

CF 14-1572CLARIFIED (Q) QUALIFIED PERMANENT CONDITIONS OF APPROVAL

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

**A. Entitlement Conditions.**

1. **Use.** The development of the subject property shall comply with all area, use and height provisions of the C4-2D-SN Zone, except as conditioned herein. Commercial development shall be limited to a maximum of 13,790 square feet. Residential development shall be limited to a minimum of 95 dwelling units.
2. **Density.** Development shall be limited to a Floor Area Ratio not to exceed 4.5:1.
3. **[Intentionally Omitted] Joint Live/Work Units.** ~~Commercial/residential units shall be developed with the Commercial portion of the unit physically separated from the residential portion and located on the ground/street level, with direct access available to both the residential portion of the unit and the street frontage. The residential portion of the unit shall be located above the first floor. Said units shall abut the street. Pursuant to LAMC Section 12.22 A 18. (c)(3), no yard requirements shall apply to the residential portion of said units. The ground floor portion of the site shall observe yard requirements of the C4 Zone.~~
4. **Site Plan.** Prior to the issuance of any building permit, detailed development plans, including a complete landscape and irrigation plan and a parking area and driveway plan, shall be submitted to the Planning Department for review and sign-off clearance. These plans shall be in substantial conformance with the plot plan, elevations and landscape plans approved by the Director in the September 26, 2014 Site Plan Review approval. ~~dated December 13, 2007, attached to the administrative file.~~ The plans shall comply with applicable provisions of the Municipal Code, the subject conditions herein and the intent of the subject permit authorization.
5. **Parking.** ~~A minimum of 242 parking spaces shall be provided~~ The Project shall provide the minimum number of spaces required under LAMC Sections 12.21-A4(a) and 12-21-A.4(x) and - ~~The number of spaces provided,~~ their location and access shall be in substantial conformance with the project plans approved by the Director in the September 26, 2014 Site Plan Review approval. ~~marked Exhibit B1-5 and attached to the administrative file.~~ Parking designated for office use shall be made available after hours to support reductions in "over-flow" parking into residential areas. The following shall also apply:
  - a. Tandem parking may be used only for the spaces which are assigned and designated for a single residential unit.
  - b. Guest parking sign(s) shall be clearly posted at building entrance(s). The sign(s) shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Planning Department and shall indicate the number of reserved guest parking spaces.

- c. If any guest parking is located behind security gates, the following shall be apply:
  - 1) A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
  - 2) An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served by the secured guest parking.
  - 3) The security gate shall be set back from the public right-of-way so as to provide a waiting area for guest vehicles and to prohibit blockage or interference with the public right-of way by waiting guest vehicles.
  - 4) Alternatives to the provisions of this condition may be approved by the Planning Department provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.

- 6. **Los Angeles Community Redevelopment Agency (LA/CRA) Requirements.** Prior to the issuance of any building permit, the subject project shall show proof of conformance with all applicable provisions/requirements of the Redevelopment Agency and the Redevelopment Plan for the Hollywood Redevelopment Project area.
- 7. **Energy Efficiency.** The Applicant shall make a “best effort” attempt to obtain LEED certification, and/or, the project shall incorporate, to the greatest extent possible, LEED requirements for new construction and commercial interiors.
- 8. **Signs.** Issue no sign permit for the construction, erection, reconstruction, rehabilitation, addition to or structural alteration of any sign on a lot located in whole or in part within the Hollywood Signage Supplemental Use District area unless and until a Project Permit is obtained from the Department of City Planning, Community Planning Metro Bureau. Any appeal of a Department of City Planning Project Permit shall be heard by the Los Angeles City Planning Commission.
- 9. **Site Plan Review.** The subject Site Plan Review is approved subject to any appeals and shall be subject to any applicable requirements of the Hollywood Signage Supplemental Use District.
- 10. **Design.** The design of the project shall be in substantial conformance with the site plans and elevations approved by the Director in the September 26, 2014 Site Plan Review approval~~dated November 8, 2007, attached to the administrative file.~~ The building design shall conform to the following:
  - a. Facades along pedestrian frontages should include a variety of features such as: a combination of different textures, colors and materials; distinctive architectural features; display windows; signage; setbacks and differentiated massing; rooflines; shade and shadow features.
  - b. All facades should create or reinforce an existing facade rhythm.
  - c. Upper floors should be differentiated from the ground floor.
  - d. There should be no blank walls along pedestrian frontages; walls should be interesting facades by incorporating a combination of elements such as: sculpted, carved or penetrated wall surface; planters, murals; mosaics; public art; awnings and/or lighting.

