

To: The Council

Date: **JAN 27 2015**

From: Mayor

Council District: 13

Correction Ordinance:
Modifications to the T-Classifications and Ordinance
Number 181754 for a Property Located at 1601-1605
North Vine Street within the Hollywood Plan Area

I herewith concur with the proposed correction for the
subject properties, and transmit this matter for your consideration.



ERIC GARCETTI
Mayor

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January 26, 2015

Honorable Eric Garcetti
Mayor of the City of Los Angeles
City Hall, Room 305

COUNCIL FILE No. 11-0819
CASE NO. CPC-2009-0254-ZC-HD-SPR-
GB
Council District No. 13
Plan Area: HOLLYWOOD

Dear Mayor Garcetti:

PROPOSED CORRECTION ORDINANCE: MODIFICATIONS TO THE T-CLASSIFICATIONS AND ORDINANCE NUMBER 181754 FOR A PROPERTY LOCATED AT 1601-1605 NORTH VINE STREET WITHIN THE HOLLYWOOD PLAN AREA.

The attached ordinance corrects a previously adopted Zone Change Ordinance, Ordinance No. 181,754. This Ordinance erroneously included the City Planning Commission's recommended "T" Classifications within the adopted Ordinance. Pursuant to section 12.32G of the Los Angeles Municipal Code, Tentative Classifications or "T" Conditions place requirements dealing with public necessity, convenience and general welfare on a property being considered for a change of zone and associated parcel map requests. Once the "T" Conditions are fulfilled and the approved Parcel Map has been recorded with the County of Los Angeles, the "T" Classification is removed and the Zone is effectuated. Ordinance No. 181754, which contains requirements for the effectuated zone, should not contain "T" Conditions, as the Ordinance only becomes valid and the zone effectuated once the "T" Conditions are satisfied and the Classification is removed.

Pursuant to Section 559 of the City Charter, I have reviewed the findings of the City Planning Commission's action taken on Case No. CPC 2009-0254-ZC-HD-SPR-GB on April 14, 2011 and AA-2009-0248-PMLA-GB on April 21, 2011, and, on behalf of the Commission, I hereby adopt its findings and approve this Ordinance, and recommend its adoption insofar as it substantially conforms to the latest action of the City Planning Commission in this matter.

Pursuant to Rule No. 38, transmitted herewith is the revised ordinance, and revised findings for appropriate action by the City Council.

MICHAEL J. LOGRANDE
Director of Planning

Shana Bonstin
Senior City Planner

ML:DS:SB:CS

History

The History of the proposed zone change for the subject property is as follows:

- June 18, 2010 The Advisory Agency approved Parcel Map No. AA-2009-0248-PMLA, permitting the merger and re-subdivision of two parcels with 18,197 gross square feet (17,882 net square feet) of lot area into three parcels (One ground lot and two airspace lots) for the construction of a new eight-story, 107,298 square-foot commercial building with ground floor retail, seven floors of commercial office uses, and five levels of subterranean parking with 194 parking spaces in the proposed C4-2-SN Zone as shown on map stamp-dated January 27, 2009 in the Hollywood Community Plan.
- April 14, 2011 The City Planning Commission (CPC) approved and recommended that the City Council adopt a zone change and height district change from C4-2D-SN to C4-2-SN with several (T), (Q), and Conditions of Approval.
- April 21, 2011 The City Planning Commission considered an appeal of AA-2009-0248-PMLA-GB originally approved by the Deputy Advisory Agency on June 18, 2010. The action of the Deputy Advisory Agency was sustained and the Commission adopted the Conditions of Approval of AA-2009-0248-PMLA-GB.
- June 24, 2011 Ordinance No. 181,754 was published to change the zone, however the ordinance erroneously included "T" conditions within the Ordinance.

