

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP
DIRECTOR
(213) 978-1271

EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
(213) 978-1270
www.lacity.org/PLN

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
CITY PLANNING COMMISSION
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PRESIDENT
WILLIAM ROSCHEN
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CINDY MONTAÑEZ
MICHAEL K. WOO
GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

September 12, 2007

Honorable City Council
City of Los Angeles
Room 395, City Hall
MAIL STOP: 160

CASE NO. CPC-2006-9702-ZC-CU-
CUB-CUX-ZV-DA
Council File No. 07-2306
Council District No. 9 ✓
Plan Area: **CENTRAL CITY**

Dear Honorable Members,


ZONE CHANGE ORDINANCE REVISION: ZONE CHANGE FROM R5-4D TO [T][Q]C2-4D FOR PROPERTY LOCATED AT 100 AND 221-237 S. GRAND AVENUE, 121-135 S. HILL STREET, 220 AND 236 S. HOPE STREET, 111-161 S. OLIVE STREET, 400 AND 440 W. 1ST STREET, 411-431 W. 2ND STREET, AND 600 AND 635 W. GENERAL THADDEUS KOSCIUSZKO WAY WITHIN THE CENTRAL CITY PLAN AREA.

The attached report modifies "Q" Conditions Nos. 4, 18h, and 18i, for approval by the Planning and Land Use Committee of the City Council at its meeting held September 11, 2007.

Pursuant to Section 559 of the City Charter, I have reviewed the findings of the City Planning Commission's action taken relative to Case No. CPC 2006-9702-ZC-CU-CUB-CUX-ZV-DA on June 26, 2007, and on behalf of the Commission, I adopt its findings and approve this Ordinance, and recommend its adoption insofar as it substantially conforms to the latest action of the City Planning Commission in this matter.

Pursuant to Rule No. 38, transmitted herewith is the revised ordinance, and revised findings for appropriate action by the City Council.

S. GAIL GOLDBERG, AICP
Director of Planning


Michael LoGrande
Chief Zoning Administrator

GG: ML: HC

SEP 13 2007
PLANNING & LAND
USE MANAGEMENT

History

The History of the proposed zone change for the subject property is as follows:

- | | |
|--------------------|---|
| June 26, 2007 | The City Planning Commission approved and recommended that the City Council adopt a zone change from R5-4D to [T][Q]C2-4D. |
| July 13, 2007 | An appeal from part of the determination of the City Planning Commission is filed. |
| September 11, 2007 | The Planning and Land Use Management (PLUM) Committee of the City Council recommended approval of the subject zone change modifying "Q" Conditions Nos. 4, 18h, and 18i; and Findings of Fact (CEQA). |

PLUM Committee Recommendation

On September 11, 2007, the Planning and Land Use Management Committee of the City Council recommended approval of the subject zone change modifying "Q" Conditions Nos. 4, and 18h, and Findings of Fact (CEQA) to read as follows:

[Q] CONDITIONS OF APPROVAL

4. **Floor Area.** The total floor area of non-residential uses on the subject property shall not exceed 449,000 square feet of commercial retail space. ~~and~~ ~~T~~the total floor area shall also not exceed 681,000 square feet of commercial office space, as defined by Sections 12.03, 12.21.1-A,5, and 12.21.1-B,4 of the Municipal Code, except as may be allowed pursuant to the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041), which allows a maximum development of up to 3.6 million square feet.

- 18h.** "Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/ vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels."

- hi. Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

19. FINDINGS OF FACT (CEQA)

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) adopted the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), dated November 2006, and also adopted the necessary Resolutions that made the findings required under California Public Resources Code Section 21081 and State CEQA Guideline 15091 (the "Authority's CEQA Findings"), stating the FEIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 et seq., the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of that statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The Authority, which is an independent public agency established through a Joint Exercise of Powers Agreement (The "JPA Agreement") between the Community Redevelopment Agency of the City of Los Angeles ("CRA/LA") and the County of Los Angeles ("County"), was responsible for the preparation of the FEIR. The County and the CRA/LA have served as "Responsible Agencies" for the Project as that term is defined under CEQA Guidelines 15096 and 15381. As Responsible Agencies, the County and CRA/LA have worked closely with the Authority in ensuring the FEIR has examined all potential environmental impacts. The City Planning Commission is a Responsible Agency, pursuant to State CEQA Guidelines Section 15096, and must make those findings with respect to the project required under Public Resources Code Section 21081 and State CEQA Guidelines Sections 15091. The recommended actions implement and further the purposes of CEQA. In making the decision to approve CPC 2006-9702-ZC-CU-CUB-CUX-ZV-DA, the City Planning Commission of the City of Los Angeles certifies that it has reviewed and considered the information contained in EIR No. SCH 2005091041. Further, the City Planning Commission hereby adopts the CEQA findings as set forth below: including making each Authority CEQA Finding that is repeated below in Sections 19.1 through 19.10.

