

CITY OF LOS ANGELES
CALIFORNIA

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When making inquiries relative to
this matter, please refer to the
Council File No.

January 29, 2014

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 13-1499,
at its meeting held January 28, 2014.


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File No. 13-1499

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal filed for property located at 7407 South La Tijera Boulevard.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 13-1499 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2012-3437-MND] filed on April 12, 2013.
2. ADOPT the FINDINGS of the Planning and Land Use Management (PLUM) Committee, including the Environmental Findings, as the Findings of the Council.
3. RESOLVE TO GRANT THE APPEAL filed by 7407 La Tijera Nord, LLC (Representative: Jonathan Lonner, Burns and Bouchard, Inc.), from part of the determination of the Los Angeles City Planning Commission (LACPC), THEREBY APPROVING:
 - a. A Site Plan Review for a project creating more than 50 residential dwelling units, subject to Conditions of Approval approved by the PLUM Committee on January 14, 2014, attached to Council file No. 13-1499, for the proposed construction of a five-story, mixed-use building containing 140 residential units, 2,600 square feet of ground floor retail space, for property located at 7407 South La Tijera Boulevard (7401-7501 South La Tijera Boulevard and 5630 West 74th Street).
 - b. A Density Bonus to permit a 140-unit rental housing development, with 13 units (or 11 percent) restricted to very low income households and 127 market-rate units, with Parking Option 1 to allow 227 on-site residential parking spaces in lieu of the minimum number required per Los Angeles Municipal Code (LAMC) Section 12.21-A,4.
 - c. An on-menu incentive to allow a Floor Area Ratio of 3:1 in lieu of the maximum 1.5:1 otherwise permitted in the C2-1VL zone.
 - d. Off-menu incentives to permit:
 - i. A maximum height of 35 feet in lieu of 25 feet permitted under transitional height requirements for lots located between 0 and 49 feet from the R1 zone.
 - ii. A maximum height of 55 feet for in lieu of 33 feet permitted under transitional height requirements for lots located between 50 and 99 feet from an R1 zone.
 - iii. An overall maximum height of 56 feet in lieu of the 45 feet otherwise permitted in the C2-1VL zone.
4. ADVISE the applicant that, pursuant to California State Public Resources Code Section

21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

5. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: 7407 La Tijera Nord, LLC
Representative: Jonathan Lonner, Burns and Bouchard, Inc.

Case No. CPC-2012-3436-DB-SPR

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT - FEBRUARY 4, 2014

(LAST DAY FOR COUNCIL TO ACT - FEBRUARY 4, 2014)

Summary

At the public hearing held on January 14, 2014, the Planning and Land Use Management Committee considered an appeal filed regarding a proposed project located at 7407 South La Tijera Boulevard. Staff from the Department of City Planning gave the Committee background information on the matter. The Applicant's representative, members of the public and Council Office staff also provided testimony.

After an opportunity for public comment, the Committee recommended that Council grant the appeal filed by 7407 La Tijera Nord, LLC, and thereby approve the Site Plan Review, Density Bonus, and on- and off-menu incentives, for the proposed construction of a five-story, mixed-use building containing 140 residential units, 2,600 square feet of ground floor retail space, for property located at 7407 South La Tijera Boulevard (7401-7501 South La Tijera Boulevard and 5630 West 74th Street), subject to Conditions of Approval. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HUIZAR:	YES
CEDILLO:	YES
ENGLANDER:	YES

