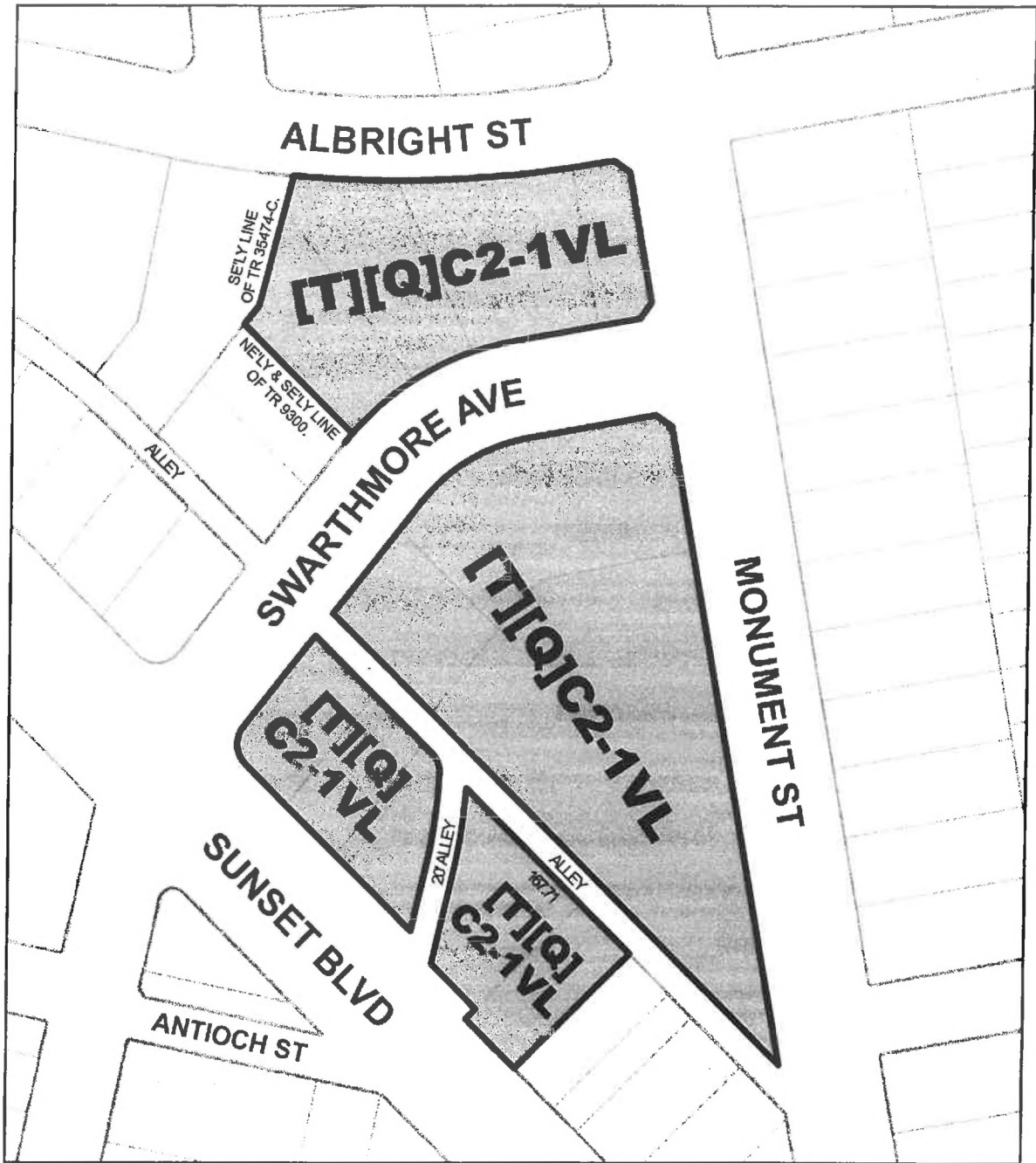


ORDINANCE NO. 184368

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.