Department of City Planning Recommendation

Consistent with the actions of the City Planning Commission and the City Council, the Planning Department recommends approval of the subject Correction Ordinance which will effectively remove "T" Conditions from the Zone Change Ordinance. In addition, this Correction will also strike out "T" Conditions relating to the associated Parcel Map. These "T" Conditions shall remain as Conditions to the Parcel Map but will not be unnecessarily duplicated within the Zone Change Ordinance. The ordinance shall read as follows:

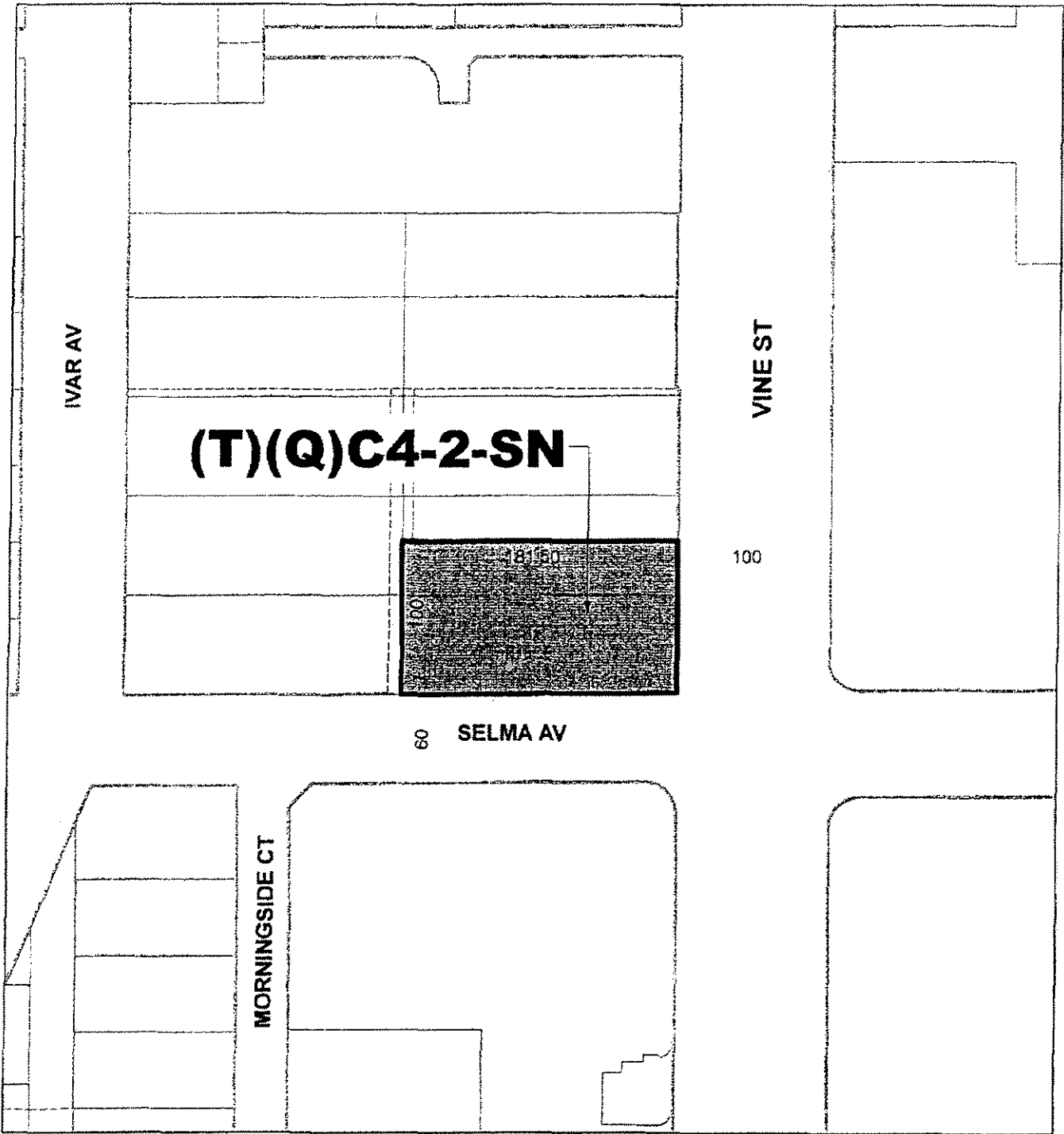
Case No. CPC-2009-0254-ZC-HD-SPR-GB

ORDINANCE NO. _____


An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the Zoning map.

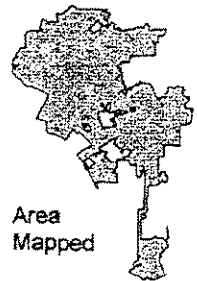
THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the Zoning map shall be as follows:



NOT TO SCALE

D.M. 148.5A 187	CPC 2009-0254 ZC HD SPR GB
AAI 	072910



(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.

