

ORDINANCE NO. 181028

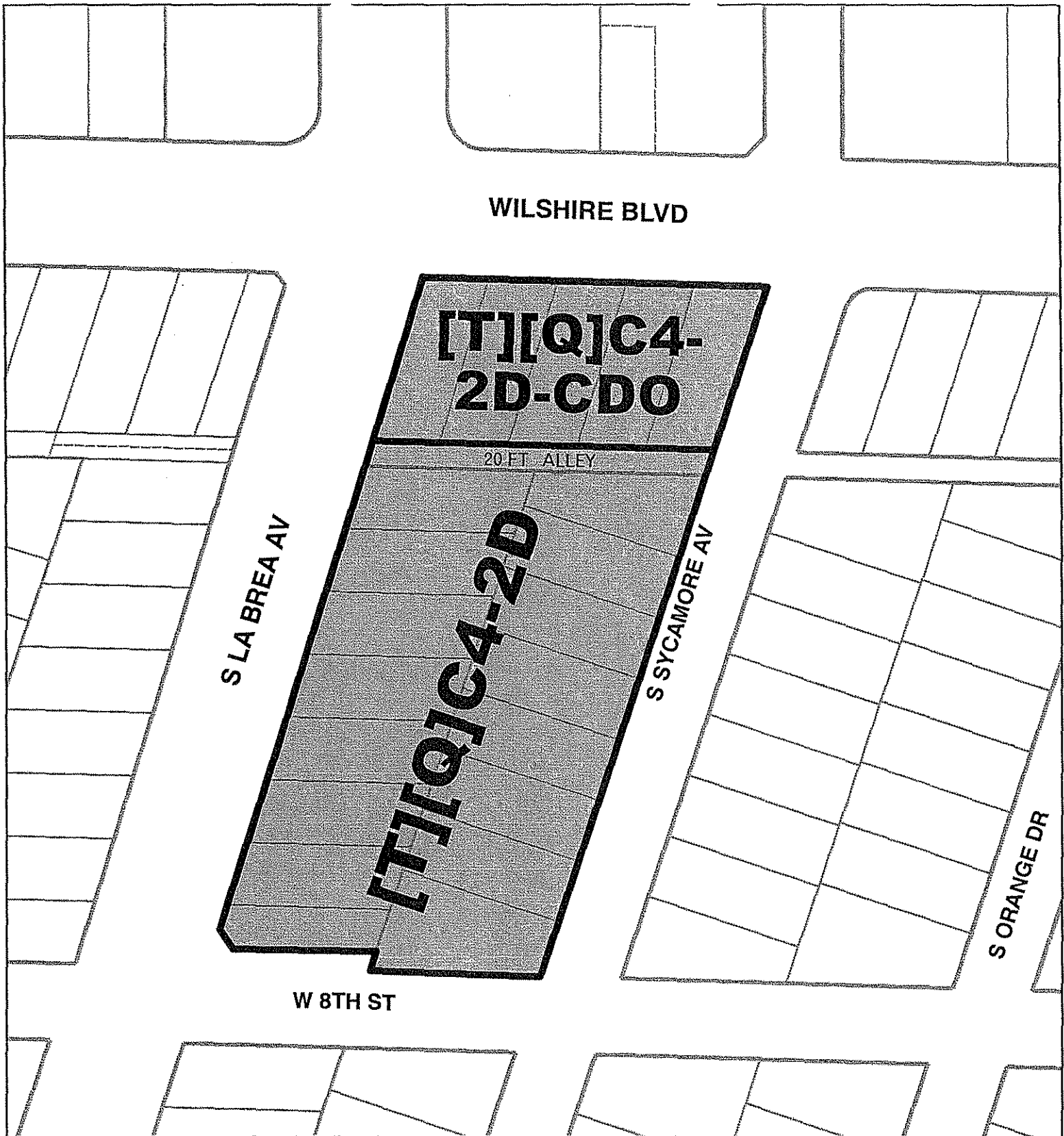
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the Zoning map.