These agencies, as well as the City of Los Angeles reviewed and approved the Grand Avenue Implementation Plan, which formulated the framework of the project description evaluated in the EIR prepared by the Authority for the mixed use development. That plan generally described the location of the

the Authority, County, the CRA/LA and the City of Los Angeles each approved the Implementation Plan in 2005.

- (a) The FEIR has been completed in compliance with CEQA.
- (b) The FEIR has been presented to the governing body of the Authority ("Board"), and the Board has independently reviewed and analyzed the information contained in the FEIR prior to acting on the Project.
- (c) The FEIR reflects the Authority's independent judgment and analysis.

19.1 GENERAL CEQA FINDINGS

The FEIR for the proposed Grand Avenue Project concluded that certain significant effects may occur as a result of the proposed Project, or may occur on a cumulative basis in conjunction with the development of the Project and other past, present, or reasonably foreseeable future projects. In addition to reviewing the Project's potential environmental impacts for the five development parcels, these Findings also provide the Authority's analysis and conclusions regarding the applicability of possible alternatives and mitigation measures to reduce any significant environmental effects.

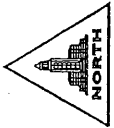
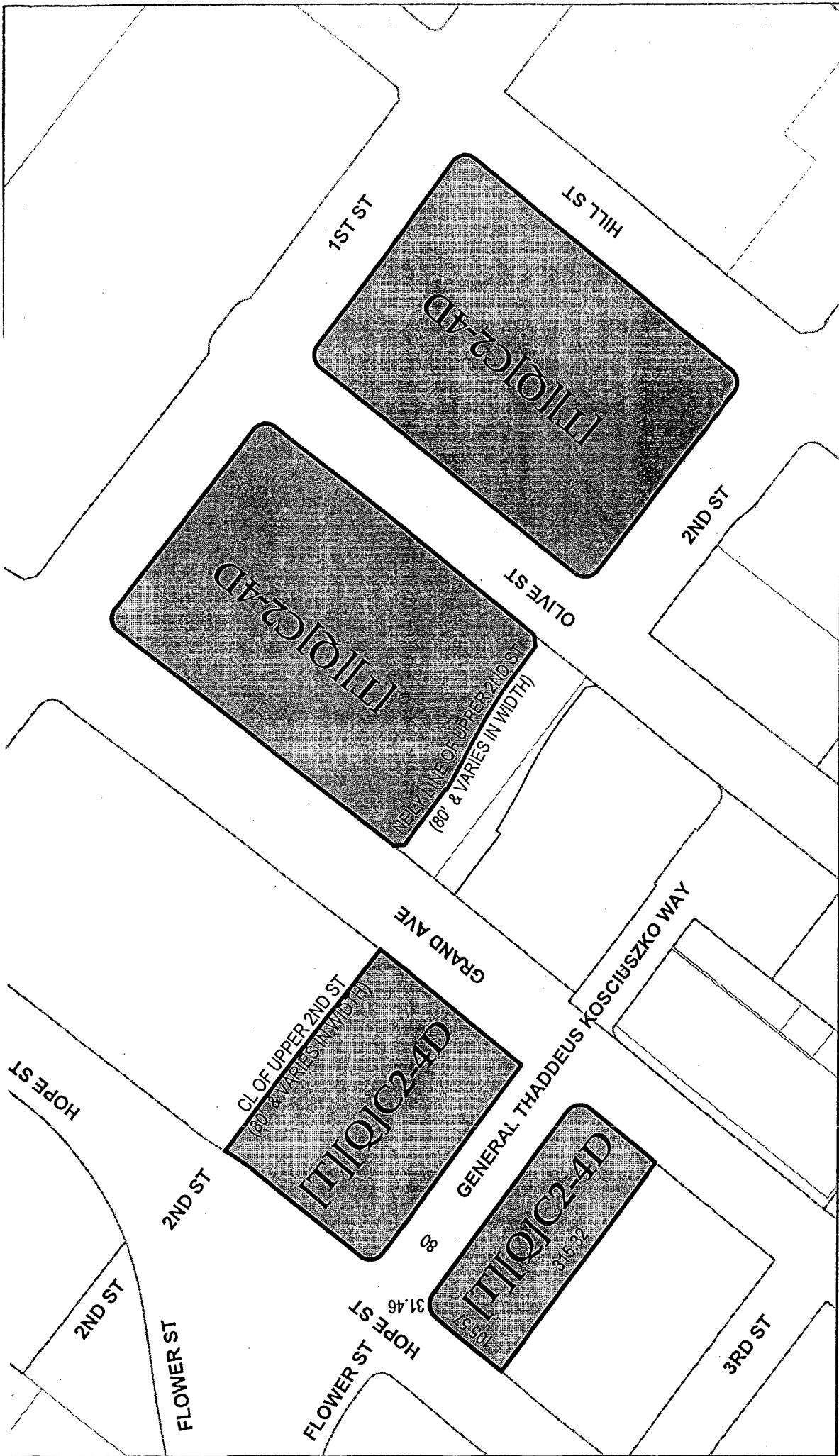
- 4.1 19.2 PROJECT BACKGROUND AND THE ENVIRONMENTAL IMPACT REPORT PROCESS
- 4.2 19.3 PROJECT FINDINGS INTRODUCTION
- 4.3 19.4 DESCRIPTION OF PROPOSED PROJECT
- 4.4 19.5 FINDINGS OF FACT CONCERNING ENVIRONMENTAL IMPACTS
- 4.5 19.6 POTENTIAL ENVIRONMENTAL EFFECTS ANALYZED IN FEIR
- 4.6 19.7 FINDINGS REGARDING ALTERNATIVES TO THE PROPOSED PROJECT
- 4.7 19.8 STATEMENT OF OVERRIDING CONSIDERATIONS
- 4.8 19.9 MITIGATION MONITORING AND REPORTING PROGRAM
- 4.9 19.10 GENERAL CONSIDERATIONS

