

ORDINANCE NO. \_\_\_\_\_

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

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

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

## **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**
    - (1) That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
    - (2) That a set of drawings for airspace lots be submitted to the City Engineer showing the following.
      - a. Plan view at different elevations.
      - b. Isometric views.
      - c. Elevation views.
      - d. Section cuts all locations where airspace lot boundaries change.
    - (3) That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve the proposed airspace lots to use upon the sale of the respective lots and they will maintain the private

easements free and clear of obstructions and in safe conditions for use at all times.

C. Street Improvements

- 1) Improve the alley adjoining the subdivision by the reconstruction of any off-grade concrete pavement and also if necessary reconstruction of the alley intersection with Argyle Avenue including any necessary removal and reconstruction of the existing improvements all satisfactory to the Central District Engineering Office.
- 2) That necessary grading and soil reports be submitted to the Geotechnical Engineering Division of Bureau of Engineering for review and approval.

2. Building & Safety – Grading.

- A. Prior to the issuance of any Building or Grading Permits, or the Recordation of the Tract map, additional boring shall be required for the property located at 6334 West Yucca Street and 1770 North Ivar Avenue (where the Enterprise Rent-a-Car property is currently located).
- B. Prior to issuance of any Building or Grading Permits, or the Recordation of the Tract Map, a comprehensive Geotechnical report as discussed in the Department Review Letter dated May 23, 2012, shall be submitted to the Department for review including detailed geotechnical recommendations for the proposed development.
- C. Additional fault exploration will be required if in the future it is determined that a structure or a part of it is proposed within the area located north of the "Northern Limit of Fault Exploration" line depicted on Drawing No. 5 of the report dated November 30, 2012 (where the Enterprise Rent-a-Car property is currently located).

3. Building and Safety – Zoning. The Building and Safety, Zoning Divisions shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied.

- A. Provide a copy of building records, plot plan, and certification of occupancy of all existing structures to verify the last legal use and the number of parking spaces required and provided on each site.
- B. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
- C. The legal description and lot numbers on the submitted Map do not agree with each other and with ZIMAS. Revise the Map to address the discrepancy to correctly label the lot numbers per Tract 18237.
- D. Provide a copy of Certificate of Compliance for the lot cut of Lot 1 of Tract 18237.

- E. Provide a copy of affidavit AFF-20478, AFF-20772, AFF-35097, AFF-35104, AFF-43826, AFF-001966012, AF-95-853223-MB, AF-96-2071235-GD, AF-98-0492383-GD, AF-01-0390387, and AF-1243919. Show compliance with all the conditions/requirements of the above affidavits as applicable. Termination of above affidavits may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
- F. The Department of Building and Safety recommends that the front, side and rear lot line locations be designated by the Advisory Agency for the residential and hotel uses.
- G. Show all street dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Yard setback requirements shall be required to comply with current code as measured from new property lines after dedications.
- H. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

4. **Department of Transportation.**

- A. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation (DOT) for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.
- B. The applicant shall comply with the recommendations of the DOT letter dated August 16, 2012 attached to the case file for VTT-71837-CN.
- C. That a fee in the amount of \$197 be paid for the Department of Transportation as required per Ordinance No. 185042 and LAMC Section 19.15. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

5. **Department of Fire.** A suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:

- 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. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- C. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- 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. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- I. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- J. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- K. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- L. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- M. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- N. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- O. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- P. 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 or Fire Lane. This stairwell shall extend unto the roof.
- Q. Entrance to the main lobby shall be located off the address side of the building.

- R. 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 to the satisfaction of the Fire Department.

6. **Department of Water and Power.**

- A. Upon compliance with these conditions and requirements, the LADWP's Water Services Organization (WSO) will forward the necessary clearances to the Bureau of Engineering after receiving the final tract map.

- (1) Install new fire hydrant: 1-2 ½" X4" DFH on E/S Ivar Ave, S/O Yucca St
- (2) Arrange for the Department to install Fire Hydrants
- (3) Conditions under which water service will be rendered:
  - i. Plumbing for all buildings must be sized in accordance with the Los Angeles City Plumbing Code for a minimum pressure range of 30 to 45 psi at the building pad elevation.
  - ii. Pressure regulators will be required in accordance with the Los Angeles City Plumbing Code for all buildings where pressures exceed 80 psi at the building pad elevation.
- (4) Los Angeles City Fire Department Requirements:
  - i. New fire hydrants and/or top upgrades to existing fire hydrants are required in accordance with the Los Angeles Fire Code: Install 1-2 ½" X4" DH on E/S Ivar Ave, S/O Yucca St.
- (5) New Easements Are Required: It is required that easements be dedicated for water line purposes to the City of Los Angeles for the use of the Department of Water and Power and shown as such on the subdivision map:
  - i. The Department's standard Dedication Certificate must be incorporated as part of the Ownership Certificate and executed by the owner of the Subdivision prior to the recording of the subdivision map. A copy of the Dedication Certificate has been forwarded to the subdivision engineer.

7. **Bureau of Street Lighting.**

- A. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, relocate and upgrade street lights as follows:
- (1) Three (3) on Ivar Avenue;
  - (2) Four (4) on Yucca Street;
  - (3) Seven (7) on Vine Street;
  - (4) Three (3) on Argyle Avenue; and,

- (5) Four (4) on Hollywood Boulevard.
8. **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.
  9. **Sewers.** Construct sewers to the satisfaction of the City Engineer.
  10. **Drainage.** Construct drainage facilities to the satisfaction of the City Engineer.
  11. **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.
  12. **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.
  13. **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.
  14. **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 Community Relations Section (located at 100 W. 1<sup>st</sup> Street, Suite 250, Los Angeles, Phone: 213-485-6000). These measures shall be approved by the Police Department prior to the issuance of building permits.

## (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.

### Entitlement Conditions

1. **Permitted Use.** The use of the subject property shall be limited to those uses permitted in the Land Use Equivalency Program, attached as Exhibit D or as permitted in the C2 Zone as defined in Section 12.16.A of the L.A.M.C.
2. **Site Development.** Prior to the issuance of any permits for the subject project, detailed development plans, including a complete landscape and irrigation plan, shall be submitted for review and approval by the Department of City Planning – Major Project Section for verification of compliance with the Development Regulations attached as Exhibit C.
3. **Maximum Height.** The project shall be limited to no more than 39 stories on the East Site and no more than 35 stories on the West Site, with development of the project to comply with the Development Regulations (Exhibit C).
4. **Minimum Tower Height.** No tower, as defined in the attached Development Regulations (Exhibit C), on the subject property shall be constructed less than 220 feet in height.
5. **Maximum Podium Height.** No podium, as defined in the attached Development Regulations (Exhibit C), on the subject property, shall be greater than 120 feet in height for towers greater than 220 feet in height.
6. **Multiple Tower Heights.** The tallest tower on any one site (East or West Site) shall be within 35 percent of the tallest height on the other site (East or West) in order for the subsequent site to be developed.

Note: For example, if a tower measures 585 feet on the East site, then the West site shall have a tower no less than 380 feet in height (35% less than 585 feet). The height differential will be calculated relative to the tallest tower in the project.

7. **Floor Area.** The floor area of all buildings in total shall be in conformance with the Height District No. 2, permitting a Floor Area Ratio not to exceed 6:1, as approved by the City Planning Commission, or City Council on appeal. The FAR shall be averaged across the East and West Sites as a Unified Development as defined in Section 12.24-W,19 of the Los Angeles Municipal Code. The applicant shall file a Covenant and Agreement per Condition No. 1 under Conditions of Approval (Page C-1).
8. **Residential Density.** 492 residential dwelling units, or as permitted by the Land Use Equivalency Program (Exhibit D), may be constructed on the subject site.
9. **Parking.** Project parking shall include 1,918 parking spaces or as permitted by the Development Regulations, shall be provided and shared among all the uses on the site.
  - a. The residential parking shall be sold and/or leased separately from each residential dwelling unit.



- b. All visitor spaces shall be readily accessible, conveniently located, posted and maintained satisfactory to the Department of Building and Safety. Visitor parking can be accommodated by providing visitor parking passes that permit parking within the public parking areas on the site.
  - c. If visitor parking spaces are gated, a voice response system, or other system or process to provide access, shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for visitor parking unless a valet service is provided.
  - d. Prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, shall be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).
10. **Above Grade Parking.** Parking above grade shall be limited to no more than three stories.
11. **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 Hollywood 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.

### Traffic Conditions

12. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 4:00 PM, and beginning at 6:30 PM and ending at 9:00 PM Monday through Friday, and Saturday through Sunday from 8:00 AM to 6:00 PM. 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 street within the project vicinity outside of that time period.
13. **Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys, and/or other public rights-of-way shall not be used for the parking or loading and 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.
14. **Maintenance.** The subject property including the associated parking facilities, sidewalks, outdoor areas, and landscaping adjacent to the site shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.
15. **Dust Walls.** During construction, temporary dust walls (e.g., Visqueen plastic screening or other suitable product, not less than 8 feet in height shall be installed and maintained along the property line between the site and adjoining lots as necessary to preclude dust dispersion from the project site to adjacent uses.
16. **Community Relations.** During construction, a 24-hour "hot-line" phone number for the receipt of construction-related complaints from the community shall be provided to

immediate neighbors. The applicant shall be required to respond within 24 hours of any complaint received on this hotline.

