

MOTION



Located at 11122 West Pico Boulevard and 2431 – 2441 South Sepulveda Boulevard , within the 5th Council District sits a parcel of land that is being proposed for a future mixed-use development. After many hearing and discussions regarding the proposal, an understanding of that project has been reached.

I THEREFORE MOVE The Los Angeles City Council certify that the City Council has reviewed and considered the EIR, ENV-2008-3989-EIR (SCH No. 2009061041), including the accompanying mitigation measures and adopt the related environmental Findings, the Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations as the environmental clearance for the project;

- Find
- 1) The EIR for the Casden Sepulveda Project, which includes the Draft EIR and the Final EIR, has been completed in compliance with the California CEQA, Public Resources Code Section 21000et seq., and the State and City of Los Angeles CEQA Guidelines.
 - 2) The Project's EIR was presented to the LA City Planning Commission as a recommending body of the lead agency, and the City Planning Commission reviewed and considered the information contained in the EIR prior to recommending the project for approval, as well as all other information in the record of proceedings on this matter.
 - 3) The Project's EIR represents the independent judgment and analysis of the lead agency.

Resolve to deny the appeals filed by: (1) Scott Diamond on behalf of the Beverlywood Homes Association (Representative: Alex DeGood, Jeffer, Mangels, Butler, Mitchell), of the entire determination of the Los Angeles City Planning Commission (LACPC); (2) Fix the City, Inc. (Representative: Beverly Grossman Palmer), of part of the determination of the LACPC, and; (3) Barbara Broide on behalf of the Westwood South of Santa Monica Boulevard Homeowners Association, the Westwood Homeowners Association, and the Beverlywood Homes Association, of the entire determination of the LACPC.

Adopt the Resolution approving the General Plan Amendment from the Light Manufacturing land use designation to the Community Commercial land use designation for the property located at 11122 West Pico Boulevard and 2431 – 2441 South Sepulveda Boulevard;

Present and adopt the Ordinance for a Zone Change from M2-1-0 to (T)(Q)C2-1-0 for the property located at 11122 West Pico Boulevard and 2431-2441 South Sepulveda Boulevard;

Disapprove a General Plan Amendment from the Light Manufacturing land use designation to the Community Commercial land use designation, a Zone Change from M2-1-0 to C2-1-0, and a Height District Change from Height District 1XL to Height District 1 for the MTA property located at 11201 and 11217 West Exposition Boulevard;

Disapprove a General Plan Amendment for the Add Area located at 11110, 11200; 11240, 11250 and 11160 West Pico Boulevard;

Approve a Density Bonus to permit a Floor Area Ratio of 3:1, located at 11122 West Pico Boulevard and 2431-2441 South Sepulveda Boulevard;

Approve a Conditional Use to permit the off site sale of alcohol for two retail establishments;

Approve the Site Plan Review;

Approve the revised Conditions of Approval contained in the Department of City Planning's Memo dated June 26, 2013;

Adopt the Findings of the City Planning Commission, as the Council finds they are sufficient to support the project as revised;

Clarify that the Transportation Mitigation Program shall also include:

- Provide up to a \$100,000 into the West Los Angeles Traffic Improvement Mitigation Program for a traffic signal on Sepulveda Boulevard at either Pearl Street or Richland Avenue, per approval of the Department of Transportation.
- Require a 48 month period for the 75 first come first serve passes in-lieu of the current 36 month period.
- Casden to work with BOE to insure street improvements and paving of Pico/Sepulveda area.

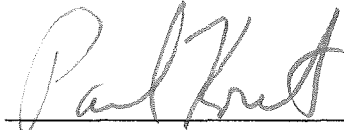
The Project is to include a Minimum of 5,000 square foot of Neighborhood Serving Commercial, not to exceed 15, 000 square feet;

Due to the mandate of Neighborhood Serving Commercial, public restrooms shall be provided as a part of the project;

Advise the Applicant that, pursuant to California State Public Resources Code Section 21081.6, the City Shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and

Advise the Applicant that pursuant to the State Fish and Game Code Section 711.4, a Fish and Game and/or Certificate of Game Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notices and Determination (NOD) filing.

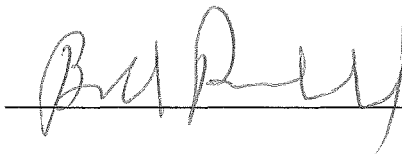
Presented By: _____



PAUL KORETZ

Council Member, 5th District

Seconded By: _____



JUN 28 2013

ORIGINAL

**DEPARTMENT OF
CITY PLANNING**

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

AND

6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

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INFORMATION

www.planning.lacity.org

June 27, 2013

Honorable City Councilmembers:

**RE: The Casden Sepulveda Mixed Use Project
Council File 13-0523
CPC File No. CPC-2008-4604-GPA-ZC-HD-CUB-DB-SPR**

The Casden Sepulveda Project is transmitted to the City Council after being approved by the City Planning Commission at its February 28, 2013 meeting. On April 4, 2013, the City Planning Commission issued its determination for the Casden Sepulveda project, which was comprised of 638 residential dwelling units and 160,000 square feet of commercial uses in the West Los Angeles Community Plan area. On May 21, 2013, the Planning and Land Use Management Committee held a public hearing for the requested General Plan Amendment and zone and height district changes and appeals, and forwarded the matter on to the full City Council with no recommendation.

On June 24, 2013, the Applicant submitted a letter proposing a new revised project for City Council consideration that reduces the overall scope of the project to include a maximum of 595 residential dwelling units and 15,000 square feet of commercial uses. Briefly, the revisions to the proposed Project are summarized below:

1. The MTA parcel is removed from the project and, as such, the requested General Plan Amendment, zone change, and height district change are withdrawn;
2. The overall project square footage is reduced from 785,564 square feet to 528,500 square feet;
3. The retail square footage is reduced from 160,000 square feet to 15,000 square feet;
4. The number of residential dwelling units is reduced from 638 to 595 total dwelling units, with 11 percent set aside for affordable very low senior units;
5. Building heights are reduced;

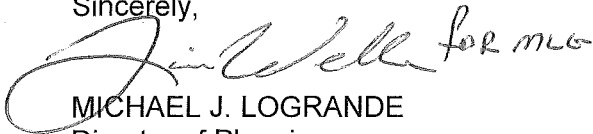
6. The building setback from the 405 Freeway would revert back to 350 feet in lieu of the 500-foot setback conditioned by the City Planning Commission; and
7. The Conditional Use for off-site sale of alcohol from one retail store and one big box store would be modified to apply to two retail establishments.

Since the project was revised from what was approved by the City Planning Commission, the City Council will be required to take action on the revised project.

CHARTER SECTION 559

As provided under the authority of Charter Section 559 and City Plan Case No. 13505-A, I find that the proposed ordinance that reflects the new revised project does not conform with the April 4, 2013 action of the City Planning Commission, and therefore, I disapprove the ordinance approved by the City Planning Commission, and recommend that it not be adopted by the City Council.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael J. Logrande for me".

MICHAEL J. LOGRANDE
Director of Planning

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

June 26, 2013

TO: Honorable City Councilmembers

FROM: Michael LoGrande, Director of Planning *ju for mlg*
Department of City Planning

SUBJECT: **CASDEN SEPULVEDA MIXED USE PROJECT**
CASE NO. CPC-2008-4604-GPA-ZC-HD-CUB-DB-SPR

On April 4, 2013, the City Planning Commission issued their determination for the Casden Sepulveda project, which was comprised of 638 residential dwelling units and 160,000 square feet of commercial uses in the West Los Angeles Community Plan area.

On June 24, 2013, the Applicant submitted a letter proposing a new revised project for City Council consideration that reduces the overall scope of the project to include a maximum of 595 residential dwelling units and 15,000 square feet of commercial uses. Briefly, the revisions to the proposed Project are summarized below:

1. The MTA parcel is removed from the project and, as such, the requested General Plan Amendment, zone change, and height district change are withdrawn;
2. The overall project square footage is reduced from 785,564 square feet to 528,500 square feet;
3. The retail square footage is reduced from 160,000 square feet to 15,000 square feet;
4. The number of residential dwelling units is reduced from 638 to 595 total dwelling units, with 11 percent set aside for affordable very low senior units;
5. Building heights are reduced;
6. The building setback from the 405 Freeway would revert back to 350 feet in lieu of the 500-foot setback conditioned by the City Planning Commission; and
7. The Conditional Use for off-site sale of alcohol from one retail store and one big box store would be modified to apply to two retail establishments.

With regard to the California Environmental Quality Act ("CEQA"), additional CEQA review would only be necessary when changes to a proposed project cause a new significant environmental impact previously disclosed in the Draft Environmental Impact Report ("EIR"). The revised Project detailed above is smaller in scope and would not create new environmental impacts. In fact, several environmental impacts would be further reduced. For example, vehicular trips generated by the revised project will be less given the reduction in commercial square footage and, as a result, would reduce impacts to traffic, air quality, greenhouse gas emissions and noise.

In the City Council's consideration of the revised project, the Department of City Planning requests that the City Council direct Planning staff to modify the findings to reflect the revisions to the Project, and submits the following revisions to the proposed ordinance and conditions pertaining to CPC-2008-4604-GPA-ZC-HD-CUB-DB-SPR, as follows. Also, because the

revised project is not in substantial conformance with the project recommended for approval by the City Planning Commission, the City Council will need to disapprove the CPC-recommended project as part of its actions.

ZONE CHANGE

(Q) Qualified Conditions of Approval

- 2. Site Plan.** ~~The use and development of the subject property shall be in substantial conformance with the site plan stamped "Exhibit A" and dated March 18, 2013. Prior to the issuance of building permits, detailed development plans, including a site plan of the Project with the modifications described in the Planning Department's Report dated June 26, 2013 and illustrating elevations, facades, architectural treatments, on-site recreational amenities and a landscape/irrigation plan, shall be submitted for review and approval by the Planning Director Department after consultation with the Urban Design Studio. The plans shall comply with the provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.~~

Note: 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. Floor Area.** The total floor area shall be limited to a 3:1 floor area ratio which allows a maximum of 785,564 528,500 square feet, as defined by LAMC Section 12.21.1.A.5, within the project site, which excludes the MTA right-of-way.
- 4. Density.** The total residential density of the site shall be limited to ~~no more than a maximum of 638 595 dwelling units of which 11% shall be affordable units at the Very Low Income level subject to obtaining approval by the Director of Planning under LAMC Section 12.22.A.25.~~
- 5. Commercial.** The total commercial component shall not exceed 46015,000 square feet of leasable commercial floor area (to be comprised of retail and grocery market) on the subject site. The Applicant shall design the Project to include 15,000 square feet of neighborhood-serving commercial uses along the Sepulveda Boulevard frontage with a focus on the southeast corner of the building that faces the future Expo Rail Line station platform to the satisfaction of the Director of Planning in consultation with the Urban Design Studio. Retail uses along this corridor will provide services to the area, facilitate pedestrian traffic, serve future transit riders and activate the street.
- 6. Height.** For the purposes of describing the requirements for building heights of the subject project, all structures above the podium level shall be treated as separate buildings (notwithstanding the fact that they may be constructed of one structure), and the height of such structures and the podium itself shall be measured from the baseline elevation of 165 feet, which represents the point at which grade is measured pursuant to the LAMC (based upon an ALTA Survey prepared by HMK Engineering dated August 27, 2007). ~~No building or structure on the subject site shall exceed the height limits listed below, except for roof structures, pursuant to LAMC Section 12.21.B.3. six (6) stories or 85' (whichever is higher) above said baseline, except for the westernmost building, which shall not exceed ten (10) stories or 110' (whichever is higher) above such baseline. Pursuant to LAMC Section 12.21.B.3, roof structures may exceed these maximum heights.~~

- a. ~~Building 1: 96 feet.~~
- b. ~~Building 2: 126 feet.~~
- c. ~~Building 3: 126 feet.~~
- d. ~~Building 4: 196 feet.~~
- e. ~~Podium: 35 feet.~~

7. **Setbacks.** ~~All Buildings 1, 2, 3, and 4~~ shall be set back in accordance with LAMC Section 12.14-C,2.

8. **Parking.** The following shall be required for parking:

- a. Comply with LAMC Section 12.21.A.4 for market-rate residential units and ~~the any~~ commercial component of the project.
- b. Comply with LAMC Section 12.22.A.25 for Very Low Income Affordable Senior units.
- c. Guest Parking. The project shall provide a minimum one (1) guest parking space for every four (4) dwelling units. Fractional amounts shall be rounded up.