ADOPTED

JAN 28 2014

LOS ANGELES CITY COUNCIL

**CONDITIONS OF APPROVAL
APPROVED BY PLUM COMMITTEE ON JANUARY 14, 2014**

Entitlement Conditions

1. **Use.** The project is approved for a 128,072 square-foot, five-story, mixed use building, containing a total of 140 residential units, including 13 units restricted for Very Low Income Households, and 2,600 square feet of ground floor retail space.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit 4, 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.
3. **Floor Area.** The total floor area of the new building on the subject property shall not exceed three times the buildable area of the lot.
4. **Height.** The maximum height of the proposed structure shall not exceed the following:
 - a. 35 feet for the portion of the building located 0 to 49 feet from the R1 Zone;
 - b. 55 feet for the portion of the building located 50 to 99 feet from the R1 Zone; and
 - c. 56 feet for the portion of the building located, more than 99 feet from the R1 Zone.
5. **Density.** The total density at the site shall be limited to no more than 140 residential units.
6. **Open Space.** On-site open space shall be provided pursuant to the Los Angeles Municipal Code and in substantial compliance with Exhibit 4.
7. **Affordable Units.** Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a rental covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 13 of the proposed 140 units for occupancy by VERY LOW Income households. Although the project is eligible for a 35% density bonus increase, the applicant will utilize a 18% density bonus that grants an additional 22 units in excess of the 118 otherwise permitted by the C2-1VL Zone. These units will be restricted as affordable rental dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22-A,25. All density bonus calculations resulting in fractional units shall be rounded up to the nearest whole number (Gov. Code Section 65915 (g)(5)). Applicant must provide an affordable units dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.
8. **Parking.** A minimum of 227 parking spaces shall be provided to serve the residential portion of the building and a minimum of 14 parking spaces shall be provided to serve the retail component of the project, all in accordance with the provisions of Section 12.21-A,5 of the Los Angeles Municipal Code.

- a. Residential parking shall be maintained separate from commercial parking and shall be secured by a tilt-up gate located within the subterranean parking garage.
9. **Bicycle Parking.** A minimum of 60 long term and 14 short term bicycle parking spaces shall be provided for residential units and a minimum of 2 short-term and 2 long-term bicycle parking spaces shall be provided for the commercial component of the proposed building, as shown on the project plans labeled "Exhibit 4", except as may be revised as a result of this action.

Other Conditions

10. In accordance with Zoning Information (Z.I.) No. 2427, an air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
11. For purposes of issuance of building permits, all yards shall be measured according to the applicant submitted Site Plan.
12. No rooftop equipment shall be permitted to be located on the rooftop of the building in closest proximity to the R1-1 Zoned lots. All equipment located on rooftops shall be screened from view.
13. The developer shall provide an 8-foot block wall along the westerly property line that abuts the R1-1 Zoned single-family residences. This wall shall be in addition to existing walls that are presently located on abutting private properties.
14. A 10-foot wide strip of R1-1 Zoned property shall be maintained on the subject property as a landscape buffer. Trees that are planted within this buffer shall be of a size adequate to provide a screen that surpasses the height of the 8-foot high wall.
15. The developer shall install a "No Left Turn" sign located on-site and at the point of exit from the parking garage. The point of exit shall additionally be configured to encourage exiting vehicles to turn right towards La Tijera Boulevard, rather than left.
16. All deliveries to the subject building shall occur on-site. In the event a delivery truck exceeds the height limit of the garage or otherwise cannot be accommodated on-site, the delivery shall be scheduled for a time that shall not impact a.m. or p.m. peak hour traffic – in these instances deliveries shall occur no earlier than 10:00 a.m., nor later than 4:00 p.m.
17. Trash pick-up shall be scheduled for a time that shall not impact a.m. or p.m. peak hour traffic. Trash pick-up shall occur no earlier than 10:00 a.m., nor later than 4:00 p.m.
18. All trees planted along the designated landscape buffer, adjoining and within the R1-1 Zone, shall be a minimum of 36" box trees. Palm trees are not permitted within the landscape buffer.

Environmental Conditions

19. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
20. **Signage.**
 - a. On-site signs shall be limited to the maximum allowable under the Municipal Code.
 - b. Multiple temporary signs in store windows and along building walls are not permitted.
21. **Vandalism.**
 - a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
 - b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
22. **Aesthetics (Signage on Construction Barriers)**
 - a. The applicant shall affix or paint a plainly visible sign, on publicly accessible portions of the construction barriers, with the following language: "POST NO BILLS".
 - b. Such language shall appear at intervals of no less than 25 feet along the length of the publicly accessible portions of the barrier.
 - c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
23. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light sources cannot be seen from adjacent residential properties.
24. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
25. **Air Quality.**
 - a. Water or a stabilizing agent shall be applied to exposed surfaces at least three times per day to prevent generation of dust plumes. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - b. The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:

- i. Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;
 - ii. Pave the surface extending at least 100 feet and at least 20 feet wide;
 - iii. Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or
 - iv. Install a wheel washing system to remove bulk material from tires and vehicle undercarriages.
 - c. All haul trucks hauling soil, sand, and other loose materials shall be either sufficiently watered or covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).
 - d. Construction activity on unpaved surfaces shall be suspended when wind speed exceed 15 miles per hour (such as instantaneous gusts).
 - e. Ground cover in disturbed areas shall be replaced as quickly as possible.
 - f. Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
 - g. Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water.
 - h. Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.
 - i. Equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.
 - j. All off-road diesel-powered construction equipment greater than 50 horsepower shall meet USEPA 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 CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine.
 - k. All diesel-powered construction equipment shall use CARB Level 2 or higher diesel particulate filters.
 - l. Electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.
 - m. Heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site.
26. **Biological Resources (Tree Report).** Prior to the issuance of a grading or building permit, the applicant shall prepare and submit a Tree Report, prepared by a Tree Expert as defined in Section 17.02, indicating the location, size, type, and condition of all existing

trees on the site and within the adjacent public right(s)-of-way. Such report shall also contain a recommendation of measures to ensure the protection, relocation, or replacement of affected trees during grading and construction activities. Tree report shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).

27. **Biological Resources (Tree Removal of Non-Protected Trees).** All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multitrunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
28. **Biological Resources (Tree Removal in the Public Right-of-Way).**
 - a. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
 - b. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
29. **Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas).**
 - a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
 - b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - ii. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
 - iii. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet

of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.

- iv. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

30. Cultural Resources (Archaeology).

- a. If any archaeological materials are encountered during the course of project development, all further development activity shall halt in the areas of archaeological sensitivity (excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent archaeological resources), and:
 - i. 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.
 - ii. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - iii. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
 - iv. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477 CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834
 - v. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
 - vi. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

21. Cultural Resources (Paleontology).

- b. If any paleontological materials are encountered during the course of project development, all further development activities shall halt in the areas of paleontological sensitivity (Excavation or disturbance may continue in other areas of

the Project Site that are not reasonably suspected to overlie adjacent paleontological resources), and:

- i. 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.
 - ii. The paleontologist's survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 - iii. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study, or report.
 - iv. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
 - v. Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations
- c. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- d. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

31. Cultural Resources (Human Remains)

- a. If any human remains are encountered during the course of project development, all further development activities shall halt in the areas of human remains sensitivity (excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent human remains), and:
- b. There shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98:
 - i. Stop immediately and contact the County Coroner:

1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
 - ii. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
 - iii. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.

- iv. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
 - v. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
 - vi. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
32. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
33. **Soils Report Approval.**
- a. The project shall comply with the conditions contained within the Soils Engineering Investigation Report (Appendix C-1) and the Department of Building and Safety's Geology and Soils Approval Letter (Appendix C-2) for the proposed project and as it may be subsequently amended or modified.
 - b. The soil engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans which clearly indicates that the soil engineer has reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in the report.
 - c. All the recommendations of the report, which are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
 - d. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans. Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit.
34. **Erosion/Grading/Short-Term Construction Impacts.**
- a. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
 - i. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.

- ii. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
 - b. The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.
 - c. 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 Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
35. **Explosion/Release (Existing Toxic/Hazardous Construction Materials)**
- a. (**Asbestos**) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
 - b. (**Lead Paint**) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
36. **Emergency Evacuation Plan.** Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. 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.
37. **Stormwater Pollution (Demolition, Grading, and Construction Activities)**
- a. 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.
 - b. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
 - c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
 - d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
38. **Noise (Construction)**