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the Zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the Zoning map shall be as follows:



Legend
 ZONE CHANGE AREA

CM 130.5A211, 130.5A213
 132A211 & 132A213
 CPC 2006 - 99702 ZC CU CUB ZV DA

DG / 42
 06/26/07

[Q] QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Entitlement Conditions

1. **Use.** The use of the subject property shall be limited to those uses permitted in the C2 Zone as defined in Section 12.16-A of the L.A.M.C and as may be allowed under Section 12.22-A, 18 of the L.A.M.C.
2. **Site Plan.** Prior to the issuance of any building permits for any development parcels/phase, the applicant shall submit detailed development plans, including a landscape plan, for those development parcels/phase to the Department of City Planning for review and approval, and verification of substantial conformance with the conditions herein, and with the Design Guidelines outlined in the Scope of Development of the Grand Avenue Disposition and Development Agreement. Such review shall address Phases II and III with the intent of meeting the urban design and architectural qualities of Phase I, including through-block pedestrian circulation, street-level plazas or other spaces intended to link the three phases as a recognizable urban neighborhood with consistent connections and public spaces. Such review shall be conducted by the Department of City Planning concurrently with, and in collaboration with, CRA's design review.
3. **Height.** No building or structure located on the subject property shall exceed a height of 750 feet on Parcel Q as measured from Grand Avenue, up to 600 feet on Parcels L/M-2 as measured from Grand Avenue, and up to 640 feet on Parcels W-1/W-2 as measured from Hill Street.
4. **Floor Area.** The total floor area of non-residential uses on the subject property shall not exceed 449,000 square feet of commercial retail space and the total floor area shall also not exceed 681,000 square feet of commercial office space, as defined by Sections 12.03, 12.21.1-A,5, and 12.21.1-B,4 of the Municipal Code, except as may be allowed pursuant to the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041), which allows a maximum development of up to 3.6 million square feet.
5. **Density.** Not more than 2,660 dwelling units under the Project with Additional Residential Development Option. Or alternatively, not more than 2,060 dwelling units under the Project with County Office Building Option may be constructed on the subject site, except as may be allowed pursuant to the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041).
6. **Parking.** All project related parking shall be provided in compliance with Section 12.21-A,4 of the Municipal Code and the following:
 - a. Separate parking areas shall be maintained for the residential tenants of the building and the commercial/guest parking areas. Signs shall be clearly posted at building entrances in large, easy to read lettering and shall indicate the general location of guest parking, if any. Sign wording shall be to the satisfaction of the Department of City Planning and shall indicate the number of reserved guest parking spaces.