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:

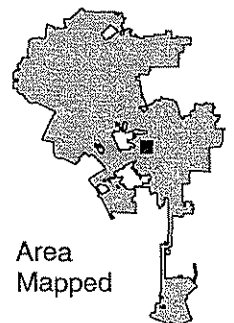
“D” DEVELOPMENT LIMITATION

Floor area ratio (FAR) of 3.34:1. A maximum FAR of 3.34:1 shall be permitted throughout the [T][Q]C4-2D and [T][Q]C4-2D-CDO parcels of the project site.



NOT TO SCALE

D.M. 132 B 181	CPC 2008-9909 GPA ZC HD BL CUB ZAA SPR CDO
AE/AA	062309



[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 C4 Zone as defined in Section 12.16.A of the L.A.M.C.
2. **Site Plan.** Prior to the issuance of any permits for the subject project, detailed development plans, including a complete landscape and irrigation plan shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions. The plan shall be in substantial conformance with the plot plan labeled as Exhibit "A" stamped and dated May 27, 2009, attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. **Height.** The height of the Project shall not exceed the heights set forth on the attached height exhibit labeled as Exhibit "B" stamped and dated May 27, 2009, pursuant to Section 12.21.1 of the Municipal Code.
4. **Floor Area.** The total floor area of commercial uses on the subject property shall not exceed 40,000 leasable square feet, as defined by Section 12.03 of the Municipal Code.
5. **Density.** Not more than 482 dwelling units may be constructed on the subject site. Of the 482 residential units, not more than 10 townhomes and 10 flats shall be constructed on the project's frontage facing Sycamore Avenue.
6. **Setbacks.** The project's ground level façade shall be located a minimum 27 feet from the future curb along Wilshire Boulevard, a minimum 15 feet from the future curb along La Brea Avenue south of the existing alley, a minimum 12 feet from the future curb along La Brea Avenue north of the existing alley, an average of 23 feet from the future curb along Sycamore Avenue south of the existing alley, and a minimum 15 feet from the future curb along 8th Street, all in substantial conformance with the plans labeled as Exhibit "A" stamped and dated May 27, 2009.
7. **Publicly Accessible Open Space.** The project shall provide a minimum 1,837 square feet of landscaped open space at the corner of 8th Street and Sycamore Avenue. The applicant shall make such space open to the public during normal business hours, but may in its discretion establish reasonable rules and regulations for use of such open space. The applicant shall maintain such space free of graffiti and accumulations of trash.
8. **Prohibited Uses.** The following uses shall be prohibited: Auto repair shops; Advertising signs, including supergraphics, digital billboards and electronic message displays; Adult bookstores; Medical marijuana dispensaries; Nightclubs or free-standing bars not part of a bona fide eating establishment; and Thrift or pawn shops.

9. **Parking.** All project related parking shall be provided in compliance with Section 12.21.A.4 of the Municipal Code and the following:

- a. Provide a minimum of one (1) parking space for each dwelling unit of less than three habitable rooms.

Provide a minimum of one and one-half (1.5) parking spaces for each dwelling of three habitable rooms.

Provide a minimum of two (2) parking spaces for each dwelling unit of more than three habitable rooms.

- b. Provide a minimum ten (10) parking spaces for each 1,000 square feet of gross floor area of restaurant and bars and a minimum four (4) parking spaces for each 1,000 square feet of gross floor area for general retail, as identified in LAMC Section 12.21-A,4(c).
- c. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.
- d. If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.
- e. In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, shall be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).

10. **Subway Panel.** Prior to issuance of a building permit, the project applicant shall offer an easement over the portion of the subject property at the southwest corner of Wilshire Boulevard and La Brea to the Metropolitan Transportation Authority (MTA) for the sole purpose of providing an additional pedestrian entrance to the planned Wilshire/La Brea Metro Transit Station, to the extent that MTA plans for an entrance at this location. The easement shall state that the project applicant reserves the right to use the easement area for any purpose until such time that the MTA commences construction of such an entrance within the easement area. The scope and location of the easement shall be to the satisfaction of MTA; provided, however, that such easement shall not extend onto any portion of the project site that would impede access to or affect the structural integrity of the project. Notwithstanding the foregoing, the project applicant shall not be required to provide such easement for a pedestrian entrance to the Transit Station on the southeast corner of Wilshire Boulevard and La Brea Avenue if the applicant requests confirmation in writing from the MTA that MTA intends to provide such a pedestrian entrance at that location, and the Director of Planning determines that MTA has not responded within a reasonable amount of time (but in no event later than 45 days).

