



## MEMORANDUM

**TO: CHAIR AND MEMBERS OF THE PLANNING COMMISSION**  
**FROM: KEN RUKAVINA PE, DIRECTOR OF COMMUNITY DEVELOPMENT** *KJR*  
**DATE: FEBURARY 23, 2021**  
**SUBJECT: LADERA LINDA COMMUNITY CENTER AND PARK PROJECT -  
CONDITIONAL USE PERMIT, VARIANCE, MAJOR GRADING  
PERMIT AND SITE PLAN REVIEW (CASE NO. PLCU2020-0007)**

Project Manager: Octavio Silva, Deputy Director of Community Development

### **RECOMMENDATION**

- 1) Review Staff-responses to the Planning Commission's and public's comments and request for additional information made at the January 26, 2021 meeting including updated draft Conditions of Approval; and
- 2) If the draft Conditions of Approval are acceptable, adopt P.C. RESOLUTION NO. 2021-\_\_; APPROVING, WITH CONDITIONS OF APPROVAL, A CONDITIONAL USE PERMIT, VARIANCE, GRADING PERMIT AND SITE PLAN REVIEW FOR THE CONSTRUCTION OF THE NEW LADERA LINDA COMMUNITY CENTER AND PARK, LANDSCAPING, ANCILLARY SITE IMPROVEMENTS AND ASSOCIATED GRADING FOR THE PROPERTY LOCATED AT 32201 FORRESTAL DRIVE.

### **BACKGROUND AND DISCUSSION**

#### January 26<sup>th</sup> Planning Commission Meeting

On January 26, 2021, the Planning Commission considered planning applications including a Conditional Use Permit (CUP), Variance, Grading Permit and Site Plan Review for the City Council design-approved Ladera Linda Community Center and Park project (Attached). The proposed project includes the demolition of existing buildings, landscaping and ancillary site improvements and for the construction of a new replacement community center, play areas, landscaping, ancillary site improvements and associated grading.

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The Planning Commission continued the public hearing to its regularly scheduled meeting on February 23, 2021, in order, to provide staff an opportunity to collect Planning Commission-requested information, assess public input, and incorporate project feedback as necessary. The Planning Commission requested clarification on several project components including, but not limited to, traffic conditions in the area, site security and operations, grading, and project lighting. The table below provides a summary of the request, staff's analysis, and any recommended mitigating Conditions of Approval. Please note that the complete text for the recommended Conditions of Approval are available as part of P.C. Resolution (Attached).

**Table No. 1- Planning Commission Input & Analysis**

	<b>Summary of Request</b>	<b>Staff Analysis</b>	<b>Recommended Mitigating Condition(s) of Approval No.</b>
<b>Traffic Conditions</b>	Provide information regarding traffic impacts created by the proposed project and/or cumulative impacts on traffic in the area.	Willdan Engineering prepared a Traffic Impact Analysis (Attached), which determined that: <ul style="list-style-type: none"><li>• The park does not create a cumulative impact on traffic within the City.</li><li>• Traffic on Forrestal Drive is mostly attributed to the only outlet to over 160 single family homes off Pirate Drive.</li><li>• The proposed community center and park do not affect the traffic signal warrant at the intersection of Palos Verdes Drive South and Forrestal/Trump National. The traffic signal was warranted based on weekend traffic volumes due to AYSO soccer matches, Trump National traffic and residential trips accessing the intersection.</li></ul>	None

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	<b>Summary of Request</b>	<b>Staff Analysis</b>	<b>Recommended Mitigating Condition(s) of Approval No.</b>
<b>Parking</b>	Provide information on the adequacy of proposed on-site parking.	According to the City's engineering consultant, the proposed parking of 54 spaces for the community center and park exceed the number of required parking spaces to meet the parking demand (41 spaces) from the proposed project (see attached Willdan Traffic Impact Analysis).	None
<b>On-Site Security</b>	Provide information regarding park security.	Robust security features will be developed by a security specialist and incorporated into the final design, including but not limited to: <ul style="list-style-type: none"><li>• Clear points of entry and improved sightlines;</li><li>• Surveillance cameras;</li><li>• Low-level landscaping;</li><li>• Control of ingress and egress points;</li><li>• Glass break sensors;</li><li>• Fencing and improved entrance gates;</li><li>• Lighting; and</li><li>• Increased park supervision.</li></ul> <p>The driveway entrance from Forrestal will be gated and locked during non-operating hours.</p>	Condition Nos. 28 - 31

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<b>Crime Statistics</b>	Provide information regarding crime statistic in the project area.	Staff completed a survey of crime statistics amongst the Ladera Linda, Sea View, Mediterrania, and Sea View Homeowner Associations (HOA). There number of crime reports in 2018 and 2019 are as follows:  2018: 11 reported 2019: 16 reported  See Attachments for Crime Statistics Near Ladera Linda by HOA. Most of the increase in crime can be attributed to an increase of petty thefts in the Mediterrania HOA  The crime data compiled by the LA County Sheriff's Department and is available on the City's website by visiting the following link: <a href="http://Crime_Reports - Weekly_Summaries   Rancho Palos Verdes, CA - Official Website (rpvca.gov).">Crime Reports - Weekly Summaries   Rancho Palos Verdes, CA - Official Website (rpvca.gov).</a>	None
<b>Staffing</b>	Provide information on staffing levels.	Proposed staffing includes two part-time employees and one full-time supervisor per shift, which is comparable to other park sites. With two employees on-site, one is typically assigned to the lobby desk and the other covers the park grounds.	None

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<b>Community Center/Park Operational Hours</b>	Consider expanding proposed park operations to match other City community centers including rental and park closure policies.	Park hours (not the community center building) will be pursuant to § RPVMC 12.16.030, with no exception for winter months.  Table of community center and park operational hours along with use definition is attached.	Condition Nos. 40-47
<b>Construction</b>	Provide clarification regarding the proposed grading between the middle and upper tiers of the park, which include the construction of the proposed ADA access ramp.	The project architect, Johnson Favaro, prepared a grading exhibit depicting the proposed ADA access ramp including overall dimensions and height of the structure (Attached).	None
<b>Project Lighting</b>	Provide information regarding replacement of 10-foot-high light poles throughout the site with ground-level bollards to minimize light impacts to neighboring properties.	Project lighting has been designed to: <ul style="list-style-type: none"> <li>• illuminate the ground surface for safety;</li> <li>• not illuminate of park areas that will not be used during night hours;</li> <li>• provide minimum lighting for the operation of surveillance cameras, security patrols and park personnel surveillance; and</li> <li>• to achieve code-required illumination for egress.</li> </ul>	Condition Nos. 56-63

