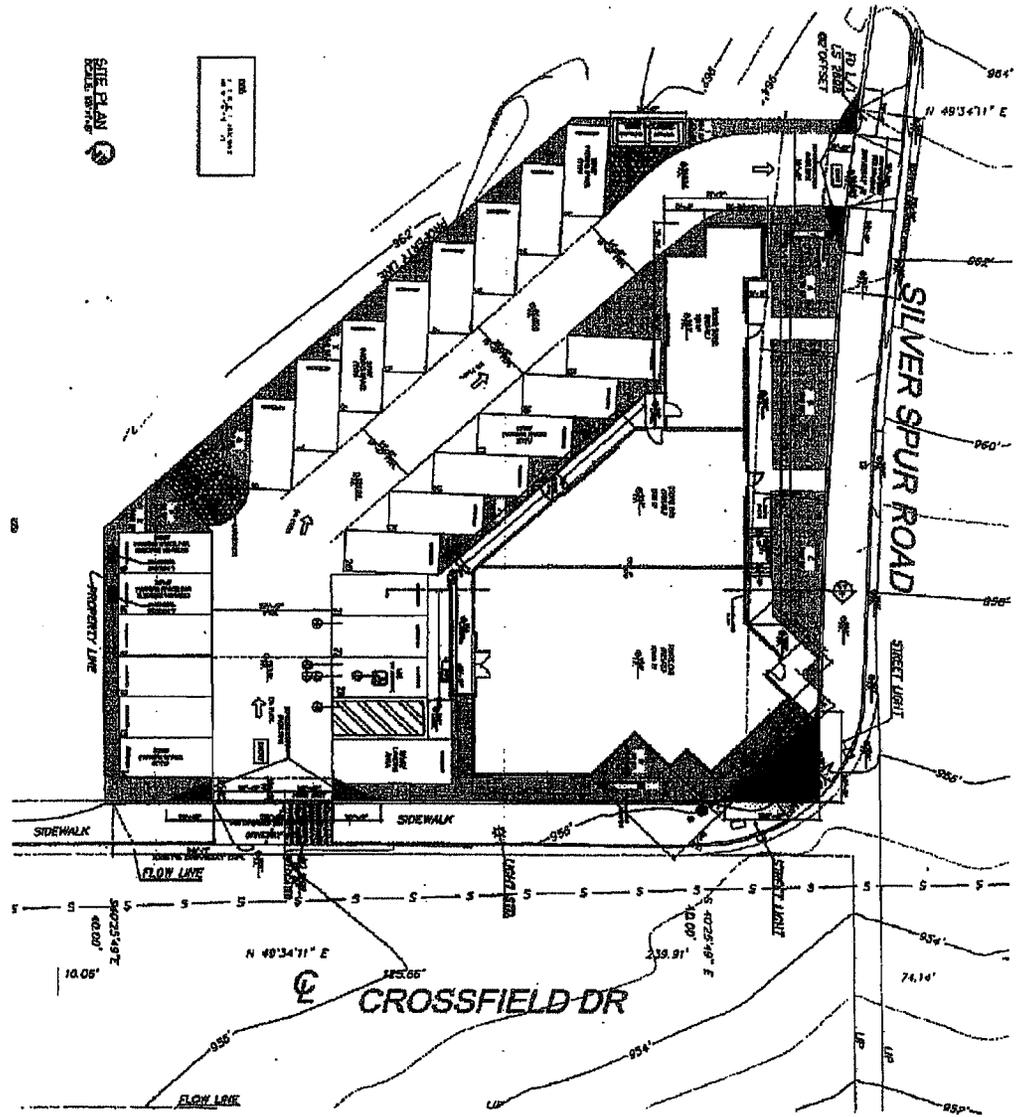
[Symbol]	POUR CONCRETE
[Symbol]	PERMANENT CONCRETE
[Symbol]	GRAVEL/STONE
[Symbol]	PERVIOUS SURFACE
[Symbol]	GRASS

NOT TO SCALE  
 THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.  
 THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 THE DESIGNER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THIS PLAN.