Entitlement Conditions

1. **Use.** The use and area regulations for the new development on-site shall be developed for commercial uses as permitted in the (T)(Q) C4-2-SN Zone as defined in LAMC Section 12.16 unless modified by herein conditions or subsequent action.
2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A". Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Planning Department. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. **Floor Area.** Limit the proposed development to a maximum of 100,386 square feet of commercial floor area, 2,012 square feet of retail floor area, and 4,900 square feet of lobby and common area floor area.
4. **Height.** The height of the structures shall comply with Section 12.21.1. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties with residential dwellings.
5. **Parking.**
 - a. Provide a minimum of 194 off-street parking spaces as permitted by LAMC Section 12.24-Y (a 10% reduction from the parking requirements of the LAMC 12.21-A,4(x)(3), for commercial buildings within 1,500 feet from portal of a fixed transit station).
 - b. All parking for the proposed project shall be internal to the buildings or subterranean, and therefore shall not result in spillover to adjacent uses. Any above-grade garage openings shall be covered with frosted or back painted glass or decorative grids. The height and size of the openings shall be designed to conceal automobile headlights.
6. **Street Trees.** The landscape plan for the proposed project shall include three (3) palm trees along Vine Street and four (4) Chitalpa Tashkentensis along Selma Avenue.
7. **Sustainability.** Prior to the issuance of a certificate of occupancy, the Applicant shall endeavor to comply with the requirements of the US Green Building Council in an effort to obtain LEED Gold Certification. The proposed project shall be subject to the Green Building Program Ordinance No. 179,820.
8. **Architectural Materials.**
 - a. A consistent use of architectural and building materials shall be applied throughout all exterior facades of the building to avoid creating a "backside" to the site.

- b. The proposed project shall not use architectural finishes that would produce substantial glare. The retail ground level windows of the proposed project shall be clear, low insulated glass in display areas and frosted or black painted glass in non-display areas.
9. **Driveway Access.** Vehicular access shall be limited to one (1) driveway along Selma Avenue.
10. **Parking and Driveway Plan.** That two copies of a parking area and driveway plan be submitted to the Central District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the issuance of a building permit.
11. **Commercial Delivery.** No delivery for commercial uses shall be permitted between the peak hours of 7:00 am to 9:00 am and between 5:00 pm to 7:00 pm. Delivery vehicles shall only queue on-site and not along Selma Avenue or Vine Street, or other adjacent street.

Environmental Conditions

12. 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 required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:
- Use watering to control dust generation during demolition of structures or break-up of pavement.
 - Water active grading/excavation sites and unpaved surfaces at least three times daily.
 - Cover stockpiles with tarps or apply non-toxic chemical soil binders.
 - Limit vehicle speed on unpaved surfaces to 15 miles per hour.
 - Sweep daily (with water sweepers) all paved construction parking areas and staging areas.
 - Provide daily clean-up of mud and dirt carried onto paved streets from the site.
 - Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
 - Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more.
 - 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.

13. Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
14. The Project Applicant shall require in the construction specifications for the Proposed Project that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, are turned off when not in use for an extended period of time (i.e., 5 minutes or longer). The contract specifications shall be reviewed by the City prior to issuance of an excavation permit.
15. The Project Applicant shall require in the construction specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible. The contract specifications shall be reviewed by the City prior to issuance of an excavation permit.
16. The Cultural Heritage Commission shall approve a Retention, Repair, and Restoration Plan for the Walk of Fame (the "Walk of Fame Plan") with respect to the Proposed Project. The Walk of Fame Plan shall describe methods to be used to protect the Walk of Fame from damage during construction. The Walk of Fame Plan shall include the following provisions:
 - The panels with the stars shall either be protected in situ or removed and installed after construction. If they remain in situ, protective material shall provide "cut-outs" or other means that allow pedestrians to view the stars through the material, if and to the extent required and feasible. If they are removed during instruction, they shall be properly stored and reinstalled in the existing order after construction.
 - Identification of specific construction access points to the Project Site for trucks and heavy equipment. These access points shall not cross the Walk of Fame unless they provide additional structural protection for the Walk of Fame that avoids damage.
 - Standards for the repair of the Walk of Fame if damage occurs.
17. With regard to the design of the building for the Proposed Project, the paving material next to the Walk of Fame shall be compatible with the charcoal terrazzo. Also, the adjacent new paving material shall not duplicate the charcoal terrazzo used in the Walk of Fame. A sample of the new material shall be submitted to the Agency for approval.
18. If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology - California 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.
19. If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University,

Los Angeles, California State University, Long Beach, of the Los Angeles 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.

