

CONDITIONS OF APPROVAL

Conditional Use Conditions of Approval. Pursuant to Section 12.24.W 1 of the Municipal Code, a Conditional Use to permit the sale of alcoholic beverages for off-site consumption.

1. The use and development of the property shall be in substantial conformance with the plot and floor plans submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
2. Specific Plan Amendment / General Plan Amendment. Prior to obtaining any permits, the project shall secure final Adoption of the General Plan Amendment and Specific Plan Amendment Ordinance.
3. 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 Department of City Planning to impose additional corrective Conditions, if, in the Department of City Planning's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Planning Department and the Department of Building and Safety for purposes of having a building permit issued.
6. Any rear/side door(s) of the premises shall be equipped on the inside with an automatic locking device, kept closed at all times and not be used as a means of access by patrons to and from the licensed premises. Temporary use of this door(s) for delivery of supplies does not constitute a violation. Said door(s) shall not consist solely of a screen or ventilated security door.
7. The building owner and retail establishment lessee shall be responsible for maintaining the subject premises free of litter and the area adjacent to the premises over which they have control.
8. The business operator shall consult with the Los Angeles Police Department in regard to security precautions, including possible installation, operation and maintenance of security cameras that cover all common areas of the business, high-risk areas and entrances or exits. The video or digital tapes used for such system shall be made available to the Police Department upon request.
9. Electronic age verification device(s), which can be used to determine the age of any individual attempting to purchase alcoholic beverages, shall be installed on the premises at each point-of-sale location.
10. A copy of the entitlement granted herein and conditions shall be maintained on the site for inspection upon request by the Police Department or any City or State agency.
11. Within six months of the effective date of this determination, the operators, managers and all employees selling alcohol to patrons shall enroll in and complete a certified training

program for the responsible selling of alcohol, such as Standardized Training for Alcohol Retailers (STAR), recognized by the State Department of Alcoholic Beverage Control (ABC) or the Los Angeles Police Department. This training shall be completed by all new employees within four (4) weeks of their employment and by all employees once every 24 months. Verification of compliance shall be recorded and maintained by the grantee and submitted to the Department of City Planning upon request.

12. In the event of a sale of the store by the applicant to another entity, the new owner or operator of the subject licensed premises shall file a Plan Approval application at the Department of City Planning Development Services Center no later than 6 months from the date of transfer of ownership of the store. Said application shall be accompanied by a filing fee pursuant to Section 19.01-I of the Municipal Code and a mailing list of all property owners and occupants within a 500-foot radius. The purpose of the application shall be for review of condition compliance and observed nuisance for the surrounding community that can be attributed to store operation, and to review any proposed modifications to the floor plan or business operation. The matter shall be set for public hearing with notification sent to the persons on the mailing list, the Neighborhood Council, Police Department and applicable Council Office. After receiving a staff report and holding a public hearing, the Department of City Planning may modify, add to or delete Conditions contained herein in order to lessen any nuisance upon surrounding properties.
13. At any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Department of City Planning reserves the right to require the applicant to file for a plan approval application together with associated fees, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant/ petitioner(s) shall provide a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review the Department of City Planning may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.
14. Within 30 days of the effective date of this action, and prior to the sale of any alcoholic beverages, the property owner shall record a covenant acknowledging and agreeing to comply with all the terms and conditions established herein in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.
15. Prior to the beginning of operations, the applicant shall notify the Condition Compliance Unit via email or U.S. Mail when operations are scheduled to begin and shall submit a copy of the Certificate of Occupancy for the Case File. The notification shall be submitted to planning.ccu@lacity.org, with the subject of the email to include the case number, "CPC-2015-74-GPA-SP-CUB-SPP-SPR/Operation Notification". The applicant shall also submit (attached or mailed) evidence of compliance with any conditions which require compliance "prior to the beginning of operations" as stated by these conditions.
16. Prior to the beginning of operations, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees

shall be provided to the Condition Compliance Unit within 30 days of the beginning day of operation of the establishment. The statement shall read as follows:

We, the undersigned, have read and understand the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption, in conjunction the facility, known as Target, and agree to abide and comply with said conditions.