Note: In the event Vesting Tentative Tract map 70805 or any tract map issued for subject project is granted approval for parking requirement different from that required from CPC-2008-4604-GPA-ZC-HD-CUB-DB-SPR, the requirement that requires a greater parking requirement shall prevail.

Other Conditions

22. **Conversion of Parking Stalls to Bicycle Stalls.** In the event the Department of City Planning, in consultation with Council Office 5 and the Department of Transportation, determines the supply of bicycle parking stalls at the project site does not meet project residents and employees' demand for these stalls, additional bicycle parking spaces shall be provided on other levels of the parking garage to address the demand as limited below. If requested by the Applicant, guest parking spaces may be converted to bicycle stalls to satisfy this demand. In the event the number of bicycle stalls meets the long term bicycle parking requirements of the Bicycle Parking Ordinance, the Applicant will not be required to provide additional bicycle parking spaces.

23. **Bicycle Storage Facility.** ~~A secure public Bicycle Storage Facility, with lockers, repair and other services with the capacity to store a minimum of 40 bicycles shall be located on the transit plaza to the satisfaction of the City Planning, in consultation with Council Offices 5 and 11, to support "first mile/last mile" travel. The Bicycle Storage Facility shall be clearly marked on project plans. Intentionally deleted.~~

24. **Bicycle Parking within Subterranean Parking Levels.** Bicycle parking shall be clearly marked on the project plans. A minimum of 144 secured bicycle parking spaces shall be provided within the P-4, P-5, and P-6 P-1 levels of the subterranean parking garage for use by the residents of the Project. In addition, a minimum of one bicycle parking spaces for every 1,000 square feet of commercial retail space shall be provided at ground level of the project site for use by employees and patrons of commercial retail uses.

27. **Bikeway Safety Measures.** ~~Prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy, the Applicant shall submit plans to the Planning Department to install a Bikeway Safety System at the points where traffic from the project crosses the bikeway. The system would include caution signs for bicyclists, pedestrians~~

~~and drivers and mirrors for exiting drivers to see on-coming traffic, and flashing lights to indicate approaching vehicles. The Applicant shall also work with the MTA to design and install a signal system for the bikeway that will facilitate bicycle travel unless vehicular traffic to or from the site is detected and will prevent such vehicle traffic from queuing and blocking the bikeway. Intentionally deleted.~~

- 29. Congestion Reduction Service.** Prior to the issuance of any Temporary Certificate of Occupancy, the Applicant shall submit plans that identify a designated area within the development for a concierge service for residents and employees of the residential component of the development. The concierge services to be provided to these constituencies shall include, among other things, portions of the Applicant's Transportation Demand Management Program (TDM). The Applicant shall submit a list of responsibilities and programs, including but not limited to, organizing carpool and ridesharing that the residential concierge service/transit coordinator will undertake. The Applicant will also provide a menu of similar services to the employees of any commercial component of the project as part of its TDM Program, and these services shall be performed by the retail property manager/transit coordinator. These programs shall be to the satisfaction of the Planning Department, in consultation with Council Offices 5 and 11.
- 30. Informational Kiosks.** Prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy, the Applicant shall submit plans for an informational kiosks that shall be installed on the Developer Applicant's property in proximity to the transit station within the Transit Plaza or on the Metropolitan Transportation Authority property if approved by the MTA. The informational kiosks shall be located to the satisfaction of the Planning Department and shall include transit schedules and routes and available modes of transportation near the Project site. The informational kiosks located on the Applicant's property may be non-exclusive, i.e. shall be permitted to display other community and project information in combination with transit information.
- 36. Wayfinding Signage.** Prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy, the Applicant shall submit plans for wayfinding signage along the perimeter of the Project property, at any above-ground podium level for residents, and throughout the site to increase awareness of non-car amenities, to the satisfaction of the Planning Department.
- 38. Residential Dwelling Units.** No residential dwelling units shall be within 500-350 feet of the Freeway. Prior to the issuance of any building permit, the applicant will be required to install air quality systems that would materially address PM, UFP, SOx, and NOx pollutants.
- 39. ~~Big Box Retail and Grocery Market Entrance/Exit.~~** ~~The Applicant shall design the Project to include an Entry/Exit access point at the southeast portion for the big box retail store and grocery market. The entry/exit access point shall not be limited to an emergency exit but shall serve as an additional entry/exit for the patrons. Intentionally deleted.~~
- 40. ~~Public Restrooms.~~** ~~The Applicant shall submit final plans detailing the incorporation of public restrooms located at the southeast portion of the project site to the satisfaction of the Director of Planning. The final design shall specify the location of the facilities and identify how access to and from the facility will be achieved. Intentionally deleted.~~
- 41.A Improve Crosswalks.** Provide crosswalk improvements that include visible continental striping that distinguishes the crosswalk area at Pico and Sepulveda Boulevards, Exposition and Sepulveda Boulevards, and Pearl Street or Richland Avenue and Sepulveda Boulevard, if signalized.

- 41.B Extension of Tennessee Avenue to Sepulveda Boulevard. Subject to DOT and other approvals, the Applicant shall investigate the traffic impact and feasibility of restoring vehicular access along Tennessee Avenue between Pontius Avenue and Sepulveda Boulevard and, if deemed desirable, shall support the City's effort to re-establish this public way.
- 41.C HVAC System for Freeway Proximate Units. Residential units facing and within 500 feet of Interstate 405 shall have the specially-designed HVAC systems that, at a minimum, can provide 10% positive pressure using filtered outside air in accordance with MERV 13 standards. For all other residential portions of the Development Project, an air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE standard 52.2 MERV 13, to the satisfaction of the Department of Building and Safety.
42. Subject to LADOT approval, provide a traffic signal on Sepulveda Boulevard at either Pearl Street or Richland Avenue.

CONDITIONAL USE AND SITE PLAN REVIEW

Site Plan Conditions of Approval

2. **Site Plan.** ~~The use and development of the subject property shall be in substantial conformance with the site plan stamped "Exhibit A" and dated March 18, 2013. Prior to the issuance of building permits, detailed development plans, including a site plan of the Project with the modifications described in the Planning Department's Report dated June 26, 2013 and illustrating elevations, facades, architectural treatments, on-site recreational amenities and a landscape/irrigation plan, shall be submitted for review and approval by the Planning Director Department after consultation with the Urban Design Studio. The plans shall comply with the provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.~~

Note: 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. **Floor Area.** ~~The total floor area shall be limited to a 3:1 floor area ratio which allows a maximum of 785,564 528,500 square feet, as defined by LAMC Section 12.21.1.A.5, within the project site, which excludes the MTA right-of-way.~~
4. **Density.** ~~The total residential density of the site shall be limited to no more than a maximum of 638 595 dwelling units of which 11% shall be affordable units at the Very Low Income level subject to obtaining approval by the Director of Planning under LAMC Section 12.22.A.25.~~
5. **Commercial.** ~~The total commercial component shall not exceed 46015,000 square feet of leasable commercial floor area (to be comprised of retail and grocery market) on the subject site. The Applicant shall design the Project to include 15,000 square feet of neighborhood-serving commercial uses along the Sepulveda Boulevard frontage with a focus on the southeast corner of the building that faces the future Expo Rail Line station platform to the satisfaction of the Director of Planning in consultation with the Urban Design Studio. Retail uses along this corridor will provide services to the area, facilitate pedestrian traffic, serve future transit riders and activate the street.~~
6. **Height.** ~~For the purposes of describing the requirements for building heights of the subject project, all structures above the podium level shall be treated as separate buildings (notwithstanding the fact that they may be constructed of one structure), and the height of such structures and the podium itself shall be measured from the baseline elevation of 165 feet, which represents the point at which grade is measured pursuant to the LAMC (based upon an ALTA Survey prepared by HMK Engineering dated August 27, 2007). No building or structure on the subject site shall exceed the height limits listed below, except for roof structures, pursuant to LAMC Section 12.21.B.3. six (6) stories or 85' (whichever is higher) above said baseline, except for the westernmost building, which shall not exceed ten (10) stories or 110' (whichever is higher) above such baseline. Pursuant to LAMC Section 12.21.B.3, roof structures may exceed these maximum heights..~~
 - a. ~~Building 1: 96 feet.~~
 - b. ~~Building 2: 126 feet.~~
 - c. ~~Building 3: 126 feet.~~
 - d. ~~Building 4: 196 feet.~~
 - e. ~~Podium: 35 feet.~~

7. **Setbacks.** ~~All buildings 1, 2, 3, and 4~~ shall be set back in accordance with LAMC Section 12.14-C,2.
8. **Parking.** The following shall be required for parking:
 - a. Comply with LAMC Section 12.21.A.4 for market-rate residential units and ~~the any~~ commercial component of the project.

Conditional Use Conditions of Approval

7. The conditional use authorization herein is for the sale of alcoholic beverages for off-site consumption within the development at two (2) one (1) retail store uses and (1) grocery store. The following conditions shall also apply:
 - a. ~~The applicant or individual operator shall file a Plan Approval with the department of City Planning prior to the utilization of any grant made herein pursuant to the sale of alcoholic beverages. Each plan approval shall be accompanied by the payment of appropriate fees, pursuant to Section 19.01 C of the Municipal Code, and must be accepted as complete by the Department of City Planning. Mailing labels shall be provided by the applicant for all abutting property owners. In reviewing the plan approvals for alcohol sales and consumption, the Director of Planning may consider conditions volunteered by the applicant or suggested by the Police Department, but not limited to establishing conditions, as applicable, on the following: hours of operation, security plans, maximum seating capacity, valet parking, noise, character and nature of operation, food service and age limits.~~
 - a.b. Prior to the issuance of any permits relative to this matter, At the time of submission of detailed development plans as described in Condition No. 2 (Site Plan) above, the applicant shall submit an overall security plan for the project site which shall be prepared in have consulted consultation with the Los Angeles Police Department and which to addresses security measures for the protection of visitors, residents and employees. The project shall include appropriate security design features for semi-public and private spaces, which may include, but shall not be limited to: access control to buildings; secured parking facilities; walls/fences with key security; lobbies, corridors, and elevators equipped with electronic surveillance systems; well-illuminated semi-public space designed with a minimum dead space to eliminate areas of concealment; and location of toilet facilities or building entrances in high foot traffic areas.
 - b.c. Prior to issuance of the certificate of occupancy, the applicant shall submit copies of the plot plan(s) for review and approval to the Fire Department. The Fire Department's approval shall be shown via a stamp on all plans submitted to the Zoning Administrator for sign-off.
 - ~~d. The project site managers, individual business owners, and employees of all private security officers shall adhere to and enforce the 10 p.m. curfew loitering laws concerning all minors within the grounds of the project site without a parent or adult guardian. The project site managers, individual business owners, or employees of all private security officers shall monitor the area under its control, in an effort to prevent loitering of persons about the premises.~~

