

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on May 8, 2025)

Pursuant to LAMC Sections 12.24 U.14, 12.24 W.27, 12.28 A, and 16.05, the following conditions are hereby imposed upon the use of the subject property:

Conditional Use - Major Development Project Conditions

1. **Site Development.** The use and development of the Property shall be in substantial conformance with the plans stamped Exhibit A, dated April 28, 2025. No change to the plans will be made without prior review by the Department of City Planning, Major Projects, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the Project conditions. The Project shall be in substantial conformance with the following project description:
 - a. A one-story, 340,298 square-foot warehouse/manufacturing/high-cube/warehouse/distribution center, including a 25,000 square-foot mezzanine and up to 40,000 square feet of incidental office uses, as well as 36 dock high truck loading positions and 71 parking stalls for truck trailers.
2. **Permitted Uses.** The Project shall be limited to the following uses, as defined in the Institute of Transportation Engineers (ITE) Trip Generation Manual: Warehousing (ITE 150), Manufacturing (ITE 140), High-Cube Warehouse/Distribution Center (ITE 152), and High Cube Transload & Short-Term Storage Warehouse (ITE 154). Additional permitted uses may be authorized upon approval from the Department of City Planning through the Plan Approval process (LAMC Section 12.24 M), under the authority of the City Planning Commission, in conjunction with appropriate environmental review and CEQA compliance.
3. **Pedestrian Amenities.** The following amenities shall be provided in substantial conformance with Exhibit A, dated April 28, 2025.
 - a. Outdoor seating areas, including tables, along and around the pedestrian pathways throughout the site and within the landscaped area at the northwest portion of the site.
 - b. A pedestrian pathway shall be provided along the southern portion of the proposed building, adjacent to automobile parking spaces to provide safe pedestrian access to the building entrances from Orchard Avenue and Vermont Avenue..
4. **Community Complaint Line.** The property owner/operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
 - a. Posted at the entry, and the cashier or customer service desk,
 - b. Provided to the immediate neighbors, schools and the Neighborhood Council, and
 - c. Responded to within 24-hours of any complaints/inquiries received on this hot line.

The property owner/operator shall document and maintain a log of complaints received, the date and time received and the disposition of the response.

5. Semi-Truck Bay Usage.

- a. **Permitted Hours.** A minimum of 25 percent of the truck unloading/loading bays shall not be utilized for unloading/loading between the hours of 10 PM to 5 AM.
- b. **Truck Trip Cap.** The number of truck trips permitted during the hours of 10 PM to 5 AM shall be limited to 105 trips.

Adjustment Conditions

6. **Building Height.** The Project shall be permitted a maximum building height of 54 feet.

Site Plan Review Conditions

7. **Site Development.** The use and development of the Property shall be in substantial conformance with the plans stamped Exhibit A, dated April 28, 2025. No change to the plans will be made without prior review by the Department of City Planning, Major Projects, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the Project conditions. The Project shall be in substantial conformance with the following project description: a one-story, 340,298 square-foot warehouse/manufacturing/high-cube/warehouse/distribution center, including a 25,000 square-foot mezzanine and up to 40,000 square feet of incidental office uses, as well as 36 dock high truck loading positions and 71 parking stalls for truck trailers.
8. **Landscaping.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A, dated April 28, 2025.
9. **Tree Maintenance.** New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.
10. **Utilities.** All utilities shall be fully screened from view of any abutting properties and the public right-of-way.
11. **Signage.** There shall be no off-site commercial signage on construction fencing during construction.
12. **Fencing/Walls.** The Project shall include a minimum 18-foot tall concrete masonry unit (CMU) or concrete walls immediately north, east, and west of the loading area, as depicted in Exhibit A, dated April 28, 2025, to shield surrounding uses from noise relating to loading dock activities. Prior to the issuance of a building permit, the Applicant shall submit additional wall plan details for the review and approval by the Department of City Planning to ensure proper screening of the walls with murals and/or landscaping to minimize aesthetic impacts.
13. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