Project Permit Compliance Conditions

17. **Site Plan.** The use and development of the property shall be in substantial conformance with the Plot plan and elevations submitted with the application and marked **Exhibit A**. 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 Department of City Planning for review.
18. **Specific Plan Amendment / General Plan Amendment.** Prior to obtaining any building permits, the project shall secure final Adoption of the General Plan Amendment and Specific Plan Amendment Ordinance.
19. **Commercial Corner Conditional Use.** Per Section 12.A.2 of the SNAP Specific Plan, the project is exempt from the Commercial Corner provisions of the LAMC (12.22 A 23, 12.24 W 26).
20. **Condition Deleted.**
21. **Ground Floor Commercial Uses.** The entirety of the Sunset Boulevard street frontage and 80% of Western Avenue street frontage shall be comprised of commercial uses and at a depth consistent with the Ground Level Plan, Exhibit A. Breaks in the commercial street frontage shall only be allowed to accommodate plazas, pedestrian passageways and vehicular access points.
22. **Floor Area Ratio (FAR).** Maximum permitted FAR shall be 1.15:1
23. **Entrances.** All commercial tenant space along Western Avenue and Sunset Boulevard shall provide primary access from the public right-of-way. Storefront entrances along these streets shall remain open and unobstructed during business hours.
24. **Street Improvements.** Except as may be conditioned herein, the regulations and procedures contained in Section 12.37 of the Code shall apply to any public street improvements, except for the highway and street improvement standards contained in LAMC Section 12.37 H. Instead, the Guidelines shall be utilized to the extent physically feasible for any improvements of streets in the Specific Plan area.
25. **Pedestrian Throughways.** The project shall provide a minimum of two pedestrian passageways at grade level that are accessible to pedestrians at the public right of way. The pedestrian passageways shall provide a minimum vertical clearance of 12 feet and a minimum horizontal clearance of 10 feet. The Pedestrian Passageways shall be improved according to the following standards:
 - a. A minimum of 10-percent of the surface area of the passageways shall be comprised of landscape features such as raised planters and/or potted plants.

- b. Hardscape shall be comprised of decorative paving surfaces such as interlocking pavers, colored and scored concrete, tile or brick. Asphalt and/or standard concrete shall not be used.
 - c. Decorative lighting shall be installed in passageways to adequately illuminate passageways for secure pedestrian use and to provide visual and aesthetic interest. While standard overhead lighting may be used, such lighting shall not constitute condition compliance.
26. **Street Trees.** Prior to the issuance of a building permit, the Applicant shall obtain a Class "A" or "B" Permit guaranteeing at least one shade-tree be provided along the public right-of-way for every 30 feet of project street-frontage (12 trees along Western Avenue, 12 trees along Saint Andrews Place, 14 trees along Sunset Boulevard, and 14 trees along De Longpre Avenue). Shade trees shall be maintained via an automated watering system and shall be kept in a healthy state. Palm trees may be provided in addition to the required shade trees but shall not constitute compliance with the shade tree requirement. The number of street trees may be diminished only to ensure compliance with Bureau of Engineering, Building and Safety or Department of Transportation requirements and where possible, omitted trees should be relocated elsewhere in the project area. Existing ficus trees planted within the right of way shall be removed as part of the project.
27. **Shade Tree Well Covers.** The applicant shall provide either a decorative metal tree-well cover; shall utilize a decomposed granite open tree-well system; or shall provide additional landscaping within tree wells. Portland cement concrete tree well covers (or other similar non-decorative devices) shall not constitute condition compliance.
28. **Bike Racks.** Prior to the issuance of a building permit, the Applicant shall obtain a Class "A" or "B" Permit guaranteeing installation of a minimum of one bike rack for every 50 feet of project street frontage (7 racks along Western Avenue, 7 racks along Saint Andrews Place, 9 racks along Sunset Boulevard, and 9 racks along De Longpre Avenue) located within the public right-of-way. Bike racks shall be located so as to establish a regular pattern along the street and shall not be clustered into a single location. However, 8 of the required bike racks along De Longpre Avenue may be relocated to Western Avenue or Sunset Boulevard, in which case dual or multiple-bike racks may be acceptable.
29. **Trash Receptacles.** The applicant shall provide a minimum of one trash receptacle for every 100 feet of project street frontage (3 receptacles along Western Avenue, 3 receptacles along Saint Andrews Place, 4 receptacles along Sunset Boulevard and 4 receptacles along De Longpre Avenue), located within the public right-of-way. Trash receptacles shall be maintained and regularly emptied by the property owner. The number of trash receptacles may be diminished along De Longpre Avenue only to allow for truck ingress and egress.
30. **Public Benches.** The applicant shall provide one public bench for every 250 feet of project street frontage (1 bench along Western Avenue, 1 bench along Saint Andrews Place, 2 benches along Sunset Boulevard), within the public right-of-way.
31. **Security Devices.** If at any time during the life of the project the property owner wishes to install security devices such as window grilles and/or gates, such security device housing shall be designed so as to be fully concealed from public view. The project owner shall be required to acquire approval from the Director of Planning, via a Building Permit clearance sign off, for the installation of any security devices on the exterior or the structure.