11. **Neighborhood Traffic Management Plan.** As a condition of approval, the project, the applicant shall implement the following improvements:
- a. Left Turn Phasing. The project shall install left turn phasing at Wilshire Boulevard and Highland Avenue to facilitate the movement from westbound Wilshire onto Southbound Highland and at Olympic Boulevard and La Brea Avenue to facilitate the movement from eastbound Olympic Boulevard onto northbound La Brea Avenue.
 - b. Speed Tables/Humps. The project shall install a total of 18 speed table/humps at the following locations: Citrus Avenue between Olympic Boulevard and Wilshire Boulevard (2 per block, 6 total); Mansfield Avenue between Olympic Boulevard and Wilshire Boulevard (2 per block, 6 total); and Sycamore Avenue between Olympic Boulevard and Wilshire Boulevard (2 per block, 6 total).
 - c. Speed Feedback Signs. The project shall install a total of 4 solar speed feedback signs at the following locations: Mansfield Avenue between Olympic Boulevard and 8th Street (1 per block, 2 total); and Sycamore Avenue between Olympic Boulevard and 8th Street (1 per block, 2 total).
 - d. Traffic Circle. The project shall install a traffic circle at Citrus Avenue and 8th Street Avenue. This improvement shall require removal of the existing stop signs.
 - e. Curb Extension/Bump Out. The project shall install curb extensions/bump outs at two corners of the intersection of Mansfield Avenue and 9th Street.
 - f. Stop Signs. The project shall install four-way stop signs at Orange Avenue and 8th Street and Sycamore Avenue and 8th Street.

Each of the measures shall be subject to approval by LADOT as well as the affected residents in accordance with LADOT's procedures for approving neighborhood protection measures (i.e., majority vote). The project shall not be obligated to implement those measures that are rejected by LADOT or are not approved by the affected residents prior to issuance of a building permit for the project.

12. **Restricted Access onto Sycamore.** The project's outbound driveway onto Sycamore Avenue shall be restricted to left turn only.
13. **Repaving of Sycamore.** The project shall repave Sycamore Avenue from Wilshire Boulevard to 8th Street.
14. **Workforce Housing.** Prior to issuance of a building permit, the Applicant shall submit a proposed Workforce Housing Plan to the Planning Department for review and approval. This Plan shall provide the following:
1. Qualifications for Workforce Housing Units. The property owner shall reserve fourteen (14) units, representing fifty (50) percent of the units in the Project in excess of the maximum number of units allowed under the existing zoning for the Project site, Workforce Rents for Qualified Workforce Tenants.

For the purposes of this condition:

- (a) "Workforce Rents" mean rent levels that do not exceed the maximum Workforce Rent Levels adjusted by bedroom size as set forth in LAHD 2009 Income and Rent Limit- Land Use Schedule 1 (April 2009), on file, adjusted annually by the annual automatic rent adjustment rate allowed under the Rent Stabilization Ordinance; and
 - (b) "Qualified Workforce Tenants" mean tenants who earn no more than the allowable maximum Workforce Income Level as set forth in LAHD 2009 Income and Rent Limit- Land Use Schedule 1 (April 2009), as adjusted annually based on the annual percentage increase in median income for the Los Angeles-Long Beach-Santa Ana metro area.
- 2. **Marketing of Workforce Housing Units to Community-Serving Employees.** The applicant shall make good faith efforts to market the Workforce Housing units in the Project for rent to Qualified Workforce Tenants who are Community-serving employees (including, but not limited, to police officers, fire fighters, teachers, government employees, and health care professionals). Such efforts may include placing advertisements in local area newspapers and newsletters and placing advertisements in bulletins/newsletters/bulletin boards of LAPD, LAFD, LAUSD, private schools and hospitals/medical clinics.
 - 3. **Enforcement.** Prior to the issuance of any building permit for the Project, the property owner shall record a covenant on the subject property requiring that the Workforce Housing units be reserved for Qualified Workforce Tenants in accordance with this condition for a period of thirty (30) years.

