

REVISED CONDITIONS FOR EFFECTUATING (T) OR [T] TENTATIVE CLASSIFICATION REMOVAL

APPROVED BY PLANNING AND LAND USE MANAGEMENT COMMITTEE ON 8/13/13

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

BUREAU OF ENGINEERING

1. That a **2-foot wide sidewalk easement and 5-foot and variable** width strip of land be dedicated along Sepulveda Boulevard adjoining the subdivision to complete a 57-foot wide half street dedication in accordance with Major Highway Standards, including a 20-foot radius property line return, or a 15 by 15 corner cut at the intersection with Camarillo Street all satisfactory to the City Engineer.
2. That a 6-foot wide strip of land be dedicated along Camarillo Street adjoining the subdivision to provide a minimum 36-foot wide half right-of-way and a **modified hammer-head turnaround** at the terminus all within the tract area on alignment satisfactory to the City Engineer.
3. That an additional 2-foot wide public sidewalk easement, if necessary, be dedicated at the location of the driveways along Camarillo Street adjoining the tract map satisfactory to the City Engineer.
4. That portions of La Maida Street and Peach Avenue within the subdivision be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the streets being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the areas being merged.

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

5. That two copies of a parking area and driveway plans be submitted to the Valley District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the issuance of a building permit.
6. That the final map be approved by the State Department of Transportation with respect to the alignment of the San Diego Freeway. Four copies of the final map shall be submitted to the City Engineers Office for the states approval prior to recordation of the final map

7. That necessary arrangements be made with the State Department of Transportation prior to recordation of the final map for any necessary permits with respect to any construction and drainage discharge within or adjacent to the San Diego Freeway right-of-way.
8. That a set of drawings be submitted to the City Engineer showing the followings:
 - a. Plan view at different elevations.
 - b. Isometric views.
 - c. Elevations views.
 - d. Section cuts at all locations where air space lot boundaries change.
9. 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 proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in a safe condition for use at all times.
10. That the subdivider execute and record a Covenant and Agreement advising future owners and builders that the finished first floor elevation of the structure shall be required to be constructed at least 2 feet above the adjacent Sepulveda Boulevard top of curb satisfactory to the City Engineer.
11. That Condition No. S1(a) of the Planning Department's standard conditions regarding payment of the Sewerage Facilities Charge be deemed as satisfied, insofar as the recordation of this tract is concerned.
12. That any surcharge in conjunction with the street merger be paid.
13. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. After submittal of hydrology and hydraulic calculations and drainage plans for review by the City Engineer prior to recordation of the final map, public/private drainage facilities may be required including the removal of any drainage facilities within the merger area all satisfactory to the City Engineer.
 - b. Improve Sepulveda Boulevard being dedicated and adjoining the tract by the construction of a 12-foot full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
 - c. Improve Camarillo Street being dedicated and adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 10-foot concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements to construct a 26-foot half roadway section including the construction of concrete curb and gutter to close the intersection of Peach Avenue and Camarillo Street.
 - (2) Suitable improvement of **hammer-head turnaround area** satisfactory to the City Engineer.

Note: Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements above, through Bureau of Street Services Street Tree Division.

Any questions regarding this report should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

Additional Condition Added by Commission and Volunteered by Applicant

- d. Sepulveda Boulevard Median. The Permittee shall request approval from the Bureau of Engineering to install landscaping within the median along Sepulveda Boulevard between Moorpark Street and Camarillo Street consistent with the landscaping along the project's Sepulveda Boulevard frontage. The Permittee shall install and maintain the landscaped improvements within the median at its own expense for the life of the project.

BUREAU OF STREET LIGHTING

14. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Relocate and upgrade street lights: three (3) on Camarillo Street and four (4) on Sepulveda Boulevard.

BUREAU OF SANITATION – WATERSHED PROTECTION DIVISION

15. **Stormwater.** Prior to the issuance of a Grading Permit, the project shall comply with the Standard Urban Stormwater Mitigation Plan (SUSMP) and/or the Site Specific Mitigation Plan to mitigate stormwater pollution as required by Ordinance No.'s 172,176 and 173,494. The appropriate design and application of Best Management Practice (BMP) device(s) and facilities shall be determined by the Watershed Protection Division of the Bureau of Sanitation, Department of Public Works. More Information may be obtained at www.lastormwater.org.