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<b>General Plan/ Conservation and Safety Elements</b>	Provide information regarding the project's consistency with the City's General Plan and associated elements.	Staff review of findings required for a CUP and variance find the project to be consistent with the General Plan.	None
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Public Comment Analysis

As part of the January 26<sup>th</sup> public hearing, the Planning Commission received public comments both in support and opposition to the proposed project. The table below summarizes public comments that warranted additional clarification and analysis by staff as well as any recommended mitigating Conditions of Approval:

**Table No. 2- Public Comment Analysis**

	<b>Summary of Comment</b>	<b>Project Clarification and/or Staff Analysis</b>		<b>Recommended Mitigating Condition(s) of Approval No.</b>
<b>Community Center Structure Size</b>	Provide clarification regarding the overall size of the proposed community center and the Hesse Park Community Center.	<u>Ladera Linda Community Center:</u> • 6,790 ft <sup>2</sup> (enclosed building areas) • 13,720 ft <sup>2</sup> (building including extended roof eves)	<u>Hesse Park Community Center:</u> • 7,901 ft <sup>2</sup> (enclosed building areas) • 9,130 ft <sup>2</sup> (building including extended roof eves)	None

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<b>Building Design</b>	<p>Glass façade – too much glass; climate control – glass is not energy; open restroom design not secure; design not compatible with neighborhood.</p> <p>Staff is suggesting Conditions of Approval to secure the open lobby, restroom and accompanying sink areas with a roll-down gates or other means to secure the area and prevent after hour use.</p> <p>The City Council design-approved community center is designed as a single-story structure with articulated facades that include vernacular finished materials (glass, wood, concrete) that are found in the immediate area.</p>	<p>Total wall surface area and glass wall/glass door area were reduced from the City Council design- approved project in August 2019, including a 9% reduction in total wall area, a 31% reduction in glass wall area and a 30% increase in solid wall area. The glass areas of the building incorporate high performance glazing and ventilation.</p>	Condition Nos. 30-31
<b>Seismic</b>	Glass building design may not be seismically sound.	Proposed Conditions of Approval require project review and approval by the City's Geologist prior to Grading or Building Permit issuance.	Condition No. 22
<b>Community Center Rooms</b>	The number and size of community center rooms excessive.	Usage Analysis (Attached) of existing and proposed facility use at Ladera Linda Park determined that the proposed project would result in a reduction of available space for classes, rentals, and other programming.	None

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<b>Museum &amp; Amphitheater</b>	Do not include a museum and amphitheater.	The proposed project does not include a museum or amphitheater, but rather a 660 ft <sup>2</sup> meeting room that also includes some interactive displays that are hidden when not in use and tiered seating area built into an existing slope facing the building.	None
<b>Silhouette</b>	Require the building of a silhouette be constructed.	Planning is considering a design previously approved by City Council.	None
<b>Noise</b>	Concerns with noise impacts	The proposed Conditions of Approval include a comprehensive list of noise restrictions and requirements related to mechanical equipment, deliveries, and amplified noise.	Condition Nos. 67-71
<b>Project Cost</b>	High cost of the proposed project.	The Planning Commission is required to review the Planning applications associated with the project including any relevant permit finding, none of which include project costs. The City's Finance Advisory Committee (FAC) will receive a report on the project funding at its February 25, 2021 meeting. Project costs and funding alternatives are scheduled to be considered by the City Council in April.	None
<b>Compliance Review</b>	Will conditions be adequate?	Proposed Conditions of Approval include a one-year review (or earlier) to assess the operations, at which time conditions may be added, deleted, or modified accordingly	Condition No. 2
<b>Enforcement of Conditions</b>	How will conditions be enforced?	Enforcement of conditions will occur through compliance review, park supervision and signage.	None

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**Planning Applications for Ladera Linda Community Center and Park**

As outlined in the January 26<sup>th</sup> Planning Commission Staff Report, staff is of the opinion that the permit findings for the requested Conditional Use Permit, Variance, Major Grading Permit and Site Plan Review can be affirmatively made with the approval of the project Conditions of Approval, as identified in the summary matrix below. A detailed description of the findings may be found in the attached draft resolution (Attached):

<b>Application Type &amp; Permit Finding Summary</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
<b>Conditional Use Permit</b>			
Finding No.1- The site is adequate in size and shape to accommodate the proposed use.	X		
Finding No. 2- 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.	X		
Finding No. 3- The subject use at the specific location, there will be no significant adverse effect on adjacent property or the permitted use.	X		
Finding No. 4- The proposed use is not contrary to the General Plan.	X		
Finding No. 5- The proposed use complies with all applicable requirements of any Overlay Control District.			X
Finding No. 6- That conditions regarding any of the requirements listed in this paragraph, which the Planning Commission finds to be necessary to protect the health, safety, and general welfare, have been imposed.	X		

<b>Variance</b>			
Finding No.1- That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, which do not apply generally to other property in the same zoning district.	X		
Finding No. 2- That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same zoning district.	X		
Finding No. 3- That granting the variance will not be materially detrimental to the public welfare or injurious to property and improvements in the area.	X		
Finding No. 4- That granting the variance will not be contrary to the objectives of the general plan or the policies and requirements of the coastal specific plan	X		

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<b>Major Grading Permit</b>			
Finding No. 1- The grading does not exceed that which is necessary for the permitted primary use of the lot.	X		
Finding No. 2- The proposed grading and/or related construction does not significantly adversely affect the visual relationships with, nor the views from the viewing area of neighboring properties.	X		
Findings No. 3 & 4- The nature of the grading minimizes disturbance to the natural contours and finished contours are reasonably natural and takes into account the preservation of natural topographic features and appearances by means of land sculpturing.	X		
Finding No. 5,6 & 7- The grading includes provisions for a new single-family residence, residential tract or street design.			X
Finding No. 8- The grading would not cause excessive and unnecessary disturbance of the natural landscape or wildlife habitat through removal of vegetation.	X		
Finding No. 9- The grading conforms with development standard, including but not limited, to grading on slopes over 35%, maximum dept of cut and fill and retaining walls.	With the approval of the variance and Finding No. 10 for grading on slopes over 50% steepness and a retaining wall up to 6'-11" in height adjacent to a driveway.		

