

## RESOLUTION NO. 2923

### A RESOLUTION OF THE EL SEGUNDO PLANNING COMMISSION APPROVING COMMUNITY BENEFIT PLAN (CBP) NO. 20-01 AND ENVIRONMENTAL ASSESSMENT EA-1292 FOR A NEW, 8,882 SQUARE-FOOT MIXED-USE BUILDING LOCATED AT 141 EUCALYPTUS DRIVE.

The Planning Commission of the City of El Segundo does resolve as follows:

#### SECTION 1: Recitals.

- A. On February 22, 2021, Brandon Straus, of Srour & Associates, LLC filed an application for Community Benefit Plan (CBP) No. 20-01, and Environmental Assessment (EA) No. 1292 for a Tier I Community Benefits Plan for a new, 8,882 square-foot mixed-use building located at 141 Eucalyptus Drive;
- B. Approval of the proposed Project is a subsequent discretionary action in furtherance of the Smoky Hollow Specific Plan (SHSP);
- C. The application was reviewed by the City's Community Development Department for, in part, consistency with the General Plan, and conformity with the El Segundo Municipal Code ("ESMC") and the SHSP;
- D. On August 11, 2022, the Commission held a duly noticed public hearing to receive public testimony and other evidence regarding the application including, without limitation, information set forth in the staff report and information provided by the applicant and the public; and
- E. The Commission considered all of the evidence presented at the August 11, 2022, public hearing, together with all other information in the administrative record. This Resolution, and its findings, are made based upon the totality of the evidence in the administrative record before the Commission at its August 11, 2022 public hearing.

#### SECTION 2: Factual Findings and Conclusions. The Commission finds as follows:

- A. The proposed project would develop a 6,298 square-foot parcel located at 141 Eucalyptus Drive with a new, 8,882 square-foot mixed-use building, resulting in a total floor area ratio of 1.41. The base allowable floor area ratio for the Smoky Hollow West Zoning District is 0.75, however, a Tier 1 CBP is being sought in order to allow a floor area ratio up to a maximum of 1.5. The new three- to four-story building would have a maximum height of 35 feet from the average grade to the top of the building.
- B. The project site is located within the Smoky Hollow West Zoning District of the Smoky Hollow Specific Plan. The proposed building, with a total of 8,882 square feet, will be compliant with the CBP Tier I floor area ratio, will be consistent with the Smoky Hollow Specific Plan design guidelines, open space and landscape

requirements, and will meet parking requirements by way of payment of in-lieu fees. The proposed building will be designed with significant urban design and pedestrian-oriented features including a ground-level take-out restaurant use accessible from Eucalyptus Drive. The structure will be 3-4 stories tall due to the grading of the site, appearing 4 stories in height from Eucalyptus Drive. Parking is provided on the 2<sup>nd</sup> floor and accessible from the rear alley. Landscaping and open space are compliant with the provisions of the ESMC and SHSP design guidelines, provided along the street frontages of the building.

SECTION 3: Environmental Assessment. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15303 as a Class 3 categorical exemption for new construction or conversion of small structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. More specifically, Class 3 includes, without limitation, a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. Because the proposed building is less than 10,000 square feet and will be used for both office and food use purposes, there will be no significant amounts of hazardous substances. Furthermore, the site is currently served by all necessary public services and facilities, and the surrounding area is built in an urban form and therefore is not environmentally sensitive.

SECTION 4: Community Benefits Plan Findings. Based upon the findings of fact set forth above, and on the evidence in the administrative record as a whole, the Planning Commission finds as follows:

- A. **The proposed additional building height, intensity, or deviation from the development standards would not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity because** the project is located in a developed area with similar sized structures and will encourage development within this area consistent with the vision for Smoky Hollow. The project proposes a number of community benefits, including the provision of open space, a public gathering area, improved building façade and enhanced architecture, and introduction of a mixed-use land use to the block. Further, the building height for the project is consistent with the standards as set forth in the Smoky Hollow West Zoning District and is consistent with the vision for Smoky Hollow to allow for creative and exemplary office space with high quality architecture. The project is located in a developed area that contains all utilities and public infrastructure and before the City issues building permits for the project the applicant will submit detailed plans to the City for review to ensure compliance with all applicable Building and Fire Safety Codes. The

proposed community benefits will provide a positive impact on Smoky Hollow by attracting high-quality businesses and tenants and improving the physical landscape of the area through high-quality design. For these reasons, the proposed additional floor area ratio will not be detrimental to the public health, safety, or welfare, nor will it be materially injurious to properties or improvements in the vicinity.