**GABBY ARCHITECTS**  
 10101  
 10101  
 10101

Ex. A  
 2 OF 9



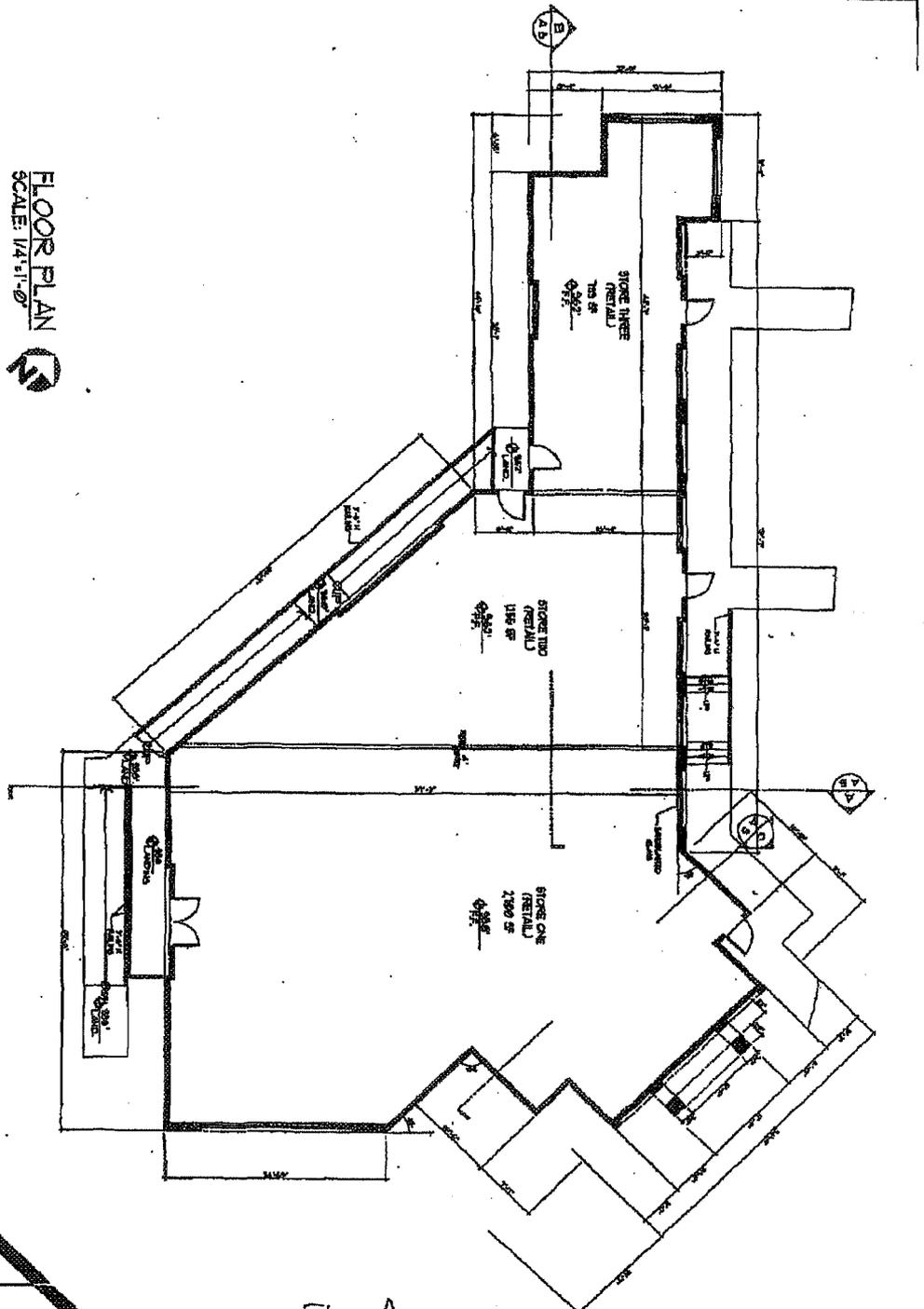


**GABBAY ARCHITECTS**
  
 ARCHITECTS

Ex. A  
3 OF 9

**LEEI**
  
 ENGINEERING & ARCHITECTURE

FLOOR PLAN  
SCALE: 1/4"=1'-0"