100 50 0 100 Feet

C.M. 129 B 125, 129 B 129

CPC 2015-2714 VZC SP DRB SPP

LH/ae

041416

City of Los Angeles



BRENTWOOD

Sec. _____. 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 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 JUN 14 2016.

HOLLY L WOLCOTT, City Clerk

By 
Deputy

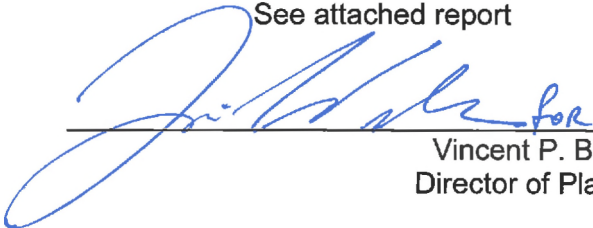
Approved 6/17/16


Mayor

Pursuant to Sec. 559 of the City Charter,
I approve this ordinance on behalf of the
City Planning Commission and
recommend that it be adopted....

June 7, 2016
See attached report

File No. CF 16-0627
CPC-2015-2714-VZC-SP-SPP-DRB


Vincent P. Bertoni
Director of Planning

DECLARATION OF POSTING ORDINANCE

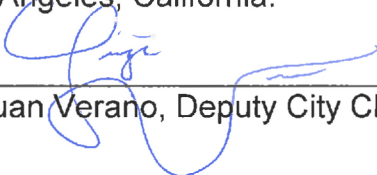
I, JUAN VERANO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No.184368 – Vesting Zone Change and a Specific Plan Amendment for properties located at 1029-1049 North Swarthmore Avenue, 1012-1032 North Swarthmore Avenue, 1023-1055 North Monument Street, and 15229-15281 West Sunset Boulevard – CPC 2015-2714 VZC SP DRB SPP – a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **June 14, 2016**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **June 21, 2016** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **June 21, 2016** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **21st** day of **June 2016** at Los Angeles, California.



Juan Verano, Deputy City Clerk

Ordinance Effective Date: July 31, 2016

Council File No. 16-0627

(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. Upon the recordation of a final parcel map, pursuant to AA-2015-3312-PMLA involving the merger and resubdivision of the project site, all conditions enumerated below shall apply to the entirety of the project. All conditions shall be in addition to conditions of approval pursuant to AA-2015-3312-PMLA.

General 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 **May 24, 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 8 residential units at 17,500 square feet and 107,465 square feet of non-residential uses, including a community room at approximately 1,250 square feet, for a total project of 124,965 square feet.
3. **Height.** The maximum building height shall not exceed 30 feet, as allowed per Section 7 of the Pacific Palisades Commercial Village and Neighborhoods Specific Plan. Architectural roof features, as defined in the Pacific Palisades Commercial Village and Neighborhoods Specific Plan, shall not exceed 34 feet in height from the adjacent sidewalk grade.
4. **Building Setbacks and Easement.** A minimum of 12-foot wide sidewalk is required along the north and south sides of Swarthmore Avenue between the building front façade and the sidewalk back of curb. A minimum setback of two (2) feet from the property line is required for all buildings.
5. **Floor Area Ratio (FAR).** The Pacific Palisades Commercial Village and Neighborhoods Specific Plan allows 2:1 FAR for C2 zoning. The total floor area of the eight buildings (Buildings A – H) on the property shall not exceed 1:1 FAR or 124,965 square feet.
6. **Residential Density.** The project shall be limited to a maximum density of 8 residential units.
7. **Off-Street Automobile Parking.** No surface parking is allowed in the Commercial Village Subarea A. The project shall provide automobile parking pursuant to Section 10 of the Pacific Palisades Commercial Village and Neighborhoods Specific Plan. However, notwithstanding the Specific Plan and LAMC Section 12.21 A.4, the project shall provide a minimum of 470 on-site parking spaces within the subterranean parking structure. Of the 470 parking spaces, 20% or 94 parking spaces, shall be configured for electric vehicle charging stations.
8. **On-Street Automobile Parking – Swarthmore Ave.** At least one on-street parking space along Swarthmore Avenue shall be configured for a disabled parking space, in accordance with the applicable code requirements. The applicant shall work with LADOT to determine the feasibility of utilizing parking sensor technology for public parking spaces along Swarthmore Avenue. The applicants shall provide Electric Vehicle charging stations with reflective markers along Swarthmore Avenue, where feasible.

9. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21.A.16. A minimum of 102 bicycle parking spaces, with approximately 48 short-term and 52 long-term parking, shall be provided for the project. Short-term bicycle parking shall be placed no farther than 50 feet from the main pedestrian entrance. Long-term bicycle parking must provide direct access to the public street and be located on the shortest walking distance to the nearest pedestrian entrance.
10. **Loading.** A loading space shall be provided in accordance with Section 12.21 C.6. Loading and unloading activities shall not interfere with traffic on any public street. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning and the Department of Transportation.
11. **Refuse/recycling area.** Each refuse/recycling area shall be secured with an enclosure or constructed to provide full screening of the refuse/recycling area. It shall be constructed in a style similar to that of the main building.
12. **Maintenance.** The subject property including associated parking facilities, sidewalks, and landscaped planters adjacent to the exterior walls along the all property lines shall be maintained in an attractive condition and shall be kept free of trash and debris.

Limitations for Alcohol Uses in Commercial Village Subarea A

1. The Specific Plan limits alcohol uses to a total of six (6) on-site and two (2) off-site establishments in Commercial Village Subarea A of the Pacific Palisades Commercial and Neighborhoods Specific Plan.
2. Individual establishments proposing alcohol serving uses in Commercial Village Subarea A shall follow the procedures as set forth in Section 11 of the Pacific Palisades Commercial and Neighborhoods Specific Plan.

Project Permit Compliance Conditions

These conditions of approval are in accordance with the Citywide Design Guidelines and Section 14 of the Pacific Palisades Commercial Village and Neighborhoods Specific Plan:

1. **Commercial Village Subarea A.** The entire project within Commercial Village Subarea A includes Buildings A-H, a park space, streetscape designs and master sign program, including wayfinding signage for the underground parking structure.
2. **Pedestrian Access.** The following public accessways and paseos within the project shall be a minimum of 20 feet wide, between Buildings D/E and Building F, and between Buildings F and G. An average minimum width of 20 feet for the public accessway shall be provided between the east and west wings of Building H. A sidewalk, with a minimum width of five feet, shall be provided along the private alleyway, between Swarthmore Ave. and Monument St, as shown on Sheet A2.1 on Exhibit B. Where feasible, street furniture such as benches, trash receptacles and landscaping shall be provided along public accessways.
3. **Parking Structure.** Garage floors and ramps shall be constructed with textured surfaces to minimize tire squeal. The design of the parking structure shall comply with the standards provided in LAMC Section 12.21.A.5. Compact spaces are limited to 40% of parking stalls, or a maximum of 188 parking spaces, pursuant to LAMC Section 12.21.A.5.