**(Q) or [Q] QUALIFIED CONDITIONS OF APPROVAL
(Approved by PLUM on August 13, 2013)**

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

A. Entitlement Conditions

1. A. Site Plan.

The use and development of the subject property shall be in substantial conformance with the site plan, and elevations attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the Conditions of Approval. All signage shall be implemented in accordance with the Los Angeles Municipal Code and any applicable regulations of the Specific Plan. The Permittee shall present the final plans to the applicable Council Office and the Sherman Oaks Neighborhood Council Land Use Committee for the Consultation for consistency with this condition.

Design Elements Shall include **(Added by Commission as Volunteered by Applicant)**:

1. A Stair-stepped design, with four stories along Sepulveda Boulevard, six stories on the interior of the site and seven along the north and west perimeters of the site.
2. A plaza along the Project's Sepulveda Boulevard frontage, which shall be approximately 13,000 square feet and include tables, chairs, benches and planters with native landscaped vegetation. The Permittee shall request that the Bureau of Engineering permit the two (2) foot wide sidewalk easement dedication indentified for the Project along Sepulveda Boulevard to be uses to further expand the size of the plaza.
3. An open air colonnade along Sepulveda Boulevard in front of the project's retail component to enhance the architectural façade of the project.
4. Gardens from the interior residential level to Sepulveda Boulevard that are visible to the public.
5. A pedestrian entrance to the retail component from the ground level parking off Camarillo Street.

B. Pedestrian, Streetscape and Transit Enhancement Plan.

1. Prior to the issuance of a building permit (excluding grading, shoring and foundation permits) for the project, the Permittee shall submit to the Department of Public Works for review and approval a Pedestrian, Streetscape and Transit Enhancement Plan to provide pedestrian, streetscape and transit enhancements to promote consistency with the neighboring Sherman Oaks Streetscape and Design Plan to foster a high-quality pedestrian environment along the Project's Sepulveda Boulevard frontage. The Plan may include such features as street trees, planter boxes, street furniture, improvements to broken and uneven sidewalks, sidewalk and intersection scoring, street lighting, bicycle racks, bus shelters, and urban swales. Prior to the submission of the Plan to the Department of Public Works, the Permittee shall provide a draft of the Plan to the IL Villaggio Toscano Neighborhood Committee for review and input. Upon approval by the Department of Public Works and any other

applicable City Departments, the Permittee shall implement the approved Plan prior to the issuance of a certificate of occupancy for the project.

2. **Use.** The use of the subject property shall be limited to those uses permitted in the C2 Zone as defined in Section 12.14 of the Los Angeles Municipal Code ("L.A.M.C."). The residential density shall be limited to 325 dwelling units. Further, the following shall apply:
 - A. The Conditional Use Permit granted for the sales of a full-line of alcohol for off-site consumption shall be subject to the following:
 1. All rules, regulations and policies of the State of California and any applicable regulations of the Los Angeles Municipal Code pertaining the handling, selling and dispensing of alcohol shall be strictly adhered to.
 2. All employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers (STAR)". Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Department of City Planning as evidence of compliance. In the event there is a change in the licensee, within one year of such change, this training program shall be required for all staff.
 - B. All applicable provisions of the Ventura/Cahuenga Boulevard Corridor Specific Plan shall be strictly adhered to, except for those provisions granted under the Specific Plan Exceptions of this determination.
 - C. The Permittee shall provide a liaison to: (i) work with the Sherman Oaks Neighborhood Council to identify priority parkland acquisition or improvement opportunities that could be funded by the Project's Quimby Fees in the Sherman Oaks area; (ii) prepare a report to the Department of Recreation and Parks proposing the expenditure of Quimby Fees for such acquisition or improvement; (iii) collaborate with the Department of Recreation and Parks, the Council Office and the Sherman Oaks Neighborhood Council to expedite the approval and expenditure of the Quimby Fees; and (iv) identify potentially available matching grant opportunities for such parkland acquisition or improvements.
3. **Vehicular Parking and Bicycle Racks.**

Vehicular Parking. Parking spaces shall be provided at a ratio of 2.5 spaces per residential unit. Parking provided for commercial uses shall be provided pursuant to the Los Angeles Municipal Code.

Bicycle Racks.

Long Term – 325 bicycle racks shall be provided for residents

Short Term – 33 bicycle racks shall be provided for residential guests.

The bicycle racks shall be placed in convenient locations for residents and guests.