**ADDITIONAL INFORMATION**

*Environmental Assessment*

Staff has determined that the proposed project would be Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to § 15302 of the

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State CEQA Guidelines—Class 2, Replacement or Reconstruction. The proposed project meets the requirements of Class 2, as it consists of the reconstruction of an existing facility where the new structure will be located on the same site as the structure(s) replaced and will have substantially the same purpose and capacity. A Class 2 Categorical Exemption Evaluation Report and Cultural Resources memorandum (Attached) were prepared to provide supplemental information related to staff's environmental assessment.

*Park Use Restrictions*

The Planning Commission requested information regarding the prioritization of park usage for Rancho Palos Verdes residents. The City Attorney's Office reviewed the request and determined that preferential treatment to residents needs to be justified by rational basis and supported by relevant evidence. Grounds that are likely to constitute rational basis include limiting overcrowding or ensuring that City residents can access services. Additional research on existing property covenants and requirements for general public use is required along with consideration about use restriction implementation. Staff is of the opinion that park use restrictions are not warranted, as the City Council design-approved project and proposed Conditions of Approval provide sufficient measures to reduce project impacts in the area.

*Appeal Process*

Pursuant to § 17.80.070 of the RPVMC, any interested person may file an appeal of the Planning Commission's decision to the City Council; the appeal must be filed in writing within 15 calendar days after final action by the Planning Commission and the submittal of the appropriate fee (\$2,275). A notice of appeal shall be filed with the City Clerk or the Director of Community Development and shall set forth the grounds for the appeal and any specific action being requested by the appellant.

In addition to the above, pursuant to § 17.80.130 of the RPVMC, the Planning Commission's final decision may also be appealed by the City Council in the following manner:

- A) Any one City Council member may contact the City Manager and request that an item be placed on the next City Council agenda so that the entire City Council can consider whether to appeal the Commission's decision on an application. The request from the Council member must be made in writing within 15 calendar days of the Commission's final decision on an application.
- B) If an appeal request from a Council member is received by the City manager, the appeal period for the City Council shall be automatically extended by 30 additional calendar days. This extended appeal period shall apply only to City Council appeals for the City Council to determine whether to appeal the Commission's decision.
- C) An applicant or any other interested person may file an appeal with the City before or after an appeal request has been made by a Council member, provided the

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appeal is filed within the standard 15-day appeal period. An applicant or any other interested party may not file an appeal during the city's extended 30-day appeal period.

D) The City Council shall determine by a majority vote whether to appeal the Commission's decision.

It should be noted that an appeal of the Planning Commission's decision on the requested Planning applications can be anticipated.

*Planning Commission Project Recommendations*

Planning Commission project recommendations to the City Council including, but not limited to, design, operations and usage will be provided to the City Council via minute order.

*Public Correspondence*

As of the preparation of this report, staff received 16 items of public correspondence regarding the proposed project (Attached). The submitted comments continue to express both support and opposition to the proposed project similar to those outlined as part of the January 26<sup>th</sup> Planning Commission Meeting. Concerns with the project include, but are not limited to, building design, security and traffic; all of which have been discussed throughout this staff report.

*Solar Panels*

On October 15, 2019, the City Council reviewed roof design options and directed staff to study the installation of a solar roof option as part of the detailed construction drawings phase.

**ATTACHMENTS**

- P.C. Resolution No. 2021-\_\_\_\_;
- January 26, 2021 Planning Commission Meeting Staff Report ([click here](#));
- Willdan Engineering Traffic Analysis Memo dated February 18, 2021 ([click here](#));
- Crime Statistics Near Ladera Linda by HOA ([click here](#));
- Community Center and Park Operations Comparison Table ([click here](#));
- ADA Ramp Exhibit ([click here](#));
- Ladera Linda Park Usage Analysis ([click here](#));
- Class 2 Categorical Exemption Evaluation Report & Cultural Resources Memo ([click here](#));
- Public Correspondence ([click here](#));
- Project Plans ([click here](#))

**P.C. RESOLUTION NO. 2021-\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT, VARIANCE, GRADING PERMIT AND SITE PLAN REVIEW FOR THE CONSTRUCTION OF THE NEW LADERA LINDA PARK, 6,790 ft<sup>2</sup> COMMUNITY CENTER, LANDSCAPING, ANCILLARY SITE IMPROVEMENTS AND 9,000 yd<sup>3</sup> ASSOCIATED GRADING FOR THE PROPERTY LOCATED AT 32201 FORRESTAL DRIVE (CASE NO. PLCU2020-0007)**

WHEREAS, on August 20, 2019, after a comprehensive public outreach and engagement effort, the City Council approved the Ladera Linda Park and Community Center Master Plan, which included approving the design of the replacement Community Center, landscaping, ancillary site improvements, as well as factors such as park security, staffing levels and facility rentals; and,

WHEREAS, on October 15, 2019, the City Council reviewed roof design options and directed Staff to study the installation of a solar roof option as part of the detailed construction drawings phase; and,

WHEREAS, on December 10, 2020, a 15-day public notice for the public hearing on the project-required planning entitlements was sent to property owners within a 500-foot radius of the project site, interested parties, as well as published in the *Peninsula News*; and,

WHEREAS, on December 31, 2020, an amended public notice was issued to identify additional required project applications that were not previously outlined in the original public notice; and,

WHEREAS, on January 26, 2021, the Planning Commission held a public hearing regarding the proposed project to review plans for the replacement of the Ladera Linda Park and Community Center, as it relates to Chapter 17 (Zoning) of the Rancho Palo Verdes Municipal Code, and continued the public hearing to February 23, 2021, in order to provide staff an opportunity to assess input and incorporate project feedback as necessary; and,

WHEREAS, on February 23, 2021, the Planning Commission held a public hearing at which time all interested parties were given an opportunity to be heard and present evidence.

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

**Section 1:** The recitals above are true and correct incorporated herein by reference.

**Section 2:** The project involves the demolition of five existing building (19,000 ft<sup>2</sup> in area), parking, ancillary site improvements and landscaping to construct a new 6,790 ft<sup>2</sup> single-story community center, play areas, landscaping, ancillary site improvements and 9,000 yd<sup>3</sup> of combined balanced on-site grading (4,500 yd<sup>3</sup> of cut and 4,500 yd<sup>3</sup> of fill).