4. **Building Orientation and Storefront Character.** All buildings shall be oriented to maximize views to landscaped areas and public spaces, where feasible. Groundfloor formal entrances shall include overhead architectural features such as awnings or canopies for the specialty grocer, movie theater and the residential units. The main entrances for tenant spaces shall be provided from sidewalks or public accessways. Groundfloor entrances shall be recessed from the edge of the building's façade, as shown on Sheets A1.7 – A1.8, A2.8, A2.12 of Exhibit B).
5. **Security Bars.** The project shall not have any exterior security grilles or permanently affixed security bars, or rolldown grilles that conceal storefront doors or windows or openings in the parking structure. If needed, the ground floor retail spaces shall use alternatives such as interior security systems or vandal proof glazing which is resistant to impact.
6. **Mechanical Equipment.** Rooftop equipment and ground level utilities shall be adequately screened from public view.
7. **Building Design and Materials.** The buildings shall be designed in a variety of architectural styles, such as Mid-Century, Modern Contemporary, Art-Deco, and Classical. Building articulation shall be provided on all facades. No blank walls shall be visible from the public access ways and the public right-of-way. The exterior finishings including color, texture, windows and other architectural features shall be applied as shown on Sheets A6.1 – A6.7 of Exhibit B.
8. **Building Transparency.** A minimum of 50% clear and non-reflective storefront glazing shall be provided along the street facing façade and public pedestrian accessways in accordance with Sheets A6.1 – A6.6 of Exhibit B. Glazing must be maintained without interior or exterior obstructions that substantially limit visibility, including, but not limited to, window signs, interior shelving, or window coverings (except window blinds) during hours of business operation. Facades along the alley will be architecturally articulated and include show windows and architectural features.
9. **Site Lighting.** All exterior lighting shall be designed and installed to comply with LAMC Section 93.0117 and mitigation measure AES-1. For general exterior illumination, visible light fixtures will be decorative in nature and lamps will be shielded so as to not to create undue glare or light spillage to adjacent properties.
10. **Landscaping.** All open areas not utilized for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, in accordance to the landscape plan included in Sheet L1.1 in Exhibit B, so that non-residential uses are substantially buffered from the view of single-family dwellings. Landscaping consisting of small trees, shrubs, planter boxes and potted plants shall be placed at entrances, plazas, paseos and public access ways.
11. **Park Space.** The park space located on Monument Street shall remain open to the surrounding paseos and public accessways. A low wall with similar material finishings as the surrounding buildings is allowed along Monument Street and shall not exceed 4 feet in height, per Sheet L1.5 of Exhibit B. The low wall shall have a pedestrian gate along Monument Street and signs indicating public access to the park from dusk until midnight.
12. **Street Trees.** The project shall comply with the Streetscape Design in Appendix A of the Specific Plan, as approved by City Planning Commission.
13. **Sound Transmission.** All buildings or portions thereof within 200 feet of a residential zone shall utilize window assemblies, doors, walls construction materials, and insulation with a lab-

tested Sound Transmission Class (STC) rating of 30 or greater in order to minimize sound transmission to residential uses nearby.

14. **Underground Utilities.** All utility poles and connections within Commercial Village Subarea A shall be placed underground.
15. **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.
16. **Open Space.** As shown in Exhibit B, the project shall provide 1,000 square feet of private open space and 17,000 square feet of common open space aggregating to 18,000 square feet:
 - a. **Private Open Space.** The project shall provide 8 private balconies.
 - b. **Common Open Space.** The project shall provide park space, paseos and plazas.
17. **Rooftop.** Solar panels shall be installed on roof areas as shown on Sheet A-1.9 of Exhibit B.
18. **Signs.** All tenant and wayfinding signage shall conform to the Master Sign Program in Appendix B of the Pacific Palisades Commercial Village and Neighborhoods Specific Plan.
19. **Marquee Sign.** Only one marquee sign is allowed for the entire project. The marquee sign is limited to 200 square feet of sign area per face of the sign.
20. **Streetscape Improvements.** All street improvements shall be in conformance with the streetscape design in Appendix A of the Pacific Palisades Commercial Village and Neighborhoods Specific Plan, as approved by City Planning Commission.
21. **Sustainable Design.** Incorporate overhangs or, shading screens, or other sun-shading features especially on south-facing windows to reduce solar heat gain, where feasible. In addition, the Applicant shall prepare a water usage reduction plan for the Project that may include the installation of a grey water catchment tank and/or techniques that reflect the best practices for water reduction for projects of similar size and program, if feasible. Such water usage reduction plan shall be prepared and presented to the Director for review and sign-off prior to the issuance of a building permit.

Environmental Conditions

22. The applicant shall prepare and execute a Covenant and Agreement 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.

Aesthetics and Visual Resources

- AES-1** The Applicant shall prepare a sitewide lighting plan and sign program for the Project. The lighting plan and sign program shall depict the proposed locations and heights of all light poles, light fixtures, and signs. The Applicant shall incorporate lighting design specifications to meet City standards as outlined in the Section

93.0117 of the LAMC. The lighting plan and sign program for the Project shall be prepared and presented to the Director of Planning for review and sign-off prior to the issuance of a building permit.

