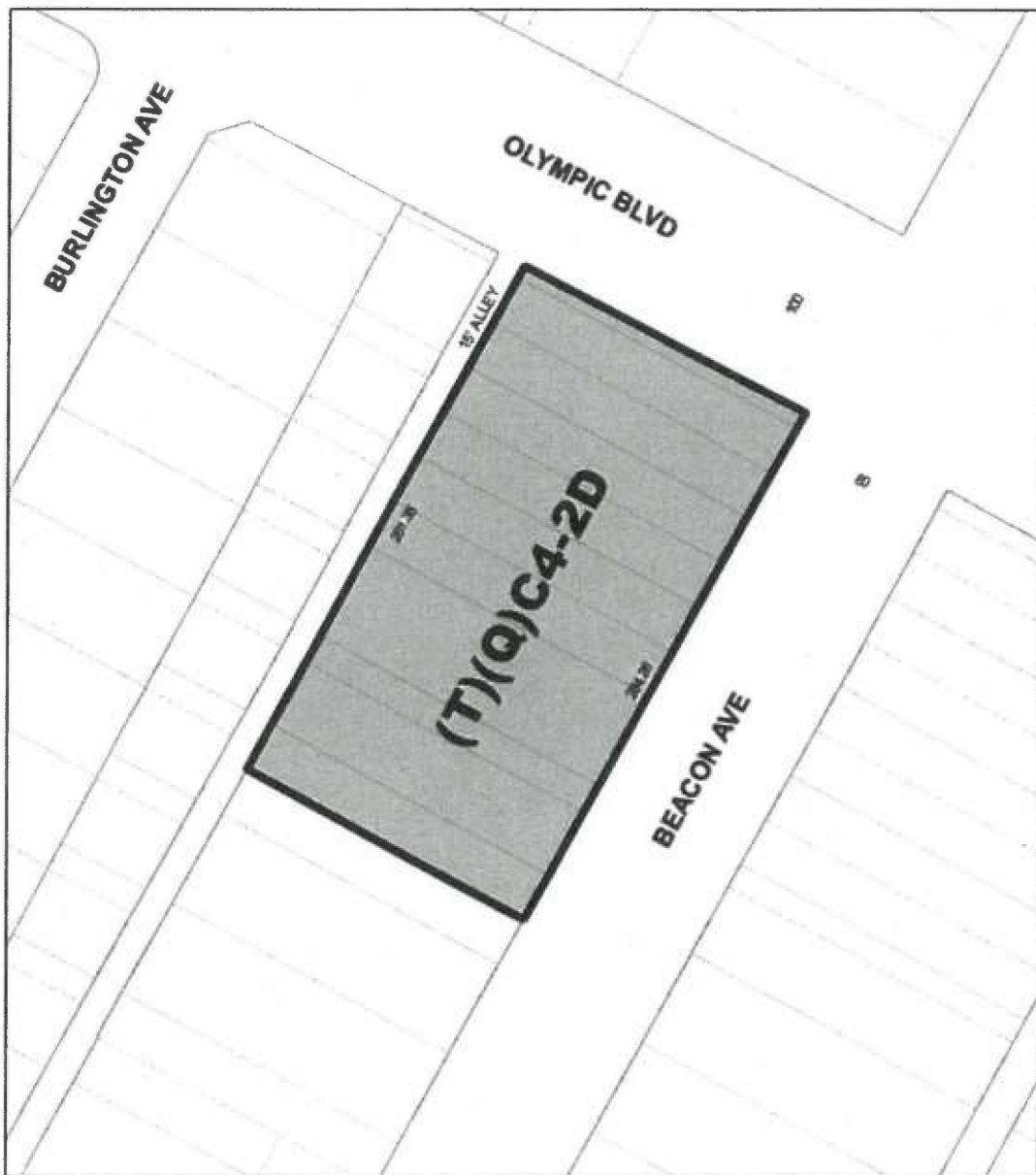


**ORDINANCE NO. \_\_\_\_\_**

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

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

Section \_\_\_\_\_. Section 12.04 of the Los Angeles municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.