- e. At corners, the building frontage should consider building cut-offs in response to any need to accommodate pedestrians and to protect pedestrian safety, security and enjoyment.

**B. Other Conditions.**

11. **Construction Noise/Vibration.** The Applicant shall secure a “Noise/Vibration” expert to assist during the construction phase. The intent of the expert is to monitor for potential long-term affects on the Capitol Records building, and to promote “best practices” with regard to construction activities as they relate to noise and vibration.
12. **Public Amenity.** The Applicant shall show evidence of participation in the redevelopment/development of the proposed neighborhood park, known as the “Yucca Triangle.”
13. **Traffic Demand Management.** The Applicant shall employ “best efforts” with regard to the promotion of alternative transit means for project residents.
14. **Air Quality.** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project.
15. **Trash and Storage Area(s).** Solid masonry block walls, a minimum of six feet in height, shall enclose trash and other storage areas. There shall be no openings except for gates. The areas shall be buffered so as not to result in noise, odor or debris impacts on any adjacent uses. Any outside trash containers on the subject property shall be enclosed and shall be located so as not to result in noise or odor impacts on any adjacent residential use. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
16. **Light.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties. This shall not exclude the use of security lighting.
17. **Maintenance.** The subject property including associated parking facilities, sidewalks, and landscaped planters adjacent to the exterior walls along the all property lines shall be maintained in an attractive condition and shall be kept free of trash and debris.
18. **Graffiti.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.
19. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

20. **Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning.

C. **Environmental Conditions.**

21. **Construction Equipment Emissions.**

(C-1): The project developer shall implement the following measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site throughout the project construction phases. The project developer shall include in construction contracts the control measures as may required under Rule 403, at the time of development, including the following: (MM)

- a. Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
- b. Use late model heavy-duty diesel-powered equipment at the project site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks.)
- c. Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the project site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment. (This measure does not apply to diesel-powered trucks traveling to and from the site.)
- d. Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment.)
- e. Limit truck and equipment idling time to five minutes or less.
- f. Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.
- g. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

**Construction-Related Fugitive Dust Emissions.**

(C-2): The project developer shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The project developer shall include in construction contracts the control measures as may required under Rule 403 at the time of development, including the following:



- h. Use watering to control dust generation during demolition of structures or break-up of pavement. The construction area and vicinity (500-foot radius) must be swept (preferably with water sweepers) and watered at least twice daily. Site wetting must occur often enough to maintain a 10 percent surface soil moisture content throughout all earth moving activities. 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.
- i. Water active grading/excavation sites and unpaved surfaces at least three times daily.
- j. All paved roads, parking and staging areas must be watered at least once every two hours of active operations.
- k. Site access points must be swept/washed within thirty minutes of visible dirt deposition.
- l. Sweep daily (with water sweepers) all paved parking areas and staging areas.
- m. Onsite stockpiles of debris, dirt or rusty material must be covered or watered at least twice daily.
- n. Cover stockpiles with tarps or apply non-toxic chemical soil binders.
- o. All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.
- p. At least 80 percent of all inactive disturbed surface areas must be watered on a daily basis when there is evidence of wind drive fugitive dust.
- q. Install wind breaks at the windward sides of construction areas.
- r. Operations on any unpaved surfaces must be suspended when winds exceed 25 mph.
- s. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more, so as to prevent excessive amounts of dust.
- t. All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.
- u. All haul trucks must have a capacity of no less than twelve and three-quarter (12.75) cubic yards.
- v. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- w. Traffic speeds on unpaved roads shall be limited to 15 miles per hour.
- x. Provide daily clean-up of mud and dirt carried onto paved streets from the site.
- y. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
- z. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amount of dust.
- aa. Operations on any unpaved surfaces must be suspended during first and second stage smog alerts.
- bb. An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

## **22. Cultural Resources.**

- (D-1) If any archaeological materials are encountered during the course of the project development,

construction shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center. A covenant and agreement shall be recorded prior to obtaining a grading permit.