The following measures shall be included in all lighting plans:

- Photometric plans depicting the location and foot-candles of all on-site exterior lighting fixtures and luminaries.
- Lighting fixtures shall be dark sky compliant to reduce light pollution. Luminaries shall be designed with cutoff-type fixtures, house-side shields, or other features that cast low-angle illumination to minimize incidental spillover of light onto adjacent private properties.
- On-site lighting shall be installed along paseos (pedestrian walkways and vehicular access ways). On-site lighting shall be shielded and/or directed onto driveways and walkways and away from adjacent residential uses.
- Luminaries shall provide accurate color rendering and natural light qualities. Low-pressure sodium and high-pressure sodium fixtures that are not color-corrected shall not be used, except as part of an approved sign or landscape plan.
- The height of street light poles shall be reviewed and approved by the City to ensure consistency with LAMC requirements. Luminary mountings shall be treated with non-glare finishes.

Biological Resources

BIO-1 To prevent the disturbance of nesting native and/or migratory bird species, the City shall require that clearing of street trees or other vegetation must take place between September 1 and February 14. A copy of the pre-construction survey shall be submitted to the Department of City Planning for review and approval, prior to applying for building permits. If construction is scheduled or ongoing during bird nesting season (February 15 to August 31), the Applicant shall:

- a. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a Qualified Biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis, with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
- b. If a protected native bird is found, the Applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species (within 500 feet for suitable raptor nesting habitat) until August 31.
- c. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- d. The Applicant shall record the results of the recommended protective measures described above to document compliance with applicable state and

federal laws pertaining to the protection of native birds. Such records shall be submitted and received into the case file for the associated discretionary action permitting the project.

BIO-2 Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a less than significant level by the following measures:

- a. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 2:1 ratio, where feasible, with a minimum 48-inch box tree. Net new trees located within the parkway of the adjacent public right(s)-of-way may be counted toward replacement tree requirements.
- b. The removal or planting of any tree or plant material of any kind in the public right-of-way requires approval of the Board of Public Works. Contact the Urban Forestry Division at 213.847.3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.
- c. Urban Forestry requires a tree well minimum dimension of 4 feet by 6 feet and replacement trees are required to be a 48-inch box size in order to achieve the 2-inch City-desired caliper. Additional overflow of trees will be planted in the City's dedication using native species and must follow the Pacific Palisades Street tree designations for replanting. The tree section for the trees in the City's dedication would be as follows: Catalina Ironwood (*Lyonothammus floribundus*) in a 15-foot to 20-foot spacing in a 5-foot parkway along Albright Street, Jacaranda (*Jacaranda mimosifolia*) in a 30-foot spacing in a 4-foot by 10-foot planter along Monument Street, Western Redbud (*Cercis occidentalis*) or Aristocratic Pear (*Pyrus calleryana*) in 5-foot by 5-foot wells along Swarthmore Avenue, and Chinese Flame (*Koelreuteria bipinnata*) in a 4-foot by 10-foot planter along Sunset Boulevard.
- d. Drought-tolerant and native plantings will be used where feasible.

Cultural Resources

CUL-1 Prior to construction, a qualified paleontologist shall prepare a Cultural Resources (Paleontological). Environmental impacts may result from project implementation due to discovery of unrecorded paleontological resources. However, the potential impacts will be mitigated to a less than significant level by the following measures:

- a. Prior to the issuance of a grading permit, 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, or the Los Angeles County Natural History Museum—who shall prepare resource monitoring and mitigation plan.
- b. The paleontologist's resource monitoring and mitigation plan shall contain recommendations for the preservation, conservation, or relocation of important fossils within high paleontological sensitivity geological formations given that there are native soils, which will be disturbed. This shall include monitoring all soils below 5 feet below ground surface (bgs) in areas outside of existing fill soils, and below 20 feet bgs below existing fill soils. The plan shall indicate that

a qualified paleontologist shall monitor initial excavations within these high paleontological sensitivity soils.