- a. Construction activity shall be limited to the areas defined as the "Limits of Construction" on site plans and staging areas shall be as far from the adjacent single-family residences on Flight Avenue as possible.
 - b. Temporary sound barriers, capable of achieving a sound attenuation of at least 10 dBA (e.g., construction sound wall or sound blankets), and capable of blocking the line-of-sight between the adjacent sensitive receptors, shall be installed.
 - c. All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices.
 - d. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - e. 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.
 - f. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - g. Construction activities shall utilize rubber tired equipment in place of steel-track equipment whenever feasible.
 - h. Construction haul trucks shall avoid driving over potholes and dips when arriving at or leaving each project site.
 - i. The construction contractor shall stage and warm-up construction equipment as far from nearby sensitive receptors as possible.
 - j. The construction contractor shall avoid utilizing high vibration construction equipment (e.g. large bulldozers) within 15 feet of surrounding sensitive receptors.
 - k. The Project shall site all HVAC systems on the roof of the Project buildings, or have the HVAC systems completely enclosed and surrounded with sound insulation if located on the ground level.
 - l. The Project shall utilize central air conditioning and heating in each new residential unit.
 - m. The Project shall include double-paned windows on all of the exterior windows for each residential unit.
39. **Increased Noise Levels (Mixed-Use Development).** Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413
40. **Increased Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway and within 500 feet of Freeway)**
- a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which

provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.

- b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
- c. Wall and roof-ceiling assemblies making up the building envelope shall have an STC of at least 50, and exterior windows shall have a minimum STC of 30, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.

41. Public Services (Fire)

- a. The recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which include the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

42. Public Services (Police – Demolition/Construction Sites). Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

43. Public Services (Police)

- a. The plans shall incorporate a design that enhances the 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 semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the Project Site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
- b. Upon completion of the Project, the Pacific Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.

44. Public Services (Schools). The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

45. Public Services (Construction Activity Near Schools)

- a. The developer and contractors shall maintain ongoing contact with administrator of La Tijera United Methodist Center for Children. The administrative offices shall be

- contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from the administrators and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
 - c. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
 - d. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.
46. **Public Services (Street Improvements Not Required by DOT)** The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
47. **Recreation (Increased Demand for Parks or Recreational Facilities).** Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for construction of apartment buildings.
48. **Transportation (Haul Route).** (*Non-Hillside*): Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
49. **Inadequate Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
50. **Utilities and Service Systems**
- a. As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the Project's wastewater flows during the construction and operation phases. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build sewer lines to a point in the sewer system with sufficient capacity.
 - b. The Project Applicant shall implement any upgrade to the wastewater system serving the Project Site that is needed to accommodate the Project's wastewater generation.
 - c. The Project Applicant shall implement water conservation measures that would also reduce wastewater flows.
 - d. As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases.

- e. The Project Applicant shall implement any upgrade to the water infrastructure serving the Project Site that is needed to accommodate the Project's water consumption needs.

51. Utilities (Local Water – Landscaping)

- a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - i. Weather-based irrigation controller with rain shutoff
 - ii. Matched precipitation (flow) rates for sprinkler heads
 - iii. Drip/microspray/subsurface irrigation where appropriate
 - iv. Minimum irrigation system distribution uniformity of 75 percent
 - v. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - vi. Use of landscape contouring to minimize precipitation runoff
- c. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf and greater.

52. Utilities (Local Water Supplies – All New Construction)

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- b. 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.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. 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.)

53. Utilities (Local Water Supplies – New Residential)

- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- b. 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.
- c. 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.

54. Utilities (Solid Waste Recycling – Construction/Demolition). Prior to the issuance of any construction permit, the Project Applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the City of Los Angeles Department of Building and Safety. The construction contractor(s) shall only contract for waste disposal services with a company that recycles construction-related waste.

55. Utilities (Solid Waste Disposal and Recycling).

- a. **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.
- b. **(Construction/Demolition)** All waste shall be disposed of properly. Use 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. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- c. **(Operational).** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

56. Mitigation Monitoring. The applicant shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the applicant to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Condition Nos. 10 and 19 through 55 of the approval. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction,

construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

Administrative Conditions

57. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews 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.
58. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
59. **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.
60. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
61. **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.
62. **Building Plans.** Page 1 of the grant 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.
63. **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 pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
64. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

65. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.