**Section 3:** The Conditional Use Permit for the new Ladera Linda Park, 6,790 ft<sup>2</sup> single-story community center, play areas, landscaping, and ancillary site improvements is warranted based on the following findings:

- A. The project site is adequate in size and shape to accommodate the proposed use. The project site is approximately 11.031 acres in size and currently utilized as a park and Community Center with multiple facility buildings, surface parking, playground paving, equipment and paddle tennis courts, fields, landscaping and emergency preparedness storage containers. The proposed project includes the demolition of the existing facilities and improvements, with the exception of the paddle tennis courts, to construct a single Community Center structure that would be approximately 37% of the total gross square footage of the existing facility. Consequently, the new building would occupy a significantly smaller footprint than the existing buildings and be located in the middle of the existing built areas of the Park. The proposed Community Center and ancillary facilities are sited throughout the 11.031-acre tiered site, so as to provide enhanced setbacks to adjacent properties and provide enhanced line of sight from the perimeter of the property for security purposes. The proposed 54 on-site parking spaces, which consist of 4 ADA spaces, 4 dedicated spaces for clean air vehicles (1 Van ADA space included), exceed the parking stalls required for both weekend (42 spaces) and weekday (15 spaces) conditions for the proposed project as outlined in the latest edition of the Institute of Transportation Engineer's Parking Generation Manual (5th Edition, 2019).
- B. The proposed project relates to streets and highways sufficient to carry the type and quantity of traffic generated by the use. The project replaces the existing Community Center facility, comprised of several buildings, with a single building that would be less than 40% of the total square footage of the existing facilities. In addition, the new building would occupy a smaller footprint than the existing Community Center buildings within the existing built areas of the Park. Furthermore, the Project will not result in any increases to the existing uses, programming, and activities. Rather, uses, programming and activities are proposed to be limited and regulated, and would, therefore, have substantially the same purpose, but with less capacity than the existing facility that will be replaced. The park does not create a cumulative impact on traffic within the City of Rancho Palos Verdes. The traffic on Forrestal Drive is mostly attributed to the only outlet to over 160 single family homes off of Pirate Drive. The proposed Park and Community Center does not affect the traffic signal warrant at the intersection of Palos Verdes Drive South and Forrestal/ Trump National.

- C. The project site is currently improved with a park use and will continue to serve as such as part of the proposed project. The new Community Center will serve all residents and the community, particularly those located on the east side of the City, as an area for recreational opportunities as well as for emergency preparedness activities such as, but not limited to, a cooling center and storage location. The height of the proposed Community Center is 16 feet- 6 ¼ inches and will not create a significant adverse effect, as residential properties to the east and south of the project site have views of the ocean and Catalina Island oriented in the opposite direction of the proposed building. Furthermore, the building pad of the proposed Community Center will be located approximately 25 feet below the street of access (Forrestal Drive), therefore views from the street and adjacent trails can be observed over the proposed building height. The project will not result in any adverse safety or security impacts, as the City Council design-approved project includes a comprehensive list of safety measures and designs such as the incorporation of a surveillance system, motion and glass break sensors, perimeter fencing, and lighting design. The project will not result in adverse noise impacts as the project incorporates construction noise regulations, hours of operation for the community center and limitations on mechanical equipment noise. The project lighting will not result in an adverse impact because the site lighting has been designed to comply with RPVMC regulations and to provide for park safety and security.
- D. The use of the property for a park and community center is consistent with the Institutional- Public General Plan land use designation for the site. The project site is currently a park with a community center and will continue to be utilized as such. The new park and community center will serve all residents and the community, particularly those located on the east side of the City, as an area for recreational opportunities as well as for emergency preparedness activities such as, but not limited to, a cooling center and storage location. Furthermore, the Conservation and Open Space Element of the City's 2018 General Plan Update (pg. COS-39) identified the Ladera Linda Park and Community Center as an Institutional-Public land use with passive and active amenities including playground and sports equipment, multipurpose rooms and classrooms as well as ancillary site improvements including a parking lot and restrooms. The General Plan also notes that a Master Plan process for the Ladera Linda Park and Community Center was included in the Parks Master Plan Update.

**Section 4:** The Variance for the construction of retaining walls up to 15½ feet in height to support ADA complaint ramps between the middle-tier and upper-tiers of the park is warranted based on the following findings:

- A. The project site was originally developed as an elementary school with multiple classroom buildings and play areas on a three-tiered site due to the

unique and steep topographic conditions in the area, which have been used as a community center and park facilities since the 1980s. The three tiers include a lower, middle, and upper tier with 5-foot to 15-foot transitional slopes between the tiers. The project proposes to maintain the same three-tier park layout and will also include new accessible walking paths and ramps to enhance accessibility and walkability throughout the project site. In order to accommodate an ADA-compliant accessible ramp between the middle and upper tiers of the park, the project proposes to construct a series of upslope retaining walls with an overall height of up to 15½ feet. The existing site development and requirement to provide for enhanced accessibility to meet ADA requirements present exceptional circumstances that warrant the need to construct a retaining wall that exceeds the height limitations established in the RPVMC. Although other Institutional zoned properties in the City were developed with similar topographic conditions, the project site is unique in that it was previously developed as an elementary school and the project proposes to re-develop the site but maintain the existing park's tiered layout but meet current accessibility requirements.

- B. The construction of the proposed retaining walls up to 15½ feet in height are necessary for the preservation and enjoyment of a substantial property right, which right is possessed by other property owners under like conditions in the same zoning district. The project site is encumbered by steep topographical conditions in certain areas of the project site, including transitional slopes between the various tiers of the park that are not present in other developed Institutional zoned properties. As a public facility, owned and operated by the City of Rancho Palos Verdes, the City is required to provide for ADA accessibility throughout the site and to ensure the safety of the public.
- C. The construction of the proposed retaining walls up to 15½ feet in height in order to accommodate an ADA access ramp will not be materially detrimental to the public welfare or injurious to property and improvement in the area, as the construction of the proposed wall will be reviewed and inspected by the City's Building and Safety Division for conformance with the California Building Code and associated geological requirements. In addition, the proposed retaining wall will support the transition slope between the middle and upper tiers of the park. Not granting the Variance application request for the construction of retaining walls up to 15½ feet in height and not accommodating an ADA accessible ramp would in fact be materially detrimental to the public welfare or injurious to visitors of the park.
- D. The variance will not be contrary to the objectives of the General Plan or the policies and requirements of the Coastal Specific Plan. The project site is not located in the City's Coastal Specific Plan. The use of the property as a park and community center is consistent with the City's updated General Plan. The Conservation and Open Space Element (Pg. COS-6) of the City's

General Plan includes goals and policies related to Open-Space and Recreation Resources, which promote public access to all recreational land and building additional parks and playfields, where appropriate, for multiple use by various groups. The proposed retaining wall with an overall height of 12 feet, will provide enhanced ADA accessibility to recreational land and for the use of various groups.