- b. Parking for non-residential uses shall be provided in accordance with applicable provisions of Section 12.21-A,4 of the Municipal Code.
7. **Covenant and Agreement (Affordable Housing).** Prior to the issuance of any building permits for each development parcel/phase, in accordance with the Section 12.22-A,25(b) of the Municipal Code, the owner shall record a Covenant and Agreement with the City of Los Angeles Community Redevelopment Agency for the affordable units in the applicable development parcel/phase to preserve the affordability as follows: seven percent of the residential units for extremely low income households and 13 percent of the residential units for very low income households for Parcel Q; 10 percent of the residential units for very low income households and 10 percent of the residential units for low income households for Parcels L and M-2; and 10 percent of the residential units for very low income households and 10 percent of the residential units for low income households for Parcels W-1 and W-2 under the County Office Building Option; or 10 percent of the residential units for very low income households and 10 percent of the residential units for low income households for Parcels W-1 and W-2 under the Additional Residential Development Option, for a minimum of 99 years from issuance of a Certificate of Occupancy. The Covenant and Agreement shall prohibit any Tenant Improvement (TI) that would eliminate accessibility.
 8. **Signs.** Any and all signs that do not conform to the City's sign standards shall require a Supplemental Use District (Sign District) or other appropriate entitlement approved by the City Planning Commission.
- B. Other Conditions**
9. **Construction Related Parking.** No employees or subcontractors shall be allowed to park on surrounding residential streets for the duration of all construction activities. Staging or parking of heavy construction vehicles along First Street, Second Street, Olive Avenue, Hill Street, Hope Street, General Thaddeus Kosciuszko Way, and Grand Avenue and all storage of construction vehicles shall be in compliance with a Construction Traffic/Management Plan to be approved by the Department of Transportation.
 10. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery, truck deliveries, and truck queuing related to such deliveries to the project site shall be in compliance with a Construction Traffic/Management Plan to be approved by the Department of Transportation.
 11. **Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning.
 12. **Maintenance.** The subject property including associated parking facilities, sidewalks, outdoor pool areas, and landscaped planters adjacent to the exterior walls along the property lines shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.

C. Environmental Impact Report Conditions (Five Development Parcels)**13. Aesthetics and Visual Resources.**

- a. During Project construction, the Developer, with regard to the five development parcels, shall ensure, through appropriate postings and daily visual inspections that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- b. Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- c. Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels shall be reviewed and approved by the Authority and implemented by the responsible parties.
- d. Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.
- e. Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.
- f. Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.

- g. Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority. Approved utility lines and connections shall be implemented by the responsible parties.
- h. Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.
- i. Prior to the start of each construction work phase, the developer, with regard to the five development parcels shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

14. Air Quality (Construction and Operation).

- a. During each construction phase, the developer, with regard to the five development parcels, shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):
 - Water soils daily and not more than 15 minutes prior to earth moving activities;
 - Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
 - Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
 - Apply chemical stabilizers within five working days of ceasing grading;
 - Install approved trackout prevention devices and provide street sweeping within the Project area;
 - Securely cover truck loads with a tarp;
 - Cease grading activities when wind speeds exceed 25 miles per hour;
 - Permanently seal exposed surfaces as soon as possible after grading is finished; and
 - Provide temporary wind fencing, consisting of wrapped chain link or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

- b. During each construction phase, the developer, with regard to the five development parcels, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- c. During each construction phase, the developer, with regard to the five development parcels, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- d. During each construction phase, the developer, with regard to the five development parcels, shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- e. During each construction phase, the developer, with regard to the five development parcels, shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- f. During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- g. During each construction phase, the developer, with regard to the five development parcels, shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels.

- h. During each construction phase, the developer, with regard to the five development parcels, shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- i. During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- j. During each construction phase, the developer, with regard to the five development parcels, shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- k. During each construction phase, the developer, with regard to the five development parcels shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels.
- l. During each construction phase, the developer, with regard to the five development parcels, shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- m. During each construction phase, the developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.
- n. During Project operations, the developer, with regard to the five development parcels, shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels.

- o. During Project operations, the developer, with regard to the five development parcels, shall coordinate with the MTA and the Los Angeles Department of Transportation to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- p. Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels.
- q. During on-going Project operations, the developer, with regard to the five development parcels, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels.
- r. The developer, with regard to the five development parcels, shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties.
- s. During Project operations, the developer, with regard to the five development parcels, shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.
- t. During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.

- u. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department.
- v. During each construction phase, the Developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains enforcement of this measure for all Project components in the case on non-compliance.