20. If human remains are discovered at the project site during construction, work at the construction site 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 of disposition of the remains.
21. The Proposed Project shall be designed and constructed in accordance with the recommendations provided in the Geotechnical Report, which shall be reviewed and approved by the Department of Building and Safety prior to issuance of building and grading permits. The recommendations include installation of a subdrain due to the proximity of groundwater, and recommendations for grading, site preparation, compaction, fill, paving, and shoring (see Appendix E of the Draft EIR, pages 5 through 20).
22. Prior to the issuance of any demolition permit, the Applicant shall provide a letter to the department of Building and Safety from a qualified asbestos abatement consultant and lead abatement contractor that no ACM or lead-based paints are present in the building. If ACM or lead-based paints are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.
23. The Proposed 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.
24. Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday, and prohibited on all Sundays and federal holidays.
25. Noise and groundborne vibration construction activities whose specific location on the project 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- and vibration-sensitive land uses.
26. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
27. 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.
28. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

29. Barriers such as plywood structures or flexible sound control curtains, at least eight feet in height, shall be erected around the project site to minimize the amount of noise on the surrounding off-site sensitive receptors to the maximum extent feasible during construction.
30. All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
31. The Proposed Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.
32. Two weeks prior to the commencement of construction at the project site, notification must be provided to the immediate off-site sensitive uses surrounding the project site that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period, the anticipated daily timeframe of activity, and contact information as referenced above where violations can be reported.
33. The operation of construction equipment at the project site that generates high levels of vibration, such as large bulldozers, loaded trucks, and jackhammers, shall be prohibited within 42 feet of the existing Encore Senior Housing building located immediately west of the project site. Instead, small rubber-tired bulldozers shall be used within this area during demolition, grading, and site preparation operations.
34. The operation of construction equipment at the project site that generates high levels of vibration, such as large bulldozers, loaded trucks, and jackhammers, shall be prohibited within 35 feet of the existing Ricardo Montalban Theater building located immediately north of the project site, when the theater is being used. Instead, small rubber-tired bulldozers shall be used within this area during demolition, grading, and site preparation operations.
35. All new mechanical equipment associated with the Proposed Project shall comply with Section 112.02 of the City of Los Angeles Municipal Code, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than five decibels.
36. The Project Applicant shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which ensure an acceptable interior noise environment.
37. The Project Applicant shall submit plot plans to the Los Angeles Fire Department prior to occupancy of the projects, for review and approval, which shall indicate access road and turning areas, and shall provide the capacity of the fire mains serving the project site. Any

required upgrades shall be identified and implemented prior to occupancy of the Proposed Project.

38. The Proposed Project shall comply with all fire code and ordinance requirements for building construction, emergency access, water mains, fire flows and hydrant placement. Prior to the issuance of a certificate of occupancy for any phase of the Proposed Project, the Project Applicant shall implement all fire code and ordinance requirements to the satisfaction of the Los Angeles Fire Department.
39. The Agency shall require all applicants for development that requires CEQA review or has agency participation through an Owner Participation Agreement or Disposition and Development Agreement to coordinate with LAPD by providing site plans to the Hollywood Division for review and to implement security features, such as private security, video surveillance, and secured entryways, as recommended by the LAPD during their review.
40. A construction work site traffic control plan shall be submitted to LADOT for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. LADOT also recommends that all construction-related traffic be restricted to off-peak hours. A copy of the construction work site traffic control plan shall also be submitted to Metro Bus Operations for their reference.
41. The Proposed Project, through building design and orientation, shall both comply with the provisions of TDM Ordinance No. 168,700 as well as promote other modes of travel by implementing measures beyond those already required per the provisions of said ordinance in order to reduce some of the project trips. The project shall develop a TDM program that includes, but is not limited to, the following measures:
 - Pursuant to Internal Revenue Code Section 132(f), arrange pre-tax dollar transit commute expense accounts to provide transportation fringe benefits to eligible employees;
 - Parking strategies, such as parking unbundling and parking cash-out;
 - Flexible work schedules, telecommuting programs, and alternative work schedules;
 - Bicycle and pedestrian-friendly environment;
 - Education and information on alternative transportation modes through a transportation information center;
 - A guaranteed ride home for all employees that carpool, vanpool, or take transit to work; and
 - Employer-provided monthly or annual transit passes for eligible project employees.
42. LADOT recommends the project be required to compensate for the unmitigated traffic impacts, and in the project seeks approval of a statement of overriding considerations, LADOT recommends that applicant be required to provide traffic signal enhancements at the following intersections:
 - Upgrade the traffic signal controller to a Type 2070 at the intersection of Argyle Avenue and Sunset Boulevard;