17. **Posting of Construction Activities.** The property owners and/or managers of immediately adjacent structures shall be given regular notification of major construction activities and their duration. A visible and readable sign (At a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
18. **Employee Transportation Demand Management.** The applicant shall implement trip reduction strategies in accordance with Section 12.6-J of the Los Angeles Municipal Code, that would encourage and incentivize project employees to carpool, vanpool, or take transit or other modes. Such strategies can include, but not be limited to, the following: shuttles from remote parking, bicycle amenities like racks and showers, 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 and unloading of parking location for ride-sharing.
19. **Bicycle Standards.** The applicant shall provide short- and long-term bicycle parking spaces as well as bicycle facilities in accordance with standards established pursuant to Ordinance No. 182,836.
20. **Construction Impacts.** Prior to the issuance of a demolition permit, the applicant shall submit a construction work site traffic control plan to DOT for review and approval. 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 all construction related traffic be restricted to off-peak hours to the extent feasible. The applicant shall minimize temporary construction impacts to traffic by implementing the following strategies.
  - a. Identify truck staging areas, and implement efficient management of truck access/egress routes.
  - b. Develop worksite traffic control plans.
  - c. Develop a construction worker transportation demand management plan to encourage the use of transit/ridesharing and to minimize parking demand.
  - d. Schedule construction-related deliveries, to the extent feasible, to occur during off-peak travel hours.
  - e. Develop and submit a Freeway Truck Management Plan to Caltrans.
  - f. Coordinate with LA County Metro to minimize inconvenience to transit users caused by any temporary bus stop relocations and bus line re-routings.
  - g. All temporary construction traffic control plans in the City involving temporary traffic signal modifications, the relocation of any signal equipment, and the installation of crash cushions or temporary roadway striping shall be prepared, submitted and signed by a registered Civil or Traffic Engineer in the state of

California, on DOT standard plan format, for review and approval by DOT's Design Division.

- h. Additionally, all other temporary construction traffic control proposals in the City involving the use of flashing arrow boards, traffic cones, barricades, delineators, construction signage, etc., shall require the review and approval by DOT's Central District Office.

**21. General Conditions.**

- a. All transportation improvements and associated traffic signal work within the City of Los Angeles must be guaranteed through the B-Permit process of the Bureau of Engineering, prior to the issuance of any building permit and shall be completed prior to the issuance of the first certificate of occupancy for the project. Temporary certificates of occupancy maybe granted in the event of any delay through no fault of the applicant, provided that, in each case, the applicant has demonstrated reasonable efforts and due diligence to the satisfaction of DOT.
- b. If a proposed traffic mitigation measure does not receive the required approval, a substitute mitigation measure may be provided subject to the approval of DOT or other governing agency with jurisdiction over the mitigation location, upon demonstration that the substitute measure is equivalent or superior to the original measure in mitigating the project's significant traffic impact.
- c. Any improvements along state highways and at freeway ramps require approval from the State of California Department of Transportation (Caltrans). The applicant may be required to obtain an encroachment permit or other approval from Caltrans for each of these improvements before the issuance of any building permits, to the satisfaction of Caltrans, DOT, and the Bureau of Engineering.

The City Planning Commission considered and approved additional conditions presented at the hearing on March 28, 2013. At the Planning and Land Use Management Committee hearing on June 18, 2013, the applicant presented changes to the conditions reflecting the subsequent input of Metro (MTA) on the previous conditions related to public transit. The following conditions are included as consistent with the Planning and Land Use Management Committee's recommendation.

- 22. Circulation Shuttle.** Prior to the issuance of the first final certificate of occupancy, the developer shall procure and thereafter operate a shuttle service, for a fifteen (15) year term, providing for service between the project and residential areas within a two mile radius of the project. Such shuttle service will be operated either on an "on call" basis or a recurring periodic basis, as determined by the developer, during reasonable hours, generally consistent with DASH operations. Such service is intended to improve pedestrian circulation from the residential neighborhoods in vicinity of the project that are currently underserved by the DASH routes, to the project and the public transportation access points within two blocks of the project site. As such, the service will not be required to accommodate linkages between the project and areas already adequately served by DASH and Metro. Developer shall not be obligated to expend more than \$250,000 per year for the operation of such service.

23. **Bicycle Amenities Plan.** Commencing upon the issuance of the first final certificate of occupancy, for a fifteen (15) year term, the developer shall maintain bicycle amenities at the project. Bicycle amenities in the first phase of the project shall include, in addition to the bicycle parking facilities required by the Development Regulations, a kiosk or tenant space comprising not less than 200 square feet for the provision by Bicycle Kitchen or other non-profit organization, for bicycle repair services. No rent shall be charged to any such non-profit organization, but the developer may require such non-profit bicycle repair service to enter into a lease or license agreement on other commercially available terms (including, without limitation, operating hours, use limits, insurance, indemnity, signage). If, despite use of its commercially reasonable efforts, developer is unable to procure the services of a non-profit bicycle service provider, the developer shall have the right to cause such space or kiosk to be leased or licensed to a for-profit bicycle service provider on commercially reasonable terms, including the payment of rent. In addition, each initial phase of the project on the east site and west site shall include, in addition to the bicycle repair facilities required in the Development Regulations, dedicated bicycle ways between the public streets and such facilities and wayfinding signage directing bicycle users to such facilities. The plans submitted by the developer for plan check with the City shall include plans for such bicycle facilities, which shall be reviewed by the Director of Planning.
24. **Parking Tracking Services.** Prior to the issuance of the first final certificate of occupancy, the developer shall provide a fixed-fee contribution to supplement the City's Department of Transportation's Express Park program that will provide new parking meter technology, vehicle sensors, a central management system, and real-time parking guidance for motorists in the vicinity of the project. The contribution shall be in the amount of \$50,000 to be paid to the City Department of Transportation.
25. **Metro Passes.** Commencing upon the issuance of the first final certificate of occupancy for the project, for a fifteen (15) year term, the developer shall provide within the project, either by machine or through its management office, for the sale of Los Angeles County Metropolitan Transportation Authority (Metro) passes to project residents, tenants, and their employees.
26. **Metro Passes (Non-vehicular Parking for Project Residents).** The developer shall work with Metro to create a program whereby the developer shall pay \$50,000 per year to supplement 50% of the cost towards the purchase of 400 Metro passes per year for a term of ten (10) years.
27. **Monthly Parking Leases for Metro Commuters.** Commencing upon the issuance of the first final certificate of occupancy, the developer shall provide, for a fifteen (15) year term, within each publicly accessible parking area in the project, not less than fifty (50) "Park and Ride" spaces for monthly lease to persons who are not tenants or occupants of the project who use the spaces and then transfer to a Metro commuter train or bus for transportation to their place of employment. In the initial year of operation of such "Park and Ride" spaces, the monthly charge to the user of each space shall not exceed \$50.00 per month; thereafter, such monthly charge may be increased each calendar year by not more than three percent (3%) per calendar year. Developer shall establish and maintain a monitoring and reporting program to reasonably assure that such parking continues to meet such condition.
28. **Daily Parking Discount for Metro Commuters.** Commencing upon issuance of the first final certificate of occupancy, for a fifteen (15) year term, the developer shall provide

each holder of a Metro pass who parks in any publicly accessible transient or daily parking area in the project, a ten percent (10%) discount off the developer's regularly daily parking fees, otherwise payable for such parking. Developer shall establish and maintain a monitoring and reporting program of the use of such discounts to reasonably assure that such parking discount continues to be offered as required, which reports shall be provided to the Department of Transportation and/or the Department of City Planning upon request.

29. **Shared Vehicle Parking.** Commencing upon issuance of the first final certificate of occupancy for the project, for a fifteen (15) year term, developer shall maintain ten (10) parking spaces within the non-residential parking areas of the project for a shared vehicle service and shall use its commercially reasonable efforts to cause the same to be at all times operated by a reputable shared car service provider selected by the developer, which may include Zipcar, Inc.; Avis Budget group, Inc./Avis on Location; Hertz Global Holdings, Inc./Hertz on Demand; Uhaul/U Car Share; Enterprise Rent-A-Car/We Car; Daimler/Car2Go N.A. LLC; City CarShare; Mint/Cars on Demand; Center for Neighborhood Technology/I-Go; RelayRides; Getaround or other reasonably similar organization or program. Notwithstanding the foregoing, City acknowledges that the Developer's failure to cause such service to be provided within the Project (i) for any 180 day period following termination of contract between developer and such operator while a replacement operator is sought, or (ii) during any period in which such no reputable car sharing service provider is operating a car sharing service in the Hollywood area, or (iii) if developer's selected operator is unwilling or unable to operate all ten (10) spaces, will not constitute a default of developers obligations under this condition.
30. **Vine Street Medians.** The developer shall engage an urban planning and/or traffic consulting firm reasonably acceptable to the Director of Planning, DOT, and the 13<sup>th</sup> Council District Councilmember to prepare a study of the design, efficacy, potential cost, feasibility and impact on vehicular and pedestrian circulation from the installation of landscaped medians in Vine Street between Sunset Boulevard and Franklin Street. Such study shall be completed and delivered to the Department of City Planning not later than, and as a condition to, the issuance of the first building permit for the first phase of the project.

#### **Administrative Conditions Of Approval**

31. **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.
32. **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.
33. **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.

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.

34. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials or legislation or their successors, designees or amendment to any legislation.
35. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
36. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the buildings submitted to the Department of City Planning and the Department of Building and Safety.
37. **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.
38. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein (Mitigation Monitoring and Reporting Program – MMRP), as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.
39. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

#### **Mitigation Monitoring and Reporting Program (MMRP)**

- A.1-1 Construction equipment, debris, and stockpiled equipment shall be enclosed within a fenced or visually screened area to effectively block the line of sight from the ground level of neighboring properties. Such barricades or enclosures shall be maintained in appearance throughout the construction period. Graffiti shall be removed immediately upon discovery.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Field inspection sign-off

- A.1-2** The Project shall be developed in conformance with the Millennium Hollywood Development Standards, including, but not limited to, the Density Standards, the Building Height Standards, the Tower Massing Standards, and Building and Streetscape Standards. Prior to construction, Site Plans and architectural drawings shall be submitted to the Department of City Planning to assess compatibility with the Development Standards.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of City Planning

**Action Indicating Compliance:** Plan approval

- A.1-3** The Project shall include low-level directional lighting at ground, open terrace and tower levels of the exterior of the proposed structures to ensure that architectural, parking and security lighting does not spill onto adjacent residential properties. The Project's lighting shall be in conformance with the lighting requirements of the City of Los Angeles Green Building Code to reduce light pollution.

