CITY COUNCIL

CITY OF ROLLING HILLS ESTATES

LOS ANGELES COUNTY, CALIFORNIA

RESOLUTION NO. 2055

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES, APPROVING A TENTATIVE TRACT MAP, A CONDITIONAL USE PERMIT, A PRECISE PLAN OF DESIGN, A VARIANCE APPLICATION TO EXCEED THE MAXIMUM PERMITTED BUILDING HEIGHT, A VARIANCE APPLICATION TO PERMIT SMALLER PARKING SPACE DIMENSIONS THAN REQUIRED BY CODE, AND A MITIGATED NEGATIVE DECLARATION FOR A MIXED-USE PROJECT FOR EIGHTEEN (18) CONDOMINIUM UNITS INCLUDING THREE (3) LIVE/WORK UNITS ON AN .81-ACRE PARCEL. APPLICANT: GREG BROWN, BROWN & HANLEY, INC.; LOCATION: 981 SILVER SPUR ROAD.

WHEREAS, Mr. Greg Brown filed an application with the Planning Department requesting permission to construct a Mixed-Use development for eighteen (18) condominium units including three (3) live/work units on a .81-acre parcel; such an application as required by Chapters 15.04, 16.04, 16.12, 17.30, 17.37, 17.58, and 17.66 of the Rolling Hills Estates Municipal Code; and

WHEREAS, Section 17.30.020(D)(25) of the Rolling Hills Estates Municipal Code requires approval of a Conditional Use Permit for a Mixed-Use development to locate within the C-G Zone; and

WHEREAS, an Initial Study was prepared by the City in conformance with the requirements of the California Environmental Quality Act (CEQA). It was found that the project would not have a significant impact on the environment with proper mitigation. As such, 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 Hearing on the 21st day of June, 2004. All interested parties were given full opportunity to be heard and to present evidence; and

WHEREAS, the Planning Commission adopted Resolution No. PA-14-04 on the 19th day of July, 2004, recommending City Council approval of the project; and

WHEREAS, upon giving the required notice, the City Council conducted public hearings on the 24th day of August, 2004, and the 14th day of September, 2004; and

WHEREAS, as a result of studies and investigations made by the City Council 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 hearing show the following:

That the granting of this application will not be materially detrimental to the public welfare or injurious to property and improvements in the Zoning District and neighborhood in which the property is located because the proposed improvements will be regulated via a Conditional Use Permit (Section 17.30.020(D)(25)) of the Rolling Hills Estates Municipal Code) and a Precise Plan of Design (Section 17.37.020(C)), to mitigate project impacts.

That the granting of this application will not be contrary to the objectives of the General Plan because the development is consistent with the General Plan's Goals and Policies and the Mixed-Use overlay zone.

That the granting of this application will not constitute the granting of a use variance within

the meaning of the California State Government Code, Section 65906 because a Mixed-Use project is a use conditionally permitted by Rolling Hills Estates Municipal Code Chapters 17.30 and 17.37.

That as provided under the California Environmental Quality Act (CEQA), the tentative tract map will not result in a significant impact on the environment because a Mitigated Negative Declaration has been prepared with mitigation measures that have been incorporated into this resolution.

Variance Findings

That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to its intended use which do not apply generally to other property in the same zoning district and neighborhood because the subject property is substandard in size, slightly irregular in shape, and has a steep slope associated with Crenshaw Boulevard along its easterly edge, and because the height of the proposed building is consistent with that of the adjacent Post Office, and the reduced parking space dimensions would minimize the need for the parking garage to encroach into the Crenshaw Boulevard slope.

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 and neighborhood because the subject property is most similar to that of the adjacent Post Office building, and the height of the proposed building is similar to that of the Post Office, and because the proposed parking space dimensions are consistent with those accepted for other developments in the zoning district.

That the granting of the Variance will not be materially detrimental to the public welfare of injurious to property and improvements in the zoning district and neighborhood in which the property is located because the proposed building height would not block views of any surrounding properties, the architectural tower element would visually enhance the overall district, and the reduced parking space dimensions have been analyzed and supported for other developments in the zoning district.

That the granting of the Variance will not be contrary to the objectives of the master plan because both the Zoning Code and General Plan provide for Mixed-Use developments for the subject property, and granting of Variances for height and parking space dimensions in support of a Mixed-Use project would be in conformance with the objectives of applicable plans.

That the granting of the Variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulations governing the parcel of property because the use and activities of the proposed building as well as the parking of vehicles is provided for in the C-G and Mixed-Use Zones.