32. **On-site Lighting.** Prior to issuance of a Certificate of Occupancy the applicant shall install onsite lighting along all vehicular and pedestrian access ways. Installed lighting shall provide $\frac{3}{4}$ foot candle of flood lighting intensity as measured from the ground. Lighting must also be shielded from projecting light higher than 15 feet above ground level and away from adjacent property windows. The maximum height of any installed lighting fixture shall not exceed 14 feet in height.
33. **Transparent Building Elements.** Ground-floor storefronts along Western Avenue shall provide a minimum of 50 percent transparent building elements such as doors and windows in conformance with Exhibit A. Ground-floor storefronts along Sunset Boulevard shall provide a minimum of 50 percent transparent building elements such as doors and windows in conformance with Exhibit A. Ground-floor storefronts shall comprise a minimum of 20% of the ground floor façade along St. Andrews Place. Glazed surfaces shall not be tinted or otherwise obstructed to prevent views into and out of stores.
34. **Comprehensive Sign Plan.** No signage is approved as part of this action. Prior to the issuance of a Building Permit the applicant shall submit a revised comprehensive signage plan to the Department of City Planning, Neighborhood Projects Section, which shows the location and type of all proposed signage related to the project including all conditions of approval. All signage shall comply with Section 14.4 of the LAMC. All subsequent sign permit clearances shall substantially comply with the comprehensive signage plan.
35. **Tenant Signage.** All tenant signage along Western Avenue and Sunset Boulevard shall consist exclusively of free-standing, illuminated architectural canopy signage. mounted, individually cut, channel or reverse channel letters and of individual dual-faced, projecting blade signs located below the canopy and adjacent to store entrances that are visible to passers-by at sidewalk level. All signage shall be in conformance with Section 14.4 of the LAMC. All proposed Pedestrian Oriented Signs (projecting blade signs) shall comply with Section 14.4 of the LAMC as well as the SNAP Development Standards and Design Guidelines which limit their total size to no more than twelve square feet in area and their maximum projection from the wall to no more than four feet.
36. **Prohibited Signage.** The following signs are prohibited: Pole/Pylon; Off-site; Cabinet/Canister/Can; Roof.
37. **Window Signage.** Only window signage that is painted or otherwise permanently affixed to the lowest 12-inches of window plane may be permitted. Temporary window displays, posters, banners and vinyl films or other such items that block views into and out of the proposed use are prohibited.
38. **Display Windows.** The display windows shall not contain any window signs, as defined in Section 14.4 of the Municipal Code.
39. **Glazing.** All building glazing shall be comprised of non-tinted, clear glass
40. **Utilities.** All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not currently available, then provisions shall be made by the applicant for future underground service.
41. **Public Plaza.** The project shall provide a public plaza that is at least 21,609 square feet in surface area at the corner of Sunset Boulevard and Western Avenue. The public plaza shall serve as the primary entrance forecourt for the large retail establishment located on the third level of the project and shall function as a publically accessible gathering place. The public plaza shall be improved with the following amenities:

- a. The plaza shall be privately maintained and accessible to the public a minimum of 14 hours per day. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a building permit.
 - b. Hardscape shall be comprised of decorative paving surfaces such as interlocking pavers, stamped concrete, tile or brick. Special patterns and sizes in a variety of colors including terra cotta for the main color and natural gray pavers for the edge bands shall be utilized in conformance with Exhibit A. Asphalt and/or standard concrete shall not be used.
 - c. Innovative and decorative lighting features (such as freestanding light posts, recessed lighting incorporated around planters) shall be installed in the plaza to adequately illuminate public space for secure pedestrian use and to provide visual and aesthetic interest.
 - d. The public plaza shall provide static seating for at least 21 persons (seating may be comprised of raised planter ledges, benches or non-removable chairs). Private seating for individual commercial establishments shall not constitute condition compliance.
 - e. A way-finding and transit kiosk shall be provided within the public plaza or near the public-right-of-way (as permitted by the Bureau of Engineering) in conformance with Sign Plan, Exhibit A. The kiosk shall include transit information for the Metro Red Line subway and for other Metro and DOT bus lines operating in the project area. The property owner shall coordinate with Metro to keep kiosk content up-to-date.
 - b. The applicant shall coordinate with LADOT to prepare plans for a future Integrated Mobility Hub, which shall include space for a bike-share kiosk as part of the Metro Regional Bike-Share program and personal lockers. Prior to Certificate of Occupancy, the applicant shall provide a copy of the Mobility Hub Plan as approved by LADOT.
 - c. The applicant shall coordinate with Los Angeles County Metropolitan Transportation Authority (Metro) to provide funds to install "Next Bus" signs at bus stops adjacent to the intersection of Sunset Boulevard and Western Avenue. Prior to Certificate of Occupancy, the applicant shall provide documentation from Metro indicating completion of this Condition.
42. **Building Materials.** Building materials shall be in substantial conformance with Exhibit A, except that no EIFS shall be used on the Ground Floor of the project, or in any location on the building that is accessible by members of the public. No stucco shall be utilized on any portion of the building within 18 inches of the sidewalk grade. The material used on the portion of the building within 18 inches of the sidewalk grade shall be stone, masonry, brick, or pre-cast stone.
43. **Surface Mechanical Equipment.** All surface or ground mounted mechanical equipment, including transformers, terminal boxes, pull boxes, air conditioner condensers, gas meters and electric meter cabinets, shall be screened from public view and treated to match the materials and colors of the building which they serve.
44. **Canopies/Trellises.** All storefronts along Western Avenue and Sunset Boulevard shall be furnished with canopies/trellises that provide substantial shade, in conformance with Exhibit A. Decorative lighting shall be incorporated into the canopy to adequately illuminate public space for secure pedestrian use and to provide visual and aesthetic interest.