**Monitoring Phase:** Pre-Construction (Design Phase); Pre-Occupancy

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of City Planning

**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

- A.1-4** The Project's façades and windows shall be constructed or treated with low-reflective materials such that glare impacts on surrounding residential properties and roadways are minimized.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of City Planning

**Action Indicating Compliance:** Plan Approval

- A.2-1** The Project shall conform to the Tower Massing Standards as identified in Section 6 of the Millennium Hollywood Development Regulations which include, but are not limited to, the following Tower Lot Coverage standards identified in Table 6.1.1, Tower Massing Standards: 48% tower lot coverage between 150 and 220 feet above curb level, 28% tower lot coverage between 151 and 400 feet above curb level, 15% tower lot coverage between 151 and 550 feet above curb level, and 11.5% tower lot coverage between 151 and 585 feet above curb level. The Project shall also conform to Standard 6.1.3, which states that at least 50% of the total floor area shall be located below 220 feet.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of City Planning

**Action Indicating Compliance:** Plan approval

- A.2-2** The Project shall conform to the Tower Massing Standards as identified in Section 7 of the Millennium Hollywood Development Regulations which include, but are not limited to, the following Standards: (7.3.1) A tower 220 feet or greater in height above curb level shall be located with its equal or longer dimension parallel to the north-south streets; (7.5.1) Towers shall be spaced to provide privacy, natural light, and air, as well as to

contribute to an attractive skyline; and (7.5.2) Generally, any portion of a tower shall be spaced at least 80 feet from all other towers on the same parcel, except the following which shall meet Municipal Code: 1) the towers are offset (staggered), 2) the largest windows in primary rooms are not facing one another, or 3) the towers are curved or angled.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of City Planning

**Action Indicating Compliance:** Plan approval

- B.1-1** The Project Applicant shall include in construction contracts the control measures required and/or recommended by the SCAQMD at the time of development, including but not limited to the following:

*Rule 403 - Fugitive Dust*

- Use watering to control dust generation during demolition of structures or break-up of pavement;
- Water active grading/excavation sites and unpaved surfaces at least three times daily;
- Cover stockpiles with tarps or apply non-toxic chemical soil binders;
- Limit vehicle speed on unpaved roads to 15 miles per hour;
- Sweep daily (with water sweepers) all paved construction parking areas and staging areas;
- Provide daily clean-up of mud and dirt carried onto paved streets from the Site;
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more; and
- 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.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Quarterly compliance report submitted by contractor

- B.1-2** To reduce on-site construction related air quality emissions, the Project Applicant shall ensure all construction equipment meet or exceed Tier 3 off-road emission standards.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Quarterly compliance report submitted by contractor

- B.1-3** Haul truck fleets during demolition and grading excavation activities shall use newer truck fleets (e.g., alternative fueled vehicles or vehicles that meet 2010 model year United States Environmental Protection Agency NOX standards), where commercially available. At a minimum, truck fleets used for these activities shall use trucks that meet EPA 2007 model year NOx emissions requirements.



**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Quarterly compliance report submitted by contractor

**B.1-4** The Project shall meet the requirements of the City of Los Angeles Green Building Code. Specifically, as it relates to the reduction of air quality emissions, the Project shall:

- Be designed to exceed Title 24 2008 Standards by 15%;
- Reduce potable water consumption by 20% through the use of low-flow water fixtures;
- Provide readily accessible recycling areas and containers. It is estimated this shall achieve a minimum 10% reduction of solid waste deposited at local landfills; and
- All residential grade equipment and appliances provided and installed shall be ENERGY STAR labeled if ENERGY STAR is applicable to that equipment or appliance.

**Monitoring Phase:** Pre Construction (Design Phase); Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

**B.1-5** The Project shall incorporate residential air filtration systems with filters meeting or exceeding the ASHRAE 52.2 Minimum Efficiency Reporting Value (MERV) of 13, to the satisfaction of the Department of Building and Safety. The CC&Rs recorded for the residential units on the Project Site shall incorporate this measure. High efficiency filters shall be installed and maintained for the life of the Project.

**Monitoring Phase:** Pre Construction (Design Phase); Construction; Occupancy

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Field inspection sign-off; Annual compliance report submitted by building management

**B.1-6** Heating Ventilation and Air Conditioning (HVAC) air intakes shall be located either on the roof of structures or within areas of the Project Site that are distant from the 101 Freeway to the extent that such placement is compatible with final site design.

**Monitoring Phase:** Pre Construction (Design Phase); Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Field inspection sign-off;

**B.1-7** For portions of new structures that contain sensitive receptors and are located within 500-feet of the 101 Freeway, the project design shall limit the use of operable windows and/or the orientation of outdoor balconies.

**Monitoring Phase:** Pre Construction (Design Phase); Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Field inspection sign-off;

- B.1-8** The Project shall provide electric outlets on residential balconies and common areas for electric barbecues to the extent that such uses are permitted on balconies and common areas per the Covenants, Conditions and Restrictions recorded for the property.

**Monitoring Phase:** Pre Construction (Design Phase); Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Field inspection sign-off;

- B.1-9** The Project shall use electric lawn mowers and leaf blowers, electric or alternatively fueled sweepers with HEPA filters, and use water-based or low VOC cleaning products for maintenance of the building.

**Monitoring Phase:** Occupancy

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Annual compliance report submitted by building management

- C-1** The Project Applicant shall prepare a plan to ensure the protection and preservation of any portions of the Hollywood Walk of Fame that are threatened with damage during construction. This plan shall conform to the performance standards contained in the Hollywood Walk of Fame Terrazzo Pavement, Installation and Repair Guidelines as adopted by the City in March of 2011, and be approved to the satisfaction of the Department of City Planning Office of Historic Resources prior to any construction activities.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of City Planning, Office of Historic Resources

**Actions Indicating Compliance:** Approval of Hollywood Walk of Fame plan; Field inspection sign-off

- C-2** The Project Applicant shall prepare an adjacent structure monitoring plan to ensure the protection of adjacent historic resources during construction from damage due to underground excavation, and general construction procedures to mitigate the possibility of settlement due to the removal of adjacent soil. Particular attention shall be paid to maintaining the Capitol Records Building underground recording studios and their special acoustic properties. The adjacent structure monitoring plan shall be approved to the satisfaction of the Department of City Planning, Office of Historic Resources and Department of Building and Safety prior to any construction activities.

The performance standards of the adjacent structure monitoring plan shall include the following: All new construction work shall be performed so as not to adversely impact or cause loss of support to neighboring/bordering structures. Preconstruction conditions documentation shall be performed to document conditions of the neighboring/bordering buildings, including the historic structures that are on or adjacent to the Project Site, prior to initiating construction activities. As a minimum, the documentation shall consist of video and photographic documentation of accessible and visible areas on the exterior and select interior façades of the buildings immediately bordering the Project Site. A

registered civil engineer or certified engineering geologist shall develop recommendations for the adjacent structure monitoring program that shall include, but not be limited to, vibration monitoring, elevation and lateral monitoring points, crack monitors and other instrumentation deemed necessary to protect adjacent building and structure from construction-related damage. The monitoring program shall include vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to adjacent structures.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of City Planning; Department of Building and Safety

**Monitoring Agency:** Department of City Planning, Office of Historic Resources

**Actions Indicating Compliance:** Approval of adjacent structure monitoring plan; Field inspection sign-off

- C-3** There are currently no plans to renovate the Capitol Records Building as part of the Project. However in the event any structural improvements are made to the Capitol Records Building during the life of the Project, such improvements shall be conducted in accordance with the Secretary of the Interior's Standards for Rehabilitation. Compliance with this measure shall be subject to the satisfaction of the Department of City Planning, Office of Historic Resources prior to any rehabilitation activities associated with the Capitol Records Building.

**Monitoring Phase:** Construction; Occupancy (any improvements to Capitol Records Building)

**Enforcement Agency:** Department of City Planning, Office of Historic Resources

**Monitoring Agency:** Department of City Planning, Office of Historic Resources

**Action Indicating Compliance:** Plan approval

- C-4** There are currently no plans to renovate the Gogerty Building as part of the Project. However, in the event any structural improvements are made to the Gogerty Building during the life of the Project, such improvements shall be conducted in accordance with the Secretary of the Interior's Standards for Rehabilitation. Compliance with this measure shall be subject to the satisfaction of the Department of City Planning, Office of Historic Resources prior to any rehabilitation activities associated with the Gogerty Building.

**Monitoring Phase:** Construction; Occupancy (any improvements to the Gogerty Building)

**Enforcement Agency:** Department of City Planning, Office of Historic Resources

**Monitoring Agency:** Department of City Planning, Office of Historic Resources

**Action Indicating Compliance:** Plan approval

- C-5** Prior to construction, the environs of the Project Site (i.e., Project Site and surrounding area) shall be documented with at least twenty-five images in accordance with Historic American Building Survey (HABS) standards. Compliance with this measure shall be demonstrated through a written documentation to the satisfaction of the Department of City Planning, Office of Historic Resources prior to any construction.

