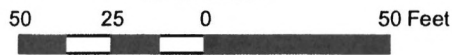
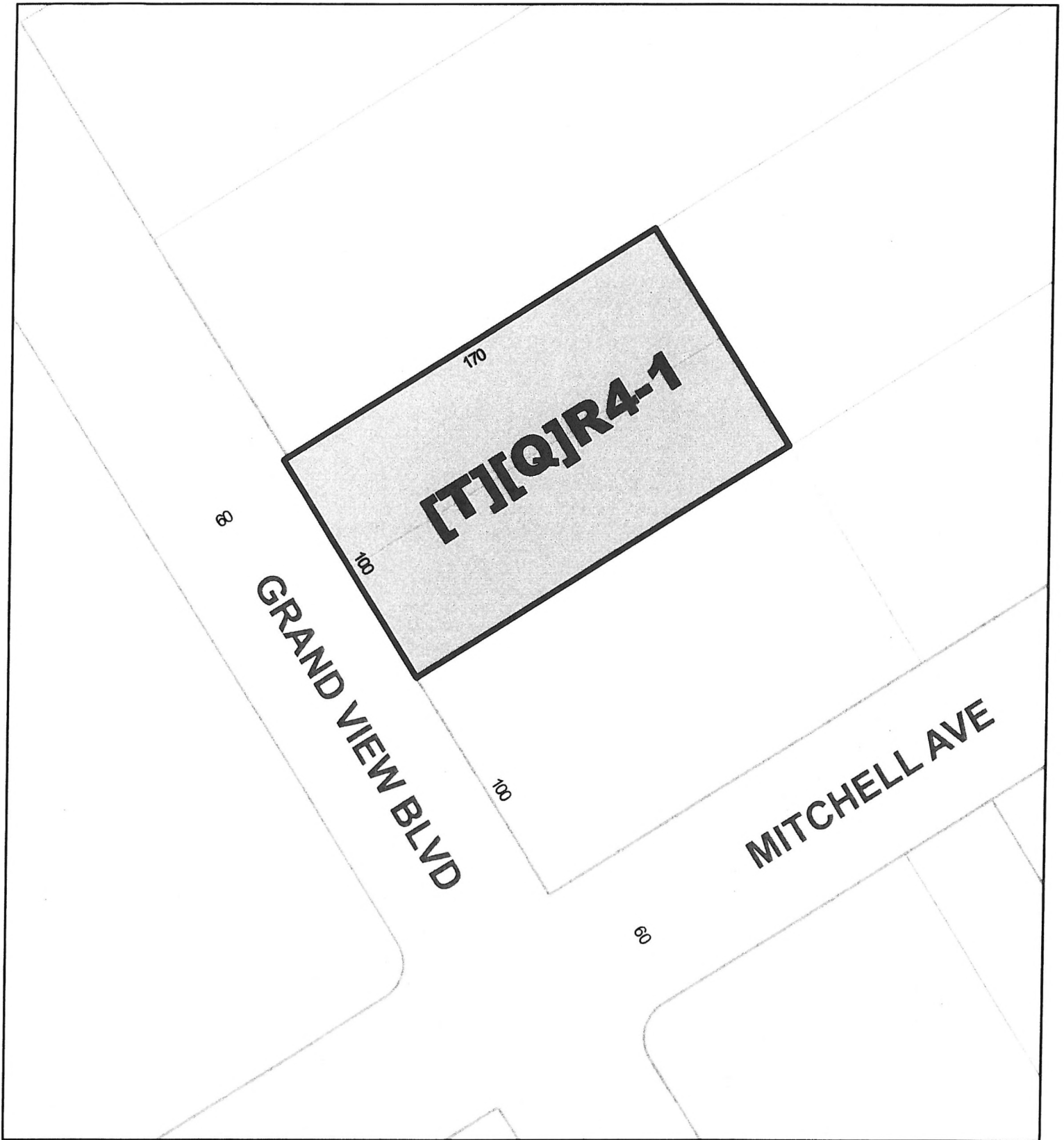