**B. The proposed community benefit provides exemplary project and/or streetscape design because** the project incorporates elements that are consistent with the vision of the Smoky Hollow Specific Plan. Specifically, the project incorporates architectural elements that are unique to the area and incorporates a 360-degree design with appropriately scaled pedestrian orientation, identifiable front entrance, large and transparent window openings to incorporate natural light, and a juxtaposition of building wall planes and materials. The upper floors incorporate large windows, roof overhangs, outdoor space, and a variety of building materials that face Eucalyptus Drive, including the use of exterior lighting to accentuate safety and promote good design. Provision of a street-level takeout food use and outdoor seating will engage passersby and draw them in to the development, a feature presently lacking from Smoky Hollow's history as warehouses and light industrial uses. With these design considerations, the proposed community benefit provides exemplary project and/or streetscape design, and this finding can be made.

**C. The proposed community benefits directly implements objectives of the Specific Plan because** the proposed benefits preserve Smoky Hollow's existing character through the use of compatible architectural features, materials, and details, specifically through incorporating materials and colors that are consistent with existing buildings in the area and with the neighborhoods industrial character. The building incorporates architectural elements for a 360-degree design with appropriately scaled pedestrian orientation, utilization of natural light, and juxtaposition of building wall planes and materials. Further, the project insists upon streetscape and landscaping amenities that allow for small scale, informal gathering, both within sites and along public rights-of-way, especially sidewalks, street corners, and along Franklin Avenue. The project will provide a 703 square foot public food take-out use on the first floor, with outdoor dining immediately adjacent to Eucalyptus Drive. The addition of this use and the outdoor seating area will activate Eucalyptus Drive and provide a destination for neighboring tenants, passersby, and occupants of the building. The design encourages active and passive design strategies to conserve natural resources by providing 1,039 square feet of open space, landscaped with drought tolerant plant species. In addition, the project works towards developing more accessible and street-site open space by providing entries that are directly accessible from the public sidewalk, in addition to providing the new outdoor gathering space and public food use. The project makes use of the existing alley, which will provide access to 13 dedicated parking spaces on-site. For these reasons, the proposed community benefits directly implement the objectives of the Specific Plan, and this finding can be made.

SECTION 5: Action. Subject to the conditions listed on Exhibit A of this Resolution, the Planning Commission approves EA No. 1292 and Community Benefit Plan (CBP) No. 20-01 (attached hereto as Exhibit B) for the development at 141 Eucalyptus Drive.

SECTION 6: Reliance on Record. Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: This Resolution will remain effective unless superseded by a subsequent resolution.

SECTION 8: The Commission Secretary is directed to mail a copy of this Resolution to Brandon Straus, of Srour & Associates, LLC, and to any other person requesting a copy.

**PASSED, APPROVED AND ADOPTED this 11<sup>th</sup> DAY of AUGUST, 2022.**

\_\_\_\_\_  
Ryan Baldino, Chair  
City of El Segundo Planning Commission

ATTEST:

\_\_\_\_\_  
Michael Allen, Secretary

Baldino -  
Newman -  
Hoeschler -  
Keldorf -  
Maggay -

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Joaquin Vazquez, Deputy City Attorney

## PLANNING COMMISSION RESOLUTION NO. 2923

### Exhibit A

#### CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC") and all provisions of the Smoky Hollow Specific Plan, 141 Eucalyptus, LLC (the "Owner") agrees to comply with, and be bound by, the following provisions as conditions for the City of El Segundo's approval of Community Benefit Plan CBP 20-01, and Environmental Assessment (EA) No. 1292 for a Tier I Community Benefits Plan for the project at 141 Eucalyptus Drive. ("Project Conditions"):

##### Zoning Conditions

1. This approval is for the project as shown on the plans presented to and reviewed by the Planning Commission on August 11, 2022, and on file with the Community Development Department.
2. Prior to issuance of any permit for the project, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Community Development Department. The Community Development Director is authorized to approve minor modifications to the approved plans or any of the conditions if such modifications achieve substantially the same results as would strict compliance with said plans and conditions. Any subsequent modification must be referred to the Community Development Director for a determination regarding the need for Planning Commission and/or City Council review and approval of the proposed modification.
3. This approval allows for construction of a new office facility at 141 Eucalyptus Drive. Specifically, the approved construction includes a new 8,882 square foot mixed use building, which is comprised of 1,744 square feet on the entry level (including the 703 square feet take-out restaurant space), 183 square feet of circulation area on the parking level, 3,753 square feet of office space on the third level, and 3,202 square feet of office space on the fourth level, resulting in a total floor area ratio of 1.41. The new three to four story building would have a maximum height of 35 feet from the average grade to the top of the building.