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

SECTION 1. That the foregoing facts constitute conditions necessary to approve a Tentative Tract Map, a Conditional Use Permit, a Precise Plan of Design, and Variances; and to adopt the Mitigated Negative Declaration for the construction of a Mixed-Use development for eighteen (18) condominium units including three (3) live/work units on a .81-acre parcel; such an application as required by Chapters 15.04, 16.04, 16.12, 17.30, 17.37, 17.58 and 17.66 of the Rolling Hills Estates Municipal Code, and that said Permits be granted subject to the following conditions which must be met at all times by the applicant, unless otherwise stated, in order to enjoy the use of the subject property for any and all uses permitted by the granting of the subject permits.

GENERAL CONDITIONS

1. That all improvements hereafter constructed or installed on land which is the subject of this approval shall be located substantially as shown on Exhibit A and/or as required under the Municipal Code and/or as required in these conditions.

2. That all applicable requirements of the State, County, City, and other governmental entities shall

be met, and that prior to commencing any work on lands divided by the application and prior to applying for a building or grading permit, a zone clearance shall be obtained from the Planning Department.

3. That the Tentative Tract Map shall be valid for two years from the date of adoption of the City Council resolution of approval. Requests for extensions shall be made prior to the expiration of this map and shall require approval by the City Council.

4. That any substantial modification including, but not limited to, exterior building elevations, site plan design, and landscaping, shall receive prior approval of the Planning Commission; minor modifications may be approved by the Planning Director.

5. That in the event of one or more violations of these conditions, the City Manager shall have enforcement capability to remedy such violations and/or revoke said approvals.

6. That the City Council shall review and approve the final map prior to filing with the County Recorder's Office.

7. That the applicant shall submit plans for approval by the City Manager for all improvements required herein and further that the applicant will provide proof of completion of all improvements to City standards prior to recordation of the final map or, in those cases where permitted by the City Council, post labor, material, and performance bonds, or other appropriate forms of security in an amount to be determined by the City Manager in a form approved by the City Attorney. Improvements which are bonded must be installed within one year of recordation unless a time extension is granted by the City Council.

8. That prior to submitting the final map to the City Manager for his examination pursuant to Section 66450 of the Government Code, the applicant shall obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Section of Survey and Land Development Division of the County Engineer, for the following mapping items: including but not limited to mathematical accuracy, survey analysis, and correctness of certificates and signatures.

9. That prior to final map approval, the applicant shall pay any required fees for Department of Fish and Game review.

10. That, unless the use is inaugurated or construction of the project is commenced and being diligently pursued not later than one hundred and eighty (180) days after the date the 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.

11. 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 attorney’s 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.

CC&Rs

12. That the applicant shall submit a copy of the CC&Rs to the City Manager for review and approval prior to the recordation of the Final Map.

13. That the CC&Rs shall specify the following requirements:

    a. The City of Rolling Hills Estates shall be named as a third party beneficiary. Any proposed amendments to the CC&Rs must first receive approval of the City of Rolling Hills Estates.

b. The Homeowners Association shall be responsible for the maintenance of all landscaping located within commonly owned areas, as shown on Exhibit A.

c. No recreational vehicles shall be parked on-site.

d. A provision shall be included for trash pick-up and disposal for common areas and private residences.

e. The Homeowners Association shall maintain any natural drainage courses traversing the property.

f. That all residential units of the development shall be restricted to home-occupation uses, as specified in the Municipal Code, such that the permitted uses of the C-G Zone are not allowed to be conducted in a residential unit with the exception of the three (3) proposed live/work units indicated as units 1, 2, and 3 in Exhibit A.

g. That the Homeowners Association shall regulate the placement of satellite dish antennas per Public Utilities Commission (PUC) requirements, for use in connection with individual residential units, such that their visibility to both public and private view is minimized to the best extent possible. A project central satellite shall be provided for use by all units, and individual units shall utilize the central satellite or individual cable line provided for each unit as required in Condition No. 67.

h. That residents shall be restricted from storing items on individual unit balconies or in courtyard areas, parking areas, or any other open spaces of the complex.

i. That residents shall be restricted from hanging clothes, sheets, or other laundered items on or within individual unit patios/balconies.

j. That no architectural alteration of individual unit patios/balconies shall be permitted.

GEOLOGY/GRADING

14. In order to prevent excessive differential settlement of the structure due to the dipping bedrock under the project site, it is recommended that the entire structure be supported on bedrock. Where bedrock will be exposed at or near the proposed finished floor level, conventional spread footings bearing a minimum of 2 feet into bedrock shall be utilized for foundation support. Where bedrock is too deep to be reached by conventional foundations, cast-in-place friction piles embedded a minimum of 10 feet into bedrock shall be used for foundation support.