ORDINANCE NO. _____

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

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

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

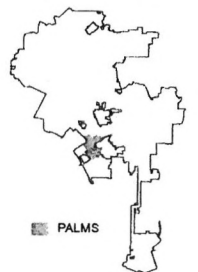


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City of Los Angeles



(Q) QUALIFIED CONDITIONS OF APPROVAL**Entitlement Conditions**

1. **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 B**, dated **February 23, 2016**, and attached to the administrative file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the City Planning Department for review.
2. **Use.** Use of the subject property shall be limited to Independent Living Senior Citizen Housing permitted as in the R4 Zone. The property shall observe the area restrictions of the R4 Zone.
3. **Height.** The building shall be limited to a height of 60 feet, as defined by Los Angeles Municipal Code (LAMC) Section 12.03 and allowed per LAMC Section 12.21.1.
4. **Floor Area Ratio (FAR).** The total floor area ratio of the structure on the property shall not exceed 2.57:1.
5. **Yards/Setback.** The project shall provide a 15-foot front yard setback along Grand View Boulevard, a 15-foot rear yard setback, and a minimum of eight feet for the required side yards or as provided pursuant to LAMC 12.11.C, whichever is greater.
6. **Residential Density.** The project shall be limited to a maximum density of 51 residential units, which consists of the base number of 42-units and plus the 20 percent Density Bonus or nine additional units.
7. **Senior Housing.** A minimum of thirty-five (35) units will be reserved for individuals who are at least 62 years of age or older. Once this condition is met, the remainder of units may be reserved for individuals 55 years of age or older (units 36 – 51), as defined by the State Density Bonus Law 65915 (C)(2).
8. **Change in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change in parking numbers shall be consistent with LAMC Section 12.22 A.25 (9a-d).
9. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make thirty-five (35) units available to senior citizens who are at least 62 years of age, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Note: After meeting this requirement (a minimum of 35-units reserved for senior citizens aged 62 or older), the remainder of units may be reserved for Households who are 55 years of age or older. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
10. **Automobile Parking.** The project shall provide 67 vehicle parking spaces or consistent with LAMC 12.21 A.4a. Of the 67 vehicle parking spaces, 16 spaces shall be configured for electric vehicle charging stations, and 11 spaces reserved for guests.

- 11. Adjustment of Parking.** In the event that the number of Restricted Affordable Units should change, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to senior citizens and/or Disabled Persons), and no other Condition of Approval is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.
- 12. Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16. Long-term parking shall be provided at a rate of one per dwelling unit or guest room. Additionally, short-term bicycle parking shall be provided at a rate of one per ten dwelling units or guest rooms, with a minimum of two short-term bicycle parking spaces. Based upon the number of dwelling units, a minimum of 51 long-term and 6 short-term bicycle parking spaces shall be provided onsite, for a total of 57 bicycle parking spaces.
- 13. Open Space.** As shown on Exhibit B, the project shall provide 3,608 square feet of private open space and 4,606 square feet of common open space aggregating to 8,214 square feet:

 - a. **Private Open Space.** The project shall provide 47 balconies and five patios.
 - b. **Common Open Space.** The project shall provide an outdoor terrace, an interior courtyard, a roof deck, and community spaces.
- 14. Rooftop.** Solar Panel Rooftop areas shall be reserved for solar panels as shown on Sheet A-2.1.6 of Exhibit B.
- 15. Landscape Planters.** Landscape planters in the front yard (west) shall be limited in height to 3.5 feet above grade so as not to obscure the architectural features of the building.
- 16. Other Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The landscape plan shall indicate landscape points for the project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines "O".
- 17. Irrigation Plan.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit an Irrigation Plan for review and approval to the West Los Angeles project planner, West/South Project Planning Division, City Planning.
- 18. Building Entrance.** One lobby entrance and one vehicular entrance shall be provided at street levels; along the Grand View Boulevard frontage. Lobby entry doors shall be made of clear, unobstructed, tempered glass. The main entrance shall be designed to achieve a minimum of 16 feet total width to include two matching sidelights on each side.
- 19. Building Transparency.**

 - a. **Balconies and Patios.** All units with balconies or patios shall maintain tempered glass railings. In addition, all units shall maintain transparent windows and openings as shown on Elevations in Exhibit B.

- b. **Windows.** The applicant shall revise Exhibit B as follows prior to issuance of a building permit:
- i. Windows on all residential floors, on all facades shall be enlarged by a minimum of 30 percent.
 - ii. All windows shall be inset three inches from the building wall.
 - iii. All windows shall have a dark anodized finish compatible with the color pallet of the building.

20. Building Articulation. The applicant shall revise Exhibit B as follows prior to issuance of a building permit:

- a. Articulation of equal rigor shall be provided on all elevations.
- b. The scoring lines on the elevator front façade shall be removed.

21. Mechanical Equipment. All mechanical equipment on the roof shall be screened from view. Any mechanical equipment placed in the front yard, shall be screened from view with landscaping.

Environmental Conditions

22. Aesthetics (Light) Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.

23. Aesthetics (Glare). The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

24. Increased Noise Levels (Demolition, Grading, and Construction Activities).

- 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.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

25. Public Services (Police – Demolition/Construction Sites).

Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

26. Public Services (Construction Activity Near Schools).

- The developer and contractors shall maintain ongoing contact with administrator of Grand View Boulevard Elementary School and Wildwood School.
- The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur.

- The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

Administrative Conditions

- 27. 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.
- 28. 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.
- 29. Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
- 30. Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
- 31. 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.
- 32. 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.
- 33. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

- 34. Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all of the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject case file.
- 35. 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 of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 36. 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 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 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.

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

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

Holly L. Wolcott, City Clerk

By _____
Deputy

Approved _____

Mayor

Pursuant to Section 558 of the City Charter,
the City Planning Commission on April 14, 2016
recommends this ordinance be adopted by the City Council.



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

File No. _____