A change in uses or changes in the allocation of square footages specified above must be referred to the Community Development Director for a determination regarding the need for Planning Commission and/or City Council review and approval of the proposed changes.

4. The 703 square-foot take-out restaurant space located on the entry level shall be limited to a take-out restaurant only. There shall not be any dining, or placement of tables and/or chairs, within the indoor space dedicated to the take-out restaurant. Any revision to the approved floor plans, to convert the take-out restaurant space

into a sit-down restaurant, would be subject to review and approval of a Conditional Use Permit and/or any applicable requirements of the Smoky Hollow Specific Plan.

5. Before any building permits are issued, the applicant is required to pay fair-share contribution to the City of El Segundo in compliance with Smoky Hollow Specific Plan EIR Mitigation Measure 18-1. The fair share contribution shall be a percentage of the cost estimates for the following intersection improvements:
  - a. PCH/El Segundo Boulevard: a second eastbound left-turn lane, and new right-turn overlap signal phase at the northbound approach. The total cost estimate for improvements is \$2,553,500.00.
  - b. PCH/Grand Avenue: a new right-turn overlap signal phase on all approaches. The total cost estimate for the improvement is \$80,788.00.

The fair share percentage is the ratio of the increase in traffic generation resulting from this project, versus the overall traffic increase from the SHSP buildout affecting the above intersections. The fair share percentage shall be calculated by a licensed traffic engineer and shall be reviewed and approved by the CD/PW Director.

6. All rooftop mechanical equipment shall be architecturally screened in accordance with ESMC Section 15-2-8(C). Prior to permit final, the equipment shall be adequately screened to the satisfaction of the Community Development Director.
7. All new Fire Department and Water lines shall be sufficiently screen from public view by landscaping to the satisfaction of the Community Development Director and Fire Chief, prior to issuance of certificate of occupancy.
8. All building and drainage gutters, down spouts, vents and other protrusions shall be concealed from view within the exterior walls. Ladders for roof access shall be mounted on the inside of the building.
9. Mandatory solid waste disposal services shall be provided by a City approved waste hauler to all parcels/lots or uses affected by approval of this project.
10. The Applicant shall provide receptacles (bins) for the collection of refuse and recyclable materials, as well as a hose bib for washing collection areas. Prior to the issuance of building permits, the applicant shall provide documentation from a City approved waste hauler stating that the number and size of bins provided for the collection of refuse and recyclable materials generated by the project is adequate.
11. Prior to the issuance of building permits, the Applicant shall provide documentation from a City approved waste hauler stating that the dimensions of the refuse storage enclosure are of adequate size to accommodate containers consistent with the current methods of collection, are designed with a walk-in access component, and located and designed to facilitate trash truck access and pickup.

12. Trash enclosures on the property shall be either fully enclosed within the building or must be adequately screened by a trash enclosure per the ESMC. Further, the gates shall include architectural paneling or finishing that is consistent with the paneling or finishing of the building. Lastly, trash enclosure areas for the project shall have a non-combustible decorative cover that matches the building's architecture.
13. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.
14. The applicant shall submit a Landscape Plan in accordance with ESMC Section 15-15A.
15. At the applicant's expense, the open spaces approved within the project shall be maintained in accordance with the approved Landscape Plan.

#### Community Benefits Plan

16. The applicant must provide all the community benefits as stated in Exhibit B (Community Benefits Plan). If the project does not provide a benefit or ceases to provide one, the owner must submit a revised CBP including equivalent replacement benefit of an equal value to the Community Development Director for review and approval. The Director may at his discretion refer the revised CBP to the Planning Commission and City Council for review and approval.
17. The applicant must construct the public improvements indicated in the Community Benefits Plan, including, but not limited to, sidewalk, streetscape, landscaping, parking, open space, and other improvements within the public right-of-way.