- Upgrade the traffic signal controller to a Type 2070 at the intersection of Ivar Avenue and Selma Avenue;
 - Upgrade the traffic signal controller to a Type 2070 at the intersection of El Centro Avenue and Sunset Boulevard; and
 - Install additional system detector loops at the intersections of Hollywood Boulevard and Wilcox Avenue.
43. Prior to the issuance of any certificate of occupancy permits, the applicant shall, through the City's B-Permit process, construct, and connect all necessary ATSAC/ATCS equipment, ATCS equipment, and ATCS detector loops, required for the Hollywood ATSAC/ATCS system. Prior to commencing the B-Permit design work, the applicant should contact the LADOT Signal Design Section for detailed design instructions.
44. The applicant shall coordinate with LADOT Citywide Planning Coordination Section to seek approval of the driveway access and circulation scheme prior to the commencement of building or parking layout design efforts.
45. As part of the permitting process, further detailed gauging will be required to determine the sewer connection point. If it is found that the adjacent sewer infrastructure has insufficient capacity for the Proposed Project, the developer would be required to build another sewer line with direct flow to the nearest, larger line that has the available capacity. The Applicant shall initiate gauging and may be required to contribute to upgrade fees as the Proposed Project would increase demand on the existing system. The final approval for sewer capacity and connection permits will be made at this time.

Construction Conditions

46. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
 - b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
 - c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
47. The applicant shall ensure the following construction Best Management Practices is incorporated within the Storm Water Pollution Prevention Plan (SWPPP):
- a. Chapter IX, Division 70b of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities shall require grading permits from the Department of Building and Safety.

- b. 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.
 - c. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, 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.
 - d. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
 - e. 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 must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
 - f. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
 - g. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
 - h. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking or water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
 - i. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
 - j. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.
48. Construction vehicles are prohibited from parking, queuing, delivering, idling, or otherwise obstructing traffic on any public street in the vicinity of the project area.
49. 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.
50. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
51. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
52. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

53. 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.
54. All trucks hauling dirt, sand, soil, or other loose materials shall be covered and shall maintain at least two feet of freeboard (between the top of the load and the top of the trailer) in accordance with CVC Section 23114.
55. Following daily construction activities, adjacent paved streets found to contain visible soil material that carried over from the project site shall be swept.
56. Soil Stabilizers shall be applied to inactive construction areas as necessary.
57. Ground cover in disturbed areas shall be quickly replaced.
58. All haul roads shall be watered twice daily while in use during construction activities.
59. All stock piles of debris, dirt, or rusty materials shall be covered with a tarp to prevent the release of fugitive dust.
60. Vehicle speed on unpaved roads shall be reduced to less than 15 miles per hour (mph).
61. The project developer shall provide temporary traffic control during all phases of construction to assist with the improvement of traffic flow.
62. The project developer shall require contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for an extended period of time (i.e., 5 minutes or longer).
63. The project developer shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible.
64. The project developer shall require by contract specifications that all diesel-powered construction equipment and haul trucks used would be retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is economically feasible and readily available in the South Coast Air Basin.
65. The project developer shall require by contract specifications that all heavy-duty diesel-powered equipment operating and refueling at the project site as well as haul trucks would use low- NOx diesel fuel to the extent that it is readily available and cost effective (up to 125 percent of the cost of California ARB diesel) in the South Coast Air Basin.
66. The project developer shall require contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) would be utilized to the extent that it is economically feasible and the equipment is readily available in the South Coast Air Basin.
67. The project developer shall utilize low-VOC paints on all portions of the proposed structures.

68. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
69. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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.
70. 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.
71. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
72. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
73. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
74. Noise and groundborne vibration construction activities whose specific location on the project 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- and vibration-sensitive land uses.
75. Barriers such as plywood structures or flexible sound control curtains shall be erected along the northern project boundary to the adjacent uses and along the southern project boundary to the adjacent uses to minimize the amount of noise to the maximum extent feasible during construction.
76. An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a dedicated telephone number to receive information about the construction process and to report complaints regarding excessive noise levels. An ongoing log of calls received shall be maintained as part of the mitigation monitoring and reporting program.
77. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
78. The project contractor shall use power construction equipment with noise shielding and muffling devices.
79. The contractor shall contract for waste disposal services with a company that recycles construction-related wastes.
80. Haul Route. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider of exporting of approximately 60,000 cubic yards of soil, a total of 80 trips per day for a duration of 30 days, in addition to the following haul route conditions:
(MM)

- a. Streets to be used are limited to: Selma Avenue, Vine Street, Hollywood Boulevard, US-101 Freeway, CA-170 Freeway, Roscoe Boulevard, Tuxford Street, Bradley Avenue, Tujunga Avenue.
- b. Hours of operation shall be from 9:00 a.m. to 3:00 p.m. Monday through Friday and 8:00 a.m. to 4:00 p.m. on Saturday.
- c. Days of the week shall be Monday through Saturday
- d. No hauling shall be performed on Sundays or holidays.
- e. Trucks shall be restricted to 18-wheel dump trucks or smaller.
- f. Approximately 45,000 cubic yard of dirt will be exported off-site for the duration of approximately 75 working days, for a total of 60 trips per day, including a maximum of 15 trucks, exporting 10 cubic yards per trip, with a maximum of 4 trips per truck per day.
- g. All trucks are to be staged on site. No staging on Vine Street or Selma Avenue will be allowed.
- h. No interference to traffic and access to driveways must be maintained at all times.
- i. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling at 213 485-3106.
- j. Streets shall be cleaned of spilled materials at the termination of each work day.
- k. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- l. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- m. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- n. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- o. All trucks are to be watered at the job site to prevent excessive blowing dirt.
- p. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- q. The applicant shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads.
- r. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- s. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
- t. A minimum of one flag person(s) shall be required at the job and dump sites to assist the trucks during hauling operations to assist with truck traffic existing in and out of the project area. Flag person(s) and warning signs shall be in

- compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook."
- u. LADOT recommends posting "Temporary, Tow Away No Stopping Any Time" signs on the north side of Selma Avenue in front of 1601-1605 Vine Street for ease of truck ingress and egress, during the hauling operation. Contact LADOT at (213) 485-2298 to post temporary parking restrictions and cover parking meters.
 - v. The City of Los Angeles, Department of Transportation at 213 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.
 - w. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213 485-3711 before the change takes place.
 - x. The permittee shall notify the Street Use Inspection Division at 213 485-3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
 - y. A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central District Engineering Office, 201 N. Figueroa Street, Room 770, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling 213 977-6039.

Administrative Conditions

- 81. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc. as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
- 82. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
- 83. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in the (Q) 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 Planning Department for approval before being recorded, after recordation, a copy bearing the Recorder' number and date shall be provided to the Planning Department for attachment to the file.
- 84. **Covenants and Agreements.** All covenants and agreements referred to herein shall be effective upon recordation, shall run with the land and shall be binding upon any future owners, successors, heirs or assigns of the Applicant.
- 85. **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.

86. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
87. **Building Plans.** Page No. 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
88. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
89. **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.
90. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
91. **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.

Sec. 2. 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 this ordinance was passed by the Council of the City of Los Angeles at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MIKE FEUER, City Attorney

Pursuant to Sec. 559 of the City Charter,
I approve this ordinance on behalf of the City
Planning Commission and recommend its
adoption...