15. In areas where deepening beyond the scheduled foundation depth is required to obtain a minimum penetration of 2 feet into bedrock, concrete shall be utilized to backfill the deepened footing excavation up to the scheduled foundation depth. Concrete utilized to backfill deepened foundation excavations shall be the same strength as the concrete specified for the foundations.

16. It is anticipated that construction of the proposed upper parking level will require raising the existing grade by placing an approximately 4-foot blanket of newly placed compacted fill on top of the existing fill. The proposed upper level parking ramp shall be constructed as a structural slab supported on grade beams placed which are in turn supported by piles. The on-site excavated fill is acceptable for use as compacted fill under the structural parking floor slab, but may require moisture adjustment prior to recompaction.

17. Temporary excavations up to a maximum of approximately 14 feet in height will be required during the excavation of the proposed subterranean garage. Due to the 10-foot distance of the property line from the proposed excavation along the southwestern perimeter adjacent to the existing post office parking structure, it is anticipated that shoring will be required in this area of the proposed excavation.

18. Shoring will be required in the southern portions of the southeastern perimeter along Crenshaw

Boulevard to protect the slopes and Crenshaw Boulevard. The horizontal distance between the excavation and the slopes along Crenshaw Boulevard increases, and the height of the required excavations decreases towards the intersection of Silver Spur Road and Crenshaw Boulevard.

SEISMIC DESIGN CONSIDERATIONS

19. The seismic design parameters to be utilized in the design of the structure are as follows:

Seismic Zone 4 with a Seismic Zone Factor of 0.4

Type B Fault	(1997 UBC Table 16-U)
Soil Type Sc	(1997 UBC Table 16-J)
Na = 1.05	(1997 UBC Table 16-S)
N 1.27	(1997 UBC Table 16-T)

SITE DRAINAGE

20. All site drainage shall be collected and transferred to the streets or other approved location in non-erosive drainage devices. Drainage shall not be allowed to pond anywhere on the site, and especially not against any foundation or retaining wall. The proposed structure shall be provided with roof drains.

EXPANSIVE SOILS

21. Additional reinforcing, as recommended in the "Foundation Design" and "Slabs-on-Grade" Mitigation Measures herein, will be required.

EXISTING SLOPES

22. Shoring will be required to protect the slopes and Crenshaw Boulevard.

GRADING

23. The following guidelines shall be used in preparation of the grading plan and job specifications. Geotechnologies, Inc. shall have the opportunity to review the contract documents prior to the solicitation of bids, to see that the intent of the recommendations is conveyed to the contractor.

a. All vegetation, existing fill, and soft or disturbed earth materials shall be removed from the area to receive certified compacted fill. The excavated areas shall be observed by the geotechnical engineer prior to placing compacted fill.

b. Subsequent to the indicated removals, the exposed grade shall be scarified to a depth of 6 inches, moistened to optimum moisture content, and recompacted to 90 percent of the maximum density.

c. Fill, consisting of soil approved by the geotechnical engineer, shall be placed in compacted layers with suitable compaction equipment. The excavated onsite materials are considered satisfactory for reuse in the controlled fills, but may require moisture adjustment prior to recompaction. Any imported fill shall be observed by the geotechnical engineer prior to use in fill areas. Fill materials shall be moisture conditioned to within 3 percent of optimum moisture content and sufficiently blended prior to placement as

controlled fill. Rocks larger than six inches in diameter shall not be used in the fill.

d. The fill shall be compacted to at least 90 percent of the maximum laboratory density for the materials used. The maximum density shall be determined by ASTM D 1557-00.

e. Field observation and testing shall be performed by the geotechnical engineer during grading to assist the contractor in obtaining the required degree of compaction and the proper moisture content. Where compaction is less than required, additional compactive effort shall be made with adjustment of the moisture content, as necessary, until 90 percent compaction is obtained.

f. Utility trenches shall be properly backfilled with controlled fill. The pipe shall be bedded with clean sands at least 1 foot over the crown. The remainder of the backfill may be onsite soil compacted to 90 percent and tested in accordance with ASTM D-1557-00.

a. Any vegetation or associated root system located within the footprint of the proposed structures shall be removed during grading. Any existing or abandoned utilities located within the footprint of the proposed structures shall be removed or relocated as appropriate.

b. All fill materials and disturbed earth materials resulting from grading operations shall be removed and properly recompacted prior to foundation excavation.