#### CEQA

18. Applicant must comply with all applicable mitigation measures identified in the Final Environmental Impact Report prepared for the SHSP. All mitigation measures and conditions of approval must be listed on the plans submitted for plan check and the plans for which a building permit is issued.
19. Prior to issuance of any demolition, grading or building permit or as otherwise appropriate, a matrix/spreadsheet shall be submitted to the City, as applicable, for review and compliance with:
  - The SHSP 2018 EIR (EA-1101) Mitigation Monitoring and Reporting Program (MMRP) as adopted by the City Council on October 2, 2018.
  - All project conditions of approval.
20. Prior to Certificate of Occupancy, the project shall demonstrate compliance with all applicable mitigation measures in the MMRP for the SHSP EIR and project

COA. A final mitigation and COA monitoring matrix/spreadsheet shall be submitted to the City.

21. All mitigation measures listed in Mitigation Monitoring and Reporting Program adopted as part of the SHSP 2018 EIR (EA-1101) Mitigation Monitoring and Reporting Program (MMRP) as adopted by the City Council on October 2, 2018, shall be complied with. This shall include:

#### Biological Resources

22. **BIO MM 7-1** To avoid impacts to nesting birds, construction activities and construction noise should occur outside the avian nesting season (prior to February 1 or after September 1). If construction and construction noise occurs within the avian nesting season (during the period from February 1 to September 1), areas within 100 feet of a development site shall be thoroughly surveyed for the presence of nests by a qualified biologist no more than five days before commencement of any vegetation removal. If it is determined that the Project Site is occupied by nesting birds covered under the Migratory Bird Treaty Act, mitigation measure 7-2 shall apply.
23. **BIO MM 7-2** If pre-construction nesting bird surveys result in the location of active nests, no grading, vegetation removal, or heavy equipment activity shall take place within an appropriate setback from occupied nests as determined by a qualified biologist. Protective measures (e.g., established setbacks) shall be required to ensure compliance with the Migratory Bird Treaty Act and California Fish and Game Code requirements. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts occur. A report of the findings, prepared by a qualified biologist, shall be submitted to the CDFW prior to construction-related activities that have the potential to disturb any active nests during the nesting season.

#### Cultural Resources

24. **CUL MM 8-2** Prior to the commencement of grading or demolition of subsurface structures, a professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards, shall conduct a brief archaeological and paleontological informational session for construction personnel. The training session may consist of an in-person meeting or a written handout describing: (1) how to identify archaeological and paleontological resources that may be encountered during earth-moving activities and (2) the procedures to be followed in such an event, including contact information for the appropriate entities if archaeological or paleontological resources are discovered.
25. **CUL MM 8-3** In the event that archaeological or paleontological resources are unearthed during ground-disturbing activities, the ground-disturbing activities



shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find, where construction activities will not be allowed to continue until a qualified archaeologist or paleontologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. If the archaeologist identifies the find as a tribal cultural resource or suspects it to be a tribal cultural resource, the City will contact the Native American Heritage Commission (NAHC) to report the discovery, and will contact local Native American tribal representatives as directed by the NAHC. Should the newly discovered artifact(s) be determined to be a tribal cultural resource, Native American construction monitoring will be initiated. The City shall coordinate with the archaeologist and tribal representative(s) to develop an appropriate treatment plan for the resources.

### Greenhouse Gas Emissions

26. **EECAP 4.1** Encourage or Require Energy Efficiency Standards Exceeding Title 24. This measure will develop City staff to be resources in encouraging and implementing energy efficiency beyond that required by current Title 24 Standards.
27. **EECAP 5.2** Promote Water Efficiency Standards Exceeding SB X7-7. In addition to SB X7-7, more actions are being studied or have been taken to exceed water efficiency standards. These efforts include education and outreach practices that could be combined with residential and commercial EECAP actions that emphasize the reuse of recycled/gray water and promote harvesting rainwater.

### General Conditions

28. The project is subject to the Public Art or In-Lieu Fee Requirement (Cultural Development Program) established by City Council Ordinance 1594, which requires placement of public art on-site or payment of in-lieu fees to the Cultural Development Fund. Prior to issuance of a building permit, the applicant shall submit an application to the Community Services Department and shall either: a) enter into an agreement with the City of El Segundo to provide public art onsite; or, b) in-lieu of commissioning public art onsite, pay a fee equal to 1% of the project cost to the City's Cultural Development Fund.
29. A positive balance shall be maintained in all project Reimbursement Accounts. If the balance of the Reimbursement Account(s) associated with the project becomes negative at any time, all work on the project shall be suspended, including the issuance of permits and project inspections, until such time as the sufficient funds are deposited to return the account(s) to a positive balance.
30. A weatherproof notice/sign to report dust, noise, or other construction-related impacts shall be posted and prominently displayed on the construction fencing clearly visible to the public from along the abutting street(s). The notice/sign shall

set forth the name of the person(s) responsible for the construction site and a phone number(s) to be called in the event that a construction-related impact occurs.