45. **Rooftop Appurtenances.** All rooftop equipment and building appurtenances shall be screened from public view or architecturally integrated into the design of the building depending on the type of roof.
46. **Screenwall.** A landscaped screenwall or green screen (consistent with Exhibit A) shall be provided along the Saint Andrews Place elevation to adequately screen views into the parking structure and access ramp. The landscape screenwall shall be maintained in healthy and viable condition for the life of the project.
47. **Childcare Facility Requirement.** Prior to the issuance of a Certificate of Occupancy for the project, for every 50 square feet of net, usable, non-residential floor area, the project shall provide one square foot of Childcare Facility, plus Ground Floor Play Area, pursuant to Section G of the SNAP. A 3,895 square-foot indoor Childcare Facility, plus the required amount of Ground Floor Play Area, shall be required. At the Applicant's request, the Board of Recreation and Parks Commission may authorize a cash payment in lieu of some or all of the minimum indoor square footage and play area required in Subsection 6.G. Should the applicant request to utilize the in lieu fee option, the applicant shall be required to pay the City the full cost of consultant services to evaluate the projected childcare needs of the proposed project. In lieu cash payments for indoor child care space and outdoor play areas shall be deposited in the City's Child Care Trust Fund, as stipulated by the SNAP.
48. **Parking.** A minimum of 390 parking spaces shall be permitted. 23 parking spaces shall be fully built out to accommodate electric vehicles. 20 percent of the total provided parking spaces shall be pre-wired for electric vehicles.
49. **Bicycle Parking Spaces.** A minimum of 28 off-street bicycle parking spaces shall be provided. Required bicycle racks provided in the public right of way shall not constitute compliance with this condition and shall be considered an additional requirement. Bicycle parking spaces shall be located at grade and in a centrally identifiable and secure location.
50. **Delivery.** The applicant shall submit a program for retail use designed to provide free or subsidized delivery of purchases made at the site by residents living within the Specific Plan area. This program shall contain the proposed delivery pricing and delivery logistics. The delivery pricing shall be comparable with on-line delivery pricing, and shall be reviewed annually. The notice of delivery availability shall be conspicuously posted inside the store.
51. **Height.** The height of all buildings and structures on the subject property shall not exceed a maximum height of 74 and four inches feet as defined by Sections 12.03 and 12.21 B 3(a) and (b) of the Los Angeles Municipal Code. Structures and features on the roof, such as air conditioning units and other equipment, may be erected up to ten feet above the limit and shall be set back a minimum of ten feet from the roof perimeter and fully screened from view at street level as pursuant to Section 9.B.1 of the Vermont/Western Transit Oriented District Specific Plan.
52. **Development Standards.** Except as conditioned/permitted herein, the project shall be in conformance with all applicable requirements contained in the Specific Plan Development Standards and Design Guidelines for Subarea F-Large Scale Commercial Node. The project shall obtain LEED Certification within two years of obtaining a Certificate of Occupancy for the project. The LEED Certification documents shall be placed in the project case file upon receipt.

Project Design Features

53. As a project design feature, and as included in the traffic study, the applicant shall plan, design, and install a new traffic signal with a northbound left-turn lane on Western Avenue at De Longpre Avenue through the Bureau of Engineering B-permit process. Prior to commencing design work in the new traffic signal, the applicant shall work with LADOT's Hollywood-Wilshire District Office to seek final approval of the traffic signal warrants and issuance of a Traffic Control Report authorizing the installation of the traffic signal. If the traffic signal is approved by LADOT, De Longpre Avenue shall be configured to provide an eastbound left-turn lane and right-turn lane.