15. Fire Protection and Related Services.

- a. During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- b. Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- c. During each construction phase, the developer, with regard to the five development parcels, shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hal. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels.
- d. Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- e. During each construction phase, the developer, with regard to the five development parcels, shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- f. Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.
- g. During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- h. Prior to the start of each construction phase, the Developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- i. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- j. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.
- k. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- i. During each construction phase, the developer, with regard to the five development parcels, shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- m. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- n. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- o. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- p. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- q. Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.
- r. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.

- s. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- t. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- u. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- v. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- w. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- x. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- y. During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.

- z. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- aa. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.
- bb. During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- cc. Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

16. Hazards and Hazardous Materials.

- a. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.
- b. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- c. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- d. Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

17. Noise.

- a. To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels, shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9:00 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- b. During each construction phase, the developer, with regard to the five development parcels shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels.
- c. During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- d. During each construction phase, the developer, with regard to the five development parcels, shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- e. During each construction phase, the developer, with regard to the five development parcels, shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- f. Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- g. During each construction phase, the developer, with regard to the five development parcels, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- h. The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound

simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

18. Police Protection Services.

- a. During each construction phase, the developer, with regard to the five development parcels, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- b. During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.
- c. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.
- d. At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.
- e. During Project operations, the developer, with regard to the five development parcels shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- f. During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- g. Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase.

- h. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- i. Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols;
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer;
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the Los Angeles Department of Transportation.

- j. Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, an Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and any provisions pertaining to access would be subject to approval by LADOT.
- 19. Parks.** Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.
- 20. Schools.** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.
- 21. Transportation and Traffic.**
 - a. The developer with regard to the five development parcels, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).
 - b. After approval of the Construction Traffic Control/Management Plan(s) required under Q Condition No. 21.a and prior to the start of each construction work phase, the developer with regard to the five development parcels, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, and/or the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer. Following receipt of the Plan(s), the County Chief Administrative Officer shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

- c. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.
- d. If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's Chief Administrative Officer shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.
- e. The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).
- f. The following menu of mitigation measures have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the mitigation measures are to be implemented.
 - 1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.

2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
 3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
 4. The developer, with regard to the five development parcels, shall participate, to the extent feasible, in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
 5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
- g. The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

22. Solid Waste.

- a. Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- b. Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- c. Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- d. During Project operations, the developer, with regard to the five development parcels, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- e. During each construction phase, the developer, with regard to the five development parcels, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels.

23. Water Conservation.

- a. Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.
- b. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- c. Prior to the start off each construction phase, the developer, with regard to the five development parcels, shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process, notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- d. Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.
- e. Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- f. During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.
- g. During Project operations, incorporate Los Angeles County water conservation policies into the County Office Building, if the Project proceeds with the County office building option. The County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.
- h. During Project operations, the developer, with regard to the five development parcels, and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- i. During Project operations, the developer, with regard to the five development parcels, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

24. Wastewater

- a. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, Sanitation Bureau or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- b. Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

D. Administrative Conditions

25. **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 Department of City Planning for placement in the subject file.
26. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
27. **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 assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
28. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

29. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
30. **Building Plans.** Page 1 of the grant 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.
31. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
32. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein, as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions. Subject to review and approval by the Department of City Planning, the subdivider may satisfy this requirement by submitting the Mitigation Monitoring Program previously approved by the Joint Powers Authority.
33. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

Pursuant to Sec. 559 of the City Charter,
I approve this ordinance on behalf of the City
Planning Commission and recommend its
adoption...

By _____

City Attorney

September 12, 2007
See attached report



Director of Planning

File No. C.F. 07-2306
CPC-2006-9702

CONDITIONS FOR EFFECTUATING [T] TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Los Angeles Municipal Code Section 12.32 G, the "T" Tentative Classification shall be removed by the recordation of a final parcel map or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approvals or guarantees provided to the Department of City Planning for attachment to the subject City Plan Case file.

1. **Dedication(s) and Improvements.** Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary).

A. Responsibilities/Guarantees

- 1) As part of early consultation, plan review, and/or project permit review, the applicant/ developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
- 2) Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

B. Street Dedications for Parcel Q.

- 1) That a 7-foot wide strip of land be dedicated along 1st Street adjoining the subdivision to complete a 57-foot wide half right-of-way dedication in accordance with Major Highway Standards, including a 20-foot radius property line return at the intersections with both Grand Avenue and Olive Street all satisfactory to the City Engineer. Said dedication shall be a limited dedication excluding those portions within the elevations of a height of 14 feet above the finished sidewalk to 5 feet below the finished sidewalk elevations.
- 2) That an approximate 21-foot wide and variable width strip of land be dedicated along Grand Avenue adjoining the subdivision to incorporate the existing sidewalk all satisfactory to the City Engineer.