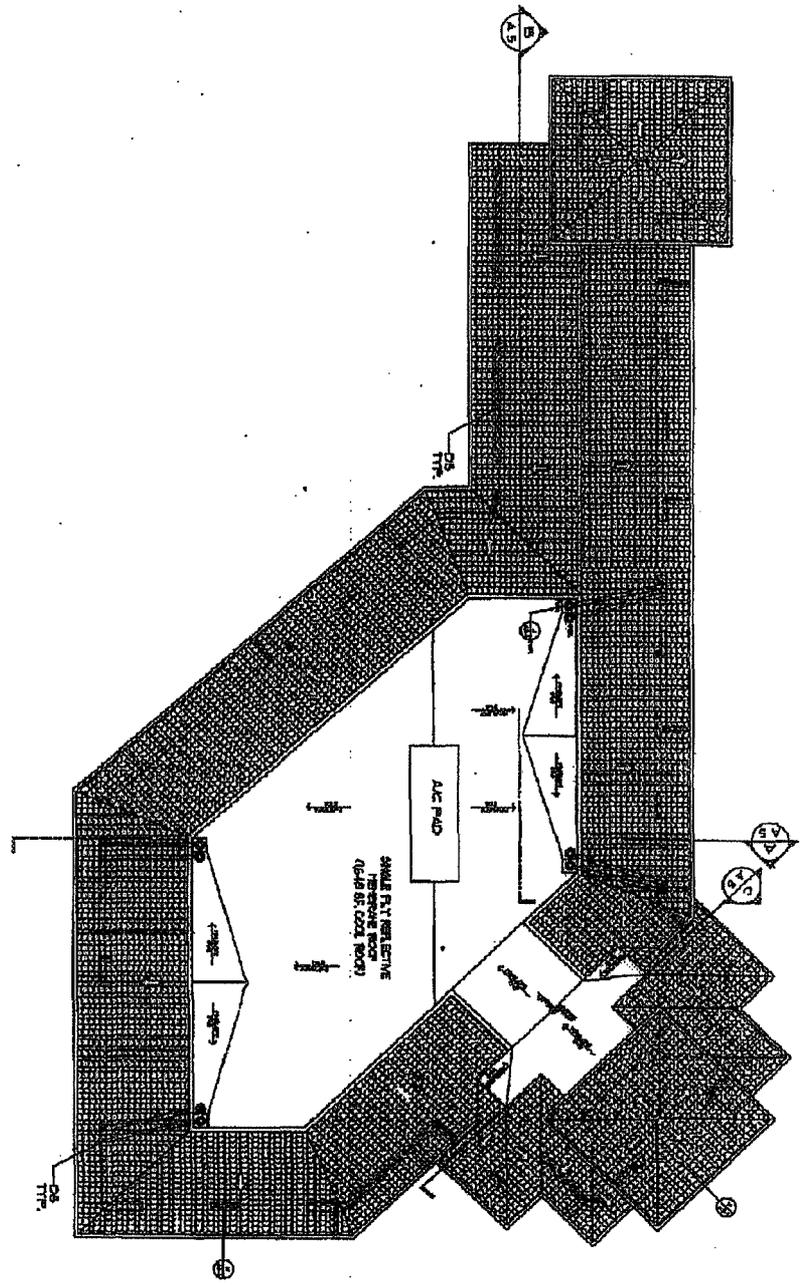


DATE: 12/07/09	SCALE: 1/4"=1'-0"
PROJECT: ROLLING HILLS ESTATES	NO. 12
ARCHITECT: GABBAY ARCHITECTS	

EX-A  
4 OF 9



ROOF PLAN  
SCALE: 1/4"=1'-0"



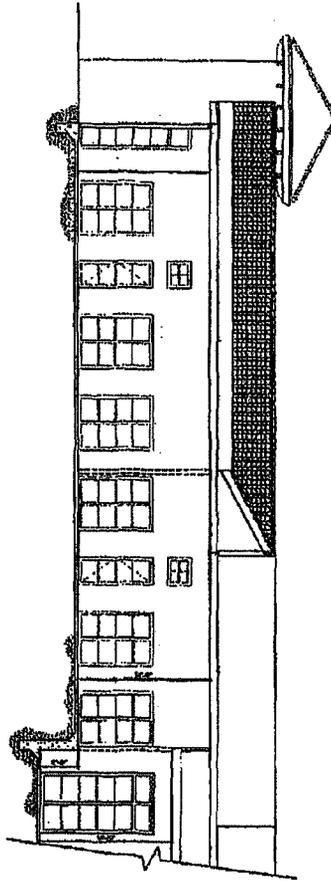
PROJECT NO. 09-001  
 SHEET NO. 09-001-01  
 DATE 12/07/09  
 DRAWN BY [Name]  
 CHECKED BY [Name]  
 APPROVED BY [Name]  
**GABBAY ARCHITECTS**  
 1000 ROLLING HILLS ESTATES  
 ROLLING HILLS ESTATES, CA 90274  
 TEL: (310) 451-1100  
 FAX: (310) 451-1101  
 WWW.GABBAYARCHITECTS.COM

Ex.A  
5 OF 9

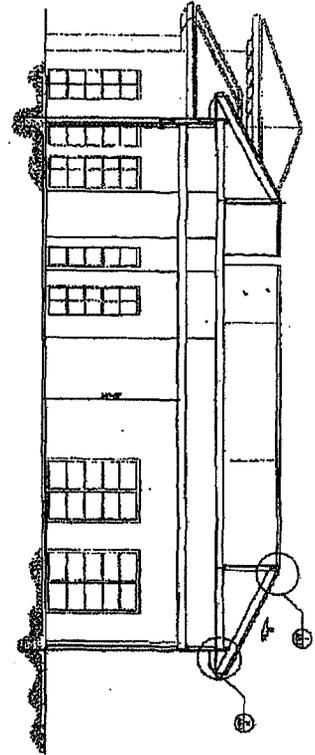




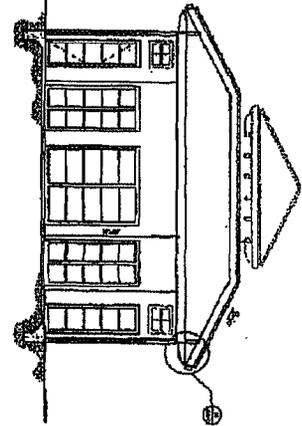




PARTIAL SECTION B  
SCALE: 1/4"=1'-0"



SECTION A  
SCALE: 1/4"=1'-0"