- ~~c.e.~~ At least one on-duty manager from the two (2) retail uses granted alcoholic beverage within the facility shall be on the premises at all times that the facility is retail uses are open for business.
- ~~d.f.~~ All public telephones shall be located within the interior of the establishment structure. No public phones shall be located on the exterior of the premises under the control of the establishment.
- ~~e.g.~~ The ~~applicant~~ future operator shall secure a City permit decal denoting approval of alcoholic beverage sales from a Planning Department public counter subsequent to the Zoning Administrator's signature on the Planning Department sign-off form and mount it on either the inside of the window of the subject site facing the street or on the outside of the building (if inside mounting is not possible). The decal shall be visible at all times and mounted before the privileges granted herein are utilized.
- ~~f.h.~~ There shall be no exterior window signs of any kind or type promoting alcohol products.
- ~~i.~~ ~~There shall be no advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.~~
- ~~q.j.~~ Within six months of the initiation of alcohol sales, all employees and management of the market and retail store involved in alcohol sales shall be required to complete the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) training program regarding alcohol sales. Upon completion of such training, the ~~applicant~~ operator shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is a change in the licensee and/or a change in employees, within six months of change, this training program shall be required for all new staff.
- ~~h.k.~~ Signs shall be posted in a prominent location stating that California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age. "No loitering or Public Drinking" signs shall be posted outside the subject facility.
- ~~i.l.~~ The ~~applicant~~ operator shall designate a community liaison that shall be available to meet with representatives of the Neighborhood Council, community groups, or neighborhood associations to respond to any community concerns regarding the sale of alcohol.
- ~~m.~~ ~~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 Department to impose additional corrective conditions, if, it is determined by the City Planning Department that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.~~
- ~~l.n.~~ If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the City Planning Department will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated

fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

k.o. **Plan Approval.** ~~The applicant or individual operator shall file a plan approval with the Department of City Planning prior to the utilization of any grant made herein pursuant to the sale of alcoholic beverages. The plan approval(s) shall be accompanied by the payment of appropriate fees, pursuant to Section 19.01.C of the Municipal Code, and must be accepted as complete by the Department of City Planning. Mailing labels shall be provided by the applicant for all abutting property owners. In reviewing the plan approval(s) for alcohol sales, the Zoning Administrator may consider conditions volunteered by the applicant or suggested by the Police Department (Community Problems Unit, 251 E. 6th Street, Room 332, Los Angeles, CA 90014), but not limited to establishing conditions, as applicable, on the following: time period of the grant (i.e. Five years); hours and days of operation; primary use(s); security plans; maximum seating capacity; maximum floor area; maximum occupancy; valet parking; noise; mode, character and nature of the operation; food service and age limits. Also, the plan approval review application is for the purpose of evaluating the effectiveness of all conditions, associated with alcoholic beverages and dance hall use of this granted action, as to whether additional conditions are necessary or whether conditions may be deleted. Any future operator utilizing this conditional use for the site must file a Plan Approval application to allow the City of Los Angeles to review the "mode and character" of the usage. The plan approval(s) shall be accompanied by the payment of appropriate fees, pursuant to Section 19.01.C of the Municipal Code, and must be accepted as complete by the Department of City Planning.~~

STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR has identified unavoidable significant impacts which will result from implementation of the Revised and Add Area Projects. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decision of the public agency allows the occurrence of significant impacts which are identified in a Final EIR but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the completed EIR and/or other information in the record. Article I of the City of Los Angeles CEQA Guidelines incorporates all of the State CEQA Guidelines contained in title 15, California Code of Regulations, section 15000 et seq. and hereby requires, pursuant to CEQA Guidelines Section 15093(b) that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the Final EIR which cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on the record of proceedings, including but not limited to the Final EIR, and other documents and materials that constitute the record of proceedings.

The following impacts are not mitigated to a less than significant level for the June 2013 Revised Project: Air Quality (Construction NOx and ROG and Operational ROG, NOx and CO); Land Use (Policy consistency and associated Air Quality/Health Risk Impacts); Noise (Construction and Operation); and Traffic, as identified in the Final EIR, and it is not feasible to mitigate such impacts to a less than significant level.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts will result from implementation of the June 2013 Revised Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible alternatives to the June 2013 Revised Project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the June 2013 Revised Project against their significant and unavoidable impacts, the City hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The below stated reasons summarize the benefits, goals and objectives of the June 2013 Revised Project, and provide the rationale for the benefits of those projects. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits individually would be sufficient to outweigh the adverse environmental impacts of the June 2013 Revised Project and justify their adoption and certification of the Final EIR.

- Implementation of the June 2013 Revised Project will create a high-quality multi-use development that increases density near major mass transit modes, promotes integrated urban living, provides neighborhood-serving retail adjacent to the proposed Sepulveda Station located on the MTA parcel next to project site, and furthers sound planning goals, including goals set out by SCAG for addressing regional housing needs through the development of infill sites.
- Implementation of the June 2013 Revised Project will replace existing uses that are incompatible with mass transit with uses that are complementary to the proposed development of a light rail station and Metro Rapid public transit.
- Implementation of the June 2013 Revised Project will diversify the housing stock in West Los Angeles, and improve the West Los Angeles job-housing balance by maximizing affordable and/or workforce housing development.

- Implementation of the June 2013 Revised Project will increase the provision of Senior Low Income and/or Very Low Income housing. The Revised Project includes 11% very low income housing units, which will help address the City's existing affordable housing shortage.

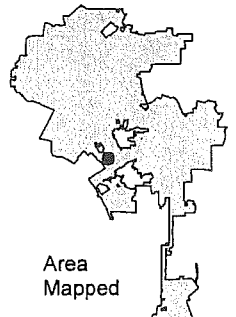
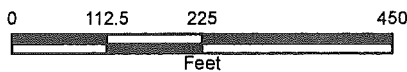
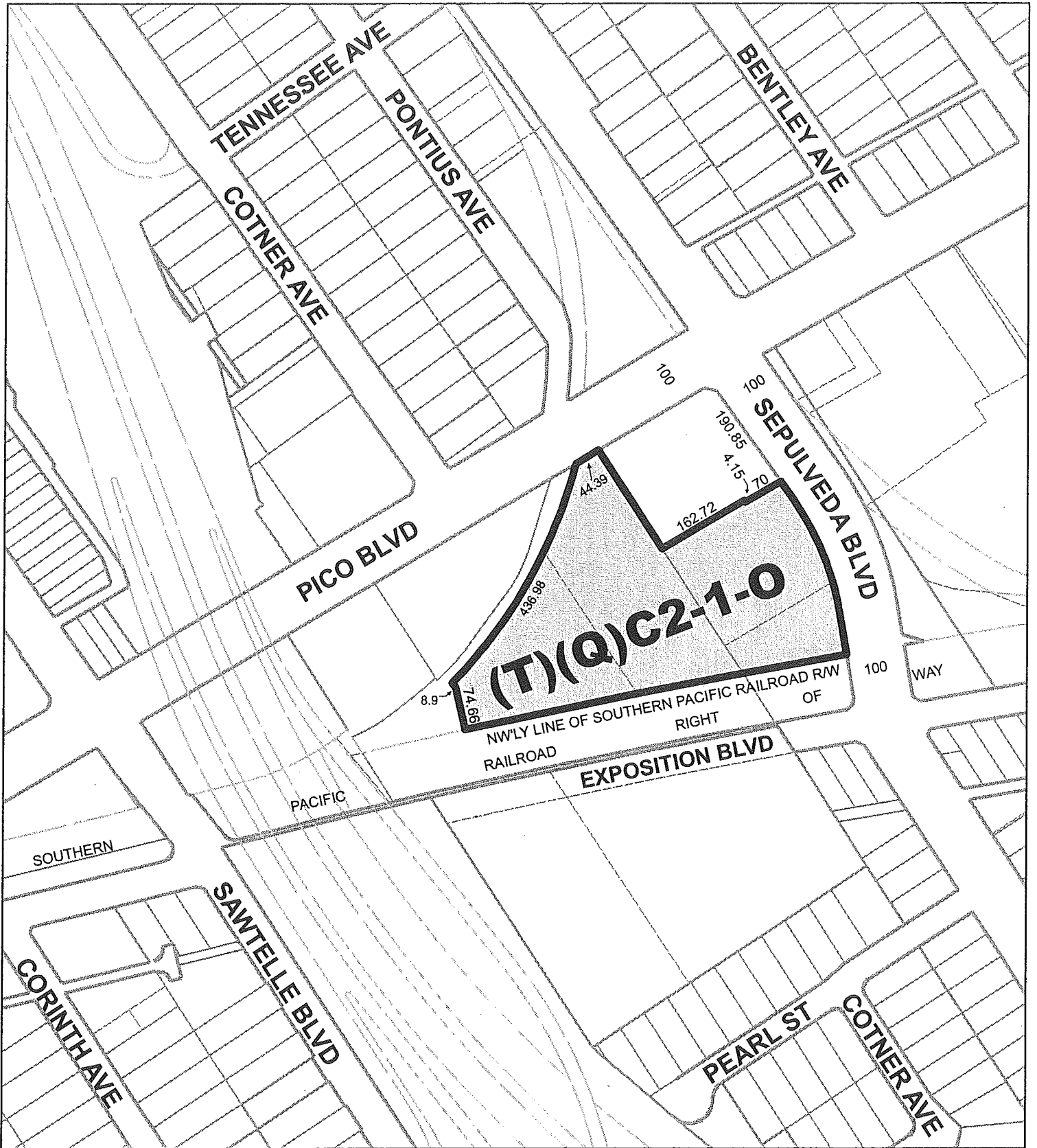
- Development of the June 2013 Revised Project will implement transit oriented development policies at a central location adjacent to a planned rail station and nearby bus lines. Implementing such policies can lower annual household driving rates, reduce air pollution and energy use, increase public safety, revitalize neighborhoods and decrease local infrastructure costs. The conditions of approval will facilitate the use of alternative modes of transportation.

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 zone classifications of properties shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.



C.M. 123 B 153 CPC-2008-4604-GPA-ZC-HD-CUB-DB-SPR

CFI

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Area Mapped

CONDITIONS FOR EFFECTUATING TENTATIVE (T) 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 tract map or by posting guarantees satisfactory to the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Planning Department for attachment to the subject City Plan Case.

1. **Dedications and Improvements.** Prior to the issuance of any building permit, 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), the following:
 - 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.** Comply with all street dedication requirements from the Bureau of Engineering.
 - C. **Street Improvements.** Comply with all street improvement requirements from the Bureau of Engineering.
2. **Street Lighting.** Install street lighting facilities as follows:
 - A. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
 - B. Construct new street lights: Five (5) on Sepulveda Boulevard and one (1) on Exposition Boulevard. If street widening per BOE improvement conditions, relocate and upgrade street lights: one (1) on Pico Boulevard, one (1) on Exposition Boulevard, and one (1) on Sawtelle Boulevard.

3. **Street Trees.** Construction of tree wells and planting of street trees and parkway landscaping 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. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.
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 fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings. (Mitigation Measure M-9)
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. (Mitigation Measure M-8)
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. (Mitigation Measures M5, M-6, M-7)
11. **Fire Department.** 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. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
 - b. During demolition, the Fire Department access will remain clear and unobstructed.

- c. The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.
- d. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- e. All access roads, including fire lanes, shall be maintained in an unobstructed manner, 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.
- f. Fire lane width shall not be less than 20 feet. 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.
- g. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
- h. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- i. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- j. Adequate public and private fire hydrants shall be required.
- k. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- l. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- m. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.
- n. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
- o. Any required fire hydrants to be installed shall be fully operational and accepted by Fire Department prior to any building construction.
- p. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- q. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

- r. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to the Building and Safety granting a Certificate of Occupancy.
 - s. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
 - t. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building. But in no case greater than 150 feet horizontal travel distance from the edge of the public street private street on Fire Lane. This stairwell shall extend unto the roof.
 - u. Entrance to the main lobby shall be located off the address side of the building.
 - v. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of site of the main entrance stairwell or the satisfaction of the Fire Department.
 - w. Site plans shall include all overhead utility lines adjacent to the site.
 - x. Any roof elevation changes in excess of 3 feet may require the installation of shops ladders.
 - y. The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by APPOINTMENT ONLY.
12. **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 by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice: Certificates of Occupancies for the subject properties 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.

(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 Project shall comply with the provisions of the C2 Zone, pursuant to Los Angeles Municipal Code Section 12.14, except where conditions herein are more restrictive.
2. **Site Plan.** Prior to the issuance of building permits, detailed development plans, including a site plan of the Project with the modifications described in the Planning Department's Report dated June 26, 2013 and elevations, facades, and architectural treatment, on-site recreational amenities and a landscape/irrigation plan, shall be submitted for review and approval by the Planning Director after consultation with the Urban Design Studio. The plans shall comply with the provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

Note: 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. **Floor Area.** The total floor area shall be limited to a 3:1 floor area ratio which allows a maximum 528,500 square feet, as defined by LAMC Section 12.21.1.A.5, within the project site, which excludes the MTA right-of-way.
4. **Density.** The total residential density of the site shall a maximum 595 dwelling units of which 11% shall be affordable units at the Very Low Income level subject to obtaining approval by the Director of Planning under LAMC Section 12.22.A.25.
5. **Commercial.** The total commercial component shall include a minimum of 5,000 square feet of leasable commercial floor area and shall not exceed 15,000 square feet of leasable commercial floor area on the subject site. The Applicant shall design the commercial component of the Project with neighborhood-serving commercial uses along the Sepulveda Boulevard frontage with a focus on the southeast corner of the building that faces the future Expo Rail Line station platform to the satisfaction of the Director of Planning in consultation with the Urban Design Studio. Retail uses along this corridor will provide services to the area, facilitate pedestrian traffic, serve future transit riders and activate the street.
6. **Height.** For the purposes of describing the requirements for building heights of the subject project, all structures above podium level shall be treated as separate buildings (notwithstanding the fact that they may be constructed of one structure), and the height of such structures and the podium itself shall be measured from the baseline elevation of 165 feet, which represents the point at which grade is measured pursuant to the LAMC (based upon an ALTA Survey prepared by HMK Engineering dated August 27, 2007). No building or structure on the subject site shall exceed six (6) stories or 85' (whichever is higher) above said baseline, or in the case of podium construction, above said podium (which shall itself not exceed 35 feet above said baseline) except for the westernmost building, which shall not exceed ten (10) stories or 110' (whichever is higher) above such baseline, or in the case of podium construction, above said podium. Pursuant to LAMC Section 12.21.B.3, roof structures may exceed these maximum heights.
7. **Setbacks.** All buildings shall be set back in accordance with LAMC Section 12.14-C.2.

