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June 10, 2016

Honorable City Council  
City of Los Angeles  
Room 395, City Hall  
MAIL STOP: 160

Council File No. 14-0450-S1  
Council District No. 4  
Van Nuys-North Sherman Oaks  
Community Plan

Case No. CPC 2013-3554-ZC-HD-ZV-ZAA

Dear Honorable Members:

**CORRECTION ORDINANCE FOR REPUBLICATION; CORRECTED CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL; CORRECTED CONDITIONS OF APPROVAL (CU); AND CITY COUNCIL ACTION CLARIFICATION: CF 14-0450-S1**

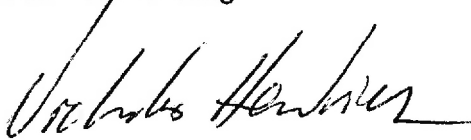
The subject ordinance corrects the (T)(Q) RAS4-1VL Zone for Ordinance No. 183,335 which was inadvertently adopted with Tentative Zone Classification (T) requirements. The subject Corrected Conditions for Effectuating (T) Tentative Classification Removal and the Corrected Conditions of Approval correct an inadvertent clerical error made in preparing these documents. Additionally, the subject clarifications to the actions of the City Council taken on December 16, 2014 are necessary to make clear the actions of the Planning and Land Use Management (PLUM) Committee taken on December 2, 2014.

Pursuant to Section 559 of the City Charter, I have reviewed the findings of the PLUM Committee of the City Council with respect to their actions taken on City Plan Case No. 2013-3554-ZC-HD-ZV-ZAA on December 2, 2014. On behalf of the Commission, I approve the subject correction ordinance and recommend republication of the Ordinance and transmittal of the Corrected Conditions documents to the subject Council File, in accordance with the actions of the City Council.

Pursuant to Council Rule No. 38, transmitted herewith is the Correction Ordinance, T Conditions, and Conditions of Approval, together with a Corrected PLUM Report, recommended for adoption by your Honorable Body.

Sincerely,

Vincent P. Bertoni, AICP  
Director of Planning

A handwritten signature in black ink, appearing to read "Nicholas Hendricks". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

NICHOLAS HENDRICKS  
Senior City Planner

## Discussion

On December 16, 2014, the City Council adopted Ordinance No. 183,335 which inadvertently included Tentative Zone Classification (T) requirements applicable to the property located at 5746 – 5750 Sepulveda Boulevard and 5747 – 5749 Halbreth Avenue in the Van Nuys – North Sherman Oaks Community. The subject Correction Ordinance (attached) corrects that administrative error consistent with the intent of the Commission, PLUM and the City Council to grant a zone change request on the subject site. The Van Nuys – North Sherman Oaks Community Plan designates the subject property for Neighborhood Office Commercial consistent with the RAS4 Zone.

On December 2, 2014, the Planning and Land Use Committee of the City Council acted to grant an appeal by Raju Patel, El Cortez Motel, Inc., from a part of the determination of the LACPC applicable to the subject site. The subject clarifications to the PLUM Report include the following administrative corrections which are necessary to make clear the actions taken by the PLUM on December 2, 2014:

3. RESOLVE TO GRANT THE APPEAL filed by Raju Patel, El Cortez Motel, Inc. (Representative: Brad Rosenheim, Rosenheim and Associates, Inc.), from part of the determination of the LACPC, and THEREBY:

a. Revise ~~Remove~~, pursuant to Los Angeles Municipal Code (LAMC) 12.32 G, Conditions 2.a and 2.b, on page T- 1, attached to Council file No. 14-0450-S1.

b. Approve, pursuant to LAMC 12.24, the revised Conditions A.2.b, A.2.c, A.2.d, A.5.a, and the new Conditions A.2.e through A.2.n. on page C-1; the new Condition A.8.a. on page C-2, and; the revised Conditions A.9 on page C-2, attached to the Council file.

c. Approve a Zone Variance to allow bicycle parking in the front yard setback area, and the associated FINDINGS of the Planning and Land Use Committee attached to the Council File.

d. Approve an Adjustment for a bike rack within the required front yard, and the associated FINDINGS of the Planning and Land Use Committee attached to the Council File.

e. Approve an Adjustment for a paved surface area for bikes in the front yard in lieu of the required landscaping, and the associated FINDINGS of the Planning and Land Use Committee attached to the Council File.