- c. The Project Applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study, or report. The paleontologist shall have the authority to determine when sufficient monitoring has occurred to determine that the potential for encountering important fossil resources has diminished. In this case, spot inspection of the excavation by the monitor may ensue if the paleontologist considers it necessary. The monitor (who will be a professional paleontologist) shall have the authority to temporarily divert grading or excavation away from exposed surfaces in order to examine disturbed areas more closely and/or recover fossils. If potential fossils are discovered by construction crews or the monitor, all earthwork or other types of ground disturbance within 50 feet of the find shall be immediately redirected until the qualified professional paleontologist can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the monitor may record the find and allow work to continue, or recommend salvage and recovery of the fossil. If treatment and salvage is required, recommendations will be consistent with Society of Vertebrate Paleontology 1995 guidelines and currently accepted scientific practice. The found deposits would be treated in accordance with federal, state, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.

CUL-2 Environmental impacts may result from project implementation due to discovery of unrecorded archaeological resources. However, the potential impacts will be mitigated to a less than significant level by the following measures:

- a. The Project Applicant shall retain a qualified professional archaeologist and commission a survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of archaeological resources discovered during construction of the Project. Within the report, a cultural landscape study shall be conducted to identify areas of cultural sensitivity such as consideration of nearby water resources, native plants, and the characteristics of the prehistoric landscape in order to best determine where cultural activity is most likely to have occurred. This report shall be provided to the Gabrieleno/Tongva San Gabriel Band of Mission Indians for review prior to construction.
- b. The Project Applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study, or report.
- c. If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Construction personnel shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with federal, state, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Therefore, the impact would be less than significant.
- d. Prior to the issuance of building permits, the Project Applicant shall submit a letter to the casefile indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.

CUL-3 If human remains are encountered unexpectedly during construction demolition and/or grading activities, the State Health and Safety Code Section 7050.5 requires

that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. If human remains of Native American origin are discovered during Project construction, compliance with state laws, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resource Code Section 5097), relating to the disposition of Native American burials will be adhered to.

Hazards and Hazardous Materials

HAZ-1 Due to the age of the buildings being demolished, toxic and/or hazardous construction materials may be located in the structures existing on the Project Site. Exposure to such materials during demolition or construction activities could potentially be hazardous to the health of the demolition and/or construction workers, as well as area residents, employees, and future occupants. However, these impacts can be mitigated to a less than significant level by the following measures:

- **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACMs) are present in the building. If ACMs 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 applicable State and Federal rules and regulations.
- **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- **(Polychlorinated Biphenyl and Other Hazardous Building Materials – Commercial and Industrial Buildings)** Prior to issuance of a demolition permit, an appropriately credentialed hazardous building materials inspector, qualified to identify and abate polychlorinated biphenyl (PCB) materials, shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB and other hazardous building materials (e.g., mercury in switches and lighting) removal and disposal.

HAZ-2 For the Proposed Project scenario, environmental impacts may result from soil, soil gas and groundwater contamination from existing and/or previously removed underground storage tanks (USTs) used by the gas station to store petroleum products. However, such potential impacts will be mitigated to a less than significant level by the following measures:

- Existing USTs shall be removed as determined by the Los Angeles City Fire Department Underground Storage Tank Division and with concurrence of DTSC. An environmental response plan for the Acquisition Parcel is currently being developed by the Project Applicant in conjunction with DTSC, and DTSC will be the regulatory agency that approves and oversees the implementation of such an environmental response plan. The environmental response plan shall also meet applicable SCAQMD air emission requirements and management practices associated with the release of dust and other

particulate matter and the release of VOCs. The environmental response plan shall address the remediation of soil, soil gas, or groundwater impacted by total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and/or other constituents affecting the Acquisition Parcel based on an acceptable level of risk for site users, including use of a hazard index of 1 and cancer risk of 1 in a million as a point of departure, and occupational standards for construction workers.