By _____

City Attorney

January __, 2015

File No. C.F. 11-0819
CPC-2009-254-ZC-HD-SPR-GB

Director of Planning

**CONDITIONS FOR EFFECTUATING (T)
TENTATIVE CLASSIFICATION REMOVAL**

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

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

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Bureau of Engineering. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

a. Street Dedication.

- (1) That a 15-foot by 15-foot corner cut at the intersection of Vine Street and Selma Avenue being dedicated to a depth of 10 feet below to a height of 15 feet above the finished surface sidewalk.
- (2) ~~That the petitioners record a covenant and agreement to run with the land pertaining to the limited street dedication areas to include the following~~
 - i. ~~That the owners be required to maintain the supports to the limited street dedication areas of Selma Avenue and Vine Street for safety and usability to the satisfaction of the City Engineer. An annual fee of \$0.10 per plan square foot of the limited area dedication measuring 113 square feet (with automatic annual escalation proportioned to the cost of living index) shall be paid to the City Engineer for the purposes of City inspection of the facilities. The City shall be given reasonable access to the structure within and adjacent to the limited dedication areas for this purpose upon request during normal business hours. The City may request the owner to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense. The City may make such repairs at the owner's~~

~~expense if the owner elects not to do so or does not respond within a reasonable time. Owners shall grant reasonable access to the City's contractor to make said repairs.~~

~~ii. The owner shall be required to limit use of the structure within the limited dedication area of Selma Avenue and Vine Street to commercial uses. No storage of combustibles will be allowed, nor will any other use or occupancy be allowed except as approved in writing by the Department of Building and Safety and the Department of Public Works.~~

~~(3) That the following conditions regarding the limited dedication areas be complied with satisfactory to the City Engineer:~~

~~i. That the owners obtain approval of the City Engineer for any substantial structural modification within the area of Selma Avenue and Vine street and for any structural element outside the limited dedication area which provides lateral or vertical support to the structures within the area.~~

~~ii. That plans of structural details shown on standard size City sheets and structural calculations both signed by a Civil or Structural Engineer registered in the State of California, be submitted to the Structural Engineering Division of the Bureau of Engineering for review and approval.~~

~~iii. That a Class "B" permit be obtained from the Bureau of Engineering and that a deposit be made with said Bureau sufficient to cover the City's cost for plan checking, construction inspection, and incidental costs relative thereto.~~

~~iv. That a building permit from the Department of Building and Safety be obtained for the construction of the portion of the structure located within the private property.~~

~~v. That the owners provide and maintain a policy of general liability insurance in an amount not less than \$2,000,000.00 combined single limit per occurrence. Evidence of such insurance shall be on the City's General Liability Special Endorsement form or other form acceptable to the City Attorney and shall provide coverage for premises/operations and contractual liability.~~

~~vi. That a Waiver of Damages agreement and an Indemnification Agreement Covenant to run with the land be executed by the owners and submitted to the Bureau of Engineering for approval, and subsequently be recorded relieving the City of any liability arising from the construction, maintenance and use of the proposed limited dedication areas. This waiver and indemnity statement shall be also included in the final map.~~

~~vii. That architectural plans be submitted to and approved by the Cultural Affairs Department as to the aesthetics of the structure over the street area.~~

b. Street Merger:

~~(1) Selma Avenue (Local Street): That a 3-foot portion of Selma Avenue below a minimum depth of 10 feet below and a 4-foot portion above a maximum height of 15 feet above the finished sidewalk surface be permitted to be merged with the remainder of the parcel map pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:~~

- ~~i. That consents to the street being merged and waivers of any damage that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.~~
- ~~ii. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.~~

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

~~(2) Vine Street (Major Highway Class II): That a 2-foot portion of Vine Street above a maximum height of 15 feet above the finished sidewalk surface be permitted to be merged with the remainder of the parcel map pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:~~

- ~~i. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.~~
- ~~ii. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.~~

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

~~(3) That any surcharge fee in conjunction with the street merger request be paid.~~

c. Street Improvement.