Environmental Conditions of Approval

54. The applicant shall prepare and execute a Covenant and Agreement (Planning Department form CP-6770) in a manner satisfactory to the Department of City Planning requiring the Applicant to identify mitigation monitors who shall provide periodic status reports on the implementation of applicable mitigation items required by Mitigation Conditions of the project's approval satisfactory to the Department of City Planning. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post/construction/maintenance) to ensure the continued implementation of the below mentioned mitigation measures.

Note: MM corresponds to the mitigation measures as identified in the project EIR. To the extent that the Conditions of Approval conflict with mitigation measures, if any, the Conditions of Approval shall govern and shall serve as part of the final Mitigation Monitoring and Reporting Program.

Biological Resources

55. Conduct tree removal activities associated with project development during the non-breeding season (in general, September 1st through January 31st); OR

Conduct pre-construction surveys for nesting birds if tree removal activities are to take place during the nesting season (in general, February 1st through August 31st). Pre-construction surveys shall be conducted by a qualified biologist no more than three days prior to the initiation of tree removal activities to confirm presence or absence of active nests. If tree removal activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have lapsed between the survey and tree removal activities.

If no active nests are encountered, no further mitigation would be required following submittal of a survey results letter to the City of Los Angeles. However, if active nests are encountered, species-specific measures shall be prepared by a qualified biologist in coordination with the CDFG and other appropriate agencies, and implemented to prevent the direct loss or abandonment of the active nest. **(MM IV.A-1)**

Cultural Resources

56. If unknown archaeological materials are discovered during any grading or construction activity, work in the affected area shall stop and the contractor shall immediately notify the Applicant and the City of Los Angeles. An archaeologist shall be consulted to determine the significance of the discovered artifact(s) and, if necessary, formulate a mitigation plan. Work can resume in the affected area, only with the approval of the archaeologist. **(MM IV.A-2)**

57. If paleontological materials are discovered during any grading or construction activity, work in the affected area shall stop and the contractor shall immediately notify the Applicant and the City of Los Angeles. A paleontologist shall be consulted to determine the significance of the discovered fossil materials and, if necessary, formulate a mitigation plan. Work can resume in the affected area, only with the approval of the paleontologist. **(MM IV.A-3)**

Aesthetics—Visual Quality, Views

58. All open areas not used for buildings, driveways, pedestrian amenities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker. **(MM IV.B-1)**
59. Every building, structure, or portion thereof shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. **(MM IV.B-2)**
60. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15. **(MM IV.B-3)**
61. On-site signs shall be limited to the maximum allowable under City Code. **(MM IV.B-4)**
62. Multiple temporary signs in the store windows and along the building walls are not permitted. **(MM IV.B-5)**
63. A landscape plan shall be prepared by a licensed landscape architect to the satisfaction of the decision maker. **(MM IV.B-6)**
64. The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. **(MM IV.B-7)**
65. The Applicant shall prepare a street tree plan to be reviewed and approved by the City's Department of Public Works, Street Tree Division. All plantings in the public right-of-way shall be installed in accordance with the approved street tree plan. **(MM IV.B-8)**
66. All new sidewalks along the project's street frontages shall be paved with pervious (permeable) concrete or interlocking pavers to create a distinctive pedestrian environment and to increase the opportunity for stormwater infiltration on the site. **(MM IV.B-9)**

Aesthetics—Light and Glare

67. All lighting related to construction activities shall be shielded or directed to restrict any direct illumination onto property located outside of the project site boundaries that is improved with light-sensitive uses. **(MM IV.B-10)**
68. Construction hours shall generally be 7:00 a.m. to 9:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturday. **(MM IV.B-11)**
69. Exterior lighting included within the proposed project shall incorporate fixtures and light sources that focus light on-site to minimize light trespass. **(MM IV.B-12)**

70. Proposed project lighting shall comply with LAMC Section 93.0117. As such, proposed project lighting shall not cause more than two footcandles of lighting intensity or direct glare from the light source at any residential property. **(MM IV.B-13)**
71. All buildings, parking structures, and signage within the project site shall be prohibited from using highly reflective building materials such as mirrored glass in exterior façades. Examples of commonly used non-reflective building materials include cement, plaster, concrete, metal, and non-mirrored glass, and would likely include additional materials as technology advances in the future. **(MM IV.B-14)**
72. All buildings, parking structures, and signage within the project site shall be prohibited from using highly reflective building materials such as mirrored glass in exterior facades. **(MM IV.B-15)**
73. The proposed project building shall not include large areas of reflective surfaces that could reflect light from signage into surrounding areas. On-site buildings, signage, or thematic elements shall not incorporate reflective building materials or provide a source of auto headlight-related glare in proximity to glare sensitive uses. **(MM IV.B-16)**