**Section 5:** The Major Grading Permit to conduct 9,000 yd<sup>3</sup> of combined grading consisting of 4,500 yd<sup>3</sup> of cut and 4,500 yd<sup>3</sup> of fill with grading above 5 feet in height is warranted based on the following findings:

- A. The grading does not exceed that which is necessary for the permitted primary use of the lot. The proposed project is in an Institutional Zoning District, in which the primary use of the lot is a park and Community Center. The new park and community center will serve all residents and the community, particularly those located on the east side of the City, as an area for recreational opportunities as well as for emergency preparedness activities such as, but not limited to, a cooling center and storage location. The proposed 9,000 yd<sup>3</sup> of grading will be balanced on-site therefore avoiding the need to export or import soil or rock. Furthermore, the proposed grading will be limited to the existing developed portions of the site, which have been previously graded to support existing improvements. The project grading proposes targeted cut and fill into portions of the existing site to accommodate the proposed park and community center, parking lot, tiered seating, walking paths, ADA compliant accessible ramp, and other ancillary park improvements. In addition, the proposed grading will enhance adequate drainage of the site.
- B. The proposed project and associated grading will not significantly adversely affect the visual relationships with, nor the views from the viewing areas of neighboring properties because the project site is currently improved with an existing park, building facilities, and ancillary site improvements. The proposed grading will continue to accommodate a park use and a single community center building that would be less than 40% of the total square footage of the existing facility. In addition, the new community center would occupy a smaller footprint than the community center buildings within the existing built areas of the Park. The proposed building height will not create a significant adverse effect, as the height of the community center, as a result of the site grading, will not impact views as observed from neighboring properties due to the topographic conditions in the area. Residential properties to the east and south of the project site have views of the ocean and Catalina Island oriented in the opposite direction of the proposed building. Finally, the building pad of the proposed community center will be located approximately 25 feet below the street of access (Forrestal Drive), whereby views from the street and adjacent trails can be observed over the proposed building height.

- C. The nature of the grading minimizes disturbance to the natural contours and finished contours are reasonably natural because the proposed grading is generally limited to developed portions of the site. In addition, the proposed grading maintains a majority of the existing contours surrounding the developed areas on the project site. The project proposes to maintain the existing transitional slope along the south and southwest of the site as well as the slopes between the project site and Forrestal Drive. The finished contours of the project will blend with the existing contours on the existing site.
- D. The grading takes into account the preservation of natural topographic features and appearances by means of land sculpturing. The project site has been previously graded in order to accommodate the existing park, parking lot and ancillary site improvements. The proposed grading is generally limited to developed portions of the site. Moreover, the proposed grading generally follows the existing slope of the property and results in finished slopes that appear reasonably natural. Additionally, although some land-sculpturing is proposed to occur, it is designed so as to blend the manufactured slopes into the natural topography.
- E. The grading would not cause excessive and unnecessary disturbance of the natural landscape or wildlife habitat through removal of vegetation because the proposed grading area does not contain natural landscape or wildlife habitat. The proposed grading is limited to areas of the project site that have been previously graded to accommodate existing structures and ancillary site improvements.
- F. The grading conforms to the City's standards for grading on slopes, maximum finished slopes, maximum depth of cut and fill, and retaining wall heights with the exception grading on slopes over 50% steepness and the construction of a retaining wall up to 6 feet-11 inches in height along the driveway in the immediate area of the mechanical and refuse enclosures. The proposed grading over slopes with 50% and the retaining wall are consistent with the purpose of the Grading Permit because it will result in the reasonable development of the project site. In addition, the proposed grading and retaining wall will contribute to the overall site accessibility and retention of groundcover to aid against flooding, erosion and other similar hazards. Furthermore, the scenic character of the neighborhood would not be altered as the retaining wall along the driveway would not be readily visible from the public right-of-way as the location of the wall be located below the Forrestal Drive street level. The proposed grading and retaining wall will comply with the goals and policies of the General Plan, as the project supports policies for public health/ safety related to the environment. More specifically, the proposed retaining wall is required to be designed to performance standards that ensure both engineering standards and the topographic treatment of

slopes on the property. Furthermore, the City's geotechnical consultant and the Building Official will be required to review and approve engineered grading plans prior to grading permit issuance and inspections will be conducted throughout the process. With these provisions, the proposed deviation will not cause a detrimental impact to public safety and/or other properties in the vicinity of the project. Notice of this decision shall be given to the Applicant and to all owners of property adjacent to the property

**Section 6:** The Site Plan Review for the proposed ancillary site improvements including, but not limited to, the accessory structures, flag pole, mechanical equipment and parking comply with all applicable Code requirements.

**Section 7:** 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 the proposed project has been found to be categorically exempt under Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines. Specifically, the project consists of the reconstruction of an existing facility where the new structure will be located on the same site as the structure(s) replaced and will have substantially the same purpose and capacity.

**Section 8:** Pursuant to Sections 7.60.060, 17.76.040(H) and 17.80.070 of the Rancho Palos Verdes Municipal Code, any interested person aggrieved by this decision or by any portion of this decision may appeal to the City Council. Any appeal letter must be filed within 15 calendar days of the date of this decision, or by 5:30 p.m. on Wednesday, March 10, 2021. A \$2,275.00 appeal fee must accompany any appeal letter. The Planning Commission's decision will be final at 5:30 p.m. on Wednesday, March 10, 2021.

**Section 9:** For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby conditionally approves a Conditional Use Permit, Variance, Major Grading Permit and Site Plan Review for the demolition of existing buildings, landscaping and ancillary site improvements at Ladera Linda Park for the construction of a new community center, play areas, landscaping, ancillary site improvements and associated grading, subject to the Conditions of Approval contained in the attached Exhibit 'A', which is incorporated herein by this reference.