4. **Lighting.** All lighting shall be shielded and directed onto the site. No floodlighting shall be located so as to illuminate directly onto any adjacent residential property. This condition shall not preclude the installation of low-level security lighting.
5. **Height and Floor Area Ratio. See D Limitations Section**
6. **Landscape Plan.** The proposed project areas of the subject site shall be attractively landscaped and maintained in accordance with an approved landscape plan. The project shall also comply with all applicable provisions of Ordinance No. 170,978.

Additionally, the following shall apply pursuant to the City Planning Commission's instruction:

- a. The landscape buffer, including the raised curb, along the fire lane and the property boundary shall be 7 feet in width. A 2-foot wide landscape buffer also shall be created along the fire lane and the parking podium. The Applicant shall submit final plans detailing these Landscape areas to the satisfaction of the Director of Planning.
 - b. The project shall provide trees on top of the podium at the edge of the structure adjacent to the pool and its border with the fire lane. The trees shall provide shade and enhance air quality, but shall not prohibit view opportunities to the west from the pool deck.
7. **Fire Department.** Comply with all requirements of the Fire Department.
 8. **Solid Waste.** Trash and recycling bins shall be provided at appropriate locations throughout the subject site, including the parking lot area.
 9. **Air Filtration.** The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 15 or better in order to reduce the effects of diminished air quality on the occupants of the project. (See Mitigation Measure No. 19)

B. Environmental Mitigation Conditions

10. In addition to SCAQMD Rule 403 (Fugitive Dust) requirements, the Project applicant will implement the following measures:

Construction

 - Water three times daily or non-toxic soil stabilizers shall be applied, according to manufacturers' specifications, as needed to reduce off-site transport of fugitive dust from all unpaved staging areas and unpaved road surfaces
 - Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks or any equipment leaving the site each trip;
 - All trucks hauling dirt, sand, soil, or other loose materials are to be covered;
 - Replace ground cover in disturbed areas as quickly as possible;

- Pave road and road shoulders;
 - Traffic speeds on all unpaved roads to be reduced to 15 mph or less;
 - Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph; and
 - Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM₁₀ generation
11. Streets shall be swept as needed during construction with sweepers using reclaimed water, where available, but not more frequently than hourly, if visible soil material has been carried onto adjacent public paved roads.
 12. All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
 13. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, all trucks and vehicles will have their engines turned off when not in use or idling will be limited to five (5) minutes or less, to reduce vehicle emissions. Ensure that all off-road equipment is compliant with the California Air Resources Board's (CARB) in-use off-road diesel vehicle regulation and SCAQMD Rule 2449. Construction activities should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.
 14. To the extent possible, petroleum powered construction activity shall utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.
 15. The project representative shall make available to the lead agency and SCAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the mass grading phase of project construction. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be provided onsite at the time of mobilization of each applicable unit of equipment. Off-road diesel-powered construction equipment shall meet the Tier standards based on the following schedule:
 - January 1, 2012, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved

by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

16. Light-colored roof materials to deflect heat and reduce energy demand for building cooling purposes shall be used.
17. Double-paned windows shall be used to reduce thermal loss and reduce energy demand for temperature control purposes.
18. The project shall be designed and operated to conserve energy as required by the City of Los Angeles Department of Water and Power, Southern California Edison, Southern California Gas Company, and/or other appropriate agencies.
19. The project shall include heating, ventilation and air conditioning (HVAC) control systems that service residential occupancies consistent with the minimum specifications per floor and building location included in Attachment A of Appendix FEIR-D. At a minimum, residential units shall include HVAC control systems with particulate filters that have a minimum efficiency reporting value (MERV) of 15 as indicated by the American Society of Heating Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2. The air handling systems shall be maintained on a regular basis per manufacturer's recommendations by a qualified technician employed or contracted by the project proponent or successor. Operation and maintenance of the system shall ensure that it performs in compliance with the manufacturers' specified reporting value.

In addition to the provisions of the Mitigation Monitoring Reporting Program "MMRP", the project shall store HVAC maintenance records relative to the MERV filtration requirements in the project's management office. The project shall also provide, on an annual basis to the Department of City Planning, a record of compliance to the MERV rating requirement.