- (D-2) If any paleontological materials are encountered during the course of the project development, construction shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Natural History Museum to assess the resources and evaluate the impact. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum. A covenant and agreement shall be recorded prior to obtaining a grading permit.
- (D-3) If human remains are discovered at the project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of L.A. Public Works Department and County Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

## **23. Geology and Soils.**

- (E-1) Further evaluation of the potential for liquefaction to occur at the project site during strong ground shaking shall be performed as part of the design-level geotechnical investigation, using data developed from Cone Penetration Test (CPT) probes, which should be performed in addition to additional borings. (MM)
- (E-2) The project shall comply with the recommendations listed on pages 6 through 13 in the Preliminary Geotechnical Report, Proposed High Rise Residential Development, 6230 Yucca Street, Hollywood, California, (which is incorporated herein by reference), prepared by Group Delta Consultants, Inc., dated November 17, 2006. Non-design related structural methods are presented below. The report contains additional specific design requirements that the contractor must implement: (MM)

**Earthwork.** All grading should also conform to the requirements of the City of Los Angeles Grading Division and the following general grading recommendations: (MM)

- o The grading contractor is responsible for notifying the project geotechnical engineer of a pre-grading meeting prior to the start of grading operations and anytime the operations are resumed after an interruption.
- o Prior to the start of earthwork the existing improvements will require demolition, as discussed in Section 5.2. Existing utilities should be removed, relocated or protected, as appropriate.
- o As discussed in Section 5.3, any existing fill is uncertified, but will be removed during the planned basement excavation.

- o The sides of the basement excavation will require shoring with one to two rows of tie-back anchors, as discussed in Section 5.5.
- o The bottom of the completed excavation should be observed by the project geotechnical engineer, while it is proofrolled with loaded equipment. Any loose or yielding soils should be overexcavated and recompacted to the limits determined by the project geotechnical engineer.
- o The bottom of the excavation should then be scarified to a depth of 6 inches, moisture conditioned between 0 to 2 percent wet of the optimum moisture content, and compacted to at least 95 percent relative compaction as determined by ASTM Test 01557.
- o Any fill placed under structures or pavement and any backfill placed adjacent to buried walls is defined as “structural fill.” All structural fill should consist of predominantly sandy soils and should be free of expansive clay, rock greater than 3 inches in maximum size, debris and other deleterious materials. All structural fill should be compacted to at least 95 percent of the maximum dry density determined by ASTM 01557. Fill placed in non-structural and landscape areas should be compacted to at least 90 percent.
- o In general, the sandy layers encountered in our borings may be used as structural fill. However, the clayey and silty soils encountered in our explorations will not be acceptable for reuse as fill or backfill. All fill soils shall be approved by the project geotechnical engineer.
- o All earthwork and grading should be performed under the observation of the project geotechnical engineer. Compaction testing of the fill soils shall be performed at the discretion of the project geotechnical engineer. Testing should be performed for approximately every 2 feet in fill thickness or 500 cubic yards of fill placed, whichever occurs first. If specified compaction is not achieved, additional compactive effort, moisture conditioning, and/or removal and recompaction of the fill soils will be required.
- o All materials used for asphalt, concrete and base shall conform to the 2006 “Green Book” or the equivalent, and shall be compacted to at least 95 percent relative compaction.
- o If, in the opinion of the geotechnical engineer, contractor, or owner, an unsafe condition is created or encountered during grading, all work in the area shall be stopped until measures can be taken to mitigate the unsafe condition. An unsafe condition shall be considered any condition that creates a danger to workers, onsite structures, on-site construction, or any off-site properties or persons.

#### **Temporary Excavations - General.**

- o All excavation slopes should meet the minimum requirements of the Occupational Safety and Health Association (OSHA) Standards. Maintaining safe and stable slopes on excavations is the responsibility of the contractor and will depend on the nature of the soils and groundwater conditions encountered and the method of excavation. Excavations during construction should be carried out in such a manner that failure or ground movement will not occur. (MM)

#### **Temporary Excavations - Dewatering.**

- o During construction, it is anticipated that ground water can be controlled using shallow trenches, sumps and pumps. To provide further definition of the ground water conditions at the site, one or more monitoring wells are recommended to be installed during the design-level geotechnical investigation. If it is necessary to dispose of water during construction, a discharge permit will be

required from the Regional Water Quality Review Board. This will require testing of the ground water for contaminants, and should be planned for the project schedule. (MM)