50 25 0 50 Feet

C.M. 129 B 203, 130-5 A 203

CPC 2013-3834 GPA ZC HD CU CUB SPR

LH/

111014



DATA SOURCES: DEPARTMENT OF CITY PLANNING DEPARTMENT & BUREAU OF ENGINEERING



AREA  
MAPPED

Section \_\_. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the Council of the City of Los Angeles, by a majority vote of all its members, at the meeting of \_\_\_\_\_.

\_\_\_\_\_  
Holly L. Wolcott, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Pursuant to Section 558 of the City Charter,  
the City Planning Commission on November 13, 2014  
recommended this ordinance be adopted by the City Council.

  
\_\_\_\_\_  
James K. Williams, Commission Executive Assistant II  
City Planning Commission

File No. \_\_\_\_\_

### (Q) QUALIFIED CONDITIONS OF APPROVAL

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

#### A. Entitlement Conditions

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the Plot plan and elevations marked **Exhibit A**, and attached to the administrative file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the Director of Planning, Metro Neighborhood Projects, for review. At the discretion of the Director of Planning, the revised plans may be referred back to the City Planning Commission for their review and approval.
2. **Use.** Use of the subject property shall be limited to the use and area provisions of the C4-2D zone; hotel and commercial uses shall be permitted.
3. **Height.** The building shall be limited to a height of 81 feet, as defined by Los Angeles Municipal Code (LAMC) Section 12.03, as depicted on Exhibit A. The lowest elevation within 5 feet of the building shall be indicated on the plans for the purpose of measurement of building height. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.
4. **Floor Area Ratio (FAR).** The project FAR shall not exceed 2.2:1 or 93,890 square feet. The site shall be limited to 8,600 square feet of banquet, restaurant, and bar/café uses, as defined by Section 12.03 of the LAMC.
5. **Parking.** Pursuant to LAMC Section 12.21A4(x)(3) the Project need not provide more than 37 commercial parking spaces, or two parking spaces for every one thousand square feet of combined gross floor area of commercial use. Parking for hotel units and apartment units shall be provided subject to LAMC Section 12.21.A.4 and need not be more than 112 spaces.
6. **Residential Density.** Not more than 149 guest rooms may be constructed on the property.
7. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Department of City Planning Department.
8. **Window Transparency.** A note shall be added to the Project Elevations to indicate that all ground floor windows shall be comprised of non-reflective, transparent glass. All windows shall be articulated and shall relate to the interior spaces behind them.
9. **Loading.** The plans shall provide a loading space in compliance with LAMC Section 12.21 C.6. The loading area shall be secured by gates, fencing, or other appropriate security measures and it shall be maintained free of any trash or debris for the life of the Project.