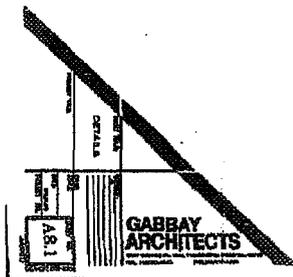
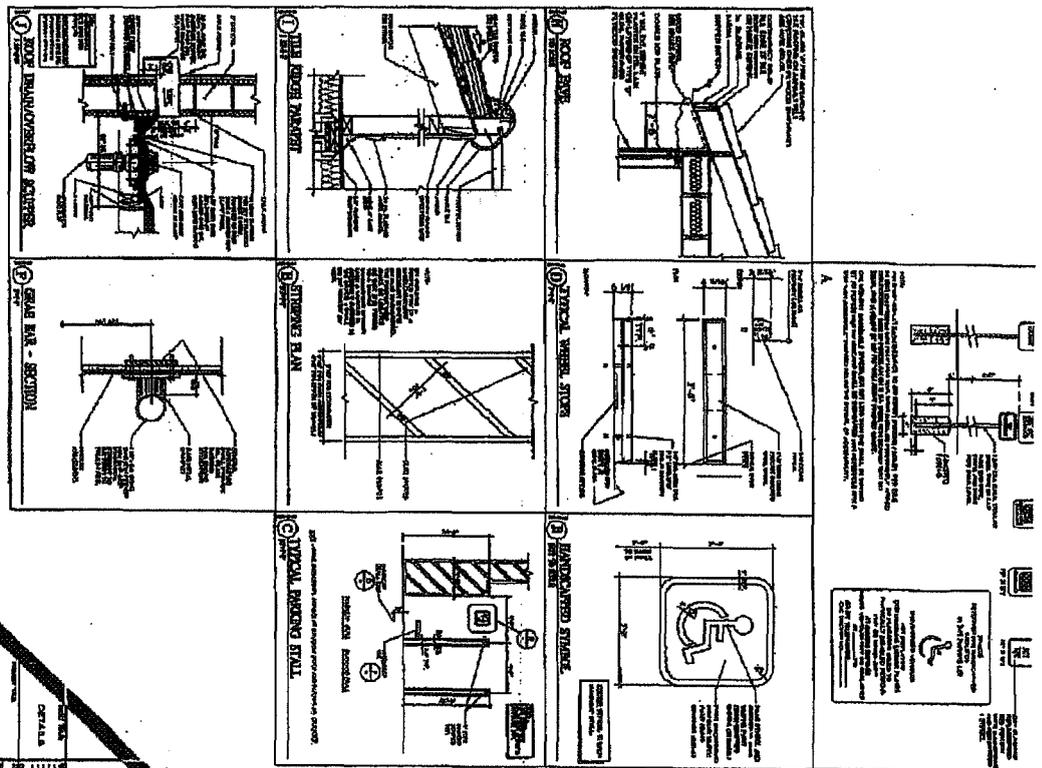


SECTION C  
SCALE: 1/4"=1'-0"

DRAWN BY: [ ]  
 CHECKED BY: [ ]  
 DATE: [ ]  
 PROJECT: [ ]  
 SHEET: [ ] OF [ ]  
**GABBAY ARCHITECTS**  
 ARCHITECTS  
 15515 BAYVIEW BLVD. SUITE 100  
 BAYVIEW, CA 94026  
 TEL: 415.342.1111  
 FAX: 415.342.1112  
 WWW.GABBAYARCHITECTS.COM

Ex. A  
8 OF 9





Ex. A  
9 OF 9



LSA ASSOCIATES, INC.  
NOVEMBER 2009MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT**MITIGATION MONITORING REQUIREMENTS**

Public Resources Code Section 21081.6 (enacted by the passage of Assembly Bill 3180) mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes that have been required or incorporated into the project at the request of a Responsible Agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the Lead Agency or a Responsible Agency, prepare and submit a proposed reporting or monitoring program.
- The Lead Agency shall specify the location and custodian of the documents or other material that constitute the record of proceedings upon which its decision is based.
- A public agency shall provide the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents that address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- Prior to the close of the public review period for a Draft Environmental Impact Report (EIR) or Mitigated Negative Declaration, a Responsible Agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures that would address the significant effects on the environment identified by the Responsible Agency or agency having jurisdiction over natural resources affected by the project, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a Lead Agency by a Responsible Agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures that mitigate impacts to resources that are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a Responsible Agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the Responsible Agency or agency having jurisdiction over natural resources affected by a project, or the authority of the Lead Agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

**MITIGATION MONITORING PROCEDURES**

The mitigation monitoring and reporting program has been prepared in compliance with Public Resources Code Section 21081.6. It describes the requirements and procedures to be followed by the City of Rolling Hills Estates to ensure that all mitigation measures adopted as part of the proposed project will be carried out as described in the Silver Center Mitigated Negative Declaration.

The following table lists each of the mitigation measures specified in the Silver Center Mitigated Negative Declaration and identifies the party or parties responsible for implementation and monitoring of each measure.