**Temporary Excavations - Shoring.**

o A soldier pile and tied-back shoring system will be required to protect adjacent property and streets. The design of the shoring system will be the responsibility of the shoring designer. Since the tied-back anchors will extend offsite, approval will be required from the City and the adjacent property owners. This should be planned for in the project schedule. The design of the soldier piles and anchors are specified in the Preliminary Geotechnical Report. (MM)

**Temporary Excavations - Monitoring of Shoring.**

o A survey-monitoring program should be implemented to monitor shoring displacements during construction. In addition, nearby improvements should also be surveyed and photographs and/or video taken to document baseline conditions. The deflection at the top of the shoring should be limited to 1 inch. If the shoring exceeds 1 inch or if distress or settlement is noted adjacent to the top of shoring, an evaluation should be performed and corrective measures taken. (MM)

- (E-3) All structural elements shall be designed and built to resist strong ground motions in accordance with the requirements of the City of Los Angeles Building Code and the California Building Standards Code. These measures shall be reviewed and approved by the City of Los Angeles Department of Building and Safety prior to issuance of building permits. (MM)

**Grading**

- (E-4) All grading activities require grading permits from the Department of Building and Safety which include requirements and standards designed to limit potential impacts to acceptable levels.

Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:

- 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. (MM)
- Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, 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. (MM)
- Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting. (MM)



## **General Construction**

- (E-5) Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets. (MM)

## **24. Hazards and Hazardous Materials.**

### **Upset/Release of Hazardous Materials**

#### *Construction Impacts*

### **Hazardous Materials/Hazardous Wastes.**

A Phase I Environmental Site Assessment (ESA), titled Phase I Environmental Site Assessment (ESA) Report, 6226-6236 Yucca Street, Los Angeles, California, was prepared by ACC Environmental Consultants, dated November 16, 2005. Based on the report the presence of hazardous materials on the site poses a low potential to impact the environment. With proper disposal and/or recycling of the hazardous materials and used rags impacts would be less than significant.

- (F-1) Prior to the issuance of demolition permits, the applicant shall have the pole-mounted transformers located along the alley transecting the project site tested for the presence of PCB- containing dielectric fluids. If PCBs are identified, the dielectric fluid shall be collected and properly disposed of as hazardous waste at an appropriate disposal facility in accordance with applicable federal, state and local regulations. The transformers shall also be disposed of as hazardous waste in accordance with applicable federal, state and local regulations. (MM)
- (F-2) Prior to the issuance of demolition permits, the applicant shall identify PCB-containing light ballasts in each building throughout the project site. These ballasts shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out. (MM)
- (F-3) Prior to the issuance of demolition permits, the applicant shall identify all mercury-containing fluorescent bulbs used in light fixtures throughout the buildings on the project site. These bulbs shall be recycled through a reputable company to prevent environmental contamination upon renovation, demolition or change-out. (MM)
- (F-4) Prior to the issuance of the demolition/renovation permits, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, they shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403, as well as other state and federal regulations. (MM) Specific requirements of Rule 1403 include:
- Implementation of a thorough survey of the affected facility prior to issuance of permits for any demolition or renovation activity, including inspection, identification, and quantification of all friable and certain non-friable asbestos-containing materials.
  - Surveys which include collection and analyses of representative asbestos building material

samples, and quantification of these materials for asbestos abatement purposes prior to or during demolition/renovation.

- Notification of the SCAQMD of the intent to demolish or renovate any facility at least ten days prior to commencing with the activity.
- Removal of all asbestos-containing materials prior to any demolition or renovation activity that would break up, dislodge, or similarly disturb the material.
- Use of legally required procedures when removing asbestos-containing materials.
- Placement of all collected asbestos-containing materials in leak-tight containers or wrapping.
- Disposal of asbestos-containing materials as required by applicable regulations.

(F-5) Prior to issuance of permits for any demolition/renovation activity involving a particular structure, a lead-based paint assessment of each existing structure shall be conducted. Lead-based paint found in any buildings shall be removed and disposed of as a hazardous waste in accordance with all applicable regulations. Such regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD) (MM) .