The environmental response plan approved by DTSC shall use one or a combination of the following measures, as deemed necessary by DTSC to meet the foregoing performance standard:

1. Excavating, managing, transporting, and disposing of soils impacted by TPH or other chemicals in accordance with applicable air quality (e.g., through tarping, appropriate wetting) and hazardous materials management, transportation and disposal requirements (e.g., through profiling soils in advance of transporting for disposal);
 2. Remediating residual TPH or other chemicals in soil, soil vapor and groundwater through extraction or application of other mass reduction remedial techniques (e.g., oxidation, bioremediation), followed by appropriate monitoring to document the efficacy of remedial efforts;
 3. Implementing of engineering controls (e.g., vapor barriers, ventilation) to achieve protective health-based goals;
 4. Monitoring and reporting of natural attenuation of hydrocarbons or other chemicals and/or implementing worker health and safety plans consistent with standards required by the California Occupational Safety and Health Administration
- Prior to issuance of a use of land or building permit for construction of the parking structure on the Acquisition Parcel, a letter from DTSC shall be submitted to the decision maker certifying that work has commenced, or will be undertaken as part of parking structure development, under an approved environmental response plan.
 - Prior to the issuance of any use of land, grading, or building permit for construction of the parking structure on the Acquisition Parcel, the Project Applicant shall obtain a sign-off letter from either DTSC or the Los Angeles City Fire Department confirming that the construction of the Proposed Project on the Acquisition Parcel will not materially impede completion of remediation measures required under the approved environmental response plan for the Acquisition Parcel that are ongoing or have not otherwise been completed.

HAZ-3 Prior to approval of final construction plans, the Project Applicant shall cause to be prepared by an individual of appropriate expertise a construction health and safety plan (HASp) that shall include the following components:

- The plan shall identify all hazardous materials that would be present on any portion of the construction site, including, but not limited to, fuels, solvents, and petroleum products. The plan shall address storage, use, transport, and disposal of each hazardous material anticipated to be used at the site to minimize the potential for upset conditions. The plan shall establish inspection procedures, storage requirements, storage quantity limits, inventory control, non-hazardous product substitutes, and disposition of excess materials.

- The plan shall identify secondary containment and spill prevention countermeasures, as well as a contingency plan to identify potential spill hazards, how to prevent their occurrence, and responses for different quantities of spills that may occur. Secondary containment and countermeasures shall be in place throughout construction so that if any leaks or spills occur, responses would occur immediately.
- The plan shall identify materials (and their locations) that would be on site and readily accessible to clean up small spills (i.e., spill kit, absorbent pads, and shovels) and an on-site safety officer who will oversee the plan's implementation. Such emergency spill supplies and equipment shall be clearly marked and located adjacent to all areas of work and in construction staging areas. The plan shall identify the spill-response materials that must be maintained in vehicles and substation sites during construction and procedures for notification of the appropriate authorities.
- The plan shall identify adequate safety and fire suppression devices for construction-related activities involving toxic, flammable, or explosive materials (including refueling construction vehicles and equipment). Such devices shall be readily accessible on the Project Site, as specified by the State Fire Marshall and per the Uniform Building Code and Uniform Fire Code. The plan shall be included as part of all contractor specifications and final construction plans to the satisfaction of the City. The plan shall also identify requirements for notices to federal and local emergency response authorities, and shall include emergency response plans.

A copy of the Construction HASP that meets the requirements of CalOSHA shall be submitted to the decision maker before Project construction activities commence at the site.

- HAZ-4** During soil excavation activities, the Project shall comply with soil stockpiling/monitoring and fugitive dust requirements as prescribed under SCAQMD Rules 1166 and 403. When applicable such requirements include application of water to keep soil damp during excavation and loading activities, covering stockpiles with plastic sheeting, and covering loaded soils with secured tarps. Prior to approval of final construction plans, the Project Applicant shall cause to be prepared by an individual of appropriate expertise a soils management plan (including soil and material segregation and mitigation), a stockpile management plan, methods and procedures for soil decontamination, and required truck loading procedures for soil, all of which shall be consistent with SCAQMD Rules 1166 and 403.