8. **Parking.** The following shall be required for parking:
- a. Comply with LAMC Section 12.21.A.4 for market-rate residential units and any commercial component of the project.
 - b. Comply with LAMC Section 12.22.A.25 for Very Low Income Affordable Senior units.
 - c. **Guest Parking.** The project shall provide a minimum one (1) guest parking space for every four (4) dwelling units. Fractional amounts shall be rounded up.

Note: In the event Vesting Tentative Tract map 70805 or any tract map issued for subject project is granted approval for parking requirement different from that required from CPC-2008-4604-GPA-ZC-HD-CUB-DB-SPR, the requirement that requires a greater parking requirement shall prevail.

9. Prior to the issuance of any building permits, clearance shall be obtained for compliance for LEED Certification from the Department of City Planning, in accordance with the provisions of the Green Building Program (LAMC Section 16.10).

B. Other Conditions

10. **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 Pico Boulevard, Sepulveda Boulevard, Exposition Boulevard, and Sawtelle Boulevard 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.
11. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering construction 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.
12. **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.
13. **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.
14. **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 complain received on this hotline.

15. **Solid Waste.** The developer shall institute a recycling program to the satisfaction of the Planning Department to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.
16. **Noise (Residential).** All exterior windows shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or any amendment thereto. As an alternative, the developer may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
17. **Graffiti Removal.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
18. **Aesthetics.** The structure, or portions thereof shall be maintained in a safe and sanitary condition and good repair and free of graffiti, trash, overgrown vegetation, or similar material, pursuant to Municipal Code Section 91,8104. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
19. **Housing Requirements.** Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a rental covenant agreement with respect to the affordable units that shall run with the land and be satisfactory to the Los Angeles Housing Department (LAHD). The covenant shall bind the applicant and/or any subsequent property owner to reserve 11 percent of the dwelling units for occupancy by Very Low Income Senior households. These units will be restricted as affordable rental dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22-A,25. All density bonus calculations in fractional units shall be rounded up to the nearest whole number (Government Code Section 6591 5(9)(5)).
20. **Unbundling of Parking Stalls.** Prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy, the Applicant shall submit a plan to implement a program to unbundle residential parking and guest parking from the residential uses. This plan shall include a description of the rental program that shall ultimately set forth respective rent levels to tenants for a dwelling unit with and without parking spaces. The Applicant shall make parking available to each tenant as a separate item in the lease agreement, and offer lower rents to tenants who choose to lease a dwelling without parking spaces.
21. **MTA Passes and Unbundled Parking.** The Applicant shall offer an MTA B-TAP (Transit Access Pass) transit pass to residents who choose not to rent any parking space(s) with their residential unit. This transit pass shall be offered at no additional cost to the resident as long as the tenant resides within the development and continues to not rent any parking spaces with their residential unit and have documented their non-ownership of a car. The Applicant shall have the option to offer any such unused parking spaces to other residential and business tenants. Unbundled parking shall be offered to residential tenants for the life of the Project. Further, on a monthly basis and for a minimum term of 36 months, the Applicant shall provide a pool of up to 75 additional monthly transit passes for use on a first-come, first-serve basis for residential

tenants who request a pass by the 20th of the each preceding month, and have not already received such pass for that preceding month. The Applicant can satisfy this requirement by participating in programs offered by the MTA as applicable.

22. **Conversion of Parking Stalls to Bicycle Stalls.** In the event the Department of City Planning, in consultation with Council Office 5 and the Department of Transportation, determines the supply of bicycle parking stalls at the project site does not meet project residents and employees' demand for these stalls, additional bicycle parking spaces shall be provided on other levels of the parking garage to address the demand as limited below. If requested by the Applicant, guest parking spaces may be converted to bicycle stalls to satisfy this demand. In the event the number of bicycle stalls meets the long term bicycle parking requirements of the Bicycle Parking Ordinance, the Applicant will not be required to provide additional bicycle parking spaces.
23. **Bicycle Parking.** Bicycle parking shall be clearly marked on the project plans. A minimum of 144 secured bicycle parking spaces shall be provided within the P-1 level of the subterranean parking garage for use by the residents of the Project. In addition, a minimum of one bicycle parking space for every 1,000 square feet of commercial retail space shall be provided at ground level of the project site for use by employees and patrons of the commercial retail uses.
24. **Bike Share Program.** Prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy, the Applicant shall submit final plans detailing the incorporation of a bike sharing facility with a minimum 20 bike stalls set aside for the Bike Share Program to the satisfaction of the Director of Planning after consulting with the Department of Transportation (DOT). The final design shall specify the location of the facility and identify how access to and from the facility will be achieved.
25. **Car Sharing Parking Spaces.** A minimum of eight (8) parking spaces shall be set aside for a Car Sharing service (i.e., Zip Car), and located near the leasing office. The Applicant shall submit final plans detailing the location of a Car Sharing Program to the satisfaction of the Director of Planning.
26. **Employee and Resident Transportation Demand Management.** The Applicant shall implement trip reduction strategies that would encourage and incentivize project employees and residents to carpool, vanpool, or take transit or other modes. Such strategies may include, but not be limited to, the following: guaranteed ride home program, partially or fully subsidized, monthly or annual transit passes provided to all eligible project employees, rideshare matching, administrative support for formation of carpools/vanpools, bike and walk to work promotions, and preferential loading/unloading or parking location for ride-sharing.
27. **Congestion Reduction Service.** Prior to the issuance of any Temporary Certificate of Occupancy, the Applicant shall submit plans that identify a designated area within the development for a concierge service for residents and employees of the residential component of the development. The concierge services to be provided to these constituencies shall include, among other things, portions of the Applicant's Transportation Demand Management Program (TDM). The Applicant shall submit a list of responsibilities and programs, including but not limited to, organizing carpool and ridesharing that the residential concierge service/transit coordinator will undertake. The Applicant will also provide a menu of similar services to the employees of any commercial component of the project as part of its TDM Program, and these services shall be performed by the retail property manager/transit coordinator. These programs

shall be to the satisfaction of the Planning Department, in consultation with Council Offices 5 and 11.

28. **Informational Kiosk.** Prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy, the Applicant shall submit plans for informational kiosk that shall be installed on the Developer Applicant's property in proximity to the transit station or on the Metropolitan Transportation Authority property if approved by the MTA. The informational kiosk shall be located to the satisfaction of the Planning Department and shall include transit schedules and routes and available modes of transportation near the Project site. The informational kiosk located on the Applicant's property may be non-exclusive, i.e. shall be permitted to display other community and project information in combination with transit information.
29. **Driveway Paving.** All driveways shall have paving patterns that are differentiated from the pedestrian sidewalk to the satisfaction of the Urban Design Studio.
30. **Balconies.** Balconies within a line of site of a public right of way (i.e. Sepulveda Boulevard, Pico Boulevard, and Exposition Boulevard) shall be designed with a minimum of 50% of opaque or solid materials on the balcony walls. The applicant shall indicate on the final elevation plans the height of the balcony wall and material(s) being used to the satisfaction of the Planning Department.
31. **Enhanced Bus Stops.** Prior to the issuance of any building permit, the Applicant shall submit evidence to the satisfaction of the Planning Department, from the Department of Transportation that discussions have been made to fund enhanced bus stop improvements for the two stops located near the southwest corner of Pico Boulevard and Sepulveda Boulevard.
32. **Site Development.** Prior to the issuance of any building permit, the Applicant shall submit proposed updated development and architectural plans that include final design detailing building articulation, facades, and windows for the commercial retail uses and residential buildings to the satisfaction of the Director of Planning after consulting with the Urban Design Studio. The final design shall also include detailed information on hardscape and landscape materials, furniture, lighting, irrigation, pedestrian walkways on the podium level, bicycle facilities and parking, space dedicated for the Car-Share Program and Bike Share Program, and other features, such as water features, if proposed, and shall also address the south façade facing the Expo Line. Upon approval by the Director of Planning, the final design shall be deemed to be in substantial conformance with this condition.
33. **Driveway Plan.** Prior to the issuance of a demolition permit, the Applicant shall submit a driveway plan, to the satisfaction of DOT, which addresses:
 - a. Pedestrian safety and technology and equipment installed within the driveways proposed along Pico Boulevard and Sepulveda Boulevard.
 - b. All delivery truck loading and unloading shall take place on site with no vehicles backing into or out of the Project site from any adjacent street.

The driveway and circulation plan shall be submitted to DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 4th Floor, Station 3, at 213-482-7024) to avoid delays in the building permit approval process. In order to minimize and prevent

last minute building design changes, it is imperative that the Applicant, prior to the commencement of building or parking layout design efforts, contact DOT for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans to avoid any unnecessary time delays and potential costs associated with late design changes.

34. **Wayfinding Signage.** Prior to the issuance of any Certificate of Occupancy or Temporary Certificate of Occupancy, the Applicant shall submit plans for wayfinding signage along the perimeter of the Project property, at any above-ground podium level for residents, and throughout the site to increase awareness of non-car amenities, to the satisfaction of the Planning Department.
35. **Bus/Shuttle Layover Areas.** When reasonably appropriate prior notice has been given, the Applicant shall participate in all meetings conducted by staff of the applicable transit agencies pertaining to the development of bus/shuttle layover areas within or near the project site.
36. **Residential Dwelling Units.** No residential dwelling units shall be within 350 feet of the Freeway. Prior to the issuance of any Certificate of Occupancy, the applicant will be required to install air quality systems that would materially address PM, UFP, SOx and NOx pollutants.
37. **Affordable Senior Housing Building.** The Applicant shall maintain the restricted Affordable Senior units in a separate building form the unrestricted units, and shall design the restricted building to meet the physical and social needs of senior citizens so as to comply with California Civil Code Section 51.2.
38. **Improve Crosswalks.** Provide crosswalk improvements that include visible continental striping that distinguishes the crosswalk area at Pico and Sepulveda Boulevards, Exposition and Sepulveda Boulevards, and Pearl Street or Richland Avenue and Sepulveda Boulevard, if signalized.
39. **Extension of Tennessee Avenue to Sepulveda Boulevard.** Subject to the Department of Transportation and other approvals, the Applicant shall investigate the traffic impact and feasibility of restoring vehicular access along Tennessee Avenue between Pontius Avenue and Sepulveda Boulevard and, if deemed desirable, shall support the City's effort to re-establish this public way.
40. **HVAC System for Freeway Proximate Units.** Residential units facing and within 500 feet of Interstate 405 shall have the specially-designed HVAC systems that, at a minimum, can provide 10% positive pressure using filtered outside air in accordance with MERV 13 standards. For all other residential portions of the Development Project, an air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE standard 52.2 MERV 13, to the satisfaction of the Department of Building and Safety.
41. **Sepulveda Boulevard Traffic Signal.** Subject to the Department of Transportation approval, the Applicant shall provide a traffic signal on Sepulveda Boulevard at either Pearl Street or Richland Avenue.