B. Other Conditions

- 15. **Construction Related Parking.** No employees or subcontractor shall be allowed to park on surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of heavy construction vehicles along Wilshire Boulevard or La Brea Avenue before 9:00 AM or after 4:00 PM, Monday through Friday. All construction vehicles shall be stored on site unless returned to their owner's base of operations.
- 16. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 4:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. No truck queuing related to such deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.
- 17. **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.

18. **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.
19. **Dust Walls.** Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the property line between the site and adjoining residential lots as necessary to preclude dust dispersion from the project site to adjacent homes.
20. **Community Relations.** A 24-hour "hot-line" phone number for the receipt of construction-related complaints from the community shall be provided to immediate neighbors and the local neighborhood association, if any. The applicant shall be required to respond within 24-hours of any complaints received on this hotline.
21. **Posting of Construction Activities.** The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.

C. Environmental Conditions

22. Aesthetics (Light and Glare)

- a. Outdoor lighting adjacent to light-sensitive residential uses on Sycamore Avenue and 8th Street shall be directed toward on-site areas of the property, sidewalks surrounding the building, building entry points, driveways, and interior courtyard areas.

23. Air Quality (Short-Term Construction Impacts)

- a. In addition to the requirements of SCAQMD Rule 403, the applicant shall implement the following measures to help reduce emissions of PM10 and PM2.5 during construction activities.
 1. Configure construction parking to minimize traffic interference. (The emission reduction efficiency for this measure is not quantified.)
 2. Provide temporary traffic controls during all phases of construction activities to maintain traffic flow (e.g., flag person). (The emission reduction efficiency for this measure is not quantified.)
 3. Schedule construction activities that affect traffic flow on the arterial system to off peak hours to the degree practicable. (The emission reduction efficiency for this measure is not quantified.)
 4. Reroute construction trucks away from congested streets. (The emission reduction efficiency for this measure is not quantified.)
 5. Consolidate truck deliveries when possible. (The emission reduction efficiency for this measure is not quantified.)

6. Provide dedicated turn lanes for movement of construction trucks and equipment on and off site. (The emission reduction efficiency for this measure is not quantified.)
7. Maintain equipment and vehicle engines in good condition and in proper tune, as per manufacturers' specifications and per SCAQMD rules, to minimize exhaust emissions. (The emission reduction efficiency for this measure is not quantified.)
8. Apply water to demolition materials to reduce the emissions of fugitive dust during demolition operations. (The emission reduction efficiency for this measure is not quantified.)

24. Air Quality (Global Climate Change Impacts)

- a. The proposed project shall meet the City's Green Building Ordinance standards for all residences. Items that may be incorporated in the project identified in the City's green building ordinance include low-flow plumbing fixtures, dual flush toilets, a cool roof, separate recycling trash chutes, and recycled content in construction materials such as carpet. The inclusion of such items as required by the Green Building Ordinance will improve the energy efficiency of the project and reduce GHG emissions associated with the project.