P:\RH\TDB\Initial Study\AMRP.doc 11/12/09

PA-18-08 EX. "B"  
1 OF 12 1

LSA ASSOCIATES, INC.  
FOYBLENDE 2187

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

**Mitigation and Monitoring Reporting Program**

Mitigation Measure	Responsible Party	Timing for Mitigation Measure
<p><b>Air Quality</b></p> <p><b>AQ-1</b> Prior to approval of grading plans, the project applicant shall include the following notes on the contractor specifications submitted for review and approval by the City Department of Public Works: "To reduce construction equipment emissions, the following measures shall be implemented when feasible:</p> <p>A. Additional dust suppression measures in the South Coast Air Quality Management District (SCAQMD) California Environmental Quality Act (CEQA) Air Quality Handbook are included as part of the project's measures.</p> <ul style="list-style-type: none"> <li>• All streets shall be swept once a day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).</li> <li>• Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash trucks and any equipment leaving the site each trip.</li> <li>• All on-site roads shall be paved as soon as feasible, watered periodically, or chemically stabilized.</li> <li>• The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.</li> </ul> <p>B. The Construction Contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use. During smog season (May through October), the size of the area prepared each day shall be reduced to minimize vehicles and equipment operating at the same time.</p> <p>C. The Construction Contractor shall support and encourage ridesharing and transit incentives for the construction crew."</p>	<p>Project applicant</p>	<p>Prior to approval of grading plans</p>

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EXB

LSA ASSOCIATES, INC.  
NOVEMBER 2009

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

Mitigation and Monitoring Reporting Program

	Responsible Party	Timing for Mitigation Measure
<p><b>AQ-2</b> Prior to approval of grading plans, the project applicant shall include the following notes on the contractor specifications submitted for review and approval by the Department of Public Works: "To reduce construction equipment emissions, the following measures shall be implemented when feasible.</p> <ul style="list-style-type: none"> <li>• Use low-emission mobile construction equipment. The property owner/developer shall comply with California Air Resources Board (ARB) requirements for heavy construction equipment.</li> <li>• Maintain construction equipment engines by keeping them tuned.</li> <li>• Use low-sulfur fuel for stationary construction equipment. This is required by South Coast Air Quality Management District (SCAQMD) Rules 431.1 and 431.2.</li> <li>• Utilize existing power sources (i.e., power poles) when feasible. This measure would minimize the use of higher-polluting gas or diesel generators.</li> <li>• Configure construction parking to minimize traffic interference.</li> <li>• Minimize obstruction of through-traffic lanes. When feasible, construction should be planned so that lane closures on existing streets are kept to a minimum.</li> <li>• Schedule construction operations affecting traffic for off-peak hours.</li> <li>• Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service).</li> <li>• Use aqueous diesel fuel where feasible and reasonably commercially available.</li> <li>• Use cooled exhaust gas recirculation (EGR) where feasible and reasonably commercially available.</li> </ul>	Project applicant	Prior to approval of grading plans

EX. B 3 OF 12

LSA ASSOCIATES, INC.  
NOVEMBER 2009

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATES NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

Mitigation and Monitoring Reporting Program

Mitigation Measure	Responsible Party	Timing for Mitigation Measure
<b>Cultural Resources</b>		
<p><b>CUL-1</b> Prior to issuance of a grading permit, the City Engineer shall verify that the applicant has contracted with a certified archaeologist to monitor all trenching and excavation activities. Should any archaeological resources be identified during the grading, trenching, or excavation, the certified archaeologist shall (1) ascertain the significance of the resource; (2) establish protocol with the City to protect such resources; (3) ascertain the presence of additional resources; and (4) provide additional monitoring of the site if deemed appropriate.</p> <p>Upon completion of project grading, the qualified archaeologist shall submit a follow-up report to the City Planning Department. This report shall provide adequate documentation of any resources found within the project area and shall follow guidelines presented in the Office of Historic Preservation "Archaeological Resource Management Reports (ARMR): Recommended Contents and Format" Preservation Planning Bulletin.</p>	Project applicant, City Engineer, and qualified archaeologist	Prior to issuance of a grading permit
<p><b>CUL-2</b> Prior to issuance of a grading permit, a qualified paleontologist shall be retained by the project applicant to evaluate the project's potential to encounter paleontological resources. The Paleontological Resource Assessment shall be reviewed and approved by the Planning Director, and any minimization and/or avoidance measures identified in the assessment shall be incorporated into the grading plan documentation for the project.</p>	Project applicant, qualified paleontologist	Prior to issuance of a grading permit
<p><b>CUL-3</b> Prior to issuance of a grading permit, the City Engineer shall review and approve a Paleontological Resources Impact Mitigation Program (PRIMP). The PRIMP shall be prepared and implemented to mitigate potential impacts to paleontological resources that may be present on the surface and to depth within the Monterey Formation or at depths below 10 ft within alluvial or colluvial sediments. The PRIMP shall contain the components listed below.</p>	City Engineer, project applicant	Prior to issuance of a grading permit