C. Environmental Conditions**42. Aesthetics (Visual Resources/Views) and Geology**

- a. Mitigation Measure B-1: All open areas not used for building, driveways, pedestrian amenities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect.
- b. Mitigation Measure B-2: Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and in good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to LAMC Section 91.8104.
- c. Mitigation Measure B-3: The exterior of all buildings and fences shall be free from graffiti pursuant to LAMC Section 91.8104.15.
- d. Mitigation Measure B-4: On-site signs shall be limited to the maximum allowable under the LAMC.
- e. Mitigation Measure B-5: Multiple temporary signs in the store windows and along the building walls are not permitted.
- f. Mitigation Measure B-6: A landscape plan shall be prepared by a licensed landscape architect.
- g. Mitigation Measure B-7: The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.
- h. Mitigation Measure B-8: The Applicant shall prepare a street tree plan to be reviewed and approved by the City's Department of Public Works, Street Tree Division. All plantings in the public right-of-way shall be installed in accordance with the approved street tree plan.

43. Aesthetics (Light, Glare and Shadow)

- a. Mitigation Measure B-9: Outdoor lighting shall be designed and installed with shielding so that the light source cannot be seen from adjacent residential properties.
- b. Mitigation Measure B-10: All exterior windows and glass used on the building surfaces shall be non-reflective.
- c. Mitigation Measure B-11: All new street and pedestrian lighting within the public right-of-way shall be approved by the Bureau of Street Lighting and shall be tested in accordance with the requirements of the Bureau of Street Lighting.

- d. Mitigation Measure B-12: Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.
- e. Mitigation Measure B-13: Prior to the issuance of a building permit, architectural plans showing building surface materials shall be submitted to the Department of City Planning for review to ensure that specific surfacing materials and trim shall not cause roadway glare.

44. Air Quality (Construction)

- a. Mitigation Measure C-1: The Project Applicant shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project site throughout the construction of the Development Project. Project Applicant shall include in the construction contract documents the air quality control measures required and recommended by the SCAQMD. Examples of the types of measures currently required and recommended by SCAQMD include the following:
 - i) Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
 - ii) Use the most current grade of low-emission diesel fuel approved by ARB and available in the South Coast Air Basin for heavy-duty diesel-powered equipment operating and refueling at the Project site.
 - iii) Limit truck and equipment idling time to five minutes or less, when equipment is not in active use, as required by ARB.
 - iv) Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines wherever possible.
- b. Mitigation Measure C-2: Consistent with SCAQMD recommendations and to the extent feasible during Project construction, all internal combustion engines/construction equipment operating on the Project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following:
 - i) January 1, 2012 to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ii) Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- c. Mitigation Measure C-3: The Project Applicant shall implement appropriate dust control measures during each phase of development as required by SCAQMD Rule 403 – Fugitive Dust. Examples of the types of dust control measures currently required and/or recommended include, but are not limited to, the following:
- i) Water active grading/excavation sites and unpaved surfaces at least three times daily.
 - ii) Cover stockpiles with tarps or apply non-toxic chemical and soil binders.
 - iii) Limit vehicle speed on unpaved roads to 15 mph.
 - iv) Sweep daily (with water sweepers) all paved construction parking areas and staging areas.
 - v) Provide daily clean-up of mud and dirt carried onto paved streets from the site.
 - vi) Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
 - vii) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 mph over a 30-minute period or more.
 - viii) An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

45. Cultural Resources (Archeological Resources)

- a. Mitigation Measure D-1: A covenant and agreement shall be recorded between the Development Applicant and the City of Los Angeles Department of City Planning prior to obtaining a grading permit stating that if any archaeological resources are encountered during Project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the South Central Coastal Information Center (SCCIC) (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archeologist who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Archaeological survey, study or technical report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report. Project development activities may resume once copies of the archaeological survey, study or report are submitted to the SCCIS at CSU Fullerton. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.

46. Cultural Resources (Paleontological Resources)

- a. Mitigation Measure D-2: A covenant and agreement shall be recorded between the Development Applicant and the City of Los Angeles Department of City Planning prior to obtaining a grading permit stating that if any paleontological materials are encountered during the course of the Project development, the project shall be halted. The services of a qualified paleontologist approved by the City or County of Los Angeles and the Los Angeles County Natural History

Museum (LACM) Vertebrate Paleontology Section shall be retained to assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The paleontological survey, study or technical report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resources. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the LACM. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.

47. Cultural Resources (Human Remains)

- a. Mitigation Measure D-3: If human remains are discovered at the Project site during construction, work at the construction site shall be halted, and the City of L.A. Public works Department and County coroner shall be immediately notified. The County Coroner (1104 N. Mission Road, Los Angeles, CA 90033) can be contacted at (323) 343-0512 (8 a.m. to 5 p.m. weekdays) or (323) 343-0714 (after hours, weekends, and holidays). The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are determined by the County Coroner to be Native American, the Coroner has 24 hours to notify Native American Heritage Commission (NAHC). The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours, the owner shall reinter the remains in an area of the property secure from further disturbance, or, if the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

48. Geology and Soils (Expansive Soils)(Erosion)

- a. Mitigation Measure E-1: The Development Project shall be designed and constructed in accordance with the recommendations provided in the Geotechnical Report, which shall be approved by the Department of Building and Safety prior to issuance of building and grading permits.

49. Greenhouse Gases (Direct or Indirect Effects)

- a. Mitigation Measure F-1: The Development Project shall meet the requirements of the City of Los Angeles Green Building code. Specifically, as it relates to the reduction of GHG emissions, the Development Project shall:
 - i) Be designed to exceed Title 24 2008 standards by 15 percent;
 - ii) Reduce potable water consumption by 20 percent through the use of low-flow water fixtures; and
 - iii) Each appliance provided and installed shall meet ENERGY STAR if an ENERGY STAR designation is applicable for that appliance.

50. Hazards and Hazardous Materials (Routine Transport, Use or Disposal/Reasonably Foreseeable Upset and Accident Conditions) (Hazardous Materials Sites)

- a. Mitigation Measure G-1: If contamination is discovered at the Project site, prior to issuance of a building permit, the applicant shall obtain a "No Further Action" letter from the appropriate state or local agency that verifies all identified contaminants have been remediated to below the Maximum Concentration Levels (MCL) appropriate for residential use. The Project Applicant shall also receive verification from the appropriate state or local agency that all soil to be exported offsite is remediated to the appropriate levels for export.
- b. Mitigation Measure G-2: Prior to issuance of a building permit, the applicant shall selectively remove soils containing elevated arsenic from the site, and shall receive verification from the LACFD that acceptable MCL levels appropriate for residential uses are present across the site.
- c. Mitigation Measure G-3: Prior to issuance of a building permit, during site grading activities, environmental monitoring of on-site soils within disturbed areas in the former tank/clarifier areas shall be implemented pursuant to a site specific Soil Management Plan. Specifically, soils must be analyzed for TPH. The environmental monitoring must define the extent of any remaining soil contamination and the Soil Management Plan must identify and classify any contaminated soils encountered during excavation and grading, including appropriate remediation methods and reuse limitations, if any. Prior to issuance of a building permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified abatement consultant that no contaminated soils are present on-site. If any remaining contaminated soils are found to be present, a qualified abatement consultant shall abate the soils in compliance with Department of Building and Safety and other applicable state and federal regulations.
- d. Mitigation Measure G-4: Prior to issuance of a building permit, the applicant shall provide a letter to the LAFD Underground storage Tank Division from a qualified UST decommissioning consultant that no USTs are present on-site. If USTs are found to be present, a qualified UST consultant shall decommission the USTs in compliance with LAFD, RWQCB, and DTSC standards. ASTs shall also be decommissioned in compliance with applicable LAFD, RWQCB, and DTSC standards, which are designed to ensure that any residual materials within the tanks are properly removed, contained, and disposed and that no material spillage and resultant impact to soils and water quality results from the tank removal process.
- e. Mitigation Measure G-5: Prior to issuance of a demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified PCB abatement consultant that no PCBs are present on-site. If PCBs are found to be present, a qualified abatement consultant shall abate the site in compliance with the applicable city, state and federal rules and regulations. Such abatement will typically consist of removing the PCB containing materials while implementing protective measures to minimize dust generation, store PCB contaminated materials, regularly clean work areas, and properly dispose of contaminated protective clothing.

- f. Mitigation Measure G-6: Prior to issuance of a demolition permit, structures at the Project site that are to be demolished shall be examined for the presence of suspected ACMs by a qualified asbestos abatement consultant. Suspected ACMs that were not previously sampled shall be sampled and analyzed for asbestos content prior to any disturbance. Prior to issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If additional ACMs are found to be present, a qualified asbestos abatement consultant shall abate the buildings in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable state and federal rules and regulations. Asbestos abatement typically consists of sealing the building, removing the asbestos as sections are demolished, and utilizing specially designed vacuums to segregate the asbestos for removal from the site.
- g. Mitigation Measure G-7: Prior to issuance of a demolition permit, structures at the Project site that are to be demolished shall be examined for the presence of LBP by a qualified LBP removal contractor. Any contractor engaged to work in structures containing LBP who may disturb lead containing surfaces shall be notified of the hazard and their requirement to comply with applicable city, state, and federal regulations. Any LBP identified shall be abated by a qualified abatement contractor in accordance with all applicable city, state and federal regulations. Prior to issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified LBP removal consultant that no LBP is present in the buildings.

51. Hydrology and Water Quality (Groundwater/Water Quality)

- a. Mitigation Measure H-1: The Development Project shall be designed and constructed in accordance with the recommendations provided in a final geotechnical report, which shall be approved by the Department of Building and Safety prior to issuance of building and grading permits. The specific design recommendations presented in the comprehensive geotechnical report shall be incorporated into the design and construction of the Proposed Project.
- b. Mitigation Measure H-4: Prior to the issuance of a demolition and building permits, the applicant shall provide proof to the City that a NOI has been filed with the SWRCB for coverage under the General Construction Permit and a project-specific Risk Assessment, and SWPPP have been prepared. Such evidence shall consist of a copy of the NOI stamped by the SWRCB or Regional Board, or a letter from either agency stating that the NOI has been filed. The SWPPP shall include a menu of BMPs to be selected and implemented based on the phase of construction and the weather condition to effectively control erosion, sediment, and other construction-related pollutants to meet the Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology standards. The BMPs to be implemented during construction shall address the following:
 - i) Erosion Control;
 - ii) Sediment Control;
 - iii) Waste and Materials Management;
 - iv) Non-stormwater Management;
 - v) Training and Education; and

vi) Maintenance, Monitoring, and Inspections.

As required by the Construction General Permit, during all phases of construction, the Project shall implement BMPs consistent with the Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology standards. BMPs for reducing erosion and sediment control include site planning considerations, vegetative stabilization, physical stabilization, diversion of runoff, velocity reduction of runoff, and sediment trapping filter. In addition to the SWPPP, all earthwork on the Project site shall be performed in accordance with the requirements of the City of Los Angeles Building and Safety, the City of Los Angeles Civil Engineer of Record.

- c. Mitigation Measure H-5: The amount of exposed soils shall be limited and erosion control procedures implemented for those areas that must be exposed.
- d. Mitigation Measure H-6: Grading activities shall be phased so that graded areas are landscaped or otherwise covered, as quickly as possible after completion of activities.
- e. Mitigation Measure H-7: Appropriate dust suppression techniques, such as watering or tarping shall be used in areas that must be exposed.
- f. Mitigation Measure H-8: All waste shall be disposed of properly. Appropriately labeled recycling bins shall be used to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- g. Mitigation Measure H-9: Leaks, drips, and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- h. Mitigation Measure H-10: The construction contractors and users of the Project site shall not hose down pavement at material spills. Dry cleanup methods shall be used whenever possible.
- i. Mitigation Measure H-11: Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or cover with tarps or plastic sheeting.
- j. Mitigation Measure H-12: Truck loads shall be tarped.
- k. Mitigation Measure H-13: Simple sediment filters shall be constructed at or near the entrances to the municipal storm drain system wherever feasible.
- l. Mitigation Measure H-14: Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.
- m. Mitigation Measure H-15: All construction areas shall be secured to control off-site migration of pollutants. The Project applicant/developer shall conduct truck-wheel cleaning and truck washing to prevent dirt in storm water.