31. Reclaimed water must be utilized for all landscaped areas.
32. Prior to issuance of any permit, landscaping plans must be submitted to the Community Development Department that conform to the City's Water Conservation in Landscaping requirements as set forth in ESMC Chapter 15.
33. All utilities lines installed to serve the new construction shall be placed underground.
34. The developer shall be responsible for the relocation of any existing utility necessary as a result of the development.
35. Pedestrian walkways within the project must include admixture colored concrete and/or design that enhance and complement the project.
36. The project site shall be fenced and screened during construction.
37. All areas within the project site shall be maintained free of trash and debris.
38. Prior to issuance of any permit, an erosion control plan shall be reviewed and approved by the Building Official and the Public Works Director.
39. Water spraying or other approved methods shall be used during grading operations to control fugitive dust. Recycled water shall be used for grading operations whenever available.
40. During the grading phase and as needed during the remainder of the construction phase, the owner or contractor must conduct daily street sweeping along the streets abutting the project site(s).
41. In the event that a Planning, Building, Public Works, Fire Department or Police Department requirement are in conflict, the stricter standard shall apply.

#### Impact Fee Conditions

42. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to issuance of a building permit, the applicant must pay a one-time library services mitigation fee in the amount required by the City's fee schedule.
43. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to issuance of a building permit, the applicant must pay a one-time fire services mitigation fee in the amount required by the City's fee schedule.
44. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to issuance of a building permit, the

applicant must pay a one-time police services mitigation fee in the amount required by the City's fee schedule.

45. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to issuance of a building permit, the applicant must pay a one-time park services mitigation fee in the amount required by the City's fee schedule.
46. Pursuant to ESMC §§ 15-27 A-1, et seq., prior to issuance of a building permit, the applicant must pay a one-time traffic mitigation fee in the amount required by the City's fee schedule.

#### Building Safety Conditions

47. Building and Safety Division will require separate permit application for demolition of each existing building.
48. Building and Safety Division will require separate permit application for electrical, plumbing, mechanical and Grading work.
49. City of El Segundo Fire Department requires separate permits for Sprinkler and fire alarm systems.
50. Plans for plan review can be submitted as hardcopy or digital.
51. A copy of Soils/Geo Engineering report shall be provided with the submitted construction plans.
52. The site plan should clearly show all the existing underground utilities.
53. The Plan review time will be a minimum of 25 City working days and can be extended up to 30 working days.
54. 30-Day Notice of Excavation to the adjacent neighbor is required for any excavation close to the common property lines.
55. Compliance with Chapter 11A & 11 B of the California Building Code will be required.
56. The construction plan submitted for plan review should include a comprehensive code analysis showing:
  - Type of Construction
  - Allowable area
  - Allowable height
  - Rating of stairway enclosures for a 4-story building
  - Common path of travel
  - Number of the required exits

- Fire Distance of the proposed building to the property lines
  - Protection of exterior openings, etc.
57. The project shall comply with LA County LID requirements.
58. Comply with the current California Codes with the City of El Segundo Amendments.
59. Accessible EVCS are not counted as accessible parking spaces. 11B.208.1

Fire Department Conditions

60. Per ESMC 13-9-2, an automatic fire sprinkler system shall be provided throughout the structure.
61. A fire sprinkler monitoring system shall be provided in accordance with CFC 907 and the currently adopted edition of NFPA 72. Per ESMC 13-9-2, the monitoring system shall be placarded by either Underwriters Laboratory or Factory Mutual.
62. Per ESMC 13-9-2, the minimum required fire flow for the building shall be 1,500 gpm at 20 psi.
63. The existing public fire hydrant north of the property is adequate. No other hydrants are required.
64. The building height exceeds 30 feet above the lowest level of fire access. Eucalyptus Drive can be used as a ladder truck access road. A minimum width of 26 feet must be maintained for the street frontage. Existing street parking may have to be evaluated to verify this width will be available.
65. The fire resistance of exterior walls facing lot lines shall comply with CBC Table 602.
66. Protection of openings and percentage of openings allowed facing lot lines shall comply with CBC Table 705.8.
67. A knox box shall be provided at an approved location.

Public Works Conditions

**General**

68. All work in the City's right-of-way or on City-owned and maintained facilities shall require review and approval of the City Engineer or his/her designee. "City Engineer" = City Engineer or his/her designee throughout this document.
69. The applicant shall ensure that encroachment permits are secured from the Public

Works Department/Engineering Division before commencing any and all work in the City's public right-of-way (ROW), including lane closures.