Traffic—Transportation/ Parking

74. Prior to the issuance of construction permits, the applicant shall prepare Work Area Traffic Control Plans that, at a minimum, shall include **(MM IV.C-1)**:
- Identification of a designated haul route to be used by construction trucks;
 - Provide an estimate of the number to trucks trips and anticipated trips;
 - Identification of traffic control procedures, emergency access provisions, and construction alternative crew parking locations;
 - Identification of the on-site location of vehicle and equipment staging;
 - Provide a schedule of construction activities;
 - Limitations on any potential lane closures to off-peak travel periods;
 - Scheduling the delivery of construction materials during non-peak travel periods, to the extent possible;
 - Coordinating deliveries to reduce the potential of trucks waiting to unload building materials; and
 - Prohibiting parking by construction workers on neighborhood streets as determined in conjunction with City staff.
 - At least one lane in each direction shall be maintained at all times on St. Andrews Place for the duration of construction of the proposed project.
 - Pedestrian access and circulation shall be maintained at all times on the west side of St. Andrews Place for the duration of construction of the proposed project.
 - In the event of a lane closure, a Work Area Traffic Control Plan approved by LADOT shall be implemented to route traffic around any such lane closures.
 - The Construction Management Plan shall be implemented with oversight from an independent mitigation monitor.

- The project applicant shall provide a community liaison during construction to address traffic concerns at the project site. The name and contact information for the community liaison shall be posted in a location onsite visible to the public.
 - The project applicant shall coordinate with the Metro Bus Operations Control Special Events Coordinator regarding temporary relocation during construction of bus stops located adjacent to the project site and any other issues that could affect bus service in the vicinity of the project site during construction. The project applicant shall coordinate with other municipal bus operators, if any, that utilize the same bus stops.
75. Hollywood Boulevard and Western Avenue **(MM IV.C-2)**:
- a. Restripe Western Avenue to increase the southbound curb lane from 18 feet to 20 feet in width to facilitate the southbound right-turning traffic on Western Avenue at Hollywood Boulevard; this would allow the southbound approach to accommodate one left-turn lane, one through lane, and one shared through/right-turn lane.
 - b. Upgrade the traffic signal controller to a Type 2070 controller at the intersection of Western Avenue and Russell Avenue.
 - c. Install additional system detector loops along both approaches of Hollywood Boulevard and Harvard Boulevard.
76. Sunset Boulevard and Western Avenue **(MM IV.C-3)**:
- a. Consistent with the adopted street standards for Western Avenue, reconfigure the west side of Western Avenue north of Sunset Boulevard to allow for the installation of a southbound right-run lane on Western Avenue. The ultimate design of this improvement should maintain a minimum sidewalk/parkway width of 15-feet along the west side of Western Avenue north of Sunset Boulevard, and should provide one left-turn lane, two through lanes, and one right-turn lane in the southbound direction.
 - b. Install a closed circuit television (CCTV) camera and the necessary infrastructure (including fiber optic and interconnect) at Sunset Boulevard and Western Avenue.
77. Sunset Boulevard and Van Ness Avenue **(MM IV.C-4)**:
- a. Install a CCTV camera and the necessary infrastructure (including fiber optic and interconnect) at Sunset Boulevard and Western Avenue.
78. System-Wide Traffic Signal Upgrades **(MM IV.C-5)**:
- a. Upgrade the traffic signal controller to a Type 2070 at the following intersections: Sunset Boulevard and St. Andrews Place; Franklin Avenue and Wilton Place; and Franklin Avenue and Garfield Place;
 - b. Install additional system detector loops along the approaches at Sunset Boulevard and St. Andrews Place;
 - c. Install a CCTV camera and the necessary infrastructure (including fiber optic and interconnect) at Western Avenue and Santa Monica Boulevard.
79. **(MM IV.C-6)** *Not Used.*
80. **(MM IV.C-7)** *Not Used.*

81. Implement a neighborhood traffic calming program to install speed humps along St. Andrews Place between Fountain Avenue and De Longpre Avenue, subject to the approval procedures of LADOT **(MM IV.C-8)**.
82. **(MM IV.C-9) Not Used.**
83. A dock manager and/or flag person shall be employed to facilitate and assist delivery trucks in accessing the loading docks **(MM IV.C-10)**.