FOUNDATION DESIGN

Conventional Foundations

21. Conventional foundations bearing a minimum of 2 feet into bedrock shall be utilized for foundation support where bedrock will be exposed at or near the proposed foundation level. In areas where deepening beyond the scheduled foundation depth is required to obtain a minimum penetration of 2 feet into bedrock, concrete may be utilized to backfill the deepened footing excavation tip to the scheduled foundation depth. Concrete utilized to backfill deepened foundation excavations shall be the same strength as the concrete specified for the foundations.

22. Wall foundations bearing in bedrock shall be designed for an allowable bearing value of 3,800 pounds per square foot, and shall be a minimum of 12 inches in width, 24 inches in depth below the lowest adjacent grade, and 24 inches into the recommended bearing material. Column foundations may be designed for an allowable bearing value of 4,500 pounds per square foot, and shall be a minimum of 24 inches in width, 24 inches in depth below the lowest adjacent grade, and 24 inches into the recommended bearing material.

23. The bearing value increase for each additional foot of width is 180 pounds per square foot. The bearing value increase for each additional foot of depth is 500 pounds per square foot. The maximum recommended bearing value is 6,000 pounds per square foot.

24. The bearing values indicated above are for the total of dead and frequently applied live loads, arid shall be increased by one third for short duration loading, which includes the effects of wind or seismic forces. Since the recommended bearing value is a net value, the weight of concrete in the foundations shall be taken as 50 pounds per cubic foot, and the weight of the soil backfill maybe neglected when determining the downward load on the foundations.

25. All continuous foundations shall be reinforced with a minimum of four #4 steel bars. Two shall be placed near the top of the foundation, and two shall be placed near the bottom.

26. All foundation excavations shall be observed by personnel of Geotechnologies, Inc. to verify penetration into the recommended bearing materials. Foundation excavations shall be cleaned of all loose soils prior to placing steel and concrete. Any required foundation backfill shall be mechanically compacted; flooding is not permitted.

Lateral Design-Conventional Foundations

27. Resistance to lateral loading may be provided by friction acting at the base of foundations, and by passive earth pressure. An allowable coefficient of friction of 0.4 shall be used with the dead load forces for foundations bearing in bedrock.

28. Passive earth pressure for the sides of foundations poured against bedrock may be computed utilizing a triangular distribution of pressure, and equivalent fluid pressure of 300 pounds per cubic foot, with a maximum earth pressure of 3,000 pounds per square foot. When combining passive and friction for lateral resistance, the passive component shall be reduced by one third. A one-third increase in the passive value shall be used for wind or seismic loads.

Pile Foundations

29. A deep foundation system consisting of cast-in-place, concrete friction piles shall be utilized for support of that portion of the proposed structure where bedrock is not exposed at or near the proposed building subgrade level. Piles shall be a minimum of 24 inches in diameter, and shall be embedded a minimum of 10 feet into bedrock. The depth to bedrock in the areas where piles are recommended is up to 31 feet below the existing ground surface, with the depths increasing from south to north. Friction piles shall be embedded a minimum of 10 feet into the bedrock. The capacities of drilled cast-in-place piles are shown on the attached "Friction Pile Capacity Calculations" for varying depths of fill, as indicated. Skin friction within the existing fill material has been neglected. Capacities based on dead plus live load are indicated. A one-third increase shall be used for transient loading such as wind or seismic forces. The capacities presented are based on the strength of the soils. The compressive and tensile strength of the pile sections shall be checked to verify the structural capacity of the piles.

30. Piles in groups shall be spaced at least 2-1/2 diameters on center. If the piles are so spaced, no reduction in the downward or upward capacities need be considered due to group action. All drilled pile excavations shall be continuously observed by personnel of Geotechnologies, Inc. to verify adequate penetration into the recommended bearing materials. All piles shall be tied in two horizontal directions with grade beams. As an alternative, the recommended ties may be provided by the floor slab where the structural engineer determines that the slab is of adequate thickness and reinforcing. Where pile groups are required, the piles shall be spaced at least 2-1/2 diameters on center. If so spaced, there will be no reduction in the downward capacity of the piles due to group action.

Lateral Design of Pile Foundations

31. Resistance to lateral loading may be provided by the piles, by soil friction on the floor slabs, and by the passive resistance of the soils against the pile caps and grade beams. A coefficient of friction of 0.4 shall be used with the dead load forces between the floor slab and the supporting soils. If a visqueen moisture barrier is utilized below the floor slab, this value may be reduced by one-half. Passive earth pressure for the sides of pile caps and grade beams may be computed utilizing a triangular distribution of pressure, and an equivalent fluid pressure of 300 pounds per cubic foot, with a maximum of 3,000 pounds per square foot. A one-third increase in the passive value shall be utilized for short term loading such as wind or seismic loads.