(F-6) Prior to the issuance demolition permits, a No Further Action letter shall be obtained from the Los Angeles Fire Department Bureau of Fire Prevention (LAFDDBFP) in order to verify that the second former UST is no longer an environmental issue. (MM)

(F-7) • All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic waste shall be discarded at a licensed regulated disposal site. (MM)

• 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. (MM)

• Shall not hose down pavement at material spills. Dry cleanup methods shall be used whenever possible. (MM)

• Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. (MM)

Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets. (MM)

All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. (MM)

All major repairs shall be conducted offsite. Drip pans or drop cloths shall be used to catch drips and spills. (MM)

## **25. Hydrology and Water Quality.**

(G-1) Compliance with all applicable requirements associated with NPDES Permit No. CA0061654 and all relevant storm water quality management regulations. (MM)

## **Grading**

(G-2) All grading activities require grading permits from the Department of Building and Safety which include requirements and standards designed to limit potential impacts to acceptable levels. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:

- 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. (MM)
- Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, 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. (MM)
- Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting. (MM)

## **General Construction**

(G-3) To reduce the sediment that carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life the following mitigation measures shall be implemented.

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, waterbased paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site. (MM)
- 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. (MM)
- Do not hose down pavement at material spills. Dry cleanup methods shall be used whenever possible. (MM)
- Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. (MM)
- Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets. (MM)
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted offsite. Drip pans or drop cloths shall be used to catch drips and spills. (MM)

## **26. Noise.**

### ***Construction Impacts***

The following mitigation measures are recommended to address construction-related noise and vibration impacts:

- (I-1) All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications. (MM)
- (I-2) Noise construction activities whose specific location on the site may be flexible {e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers {e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible 1-3 The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized. Examples include the use of drills, jackhammers, and pile drivers. {MM)
- (I-4) Barriers such as plywood structures or flexible sound control curtains shall be erected along Argyle Avenue between the project site and the multi-family residential units and along the western project site boundary between the project site and the Capitol Records Tower to minimize the amount of noise the residential units and other noise sensitive uses shall be subject to. {MM)
- (I-5) Equipment warm-up areas, water tanks, and equipment storage areas shall be located a minimum of 150 feet from the multi-family residential units. {MM)
- (I-6) Flexible sound control curtains shall be placed around and drilling apparatuses and drill rigs, if used. (MM)
- (I-7) Coordination and noticing of the scheduling of various phases of construction shall be done in conjunction with the Capitol Records Tower and submitted to nearby residential units. (MM)
- (I-8) Demolition and construction activities that generate noise shall be prohibited between the hours of 4:00 P.M. and 7:00 A.M. Monday through Friday. All such activity at the project site shall cease by 4 P.M. (MM) Construction related activities which promote excessive noise shall be prohibited on Saturdays.
- (I-9) 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. (MM)
- (I-10) Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. (MM)
- (I-11) The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment. (MM)

## **27. Public Services.**

- (K.1-1) In accordance with LAMC Section 57.09.07, the applicant shall equip the proposed structure with



automatic sprinkler systems. (MM)

(K.1-2) The applicant shall submit the plot plan for review and approval by the Fire Department prior to recordation of a final map or the approval of a building permit. (MM)

(K.1-3) Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. (MM)

(K.1-4) No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. (MM)

(K.1-5) No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. (MM)

(K.1-6) Access for Fire Department apparatus and personnel to and into all structures, including the subterranean parking structures, shall be required. (MM)

(K.1-7) The proposed project shall comply with all applicable State and local codes and ordinances, and guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan for the City of Los Angeles C.P.C. 19708. (MM)

The following mitigation measure is recommended to further reduce the proposed project's less than significant construction-related police protection impacts.

(K.2-1) During construction activities, the project developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, that are adjacent to existing public roadways, be secured to prevent trespass. (MM)

(K.2-2) The building and layout design of the proposed project shall include crime prevention features, such as nighttime security lighting, building security systems, and secure parking facilities. (MM)

(K.2-3) The project developer shall submit a plot plan for the proposed development to the LAPD's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented, to the extent feasible. (MM)

## **28. School Services.**

(K.3-1) The project applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area. (MM)

## **29. Parks and Recreation.**

(K.4-1) The applicant shall pay the required \$200 per dwelling unit fee paid to the Department of Building and Safety in accordance to the Dwelling Unit Construction Tax required by the Los Angeles Municipal Code Section 21.10.3(b). (MM)

(K.4-2) The project applicant shall comply with the obligation to pay Quimby/Park fees as required by Los Angeles Municipal Code Section 17.12. (MM)