25. Cultural Resources (Archaeological Resources)

- a. If archaeological resources are uncovered on the project site during excavation, the developer must notify the Los Angeles Department of Building and Safety immediately and work must stop within a 100-foot radius until a qualified archeologist has evaluated the find. Construction activity may continue unimpeded on other portions of the project site. If the find is determined by the qualified archeologist to be a unique archeological resource, as defined by Section 2103.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of Section 21083.2 of the Public Resources Code. If the find is determined not to be a unique archeological resource, no further action is necessary and construction may continue.
- b. If during excavation of the project site human remains are discovered, the steps described in State CEQA Guidelines Section 15064.5(e) shall be followed.
 - (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (a) The coroner of the County in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and

- (b) If the coroner determines the remains to be Native American:
 - 1. The coroner shall contact the Native American Heritage Commission within 24 hours.
 - 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 - 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98,

or

- (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - (a) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - (b) The descendant identified fails to make a recommendation; or
 - (c) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

26. Cultural Resources (Paleontological Resources)

- a. If paleontological resources are uncovered during excavation of the project site, the City of Los Angeles Department of Building and Safety must be notified immediately and work must stop within 100 feet of the find to allow a qualified paleontologist to appropriately remove the find.

27. Geology and Soils (Groundwater)

- a. The project shall be designed and constructed in accordance with the requirements outlined in the latest edition of the California Building Code and the Los Angeles Uniform Building Code, including all applicable provisions of Chapter IX, Division 70 of the Los Angeles Municipal Code, which addresses grading, excavations, and fills.
- b. Prior to start of soil-disturbing activities at the site, a Notice of Intent (NOI) and SWPPP shall be prepared in accordance with, and in order to partially fulfill, the California State Water Resources Control Board Order No. 99-08-DWQ, NPDES General Permit No. CAS000002 (General Construction

Permit) and Chapter 6, Article 4.4, Stormwater and Urban Runoff Pollution Control, from the Los Angeles Municipal Code. The SWPPP shall meet the applicable provisions of Sections 301 and 402 of the CWA and Chapter 6, Article 4.4, Stormwater and Urban Runoff Pollution Control, from the Los Angeles Municipal Code, by requiring controls of pollutant discharges that utilize best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) to reduce pollutants.

c. The project applicant shall implement dust control measures consistent with SCAQMD Rule 403, Fugitive Dust, during the construction phases of new project development. The following actions are currently recommended to implement Rule 403 and have been quantified by the SCAQMD as being able to reduce dust generation between 30 and 85 percent depending on the source of the dust generation:

- (1) Apply water and/or approved nontoxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas that have been inactive for 10 or more days).
- (2) Replace ground cover in disturbed areas as quickly as possible.
- (3) Enclose, cover, water twice daily, or apply approved chemical soil binders to exposed piles with 5 percent or greater silt content.
- (4) Water active grading sites at least twice daily during construction activities.
- (5) Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period.
- (6) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
- (7) Sweep streets at the end of the day if visible soil material is carried over to adjacent roads.
- (8) Install wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.
- (9) Post and enforce traffic speed limits of 15 miles per hour or less on all unpaved roads.

28. Hazards and Hazardous Materials (Soil and Groundwater Contamination)

a. Prior to the demolition/grading activities, contractors shall be required to have a construction worker safety plan that complies with the Occupational Safety and Health Administration (OSHA) Safety and Health Standards and shall

address, as appropriate, air monitoring for sub surface work activities, personnel protective and safety equipment, and worker training.

- b. Identified impacts to soil and/or groundwater beneath the project site shall be addressed under a site-specific independent removal action. An assessment of the potential risk to human health and the environment resulting from the identified impacts to soil and groundwater at the project site and the proposed removal action shall be presented within a Draft Removal Action Workplan (RAW). The RAW shall provide proposed remediation goals for each constituent of potential concern and shall be submitted to the LARWQCB for review and comment prior to implementation.
- c. Prior to excavation and/or grading the applicant shall prepare and provide to contractors a Risk Management Plan (RMP) that describes the type of contaminants and subsurface features that may be encountered at the project site and procedures for evaluating and managing such materials.
- d. Grading and demolition contractors shall be required by construction specifications to secure approval of haul routes to export or otherwise transport off site excavated materials prior to commencement of such activity.
- e. Residual soil and groundwater, which may require special handling and was not addressed during the proposed independent removal action, shall be addressed under a Risk Management Plan (RMP). The RMP shall be implemented during construction and shall present site-specific health and safety protocols and soil/groundwater handling procedures.
- f. Prior to demolition, the project applicant shall comply with applicable legal requirements related to asbestos removal and demolition activities involving asbestos-containing building materials (ACBMs), including the requirements of the SCAQMD Rule 1403 for ACBMs.
- g. The project applicant shall comply with the requirements outlined by the California Occupational Safety and Health Administration (Cal/OSHA) Lead in Construction Standard, Title 8, California Code of Regulations (CCR) 1532.1 during demolition activities. Lead-contaminated debris shall be managed and disposed of in accordance with the applicable provisions of the California Health and Safety Code.