These subject clarifications are also consistent with the strike-out and underline attachment to CF 14-0450-S1 that summarizes the actions taken by PLUM on December 2, 2014 (see attached).

The subject Correction Ordinance and City Council action clarification will not result in any change to the original Mitigated Negative Declaration prepared for the zone and height district change request and appeal filed for a proposed project at 5746 – 5750 Sepulveda Boulevard and 5747 – 5749 Halbrent Avenue.

**Attachments:**

**Correction Ordinance - CPC-2013-3554-ZC-HD-CU-ZV-ZAA**

**Corrected Conditions For Effectuating (T) Tentative Classification Removal**

**Corrected Conditional Use Conditions**

**Original PLUM Actions (December 2, 2014) – Item 3**

VPB:NH:FQ:PMB

N:\DS\_ZA\Expedite\Stand-Alone CPC APC\CPC-2013-3554-ZC-HD-CU-ZV-ZAA-A1\Correction Ordinance and City Council Action Clarification\Final Draft Sent to Frank 3-5-15\Final Correction Letter to City Clerk.docx



## CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (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.

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), the following:

### Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Bureau of Engineering. Prior to issuance of sign offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
  - a. Sepulveda Boulevard (Major Highway Class II) - That a 2-foot wide strip of land along the property frontage be dedicated to allow for the construction of a 7.5-foot wide sidewalk.
  - b. Sepulveda Boulevard – Construct an additional 2 foot concrete sidewalk along the property frontage to complete a 7.5-foot wide sidewalk. Close any unused driveways with standard curb height, gutter and sidewalk and upgrade all driveways to comply with ADA requirements.
  - c. Install tree wells with root barriers and plan street trees satisfactory to the City Engineer and Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077

Note: Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements for dedication and improvements.

Refer to the Department of Water and Power regarding the relocation of fire hydrant located on the south side of the property.

- d. No major drainage problems are involved.
- e. Sewer lines in Sepulveda Boulevard and Halbrent Avenue. All Sewage Facilities Charges and Bonded Sewer Fees are to be paid.
- f. Halbrent Avenue (Local Street) – The public right-of-way shall be planted in substantial conformance with the preliminary landscape plans (Exhibit B) submitted by the applicant.
- g. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- h. An investigation by the Bureau of Engineering Valley District Office Construction may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering (818) 374-5090.
- i. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and Department of Transportation for review and approval.

3. Department of Transportation

- a. A 20-foot reservoir space shall be provided between any security gate(s) and the property line.
- b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.
- c. **Parking and Driveway Plan.** A preliminary parking area and driveway plan shall be prepared and submitted to the Bureau of Engineering and City Wide Planning Coordination Section of the Department of Transportation in consultation with Council District Office No. 3 for approval prior to the submittal of building plans for plan check by the Department of Building and Safety.

4. Bureau of Street Lighting

- a. Installation of street lights to the satisfaction of the Bureau of Street lighting. If new street(s) are required, the property within the boundary of the development shall form or annexed into a Street Lighting Maintenance Assessment District prior to the final recordation or issuance of certificate of Occupancy.
- b. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights of way in the same manner as is required of other facilities, pursuant to

Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.

- c. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.
- d. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
- e. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.