70. Construction inspection shall be coordinated with the Public Works Inspector and no construction shall deviate from the approved plans without approval of the City Engineer. If plan deviations are necessary, the applicant shall provide a revised plan or details of the proposed change for review and approval of the City Engineer prior to construction.
71. Prior to issuing of the Certificate of Occupancy, the applicant shall ensure installation of all improvements required by the Public Works Department are inspected and approved by the City Engineer.
72. All construction-related parking shall be accommodated on-site or on other private property. No construction related parking shall be permitted off-site in the public right-of-way.
73. A grading and drainage plan shall be provided and stamped by a California (CA) State-licensed civil engineer as part of the Building Permit process.
74. A utility plan shall be provided that shows all existing and proposed utility lines and their sizes (sewer, water, gas, storm drain, electrical, etc.), including easements, within 200 feet of the project site boundary.
75. All record drawings (PDF and CAD format) and supporting documentation shall be submitted to the Public Works Engineering Division prior to scheduling the project's final inspection.
76. Haul trucks are to use PCH north to Imperial Highway and PCH south to El Segundo Boulevard. All three of these streets are currently designated as truck routes in the City.

### **Street Improvements & Traffic Control**

77. All new sidewalk, curb & gutter, driveway approaches, and curb ramps shall be constructed per the latest Standard Plans for Public Works Construction (SPPWC) "Greenbook" and City standards. New sidewalk to be a minimum of 5' wide.
78. All existing sidewalk, curb & gutter, driveway approaches, and curb ramps that are broken or not in conformance with the latest SPPWC or City standards shall be removed and constructed per the latest SPPWC and City standards.
79. Any obstruction located within existing curb ramps shall be relocated.
80. All unused driveways shall be removed and replaced with full-height curb, gutter

and sidewalk per SPPWC standards and City standards.

81. The applicant shall provide a minimum 4' sidewalk clearance around any obstruction in the sidewalk i.e. posts, power poles, etc.
82. PG-64-10 tack coat and hot mix asphalt shall be used for all slot paving required next to new concrete installations. Slot paving shall be 3 feet wide and 1 foot deep, consisting of 6 inches of asphalt over 6 inches of base.
83. The applicant shall coldmill 2" Asphalt Concrete (AC) pavement surface and overlay with 2" AC PG-64-10 the curb-to-centerline half street width of Eucalyptus Drive along the property frontage. AC mix specification shall conform to Standard Specifications for Public Works Construction (SSPWC) "Greenbook", section 203-1.
84. The applicant shall provide street signing and striping plans for the new development. All striping in the public ROW shall consist of thermoplastic paint per the latest CA Manual on Uniform Traffic Control Devices (MUTCD).
85. The applicant shall provide traffic control plans for all work requiring a lane closure.
86. The work scheduled in the public right-of-way on major arterial streets shall be Monday through Friday from 9am to 3pm, except holidays. Work scheduled on all other street classifications shall be Monday through Friday from 7am to 4pm. Contractor shall obtain prior approval from the City Engineer for performing weekend work, night work, or work on a holiday.
87. During construction, it shall be the responsibility of the applicant to provide safe pedestrian traffic control around the site. A pedestrian protection plan shall be submitted to the Public Works Department for review and approval by the City Engineer. This may include but not be limited to signs, flashing lights, barricades, and flag persons.
88. Once the ROW improvements are accepted by the City Engineer, they are not to be used for staging building construction activities, including but not limited to, storage of construction materials and equipment. The street and sidewalks shall be kept free of construction debris, mud and other obstacles and shall remain open to traffic at all times. The applicant shall bear the entire cost of replacement or repair to any damage to improvements caused by its use, or its Contractors' and Subcontractors' use, of the improvements after acceptance by the City Engineer.
89. The applicant shall submit any new traffic signal plans to the City Public Works Department and LA County Department of Public Works (LACDPW) for review and approval. The applicant will coordinate all inspections with the LACDPW inspector for acceptance of the traffic signal poles and related equipment. The applicant will inform the City of any updates during this process.

## **Water**

90. Any existing water meters, potable water service connections, fire backflow devices and potable water backflow devices must be upgraded to current City Water Division standards. These devices shall be placed or relocated onto private property.
91. The applicant must submit plans for water system upgrades to the City of El Segundo Public Works Department for review and approval.
92. Any unused water laterals shall be abandoned and properly capped at the City main. The Contractor is to obtain necessary permits and licenses and provide traffic control plans and shoring plans.