**Monitoring Phase:** Pre-Construction

**Enforcement Agency:** Department of City Planning, Office of Historic Resources

**Monitoring Agency:** Department of City Planning, Office of Historic Resources

**Action Indicating Compliance:** Written approval from the Office of Historic Resource

**C-6** If any archaeological materials are encountered during the course of Project development, all further development activity shall halt and:

- a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Register of Professional Archaeologists (ROPA) or a ROPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact;
- b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource;
- c. The Project Applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report; and
- d. Project development activities may resume once copies of the archaeological survey, study or report are submitted to the SCCIC Department of Anthropology. Prior to the issuance of any building permit, the Project 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.
- e. A covenant and agreement binding the Project Applicant to this condition shall be recorded prior to issuance of a grading permit.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Archaeologist field inspection sign-off

**C-7** If any paleontological materials are encountered during the course of Project development, all further development activities shall halt and:

- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum – who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact;
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource;
- c. The Project Applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report; and
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum. Prior to the issuance of any building permit, the Project 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.
- e. A covenant and agreement binding the Project Applicant to this condition shall be recorded prior to issuance of a grading permit.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Paleontologist field inspection sign-off

- C-8** If human remains are discovered at the Project Site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of L.A. Public Works Department and County Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety; Los Angeles County Coroner

**Action Indicating Compliance:** Public Works Department or Native American Heritage Commission sign-off

- D-1** The design and construction of the Project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

- D-2** Prior to the issuance of building or grading permits, the Project Applicant shall submit a final geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety. The final geotechnical report shall ensure adequate geotechnical support for the proposed structures given the existing geologic conditions on the Project Site. The final geotechnical report shall make final design-level recommendations regarding liquefaction, expansive soils, soil strength loss, estimation of settlement, lateral movement and reduction in foundation soil-bearing capacity, as well as carry forward the applicable recommendations contained in the preliminary geotechnical report. The final geotechnical report shall include additional borings, test pits, groundwater monitoring wells, subsurface shear wave velocity testing, and laboratory testing that shall ensure adequate geotechnical support for the Project's proposed structures and inform compliance with all applicable building codes.

**Monitoring Phase:** Pre-Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Written satisfaction of Department of Building and Safety

- D-3** Towers and other very heavily loaded structures shall be supported by a mat foundation, CIDH pile foundation, an ACIP pile, or a combination of a mat and pile foundation system. Drilled pile bearings within the Old Alluvium shall range from approximately 24 to 36 inches in diameter and shall be designed for loads between approximately 300 to 1,000 kips per pile or higher. Preliminary shallow foundation net bearing capacities in the Old Alluvium shall range from about 6,000 to 10,000 psf.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

- D-4** Lighter low-rise structures shall be supported on individual spread footings bearing in the Young Alluvium designed for bearing pressures from about 2,000 to 4,000 psf.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

- D-5** Floor slabs shallower than el 347 on the West Site shall be designed as slab-on-grade. Subject to final design-level geotechnical considerations, a pressure slab and waterproofing shall be required for the East Site.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

- D-6** Laterally-braced below-grade walls shall be designed for at-rest earth pressures. Below-grade walls free to rotate at the top shall be designed for active soil pressures. Seismic earth pressure and surcharge pressures shall be accounted for in the below-grade wall design. Hydrostatic pressures shall be accounted for in the design for walls below el 347. Subject to final design-level geotechnical considerations, an equivalent fluid pressure of 60 pcf shall be assumed for non-yielding below grade walls.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Action Indicating Compliance:** Plan approval

- D-7** A wall drainage system shall be installed behind below-grade walls to minimize the potential accumulation of hydrostatic pressure behind the walls. Waterproofing shall be required for walls below about el 347.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Action Indicating Compliance:** Plan approval

- D-8** Temporary excavation support, likely soldier beams, and lagging with tiebacks shall be required to facilitate the proposed deep below-grade excavation.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

- D-9** Underpinning of the buildings bordering the East Site and West Site shall be required depending on final new building below-grade footprint limits and proximity to these structures.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

- D-10** Pre-construction conditions documentation shall be performed to document conditions of the neighboring/bordering buildings, including the historic structures that are on or adjacent to the Project Site, prior to construction activities. An adjacent structure monitoring program shall be developed for implementation and monitoring during construction.

The performance standards of the adjacent structure monitoring plan shall include the following:

All new construction work shall be performed so as not to adversely impact or cause loss of support to neighboring/bordering structures. Pre-construction conditions documentation shall be performed to document conditions of the neighboring/bordering buildings, including the historic structures that are on or adjacent to the Project Site, prior to initiating construction activities.

As a minimum, the documentation shall consist of video and photographic documentation of accessible and visible areas on the exterior and select interior facades of the buildings immediately bordering the Project Site. A registered civil engineer or certified engineering geologist shall develop recommendations for the adjacent structure monitoring program that shall include, but not be limited to, vibration monitoring, elevation and lateral monitoring points, crack monitors and other instrumentation deemed necessary to protect adjacent building and structure from construction-related damage. The monitoring program shall include vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to adjacent structures.

**Monitoring Phase:** Pre-Construction; Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Approval of adjacent structure monitoring plan; Field inspection sign-off

- E-1** Before subsurface excavation, the Project Applicant shall conduct a Phase II Subsurface Investigation, in areas identified as being previously used for automobile fueling operations, to determine the extent to which soil or groundwater contamination, if any, beneath the Property has been impacted by historical activities. Any soil contamination and underground storage tanks associated with such historical usage shall be abated in accordance with all applicable City, state, and federal regulations.

**Monitoring Phase:** Pre-Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Submittal of Phase II Subsurface Investigation; Documentation of abatement of any soil contamination and USTs

- E-2 Prior to demolition of any existing on-site structures, all asbestos-containing materials identified on the properties shall be abated in accordance with all applicable City, state, and federal regulations.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Plan approval and issuance of demolition permit

- E-3 Prior to the issuance of a demolition permit for any existing on-site structure, all lead-based paint identified on the properties shall be abated in accordance with all applicable City, state, and federal regulations.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Plan approval and issuance of demolition permit

- E-4 Before subsurface excavation, the Project Applicant shall conduct a subsurface investigation of the suspected subsurface steel structure (located on the 1720 North Vine Street parcel) noted during the geophysical survey to ensure proper removal or treatment of the structure during development activities. Any removal or treatments implemented shall be in accordance with all applicable City, state, and federal regulations.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Submittal of subsurface investigation; Field inspection sign-off

- E-5 Before subsurface excavation, the Project Applicant shall conduct a subsurface investigation of the suspected USTs (located on the 1749 North Vine Street parcel) to ensure proper removal or treatment of the structures during development activities. Any removal or treatments implemented shall be in accordance with all applicable City, state, and federal regulations.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Submittal of subsurface investigation; Field inspection sign-off

- F-1 Excavation and grading activities shall be scheduled during dry weather periods, to the extent feasible. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the Project Site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Field inspection sign-off



- F-2 Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, veechannels, and inlet and outlet structures, as specified by Section 91.7013 of the Los Angeles Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicated Compliance:** Field inspection sign-off

- F-3 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Field inspection sign-off

- F-4 All waste shall be disposed of properly. Use appropriately labeled recycling bins 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.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Quarterly compliance report submitted by contractor

- F-5 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.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicated Compliance:** Quarterly compliance report submitted by contractor

- F-6 Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Quarterly compliance report submitted by contractor

- F-7 Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Field inspection sign-off

- F-8** The Project Applicant shall implement storm water best management practices (BMPs) to treat and infiltrate the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook, Part B, Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be required.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Submittal of certificate; Field inspection sign-off

- F-9** Post-development peak storm water runoff discharge rates shall not exceed the estimated predevelopment rate.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Plan approval

- F-10** The amount of impervious surface shall be reduced to the extent feasible by using permeable pavement materials where appropriate, including: pervious concrete/asphalt, unit pavers (e.g., turf block), and granular materials (e.g., crushed aggregates, cobbles, etc.).

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Plan approval

- F-11** A roof runoff system shall be installed, as feasible, where the site is suitable for installation.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of Public Works

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Plan approval

- F-12** All storm drain 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.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Public Works

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Field inspection sign-off

F-13 Legibility of stencils and signs shall be maintained.

**Monitoring Phase:** Occupancy  
**Enforcement Agency:** Department of Public Works  
**Monitoring Agency:** Department of Building and Safety  
**Action Indicating Compliance:** Field inspection sign-off

F-14 Materials with the potential to contaminate storm water shall be placed in an enclosure, such as a cabinet or shed or similar structure that prevents contact with or spillage to the storm water conveyance system.

**Monitoring Phase:** Construction; Occupancy  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Action Indicating Compliance:** Field inspection sign-off

F-15 Storage areas shall be paved and sufficiently impervious to contain leaks and spills.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Action Indicating Compliance:** Plan approval

F-16 An efficient irrigation system shall be designed and implemented by a certified landscape contractor to minimize runoff including: drip irrigation for shrubs to limit excessive spray; a SWAT-tested weather-based irrigation controller with rain shutoff; matched precipitation (flow) rates for sprinkler heads; rotating sprinkler nozzles; minimum irrigation system distribution uniformity of 75 percent; and flow reducers.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

F-17 The Owner(s) of the property shall prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the Owner(s) to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

**Monitoring Phase:** Occupancy  
**Enforcement Agency:** Department of City Planning; Department of Building and Safety  
**Monitoring Agency:** Department of City Planning  
**Actions Indicating Compliance:** Approval of Form CP-6770; Field inspections sign-off

F-18 Toxic wastes shall be discarded at a licensed regulated disposal site.