29. Hazards and Hazardous Materials (Operational Impacts-Methane Gas)

- a. Prior to issuance of a building permit, applicant shall comply with the City Methane Seepage Regulations, Section 91.7100 et seq. of Los Angeles Municipal Code.
- b. Should any unrecorded oil well be found during excavation and grading, it shall be abandoned in accordance with Division of Oil, Gas, and Geothermal Resources (DOGGR) Regulations. Prior to issuance of any building permit within a lot affected by discovery of an unrecorded oil well, the applicant shall submit a final clearance letter issued by DOGGR regarding the proper abandonment of the well(s).

30. Hydrology and Water Quality (Construction and Operational Impacts)

- a. Prior to start of soil-disturbing activities at the site, a NOI and SWPPP shall be prepared in accordance with, and in order to partially fulfill, the California SWRCB Order No. 99 08-DWQ, NPDES General Permit No. CAS000002 (General Construction Permit). The SWPPP shall meet the applicable provisions of Sections 301 and 402 of the Clean Water Act and Chapter 6 Article 4.4, Storm Water and Urban Runoff Pollution Control, from the Los Angeles Municipal Code by requiring controls of pollutant discharges that utilize BAT and BCT to reduce pollutants. Examples of BAT/BCT that may be implemented during site grading and construction could include straw hay bales, straw bale inlet filters, filter barriers, and silt fences.
- b. The project applicant shall prepare and implement an SUSMP in accordance with the requirements of Chapter 6, Article 4.4, Storm Water and Urban Runoff Pollution Control, from the Los Angeles Municipal Code, to ensure that stormwater runoff is managed for water quality concerns through implementation of appropriate and applicable best management practices (BMPs). Prior to issuance of any grading or building permits, the County and/or Stormwater Division of Bureau of Sanitation must approve the SUSMP.

The following is a listing of applicable BMPs that may be implemented as part of the project through the preparation of the SUSMP:

- (1) Provide reduced-width sidewalks and incorporate landscaped buffer areas between sidewalks and streets.
- (2) Use permeable materials for private sidewalks, driveways, parking lots, or interior roadway surfaces (e.g., hybrid lots, parking groves, permeable overflow parking, etc.).
- (3) Where feasible, direct rooftop runoff to pervious areas such as yards, open channels, or vegetated areas, and avoid routing rooftop runoff to the roadway or the storm water conveyance system.
- (4) Infiltration trenches
- (5) Oil/water separators
- (6) Catch basin inserts
- (7) Continuous flow deflection/separation systems
- (8) Storm drains inserts
- (9) Media filtration
- (10) Bioretention facility
- (11) Dry wells

- (12) Cisterns
 - (13) Foundation planting
 - (14) Catch basin screens
 - (15) Normal flow storage/separation systems
 - (16) Clarifiers
 - (17) Filtration systems
 - (18) Primary wastewater treatment systems
- c. The project contractor, during construction, and the project owner, during operation, shall properly store hazardous materials to prevent contact with precipitation or runoff.
 - d. The project contractor, during construction, and the project owner, during operation, shall develop and maintain effective monitoring and a cleanup program for spills and leaks of hazardous materials.
 - e. The project contractor, during construction, and the project owner, during operation, shall place equipment to be repaired or maintained in covered areas on a pad of absorbent material to contain leaks, spills, or small discharge.
 - f. The project contractor, during construction, and the project owner, during operation, shall provide periodic and consistent removal of landscape and construction debris.
 - g. The project contractor, during construction, and the project owner, during operation, shall sweep parking lots at regular, frequent intervals to remove debris. The project contractor, during construction, and the project owner, during operation, shall also remove any significant chemical residue on the project site through appropriate methods.
 - h. The project owner, landscapers, and maintenance team, during project operation, landscaping, and maintenance activities, shall use non-toxic alternatives for such applications as insecticides, herbicides, rodenticides, and fertilizers. Furthermore, chemical controls shall only be applied outdoors when precipitation is not forecast for the project area.