## CONDITIONS OF APPROVAL

Pursuant to Section 12.24 of the Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

### **A. Conditions of Approval**

1. Prior to the issuance of any building permit, the applicant or his successor shall submit to the Planning Department revised plans showing compliance with the applicable L.A.M.C. provisions or as permitted by the grants and conditions of approval herein.
2. Use:
  - a) The use of the westerly 16,500 square-foot portion of the subject site shall be limited to a new 4-story, 33,811 square-foot, 73-guest room hotel building, plus one manager's unit.
  - b) There shall be no hourly rates for room rentals, and customers will be billed at the market rate, a pre-negotiated rate, or a contractually established rate.
  - c) The hotel owner and/or manager shall comply with all applicable laws and conditions and the hotel manager shall be made completely familiar with these conditions and shall implement them as required.
  - d) The hotel manager shall make duplicate electronic room keys available if needed by emergency services personnel to gain entry.
  - e) Lighting within the parking lot and along pedestrian pathways shall be provided for the purposes of providing for the security and safety of hotel patrons, and shall be directed on-site to avoid spill-over onto adjacent properties, as appropriate.
  - f) Property upkeep and maintenance shall be provided on a regular and routine basis, including graffiti removal in a color that matches the surface to which it was applied, and trash, debris and weed removal; landscaping shall be established in substantial conformance with the Preliminary Landscape Plan, and maintained on a regular and ongoing basis. The Council Office will be provided a copy of the Preliminary Landscape Plan for review/comment.
  - g) The hotel operator/property owner shall establish and maintain an ongoing proactive relationship with the LAPD Senior Lead Officer for Van Nuys to facilitate continued dialog relevant to hotel operators, and to receive appropriate training and notifications. The LAPD shall provide 10-day advance notice to the hotel operator/property owner of the date, time, and location of meetings, in writing by means of either email or U.S. Postal Service.
  - h) On-Site Security. Closed Circuit Cameras will be provided within the parking lot and all common areas of the hotel property, and will have a storage capacity consistent with industry standard. Entrances to the hotel building, other than the main entry to the building on Sepulveda Blvd. and the entrance to the building adjacent to the parking lot, will have controlled (electronic key) access at all times. Similar controlled (electronic key) access will be provided after hours at the main entry to the building and at the entrance to the building adjacent to the parking lot. Locked access gates along the side yard areas adjacent to N. Sepulveda Boulevard and N. Halbrent Avenue will be maintained. A state-licensed security patrol with on-demand response capability will be provided as needed.
  - i) Maximum prices for accommodations will be posted as required by state/City Codes.

- j) The only telephones provided on the hotel property will be located within the hotel office areas and guest rooms. No pay phones are permitted, in keeping with La Quinta Inns & Suites operational standards and requirements.
- k) The property owner will post at least one sign in view of prospective guests entering the hotel property stating "No Trespassing".
- l) Four locked access gates to the sideyard areas along the north and south sides of the subject property (i.e., two access gates proximate to the Sepulveda Blvd. frontage and two access gates proximate to the Halbrent Ave. frontage) shall be provided as depicted on the site plan (Exhibit B-3), and shall remain locked at all times, except for the purposes of routine property/landscape maintenance activities performed by hotel/landscape maintenance personnel.
- m) No employee parking shall be permitted on Halbrent Avenue.
- n) **Condition Compliance.** In order to provide for reexamination of the matter 6 months after the operation (issuance of the Certificate of Occupancy) and if the applicant/operator or owner of the land wishes to continue operation as herein authorized, an "Approval of Plans" shall be filed. Said application must be filed no later than three months prior to the initial 6 month period and said application must be made on the appropriate forms and fees paid. The application shall be accompanied by the payment of appropriate fees, as governed by Section 19.01-I of the LAMC, and must be accepted as complete by the Planning Department public counter. The completed application shall be accompanied by owner notice labels for abutting properties include the Council District, and individuals on the interested parties list related to the subject authorization. The applicant/owner shall provide appropriate documentation to substantiate ongoing compliance with each of the conditions contained herein at the time of filing the Approval of Plans review application. An application without such documentation shall be accompanied by a fee payment governed by Section 19.01-C of the LAMC. Further, any requested modification to the discretionary action shall also result in the increased fee. The applicant shall submit proof that at least a summary of the compliance documentation was mailed to address labels noted above which included a statement that:

"In compliance with the conditions of approval, the attached documentation is mailed to interested parties. To assist the Planning Department in determining if a public hearing shall be held, interested parties should contact the Planning Department."