20. To minimize exposure to diesel exhaust and the reentrainment of paved roadway dust, the proposed project shall:
 - (1) install inoperable windows facing the freeway, except where operable windows are required by the building code;
 - (2) place actively and passively utilized outdoor areas as far away from the roadway as possible; and
 - (3) include landscaping along the property perimeter nearest the freeway with a dense mixture of shrubs and trees to maximize passive filtration of particulate air contaminants.
21. If vegetation removal occurs between February 15 and August 31, a biological survey shall be conducted by a qualified biologist prior to the removal of the vegetation to determine if nesting birds are occurring on site. In the event nesting is observed, the biologist shall recommend a buffer area with a specified radius to be established (buffer may range between 50 and 300 feet as determined by the monitoring biologist), within which no disturbance or intrusion shall be allowed until the young had fledged and left the nest or it is determined by the monitoring biologist that the nest has failed. If no nesting is observed, no further action shall be warranted.
22. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the project site, shall be submitted for approval by the Department of City Planning and the Bureau of Street Services—Street Tree Division. All trees in the public

right-of-way shall be treated in accordance with the current Street Tree Division standards and all conditions of approval shall be met.

23. The Applicant or its contractor shall incorporate the recommendations detailed in the geotechnical investigation prepared for the proposed project, as approved by the City of Los Angeles. (Geotechnical recommendations regarding pile or drill caissons, footings, slabs, fill, shoring, retaining walls, and site drainage are provided within the Geotechnical Engineering Investigation (geotechnical report) dated June 6, 2002, and Addendum I, Additional Exploration, dated March 17, 2003, both prepared by Geotechnologies, Inc. provided in Appendix C of the Draft EIR.)
24. The project shall provide on-site storm drain improvements to detain peak storm water flows to the satisfaction of the City of Los Angeles Department of Public Works.
25. The project shall comply with the requirements of the applicable NPDES permit for stormwater discharge and with all applicable requirements of the RWQCB, EPA and local agencies including the City of Los Angeles regarding water quality.
26. The project shall implement Best Management Practices (BMPs) to detain or treat 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 licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be provided
27. 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.
28. The legibility of signs and stencils discouraging illegal dumping shall be maintained.
29. Materials used on site with the potential to contaminate stormwater shall be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
30. A temporary sound barrier, capable of providing a minimum 10 dBA reduction (e.g., solid wood fence) and minimum height of 8 feet, shall be erected along the project's east property line along Sepulveda Boulevard for the entire length of the project site as well as between the project site and the 777 Motor Inn.
31. To the extent feasible, construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously, which causes high noise levels.
32. Engine idling from construction equipment such as bulldozers and haul trucks shall be limited, to the extent feasible. Idling of haul trucks shall be limited to five (5) minutes at any given location as established by the South Coast Air Quality Management District. Signs that limit engine idling shall be posted on the project site during construction.
33. The construction staging area shall be located as far as feasible from sensitive receptors.

34. An acoustical analysis of the architectural plans of the proposed residential building façade constructions shall be prepared by a qualified acoustical engineer, prior to issuance of building permits, to ensure that the building construction (i.e., exterior wall, window and door) will provide adequate sound insulation to meet the acceptable interior noise level of 45 dBA (CNEL).
35. The Applicant shall retain services of an acoustical consulting engineer experienced in mechanical noise analysis and during plan check provide the City with an acoustical report indicating that the project mechanical design meets the City's noise ordinance (i.e., maximum 5 dBA above ambient noise levels).
36. Prior to the issuance of the building permit, the Applicant shall consult with the LAPD's Crime Prevention Unit, regarding on-site crime prevention features appropriate for the design of the property. These features may include the following elements as determined by LAPD's Crime Prevention Unit:
 - designing entryways, elevators, lobbies and parking areas with lighting that eliminates areas of concealment;
 - eliminating areas of dead space;
 - providing solid core doors with deadbolt locks to all residential units and commercial uses; and
 - providing parking within an enclosed parking podium that would be internal to the site.
37. Prior to the issuance of any building permits, the Applicant shall provide the commanding officer at the Van Nuys Community Police Station with a diagram of each portion of the property, including access routes and additional information which may facilitate a police response.
38. Project building plans including a plot plan shall be submitted for approval by the Los Angeles Fire Department either prior to the recordation of the final map or the approval of a building permit.
39. Prior to the issuance of a building permit, the Applicant shall consult with the Los Angeles Fire Department and design the project to meet on-site fire flow requirements and incorporate fire prevention and suppression features and other life-saving equipment.
40. The project shall comply with all applicable State and local Codes and Ordinances found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles, unless otherwise approved.
41. Pursuant to California Government Code Section 65995, the Project Applicant shall pay developer fees to Los Angeles Unified School District prior to the issuance of building permits.
42. In consultation with the City of Los Angeles Department of Recreation and Parks, the Applicant shall do one or more of the following: (1) dedicate additional parkland to meet the requirements of Los Angeles Municipal Code Section 17.12; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide on-site improvements equivalent in value to said in-lieu fees.