- a. Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.
 - b. All pedestrian walkways, storefront entrances, and vehicular accessways shall be illuminated with lighting fixtures.
 - c. Light fixtures located on the Project Site (and not in the public right-of-way) shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.
14. **Construction Equipment and Generators.** The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. Construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The Project construction contractor shall use on-site electrical sources and solar generators to power equipment rather than diesel generators, where feasible. One charging station for electric-powered off-road equipment shall be installed prior to the issuance of building permit.
15. **Mechanical Equipment.** All mechanical equipment shall be fully screened from view of any abutting properties and the public right-of-way.
16. **Trash/Storage.** All trash collecting and storage areas shall be located on-site and not visible from the public right-of-way. Trash receptacles shall be enclosed and/or covered at all times. Trash/recycling containers shall be locked when not in use.
17. **Graffiti Removal.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
18. **Transportation Demand Management (TDM) Program.** The Project shall prepare and submit a draft TDM Program to LADOT for review prior to the issuance of the first building permit for this project. A final TDM Program approved by DOT is required prior to the issuance of the first certificate of occupancy for the project. As recommended by the May 14, 2020, transportation analysis, the TDM Program could include, but is not limited to the following:
- a. An on-site Transportation Information Center (TIC) where employees, and visitors can obtain information regarding public transit, ridesharing, van pool providers, bicycle facilities, and bicycle safety;
 - b. A Transportation Coordinator responsible for implementing, maintaining, and monitoring the TDM Program;
 - c. Carpool/Rideshare Matching Program which would provide rideshare matching services and preferential parking for commercial employees commuting to work in employer-registered carpools;
 - d. Transportation Subsidy which would offer discount transit passes to employees who do not purchase monthly automobile parking at the Project Site;
 - e. Unbundled parking from the commercial leasing cost;
 - f. Convenient and secure bicycle storage within a bicycle locker, an attended cage, or a

secure parking room;

- g. On-site lockers for employees who bicycle or use another active means of getting to work;
 - h. Make a one-time fixed-fee contribution of \$50,000 prior to the issuance of the first certificate of occupancy for the project to the City's Bicycle Plan Trust Fund to implement bicycle improvements in the proposed Project area;
 - i. In order to support LADOT's Mobility Hub Program, the developer shall make a onetime contribution of \$50,000 prior to the issuance of the first certificate of occupancy.
 - j. A Covenant and Agreement to ensure that the TDM program will be maintained.
19. **Orchard Avenue and Redondo Beach Boulevard Physical Improvements.** The Applicant shall restripe the southbound approach of the Orchard Avenue/Redondo Beach Boulevard intersection to provide one left-turn lane and one right-turn lane.
20. **Vermont Avenue and Redondo Beach Boulevard Physical Improvements.** The Applicant shall install a public bus turn-out lane and bus shelter at the existing bus stop located on the northeast corner of the Vermont Avenue/Redondo Beach Boulevard intersection.
21. **Vermont Avenue Pedestrian Rail Crossing.** The Applicant shall install a pedestrian rail crossing to provide a connection to the sidewalk north of the property on Vermont Avenue.
22. **Traffic Signal Upgrades.** In order to upgrade the traffic signal systems in the project study area, the developer is proposing to make a financial contribution of \$100,000 to the Department of Transportation ATSAC fund prior to issuance of the first certificate of occupancy. The traffic signal upgrades may include new traffic signal controllers, CCTV Cameras, roadway system loops.
23. **Site Access and Internal Circulation.** The Applicant shall consult with LADOT for driveway locations and specifications prior to the commencement of any architectural plans, as they may affect building design. Final LADOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting detailed site/driveway plans, at a scale of at least 1" = 40', separately to LADOT's WLA/Coastal Development Review Section at 7166 West Manchester Avenue, Los Angeles 90045 as soon as possible but prior to submittal of building plans for plan check to the Department of Building and Safety. In order to minimize and prevent last minute building design changes, the applicant should contact LADOT, prior to the commencement of building or parking layout design effort, for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans. New driveways should be dimension per the Department of Public Works Case 2 design standard with respective 30-foot and 16-foot widths for two way and one-way operations. Site access shall include the following features, subject to LADOT review:
- a. Along Orchard Avenue, trucks may only access in and out of the site at the northerly driveway. The site shall maintain adequate space for four trucks to queue on-site at the Orchard Avenue driveway.
 - b. Along Vermont Avenue, trucks may only exit turning right, going north of the bus shelter and intersection. The site shall maintain adequate space for three trucks to

queue on-site at the Vermont Avenue driveway.