The Director of Planning (or designee) may elect to waive the public hearing if the applicant has fully complied with the conditions of approval, continued operation of the facility would not adversely impact the surrounding community, and the matter is not likely to evoke public controversy. If a public hearing is required, the Director reserves the right to either modify the conditions of approval of the Conditional Use Permit by imposing new and/or different substitute conditions or revoke the Permit if, in the Director's opinion, its revocation is necessary for the protection of persons in the surrounding neighborhoods or occupants of adjacent properties.

- 3. The total floor area of the new building on the subject property shall not exceed 33,811 square feet.
- 4. **Parking.** Parking serving the on-site hotel may be permitted in the R3 Zone, in substantial conformance with Exhibit B.

5. **Bicycle Parking.** The project shall provide bicycle parking in compliance with Ordinance No. 182,386 as follows:
  - a. a minimum of 5 short term bicycle parking spaces shall be provided within the front yard as shown on the site plan (Exhibit B-3).
  - b. a minimum of 5 long term bicycle parking spaces shall be provided within the ground level of the two-level garage structure.
  
6. **Architectural Materials.**
  - a. A consistent use of architectural and building materials shall be applied throughout all exterior facades of the buildings to enhance the streetscape and identity of the site.
  - b. The proposed project shall not use architectural finishes that would produce substantial glare.
  - c. The ground floor level windows, along the building's westerly elevation shall be clear, energy efficient insulated glass.
  - d. The project shall incorporate windows and doors with well-designed trims and details as character defining features to reflect a consistent architectural theme.
  
7. **Driveway Access.** One 20-foot wide two-way driveway shall be provided along Sepulveda Boulevard. Vehicular access from Halbrent Avenue shall be prohibited.
  
8. **Pedestrian Access.** Designated pedestrian walkways from the public right-of-ways leading to the hotel interior entry as well as internal to the parking structure shall be provided.
  - a. Vehicular and pedestrian ingress and egress from the subject property shall be prohibited from Halbrent Avenue, except for emergency access as may be required by the Fire Department or for landscape maintenance purposes. Otherwise, the gates located at Halbrent Avenue shall be locked at all times.
  
9. **Landscaping.** The landscaping shall be in substantial conformance with the citywide landscape ordinance (L.A.M.C. Section 12.42-B) and as shown on the plans submitted by the applicant and attached to the case file as Exhibit B-13:

#### **B. Environmental Conditions**

10. 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 Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.
  
11. A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
  
12. The parking stalls and driveways of the parking structure that are exposed to the sky shall be finished with either a light-colored surface material such as concrete, and/or a minimum of 80 percent of the total area of the stalls shall be shaded by vine-covered pergola, canopy, or trellis. Solar panels and their related support structures may be utilized to provide required shading.



13. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way nor from above.
14. 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.
15. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
16. 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.
17. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
18. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
19. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
20. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
21. Trucks having no current hauling activity shall not idle but be turned off.
22. 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.
23. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
24. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

25. (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.
26. (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.
27. (Polychlorinated Biphenyl – Commercial and Industrial Buildings) Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
28. 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.
29. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains.
30. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
31. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
32. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
33. A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
34. A landscape plan prepared by a licensed Landscape Architect shall be submitted for review and approval by the decision maker.
35. 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.
36. 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.
37. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

38. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
39. Concrete, not metal, shall be used for construction of parking ramps.
40. The interior ramps shall be textured to prevent tire squeal at turning areas.
41. The two level parking structure located adjacent to residential buildings shall have a decorative wall with screened openings. The screened openings shall have vine coverings. A landscape buffer of not less than 15 feet shall be provided between the two-level parking structure and the public right-of-way along Halbreth Avenue. The landscape material shall be in substantial conformance with Exhibit B-14 through B-15.
42. 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. 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.
43. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: 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.
44. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and 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.

#### **Administrative Conditions of Approval**

1. **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.



2. **Code Compliance.** Area, height and use regulations of the RAS4-1VL and R3-1 zone classifications of the subject property shall be complied with, except where herein conditions are more restrictive or relief has been granted.
3. **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.
4. **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.
5. **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.
6. **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.
7. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to 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.
8. **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 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.
9. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City planning Expedited Processing Section.