Geology and Soils

84. The proposed project shall be designed and constructed in accordance with the recommendations provided in a full Geotechnical Study, which shall be approved by the Department of Building and Safety prior to issuance of building and grading permits. **(MM IV.D-1)**

Hazards and Hazardous Materials

85. In the event that excavation or grading activity on the project site reveals discolored soil or the equipment operator detects odors or fumes emanating from the soil, earth disturbance activity shall cease and an assessment of the soil shall be conducted at the site to evaluate the potential presence of subsurface contamination as a result of historical on-site uses and proximal off-site facilities that may have impacted the soil, soil vapor, and/or groundwater beneath the site. If environmental conditions exceeding regulatory requirements are identified, remediation shall be accomplished to the satisfaction of the appropriate regulatory agency(ies) shall be completed before earth-disturbing activities may resume. **(MM IV.E-1)**
86. The Applicant shall conduct ACM and LBP surveys on all buildings and associated infrastructure scheduled for demolition. If asbestos and/or lead-based paint are detected, they shall be abated and removed in accordance with all applicable federal, state, and local regulations and in accordance with SCAQMD regulations. **(MM IV.E-2)**

Hydrology and Water Quality

87. The proposed project shall be designed and constructed in accordance with the recommendations provided in the geotechnical report (Appendix IV.D-1 of the Draft EIR, which may be modified, if necessary as part of final project design). The geotechnical study shall be approved by the Department of Building and Safety prior to issuance of building and grading permits. **(MM IV.F-1)**
88. The applicant shall maintain all structural or treatment control BMPs for the life of the project. **(MM IV.F-2)**
89. All earthwork on the project site shall be performed in accordance with the requirements of the City of Los Angeles Building and Safety, the City of Los Angeles Civil Engineer of Record, and the Storm Water Pollution Prevention Program. **(MM IV.F-3)**
90. The proposed project shall implement all SWPPP BMPs listed in Section 3.B.III.1.a of the Hydrology and Water Quality Chapter of the Draft EIR. **(MM IV.F-4)**
91. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site. **(MM IV.F-5)**

92. Leaks, drips, and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. **(MM IV.F-6)**
93. Shall not hose down pavement at material spills. Dry cleanup methods shall be used whenever possible. **(MM IV.F-7)**
94. Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. **(MM IV.F-8)**
95. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets. **(MM IV.F-9)**
96. 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 cloths shall be used to catch drips and spills. **(MM IV.F-10)**
97. Project applicant(s) are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing $\frac{3}{4}$ inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required. **(MM IV.F-11)**
98. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rates for developments where increased peak stormwater discharge rate will result in increased potential for downstream erosion. **(MM IV.F-12)**
99. Provide trees and other vegetation at the project site in accordance with SNAP requirements. **(MM IV.F-13)**
100. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation. **(MM IV.F-14)**
101. Any toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer. **(MM IV.F-15)**
102. Reduce and recycle wastes, including: paper, glass, aluminum, oil, and grease. **(MM IV.F-16)**
103. Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols, and formaldehyde. **(MM IV.F-17)**
104. Utilize natural drainage systems to the maximum extent practicable. **(MM IV.F-18)**
105. Control or reduce or eliminate flow to natural drainage systems to the maximum extent practicable. **(MM IV.F-19)**
106. Protect slopes and channels and reduce run-off velocities by complying with Chapter IX, Division 70 of the Los Angeles Municipal Code and utilizing vegetation (grass, shrubs, vines, ground covers, and trees) to provide long-term stabilization of soil. **(MM IV.F-20)**
107. All storm drains inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING – DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. **(MM IV.F-21)**

108. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks with the project area. **(MM IV.F-22)**
109. Legibility of stencils and signs must be maintained. **(MM IV.F-23)**
110. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs. **(MM IV.F-24)**
111. The storage area must be paved and sufficiently impervious to contain leaks and spills. **(MM IV.F-25)**
112. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area. **(MM IV.F-26)**
113. The owner(s) of the properties will prepare and execute covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions. **(MM IV.F-27)**
114. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer. **(MM IV.F-28)**
115. Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits, or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or a concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair, and maintain the outlet protection after each significant rain. **(MM IV.F-29)**

Noise

116. The project shall comply with the City of Los Angeles Noise Ordinance No. 41.40 which restricts construction and demolition activities to the hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. **(MM IV.H-1)**
117. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. **(MM IV.H-2)**
118. The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized to the extent feasible. Examples include the use of drills and jackhammers. **(MM IV.H-3)**
119. Construction activities whose specific location at the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible. **(MM IV.H-4)**

120. Equipment warm-up areas, water tanks, and equipment storage areas shall be located as far as possible from the surrounding residential uses and the Children's Learning Center. **(MM IV.H-5)**
121. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. **(MM IV.H-6)**
122. The project developer shall install temporary sound curtains of sufficient height to block the lines of sight of the construction activities at the project site from the Learning Center for Young Children facility. The sound curtains shall be in place from the commencement of construction activities on the project site until the exterior of the building is constructed and doors are installed. **(MM IV.H-7)**
123. Two weeks prior to the commencement of construction at the project site, notification must be provided to the Learning Center for Children facility disclosing the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period. **(MM IV.H-8)**
124. The project developer shall provide a liaison to coordinate construction activities with the Learning Center for Children facility such that the loudest construction activities would occur during times when children are not napping or outside. In addition, a phone number and contact name shall be provided to the Learning Center for Children for school faculty to call for noise complaints. **(MM IV.H-9)**
125. Existing structure demolition and grading using large bulldozers shall not be permitted within 150 feet of the Learning Center for Young Children except after 4 p.m. Monday through Friday or anytime on Saturday. **(MM IV.H-10)**