PASSED, APPROVED, AND ADOPTED this 23<sup>rd</sup> day of February 2021 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

RECUSALS:

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Gordon Leon,  
Chair

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Ken Rukavina PE,  
Director of Community Development; and,  
Secretary to the Planning Commission

**PC RESOLUTION 2021-\_\_  
CONDITIONS OF APPROVAL  
FOR CONDITIONAL USE PERMIT, VARIANCE,  
MAJOR GRADING PERMIT & SITE PLAN REVIEW  
(CASE NO. PLCU-0007)**

1. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Rancho Palos Verdes Municipal Code (RPVMC) shall apply.
2. One year after the issuance of the Certificate of Occupancy for the Community Center building, the Planning Commission shall review the Conditions of Approval contained herein at a duly noticed public hearing. As part of the review, the Planning Commission shall assess the project's compliance with the Conditions of Approval and the adequacy of the conditions imposed. At that time, the Planning Commission may add, delete, or modify any conditions of approval as evidence presented at the hearing demonstrates are necessary and appropriate to address impacts resulting from operation of the project. Notice of the review hearing shall be published and provided to owners of property within a 500-foot radius of the site, to persons requesting notice, to all affected homeowners associations, and to the property owner, in accordance with the RPVMC. As part of this one-year review, the Planning Commission shall consider, among other things, the parking conditions, circulation patterns, lighting, landscaping, noise, and operational hours. The Planning Commission may require such subsequent additional reviews, as the Planning Commission deems appropriate. This provision shall not be construed as a limitation on the City's ability to enforce any provision of the RPVMC regarding this project.
3. Pursuant to RPVMC Section 17.78.040, the Director of Community Development is authorized to make minor modifications to the approved plans and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with the approved plans and conditions. Substantial changes to the project shall be considered a revision and require approval by the final body that approved the original project, which may require new and separate environmental review and public notification.
4. The project development on the site shall conform to the specific standards contained in these Conditions of Approval or, if not addressed herein, shall conform to the Institutional zoning district development standards of the RPVMC, including but not limited to height, setback standards.
5. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.

6. Unless otherwise designated in these conditions, all construction shall be completed in substantial conformance with the plans stamped APPROVED by the City with the effective date of this Resolution.
7. This approval is only for the items described within these conditions and identified on the stamped APPROVED plans and is not an approval of any existing illegal or legal non-conforming structures on the property, unless the approval of such illegal or legal non-conforming structure is specifically identified within these conditions or on the stamped APPROVED plans.
8. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess material may include, but not be limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures.
9. All construction sites shall be maintained in a secure, safe, neat and orderly manner, to the satisfaction of the City's Building Official. All construction waste and debris resulting from a construction, alteration or repair project shall be removed on a weekly basis by the contractor or property owner. Existing or temporary portable bathrooms shall be provided during construction. Portable bathrooms shall be placed in a location that will minimize disturbance to the surrounding property owners, to the satisfaction of the City's Building Official.
10. Permitted hours and days for construction activity are 7:00 a.m. to 6:00 p.m., Monday through Friday, 9:00 a.m. to 5:00 p.m. on Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in RPVMC Section 17.96.920. During demolition, construction and/or grading operations, trucks shall not park, queue and/or idle at the project site or in the adjoining street rights-of-way before 7:00 a.m. Monday through Friday and before 9:00 a.m. on Saturday, in accordance with the permitted hours of construction stated in this condition. When feasible to do so, the construction contractor shall provide staging areas on-site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between staging activities and neighboring properties, subject to approval by the building official.
11. If construction projects that are accessible from a street right-of-way or an abutting property and which remain in operation or expect to remain in operation for over 30 calendar days, the City shall provide temporary construction fencing, as defined in RPVMC Section 17.56.050(C). Unless required to protect against a safety hazard, temporary construction fencing shall not be erected sooner than 15 days prior to commencement of construction.

#### Project Specific Conditions

12. This approval allows for the following:

- Demolition of five existing buildings (19,000 ft<sup>2</sup> in gross area), parking, ancillary site improvements and landscaping;
- Construction of a new 6,790 gross ft<sup>2</sup> single-story building (community center) and adjacent 137 ft<sup>2</sup> of covered patio areas with an overall height of 16 feet – 6 1/4 inches;
- Construction of a 400 ft<sup>2</sup> storage facility at 12 feet in height for City and emergency supplies;
- Construction of a 54-stall parking lot located adjacent to building and playground, including four clean air vehicle spaces;
- Construction of a naturalistic children's playground area in the upper terrace;
- Construction of one full basketball court and a 1/2 basketball court in the upper terrace;
- Renovation of two existing paddle tennis courts in the upper terrace;
- Construction of walking paths throughout park area along with upper and lower lawn areas;
- Construction of an outdoor tiered seating area between the middle- and upper- terraces;
- Construction of a lawn area in the lower terrace;
- Utilization of existing Forrestal Drive entrance into the park;
- Installation of low-impact, native and drought-tolerant landscaping, including 30-foot to 100-foot buffer zone between the building and southerly slope;
- 9,000 cubic yards combined balanced on-site grading (4,500 cubic yards of cut and 4,500 cubic yards of fill);
- Grading cut and fill over 5 feet in height to support an Americans with Disability Act (ADA) access ramp between the middle- and upper terraces;
- Construction of retaining and combination walls to a maximum height of 15 1/2 feet to accommodate accessibility and ADA compliant ramps;
- Installation of a new 12-foot flagpole;
- Construction of mechanical equipment and refuse storage area;
- Installation of new bike and storage area;
- Installation of vehicular entry gate for park security; and,
- Installation of on-site lighting.

13. The height of the proposed community center shall be 16 feet-6 1/4 inches tall, as measured from the highest existing grade covered by the structure (elev. 448.00 feet) to the highest roof ridgeline (464.525 feet).

**BUILDING HEIGHT CERTIFICATION IS REQUIRED TO BE PROVIDED BY A  
LICENSED LAND SURVEYOR OR CIVIL ENGINEER PRIOR TO ROOF  
SHEATHING INSPECTION.**

14. The height of the proposed accessory storage building shall not exceed a height of 12 feet as measured as measured from the lowest preconstruction grade adjacent to the

foundation wall to the ridge.

15. Unless modified by the approval of future planning applications, the approved community center building and storage building shall maintain the following setbacks:
  - Front & Street Side- 25 feet (abutting a dedicated street)
  - Interior Side & Rear- 20 feet

#### Grading Permit Conditions

16. The following maximum quantities and depths of grading are approved for the project site as shown on the grading plan reviewed and approved by the Planning Commission:
  - a. 9,000 cubic yards of combined on-site grading (4,500 cubic yards of cut and 4,500 cubic yards of fill) with retaining walls up to 12 feet in height in support of the proposed improvements.
  - b. Cut and fill depths up to 10 feet in height

No export or import of earth material shall occur with the exception of base material and other construction related material.