32. Maximum recommended allowable lateral capacities for 1/4-inch deflection of fixed and free-head friction piles are presented on the attached table, "Lateral Load Capacities of Drilled Cast-In-Place Piles". No factors of safety have been applied to the lateral load values calculated to induce 1/4-inch lateral deflection. Lateral capacities provided are for drilled cast-in-place piles, penetrating the materials encountered during the course of this investigation. Assumed as part of these lateral capacity calculations are a concrete modulus of elasticity of at least 3,000,000 pounds per square inch, and minimum penetrations as shown on the attached table "Lateral Load Capacities of Drilled Cast-In-Place Piles".

33. The resistance of the piles, the passive resistance of the soils against pile caps and grade beams, and the frictional resistance between the floor slab and underlying soil shall be combined without reduction in determining the total lateral resistance.

Pile Installation

34. The need for casing during installation of piles is not anticipated, however, should casing be required, extreme care shall be employed so that the pile is not pulled apart as the casing is withdrawn. At no time shall the distance between the surface of the concrete and the bottom of the casing be less than 5 feet. Continuous observation of the drilling and pouring of the piles by a representative of the geotechnical engineer is required.

35. Closely spaced piles shall be drilled and filled alternately, with the concrete permitted to set at least eight hours before drilling an adjacent hole. Pile excavations shall be filled with concrete as soon after drilling and inspection as possible; the holes shall not be left uncovered overnight.

Foundation Settlement

36. The majority of the foundation settlement is expected to occur on initial application of loading. The maximum total and differential settlement of conventional spread footings and pile foundations embedded in bedrock is expected to be negligible.

RETAINING WALLS

37. Retaining walls to be constructed as part of the planned development will include restrained, subterranean garage retaining walls up to approximately 12 feet in height, and other miscellaneous cantilever walls up to an estimated 6 feet in height. The restrained retaining walls along the southeastern and southwestern perimeters will retain primarily bedrock, with only a few feet of existing fill anticipated at the top. The retaining walls along Crenshaw Boulevard will retain adverse bedding.

38. Restrained and cantilever retaining walls shall be designed in accordance with the lateral pressures provided below in Mitigation Measures 29 and 30. Retaining wall foundations shall be designed in accordance with the "Foundation Design" mitigation measures included herein. Additional active pressure shall be added for a surcharge condition due to sloping ground and adjacent structures.

Cantilever Retaining Walls

39. Based on the current design scheme, it is not anticipated that cantilever walls will retain adverse bedding. Cantilever retaining walls supporting a level backslope shall be designed utilizing a triangular distribution of pressure, and an equivalent fluid pressure of 30 pounds per square foot per foot of depth.

Restrained Retaining Walls

40. Restrained retaining walls such as the proposed subterranean garage walls shall be designed to resist a trapezoidal pressure distribution of lateral earth pressure as indicated in the following diagram. Additional active pressure shall be added for a surcharge condition due to sloping ground or adjacent structures. Based on the current design scheme, it is anticipated that the proposed restrained walls along Crenshaw Boulevard will retain adverse bedding (the area indicated on the Plot Plan provided in the Geotechnical Report), and that restrained walls in other areas will retain bedrock without adverse bedding, and/or existing or newly placed fill. The design criteria provided in the diagram following, shall be utilized for the given situations.

Setback from Toe of Slope

41. Permanent retaining walls up to 12 feet in height will be required at the southern end of the southeastern and southwestern perimeters of the proposed structure to retain existing slopes with gradients of approximately 2:1 to slightly shallower. In order to provide the required setback from the ascending slope, the retaining portion of the wall shall be extended to a height above the toe of the slope equal to one-half the height of the slope, with a minimum of 3 feet, and a maximum of 15 feet. The purpose of the extension of the retaining portion of the wall is to provide protection from slope drainage, erosion, and shallow failures.

Waterproofing

42. All below-grade walls shall be waterproofed. Waterproofing design and inspection of its installation is not the responsibility of the geotechnical engineer. A qualified waterproofing consultant shall be retained in order to recommend products and application methods which would provide sufficient protection to below-grade walls.

Retaining Wall Drainage and Backfill

43. Retaining walls shall be provided with a subdrain system consisting of either a 4-inch diameter perforated pipe surrounded by a minimum of 12 inches of gravel, or a drainage tile product such as Miradrain. A compacted fill blanket or other impermeable seal such as asphalt or concrete shall be provided at the surface to prevent surface water from easily flowing into the subdrain system. The subdrain system shall outlet to an acceptable location.