10. The property lines shall be added to sheets A-5, A-6, A-7, A-8, and A-9. Any typographical errors shall be corrected on Exhibit A.
11. **Driveways.** The total amount of driveway width along Beacon Avenue shall be limited to 28 feet. This may be configured as one driveway of 28 feet or as two driveways of 14 feet each.
12. **Encroachments.** Any encroachments into or above the public right of way shall be only as permitted by Building and Safety and the Bureau of Engineering. The horizontal projection at the second floor shall be eliminated.
13. **Lobby.** A second lobby entrance shall be located at the corner of Olympic Boulevard and Beacon Avenue with direct access onto the sidewalk, not from the porte-cochere. This lobby entrance shall be designed to provide a harmonious proportional relationship to the overall size and scale of the building.
14. **Ground Floor.** The ground floor of the façade which abuts Olympic Boulevard and Beacon Avenue shall be designed to incorporate the architectural rhythm and elements of the upper floors to better define the façade. In particular the Olympic Boulevard ground floor façade shall apply vertical breaks and a more pedestrian-scaled storefront to create a consistent rhythm. No back of house uses shall be located on Olympic Boulevard.
15. **Porte-Cochere.**
  - a. The porte-cochere shall be redesigned to utilize architectural features to provide continuity at the street wall.
  - b. The landscaped buffer strip along the edge of the porte-cochere shall be enhanced with planting and landscape that is tall enough to screen headlights.
  - c. The pedestrian access into the porte-cochere shall be designed to create an "outdoor room" that can include seating, landscaping, water feature, or similar elements.
  - d. The porte-cochere shall utilize entry treatments such as stamped or colored concrete, special planting, or signage to enhance the porte-cochere entry for vehicles and pedestrians.
16. **Roof.** The project shall maintain a varied roof line consisting of sloping roofs and modulated building heights as depicted in Exhibit A. The parapet of the flat-roofed building shall be articulated from the main body of the building.
17. **Fence.** The fence located at the southern property line shall incorporate a change in material and texture every 20 feet on both sides. The fence shall also incorporate landscaping as noted on the plans.
18. **Building Materials.** The palette of building materials shall be revised and articulated to ensure that they adequately respond to the architectural form of the building. A note shall be added to the Project Elevations to indicate that the corrugated metal materials incorporated into the design shall be of a non-reflective material. All sides of the building shall be designed with the same amount of articulation and materials.
19. **Ground Level Pedestrian Access.** The doors for pedestrian access along Olympic Boulevard shall remain open during business hours. For the lobby entrance, this shall be 24 hours per day. For the restaurant entrance, this shall be the operating hours of the restaurant, which is 6 a.m. to 10 p.m.

**B. Environmental Conditions**

20. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.
21. **Aesthetics (Vandalism)**
- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
  - The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
22. **Aesthetics (Signage on Construction Barriers)**
- The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
  - Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
  - The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
23. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
24. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
25. **Ventilation Intake / Exhausts.** Ventilation intakes/exhausts shall be located to minimize adverse effects on pedestrian comfort along the sidewalk and the adjacent residential building. Vents shall be located more than 20' vertically and horizontally from a sidewalk and shall direct the air flow away from the public realm. Vents shall not be located on the southern façade of the building next to the adjacent residential use.
26. **Air Pollution (Demolition, Grading, and Construction 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. Wetting could reduce fugitive dust by as much as 50 percent.
  - 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.
  - 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.
  - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
  - g. Trucks having no current hauling activity shall not idle but be turned off.
27. **Tree Preservation (Grading Activities).** "Orange fencing" or other similarly highly visible barrier shall be installed outside of the drip line of locally protected and significant (trunk diameter of 8 inches or greater) non-protected trees, or as may be recommended by the Tree Expert. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.
28. **Tree Removal (Non-Protected Trees)**
- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
  - b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
  - c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
29. **Tree Removal (Public Right-of-Way)**
- a. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
  - b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
  - c. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
  - d. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
30. **Cultural Resources (Archaeological).** If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
- a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  - b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.

- d. Project development activities may resume once copies of the archaeological survey, study or report are submitted to: SCCIC Department of Anthropology, McCarthy Hall 477, CSU Fullerton, 800 North State College Boulevard, Fullerton, CA 92834.
  - e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
  - f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
31. **Cultural Resources (Paleontological).** If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  - b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
  - d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
  - e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
  - f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.
32. **Cultural Resources (Human Remains).** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
- a. Stop immediately and contact the County Coroner: 1104 N. Mission Road, Los Angeles, CA 90033. 323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
  - b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
  - c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
  - d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
  - e. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
  - f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
  - g. *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party.
33. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.