Those portions of the street dedication lying within the first 5 feet inside of the ultimate curb location can be dedicated as a limited street dedication excluding those portions 8 feet below the sidewalk elevation.

Those portions of the street dedication lying further inside of the first 5 feet inside of the ultimate curb location can be dedicated as a limited street dedication excluding those portions above the elevations of a height of 14 feet above the sidewalk and the elevation of a depth of 1 foot below the sidewalk elevations. A survey of the actual sidewalk areas shall be submitted to establish the actual limit of the dedication.

- 3) That the existing subsurface street easements and limited street easement along 2nd Street adjoining the tract area be correctly shown on the final map.
- 4) Dedicate any limited street dedication along 2nd Street in addition to the existing limited street easement, if necessary, to serve this development.
- 5) That arrangement be made with the Los Angeles County Department of Public Works prior to recordation of the final map for any necessary permits with respect to discharge into their existing storm drain in the easement along the southerly subdivision boundary.
- 6) That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any slope easements and to construct over the existing slope facilities must be submitted to the City Engineer for approval.
- 7) That a set of drawings be submitted to the City Engineer showing the following (for airspace subdivision only):
 - a) Plan view at different elevations.
 - b) Isometric views.
 - c) Elevation views.
 - d) Section cuts at all locations where air space lot boundaries change.
- 8) That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in a safe condition for use at all times.
- 9) That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:
 - a) That the owners shall be required to maintain all elements of the structure above and below the limited street rights-of-way of adjoining the subdivision in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure and adjacent to the limited

street rights-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.

- b) The owners shall be required to limit use and occupancy the structures below the limited street rights-of-way for parking use only. No combustible material shall be stored in the merger area.
 - c) The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification below the street right-of-way area and for any structural modification areas and for any structural element outside said areas which provides lateral or vertical support to structures within the areas.
- 10) That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the structures underneath the limited easements of public street (2nd Street, 1st Street and Grand Avenue) in connection with the use and maintenance operations within said street easement. This waiver of damage shall also be shown on the final tract map.
 - 11) That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and lower elevations, of limited dedicated areas. This revised map will be used for the final map checking process and should show only one master lot.
 - 12) If a full dedication is provided along Grand Avenue prior to the recordation of the final map pursuant to VAC-E1400906, then that portion of Grand Avenue lying 5 feet inside of the ultimate curb location below 8 feet below the sidewalk elevation, and that portion lying further inside of the first 5 feet inside of the ultimate curb location above 14 feet above the sidewalk elevation and below 1 foot below the sidewalk elevation, shall be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code.

C. Street Dedications for Parcels L and M-2

- 1) That a 33-foot wide and variable width strip of land be dedicated for the existing upper 2nd Street improvements adjoining the subdivision to align with the lower 2nd Street underground easement line and also the back of the existing sidewalk along the subdivision, together with suitable corner cut or property line radius at the intersections with Grand Avenue and Hope Street all satisfactory to the City Engineer.
- 2) That all the existing public streets and subsurface street easements within the subdivision be delineated on the final map satisfactory to the City Engineer.

- 3) That two copies of a parking area and driveway plan be submitted to the Central District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the issuance of a building permit.
- 4) That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement be recorded, and an application to do work in any sanitary sewer and drainage easements and to construct over the existing sanitary sewer and drainage facilities shall be submitted to the City Engineer for approval.
- 5) That a portion of General Thaddeus Kosciuszko Way, a public street between Grand Avenue and Hope Street, proposed for airspace merger above the height of 20 feet measured from the top of the curb of the street pavement and below 14 feet below the finished street grade, as determined by the City Engineer, be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a) That consents to the airspace area being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b) That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the airspace area to be merged is unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.
- 6) That confirmations be obtained and submitted to the Central Engineering District of the Bureau of Engineering from all public utility agencies that might have certain rights in the area being merged below General Thaddeus Kosciuszko Way that there are not planned uses in the area that will conflict with such merger. The proposed subsurface merger may not be approved if substantial utility needs are identified.
- 7) That a complete set of detailed drawings of the airspace parcel map be submitted to the City Engineer for review showing the following:
 - a) Plan view at different elevations.
 - b) Isometric views.
 - c) Elevation views.