Air Quality

126. The Project Developer(s) shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Project Developer(s) 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 **(MM IV.I-1)**:
 - 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 roads 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/excavation 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.
127. The Project Developer(s) shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the project site throughout the project construction phases. The Project Developer(s) 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 **(MM IV.I-2)**:
- Keep all construction equipment in proper tune in accordance with manufacturer's specifications.
 - Use late model heavy-duty diesel-powered equipment at the project site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks).
 - Limit truck and equipment idling time to five minutes or less.
 - Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.

Public Services—Police Protection

128. The proposed project shall implement a Construction Management Plan that shall outline provisions for on-site security during construction, which could include, but are not limited to, temporary security fencing, lighting, and providing security personnel to patrol the site. Additionally, the Construction Management Plan shall ensure emergency access to the project site is maintained at all times during construction through well-marked entrances. **(MM IV.J-1)**
129. The proposed project shall comply with the design guidelines outlined in the LAPD Design Out Crime Guidelines, which recommend using natural surveillance to maximize visibility, natural access control that restricts or encourages appropriate site and building access, and territorial reinforcement to define ownership and separate public and private space. Specifically, the proposed project would **(MM IV.J-2)**:
- Provide on-site security whose duties shall include but not be limited to the following:
 - Monitoring entrances and exits;
 - Managing and monitoring fire/life/safety systems; and
 - Controlling and monitoring activities in the parking facilities.
 - Install security industry standard security lighting at recommended locations including parking structures, pathway options, and curbside queuing areas;
 - Install closed-circuit television at select locations including (but not limited to) entry and exit points, loading docks, public plazas and parking areas;

- Provide adequate lighting of parking structures, elevators, and lobbies to reduce areas of concealment;
 - Provide lighting of building entries, pedestrian walkways, and public open spaces to provide pedestrian orientation and to clearly identify a secure route between parking areas and points of entry into buildings;
 - Design public spaces to be easily patrolled and accessed by safety personnel;
 - Design entrances to, and exits from buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites; and
 - Limit visually obstructed and infrequently accessed “dead zones.”
130. Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the Applicant or its successor shall develop an Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by LAPD. **(MM IV.J-3)**

Public Services—Fire Protection

131. The proposed project shall implement a Construction Management Plan that shall outline provisions for on-site security during construction, which could include, but are not limited to, temporary security fencing, lighting, and providing security personnel to patrol the site. Additionally, the Construction Management Plan shall ensure emergency access to the project site is maintained at all times during construction through well-marked entrances. **(MM IV.J-4)**
132. The proposed project shall comply with all State and local building codes relative to fire protection, safety, and suppression. Specifically, the project design shall incorporate the standards and requirements as set forth by: Title 24, the City of Los Angeles Safety Element, the LAMC Fire Code, and any additional code requirements established by the LAFD relative to fire prevention, safety, suppression, and emergency access and response. **(MM IV.J-5)**
133. The project applicant shall submit a plot plan for approval of access and hydrants by the LAFD prior to the issuance of a building permit by the City. The plot plan shall include fire prevention and access features to the satisfaction of the LAFD, including the following standard requirements: **(MM IV.J-6)**
- a) Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - b) Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of sight of the main entrance stairwell or to the satisfaction of the LAFD.
 - c) Any required fire hydrants to be installed shall be fully operational and accepted by the LAFD prior to any building occupation.
 - d) All water systems and roadways are to be improved to the satisfaction of the LAFD prior to any building occupation.
 - e) All structures shall be fully sprinklered pursuant to LAMC Section 57.09.07(A).

- f) 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.
- g) No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel.

Utilities—Sewer

- 134. As part of the normal construction/building permit process, the Applicant or its successor shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the proposed project's sewer flows during the construction and operation phases. **(MM IV.K-1)**
- 135. The proposed project shall implement any upgrades to the sewer system serving the proposed project that could be needed to accommodate the Project's sewer generation. **(MM IV.K-2)**

Administrative Conditions of Approval

- 136. **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.
- 137. **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.
- 138. **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.
- 139. **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.
- 140. **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.

141. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
142. **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.
143. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
 - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of (in whole or in part) the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of (in whole or in part) the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.