31. Noise (Construction-Related Impacts)

- a. Provide notification to the residential land uses on Sycamore Avenue and 8th Street across from the project site at least 10 days in advance of construction activities that are anticipated to result in high vibration levels, such as large bulldozers, caisson drills, and jackhammers within 60 feet of these uses.

- b. Demolition, earthmoving, and other construction activities that are anticipated to result in high vibration levels, such as operation of large bulldozers, caisson drills, and jackhammers, shall, when feasible, be conducted so as not to occur concurrently.
- c. Select demolition methods to minimize vibration where feasible.
- d. Operate earthmoving equipment on the construction sites as far away from surrounding residential uses as is feasible.
- e. All construction equipment shall be equipped with appropriate mufflers and be in good working condition.
- f. Construction noise reduction methods, such as shutting off idling equipment and maximizing the distance between construction equipment staging areas and occupied residential areas, shall be used, where feasible.
- g. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

32. Public Services (Police Protection)

- a. The project applicant shall incorporate security features on the construction site, such as fencing and locked entrances; and construction equipment, tools, and materials shall be secured by locking or placing them within sheds and/or other inaccessible areas while not in use.
- b. A Construction Traffic Control Plan/Management Plan shall be prepared per LADOT requirements to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the vicinity of the project. In addition, access on to the project site shall remain clear and unobstructed and proposed roadway modifications shall assure adequate access to the proposed project site and adjacent areas.
- c. The project applicant shall contact LAPD'S Crime Prevention Unit to incorporate appropriate crime prevention features into the project design. Examples of crime prevention design features include the following:
 - (1) Housing units can be designed so as to allow neighbors to "self-patrol" their environments.
 - (2) Lighting and landscaping may be enhanced in parking lots to improve visibility.
 - (3) Fences around housing developments can be designed in ways that avoid creating hiding places for criminals.

- (4) Signs can be removed from storefront windows to allow clear views in and out of the store.
- (5) Vines or planted coverings may be placed on walls to deter graffiti.
- d. Upon completion of the project a diagram of each portion of the property, including access routes and any additional information that might facilitate police response, shall be submitted to the Wilshire Area commanding officer.

33. Public Services (Fire Protection and Emergency Services)

- a. Upon completion of the project, a diagram of each portion of the property, including access routes and any additional information that might facilitate fire and emergency medical response, shall be submitted to the fire chief.
- b. During project construction, the contractor shall ensure that roads and alleyways remain unobstructed to provide for emergency access at all times though the use of flagmen and other standard construction practices.
- c. The project applicant shall coordinate with the LAFD to design and implement an upgraded fire hydrant in compliance with the LAFD Fire Code for high-density residential and neighborhood commercial developments.

34. Public Services (Schools)

- a. As authorized by Senate Bill 50, the project applicant shall pay school impact fees to the LAUSD prior to the issuance of building permits.
- b. The project applicant shall contact the LAUSD Transportation Branch at (323) 342-1400 prior to construction to coordinate school bus access during construction.
- c. The project applicant shall maintain unrestricted access for school buses during construction.
- d. The project applicant shall comply with provisions of the California Vehicle Code by requiring construction vehicles to stop when encountering school buses using red flashing lights.
- e. The project applicant shall not endanger passenger safety or delay student drop-off or pick-up due to changes in traffic patterns, lane adjustments, altered bus stops, or traffic lights.
- f. The project applicant shall maintain safe and convenient pedestrian routes to LAUSD schools that are located adjacent to the project site.
- g. The project applicant shall maintain ongoing communication with school administration at affected schools, providing sufficient notice to forewarn students and parents/guardians when existing pedestrian and vehicle routes to school may be impacted.