Ex B 4 of 12

LSA ASSOCIATES, INC.  
NOVEMBER 2008

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

**Mitigation and Monitoring Reporting Program**

Mitigation Measure	Responsible Party	Timing for Mitigation Measure
<ul style="list-style-type: none"> <li>• A preconstruction field assessment shall be conducted to locate fossils at surface exposures. Salvage of fossils from known localities, including processing standard samples of matrix for the recovery of small vertebrate fossils, must be accomplished prior to excavation.</li> <li>• Monitoring of excavation activities by a qualified paleontological monitor will be conducted in areas identified as likely to contain paleontological resources. The monitor should be equipped to salvage fossils and/or matrix samples as they are unearthed in order to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment in the area of the find in order to allow removal of abundant or large specimens.</li> <li>• Underlying sediments may contain abundant fossil remains that can only be recovered by a screening and picking matrix. Sediments shall be occasionally spot-screened through one-eighth- to one-twentieth-inch mesh screens to determine whether microfossils exist. If microfossils are encountered, additional sediment samples (up to 6,000 pounds) shall be collected and processed through one-twentieth-inch mesh screens to recover additional fossils.</li> <li>• A section shall be included that discusses preparation of any recovered specimens to a point of identification and permanent preservation. This includes the washing and picking of mass samples to recover small invertebrate and vertebrate fossils and the removal of surplus sediment from around larger specimens to reduce the volume of storage for the repository and the storage cost for the developer.</li> <li>• A section shall be included that discusses the identification and curation of specimens into a museum repository with permanent retrievable storage.</li> <li>• A report of findings with an appended itemized inventory of specimens shall be prepared after the completion of grading.</li> </ul>		

EX B 5 OF 12

LSA ASSOCIATES, INC.  
NOVEMBER 2009

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

Mitigation and Monitoring Reporting Program

Mitigation Measure	Responsible Party	Timing for Mitigation Measure
<p><b>Geology and Soils</b></p> <p><b>GEO-1</b> Prior to issuance of a building permit, the project applicant shall demonstrate to the City Engineer that the following geology measures, outlined in the Geotechnical Evaluation Report Updated for the Proposed Commercial Building Improvements at 449 S. Silver Spur Road, Rolling Hills, California, prepared by Soil Pacific Inc., March 18, 2009, have been, or will be, performed in construction of the proposed project:</p> <ul style="list-style-type: none"> <li>• <b>Clearing and Site Preparation</b> <ul style="list-style-type: none"> <li>○ The areas to receive compacted fill will be stripped of all vegetation, construction debris if there is any, non engineered fill, left in place old foundation concrete and incompetent material up to approved soils. If soft spots are encountered, project soil engineer will evaluate the site conditions and will provide necessary recommendations. All soil backfill within the backfilled tank cluster area will be removed to native materials and recompact in accordance with applicable rules. In this case the depth of soil removal may reach to less than 12 feet (ft) below existing grade.</li> <li>○ The building pad areas and 5 ft beyond other than the removed tank cluster locations will be overexcavated to approved earth materials (less than 3.5 ft to 4 ft below the existing grade). The excavated area will be scarified to a minimum of 8 in, adjusted to optimum moisture content, and reworked to achieve a minimum of 90 percent relative compaction.</li> <li>○ Compacted fill will have a minimum of 1.5 ft depth below proposed footing and extend at least 5 ft beyond all perimeter footings or to a distance equal to the depth of the certified compacted fill, whichever is the greatest.</li> <li>○ Compacted fill consisting of on-site soil shall be placed in lifts not exceeding 6 in in uncompacted thickness. The excavated on-site materials are considered</li> </ul> </li> </ul>	<p>Project applicant, City Engineer (or designee)</p>	<p>Prior to issuance of a building permit</p>

EX. B 6 OF 12

LSA ASSOCIATES, INC.  
NOVEMBER 2009

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

**Mitigation and Monitoring Reporting Program**

Mitigation Measure	Responsible Party	Timing for Mitigation Measure
<p>satisfactory for reuse in the fill if the moisture content is near optimum. All organic material and construction debris will be removed and shall be segregated. Any imported fill will be observed, tested, and approved by the soils engineer prior to use as fill. Rocks larger than 6 in in diameter will not be use in the fill.</p> <ul style="list-style-type: none"> <li>o The fill will be compacted to at least 90 percent of the maximum dry density for the material. The maximum density will be determined by American Society for Testing and Materials (ASTM) Test Designation D 1557-00.</li> <li>o Field observation, and compaction testing should be performed by a representative of Soil Pacific Inc., during the grading to assist the contractor in obtaining the required degree of compaction and the proper moisture content. Where compaction is less than required, additional compaction effort will be made with adjustment of the moisture content, as necessary, until a minimum of 90 percent relative compaction is obtained.</li> <li>o <b>Foundations</b> <ul style="list-style-type: none"> <li>o <b>Bearing Value:</b> The allowable bearing value for conventional footings of the proposed building have a minimum width of 15 in and a minimum embedment of 18 in below the lowest adjacent grade in approved native soil or compacted engineered fill materials will not exceed 1,700 pounds per square foot (psf). This value may be increased by one-third for short duration (wind or seismic) loading.</li> <li>o <b>Isolated Square Pad Footing:</b> The proposed structure will be adequately supported by shallow spread footing and isolated footings. The minimum embedment for individual pad footings should be 24 in below the lowest adjacent grade. Allowable bearing value is 1,700 psf increased by 200 psf for each additional depth of 12 in and each additional width of 12 in to a maximum</li> </ul> </li> </ul>		