### **30. Library Services.**

(K.S-1) The project applicant shall pay a mitigation fee of \$200 per capita based on the projected population of the development to the Los Angeles Public Library to offset the impact of additional library facility demand in the project area. (MM)

### **31. Water Supply.**

(M.2.-2)The project developer shall install either a "smart sprinkler" system to provide irrigation for the landscaped areas or, at a minimum, set automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler run times shall be adjusted to avoid water runoff, especially when irrigating sloped property. (MM)

(M.2.-3)The project developer shall select and use drought tolerant, low water consuming plant varieties to reduce irrigation water consumption. (MM)

(M.2.-4)The project developer shall install ultra-low flush water toilets and water saving showerheads in new construction. Low-flow faucet aerators should be installed on all sink faucets. (MM)

(M.2.-5)The availability of recycled water shall be investigated as a source to irrigate large landscaped areas. (MM)

(M.2.-6)Significant opportunities for water savings exist in air conditioning systems that utilize evaporative cooling (i.e., employ cooling towers). LADWP shall be contacted for specific information on appropriate measures. (MM)

### **32. Solid Waste.**

(M.3-1)The construction contractor shall only contract for waste disposal services with a company that recycles construction related wastes. (MM)

(M.3-2)To facilitate the onsite separation and recycling of construction related wastes, the construction contractor shall provide temporary waste separation bins onsite during construction. (MM)

### **33. Electricity.**

(M.5-1) The proposed project shall be required to comply with Title 24 energy conservation standards for insulation, glazing, lighting, shading, water and space heating systems in all new construction. (MM)

### **34. Single Family Dwelling (10+ Home Subdivision/Multi Family).**

Environmental impacts may result from the development of this project. However, the potential

impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb40>).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Preserve riparian areas and wetlands.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways.
  - Hybrid Lot - parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt.
  - Parking Grove - is a variation on the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are present.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- Promote natural vegetation by using parking islands and other landscaped areas.
- All storm drain inlets and catch basins within the project area must be stenciled

with prohibitive language (such as ANO DUMPING - DRAINS TO OCEAN@) and/or graphical icons to discourage illegal dumping.

- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must 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.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
- Cut and fill sloped in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.
- Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

**D. Supplemental Mitigation Measures.** These additional Mitigation Measures shall supersede, or be in addition to, those Mitigation Measures contained in the City Planning Commission Determination and the Final Environmental Impact Report.

### **35. Construction Related Measures.**

(I-12S) Within 40 feet of the western project site property line with Capitol Records, demolition, excavation and construction activities at or below the street level of the project site (including loading of demolition refuse), grading equipment and activities, augured pile drilling, vibratory rollers, jumping jack compactors, and other excavation and construction equipment and activities



shall be prohibited after 10:00 a.m. Mondays through Saturdays, unless one of the following exceptions apply:

- a. The Capitol Records recording studios and echo chambers are not in use; or
- b. It can be demonstrated (in coordination with Capitol Records) that any such demolition, grading, excavation, or construction activity or equipment will not result in sound within the echo chambers of more than 20 dBA energy averaged over any 5 minute period and a maximum of 25 dBA slow meter response.

(I-13S) Within 40 feet of the western project site property line with EMI/Capitol Records, demolition, excavation, and construction activities at or below the street level of the project site (including loading of demolition refuse), grading equipment and activities, augured pile drilling, vibratory rollers, jumping jack compactors, and other excavation and construction equipment and activities shall be prohibited during the one-week period leading up to and including the Grammy, Emmy, and Oscar awards, unless the following exception applies(MM):

- a. The EMI/Capitol Records recording studios and echo chambers are not in use; or

(I-14S) Loading of refuse will be accomplished through the use of rubber tired equipment. Every effort will be made during the loading and removal operation to reduce noise from any operated equipment. Trucks will be staged and loaded at the Argyle Street curb and driveway. (MM)

(I-15S) Driven soldier piles are prohibited; augured piles are permitted. (subject to the conditions set forth in Supplemental Mitigation Measures 12 and 13 above) (MM)

(I-16S) Tracked loaders and dozers and other similar tracked equipment are prohibited; wheeled loaders and dozers other similar wheeled equipment are permitted. (subject to the conditions set forth in Supplemental Mitigation Measures 12 and 13 above) (MM)