**Monitoring Phase:** Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Action Indicating Compliance:** Quarterly compliance report submitted by contractor

- F-19** The Project Applicant shall comply with all mandatory storm water permit requirements (including, but not limited to SWPPP and SUSMP requirements) at the Federal, State and local level.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Plan approval; Quarterly compliance report submitted by contractor

- H-1** The Project shall comply with the City of Los Angeles Noise Ordinance No. 144331 and 161574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off;

- H-2** Construction and demolition shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday or national holidays. No construction activities shall occur on any Sunday.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-3** Noise and groundborne vibration construction activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as feasibly possible from all adjacent land uses. The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be operated efficiently to minimize noise impacts to the maximum extent feasible.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-4** Construction activities shall be scheduled so as to avoid as feasible operating several pieces of equipment simultaneously, which causes high noise levels.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-5** Flexible sound control curtains shall be placed around all drilling apparatuses, drill rigs, and jackhammers when in use.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-6** The Project contractor shall use power construction equipment with noise shielding and muffling devices in accordance with the manufacture's recommendations.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-7** Barriers such as plywood structures or flexible sound control curtains extending eight-feet high shall be erected around the Project Site boundary to minimize the amount of noise on the adjacent land uses and surrounding noise-sensitive receptors to the maximum extent feasible during construction.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-8** All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-9** The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the Site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-10** Two weeks prior to the commencement of construction at the Project Site, notification shall be provided to the immediate surrounding properties that discloses the construction schedule, including the various types of activities and equipment that shall be occurring throughout the duration of the construction period.

**Monitoring Phase:** Pre-Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Documentation of notification provided

- H-11** All new construction work shall be performed so as not to adversely impact or cause loss of support to on-site and neighboring/bordering structures. Pre-construction conditions documentation shall be performed to document conditions of the on-site and neighboring/bordering buildings, including the Pantages Theater, the Avalon Theater, the Art Deco Storefronts on Yucca Street, the AMDA building at 1777 Vine Street, and the Capitol Records Complex, prior to construction activities. The structure monitoring program shall be developed for implementation and monitoring during construction. The performance standards of the adjacent structure monitoring plan shall include the following. All new construction work shall be performed so as not to adversely impact or cause loss of support to neighboring/bordering structures. Pre-construction conditions documentation shall be performed to document conditions of the neighboring/bordering buildings, including the historic structures that are on or adjacent to the Project Site, prior to initiating construction activities. At a minimum, the documentation shall consist of video and photographic documentation of accessible and visible areas on the exterior and select interior façades of the buildings immediately bordering the Project Site. A registered civil engineer or certified engineering geologist shall develop recommendations for the adjacent structure monitoring program that shall include, but not be limited to, vibration monitoring, elevation and lateral monitoring points, crack monitors and other instrumentation deemed necessary to protect adjacent building and structure from construction-related damage. The monitoring program shall include vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to adjacent structures.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Approval of adjacent structure monitoring plan; Field inspection sign-off

- H-12** Driven soldier piles shall be prohibited during construction. Augered piled are permitted.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-13** All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-14** All mitigation measures restricting construction activity shall be posted at the Project Site and all construction personnel shall be instructed as to the nature of the noise and vibration mitigation measures.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-15** Rubber tired equipment shall be utilized when applicable, such as a combination loader/excavator for light-duty construction operations. Tracked excavator and tracked bulldozers shall be utilized during mass excavation as necessary to facilitate timely completion of the excavation phase of development.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- H-16** All plans and specifications and construction means and methods shall be provided to EMI/Capitol Records for review concurrently with their submission to the City of Los Angeles Department of Building & Safety.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Department of Building and Safety

**Actions Indicating Compliance:** Confirmation of submittal to EMI/Capitol Records and Department of Building and Safety

- H-17** In the event that excavation and development design encounters the foundation or structural walls of the Capitol Records Building echo chamber, a not less than two-inch thick closed cell neoprene foam liner shall be applied to exposed excavation at the West Site adjacent to the EMI/Capitol Records echo chamber provided that: (1) the liner is approved for this use by the City of Los Angeles Department of Building & Safety (if not so approved, then an equivalent product approved for this use by the City of Los Angeles Department of Building and Safety shall be applied) and (2) a Miradrain system (or equivalent product) for drainage and waterproofing shall be installed per manufacturer recommendations. A 10 to 12 inch thick cast-in-place or shotcrete wall shall then be built to attenuate operational noise created by the Project.

**Monitoring Phase:** Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Action Indicating Compliance:** Field inspection sign-off

- H-18** All new mechanical equipment associated with the Project shall comply with Section 112.02 of the City of Los Angeles Municipal Code, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than 5 dBA.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Actions Indicating Compliance:** Plan approval; Field inspection sign-off

- H-19** Consistent with Section 99.05.507.4.1 of the LAMC (LA Green Building Code), Exterior Noise Transmission, the proposed building envelope shall have an STC of at least 50, and exterior windows shall have a minimum STC of 30. Furthermore, the Project shall comply with Title 24 Noise Insulation Standards, which specifies the maximum allowable sound transmission between dwelling units in new multi-family buildings, and limits allowable interior noise levels in new multi-family residential units to 45 dBA CNEL.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety  
**Action Indicating Compliance:** Plan approval

- J.1-1** During demolition and construction, LAFD access from major roadways shall remain clear and unobstructed.

**Monitoring Phase:** Construction  
**Enforcement Agency:** Los Angeles Fire Department  
**Monitoring Agency:** Department of Building and Safety; Los Angeles Fire Department  
**Action Indicating Compliance:** Field inspection sign-off

- J.1-2** 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.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Los Angeles Fire Department  
**Monitoring Agency:** Department of Building and Safety; Los Angeles Fire Department  
**Action Indicating Compliance:** Approval of plan by LAFD

- J.1-3** The design of the Project Site shall provide adequate access for LAFD equipment and personnel to the structure.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Los Angeles Fire Department  
**Monitoring Agency:** Department of Building and Safety; Los Angeles Fire Department  
**Action Indicating Compliance:** Plan approval



- J.1-4** No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel, except for dwelling units, where travel distances shall be computed to the front door of the unit.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Los Angeles Fire Department

**Monitoring Agency:** Department of Building and Safety; Los Angeles Fire Department

**Action Indicating Compliance:** Plan approval

- J.1-5** During the plan check process, the Project Applicant shall submit plot plans for LAFD approval of access and fire hydrants.

**Monitoring Phase:** Pre-Construction (Design)

**Enforcement Agency:** Los Angeles Fire Department

**Monitoring Agency:** Department of Building and Safety; Los Angeles Fire Department

**Action Indicating Compliance:** Approval of plot plans by LAFD

- J.1-6** The Project shall provide adequate off-site public and on-site private fire hydrants in its final designs.

**Monitoring Phase:** Pre-Construction (Design)

**Enforcement Agency:** Los Angeles Fire Department

**Monitoring Agency:** Department of Building and Safety; Los Angeles Fire Department

**Action Indicating Compliance:** Plan approval

- J.1-7** Project Applicant shall submit an emergency response plan to LAFD prior to occupancy of the Project for review and approval. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. Any required modifications shall be identified and implemented prior to occupancy of the Project.

**Monitoring Phase:** Pre-Occupancy

**Enforcement Agency:** Los Angeles Fire Department

**Monitoring Agency:** Department of Building and Safety; Los Angeles Fire Department

**Action Indicating Compliance:** Approval of Emergency Response Plan by LAFD

- J.2-1** The contractor shall provide temporary, minimum 6-foot-high, commercial-grade, chain-link construction fences to protect construction zones on both the East and West Sites. The perimeter fence shall have gates installed to facilitate the ingress and egress of equipment and the work force. The bottom of the fence shall have filter fabric to prevent silt run off where necessary. Straw hay bales shall be utilized around catch basins when located within the construction zone. The perimeter and silt fence shall be maintained while in place. Where applicable, the construction fence shall be incorporated with a pedestrian walkway. Temporary lighting shall be installed and maintained at the pedestrian walkway. Should sections of the site fence have to be removed to facilitate work in progress, barriers and or K – rail shall be utilized to isolate and protect the public from unsafe conditions.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- J.2-2** The Project shall provide for the deployment of a private security guard to monitor and patrol the Site on an as-needed basis appropriate to the phase of construction throughout the construction period.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- J.2-3** Emergency access shall be maintained to the Project Site during construction through marked emergency access points approved by the LAPD.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Actions Indicating Compliance:** Field inspection sign-off; LAPD approval of marked access points; Quarterly compliance report submitted by contractor

- J.2-4** If there are partial closures to streets surrounding the Project Site, flagmen shall be used to facilitate the traffic flow until such temporary street closures are complete.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Action Indicating Compliance:** Field inspection sign-off

- J.2-5** The Project shall incorporate landscaping designs that shall allow high visibility around the buildings, and shall consult with the LAPD with respect to its landscaping plan.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Action Indicating Compliance:** Plan approval

- J.2-6** The Project shall provide security lighting around buildings and parking areas in order to improve security, and shall consult with the LAPD as to its lighting plan.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Action Indicating Compliance:** Plan approval

- J.2-7** The Project Site's public and private recreational facilities shall be designed to ensure a high visibility of these areas, including the provision of adequate lighting for security.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department  
**Action Indicating Compliance:** Plan approval

- J.2-8** The Project Applicant shall provide the LAPD with the opportunity to review Project plans at the plan check stage of plan approval and shall incorporate any reasonable LAPD recommendations.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Los Angeles Police Department  
**Action Indicating Compliance:** Plan approval

- J.2-9** The Project Applicant shall provide the LAPD with a diagram of each portion of the Project Site, showing access routes and additional access information as requested by the LAPD, to facilitate police response.