EX. B 7 OF 13

LSA ASSOCIATES, INC.  
NOVEMBER 2009

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

Mitigation and Monitoring Reporting Program

Mitigation Measure	Responsible Party	Timing for Mitigation Measure
<p>of 4,000 psf. The bearing value may be increased by one-third when considering short duration seismic or wind loads.</p> <ul style="list-style-type: none"> <li>o <b>Foundation Settlement:</b> Based upon anticipated structural loads, the maximum total settlement for the proposed foundation is not expected to exceed 1 in at design load. Differential settlement between adjacent footings and lateral displacement of lateral resisting elements should not exceed 0.5 in.</li> <li>o <b>Concrete Type:</b> Type II concrete may be used. This recommendation is subject to confirmation of the sulfate testing after site grading and prior to the excavation of the foundation trenches.</li> <li>o <b>Slabs-On-Grade:</b> Slabs-on-grade will be a minimum of 5 in normal thick. Slab areas that are to be carpeted or tiled, or where the intrusion of moisture is objectionable, will be underlain by a moisture barrier consisting of 10-mil Visqueen, properly protected from the puncture by 2 in of sand.</li> <li>o <b>Utility Trench Backfill:</b> The project applicant and contractors will implement the measures listed in Appendix D of the Geotechnical Evaluation Report Update regarding utility trenches backfill and will notify the geotechnical engineer when backfill placement will begin.</li> <li>o <b>Surface and Subsurface Drainage Provisions:</b> Proper surface drainage gradients to convey water away from foundations and other improvements will be installed. Subsurface drainage provisions are considered essential in order to reduce pore pressure buildup behind retaining structures. Ponding of water will not be allowed on site.</li> <li>o <b>Excavation:</b> All proposed foundations will be designed in a fashion without surcharging the adjacent foundations. Maximum height of excavation to construct the proposed building will be 4 ft. Unsurcharged excavations over 4 ft</li> </ul>		

Ex.B & DE.12

L&A ASSOCIATES, INC.  
NOVEMBER 2009

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

**Mitigation and Monitoring Reporting Program**

Mitigation Measures	Responsible Party	Timing for Mitigation Measure
<p>in height will have the upper portion trimmed to a uniform 1:1 slope gradient. Excavations in surcharged areas by adjacent structure building/adjacent traffic will be slot cut. All excavations will be stabilized within 30 days of initial excavation. Water will not be allowed to pond on top of the excavation nor flow toward it. A soil engineering representative or soil deputy inspector will be present during the process of slot cutting and/or compaction to monitor.</p> <ul style="list-style-type: none"> <li>o Reinforcement. As the potential for expansion at surficial soils is high, footings will include a minimum of two Number 5 steel bars placed at the top and two Number 5 bars at the bottom, and slabs should have Number 3 bars at 18 in on center, rebars properly located at the center of the thickness.</li> <li>o Observation and Testing. A geotechnical engineer shall be present to observe and test during the following stages of construction:</li> <li>• Site grading to confirm proper removal of unsuitable materials and to observe and test the placement of fill.</li> <li>• Inspection of all foundation excavations prior to placement of steel or concrete</li> <li>• Inspection of all slab-on-grade areas prior to placement of sand, Visqueen</li> <li>• After trenches have been properly backfilled and compacted when any unusual conditions are encountered.</li> </ul>		

EX. B 9 OF 12

LEA ASSOCIATES, INC.  
NOVEMBER 2009

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

Mitigation and Monitoring Reporting Program

Mitigation Measure	Responsible Party	Timing for Mitigation Measure
<b>Hydrology and Water Quality</b>		
<p><b>HYD-1</b> Prior to issuance of a grading permit, the City Building Official shall ensure that construction plans for the project include features meeting the applicable construction activity best management practices (BMPs) and erosion and sediment control BMPs published in the <i>California Stormwater BMP Handbook—Construction Activity</i> or equivalent. If construction activities occur between October 1 and April 15, the project applicant shall prepare and submit a Wet Weather Erosion Control Plan (WWECP) to the City Building Official at least 30 days prior to commencement of construction activities. The WWECP shall include the BMP types listed in the handbook that are appropriate to the proposed project. The WWECP shall be prepared by a registered civil engineer. The WWECP shall reduce the discharge of pollutants to the maximum extent practicable using BMPs, control techniques and systems, design and engineering methods, and such other provisions as appropriate. A copy of the WWECP shall be kept at the project construction site.</p>	<p>City Building Official and project applicant</p>	<p>Prior to issuance of a grading permit</p>
<p><b>HYD-2</b> Prior to issuance of building permits and/or grading permits, the project shall be reviewed by the City Engineer for compliance with National Pollutant Discharge Elimination System (NPDES) requirements. The project shall incorporate design elements to:</p> <ul style="list-style-type: none"> <li>• Minimize impacts from storm water and urban runoff on the biological integrity of Natural Drainage Systems and water bodies in accordance with requirements under California Environmental Quality Act (CEQA) (California Public Resources Code Subsection 21200), California Water Code (CWC) Subsection 13369; Clean Water Act (CWA) Subsection 319, CWA Subsection 402(p), CWA Subsection 404, Coastal Zone Act Reauthorization Amendments of 1990 (CZARA) Subsection 6217(g), Environmental Site Assessment (ESA) Subsection 7, and local ordinances.</li> <li>• Maximize the percentage of pervious surfaces to allow percolation of storm water into the ground.</li> </ul>	<p>City Engineer and project applicant</p>	<p>Prior to issuance of the first grading permit and/or building permit</p>