- d) Section cuts at all locations where air space lot boundaries change.
- 8) That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in a safe condition for use at all times.
- 9) That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the followings:
- a) That the owners shall be required to maintain all elements of the structure above and below the limited General Thaddeus Kosciuszko Way rights-of-way being provided in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure within and adjacent to the limited General Thaddeus Kosciuszko Way right-of-way area for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
 - b) The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification above or below the General Thaddeus Kosciuszko Way right-of-way area and for any structural elements outside said areas which provide lateral or vertical support to structures within the areas.
- 10) That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the proposed structures adjacent to the public right-of-way dedication area being provided in connection with the use, construction and maintenance operations within said General Thaddeus Kosciuszko Way right-of-way.
- 11) That a Waiver of Damages Agreement and an Indemnification Agreement Covenant to run with the land, be executed by the owners and submitted to the Bureau of Engineering for approval, and subsequently be recorded relieving the City of any liability arising from the construction, maintenance and use of the proposed airspace subdivision areas being proposed. This waiver and indemnity statement shall be also included in the final map.
- 12) That proper excavation permits be obtained from the City Engineer and shoring and/or lateral support plans be submitted for review and approval all satisfactory to the City Engineer.

- 13) That plans for new structural design crossing General Thaddeus Kosciuszko Way between Hope Street and Grand Avenue be reviewed and approved satisfactory to the City Engineer.
- 14) That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
- 15) That a soil and geology report be submitted to the Geotechnical Engineering Group of the Bureau of Engineering for their review and approval which may add additional relevant conditions.
- 16) That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and lower elevations, of merger areas. This revised map will be used for the final map checking process and should show only one master lot.

D. Street Dedications for Parcels W-1 and W-2

- 1) That a 7-foot wide strip of land be dedicated along 1st Street adjoining the subdivision to complete a 57-foot wide half right-of-way dedication in accordance with Major Highway Standards, including 20-foot radius property line returns at the intersection with Hill Street and with Olive Street all satisfactory to the City Engineer.
- 2) That a portion of Olive Street between elevations of 390 feet and 408 feet as shown on the tentative map be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code. The exact limits of the merger area shall be determined during the revised map process. In addition, the following be done and be administered by the City Engineer:
 - a) That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b) That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

- 3) That a set of drawings be submitted to the City Engineer showing the followings:
 - a) Plan view at different elevations.
 - b) Isometric views.
 - c) Elevations views.
 - d) Section cuts at all locations where air space lot boundaries change.
- 4) That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in a safe condition for use at all times.
- 5) That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
- 6) That the petitioners record a covenant and agreement to run with the land pertaining to the pedestrian bridge over Olive Street to include the following:
 - a) That the owners be required to maintain and support all elements of the pedestrian bridge within the proposed airspace merger area as well as structures in the private property that support the pedestrian bridge for safety and usability to the satisfaction of the City Engineer. An annual fee of \$0.10 per plan square foot (with automatic annual escalation proportioned to the cost of Living index) shall be paid to the City Engineer for the purposes of City inspection of the facilities. The City shall be given reasonable access to the structure within and adjacent to the vacation area for this purpose upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owners' expense. The City may make such repairs at the owner's expense if the owner elects not to do so or does not respond within a reasonable time. Owners shall grant reasonable access to the City's contractor to make said repairs.
 - b) That the owners be required to limit use and occupancy of the structure within the merged airspace area to pedestrian bridges and retail space. No storage of combustibles will be allowed, nor will any other use or occupancy be allowed except as approved in writing by the Department of Building and Safety and the Department of Public Works.

- 7) That the following conditions regarding the pedestrian bridge within the merged airspace area above Olive Street be complied with satisfactory to the City Engineer:
 - a) That the owners obtain approval of the City Engineer for any substantial structural modification within the area and for any structural element outside the merged area which provides lateral or vertical support to the structures within the merged area.
 - b) That plans of structural details shown on standard size City sheets and structural calculations of the bridge structures, both signed by a Civil or Structural Engineer registered in the State of California, be submitted to the City Engineer for review and approval.
 - c) That a Class "B" permit be obtained from the Bureau of Engineering and that a deposit be made with said Bureau sufficient to cover the City's cost for plan checking, construction inspection, and incidental costs relative thereto.
 - d) That a building permit from the Department of Building and Safety be obtained for the construction of the portion of the structure located within the private property.
 - e) That the owners provide and maintain a policy of general liability insurance in an amount not less than \$2,000,000.00 combined single limit per occurrence. Evidence of such insurance shall be on the City's General Liability Special Endorsement form or other form acceptable to the City Attorney and shall provide coverage for premises/operations and contractual liability.
 - f) That a Waiver of Damages agreement and an Indemnification Agreement and Right of Ingress and Egress - Covenant to run with the land be executed by the owners and submitted to the Bureau of Engineering for approval, and subsequently be recorded relieving the City of any liability arising from the construction, maintenance and use of the proposed pedestrian bridge structure, unless such damage is primarily caused by the City's willful misconduct or gross negligence. The forms to be used for these agreements shall be obtained from the Bureau of Engineering, Central District office, 201 N. Figueroa Street, Revocable Permit Section, Los Angeles, California 90012.
 - g) That a minimum clearance of 20 feet under the bridge to the roadway of Olive Street be provided at all points of the bridge from curb to curb in the vehicular lanes.
- 8) That a soil and geology report be submitted to the Geotechnical Engineering Group of the Bureau of Engineering for their review and approval which may add additional relevant conditions.