**Monitoring Phase:** Pre-Construction (Design Phase); Construction  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Los Angeles Police Department  
**Action Indicating Compliance:** Plan approval

- J.3-1** The Project Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

**Monitoring Phase:** Pre-Construction  
**Enforcement Agency:** Department of City Planning  
**Monitoring Agency:** Los Angeles Unified School District  
**Action Indicating Compliance:** Issuance of building permit

- J.4-1** The Project shall provide a minimum of 100 square feet of usable open space for each dwelling unit having less than three habitable rooms; 125 square feet for each dwelling unit having three habitable rooms; and 175 square feet for each dwelling unit having more than three habitable rooms pursuant to the requirements of LAMC Section 12.21(G). A minimum of 25 percent of the common open space area shall be planted with ground cover, shrubs, or trees and at least one 36 inch box tree is required for every four dwelling units.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Department of City Planning  
**Monitoring Agency:** Department of City Planning  
**Action Indicating Compliance:** Plan approval

- J.4-2** The Project shall pay all applicable fees associated with the Dwelling Unit Construction Tax set forth in LAMC Section 21.10.3(a)(1). The applicable dwelling unit tax shall be paid to the Department of Building and Safety and placed into a "Park and Recreational Sites and Facilities Fund" to be used exclusively for the acquisition and development of park and recreational sites.

**Monitoring Phase:** Pre-Construction (Design Phase)  
**Enforcement Agency:** Department of Building and Safety  
**Monitoring Agency:** Department of Building and Safety

**Action Indicating Compliance:** Issuance of building permit

- J.4-3** Pursuant to Section 17.12 of the Los Angeles Municipal Code, the Project Applicant shall pay all applicable Quimby fees to the City of Los Angeles for the construction of condominium dwelling units, prior to approval and recordation of the final map.

**Monitoring Phase:** Pre-Construction (Design Phase)

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Department of City Planning

**Action Indicating Compliance:** Approval and recordation of final map

- J.5-1** The Project Applicant shall pay a mitigation fee of \$200 per capita, based on the projected resident population of the proposed development, to the Los Angeles Public Library to offset the potential impact of additional library facility demand in the Project Area.

**Monitoring Phase:** Pre-Occupancy

**Enforcement Agency:** Department of City Planning

**Monitoring Agency:** Los Angeles Public Library; Department of City Planning

**Action Indicating Compliance:** Issuance of certificate of occupancy

- K.1-1** To mitigate potential temporary traffic impacts of any necessary lane and/or sidewalk closures during the construction period, the Project Applicant shall, prior to construction, develop a Construction Management Plan/Worksite Traffic Control Plan (WTCP) to be approved by LADOT. The WTCP shall be designed to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation on the public streets in the area of the Project. The WTCP shall include temporary roadway striping and signage for traffic flow as necessary, elements compliant with conditions xv through xvii in Measure K.1-3, and the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project. The Plan shall 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. Any construction related hauling traffic shall be restricted to off-peak hours.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Action Indicating Compliance:** Approval of WTCP

- K.1-2** In order to minimize peak period construction trips, construction related traffic shall be restricted to off-peak hours. The following language is to be incorporated into the WTCP:
- i. On weekdays, work shifts shall not begin between 7:01 AM and 9:29 AM.
  - ii. Work shifts shall not end between 3:31 PM and prior to 6:29 PM.

The WTCP shall also include Mitigation Measure K.1-3, Condition ii, time restrictions for hauling.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Actions Indicating Compliance:** Approval of WTCP; Quarterly compliance report submitted by contractor

**K.1-3** Prior to the issuance of a grading permit, the Project Applicant shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the Project Applicant to the following haul route conditions:

- i. All Project construction haul truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
- ii. Except under a permitted exception, all hauling (both delivery and export) shall be during the hours of 9:00 AM to 4:00 PM or 6:30 PM to 9:00 PM. Any exceptions to the above time limits shall be permitted by the Department of Building and Safety in consultation with the Department of Transportation. Exceptions to the haul activity time limits are to be permitted only when necessary, such as for the continuation of concrete pours that cannot reasonably be completed otherwise.
- iii. Permitted Days of the week shall be Monday through Saturday. No hauling activities are permitted on Sundays or Holidays.
- iv. Project haul trucks shall be restricted to 18-wheel trucks or smaller.
- v. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213.485.3106).
- vi. Streets shall be cleaned of spilled materials at the termination of each work day.
- vii. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- viii. The Contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- ix. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- x. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- xi. All trucks are to be watered only when necessary at the job site to prevent excessive blowing dirt.
- xii. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- xiii. The Project Applicant shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads.

- xiv. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- xv. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
- xvi. One flag person(s) shall be required at the job site to assist the trucks in and out of the Project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook."
- xvii. The City of Los Angeles, Department of Transportation, telephone 213.485.2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.
- xviii. Any desire to change the prescribed routes shall be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213.485.3711 before the change takes place.
- xix. The permittee shall notify the Street Use Inspection Division, 213.485.3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- xx. A surety bond by Contractor shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond shall be issued by the Central District Engineering Office, 201 N. Figueroa Street, Room 770, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling 213.977.6039

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation; Department of Building and Safety; Los Angeles Police Department

**Actions Indicating Compliance:** Plan approval; Issuance of grading permit; Field inspection sign-off; Quarterly compliance report submitted by contractor

- K.1-4** The Project Applicant shall contact the Metro Bus Operations Control Special Events Coordinator at 213-922-4632 regarding construction activities that may impact Metro bus lines.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Metro; Department of Transportation

**Action Indicating Compliance:** Quarterly compliance report submitted by contractor

- K.1-5** Transportation Demand Management (TDM) – The Project is a mixed-use development, located within a quarter mile radius of the Hollywood/Vine Metro Red Line Transit Station and allows immediate access to the Metro Red Line rail system. Additionally, a number of Metro and LADOT bus routes are less than one-quarter mile (considered to be within reasonable walking distance) from the Project Site, providing access for Project employees, visitors, residents and guests. The Project Site is surrounded by numerous supporting and complementary uses, such as additional housing for employees and additional shopping for residents within walking distance.

The Project shall take advantage of these opportunities through a pedestrian/bicycle friendly design and implementation of a TDM program. A preliminary TDM program shall be prepared and provided for LADOT review prior to the issuance of the first building permit for the Project and a final TDM program approved by LADOT is required prior to the issuance of the first certificate of occupancy for the Project. The TDM Program applies to the new land uses to be developed as part of the final development program for the Project. To the extent a TDM Program element is specific to a use, such element shall be implemented at such time that new land use is constructed. Both the pedestrian/bicycle friendly design and TDM program shall be acceptable to the Departments of Planning and Transportation. The TDM program shall include, but not be limited to, the following strategies:

- Provide an internal Transportation Management Coordination Program with an on-site transportation coordinator;
- A bicycle, transit, and pedestrian friendly environment;
- Administrative support for the formation of carpools/vanpools;
- Inclusion of business services to facilitate work-at-home arrangements for the proposed residential uses, if constructed;
- Flexible/alternative work schedules and telecommuting programs;
- Provide car share amenities (including a minimum of 5 parking spaces for shared car program);
- Parking provided as an option only for all leases and sales;
- A provision requiring compliance with the State Parking Cash-out Law in all leases;
- Provision of a self-service bicycle repair area and shared tools for residents and employees;
- Distribution of information to all residents and employees of the onsite pedestrian, bicycle and transit rider services, including shared car and shared bicycle services;
- Coordinate with LADOT to provide space for a future Integrated Mobility Hub;
- Guaranteed ride home program potentially via the shared car program;
- Transit routing and schedule information;
- Transit pass sales;
- Rideshare matching services;
- Bike and walk to work promotions;
- Visibility of the alternative commute options through a location on the central court of the Project Site;
- Preferential rideshare loading/unloading or parking location;
- Financial contribution to the City's Bicycle Plan Trust Fund established under Ordinance No. 186,272.

In addition to these TDM measures, LADOT also recommends that the Project Applicant explore the implementation of an on-demand van, shuttle or tram service that connects the Project to off-site transit stops based on the transportation needs of the Project's employees, residents and visitors. Such a service shall be included as an additional measure in the TDM program if it is deemed feasible and effective by the Project Applicant.

**Monitoring Phase:** Pre-Construction; Construction; Pre-Occupancy; Occupancy

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Actions Indicating Compliance:** TDM program approval; Issuance of building permit; Issuance of certificate of occupancy; Quarterly compliance report submitted by contractor; Annual compliance report submitted by building management

**K.1-6** Hollywood Community Transportation Management Organization (TMO) – The Project shall join or help create a TMO serving the Hollywood Area by providing a meeting area and initial staffing for one year (free of charge). The Project owner shall participate in the TMO as a member. The TMO shall offer services to member organizations, which include:

- Matching services for multi-employer carpools,
- Multi-employer vanpools (to serve areas that are identified as under-served by transit, but contain the residences of the Hollywood area employees),
- Help coordinating the Bicycle Share and Car Share programs,
- Promotion and implementation of pedestrian, bicycle and transit stop enhancements (such as transit/bicycle lanes), and
- Other efforts to encourage and increase the use of alternative transportation modes in the Hollywood area.

**Monitoring Phase:** Pre-Construction; Construction; Pre-Occupancy; Occupancy

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Actions Indicating Compliance:** Plan approval; Quarterly compliance report submitted by contractor; Annual compliance report submitted by building management

**K.1-7** Integrated Mobility Hubs – To support the goals of the Project's TDM plan and to expand the City's program, the Project Applicant shall coordinate with LADOT to provide space for a Mobility Hub in a convenient location within or near the Project Site. The Project Applicant has offered to provide on-site parking spaces for shared cars that could be a project-specific amenity or be linked with the larger Mobility Hubs program. The Project Applicant shall also provide space that shall accommodate bicycle parking, bicycle lockers, and shared bicycles. LADOT is currently working on an operating plan and assessment study for the Mobility Hubs project that shall include specific sites, designs, and blueprints for Mobility Hub stations. The results of this study shall assist in determining the appropriate location and space needed to accommodate a Mobility Hub at the Project Site.