44. Any required backfill shall be mechanically compacted in layers not more than 8 inches thick, to at least 90 percent of the maximum density in accordance with Mitigation Measure 10 under the heading "Grading" of the Mitigation Monitoring Plan. Flooding shall not be permitted. Proper compaction of the backfill will be necessary to reduce settlement of the backfill, and to reduce settlement of any overlying walks and paving. Some settlement of required backfill shall be anticipated, and any utilities, small walls or pavements spanning from grade to any retaining walls shall be designed to accept differential settlement at the edge of the wall. The onsite soils are suitable for use as retaining wall backfill, but may require moisture adjustment prior to recompaction.

Soil Corrosivity

45. The corrosion control methods recommended by M.J. Schiff & Associates, Inc. included in the geotechnical report and reproduced, following, shall be used to increase the life of materials that would be subject to significant corrosion.

TEMPORARY EXCAVATIONS

46. Excavations up to a maximum of approximately 14 feet in vertical height will be required during construction, with the maximum excavation heights occurring in the southernmost portion of the proposed subterranean garage. The deepest excavations, which will occur at the southern end of the site, are expected to expose primarily bedrock, with tip to a few feet of existing fill material at the top of the excavations. Adverse bedding is expected to be exposed in the excavations along Crenshaw Boulevard.

47. Excavations which will be surcharged by adjacent traffic or structures, or where sufficient space is not available to excavate at a uniform 1:1 slope gradient, shall be shored. At this time, it is anticipated that shoring will only be required along the southwestern perimeter adjacent to the post office parking structure, and along the southeastern perimeter, parallel to Crenshaw Boulevard. It is anticipated that all other excavations maybe made at a uniform 1:1 slope gradient, without shoring.

48. Where temporary sloped excavations are utilized, the tops of the embankments shall be barricaded to prevent vehicles, construction equipment, and storage loads within 7 feet of the top of the excavation. If the temporary construction embankments are to be maintained during the rainy season, berms are suggested along the tops of the embankments where necessary to prevent runoff from entering the excavation and eroding the slope faces. The soils and bedrock exposed in the temporary excavations shall be inspected during excavation by a representative of Geotechnologies, Inc. so that modifications of the excavations can be made if variations in the soil or bedrock conditions occur. All excavations shall be stabilized within 30 days of initial excavation.

Shoring

49. The following information on the design and installation of the shoring was as complete as possible at the time the geotechnical report was prepared. It is suggested that a review of the final shoring plans and specifications be made by Geotechnologies, Inc. prior to bidding or negotiating with a shoring contractor.

50. The recommended method of shoring will consist of steel soldier beams, placed in drilled holes

and backfilled with concrete. Due to the anticipated heights of the shored excavations, it is not expected that tiebacks or interior braces will be required.

51. Drilled cast-in-place soldier piles shall be placed no closer than 2-1/2 diameters on center. The minimum diameter of the piles is 18 inches. Structural concrete shall be used for the soldier piles below the excavation; lean-mix concrete maybe employed above that level. As an alternative, lean- mix concrete may be used throughout the pile where the reinforcing consists of a wide flange section. The slurry must be of sufficient strength to impart the lateral bearing pressure developed by the wide flange section to the soil. For design purposes, an allowable passive value for the soils below the bottom plane of excavation may be assumed to be a triangular pressure distribution of 600 pounds per square foot per foot of depth, up to a maximum of 6,000 pounds per square foot. To develop the full lateral value, provisions shall be implemented to assure firm contact between the soldier piles and the undisturbed earth materials.

Lagging

52. Lagging of shored excavations may be required in some areas. Soldier piles and anchors shall be designed for the full anticipated pressures. Due to arching in the soils, the pressure on the lagging will be less. It is recommended that the lagging be designed for the full design pressure but be limited to a maximum of 400 pounds per square foot.

Lateral Pressures

53. It is recommended that cantilever temporary shoring be designed to resist a triangular distribution of lateral earth pressure. The equivalent fluid pressures to be used for the design of cantilever shoring up to 14 feet high retaining adverse bedding and the existing 2:1 slope is 122 pcf. The equivalent fluid pressures to be used for the design of cantilever shoring up to 14 feet high retaining adverse bedding but not a slope is 53 pcf. The area where adverse bedding is expected is indicated on the Plot Plan provided in the Geotechnical Report. The equivalent fluid pressures to be used for the design of cantilever shoring up to 14 feet high not retaining adverse bedding is 25 pcf.

Deflection

54. It is difficult to accurately predict the amount of deflection of a shored embankment. It should be realized that some deflection will occur. It is estimated that the deflection could be on the order of 1/2 inch at the top of the shored embankment. If desired to reduce the deflection, a greater active pressure could be used in the shoring design.