## **Sewer**

93. Prior to issuance of a Certificate of Occupancy, the sewer connection fee for this project must be paid to the City of El Segundo Public Works Department.
94. Any unused sanitary sewer laterals shall be abandoned and properly capped at the City main. The Contractor is to obtain necessary permits and licenses and provide traffic control plans and shoring plans.

## **Storm Drain**

95. Provide a Low Impact Development Study (LID) signed and stamped by a registered Civil Engineer. Make sure to comply with the project design requirements to retain on site (infiltrate or store for use) volume of runoff from  $\frac{3}{4}$  inch storm or the 85<sup>th</sup> percentile 24-hour storm, whichever is greater (SWQDv).
96. Hydrologic and hydraulic calculations shall be submitted to size appropriate storm drain facilities to control on-site drainage and mitigate off-site impacts. Refer to the most recent Los Angeles County Hydrology Manual. Instructions and the manual are available at the County website at <http://dpw.lacounty.gov/wrd/Publication/index.cfm>. Calculations shall be signed by a registered civil engineer.
97. The project shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements and shall provide Best Management Practices (BMPs) for sediment control, construction material control and erosion control.

## **Landscaping & Irrigation**

98. Irrigation plans shall be submitted to the Public Works Department for review and approval. All irrigation meters and mechanical equipment shall meet the City Water Division standards.

99. All public landscape improvements shall be designed to City standards and approved by the Parks & Recreation Department.
100. The property owner shall maintain all landscaping and irrigation in the public ROW fronting the property.
101. The applicant shall coordinate any tree removals in the public right-of-way with the Parks & Recreation Department prior to the start of construction.

Miscellaneous Conditions

102. 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 ESMC shall apply.
103. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project by the Planning Commission, or City Council, pursuant to the provisions of the ESMC.
104. 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.
105. The applicant and its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively "Claims") arising out of or in any way relating this project, any discretionary approvals granted by the City related to the development of the project, or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any conditions of approval, all costs, including attorney's fees, shall be paid for by the applicant. The Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.



## AFFIDAVIT OF ACCEPTANCE OF CONDITIONS OF APPROVAL

Lisa Collinson warrants that she is duly authorized to sign this Affidavit of Acceptance and to bind 141 Eucalyptus, LLC to the same. By signing this document, Lisa Collinson, on behalf of 141 Eucalyptus, LLC, certifies that she has read, understood, and agrees to the project conditions listed in this document.

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Lisa Collinson, Member  
141 Eucalyptus, LLC

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}

## PLANNING COMMISSION RESOLUTION NO. 2923

### Exhibit B

#### Community Benefits Plan 141 Eucalyptus Drive

##### Project description:

The development project at 141 Eucalyptus Drive is subject to the following applications: Community Benefits Plan No. CBP 20-01 and Environmental Assessment No. EA 1292.

The proposed Project involves the demolition of the existing on-site structures and the construction of a new 4 story, mixed-use building. The overall height of the building would be 35 feet from the grade plane, with allowable projections up to 40 feet. From Eucalyptus Street, the building will appear 4 stories with an entry level that will have 703 square feet, publicly accessible food use, the front entrance to the building, and a 215 square feet outdoor seating in front of the food use. Directly above the entry level is a parking level that is accessed from the rear alley, and then above the parking level on floors 3 and 4 are two levels (6,287 square feet total) dedicated to a single office tenant.

The development project deviates from the following Smoky Hollow Specific Plan (Specific Plan) development standards in Section 2.3:

##### **1. Allowable gross floor area ratio (FAR).**

The permitted FAR is 0.75. The proposed FAR is up to 1.41.

##### Community benefits:

In exchange for the above deviations, the applicant offers the following community benefits and improvements, at the applicant's expense, as stated in pursuant to Smoky Hollow Specific Plan Section 4.5.2:

##### ***Community Benefits Plan***

The design of the proposed building proposed exceeds the current base standard for allowable Gross Floor Area Ratio (FAR). Projects within the SHSP area can request deviations from current development standards with the approval of a Tier I or Tier II Community Benefits Plan. Pursuant to the SHSP for projects in the Smoky Hollow West zoning district, the proposed project is seeking a deviation from the 0.75 FAR base standard to allow a FAR of 1.41. Accordingly, the applicant is seeking approval of a Tier 1 Community Benefits Plan. As such, the Project requests the following deviation:

- 1. Additional Building FAR.** Proposed 1.41 floor area ratio (FAR) (an additional 4,158 square feet) exceeds the SHSP Base Standard FAR of 0.75 for the Smoky Hollow West Zoning District.