- n. Mitigation Measure H-16: All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- o. Mitigation Measure H-17: The Project applicant/developer shall keep vehicles in good working order.
- p. Mitigation Measure H-18: The Project Applicant shall implement storm water BMPs to capture and manage 100 percent from a storm event producing $\frac{3}{4}$ inch of rainfall in a 24-hour period in the following order of priority: infiltration, evapotranspiration, capture and reuse, City approved bio-filtration/retention system BMP or combination of the above. The design of structural BMPs shall be in accordance with the LID Section of the Development Best Management Practices Handbook Part B Planning Activities. If the Bureau of Sanitation Stormwater Protection Division determines that the above 100 percent capture is infeasible, then the Project Applicant shall implement offsite mitigation within the same sub-watershed for the same. Prior to issuance of a building permit, the Applicant shall be required to verify the Stormwater Protection Division's approval of the LID strategies and submit a signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold.
- q. Mitigation Measure H-19: Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where increased peak stormwater discharge rate will result in increased potential for downstream erosion.
- r. Mitigation Measure H-20: The Project Applicant shall utilize trees and other vegetation by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- s. Mitigation Measure H-21: Impervious surface area shall be minimized by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; until pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- t. Mitigation Measure H-22: Any connection to the sanitary sewer shall have authorization from the Bureau of Sanitation.
- u. Mitigation Measure H-23: Toxic wastes shall be discarded at a licensed regulated disposal site. Trash dumpsters shall be stored under cover and with drains routed to the sanitary sewer, or use non-leaking and water-tight dumpsters with lids. Drip pans or absorbent materials shall be used whenever grease containers are emptied. Containers shall be washed in an area with properly connected sanitary sewer.
- v. Mitigation Measure H-24: Wastes shall be reduced and recycled, including: paper, glass, aluminum, oil, and grease.
- w. Mitigation Measure H-25: The use of hazardous materials and waste shall be reduced by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde.

- x. Mitigation Measure H-26: All storm drains inlets and catch basins within the Project area shall be stenciled with prohibitive language (such as "NO DUMPING – DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- y. Mitigation Measure H-27: Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks with the Project area.
- z. Mitigation Measure H-28: Legibility of stencils and signs shall be maintained.
- aa. Mitigation Measure H-29: Materials with the potential to contaminate stormwater shall be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- bb. Mitigation Measure H-30: All storage areas shall be paved and sufficiently impervious to contain leaks and spills.
- cc. Mitigation Measure H-31: All outdoor storage areas shall have a roof or awning to minimize collection of stormwater within the secondary containment area.
- dd. Mitigation Measure H-32: The owner(s) of the properties shall prepare and execute covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.
- ee. Mitigation Measure H-33: Appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, shall be incorporated into the Proposed Project as specified by Section 91.7013 of the Building Code. Outlets of culverts, conduits, and channels shall be protected from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Sediment traps shall be installed below the pipe-outlet. Outlet protection shall be inspected, repaired, and maintained after each significant rain.

52. Hydrology and Water Quality (Surface Hydrology/Existing Drainage)

- a. Mitigation Measure H-2: The Applicant of the Development Project shall maintain all structural or treatment control BMPs for the life of the Development Project.
- b. Mitigation Measure H-3: The Proposed Development Project shall be designed and constructed in accordance with the recommendations provided in a final geotechnical report, which shall be approved by the Department of Building and Safety prior to issuance of building and grading permits.

53. Land Use Planning (Conflict with Land Use Plan, Policy or Regulation)

- a. Mitigation Measure I-1: The Development Project Applicant shall comply with all applicable zoning requirements of the requested zoning and shall incorporate traffic mitigation measures and/or pay any required fees set forth in the WLA

Transportation Improvement and Mitigation Specific Plan as determined by the LDOT.

- b. Mitigation Measure I-2: Prior to issuance of building permit, the Development Project shall demonstrate compliance with the applicant portions of both the Commercial Citywide Design Guidelines and the Residential Citywide Design Guidelines at the discretion of the Department of City Planning Urban Design Studio.
- c. Mitigation Measure I-3: For the residential portion of the Development Project, an air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE standard 52.2 Minimum Efficiency Reporting Value (MERV) of 13, to the satisfaction of the Department of Building and Safety.

54. Noise (Cumulative Construction and Operation) and Vibration (Construction and Operation)

- a. Mitigation Measure K-1: Construction at the Project site shall occur only between 7:00 AM and 9:00 PM Monday through Friday and between 8:00 AM and 6:00 PM on Saturdays and national holidays. There shall be no construction activities on Sundays.
- b. Mitigation Measure K-2: Loading dock activities that occur outside at the Project site shall occur only between 7:00 AM and 10:00 PM. Exterior loading dock activities shall not be permitted on site outside of these hours.
- c. Mitigation Measure K-3: Delivery truck drivers shall minimize acceleration and maintain reduced vehicle speeds while on site. Signs shall be posted instructing delivery truck drivers to turn off their engines in the parking and loading areas (with the exception of refrigerated delivery trucks or other vehicles that require power to safely maintain their cargo), and to maintain quiet operations while on site. This includes turning off radios/stereo systems in the delivery trucks. All delivery trucks shall be required to have properly maintained, factory-approved mufflers.
- d. Mitigation Measure K-4: There shall be no speed bumps or uneven pavement in the loading dock area or on the driveway serving the loading dock.
- e. Mitigation Measure K-5: Once detailed architectural plans for the Proposed Project are available, an acoustical study shall be conducted to verify that the interior noise level at all residential units on the Project site shall not exceed the City's standard of 45 dB CNEL. The design features required to achieve compliance may include one or more of the following elements, as verified by the acoustical study: sound-rated windows and doors, size and orientation of windows relative to the noise sources (streets, freeway, and light rail line), upgraded exterior wall construction, insulation batts, and forced air ventilation/air conditioning. The study shall address both existing and future noise levels.
- f. Mitigation Measure K-6: Once detailed mechanical plans for the Proposed Project are available, an acoustical study shall be conducted in order to verify that the future noise levels generated by mechanical equipment (air conditioners, elevator equipment, refrigeration equipment, exhaust fans, etc.) at the Project site comply with the City's noise ordinance standards. The study shall address

potential impacts of noise from commercial portions of the Proposed Project on residential portions of the Project Site as well as impacts at off-site receptors. The design features necessary to achieve compliance may include one or more of the following elements, as verified by the acoustical study: selecting quieter equipment, adding or upgrading silencers, improving the design of mechanical penthouses, raising the height of rooftop parapet walls, placing equipment inside a building, and/or installing screen walls around individual equipment items.

- g. Mitigation Measure K-7: During the construction phase, the Project Contractor shall store and maintain equipment as far away as is reasonably possible from residential areas and noise-sensitive receptors.

55. Public Services (Fire Protection)

- a. Mitigation Measure M-1: The Development Project shall provide for and install a 10-inch water main to serve the Project site to satisfy the required 4,000 gallons-per-minute fire flow.
- b. Mitigation Measure M-2: The Project Applicant shall submit a plot plan to the LAFD prior to occupancy of the Project, for review and approval, which shall provide the capacity of the fire mains serving the Project site. Any required upgrades shall be identified and implemented prior to occupancy of the Project.
- c. Mitigation Measure M-3: The Development Project shall comply with all fire code and ordinance requirements for building construction, emergency access, water mains, fire flows, and hydrant placement. Prior to the issuance of a certificate of occupancy for any phase of the Project, the Applicant shall implement all fire code and ordinance requirements to the satisfaction of the LAFD.
- d. Mitigation Measure M-4: The design of the Project site shall provide adequate access for LAFD equipment and personnel to the structure.

56. Public Services (Police Protection)

- a. Mitigation Measure M-5: During construction activities, the Development Project developer shall ensure that all on-site areas of active development, material and equipment storage, and vehicle staging, that are adjacent to existing public roadways, be secured to prevent trespass.
- b. Mitigation Measure M-6: The Development Project design shall address:
 - i) Access control to proposed structures including parking areas;
 - ii) Proposed security lighting; and
 - iii) Landscaping planning and minimization of dead space to eliminate areas of concealment.
- c. Mitigation Measure M-7: The Development Project shall comply with The Design Out Crime Guidelines: Crime Prevention Through Environmental Design, published by LAPD. Additionally, all crime prevention features shall be reviewed by LAPD prior to the issuance of a building permit.

57. Public Services (Schools)

- a. Mitigation Measure M-8: The applicant shall be required to pay LAUSD developer school fees to the satisfaction of the administering agency.

58. Public Services (Parks and Recreation)

- a. Mitigation Measure M-9: The Development Project Applicant shall pay all required parkland fees pursuant to LAMC Section 21.10.3(a)(1).
- b. Mitigation Measure M-10: In consultation with the City of Los Angeles Department of Recreation and Parks, the Development Project Applicant shall be required to comply with one or more of the following: 1) dedicate two acres of parkland per 1,000 residents, 2) pay in-lieu fees for any land dedication requirement shortfall, or 3) provide on-site improvements equivalent in value of the in-lieu fees, or any portion thereof.

59. Public Services (Libraries)

- a. Mitigation Measure M-11: The Development Project Applicant shall pay a mitigation fee of \$200 per capita based upon the projected residential population generated as a result of the build-out of the proposed development.

60. Transportation and Traffic (Access)

- a. Mitigation Measure N-9: Prior to issuance of a Certificate of Occupancy, the Development Project Applicant shall install a new eastbound left-turn lane (approximately 50-foot-pocket plus appropriate transitions) and a new westbound right-turn lane (approximately 100-foot-pocket plus appropriate transitions on Exposition Boulevard).

61. Transportation and Traffic (Intersections/Street Segments) and Air Quality (Operations)

- a. Mitigation Measure N-1: Prior to issuance of a Building Permit, the development Project Applicant shall pay traffic impact fees to the City, based on the requirements of the WLA TIMP.
- b. Mitigation Measure N-2: Prior to issuance of a Certificate of Occupancy, the Development Project Applicant shall prepare and implement a Transportation Demand Management (TDM) program to the satisfaction of LADOT to reduce traffic impacts of the Development Project encouraging Development Project residents, employees, and patrons to reduce vehicular traffic on the street and freeway system during the most congested time periods of the day. The TDM program shall include implementation of several TDM strategies, including, but not limited to the following:
 - i) On-site Transportation Coordinator, in charge of the following:
 - a) Carpool/Vanpool and Rideshare matching
 - b) Preferential Vanpool/Carpool Parking
 - c) Enrollment in Metro's B-Tap pass program (annual group rate discounted transit passes) for all onsite residential occupants and retail employees
 - d) Parking Cash-Out

- e) Flex-Use Vehicles
 - f) Guaranteed Ride Home
 - ii) Bicycle Racks and Showers/Lockers
 - iii) Flexible Work Hours/Telecommute Opportunities
 - iv) Bus/Transit Stop Shelters and/or Amenities
 - v) Wayfinding Information and Signage
- c. Mitigation Measure N-3: The Applicant shall implement a mitigation package in coordination between LADOT and Council District 5, and the surrounding community that shall include the three major components listed below. The determination of the "fair share" cost of this mitigation shall be subject to final approval by Council District 5 and LADOT. Subsequent to this determination, the Applicant shall be responsible for executing the appropriate agreement to guarantee the Development Project's obligation to said agreement, prior to the issuance of any certificate of occupancy.
- i) The Applicant shall provide funding assistance, fair share cost consideration, at the discretion of LADOT, for all aspects of the Expo Light Rail (ELR) Phase 2 – Pico Boulevard/Sepulveda Boulevard Station development including: grade separated station construction, transit station enhancements, parking meter technology upgrades, shuttle/circular services, etc.
 - ii) The Applicant shall provide funding assistance, fair share cost consideration at the discretion of LADOT, for all applicable aspects of the City's Mobility Hub concept to the planned ELR Phase 2 Pico/Sepulveda Station including, but not limited to such measures as: secure bicycle parking, bicycle sharing, hourly car rentals, and a folding bike leasing program.
 - iii) The Applicant shall provide funding assistance, fair share consideration at the discretion of LADOT, for all available Capital Improvement projects in the general area surrounding the Project site.
- d. Mitigation Measure N-4: Prior to issuance of a Certificate of Occupancy, the Development Project Applicant shall widen the northwest corner of the Ohio Avenue and Sepulveda Boulevard intersection within the existing right-of-way to construct a new southbound right-turn only lane on Sepulveda Boulevard at this location.
- e. Mitigation Measure N-5: Prior to issuance of a Certificate of Occupancy, the Development Project Applicant shall restripe the southbound approach of Westwood Boulevard at the intersection of Olympic Boulevard and Westwood Boulevard within the existing roadway width to add a new right-turn-only lane.
- f. Mitigation Measure N-6: Prior to issuance of a Certificate of Occupancy, at the intersection of Tennessee Avenue/San Diego southbound off-ramp and Sawtelle Boulevard, the Development Project Applicant shall convert the existing through/right-turn lane of the off-ramp to a left-turn/through/right-turn lane, and reconfigure the traffic signal phasing to provide opposed east-west signal indications. (This measure requires review and approval from Caltrans).
- g. Mitigation Measure N-7: Prior to issuance of a Certificate of Occupancy, at the intersection of Pico Boulevard and Barrington Avenue, the Development Project Applicant shall increase capacity by implementing the following:
- i. Restripe the northbound approach of Barrington Avenue within the existing roadway width to provide an exclusive right-turn-only lane; and

- ii. Install new left-turn signal phasing (protected/permissive) for both the northbound and southbound approaches of this intersection, consistent with the City's ongoing left-turn phasing installation program.
- h. Mitigation Measure N-8: Prior to issuance of a Certificate of Occupancy, at the intersection of Venice Boulevard and Sepulveda Boulevard, the Development Project applicant shall do the following:
 - i) Widen the east side of Sepulveda Boulevard north of Venice Boulevard, and restripe the northbound approach to convert the existing right-turn only lane to a shared through/right-turn lane; and
 - ii) Restripe the north leg of Sepulveda Boulevard to provide a third northbound "receiving" lane, which will ultimately transition back to the two existing northbound travel lane configuration.