- (1) Improve Selma Avenue adjoining the subdivision by repairing and replacing any bad order curb, gutter, sidewalk; close any unused driveway; plant trees with tree wells with cover and root barriers.
- (2) Improve Vine Street adjoining the subdivision by the construction of the following:
 - i. A concrete curb, a concrete gutter, and a 15-foot full-width concrete sidewalk (Hollywood Walk of Fame), planting trees with root barriers, tree wells and covers. Also construct a curb ramp at the intersection

- with Selma Avenue as required by the "Americans with Disabilities Act".
- ii. Any necessary removal and reconstruction of existing improvements.
 - iii. The necessary transitions to join the existing improvements all satisfactory to the City Engineer.
- (3) Construct the necessary house connection to serve the subdivision and evaluate the efficiency of the existing house connections.
- d. ~~That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:~~
- (1) ~~That the owners shall be required to maintain all elements of the structure below the limited street right-of-way of Selma Avenue and Vine Street adjoining the subdivision in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure and adjacent to the limited street right-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.~~
 - (2) ~~The owners shall be required to limit use and occupancy of the structures below the limited street right-of-way of Selma Avenue and Vine for parking use only. No combustible material shall be stored in the limited dedication area.~~
 - (3) ~~The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification below the street right-of-way area of Selma Avenue and for any structural modification areas and for any structural element outside said areas which provides lateral or vertical support to structures within the areas.~~
- e. ~~That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the structures underneath the limited easements of Selma Avenue and Vine Street in connection with the use and maintenance operations within said street easement. This waiver of damage shall also be shown on the final map.~~
- f. ~~That any fee deficit under work order No. EXP00053 expediting this project be paid.~~
- g. ~~That the existing ingress and egress easement within the subdivision be correctly shown on the final map.~~
- h. ~~That a complete set of drawings be submitted to the City Engineer showing the followings:~~
- (1) ~~Plan view at different elevations.~~
 - (2) ~~Isometric views.~~
 - (3) ~~Elevations views.~~
 - (4) ~~Section cuts at all locations where air space lot boundaries change.~~
- i. ~~That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve the proposed airspace parcels to use upon the sale of the~~

~~respective parcels and they will maintain the private easements, free and clear of obstructions and in a safe conditions for use at all times.~~

- ~~j. That a revised map be submitted showing the correct limited dedication and merger areas. This revised map shall be used as reference for the final map checking.~~
- k. Sewers. Sewer lines are available in streets adjoining the tract. The construction of house connection sewers will be required to serve the tract. This tract will connect to the public sewer system and will not result in violation of the California Water Code. All sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a Building Permit.
- l. Sanitation. An investigation by the Bureau of Sanitation may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Sewer Public Counter of the West Los Angeles Engineering District Office of the Bureau of Engineering.
- m. Street Lighting. No Street lighting improvements if no street widening improvement conditions. Otherwise relocate and upgrade street light; one (1) on Vine Street.
3. Department of Transportation. Satisfactory arrangements shall be made with the Department of Transportation to assure:
- A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively. There shall not be any parking spaces, guard booth and/or ticket dispenser(s) within the required reservoir space.
 - Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21 A.
 - Driveways and vehicular access to projects shall be provided from Selma Avenue.
 - That applicant complies with the mitigation measures as stated in the traffic assessment report of January 5, 2009 from DOT to Hadar Plafkin, Department of City Planning. All subsequent revisions and modifications shall remain in effective.
 - A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3. For an appointment, call (213) 482-7024. (MM)
4. Fire Department.
- Submit plot plans for Fire Department approval and review prior to recordation of Parcel Map Action.
 - Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - Building designs for multi residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street on Fire Lane.
 - Entrance to the main lobby shall be located off the address side for the building.

- e. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- f. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- g. 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.
- h. Fire land 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.
- i. Submit plot plans indicating access road and turning area for Fire Department approval.
- j. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- k. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- l. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door or unit.
- m. Hydrants and sprinklers may be required after review of plot plans.
- n. Site plans shall include all overhead utility lines adjacent to the site.
- o. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- p. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- q. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc, and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6506. You should advise any consultant representing you of this requirement as well.

5. Department of Building and Safety, Grading Division.

- a. Prior to the issuance of a grading or building permit, or prior to the recordation of the final map (AA-2009-248-PMLA-GB), the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated October 30, 2008, Log No. 65251 and attached to the case file for Parcel Map No. AA-2009-248-PMLA-GB.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.) as required herein, are completed to the satisfaction of the City Engineer.