43. Prohibit parking along the west side of Sepulveda Boulevard from the northern site boundary to Camarillo Street and restripe to provide a southbound right-turn-only lane. For this short-term condition, it is proposed that the restriping be limited to the segment of Sepulveda Boulevard approximately from Camarillo Street to La Maida Street, that the existing southbound left-turn lane approaching Camarillo Street be temporarily reduced in width to 9 feet, and that the proposed southbound right-turn-only lane be 10 feet wide.
44. Whenever feasible during construction, sidewalk access along Sepulveda Boulevard and Camarillo Street shall be provided to maintain pedestrian access.
45. A Construction Management Plan or Worksite Traffic Control Plan shall be prepared by the Applicant and approved by the Department of Transportation and Department of Public Works and shall contain, at minimum, the following:
 - The name and telephone number of a construction manager who can be reached 24 hours a day;
 - An up-to-date list of local police, fire, and emergency response organizations and procedures for the continuous coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Coordination shall include the assessment of any alternative access routes that might be required through the proposed project area and maps showing access to and within the area and to adjacent properties;
 - Procedures for the training of traffic safety personnel (flaggers) to assist in emergency response; and
 - The location, times, and estimated duration of any roadway or sidewalk closures, traffic detours, use of protective devices, warning signs, and queuing areas.
 - Configure construction parking to minimize traffic interference;
 - Provide dedicated turn lanes for movement of construction trucks and equipment, where space is available and would not result in a safety concern for pedestrians and motorists; and
 - Reroute construction trucks away from congested streets or sensitive receptor areas, where the resultant trip length would not substantially increase.
46. Flaggers shall be provided as necessary to minimize impact to traffic flow and to ensure safe movement into and out of the project site.
47. Heavy-duty construction trucks shall arrive at the site no earlier than 7:00 A.M. and depart no later than 3:30 P.M.
48. Construction vehicles shall not be permitted to queue where they would interfere with traffic movement or block access to adjacent businesses or residences.
49. All-construction-related vehicles shall be parked on-site or in off-site parking facilities, pursuant to a Temporary Parking Plan. On-street parking of construction-related vehicles shall be prohibited on nearby local streets.

Transportation Improvement Requirements. The following Transportation Improvement requirements (conditions 50-57) shall be performed prior to the issuance of a Certificate of Compliance (as stated in the Mitigation Monitoring Reporting Program “MMRP”) and as stated in DOT’s approval letter dated April 21, 2011 under subsection

H, 3rd paragraph. Additionally, all said measures shall also comply with Condition No.'s 27 and 28 of the Vesting Tentative Tract Determination (VTT-61216), which requires the execution of a Covenant and Agreement for mitigation monitoring and to bind the project and any successors to guarantee the performance and execution of all mitigation measures. All improvement requirements are bound by "B-Permit" requirements of the Bureau of Engineering, which also requires the posting of bonds to guarantee all required improvements.