17. The Director of Community Development shall be authorized to allow deviations to the project grading quantities up to 200 cubic yards over the stated maximum quantities for unforeseen circumstances due to conditions encountered in the field provided that such deviation or modification to the grading quantities achieve substantially the same results as with the strict compliance with the grading plan.

Any modifications resulting in additional grading in excess of the above amounts shall require approval of an amendment to the grading permit by the Planning Commission at a duly noticed public hearing. This is a balanced grading project. No export or import of earth shall be permitted, except for rock material or fine grading materials, such as select fill.

18. Prior to the final inspection of the precise grading, a certified as-built grading plan prepared and wet-stamped by a license engineer shall be reviewed and approved by the Building Official and the Director of Public Works. If applicable, the as-built grading plan shall identify any revisions to the grading plan.
19. For all grading, landscaping and construction activities, the City shall employ effective dust control techniques, either through screening and/or watering.
20. **PRIOR TO ISSUANCE OF GRADING OR BUILDING PERMITS**, haul routes to transport soil shall be approved by the Public Works Department, if applicable.

21. **PRIOR TO THE ISSUANCE OF GRADING OR BUILDING PERMITS**, the contractor shall demonstrate to the satisfaction of the Director of Community Development how dust generated by the grading activities will be mitigated, so as to comply with the South Coast Air Quality Management District Rule 403 and the RPVMC requirements, which require watering for the control of dust.
22. **PRIOR TO THE ISSUANCE OF GRADING OR BUILDING PERMITS**, the project geologist shall review and approve final plans and specifications and shall stamp and sign such plans and specifications.
23. **PRIOR TO ISSUANCE OF GRADING OR BUILDING PERMITS**, the City shall submit for review and approval a drainage plan that complies with the National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges.
24. All grading shall be monitored by a licensed engineering geologist and/or soils engineer in accordance with the applicable provisions of the RPMVC and the recommendations of the Director of Public Works. Written reports, summarizing grading activities, shall be submitted on a weekly basis to the Director of Public Works and the City's Building Official.
25. Grading activity on-site shall occur in accordance with all applicable City safety standards.
26. If applicable, any water features, including bioswales, shall be lined to prevent percolation of water into the soil. Designs of all water features shall be included on the grading plans submitted for review by the City's Building Official and the City's Geologist prior to the issuance of any grading permits.
27. Prior to the final grading inspection by the Building and Safety Division, the graded slopes shall be properly maintained in accordance with the project landscape plan. Plan materials shall generally include significant low ground cover to impede surface water flows.

#### Safety Conditions

28. **PRIOR TO THE ISSUANCE OF ANY GRADING OR BUILDING PERMITS**, the project plans shall be reviewed and approved by the Los Angeles County Fire Department to ensure compliance with the fire code and fuel modification requirements.
29. **PRIOR TO THE ISSUANCE OF ANY GRADING OR BUILDING PERMITS**, the City shall contract with a security consultant to develop a Safety & Security Plan, which incorporates the following safety design elements:
  - Clear points of entry and improved sight lines in the final design;

- Appropriately placed exterior and interior security cameras and motion sensors with lighting;
- Appropriate low-level landscaping;
- Control of ingress and egress points during operating hours and non-operating hours;
- Glass break sensors;
- On-site security lighting incorporating comprehensive best practices in lighting design throughout the park grounds and building;
- Ability to secure park perimeter at night through fencing and improved entrance gates for both pedestrian and vehicular access points;
- Ability to make restroom and vestibule area secured and inaccessible during community center non-operating hours;
- Reduction/elimination of blind spots; ,
- Increased utilization of the park combined with increased staff supervision

30. The on-site surveillance system, including security cameras and motion sensors shall be maintained by the City in perpetuity.

31. The community center open lobby, restrooms and accompanying sink areas shall be designed to be secured on a nightly basis with a roll-down security gate or other means to secure the area and prevent hour use.

#### Landscape and Park Improvement Conditions

32. A final Landscape Plan shall be prepared by a qualified Landscape Architect in accordance with the standards set forth in the RPVMC. The Landscape Plan shall be reviewed and approved by the Director of Community Development, a qualified Landscape Architect, and/or an Arborist hired by the City, prior to the issuance of any building or grading permits. The Landscape Plan shall include, at include, a minimum, the plant species (Latin and common names), growth rate, and maximum height at maturity of all proposed trees. During the Director's review, the Landscape Plan shall also be made available to the public for review.

The Landscape Plan shall comply with the City's Water Efficient Landscape Ordinance, the View Preservation Ordinance, the planting requirements, the irrigation system design criteria, and all other requirements RPVMC. All new trees and foliage shall not exceed 16-feet in height, as measured from the grade adjacent to the tree or foliage. The Landscape Plan shall also include an Integrated Pest Management Plan that addresses the use of grass-cycling and pesticides for the lawn and landscape areas.

33. Prior to approval of the landscape plan, the project shall comply with the City's Low Impact Development Ordinance, as applicable.

#### Construction Conditions

34. All construction vehicles onsite shall minimize idling time by requiring that equipment be shut down after 5 minutes when not in use (as required by the State airborne toxics control measure, 13 CCR § 2485). Clear signs that lists this requirement shall be posted with the requirements for workers at the entrances to the site and provide a plan for the enforcement of this requirement including a phone number to contact a designated City employee (i.e. project manager).
35. Unless safety provisions require otherwise, the construction contractor shall adjust all audible back-up alarms to the lowest volume appropriate for safety purposes (i.e. still maintaining adequate signal-to-noise ratio for alarm effectiveness). The contractor shall consider signal persons, strobe lights, or alternative safety equipment and/or processes as allowed for reducing reliance on high-amplitude sonic alarms.
36. The project shall utilize construction equipment equipped with standard noise insulating features during construction to reduce source noise levels.
37. All project construction equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts is generated.
38. Construction of the project should not impede upon any City Council-approved public trails in the immediate area.
39. **PRIOR TO THE ISSUANCE OF ANY GRADING OR BUILDING PERMITS**, a Staging Plan shall be prepared and reviewed by the Director of Community Development, which includes, but is not limited to, the identification of equipment staging and construction-associated parking.