(I-17S) Rubber tired equipment will be used during excavation, with the possible exception of a tracked "back-hoe-type" excavator (with rubber track pads and/or sound deadening blankets utilized) which may speed excavation and cause less vibration. Any tracked excavator shall be operated at the lowest possible gear at lowest possible speed. (All equipment is subject to the conditions set forth in Supplemental Mitigation Measures 12 and 13 above.)(MM)

(I-18S) No stationary equipment will be operated within 40 feet of the western project site property line with EMI/Capitol Records. Tower cranes and personnel lifts shall be positioned near Argyle on the eastern edge of the project site. (MM)

(I-19S) Construction materials shall be stock-piled at distant portions of the site, at least 40 feet from the western project site property line with EMI/Capitol Records. The equipment warm-up areas, water tanks and equipment storage areas described in Mitigation Measure 1-5 above shall also be located at least 40 feet from the western project site property line with EMI/Capitol Records. (MM)

(I-20S) All plans and specifications and construction means and methods (including plans and specifications submitted to the City of Los Angeles Department of Building & Safety regarding

the neoprene foam liner and miradrain system referenced in Mitigation Measure Supp 26) shall be provided to EMI/Capitol Records for review concurrently with their submission to the City of Los Angeles Department of Building & Safety. (MM)

(I-21S) The Applicant shall secure a “Noise/Vibration” expert and notify EMI/Capitol Records of the name and contact information for such expert. The “Noise/Vibration” expert shall review the construction plans and specifications and shall prepare a “best practices” report with regards to demolition and construction activities as they relate to noise and vibration. The expert shall also review the construction schedule and inform the contractor of activities and equipment likely to cause excessive ground borne noise and/or vibration during construction. The “best practices” report shall be provided to the City of Los Angeles Department of Building & Safety, EMI/Capitol Records, and the construction manager prior to initiation of any demolition, excavation or construction of the project, and the recommendations in the report shall be followed. The duties required of the “Noise/Vibration” expert in this measure shall not require the “Noise/Vibration” expert to be present on-site at all times so long as the duties herein required. (MM)

(I-22S) Prior to initiation of demolition, excavation or construction activities on the project site, the Applicant shall designate in writing to EMI/Capitol Records a contact person with the contractor, including such person’s cell phone number, that will be on-site, available and have the authority to control construction activities, and who is the person that EMI/Capitol Records shall contact if there is interference with recording activities at EMI/Capitol Records studios or echo chambers. If at any time during demolition, excavation or construction of the project EMI/Capitol Records notifies such contact person that construction activity is interfering with a recording session, the contractor shall promptly take all necessary measures to identify and modify the activity causing the interference so that the interference ceases and the recording session may continue without further delay and the interference does not recur.

If there are two documented incidents of interference that are not satisfactorily resolved with the Applicant's construction contact in such a manner that recording operations at EMI/Capitol Records can continue, and such documentation is provided by EMI/Capitol Records to the Applicant, the City of Los Angeles Department of Building & Safety and Council Office for District 13, then the City of Los Angeles Department of Building & Safety shall immediately respond by going to the project site to identify and instruct the contractor to modify the activity causing the interference so that interference ceases and develop an action plan for moving forward with construction in a manner that will not interfere with recording operations at EMI/Capitol Records. (MM)

(I-23S) In addition to the measures provided in Mitigation Measure Supp 22 above, in the event that recording activities at EMI/Capitol Records are interrupted during demolition, excavation or construction and a resolution cannot be reached between the contractor and EMI/Capitol Records, the “Noise/Vibration” expert shall be immediately contacted and shall first verify if the interruption is caused by construction activity and then make additional recommendations regarding how to further reduce or eliminate interruption to EMI/Capitol Records' recording operations. These recommendations shall be provided to and discussed with the City of Los Angeles Department of Building & Safety and EMI/Capitol Records. (MM)

(I-24S) All mitigation measures restricting construction activity will be posted at the Site and all construction personnel will be instructed and regularly reminded as to the nature of the noise and vibration mitigation measures. (MM)

(I-25S) The Applicant, its contractor and the "Noise/Vibration" expert shall coordinate with EMI/Capitol Records relative to recording and construction activity schedules. During the construction period, the Applicant shall establish a schedule to meet with EMI/Capitol Records at least once per week during construction. The Applicant shall provide EMI/Capitol Records a detailed construction schedule, including scheduled construction equipment, and the Applicant shall request the recording schedule of EMI/Capitol Records' use of the studios and echo chambers during the same period. Without in any manner limiting the scope of other Supplemental Mitigation Measures, the Applicant shall use best efforts to coordinate in good faith with EMI/Capitol Records to avoid use of construction equipment and avoid construction activities that cause significant noise and vibration impacts during hours shown on the schedule provided by EMI/Capitol Records and during EMI/Capitol Records' special events. (MM)