50. *Camarillo Street and Sepulveda Boulevard:* Dedicate an additional 6 feet and widen by 4 feet along the north side of Camarillo Street between Sepulveda Boulevard and the westerly site boundary. In order to implement this measure, on-street parking along both sides of this segment of Camarillo Street shall be removed and this leg of the intersection shall be restriped to provide an eastbound left-turn only lane, shared eastbound through and left-turn lane, and eastbound right-turn only lane. Modify the existing traffic signal to install eastbound protected-permissive phasing. In addition, on-street parking shall be removed during the A.M. peak period (approximately 7:00 A.M. to 10:00 A.M.) along the west side of Sepulveda Boulevard from the northerly site boundary to Galleria Gateway. The southbound approach shall be restriped to provide a fourth southbound through lane from north of Camarillo Street to north of Ventura Boulevard during the A.M. peak period.
51. *Ventura Boulevard/405 Freeway Southbound On-Ramp—Sherman Oaks Avenue:* Widen by 5 feet the south side of Ventura Boulevard from Sherman Oaks Avenue to approximately 270 feet westerly, as measured from the centerline of Sherman Oak Avenue. Additionally, widen by 2 feet both sides of Ventura Boulevard from US-101 Freeway eastbound off-ramp/I-405 Freeway southbound on-ramp—Sherman Oaks Avenue to approximately 230 feet easterly as measured from the centerlines of the freeway ramps and Sherman Oaks Avenue; and restripe to provide an exclusive westbound right-turn-only lane at the intersection. Modify the existing traffic signal to accommodate restriping.
52. *Ventura Boulevard and Van Nuys Boulevard:* Restripe to add a second southbound left-turn lane at Ventura Boulevard. Modify the existing traffic signal to install southbound protected left-turn phasing.
53. *Ventura Boulevard and Beverly Glen Boulevard:* Widen by 3 feet the south side of Ventura Boulevard from Beverly Glen Boulevard to approximately 160 feet westerly, as measured from the centerline of Beverly Glen Boulevard. Restrict parking on south side of Ventura Boulevard and restripe the eastbound approach to provide an eastbound right-turn-only lane at Beverly Glen Boulevard.
54. *Ventura Boulevard and Sepulveda Boulevard:* Convert the southbound optional through-right-turn lane on Sepulveda Boulevard at Ventura Boulevard to a through lane.
55. *US-101 Freeway Eastbound On-Ramp & Sepulveda Boulevard:* Install a new traffic signal to control this intersection, including southbound left-turn phasing and the ATSAC/ATCS upgrade. This signal would provide improved capacity and reduce conflicts between the southbound left-turning traffic accessing the on-ramp and the heavy northbound through traffic on Sepulveda Boulevard.
56. *Ventura Boulevard & Haskell Avenue (North):* Widen the north side of Ventura Boulevard from the north leg of Haskell Avenue to approximately 190 feet easterly, as measured from the centerline of that leg, and restripe to provide a westbound right-turn-only lane.

57. The project applicant will contribute \$300,000 to a fund for the identification and implementation of local parking, transportation and circulation improvements in the following areas: the area bounded clockwise by Haskell Avenue beginning at Valley Vista Boulevard and extending northerly to SR-101 (on the west), from that point extending easterly along SR-101 to I-405, and from that point extending northerly along I-405 freeway to westernmost prolongation of Magnolia Boulevard, and from that point extending easterly on Magnolia Boulevard prolongation to Kester Avenue, and from that point extending southerly along Kester Avenue to the prolongation of Moorpark Street, from that point extending easterly along the prolongation of Moorpark Street to Beverly Glen Boulevard–Tyrone Avenue, from that point extending southerly along Beverly Glen Boulevard–Tyrone Avenue to Dickens Street, from that point extending westerly along Dickens Street to Kester Avenue, from that point extending southerly along Kester Avenue to Valley Vista Boulevard, and from that point extending westerly back to Haskell Avenue. The \$300,000 payment will be guaranteed through cash, bond or irrevocable letter of credit, payable to DOT. The fund will be used for measures that include but are not limited to parking improvements intended to increase parking availability, reduce search times and relieve traffic congestion; neighborhood traffic calming; transit-related improvements and amenities; bicycle-related improvements and amenities; pedestrian-related improvements and amenities; and streetscape improvements and amenities.
58. Bicycle rack parking that is secure, convenient, and easily accessible, shall be added on-site and within the public right of way with the approval of Bureau of Street Services, Department of Public Works through their A Permit process. The copy of the A Permit will be submitted to Department of Building and Safety prior to approval of Certificate of Occupancy. Bicycle parking spaces shall be provided at the rate of two percent of the number of automobile parking spaces required for non-residential uses.
59. For the commercial uses on the project site, the applicant shall (unless otherwise required and to the satisfaction of the Department of Building and Safety):
- Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
 - Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
60. Unless otherwise required, all restroom faucets for the commercial uses on the project site shall be of a self-closing design, to the satisfaction of the Department of Building and Safety.
61. For the residential uses on the project site, the applicant shall (unless otherwise required and to the satisfaction of the Department of Building and Safety)
- Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
 - Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
 - Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a

tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.

- Install and utilize only high-efficiency, Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
62. In addition to the requirements of the Landscape Ordinance, the landscape plan for the proposed project shall incorporate the following:
- Weather-based irrigation controller with rain shutoff;
 - Matched precipitation (flow) rates for sprinkler heads;
 - Drip/microspray/subsurface irrigation where appropriate;
 - Minimum irrigation system distribution uniformity of 75 percent;
 - Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials;
 - Use of landscape contouring to minimize precipitation runoff; and
 - A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for irrigated landscape areas totaling 5,000 square feet and greater, to the satisfaction of the Department of Building and Safety.
63. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment; e.g., vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system).
64. The construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related wastes. The contract specifying recycled waste service shall be presented to the Department of Building and Safety prior to approval of the demolition and building permits for the proposed project.
65. To facilitate on-site separation and recycling of demolition and construction-related wastes, the construction contractor should provide temporary waste separation bins on-site during demolition and construction of the proposed project.
66. Recycling bins shall be provided at appropriate locations on the project site to promote recycling of paper, metal, glass, and other recyclable materials.
67. All residential and commercial uses established within the project site shall be permanently provided with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials.
68. A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities of the project site where the older Quaternary Alluvium would be disturbed. The services of a qualified paleontologist shall be secured by contacting the Natural History Museum of Los Angeles County. The