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LSA ASSOCIATES, INC.  
NOVEMBER 2009

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

Mitigation and Monitoring Reporting Program

	Responsible Party	Timing for Mitigation Measure
<p><b>Mitigation Measure</b></p> <ul style="list-style-type: none"> <li>• Minimize the quantity of storm water directed to impervious surfaces and the MS4.</li> <li>• Minimize pollution emanating from parking lots through the use of appropriate Treatment Control best management practices (BMPs) and good housekeeping practices.</li> <li>• Properly design and maintain Treatment Control BMPs in a manner that does not promote the breeding of vectors.</li> </ul> <p>Provide for appropriate permanent measures to reduce storm water pollutant loads in storm water from the development site.</p>		
<p><b>HYD-3</b> Prior to issuance of building permits, site-specific mitigation design plans and/or design in accordance with the Standard Urban Storm Management Plan (SUSMP) requirements, including Numerical Design Criteria, shall be applied to the project in accordance with Order No. 01-182. The SUSMP shall be submitted to the City Engineer for review and approval.</p>	Project applicant	Prior to issuance of a building permit
<p><b>HYD-4</b> As required by Municipal Code 8.38.105, prior to issuance of a building permit, the project applicant shall submit a Storm Water Mitigation Plan to the City Building Official for review and approval. The Storm Water Mitigation Plan shall identify the best management practices (BMPs) to be implemented during project operation.</p>	Project applicant	Prior to issuance of building permit
<p><b>HYD-5</b> Prior to issuance of a certificate of occupancy, the project applicant shall provide the City Building Official with a best management practices (BMP) maintenance plan, consistent with Standard Urban Storm Management Plan (SUSMP) requirements, for review and approval. This plan shall include a statement from the applicant accepting responsibility for all Treatment Control BMP maintenance until the time the property is transferred. All future transfers of the property to a private or public owner shall have conditions requiring the recipient to assume responsibility for the maintenance of Treatment Control BMPs. The condition of transfer shall include a provision requiring the property owner to conduct a maintenance inspection at least once a year and retain proof of inspection for review by the City upon request. In addition, educational</p>	Project applicant	Prior to issuance of a certificate of occupancy

Ex. B  
11 OF 12

LSA ASSOCIATES, INC.  
NOVEMBER 1 2007

MITIGATION MONITORING AND REPORTING PROGRAM  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
SILVER CENTER COMMERCIAL/RETAIL PROJECT

**Mitigation and Monitoring Reporting Program**

	Responsible Party	Timing for Mitigation Measure
<p style="text-align: center;"><b>Mitigation Measure</b></p> <p>materials indicating locations of storm water facilities and how maintenance can be performed shall accompany first deed transfers.</p>		
<p><b>HYD-6</b> As required by Municipal Code 8.38.105, prior to issuance of a building permit, the project applicant shall submit a final drainage plan to the City Building Official for review and approval. The drainage plan shall include any on-site structures and/or modifications of existing drainage facilities necessary to accommodate increased runoff resulting from the proposed project and shall indicate project contributions to the regional storm water drainage system. The drainage plan shall show all structural BMPs consistent with the project storm water mitigation plan.</p>	Project applicant	Prior to issuance of a building permit
<p><b>Public Services and Utilities</b></p>		
<p><b>UTI-1</b> Prior to issuance of a building permit, the project applicant will coordinate with the City and Los Angeles Department of Public Works (DPW) to determine whether adequate sewer capacity is available within the DPW's facilities to serve the proposed development. If at this time it is determined that the DPW sewer facilities do not have capacity to serve the proposed project, as part of project construction, the project applicant would be responsible for any necessary upgrades to the sewer system and return sewer flows to their preconstruction flow levels</p>	Project applicant	Prior to issuance of a building permit
<p><b>Transportation and Circulation</b></p>		
<p><b>TRF-1</b> Prior to issuance of a grading or building permit, the project applicant shall provide a haul route plan for review and approval by the City Engineer. The haul route plan shall identify routes for vehicles accessing the project site, staging areas, and worker parking areas.</p>	Project applicant	Prior to issuance of a grading permit

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