In exchange for the above deviations allowed by Tier I CBP, the applicant is proposing the following community benefits and improvements, at the applicant's expense, pursuant to Smoky Hollow Specific Plan Section 4.5.2. The following Community Benefits are based on objectives and suggestions directly identified as development standards in the SHSP with the objective of benefiting the Smoky Hollow Specific Plan area. Additionally, the Specific Plan contains 32 design guidelines in five categories: building character, open space, landscaping, connectivity, signage and public art and Public Realm. Compliance with at least 17 of the guidelines is required to be considered as an exemplary project; the proposed Project incorporates 22 of the 32 design guidelines, exceeding the minimum threshold for exemplary projects. A summary of the main community benefits that are proposed for the Project include the following:

1. **Public Seating.** Proposed architectural seating will be provided along the front area of the property facing Eucalyptus Drive and would be publicly accessible.
2. **Food use.** The proposed a 703-square foot public food take-out use along with associated outdoor dining area immediately adjacent to Eucalyptus Drive in order to activate the street and provide a convenient break location for local neighbors.
3. **Architecture that enhances building character. See below under "Group A"**
4. **New street trees (2) along Eucalyptus Drive.**
5. **Monetary contribution to public infrastructure of \$5,000.**
6. **Open space that facilitates gathering. See below under "Group B"**
7. **Landscaping and environmental design. See below under "Group C"**

In addition, the Development Project will provide the following specific community benefits as summarized from the CBP Tier I application scoring sheets:

#### **Group A – Enhance Building Character**

**A1. Incorporate small, medium, and large scales:** Project includes several design elements of different scales for visual interest including large to small windows and roof overhangs to break up the building facade into different sized elements.

**A2. Enhance design at the pedestrian level:** Project will have landscaping along all street frontage with pedestrian scale seating.

**A3. Specify 360° architecture:** Project will have enhanced architecture on all four sides of the building.

**A4. Enhance entry expression:** Project has new landscaping and an easily identified front entrance from Eucalyptus Drive.

**A5. Orient secondary entries to alleys:** A secondary access points is oriented toward the rear alley.

**A6. Incorporate different materials, colors, and textures:** Project includes a variety of materials, colors, and textures, including wood, stucco, and metal material with a cool color palette including medium grey block, black façade treatments, and dark metal window framing and glass.

#### **Group B – Facilitate Gathering**

**B1. Form an active street wall:** Project has a street level entrance along with landscaping along street frontages and outdoor seating.

**B3. Develop outdoor gathering spaces:** Project will have an outdoor seating area of 215 square feet adjacent to a take-out food use.

**B5. Provide ease of access:** The Project will have separate pedestrian and vehicular access points and ground floor tenants will have direct access to adjacent streets.

**B6. Enhance surface parking:** Project will have covered parking on the parking level accessible from the alley.

**B8. Provide street furniture:** Project will provide street furniture for seating at the

**B9. Use exterior lighting to accentuate safety and design:** Project will provide period lighting on all sides of buildings for pedestrian safety.

### **Group C – Incorporate Landscaping and Environmental Design**

**C1. Design layered and lush landscaping:** Project will have layered and lush landscaping per landscaping plan.

**C2. Select drought-tolerant and native plants:** Project landscape plan has drought-tolerant and native plants throughout.

**C3. Utilize planters and pots to provide greenery:** Project has planters and pots on Level 2 and 3 decks and balconies.

**C4. Improve landscaping in parking areas:** Parking areas include landscaping on at adjacent to the one surface level space at the rear of the building.

**C5. Use fences and walls as an extension of the architecture:** Project includes long horizontal wall masses along the side of the building that enhances the architecture and creates a continuation of the architectural theme.

**C6. Use natural light:** Project has large, transparent windows to allow natural light in all interior spaces.

### **Group D – Encourage Connectivity**

**D1. Install bike facilities:** A bike rack will be installed on-site.

### **Group E – Signage, Way Finding, and Public Art**

**E1. Design signs as an integral component:** Project includes integrated tenant signage.

**E2. Incorporate way-finding through integral design:** Project has architecturally integrated signage for both pedestrians and vehicles.

### **Public Realm**

**PR1. Street trees:** Two new street trees will be planted within the public right of way adjacent to the front of the building along Eucalyptus Drive.