**Monitoring Phase:** Pre-Construction; Construction; Pre-Occupancy, Occupancy

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Actions Indicating Compliance:** Plan approval; Quarterly compliance report submitted by contractor; Annual compliance report submitted by building management

**K.1-8** Transit Enhancements –The Project shall provide a pedestrian friendly environment through sidewalk pavement reconstruction/improvements, and improved amenities such as landscaping and shading particularly along the sidewalks on Ivar Avenue and Argyle Avenue linking the project to the Hollywood/Vine Metro Red Line Station. Enhancements shall include reconstructing damaged or missing pavement in the sidewalks along Ivar Avenue and Argyle Avenue between the Project Site and the Hollywood/Vine Metro Red Line Transit Station, and installing up to four transit shelters with benches at stops within a block of the Project Site, as deemed appropriate by LADOT. The LADOT designation



of locations shall be made in consultation with Los Angeles County Metropolitan Transportation Authority (Metro).

**Monitoring Phase:** Pre-Construction; Construction; Pre-Occupancy; Occupancy

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** LA County Transportation Authority; Department of Transportation

**Actions Indicating Compliance:** Plan approval; Quarterly compliance report submitted by contractor; Annual compliance report submitted by building management

- K.1-9** Bike Plan Trust Fund – The Project Applicant shall contribute a one-time fixed-fee of \$250,000 to be deposited into the City's Bicycle Plan Trust Fund established pursuant to Ordinance No. 186,272. These funds shall be used by LADOT, in coordination with the Department of City Planning and Council District 13, to implement bicycle improvements within the Hollywood area. However, improvements within Hollywood that are consistent with the City's complete streets and smart growth policies shall also be eligible expenses utilizing these funds. Any measures implemented by using the fund shall be consistent with the General Plan Transportation Element. Items beyond signing and striping, such as curb realignment and signal system modifications, may be included in the funded projects, to the degree necessary for safe and efficient operation.

Should shuttle riders on the DASH system warrant an increase in capacity, the Project funding may instead be used for the purchase of a shuttle vehicle for the DASH system.

**Monitoring Phase:** Pre-Construction; Construction; Pre-Occupancy; Occupancy

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Actions Indicating Compliance:** Plan approval; Quarterly compliance report submitted by contractor; Annual compliance report submitted by building management

- K.1-10** Traffic Signal System Upgrades – The Project Applicant shall be required to implement the traffic signal upgrades identified in Attachment 3 to the LADOT's Correspondence to the Department of City Planning, dated August 16, 2012 (See Appendix K.2 to this Draft EIR). Should the project be approved, then a final determination on how to implement these traffic signal upgrades shall be made by LADOT prior to the issuance of the first building permit. These signal upgrades shall be implemented either by the Project Applicant through the B-permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee to LADOT to fund the cost of the upgrades. If LADOT selects the payment option, then the Project Applicant shall be required to pay LADOT the estimated cost to implement the upgrades, and LADOT shall design and construct the upgrades. If the upgrades are implemented by the Project Applicant through the B-Permit process, then these traffic signal improvements shall be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy.

**Monitoring Phase:** Pre-Construction; Construction; Pre-Occupancy; Occupancy

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Bureau of Engineering; Department of Transportation

**Actions Indicating Compliance:** Issuance of building permit; Quarterly compliance report submitted by contractor; Issuance of certificate of occupancy; Annual compliance report submitted by building management

**K.1-11 Intersection Specific Improvements – Argyle Avenue/Franklin Avenue – US 101 Freeway Northbound On-Ramp** – To mitigate the significant traffic impact at this intersection under both existing (2011) and future (2020) conditions, the Project Applicant shall restripe this intersection to provide a left-turn lane, two through lanes, and a right-turn lane for the southbound approach and two left-turn lanes and a shared through/right lane for the northbound approach. The final design of this improvement shall require the joint approval of Caltrans and LADOT.

**Monitoring Phase:** Pre-Construction; Construction; Pre-Occupancy

**Enforcement Agency:** Caltrans; Department of Transportation

**Monitoring Agency:** Caltrans; Department of Transportation

**Actions Indicating Compliance:** Approval of design by Caltrans and LADOT; Implementation of improvement

**K.1-12 Highway Dedication and Street Widening Requirements** – The City Council recently adopted the updated Hollywood Community Plan. The new plan includes revised street standards that provide an enhanced balance between traffic flow and other important street functions including transit routes and stops, pedestrian environments, bicycle routes, building design and site access, etc. Vine Street has been designated as a Modified Major Highway Class II requiring a 35-foot half-width roadway within a 50-foot half-width right-of-way. Yucca Street between Ivar Avenue and Vine Street is classified as a Secondary Highway, which requires a 35-foot half-width roadway within a 45-foot half-width right-of-way. Yucca Street between Vine Street and Argyle Avenue is classified as a Local Street. Ivar Avenue and Argyle Avenue are also classified as Local Streets. A Local Street requires a 20-foot half width roadway within a 30-foot half-width right-of-way. The Project Applicant shall check with BOE's Land Development Group to determine if there are any highway dedication, street widening and/or sidewalk requirements for this project.

**Monitoring Phase:** Pre-Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Bureau of Engineering; Department of Transportation

**Action Indicating Compliance:** Confirmation with Bureau of Engineering

**K.1-13 Implementation of Improvements and Mitigation Measures.** The Project Applicant shall be responsible for the cost and implementation of any necessary traffic signal equipment modifications and bus stop relocations associated with the proposed transportation improvements described above. Unless otherwise noted, all transportation improvements and associated traffic signal work within the City of Los Angeles shall be guaranteed through the B-Permit process of the Bureau of Engineering, prior to the issuance of any building permits and completed prior to the issuance of any certificates of occupancy. Temporary certificates of occupancy may be granted in the event of any delay through no fault of the Project Applicant, provided that, in each case, the Project Applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact LADOT's B-Permit Coordinator, at (213) 928-9663, to arrange a pre-design meeting to finalize the proposed design needed for the project.

**Monitoring Phase:** Pre-Construction; Construction; Pre-Occupancy; Occupancy

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Bureau of Engineering; Department of Transportation

**Actions Indicating Compliance:** Issuance of building permit; Quarterly compliance report submitted by contractor; Issuance of certificate of occupancy

- K.1-14** East Site Residential Unit and Reserved Residential Parking Cap. On the East Site, residential development shall be limited to 450 residential units and 675 reserved residential parking spaces.

**Monitoring Phase:** Pre-Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Bureau of Engineering; Department of Transportation

**Action Indicating Compliance:** Issuance of building permit

- K.2-1** No sidewalk in the pedestrian route along a public right-of-way shall be closed for construction unless an alternative pedestrian route is provided that is no more than 500 feet greater in length than the closed route.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Actions Indicating Compliance:** Plan Approval; Quarterly compliance report submitted by contractor

- K.2-2** Construction Related Parking. Off-street parking shall be provided for all construction-related employees generated by the Project. No employees or subcontractors 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 on the surrounding street for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles that transport workers, on any residential street in the immediate area. All construction vehicles shall be stored on-site unless returned to the base of operations.

**Monitoring Phase:** Pre-Construction; Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Actions Indicating Compliance:** Plan Approval; Quarterly compliance report submitted by contractor

- L.1-1** In the event of temporary partial public street closures, the Project Applicant shall employ flagmen during the construction of water line work, to facilitate the flow of traffic.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Transportation

**Monitoring Agency:** Department of Transportation

**Action Indicating Compliance:** Field inspection sign-off

- L.3-1** All waste shall be disposed of properly and in accordance with the City's Bureau of Sanitation standards. Appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation shall be used. The bulk recyclable material such as broken asphalt and concrete, brick, metal and wood shall be hauled by truck to an appropriate facility. Nonrecyclable materials/wastes shall be

hauled by truck to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.

**Monitoring Phase:** Construction

**Enforcement Agency:** Department of Public Works; Bureau of Sanitation

**Monitoring Agency:** Department of Public Works; Bureau of Sanitation

**Actions Indicating Compliance:** Field inspection sign-off; Quarterly compliance report submitted by contractor

- L.3-2** Recycling bins shall be provided at all trash locations, to promote recycling of paper, metal, glass, and other recyclable materials during operation of the Project. These bins shall be emptied and recycled accordingly and consistent with AB 939 as a part of the Project's regular solid waste disposal program.

**Monitoring Phase:** Occupancy

**Enforcement Agency:** Department of Public Works; Bureau of Sanitation

**Monitoring Agency:** Department of Public Works; Bureau of Sanitation

**Action Indicating Compliance:** Annual compliance report submitted by building management report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

## CONDITIONS OF APPROVAL

### Conditional Use Conditions

1. Floor Area Averaging for Unified Developments: Prior to the issuance of any building permit, the applicant shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770) to run with the land, with the following provisions:
  - a. the applicant shall guarantee the continued maintenance and operation of the development as a unified development;
  - b. the applicant shall indicate the floor area used on each parcel and the floor area potential, if any, that would remain;
  - c. the applicant shall guarantee the continued maintenance of the unifying design elements, and;
  - d. the applicant shall specify an individual or entity to be responsible and accountable for this maintenance. An annual inspection shall be made by the Department of Building and Safety of the development to monitor compliance.
  