- c. Along Redondo Beach Boulevard, no truck entry or exit is permitted.

24. Trash and Recycling.

- a. All trash collection and storage areas shall be located on-site and shall not be visible from the public right-of-way.
- b. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
- c. The property owner/operator shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, including the sidewalks bordering the site

- 25. Mechanical and Rooftop Equipment Screening.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way.

Environmental Conditions

- 26. Implementation.** The Mitigation Monitoring Program (MMP), attached as Exhibit C, and as amended by the CPC on May 8, 2025, specifically N-PDF-5, and part of the case file, shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each Project Design Features (PDF) and Mitigation Measure (MM) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

- 27. Construction Monitor.** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs and PDFs within two business days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

- 28. Substantial Conformance and Modification.** After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

29. **Inadvertent Discovery of Tribal Cultural Resources.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any Ground Disturbance Activities (demolition, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil, potholing, pavement removal, grubbing, tree removals, boring or a similar activity at the project site), the potential tribal cultural resources shall be properly assessed and addressed pursuant to the process set forth below:
- a. Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all Ground Disturbance Activities in the immediate vicinity of the find, i.e. within a radius of 60 feet, and contact the following:
 - i) all California Native American tribes that requested consultation on the proposed project; and
 - ii) the Department of City Planning.
 - b. The applicant shall retain a qualified archaeological monitor, identified as principal personnel who must meet the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in Southern California, and shall ensure that all other personnel associated with and hired for the archaeological monitoring are appropriately trained and qualified.
 - c. If the archaeological monitor determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the Applicant shall consult with the archaeological monitor and with the Gabrieleño Band of Mission Indians – Kizh Nation tribe on the recommended disposition and treatment of any Tribal Cultural Resource encountered during all Ground Disturbing Activities.
 - d. The Applicant shall implement the tribe's recommendations if a qualified archaeologist and a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
 - e. The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the Gabrieleño Band of Mission Indians – Kizh Nation tribe that have been reviewed and determined by the qualified archaeologist to

be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities in the vicinity of the find (i.e. within a radius of 60 feet) until this plan is approved by the City.

- f. If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or by the Gabrieleño Band of Mission Indians – Kizh Nation tribe, the Applicant may request mediation by a mediator agreed to by the Applicant and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.
 - g. The Applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and by the Gabrieleño Band of Mission Indians – Kizh Nation tribe and determined to be reasonable and appropriate.
 - h. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
30. **Inadvertent Discovery of Human Remains.** In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:
- a. Stop immediately and contact the County Coroner:
1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
 - b. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
 - c. The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - d. The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
 - e. If the Applicant does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.
31. **Inadvertent Discovery of Archaeological Resources.** In the event that any subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5. The applicant shall notify the City and consult with

a qualified archaeologist who shall evaluate the find in accordance with Federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2 and shall determine the necessary findings as to the origin and disposition to assess the significance of the find. If any find is determined to be significant, appropriate avoidance measures recommended by the qualified archaeologist and approved by the Department of City Planning must be followed unless avoidance is determined to be unnecessary or infeasible by the qualified archaeologist. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.

32. **Inadvertent Discovery of Paleontological Resources.** In the event that any prehistoric subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, at which time the applicant shall notify the City and consult with a qualified paleontologist to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the qualified paleontologist and approved by the Department of City Planning must be followed unless avoidance is determined to be unnecessary or infeasible by the qualified paleontologist. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.

Administrative Conditions of Approval

33. **Approval, Verification and Submittals.** Copies of any approvals guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
34. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
35. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
36. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
37. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
38. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
39. **Project Plan Modifications.** Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a

change in Site Plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

40. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

41. The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with

respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.