frequency of inspections will be based on consultation with the paleontologist and will depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains.

69. If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage.
70. At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.
71. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository.
72. Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.
73. If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.
- 73.5 The Permittee shall form the IL Villaggio Toscano Neighborhood Committee (the "Committee") and assign a management-level employee as a community liaison. The Committee shall be comprised of the Permittee's community liaison and one representative from each of the Sherman Oaks Homeowners Association, the applicable Council Office, the Sherman Oaks Neighborhood Council, United Neighbors 818, and meet as necessary. The Committee and the Permittee shall work together in good faith to identify measures for expenditure from the Neighborhood Transportation Measures Fund.

Additional Conditions of Approval Added/Modified by Commission and Volunteered by Applicant.

74. Transportation.

- A. Neighborhood Transportation Measures Fund. Prior to the issuance of the first building permit, the Permittee shall guarantee the necessary funding for the \$300,000 fund required by Mitigation Measure Number MM-57, as well as an additional \$100,000, for a total of \$400,000 ("Neighborhood Transportation Measures Fund") through bond or irrevocable letter of credit, payable to LADOT.

The Neighborhood Transportation Measures Fund shall be used for parking improvements designed to increase parking availability, to reduce search times and relieve traffic congestion, to provide neighborhood traffic calming, to provide for transit-related improvements and amenities, bicycle-related

improvements and amenities, pedestrian-related improvements and amenities, and streetscape improvements and amenities. Neighborhood traffic calming measures, which may be paid for by the Fund shall be limited to the area bounded by Halbrent Avenue to the west, Moorpark Street to the south, Saloma Avenue to the east and the 101 Freeway to the north (including La Maida Street) and may include, but not be limited to:

- i. Street bumps;
- ii. Intersection bump outs,
- iii. Permit parking;
- iv. Establishment of an “anti gridlock” zone at the intersection of Noble Avenue and Moorpark Street,
- v. Trimming trees that block “STOP” signs or other traffic calming signage, and;
- vi. Repainting “STOP” markings on streets.

All expenditures from the Neighborhood Transportation Measures Fund shall be made only upon consultation with the Committee and the approval and written acknowledgement of the approved expenditure from the Director of Planning and LADOT.

Within the Neighborhood Transportation Measures Fund, \$40,000 shall initially be allocated towards permit parking under subsection A.iii. Any amounts not spent within twenty-four months of establishment of the Fund shall be available for expenditure for any of the other approved uses for the Fund.

- B. Neighborhood Transportation Measures Plan. Prior to the issuance of any building permit for the Project, the Permittee shall submit to the Planning Department a proposed Neighborhood Transportation Measure Plan (the “Plan”) designed to create a formal mechanism for administration of expenditures from the Neighborhood Transportation Measures Fund.
 - i. The Plan shall be developed in consultation with the Planning Department, LADOT and the applicable Council District Office.
 - ii. The Plan shall be submitted to the Planning Department prior the issuance of any building permit. Implementation of the Plan shall proceed immediately upon the acceptance of the Plan by the City.
 - iii. The Plan may include measures such as parking improvements intended to increase parking availability, reduce search times and relieve traffic congestion, neighborhood traffic calming, transit-related improvements and amenities, bicycle-related improvements and amenities, pedestrian-related improvements and amenities, streetscape improvements and amenities, as well as other improvements of possible concern to the neighbors and community that may be brought to the attention of the Planning Department, LADOT, the applicable Council District Office, the Committee and the Permittee.
- C. Additional Neighborhood Protection Measures. Permittee shall fund a warrant analysis by a traffic engineer for submission to LADOT for review and approval of the installation of:

- i. Signage indicating that through traffic from Sepulveda Boulevard is prohibited onto Camarillo Street, La Maida Street and Moorpark Street between 7:00 am and 9:00 am on weekdays; and
 - ii. "STOP" signs on Camarillo Street at the intersections of Norwich Avenue and Saloma Avenue.
- D. Transportation Management Organization. The Permittee shall request approval from LADOT and the Department of City Planning to allow use of the Project's PIA fee toward the establishment of a Transportation Management Organization (TMO) for the Sherman Oaks area. Prior to the issuance of the first building permit for the Project, the Permittee shall submit a feasibility study and business plan for the establishment of a TMO to LADOT and the Department of City Planning. The Permittee shall include in its feasibility study and business plan for the establishment of a TMO innovative and flexible programs and measures, such as: an online TMO similar to the Century City TMO, ridesharing opportunities and personalized travel plans, shuttles to and from the Orange Line, and employee discounts on transit passes to TMO members and the employees and residents represented by their membership
- E. Transportation Demand Management. The Permittee's Transportation Demand Management Plan shall, at a minimum, include the following elements:
- i. The project shall provide at no charge one (1) transit pass for each residential unit, upon a tenant's request for the first three years after the Project is in operation. After the first three years, a single discount pass will be offered upon request to each unit. The Applicant can satisfy this requirement by participating in programs offered by the MTA, as applicable;
 - ii. Transportation Coordinator on-site;
 - iii. Coordination with area businesses to maximize leasing to their employees as central focus of marketing strategy;
 - iv. Unbundle leasing of dwelling units from parking spaces;
 - v. Preferential parking for carpools and vanpools for retail employees;
 - vi. Personal trip plans (transit, carpool, vanpool, bicycle, walking) for residential and employees;
 - vii. Transportation information to residents in project communications;
 - viii. Semi-annual events to promote ridesharing and transit usage;
 - ix. Transportation Information Displays in common areas; and
 - x. Wire residential units for high speed internet access.
- F. Haul Route Permit Hours (amends Tract Condition No. 23.f for hours and number of trucks per day). The Haul Route Permit hours shall be from 7:00 am to 3:30 pm. The Permittee shall be allowed to send up to 20 hauling trucks daily via the 101 Freeway westbound to Sepulveda Boulevard Offramp and south to Camarillo Street to stage the trucks on the property no earlier than 7 am, Monday through Friday. These trucks may load and exit the property via Camarillo Street to Sepulveda Boulevard north to the 101 Freeway onramp eastbound between 7 am and 9:30 am. No additional trucks

may travel to the site or stage in other nearby areas until after 9:30 am. Haul trucks may load and travel normal routes between 9:30 am and 3:30 pm.

G. Shared Transit Resources. The project shall provide shared transit resources for the use of residents, for the life of the project, consisting of:

- i. Up to ten (10) parking spaces shall be provided on-site for a Car Share program (i.e., Zipcar or similar). Parking for Car Share cars may be included as part of the required residential parking required by this approval. The Applicant shall submit final plans detailing the location of a Car Share Program to the Director of Planning, prior to the issuance of a certificate of occupancy.
- ii. Twenty (20) Shared Ride bicycles for the use of the project residents on a reservation basis shall be provided on-site. Parking for Shared Ride bicycles may be included as part of the residential bicycle parking required by this approval. The Applicant shall submit final plans detailing the location of a Bike Sharing Program to the Director of Planning, prior to the issuance of a certificate of occupancy.

C. Administrative Conditions

75. **Grant.** The entitlements granted herein shall be effectuated as prescribed by the Los Angeles Municipal Code.
76. **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 Planning Department for placement in the subject file.
77. **Code Compliance.** All regulations of the zone classification of the subject property shall be complied with, except where herein conditions or grants have been modified.
78. **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 assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
79. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
80. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
81. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

82. **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.
83. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
84. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein, as to area of responsibility, and phase of intervention (pre- construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions. **The applicant shall adhere to the Mitigation Monitoring and Reporting Program as provided in Section IV of the Final Environmental Impact Report.**

D LIMITATIONS CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G-4 of the Municipal Code, the following limitations are hereby imposed upon the development of the subject property, subject to the D Limitation Classification.

1. **D Limitation - Height.** The height of all buildings and structures on the subject property shall not exceed 82 feet. This height limitation excludes the lighting standards, flagpoles, and rooftop equipment. All rooftop equipment and/or duct work that exceeds the roof ridge or parapet wall, whichever is higher, shall be screened from horizontal view with materials compatible with the design of the structures.
2. **D Limitation - Floor Area Ratio** – A maximum Floor Area Ratio of 2.25:1 shall be permitted on the subject site.