Monitoring

55. Some means of monitoring the performance of the shoring system is required. The monitoring shall consist of periodic surveying of the lateral and vertical locations of the tops of all soldier piles and the lateral movement along the entire lengths of selected soldier piles.

SLABS ON GRADE

56. It is anticipated that most floor slabs will be structurally supported, with the exception of a relatively small area at the south end of the proposed lower parking level, where bedrock will be exposed, and conventional spread footings will be utilized. In areas where bedrock is exposed and conventional floor slabs-on-grade will be utilized, it is recommended that a minimum 1-foot thick blanket of newly placed compacted fill be provided below the floor slab.

57. Floor slabs may be cast directly over the exposed grade. In any areas where dampness would be objectionable, it is recommended that the floor slab be supported on an impermeable moisture barrier, such as 10-mil visqueen. If the moisture barrier is used, a low-slump concrete shall be used to minimize possible curling of the slab. The moisture barrier shall be covered with a thin layer of sand, approximately 2 inches, to prevent punctures and aid in the concrete cure.

58. Floor slabs shall be reinforced with a minimum of #3 steel bars at 18 inches on center each way.

CONSTRUCTION COMPLIANCE

59. Compliance with the design concepts, specifications or recommendations during construction requires review by Geotechnologies, Inc. during the course of construction. It is critical that all foundations be observed by a representative of the geotechnical engineer prior to placing concrete or steel. Any fill which is placed shall be observed, tested, and verified if used for engineered purposes. Geotechnologies, Inc. shall be advised at least twenty-four (24) hours prior to any required site visit.

60. If conditions encountered during construction appear to differ from those disclosed herein, Geotechnologies, Inc. shall be notified immediately so the need for modifications may be considered in a timely manner.

Air Quality

64. The project applicant shall require project contractors to implement the following SCAQMD-approved dust control measures during project construction:

a. Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more).

b. Replace ground cover in disturbed areas as quickly as possible.

a. Enclose, cover, water twice daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications.

d. Water active grading sites at least twice daily.

e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.

f. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded.

g. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.

h. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available).

i. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.

j. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.

a. Enforce traffic speed limits of 15 mph or less on all unpaved roads.

l. Pave construction roads when the specific roadway path would be utilized for 120 days or more.

Streets

65. That prior to the issuance of a grading and/or building permit, the applicant shall be required to

post 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.

Easements

66. That the location of all easements required hereunder is subject to review by the City Manager. Dedications of, or offers to dedicate easements or right-of-way shall be completed by certification on the final map.

67. That the applicant shall be responsible for installation of cable TV service within the public utility easement allowing connection to each condominium unit. The applicant shall meet all design and installation standards employed by the cable company servicing the City of Rolling Hills Estates, which includes a requirement that all cable service be underground. The CC&Rs shall restrict the use of satellite dish antennas in conformance with Condition No. 13G.

Noise Mitigation Requirements

68. 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).

69. 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. No trucks shall idle in excess of 10 minutes.

70. Contractor shall prohibit off-site heavy truck activities in local residential areas as well as establish City-approved haul routes.

71. Contractor shall ensure that construction equipment is fitted with modern sound-reduction equipment.

72. Prior to issuance of building permits, a detailed interior acoustic analysis shall be performed for all residences including, but not limited to, those units facing Silver Spur Road and Crenshaw Boulevard to ensure interior residential noise environments do not exceed 45 dB(A). These noise insulation features may include, but are not limited to, the following:

    a. All windows, both fixed and operable, could consist of either double-strength glass or double-paned glass. All windows facing sound waves generated from the mobile source noise could be manufactured and installed to specifications that prevent any sound from window vibration caused by the noise source.

    b. Doors could be solid core and could be acoustically designed with gasketed stops and integral drop seals.

    c. If necessitated by the architectural design of a structure, special insulation or design features could be installed to meet the required interior ambient noise level.

    d. The exterior walls of living areas could be of a special type construction and/or include special insulation, depending on the maximum ambient noise levels generated at any time in a particular area.

Utilities and Service Systems

73. That all utility work located in and connecting to Silver Spur Road and/or Deep Valley Drive and/or

Crenshaw Boulevard shall be subject to review and approval by the City Department of Public Works prior to issuance of a grading permit for the project.

74. That the project plans and map 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.

75. 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.

76. 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.

77. That prior to the issuance of a building and/or a grading permit or prior to the recordation of the final map, the developer shall obtain necessary permits and clearances for sewer and storm drain connections to existing lines.