62. Transportation and Traffic (Bicycle, Pedestrian, and Vehicular Safety)

- a. Mitigation Measure N-10: Prior to issuance of a Certificate of Occupancy, the Development Project Applicant shall install the following features: new sidewalks and reconstruction of the sidewalks adjacent to the Project site to allow for easier pedestrian flow; caution signage for bicyclists, pedestrians, and drivers at the Development Project driveway; mirrors at the Development Project driveway to allow drivers existing the site to check for on-coming traffic; flashing lights at the Development Project driveway to indicate that a car is approaching the exit.

63. Utilities and Service Systems (Water)

- a. Mitigation Measure O-1: The landscaped irrigation system shall be designed, installed, and tested to provide uniform irrigation coverage for each zone. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets. Each zone (sprinkler valve) shall water plants having similar watering needs (do not mix shrubs, flowers and turf in the same watering zone).

Automatic irrigation timers shall be set to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times shall be adjusted for all zones seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be adjusted to avoid water runoff, especially when irrigating sloped property.

The irrigation systems shall also meet the following requirements:

- i) Weather-based irrigation controller with rain shutoff;
 - ii) Flow sensor and master valve shutoff (large landscapes);
 - iii) Matched precipitation (flow) rates for sprinkler heads;
 - iv) Drip/microspray/subsurface irrigation where appropriate;
 - v) Minimum irrigation system distribution uniformity of 75 percent;
 - vi) Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials; and
 - vii) Use of landscaping contouring to minimize precipitation runoff.
- b. Mitigation Measure O-2: Prior to issuance of a building permit, the Applicant of the Development Project shall submit a Landscape Plan that includes the water budget calculations and the estimated total water use (ETWU) of the project's

landscape. The ETWU shall not exceed the Maximum Applied Water Allowance (MAWA) of the State's Model Water Efficient Landscape Ordinance. The project landscaping shall comply with all other requirements of the State's Model Water Efficient Landscape Ordinance. In addition, drought-tolerant, low water consuming plant varieties shall be used to reduce irrigation water consumption. For a list of these plant varieties, refer to Sunset Magazine, October 1988, "The Unthirsty 100," pp. 74-83, or consult a landscape architect.

- c. Mitigation Measure O-3: The Applicant of the Development Project shall use recycled water (where available) for appropriate end uses (irrigation, cooling towers, sanitary).
- d. Mitigation Measure O-4: The Applicant of the Development Project shall install ultra-low-flush high-efficiency toilets (1.28 gallons/flush or less, includes dual flush), ultra-low-flush high-efficiency urinals (0.5 gallons/flush or less, includes waterless), and water-saving showerheads (2.0 gallons/minute or less) in both new construction and when remodeling and limited to one showerhead per shower stall. Low flow faucet aerators shall be installed on all sink faucets with a faucet flow rate of 1.5 gallons/minute or less.
- e. Mitigation Measure O-5: Significant opportunities for water savings exist in air conditioning systems that utilize evaporative cooling (i.e. employ cooling towers). Cooling towers shall be operated at a minimum of 5.5 cycles of concentration.
- f. Mitigation Measure O-6: The Applicant of the Development Project shall install domestic water heating systems located in close proximity to point(s) of use, as feasible. Tank-less and on-demand water heaters shall be used as feasible. Recirculating or point-of-use hot water systems can reduce water waste in long piping systems where water must be run for considerable periods before heated water reaches the outlet.
- g. Mitigation Measure O-7: The Applicant of the Development Project shall install high-efficiency clothes washers (water factor of 5.0 or less for residential and 7.5 for commercial) where clothes washers are provided, and high-efficiency dishwashers (Energy Star rated) shall be installed where dishwashers are provided. Water conserving clothes washers and dishwashers are now available from many manufacturers. Water savings also represent energy savings, in that water saved by these appliances is typically heated.
- h. Mitigation Measure O-8: The Applicant of the Development Project shall install onsite water recycling systems for wastewater discharge for commercial laundries, dye houses, food processing, certain manufacturing operations, etc. (subject to a payback threshold of five years or less).
- i. Mitigation Measure O-9: Single-pass cooling shall be prohibited.
- j. Mitigation Measure O-10: The Applicant of the Development Project shall install metering systems as follows:
 - i) All dwelling units shall have individual metering and billing for water use; and
 - ii) All irrigated landscapes of 5,000 square feet or more require separate metering or submetering.

- k. Mitigation Measure O-11: Should it be determined that the existing water main infrastructure is unable to accommodate the estimated water consumption for the Project site, the Applicant of the Development Project shall make special arrangements with LADWP to enlarge the supply lines.

64. Utilities and Service Systems (Wastewater)

- a. Mitigation Measure O-12: Prior to issuance of building permit, the Los Angeles Bureau of Sanitation (LABS) shall verify that sufficient wastewater conveyance capacity exists to accommodate the project's wastewater. If it found that the adjacent sewer infrastructure has insufficient capacity for the Proposed Project, the developer shall be required to build another sewer line or additional laterals with direct flow to the nearest, larger line that has the available capacity. Final verification not sufficient capacity shall be demonstrated prior to issuance of any Certificate of Occupancy.

65. Utilities and Service Systems (Solid Waste)

- a. Mitigation Measure O-13: In compliance with City Ordinance 171,687, the construction contractor shall provide space for recycling containers.
- b. Mitigation Measure O-14: In compliance with AB 939, the construction contractor shall only contract for waste disposal services with a company that recycles construction-related wastes.
- c. Mitigation Measure O-15: In compliance with AB 939, to facilitate the on-site separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins on-site during construction.
- d. Mitigation Measure O-16: All waste shall be disposed of properly. Approximately labeled recycling bins shall be used to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood and vegetation. Non-recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- e. Mitigation Measure O-17: Recycling bins shall be provided at appropriate locations in both residential and retail components to promote recycling of paper, metal, glass, and other recyclable material, including greenwaste. These bins shall be emptied and recycled accordingly in both residential and retail components as a part of the project's regular solid waste disposal program.

66. Utilities and Service Systems (Electricity/Energy)

- a. Mitigation Measure O-18: **Energy Performance.** The Development Project shall exceed California Energy Code requirements, based on the 2008 Energy Efficiency Standards, by 15 percent. Using an Alternative Calculation Method (ACM) approved by the California Energy Commission, calculate each building's TDV energy and CO2 emissions and compare it to the standard or "budget" building.

- b. Mitigation Measure O-19: **Green Power**. The Development Project shall be **required** to use 20 percent of the annual residential and commercial building energy demand from green power. The 20 percent usage could be achieved through the Project's participation in the Los Angeles Department of Water and Power's Green Power Program.
- c. Mitigation Measure O-20: Built-in appliances, refrigerators, and space-conditioning equipment should exceed the minimum efficiency levels mandated in the California Code of regulations.
- d. Mitigation Measure O-21: Install high-efficiency air conditioning controlled by a **computerized** energy-management system in the retail spaces that provides the following:
 - i) A variable air-volume system that results in minimum energy consumption and avoids hot water energy consumption for terminal reheat;
 - ii) A 100-percent outdoor air-economizer cycle to obtain free cooling in appropriate climate zones during dry climatic periods;
 - iii) Sequentially staged operation of air-conditioning equipment in accordance with building demands; and
 - iv) The isolation of air conditioning to any selected floor or floors.
- e. Mitigation Measure O-22: Consider the applicability of the use of thermal energy storage to handle cooling loads.
- f. Mitigation Measure O-23: Cascade ventilation air from high-priority areas before being exhausted, thereby decreasing the volume of ventilation air required. For example, air could be cascaded from occupied space to corridors and then to mechanical spaces before being exhausted.
- g. Mitigation Measure O-24: Recycle lighting system heat for space heating during cool weather. Exhaust lighting-system heat from the buildings via ceiling plenums to reduce cooling loads in warm weather.
- h. Mitigation Measure O-25: Install low and medium static-pressure terminal units and ductwork to reduce energy consumption by air-distribution systems.
- i. Mitigation Measure O-26: Ensure that buildings are well sealed to prevent outside air from infiltrating and increasing interior space –conditioning loads. Where applicable, design building entrances with vestibules to restrict infiltration of unconditioned air and exhausting of conditioned air.
- j. Mitigation Measure O-27: A performance check of the installed space-conditioning system should be completed by the developer/install prior to issuance of the Certificate of Occupancy to ensure that energy-efficiency measures incorporated into the Development Project operate as designed.
- k. Mitigation Measure O-28: Finish exterior walls with light-colored materials and high-emissivity characteristics to reduce cooling loads. Finish interior walls with light-colored materials to reflect more light and thus, increase lighting efficiency.

- l. Mitigation Measure O-29: Use a white reflective material (in lieu of dark-colored materials but not to replace "green" roofing materials) for roofing meeting California standards for reflectivity and emissivity to reject heat.
- m. Mitigation Measure O-30: Install thermal insulation in walls and ceilings that exceeds requirements established by the California Code of Regulations.
- n. Mitigation Measure O-31: Design window systems to reduce thermal gain and loss, thus reducing cooling loads during warm weather and heating loads during cool weather.
- o. Mitigation Measure O-32: Install heat-rejecting window treatments, such as films, blinds, draperies, or others on appropriate exposures.
- p. Mitigation Measure O-33: Install wherever possible fluorescent and high-intensity-discharge (HID) lamps that give the highest light output per watt of electricity consumed, including all street and parking lighting to reduce electricity consumption. Use reflectors to direct maximum levels of light to work surfaces.
- q. Mitigation Measure O-34: Install photosensitive controls and dimmable electronic ballasts to maximize the use of natural daylight available and reduce artificial lighting load.
- r. Mitigation Measure O-35: Install occupant-controlled light switches and thermostats to permit individual adjustment of lighting, heating, and cooling to avoid unnecessary energy consumption.
- s. Mitigation Measure O-36: Install time-controlled interior and exterior public area lighting limited to that necessary for safety and security.
- t. Mitigation Measure O-37: Control mechanical systems (heating, ventilation, and cooling and lighting) in the building with timing systems to prevent accidental or inappropriate conditioning or lighting of unoccupied space.
- u. Mitigation Measure O-38: Incorporate windowless walls or passive solar inset of windows into the Development Project for appropriate exposures.
- v. Mitigation Measure O-39: Design the Development Project to focus pedestrian activity within sheltered outdoor areas.
- w. Mitigation Measure O-40: If applicable, the Applicant of the Development Project shall coordinate with LADWP and fund the installation of the upgraded facilities as needed to maintain an adequate electricity distribution system and/or to connect the Project site to the surrounding infrastructure.

67. Utilities and Service Systems (Natural Gas/Energy)

- a. Mitigation Measure O-41: The Applicant shall coordinate with Southern California Gas and fund the installation of the upgraded facilities needed to connect the Proposed Project to the surrounding infrastructure.