- 9) That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and lower elevations, of merger areas. This revised map will be used for the final map checking process and should only show one master lot.
- E. That the following improvements for Parcel Q be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- 1) Improve 1st Street being dedicated and adjoining the subdivision by the construction of a 17-foot full-width concrete sidewalk with tree wells, including any necessary removal and reconstruction of existing improvements all satisfactory to the City Engineer.
 - 2) Improve upper 2nd Street adjoining the subdivision by the construction of the following:
 - a) A concrete curb, a concrete gutter, and a minimum 10-foot full-width concrete sidewalk with tree wells.
 - b) Suitable surfacing to join the existing pavement and to complete a minimum 40-foot roadway or as constructed by other entities.
 - c) Any necessary removal and reconstruction of existing improvements.
 - d) The necessary transitions to join the existing improvement.
 - e) The improvement requirements may be deleted if the improvements have been suitably guaranteed by others in a manner satisfactory to the City Engineer.
- F. That the following improvements for Parcels L and M-2 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- 1) Improve General Thaddeus Kosciuszko Way adjoining the subdivision by:
 - a) Constructing an integral concrete curb and gutter, a 12-foot wide concrete sidewalk.
 - b) Constructing suitable surfacing to join the existing pavement and to complete a 56-foot complete roadway.
 - c) Removing and reconstructing the existing improvements as necessary.
 - d) Constructing the necessary transitions to join the existing improvements all satisfactory to the City Engineer.

- 2) Construct the necessary off-site and on-site mainline sewers satisfactory to the City Engineer.
- G. That the following improvements for Parcels W-1 and W-2 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- 1) Improve Olive Street adjoining the tract by the construction of an integral concrete curb and gutter, and a 12-foot full-width concrete sidewalk with tree wells including the curb return and bus pad at the intersection with 1st Street together with any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
 - 2) Improve 1st Street being dedicated and adjoining the subdivision by the construction of a 17-foot full-width concrete sidewalk with tree wells, including any necessary removal and reconstruction of existing improvements all satisfactory to the City Engineer.
 - 3) Construct the necessary off-site and on-site mainline sewers satisfactory to the City Engineer.

2. **Street Lighting.**

- a. Remove four (4) lights on Thaddeus Kosciuszko Way; install tunnel / wall lighting on Thaddeus Kosciuszko Way and Lower Grand Avenue to satisfy the Bureau of Street Lighting.
- b. If street widening, relocate and upgrade eleven (11) on Grand Avenue, seven (7) on 1st Street, eleven (11) on Olive Street, six (6) on Hill Street, eight (8) on 2nd Street, and five (5) on Hope Street.
- c. Specific Condition: Satisfactory arrangements shall be made with the Bureau of Street Lighting to assure the property be formed or annexed into a Street Lighting Maintenance Assessment District.

3. **Street Trees.** Construct tree wells and plant street trees to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.

4. **Sewers.** Construct sewers to the satisfaction of the City Engineer.

5. **Drainage.** Construct drainage facilities to the satisfaction of the City Engineer.

6. **Parking and Driveway Plan.** Prior to the issuance of a building permit, the applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation (Citywide Planning Coordination Section) for approval.

7. **Recreation and Parks Dedication/Fee.** Per Section 12.33 of the Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fee.

8. **Schools.** The applicant shall make payment to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
9. **Cable Television.** The applicant shall make necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05.N, to the satisfaction of the Information Technology Agency.
10. **Police.** The building plans shall incorporate design guidelines relative to security, semi-public and private spaces (which may include but not be limited to access control to building), secured parking facilities, walls/fences with key systems, well-illuminated public and semipublic space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities and building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Refer to Design out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, Phone: 213-485-3134). These measures shall be approved by the Police Department prior to the issuance of building permits.
11. The requirements of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
 - a. Fire lanes, where required, shall be a minimum of 20 feet in width.
 - b. All structures shall be within 300 feet of an approved fire hydrant.
 - c. Entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - d. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - e. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

Notice. If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available. Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.