78. That prior to the issuance of building permits, the project shall be reviewed for compliance with National Pollution Discharge Elimination System (NPDES) requirements. Project shall incorporate design elements to:

a. Minimize impacts from storm water and urban runoff on the biological integrity of Natural Drainage Systems and water bodies in accordance with requirements under CEQA (Cal. Pub. Resources Code § 21100), CWC § 13369, CWA § 319, CWA § 402(p), CWA § 404, CZARA § 6217(g), ESA § 7, and local ordinances;

b. Maximize the percentage of pervious surfaces to allow percolation of storm water into the ground;

c. Minimize the quantity of storm water directed to impervious surfaces and the MS4;

d. Minimize pollution emanating from parking lots through the use of appropriate Treatment Control Best Management Practices (BMPs) and good housekeeping practices;

e. Properly design and maintain Treatment Control BMPs in a manner that does not promote the breeding of vectors; and

f. Provide for appropriate permanent measures to reduce storm water pollutant loads in storm water from the development site.

79. That prior to the issuance of building permits, Site Specific Mitigation design plans and/or design in accordance with Standard Urban Storm Water Mitigation Plan (SUSMP) requirements, including Numerical Design Criteria, shall be applied to the project in accordance with Order No. 01-182.

LANDSCAPING REQUIREMENTS

80. 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.

81. 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.

82. 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.

83. 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.

84. That the landscape plan shall utilize extensive mulching.

CIRCULATION/PARKING

85. That the main entrance driveway shall be modified to meet the required slope setbacks behind the property line and to provide a transition slope at the beginning and end of the ramp subject to review and approval of the City Traffic Engineer.

86. That the two interior speed ramps between the main aisles shall be at least 20' wide (unless privately gated) and shall provide transition slopes and adequate turning radius subject to the review and approval of the City Traffic Engineer.

87. That adequate backup radius shall be provided from parking spaces 28, 43, and 44 and a turn-around area shall be provided at the end of the main drive aisle subject to review and approval of the City Traffic Engineer.

88. That the exit location of the pedestrian walkway on the ground floor shall be modified so that it does not exit out to the center of the ramp aisle subject to review and approval of the City Traffic Engineer.

SPECIAL CONDITIONS

89. 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.

90. That, prior to the installation of any signs for the project, a master sign plan shall be reviewed and approved by the Planning Commission. Said plan shall provide signage identifying guest/visitor/customer spaces at the required ratio outside of gated parking areas. "Right-turn only" signs shall also be provided when exiting the parking structure.

91. 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's Traffic Engineer.

92. That the project applicant shall be required to comply with School District development impact fee requirements and demonstrate to the City such compliance prior to issuance of the occupancy permit for the project.

93. That all roof-mounted equipment shall be screened from view to the satisfaction of the Planning Director.

94. That the applicant shall, to the extent feasible, salvage and recycle demolition materials.

95. That all handicapped spaces shall be posted and painted to meet the State Handicapped Parking Requirements for the Americans with Disabilities Act (ADA).

96. That, prior to the issuance of building permits, the project applicant shall pay fees to the City of Rolling Hills Estates pursuant to the Quimby Act.

97. 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.

98. That the applicant shall provide optional designs and locations for the proposed relocation of the existing "The Peninsula Center – Heart of the Hill" sign currently located on the northwest corner of Crenshaw Boulevard and Silver Spur Road subject to the review and approval of the City Council. All costs necessary for relocation of the sign including demolition of existing sign, design and construction of new sign, and associated landscaping/lighting shall be payable by the applicant.

99. That all project Mitigation Measures, as identified in the attached Mitigation Monitoring Program (Exhibit B), shall be completed to the satisfaction of the responsible Department/Agency.

100. That the building height shall be reduced to a maximum of 44' with the exception of the tower element in the building's northeast corner subject to review and approval of the Planning Director.

101. That the applicant shall provide a Traffic Control Plan for project construction and on-street parking/loading subject to review and approval of the City Engineer.

SECTION 2. That the City Council hereby finds that the Initial Study and Mitigated Negative Declaration have been completed in compliance with CEQA and the State Guidelines, and approves the Mitigated Negative Declaration.

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. That the City Clerk shall certify to the adoption of this Resolution and shall keep a copy of same to be submitted to the Building Department with such other documents and records of proceedings as may be designated by the City Manager.

ADOPTED this 14th day of September, 2004.

_____

JUDITH M. MITCHELL, MAYOR

ATTEST:

_____

DOUGLAS R. PRICHARD, CITY CLERK

I HEREBY CERTIFY that the foregoing Resolution No. 2055 adopted by the City Council of the City of Rolling Hills Estates at a regular meeting held thereof on the 14th day of September, 2004, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

DOUGLAS R. PRICHARD, CITY CLERK