D. Transportation Conditions

68. **Covenant and Agreement.** Pursuant to Section 4.B of the WLA TIMP, the owner(s) of the property must sign and record a Covenant and Agreement prior to issuance of any building permit, acknowledging the contents and limitations of this Specific Plan in a form designed to run with the land.
69. **Transportation Impact Assessment (TIA) Fee.** Pursuant to Section 5 of the WLA TIMP, an applicant for a project within the Specific Plan Area, except as exempted, shall pay, or guarantee payment of, a TIA Fee prior to issuance of any building permit. The retail component of the proposed project is not exempted from payment of TIA Fee. In addition, as distinguished from impact analysis, "pass-by" discounts are not included in the TIA Fee assessment.
70. **Project Improvements Implementation.** All improvements, with the exception of the improvement that requires coordination with Caltrans, must be guaranteed before issuance of any building permit, through the BOE B-Permit process. For the improvement that requires Caltrans Review and Approval (CRA), the project applicant must demonstrate a "good faith" effort toward pursuing implementation of the improvement through the submission of an Improvement Status Report (ISR) to DOT, upon request, for review. A temporary certificate of occupancy may be issued provided that the applicant has demonstrated due diligence in implementing the CRA improvement. Prior to issuance of any certificate of occupancy, sufficient progress on the CRA improvement, to the satisfaction of DOT, and construction of all other improvements, to the satisfaction of DOT and BOE, must be completed. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact DOT's B-Permit Coordinator at (213) 928-9691, to arrange a pre-design meeting to finalize the proposed design needed for the project.
71. **Transportation Demand Management (TDM).** Pursuant to Section 4.G. of the WLA TIMP, the applicant shall submit a Transportation Demand Management (TDM) Plan to DOT prior to the issuance of any building permit. The project shall also comply with Section 12.26-J (Ordinance 168700) of the Los Angeles Municipal Code which requires specific TDM and trip reduction measures before the issuance of any building permit.
72. **Pedestrian Connectivity.** The applicant shall consult with the Department of City Planning for any additional requirements pertaining to pedestrian walkability and connectivity, as described in the Walkability Checklist.
73. **Construction Impacts.** A construction work site traffic control plan be submitted to DOT's Western District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that construction related traffic be restricted to off-peak hours.
74. **Site Access and Internal Circulation.** This determination does not include approval of the project's driveways, internal circulation and parking scheme. Adverse traffic impacts could occur due to access and circulation issues. The applicant is advised to consult with DOT for driveway locations and specifications prior to the commencement of any architectural plans, as they may affect building design. Final DOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by

submitting detailed site/driveway plans, at a scale of at least 1" = 40', separately to DOT's WLA/Coastal Development Review Section at 7166 West Manchester Avenue, Los Angeles 90045 as soon as possible but prior to submittal of building plans for plan check to the Department of Building and Safety.

E. Administrative Conditions

75. **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.
76. **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.
77. **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.
78. **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.
79. **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.
80. **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.
81. **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 maker's opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
82. **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.
83. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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. . . 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 in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; 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 the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

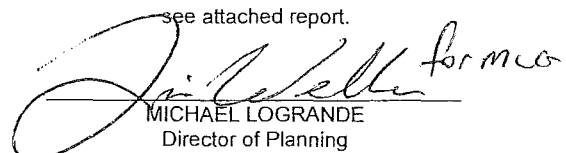
JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Pursuant to Charter Section 559, I
disapprove this ordinance on behalf of the
City Planning Commission and recommend
it NOT be adopted.

see attached report.

MICHAEL LOGRANDE
Director of Planning

File No. _____

(posting2)

RESOLUTION

WHEREAS, the subject property is located within the area covered by the West Los Angeles Community Plan ("Community Plan"), which was adopted by the City Council on July 27, 1999 (CF 98-2024); and

WHEREAS, the applicant is proposing a mixed-use development comprised of up to 595 residential dwelling units and up to 15,000 square feet of commercial use; and

WHEREAS, to carry out the above-referenced project, the applicant has requested a General Plan Amendment to change the land use designation from Light Manufacturing to Community Commercial for property located at 11122 W. Pico Boulevard and 2431-2441 S. Sepulveda Boulevard, excluding property located at 11201 and 11217 W. Exposition Boulevard; and

WHEREAS, the City Planning Commission at its meeting of February 28, 2013, recommended City Council approve the foregoing General Plan Amendment; and

WHEREAS, the General Plan Amendment is necessary to achieve and maintain consistency between zoning and the adopted Community Plan as required by California State law; and

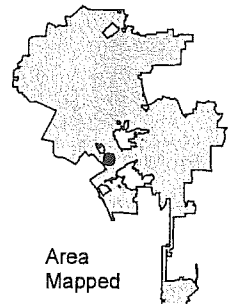
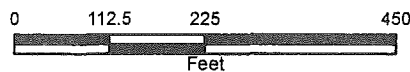
WHEREAS, pursuant to the provisions of the Los Angeles City Charter, the Mayor and the City Planning Commission have transmitted their recommendations; and

WHEREAS, the requested General Plan Amendment is consistent with the intent and purpose of the West Los Angeles Community Plan to designate land uses in an orderly and unified manner; and

WHEREAS, the subject request would provide for a more logical and uniform pattern of planned land use development that is compatible with surrounding land use designations on the General Plan; and

WHEREAS, the project has been reviewed by Environmental Impact Report, SCH No. 2009061041, in accordance with the City's Guidelines for implementation of the California Environmental Quality Act ("CEQA") by the City Planning Department.

NOW, THEREFORE, BE IT RESOLVED that the Community Plan shall be amended as shown on the attached General Plan Amendment Map.



C.M. 123 B 153	CPC-2008-4604-GPA-ZC-HD-CUB-DB-SPR
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CFI ~~100~~

WEST LOS ANGELES

062513

Area Mapped

CONDITIONS OF APPROVAL

CONDITIONAL USE AND SITE PLAN REVIEW CONDITIONS OF APPROVAL

A. Entitlement Conditions

1. **Use.** The Project shall comply with the provisions of the C2 Zone, pursuant to Los Angeles Municipal Code Section 12.14, except where conditions herein are more restrictive.
2. **Site Plan.** Prior to the issuance of building permits, detailed development plans, including a site plan of the Project with the modifications described in the Planning Department's Report dated June 26, 2013 and elevations, facades, and architectural treatment, on-site recreational amenities and a landscape/irrigation plan, shall be submitted for review and approval by the Planning Director after consultation with the Urban Design Studio. The plans shall comply with the provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

Note: 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. **Floor Area.** The total floor area shall be limited to a 3:1 floor area ratio which allows a maximum 528,500 square feet, as defined by LAMC Section 12.21.1.A.5, within the project site, which excludes the MTA right-of-way.
4. **Density.** The total residential density of the site shall a maximum 595 dwelling units of which 11% shall be affordable units at the Very Low Income level subject to obtaining approval by the Director of Planning under LAMC Section 12.22.A.25.
5. **Commercial.** The total commercial component shall include a minimum of 5,000 square feet of leasable commercial floor area and shall not exceed 15,000 square feet of leasable commercial floor area on the subject site. The Applicant shall design the commercial component of the Project with neighborhood-serving commercial uses along the Sepulveda Boulevard frontage with a focus on the southeast corner of the building that faces the future Expo Rail Line station platform to the satisfaction of the Director of Planning in consultation with the Urban Design Studio. Retail uses along this corridor will provide services to the area, facilitate pedestrian traffic, serve future transit riders and activate the street.
6. **Height.** For the purposes of describing the requirements for building heights of the subject project, all structures above podium level shall be treated as separate buildings (notwithstanding the fact that they may be constructed of one structure), and the height of such structures and the podium itself shall be measured from the baseline elevation of 165 feet, which represents the point at which grade is measured pursuant to the LAMC (based upon an ALTA Survey prepared by HMK Engineering dated August 27, 2007). No building or structure on the subject site shall exceed six (6) stories or 85' (whichever is higher) above said baseline, or in the case of podium construction, above said podium (which shall itself not exceed 35 feet above said baseline, except for the westernmost building, which shall not exceed ten (10) stories or 110' (whichever is higher) above such baseline, or in the case of podium construction, above said podium. Pursuant to LAMC Section 12.21.B.3, roof structures may exceed these maximum heights.
7. **Setbacks.** All buildings shall be set back in accordance with LAMC Section 12.14-C,2.

8. Parking. The following shall be required for parking:

- a. Comply with LAMC Section 12.21.A.4 for market-rate residential units and any commercial component of the project.
- b. Comply with LAMC Section 12.22.A.25 for Very Low Income Affordable Senior units.
- c. Guest Parking. The project shall provide a minimum one (1) guest parking space for every four (4) dwelling units. Fractional amounts shall be rounded up.

Note: In the event Vesting Tentative Tract map 70805 or any tract map issued for subject project is granted approval for parking requirement different from that required from CPC-2008-4604-GPA-ZC-HD-CUB-DB-SPR, the requirement that requires a greater parking requirement shall prevail.

B. Conditional Use Conditions

9. The conditional use authorization herein is for the sale of alcoholic beverages for off-site consumption within the development at two (2) retail uses. The following conditions shall also apply:

- a. At the time of submission of detailed development plans as described in Condition No. 2 (Site Plan) above, the applicant shall have consulted with the Los Angeles Police Department to address security measures for the protection of visitors, residents and employees. The project shall include appropriate security design features for semi-public spaces, which may include, but shall not be limited to: access control to buildings; secured parking facilities; walls/fences with key security; lobbies, corridors, and elevators equipped with electronic surveillance systems; well-illuminated semi-public space designed with a minimum dead space to eliminate areas of concealment; and location of toilet facilities or building entrances in high foot traffic areas.
- b. Prior to issuance of the certificate of occupancy, the applicant shall submit copies of the plot plan(s) for review and approval to the Fire Department. The Fire Department's approval shall be shown via a stamp on all plans submitted to the Zoning Administrator for sign-off.
- c. At least one on-duty manager from the two (2) retail uses granted alcoholic beverage shall be on the premises at all times that the retail uses are open for business.
- d. All public telephones shall be located within the interior of the establishment structure. No public phones shall be located on the exterior of the premises under the control of the establishment.
- e. The future operator shall secure a City permit decal denoting approval of alcoholic beverage sales from a Planning Department public counter subsequent to the Zoning Administrator's signature on the Planning Department sign-off form and mount it on either the inside of the window of the subject site facing the street or on the outside of the building (if inside mounting is not possible). The decal shall be visible at all times and mounted before the privileges granted herein are utilized.
- f. There shall be no exterior window signs of any kind or type promoting alcohol products.

- g. Within six months of the initiation of alcohol sales, all employees and management of the market and retail store involved in alcohol sales shall be required to complete the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) training program regarding alcohol sales. Upon completion of such training, the operator shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is a change in the licensee and/or a change in employees, within six months of change, this training program shall be required for all new staff.
- h. Signs shall be posted in a prominent location stating that California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age. "No loitering or Public Drinking" signs shall be posted outside the subject facility.
- i. The operator shall designate a community liaison that shall be available to meet with representatives of the Neighborhood Council, community groups, or neighborhood associations to respond to any community concerns regarding the sale of alcohol.
- j. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the City Planning Department will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.
- k. **Plan Approval.** Any future operator utilizing this conditional use for the site must file a Plan Approval application to allow the City of Los Angeles to review the "mode and character" of the usage. The plan approval(s) shall be accompanied by the payment of appropriate fees, pursuant to Section 19.01.C of the Municipal Code, and must be accepted as complete by the Department of City Planning..

C. Administrative Conditions

- 10. **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.
- 11. **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.
- 12. **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.

13. **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.
14. **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.
15. **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.
16. **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.
17. **Utilization of Entitlement.** The applicant/owner shall have a period of five years from the effective date of the subject grant to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the privileges, the applicant files a written request and is granted an extension to the termination period for up to one additional year pursuant to Sections 12.24.J.3 and 12.28.C, of the Municipal Code. Thereafter, the entitlement shall be deemed terminated and the property owner shall be required to secure a new authorization for the use.
18. **Multiple Entitlements.** The subject Site Plan Review, Density Bonus, and Conditional Use permit for the sale and dispensing of alcohol for off-site consumption require the completion of all applicable conditions of approval herein to the satisfaction of the Planning Department and the effective date of these grants shall coincide with that of the associated Zone Change and Height District change on the property involved.
19. **Effective Date.** The entitlements for the site plan review, conditional use are not effective until the General Plan Amendment is approved.
20. **New Conditions.** Any conditions that are added to or differ from the conditions applied on the General Plan Amendment, Zone Change, or Height District Change shall supersede and be included as conditions of approval for the Conditional Use and Site Plan Review entitlements.
21. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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.