#### Operational Conditions

40. Pursuant to RPVMC Section 12.16.030, the Ladera Linda park ground hours shall be one hour before sunrise to one hour after sunset, seven days a week, or as designated by City Council action.
41. The Ladera Linda parking lot shall be open at 8:00 a.m. to dusk, seven days a week, or as designated by City Council action.
42. The Ladera Linda Park Community Center hours shall be 8:00 a.m. to 9 p.m. seven days a week, or as designated by City Council action. Operating hours may be extended if rentals are scheduled, or for City conducted business, such as public meetings.
43. Rental for purposes of the use of the community center shall mean any contracted or permitted use of a park facility by an individual, business, non-profit, HOA, or the City, and hours of use shall be limited to between 10:00 a.m. and 9:00 p.m.
44. Classes (instructor-led class, either private or City-sponsored) shall be conducted

only between 8:00 a.m. and 9:00 p.m.

45. No more than two private rentals per month shall be allowed after 5:00 p.m. This restriction shall not apply to non-profits, City events, or HOA rentals.
46. No more than eight special events (a large City-sponsored or permitted private event) shall be allowed per calendar year. Special events that extend until after 9:00 P.M. shall only be permitted upon approval of a Special Event Permit.
47. All maintenance and grounds-keeping equipment shall be entirely enclosed when not in use.

#### Parking Conditions

48. No fewer than 54 on-site parking spaces consisting of 47 standard parking spaces at a minimum of 9 feet wide by 20 feet deep, one electric vehicle space, one ADA electric van accessible space, three clean air vehicle spaces and three ADA accessible spaces.
49. All parking, loading and access shall comply with RPVMC Chapter 17.50 (Nonresidential Parking and Loading Standards).
50. **PRIOR TO THE ISSUANCE OF ANY GRADING OR BUILDING PERMITS**, a Parking Plan shall be reviewed and approved by the Director of Community Development that shall include, but not be limited to, parking striping, directional arrows, wheel stops or curbs, landscaping, way finding signs and other necessary parking and circulation amenities.
51. All proposed driveways and aisle shall be designed in substantially the same alignment as shown on the propose project site plan, subject to final design review and approval by the Los Angeles County Fire Department and Director of Public Works.
52. Prior to the installation of the bicycle storage lockers, a color sample for the locker exterior shall be reviewed and approved by the Director of Community Development.

#### On-Site Walk and Pathway Conditions

53. The location and number of on-site walk and pathways shall generally comply with the project plans. These walk and pathways shall be constructed pursuant to the standards approved by the Director of Public Works.
54. Handicap access ramps shall be installed in accordance with the current standards established by the Americans with Disabilities Act.
55. All sidewalks and pathways throughout the project site shall be designed to comply

with the minimum width standards set forth in the most recent Disabled Accessibility Guidebook.

### Site Lighting Conditions

56. The Lighting Plan approved by the Planning Commission shall comply with the Non-Residential Outdoor Light Ordinance pursuant to RPVMC Section 17.56.040. An as-built lighting plan shall be submitted to the City prior to the final inspection and shall include, but not limited to, the location, height, number of lights, wattage and estimates of maximum illumination on site and spill/glare at properties lines for all exterior circulation lighting, outdoor building lighting, walking and sidewalk lighting, parking lot lighting, landscape ambience lighting and sign lighting. The Lighting Plan shall be submitted for review and approval by the Director of Community Development prior to the issuance of any building permit.
57. An illuminated mock-up of one of the proposed -10-foot high light poles shall be placed prior to installation for review by the Director of Community Development.
58. There shall be a trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot lighting, during which the lighting shall be assessed for potential impacts to the surrounding properties. At the end of the thirty (30) day period, the Director of Community Development may require additional screening or reduction in the intensity or numbers of lights which are determined to be excessively bright or otherwise create adverse impacts. Furthermore, said lighting shall be reviewed as part of the one-year compliance review described in Condition No. 3.
59. Parking and security lighting shall be kept to minimum safety standards and shall conform to City requirements. Fixtures shall be shielded to emit light below 90 degrees so that only the project site is illuminated; there shall be no spillover onto residential properties or halo into the night sky.
60. No outdoor lighting is permitted where the light source or fixture, if located on a building, is above the line of the eaves. If the light source or fixture is located on a building with no eaves, or if located on a standard or pole, the light source or fixture shall not be more than 10 feet above existing grade, adjacent to the building or pole.
61. The parking lot light standards shall be limited to a maximum height of 10 feet, as measured from adjacent finished grade.
62. The lighting bollards shall be limited to a maximum height of 42 inches, as measured from adjacent finished grade.
63. The use of laser lights, strobe lights, flashing lights, or any similar lighting shall be prohibited during all events.

### Utility Conditions

64. Prior to issuance of the final inspection for the project grading, all new utilities exclusively serving the project site shall be placed underground including, but not limited to, cable, telephone, electrical, gas and water. All appropriate permits shall be obtained for any such installation.
65. No above ground utility structure cabinets, poles, pipes, or valves shall be constructed within the public rights-of-way without prior approval of the Director of Public Works. If permitted, above ground utility structure cabinets, pipes, or valves shall not impede on the pedestrian circulation flow and shall be painted a color to the satisfaction of the Director of Community Development. The use of above ground utility poles is prohibited.
66. The project shall comply with all recorded easements on the property.

#### Noise and Mechanical Equipment

67. If applicable, all new mechanical equipment, regardless of its location, shall be housed in enclosures designed to attenuate noise to a level of 65 dBA CNEL at the project site's property lines.
68. Mechanical equipment shall be oriented away from any sensitive receptors such as neighboring residences, and where applicable, must be installed with any required acoustical shielding.
69. Use of amplified sound in excess of 65 dB at the property lines shall require a special event permit pursuant to RPVMC Section§ 12.20.040.
70. The use of indoor amplified music shall be permitted between 11:00 a.m. and 8:00 p.m. Music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible from the nearest property line in any direction from the community center building for classes or exercise programs. Use of amplified music outdoors shall require a special event permit; not be allowed after 9 p.m.; speakers shall be oriented away from residential property and sound shall not be in excess of 65 dB at the property lines.
71. All deliveries of goods and supplies; trash pick-up, including the use of parking lot trash sweepers; and the operation of machinery or mechanical equipment which emits noise levels in excess of 65 dBA, as measured from the closest property line to the equipment, shall only be allowed between the hours of 8:00 a.m. and dusk, Monday through Sunday.