- h. The project applicant shall install appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
- i. The project applicant will require that material and delivery trucks serving the project site shall not haul past affected school sites, except when school is not in session. If that is infeasible, project applicant shall require that material and delivery trucks serving the project site shall not haul during school arrival and dismissal times.
- k. The project applicant shall not stage or park construction-related vehicles, including worker-transport vehicles, adjacent to school sites.
- l. The project applicant shall provide crossing guards when safety of students may be compromised by construction-related activities at impacted school crossings.
- m. The project applicant shall install barriers and/or fencing to secure construction equipment and the site in an effort to prevent trespassing, vandalism, and attractive nuisances.
- n. The project applicant shall provide security patrols to minimize trespassing, vandalism, and shortcut attractions.

35. Public Services (Recreation and Parks)

- a. In accordance with the requirements of the City of Los Angeles (Ordinance No. 141422, amending Chapter 1, Article 7, of the Los Angeles Municipal Code), the project applicant shall either pay the in-lieu fee to the City and/or develop public park or recreation land on the project site using equivalent funding or greater.

36. Transportation, Traffic, Parking and Circulation

- a. Wilshire Boulevard and Highland Avenue – As a condition of approval, the project shall upgrade the traffic signal system at the intersection of Highland Avenue and Wilshire Boulevard to Adaptive Traffic Control System (ATCS) operation.
- b. 8th Street and La Brea Avenue – As a condition of approval, the project shall widen 8th Street to 40 feet in width between La Brea Avenue and Sycamore Avenue (widen by 7 feet along the north side and by approximately 3.5 feet for the approximately westerly 160 feet along the south side). The project shall also install a westbound left-turn lane on 8th Street at La Brea Avenue.
- c. Prior to commencing construction, the Applicant shall prepare a Construction Management Plan, including a Worksite Traffic Control Plan that shall contain, at a minimum, the following:
 - (1) A 24-hour construction hotline that is monitored on a daily basis;

- (2) An up-to-date list of local police, fire and emergency response organizations and procedures for the coordination with such organizations of construction activities to reduce potential delays. Coordination shall include the assessment of alternative access routes to and from the project site that might be required due to unanticipated road conditions;
 - (3) The location, times, and estimated duration of any roadway or sidewalk closures, traffic detours, and queuing area.
- d. Flag persons shall be provided as necessary to minimize impacts on traffic flows and to ensure safe movement into and out of the project site.
 - e. Construction vehicles shall not be permitted to queue where they would interfere with traffic movement or block access to adjacent residences or businesses.
 - f. Haul trucks shall travel only on a haul route approved by the City that avoids local residential streets.

37. Utilities and Service Systems (Wastewater)

- a. If local sewer lines have insufficient capacity then the developer shall be required to build a secondary line to the nearest larger sewer line with sufficient capacity.

D. Administrative Conditions

- 38. 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.
- 39. 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.
- 40. 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.
- 41. 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.

42. **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.
43. **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.
44. **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.
45. **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.
46. **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 DEC 04 2009.

JUNE LAGMAY, City Clerk

By  Deputy

Approved DEC 11 2009


Mayor

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

December 1, 2009

File No. C.F. 09-2734
CPC-2008-9909


S. Gail Goldberg
Director of Planning

DECLARATION OF POSTING ORDINANCE

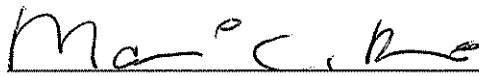
I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 181028 – Zone Change and Height District Change for property at 5200-5224 Wilshire Blvd; 700-758 South La Brea Avenue; and 719-757 Sycamore Avenue – CPC 2008-9909 GPA ZC HD BL CUB ZAA SPR CDO - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **December 4, 2009**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **December 15, 2009** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **December 15, 2009** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **15th** day of **December 2009** at Los Angeles, California.



Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: January 24, 2010

Council File No. 09-2734