### **36. Operational Noise - Periodic.**

(I-26S) A not less than two-inch thick closed cell neoprene foam liner will be applied to exposed excavation or lagging at the western project site property line with EMI/Capitol Records provided that: (1) the liner is approved for this use by the City of Los Angeles Department of Building & Safety (if not so approved, then an equivalent product approved for this use by the City of Los Angeles Department of Building & Safety shall be applied) and (2) a Miradrain system (or equivalent product) for drainage and waterproofing will be installed per manufacturer recommendations. A 10 to 12 inch thick shotcrete basement wall will then be built. If operation of the project, including normal traffic in the underground garage exceeds the threshold of 1) 20 dBA energy averaged over any 5 minute period and 2) a maximum of 25 dBA slow meter response, then the Applicant shall take such measures to reduce the impact below the above thresholds. (MM)

(I-27S) Noise and vibration generating equipment such as cooling towers and HVAC systems shall either be located on the roof of the structure or shall be located at a distance of not less than 40 feet from the EMI/Capitol Records property line, unless it can be demonstrated (in coordination with EMI/Capitol Records) that any such equipment will not result in sound within the echo chambers of more than 20 dBA energy averaged over any 5 minute period and a maximum of 25 dBA slow meter response. Compliance shall be demonstrated prior to the issuance of a certificate of occupancy.

(I-28S) The Applicant as well as any successors and assigns of the property (including any Homeowners Association that may take title to the Property) shall provide Capitol Records the following information and notices: 1) The name and contact information of a representative or other on-site building caretaker that can be contacted should any activity on the project site result in interruption of recording activities at Capitol Records; and 2) Following the issuance of the final Certificate of Occupancy for the project, any future construction work on the project site exceeding in the aggregate \$100,000 in construction costs (excluding tenant improvements that take place entirely

within the interior of an enclosed building) and requiring City of Los Angeles Department of Building and Safety approval of the plans and specifications for such work shall be coordinated in advance with Capitol Records to avoid potential interruption with recording activities, which coordination shall include providing to Capitol Records concurrent copies of all plans and specifications and construction means and methods submitted to the City of Los Angeles Department of Building and Safety. (MM)

**E. Administrative Conditions.**

37. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
38. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
39. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
40. **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.
41. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
42. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
43. **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, design 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.
44. **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.

- 45. Mitigation Monitoring.** Pursuant to California State Public Resources Code Section 21081.6 and the California Environmental Quality Act the applicant and any future owners, successors, heirs or assigns shall provide the Department of City Planning with status reports for assessing and ensuring the efficacy of the mitigation measures (Environmental Conditions) required herein. Within 30 days of the effective date of this land use entitlement and prior to any Department of City Planning clearance of the conditions of approval contained herein, the applicant shall file a Mitigation Monitoring and Reporting Program (MMRP) in a manner satisfactory to the Department of City Planning which defines specific reporting and/or monitoring requirements to be enforced during project implementation. Each environmental condition shall be identified as to the responsible mitigation monitor(s), the applicable enforcement agency, the applicable monitoring agency and applicable phase of project implementation as follows:
- i. Pre-construction (prior to issuance of a building permit);
  - ii. Construction (prior to certificate of occupancy); and
  - iii. Post-construction/maintenance (post-issuance of certificate of occupancy).
- b. The applicant shall demonstrate compliance with each mitigation measure in a written report submitted to the Department of City Planning and the applicable enforcement agency prior to issuance of a building permit or certificate of occupancy, and, as applicable, provide periodic status reports to the Department of City Planning regarding compliance with post-construction/maintenance conditions.
  - c. If the environmental conditions include post-construction/maintenance mitigation measures, the applicant and all future owners, successors, heirs or assigns shall be obligated to disclose these ongoing mitigation monitoring requirements to future buyers of the subject property.
  - d. The applicant and any future owners, successors, heirs or assigns shall reimburse the Department of City Planning for its actual costs, reasonably and necessarily incurred, necessary to accomplish the required review of periodic status reports.