**34. Erosion/Grading/Short-Term Construction Impacts**

- a. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- b. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
- c. 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.
- d. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

**35. Geotechnical Report**

- a. 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 geotechnical report shall assess potential consequences of any 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.
- b. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

**36. Expansive Soils Area.**

- a. 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 geotechnical report shall assess potential consequences of any soil expansion 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.
- b. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

**37. Green House Gas Emissions.** Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

- 38. Stormwater Pollution (Demolition, Grading, and Construction Activities)**
- a. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
  - b. 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.
  - c. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
  - d. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
  - e. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- 39. Increased Noise Levels (Landscape Buffer)**
- a. A minimum one and one-half-foot wide landscape buffer shall be planted adjacent to the residential use. A six-foot wall shall also be provided adjacent to the landscape buffer.
  - b. A landscape plan prepared by a licensed Landscape Architect shall be submitted for review and approval by the decision maker.
- 40. Increased Noise Levels (Demolition, Grading, and Construction Activities)**
- a. 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.
  - b. 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.
  - c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
  - d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- 41. Increased Noise Levels (Parking Wall).** A 6-foot-high solid decorative masonry wall adjacent to residential use and/or zones shall be constructed if no such wall exists.
- 42. Increased Noise Levels (Parking Structure Ramps)**
- a. Concrete, not metal, shall be used for construction of parking ramps.
  - b. The interior ramps shall be textured to prevent tire squeal at turning areas. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- 43. Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway)**
- a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
  - b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

44. **Public Services (Fire).** 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.
45. **Public Services (Police – Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
46. **Public Services (Construction Activity Near Schools)**
- The developer and contractors shall maintain ongoing contact with administrator of the 10<sup>th</sup> Street Elementary School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (213)580-2950 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
  - The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
  - There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
  - Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.
47. **Construction Damage Bond**
- A cash bond or security ("Bond") shall be posted in accordance with terms, specifications, and conditions to the satisfaction of the Bureau of Engineering and shall remain in full force and effect to guarantee that any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, is properly repaired by the applicant.
  - Prior to the issuance of a Certificate of Occupancy, any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, shall be properly repaired by the applicant to the satisfaction of the Bureau of Engineering. The applicant is hereby advised to obtain all necessary permits to facilitate this construction/repair.
48. **Transportation (Haul Route)**
- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
  - (Non-Hillside):** Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
  - All haul route hours shall be limited to off-peak hours as determined by Board of Building and Safety Commissioners.
  - The Department of Transportation shall recommend to the Building and Safety Commission Office the appropriate size of trucks allowed for hauling, best route of travel, the appropriate number of flag people.

- e. The Department of Building and Safety shall stagger haul trucks based upon a specific area's capacity, as determined by the Department of Transportation, and the amount of soil proposed to be hauled to minimize cumulative traffic and congestion impacts.
- f. The applicant shall be limited to no more than two trucks at any given time within the site's staging area.

**49. Utilities (Local Water Supplies - Landscaping)**

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

**50. Utilities (Local Water Supplies - All New Construction)**

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

**51. Utilities (Local Water Supplies - New Residential)**

- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

- c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

**52. Utilities (Solid Waste Recycling)**

- a. **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- b. **(Construction/Demolition)** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- c. **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

- 53. Utilities (Solid Waste Disposal).** All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

**Administrative Conditions of Approval**

54. **Final Plans.** Prior to the issuance of any building permits for the Project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
55. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
56. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
57. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.

58. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the Project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
59. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
60. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
61. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of 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, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
62. **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.

### **“D” DEVELOPMENT CONDITIONS**

Pursuant to Section 12.32 H of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “D” Development classification.

1. **Height.** The building shall be limited to a height of 81 feet, as defined by Los Angeles Municipal Code (LAMC) Section 12.03, as depicted on Exhibit A. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties.
2. **Floor Area Ratio (FAR).** The project FAR shall not exceed 2.2:1 or 93,890 square feet. The site shall be limited to 8,600 square feet of banquet, restaurant, and bar/café uses, as defined by Section 12.03 of the LAMC.