2. Alcohol Sales & Live Entertainment: The conditional use authorization herein is for live entertainment and the sale of alcoholic beverages for on-site consumption within the development through the following:
  - a. On-site sales of a full line of alcoholic beverages in conjunction with food service at five (5) restaurant establishments, on-site sales at one (1) café to be located on the observation deck, and on-site sale of a full line of alcoholic beverages in conjunction with a night club/lounge offering live entertainment and dancing. One (1) retail establishment, such as a gourmet grocery or high-end wine and spirits store, selling a full line of alcoholic beverages for off-site consumption. Two (2) mobile bars to provide alcohol service for special events for on-site consumption on the project site.
  - b. Live entertainment and dancing in conjunction with at least one (1) night club/lounge, one (1) restaurant, within the outdoor plaza within the boundaries of the project site, and at (2) mobile special events locations.
  - c. Live entertainment and dancing within the public right-of-way is prohibited under this grant. Note: This does not preclude the applicant or individual operator from securing a special events permit.
  
3. **Plan Approval**. The applicant or individual operator shall file a Plan Approval with the Zoning Administrator, to establish more site-specific conditions for the uses which are approved as identified above in Condition No. 2a through 2c of this section (alcohol sales and live entertainment). The Plan Approval application shall be accompanied by the payment of appropriate fees and must be accepted as complete by the Planning Department. Mailing labels shall be provided by the applicant for all abutting owners, for the Council Office, the Neighborhood Council and for the Los Angeles Police Department. 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. Entertainment-related and other specific conditions of operation, including the length of a term grant and security, shall be determined as part of the plan approval determination.

4. The hours of operation for the establishments selling and dispensing alcoholic beverages shall be from 7:00 a.m. to 2:00 a.m., Monday through Sunday. Sales and the service of alcohol shall be permitted from 10:00 a.m. to 2:00 a.m., however, hours of operation and hours of alcohol sales may be extended through the filing of plan approvals as the operators are identified. There shall be no business operations at the site between the hours of 2:00 a.m. through 6:59 a.m. including, but not limited to, private and promotional events.
5. Electronic age verification device(s) which can be used to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products shall be provided at each point-of-sale location. The device(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to the sale of any alcoholic beverage or tobacco product.
6. Any music, sound or noise emitted from the subject businesses shall comply with the noise regulations in the LAMC. All outside personnel associated with music performance and/or acoustical sound shall follow the City's noise regulations and are required to comply.
7. Applicant and its operator shall provide a detailed security plan to be approved by LAPD, prior to opening.
8. The property management company shall be responsible for providing the security guards identified in the preliminary Security Plan, including maintaining a contract and receipts showing ongoing payment for such service.
9. The operator shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses, especially, noise derived from patrons exiting and crowd control during entry and exiting.
10. During the operating hours of the businesses, the Petitioner(s) shall provide security officer(s) inside the premises.
11. Said personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross First-Aid Card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.
12. Security shall monitor any sidewalk or patio area used for patron smoking and work to discourage noise or nuisance behavior.
13. The center's business operator shall install and maintain surveillance cameras in all areas of the premises, including the indoor and outdoor dining court lounge area and a 30-day video library that covers all common areas of such business, including all high-risk areas and entrances or exits. The tapes shall be made available to the Police Department upon request.

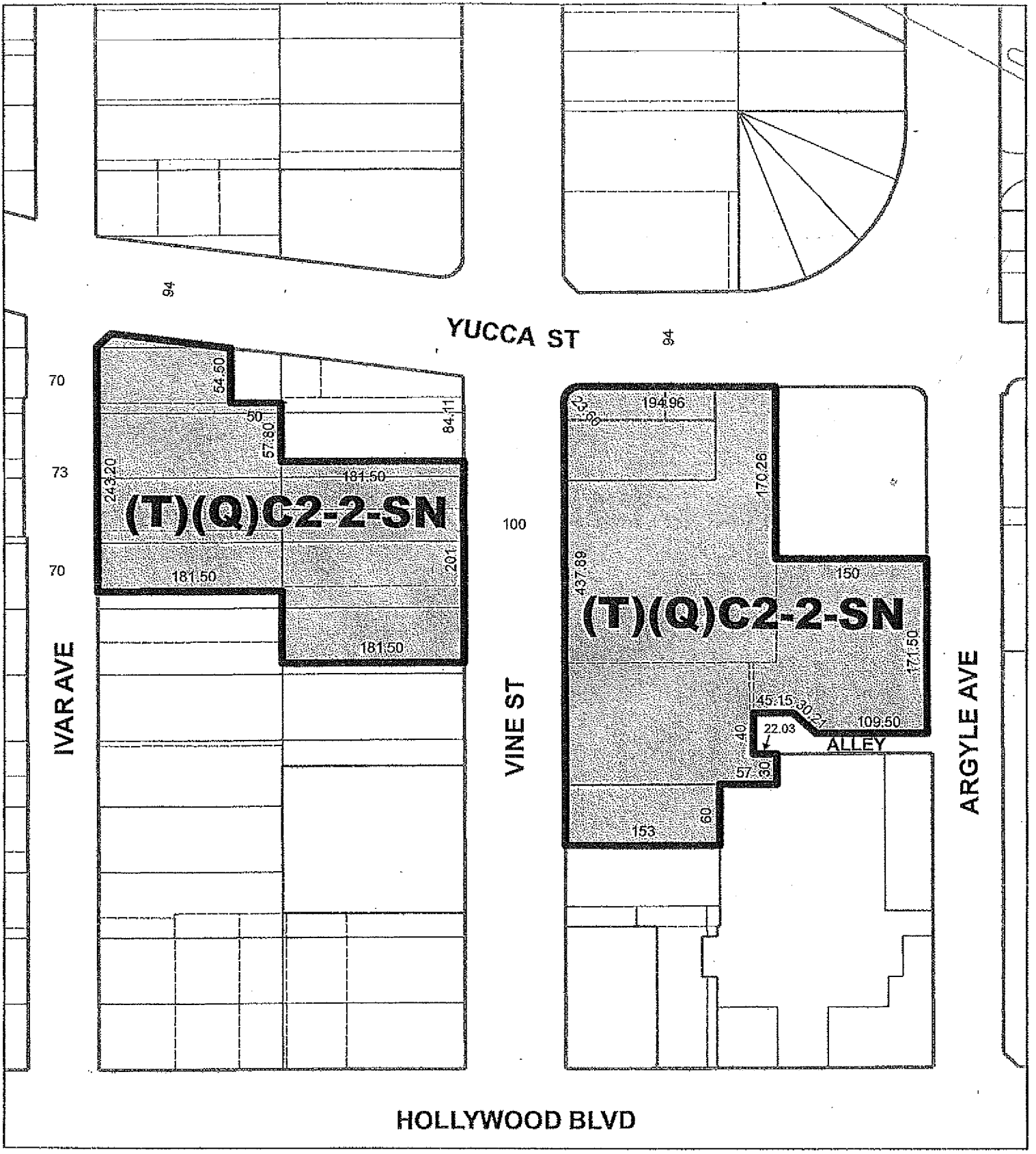
14. No coin-operated games, video machines, pool or billiard tables are permitted.
15. Prior to the issuance of any permits relative to this matter, the applicant shall submit an overall security plan for the project site which shall be prepared in consultation with the Los Angeles Police Department and which addresses security measures for the protection of visitors 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.
16. The alcoholic beverage license for the restaurants shall not be exchanged for "public premises" license unless approved through a new conditional use authorization. "Public Premises" is defined as a premise maintained and operated for sale or service of alcoholic beverages to the public for consumption on the premises, and in which food is not sold to the public as a bona fide eating place.
17. 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.
18. The owners, operators, managers, and all employees serving alcohol to patrons shall enroll in and complete a certified training program is recognized by the State Department of Alcoholic Beverage Control for the responsible service of alcohol. This training shall be completed by new employees within four weeks of employment and shall be completed by all employees serving alcoholic beverages every 24 months.
19. All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
20. A phone number to a responsible representative of the owner shall be posted at each restaurant for the purposes of allowing residents and guests to report an emergency or a complaint about the method of operation of any facility serving alcoholic beverages.
21. 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. Staff shall monitor the area under its control, in an effort to prevent loitering of persons about the premises.
22. At least one on-duty manager with authority over the activities within the facility shall be on each permitted premises at all times that the facility is open for business.
23. 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.

24. The applicant 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.
25. There shall be no exterior window signs of any kind or type.
26. 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. This does not preclude the use of "bar" or "cocktail" if used to advertise the name of the establishment.
27. Alcohol sales and dispensing only for on-site consumption shall only be served by employees of the restaurant(s). The sale of alcoholic beverages for consumption off the premises of the restaurant(s) is prohibited.
28. Within 60 days of the opening of the establishments selling and/or serving alcohol, all employees of the business shall receive "Server Awareness Alcohol Training" (STAR) and LEAD programs regarding alcohol sales, as respectively sponsored by the Los Angeles Police Department and State of California Alcoholic Beverage Control Department at least two times per year or to the satisfaction of the Los Angeles Police Department. The applicant shall transmit a copy of the completion of such training to the Zoning Administrator for inclusion in the file.
29. No employees shall solicit or accept any beverage from any customer while in the premises. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of any for the customers.
30. 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.
31. 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.
32. 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.
33. A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans



submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

34. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

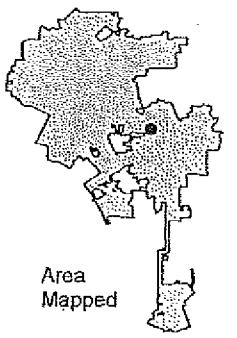


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148 5A 187, 148 5A 189

CPC-2008-3440-ZC-CUB-CU-ZV-HD

CFI *[Signature]*

030713



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 approve this ordinance and recommend its adoption on behalf of the City Planning Commission . . . . .

File No(s). \_\_\_\_\_

see attached report.  
*for NLG*  
\_\_\_\_\_  
MICHAEL LOGRANGE  
Director of Planning