Hydrology and Water Quality

- HYD-1** For all dewatering discharges of groundwater during construction, the construction contractor shall obtain written authorization for the discharge from the Los Angeles Regional Water Quality Control Board (LA RWQCB), or alternatively, obtain authorization from the City of Los Angeles (City) to make dewatering discharges to the City's sanitary sewer system. Prior to construction, the contractor shall submit a Notice of Intent to the LA RWQCB for compliance with the terms of the General National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters (LA RWQCB Order R4-2013-0095). The construction contractor shall implement a treatment system as required to ensure all groundwater discharges are treated to meet the effluent limitations specified in

the order, and treat the water prior to discharge if water quality testing exceeds screening criteria.

Noise and Vibration

- NOI-1** To comply with the state's 45 A-weighted decibel (dBA) community equivalent sound level (CNEL) interior noise standard, an interior noise analysis will be required for the residential units fronting Sunset Boulevard, prior to issuance of building permits. The analysis shall be prepared by a qualified acoustical engineer. The analysis shall recommend specific noise attenuation measures to reduce interior noise to the 45 dBA CNEL standard. The analysis shall be subject to review and approval by the City Building Department to confirm that this standard has been achieved before building permits for those units are issued. The interior noise study shall consider requiring mechanical ventilation, air conditioning systems, sound-rated windows, or other measures as necessary to achieve the applicable interior noise standard. If windows must be closed in order to meet the interior standard, provide a notification to future occupants that interior noise standards would not be achieved with windows open.
- NOI-2** The hauling operations shall be restricted to times determined by the Department of Building and Safety. Haul vehicles may not arrive at the site before the designated start time. The project shall comply with the City of Los Angeles Noise Ordinance 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. The Project Applicant shall require all construction and demolition activities to adhere strictly to the Los Angeles construction schedule restrictions, with noise-generating construction activities occurring only within the period from 7 a.m. to 9 p.m. Monday to Friday; and between 8 a.m. and 6 p.m. on Saturdays and national holidays. Construction-related truck trips shall be limited to the same hours, for the portion of haul routes in the vicinity of the project site.
- NOI-3** Provide notification to home occupants adjacent to the study area at least 1 month prior to initiation of construction activities that proposed activities could substantially affect outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures.
- NOI-4** Equip all internal combustion engine driven equipment with intake mufflers (where feasible) and exhaust mufflers that are in good condition and appropriate for the equipment. No internal combustion engine shall be operated on the area without said muffler. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- NOI-5** Locate stationary noise generating equipment as far as possible from sensitive receptors adjoining the construction project area.
- NOI-6** During construction, electric or solar-powered compressors and generators shall be used to reduce construction noise. Whenever feasible, electrical power shall be used to run air compressors and similar power tools.
- NOI-7** Install a temporary construction sound barrier wall along the eastern boundary of the Project Site. The barrier should be made of sound attenuating material (not landscaping). To effectively reduce sound transmission through the barrier, the

material chosen must be rigid and sufficiently dense (at least 20 kilograms/square meter). All noise barrier material types are equally effective, acoustically, if they have this density. For example, 5/8-inch plywood, mounted with no gaps between adjacent sheets, would be of sufficient density to achieve the target attenuation of 10 decibels (dB). The barrier shall be 8 feet in height from the ground surface on the construction side of the wall, to achieve the goal of blocking direct line of sight to the adjacent first-floor residence windows. It is estimated that a noise barrier of the prescribed density would reduce average noise levels to sensitive receptors by up to 10 dB by blocking direct line of sight to ground-level receptors.

NOI-8 The Project Applicant shall designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, faulty muffler) and will require that reasonable measures warranted to correct the problem be implemented. The Project Applicant shall also post a telephone number for excessive noise complaints in conspicuous locations in the vicinity of the Project Site. Additionally, the Project Applicant shall send a notice to neighbors in the vicinity of the Project Site with information on the construction schedule and the telephone number for noise complaints.

NOI-9 Concrete, not metal, shall be used for construction of parking ramps. Interior parking structure ramps shall be textured to prevent tire squeal at turning areas.

Public Services, Recreation, and Parks

PS-1 The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the Project Site if needed. Please refer to “Design Out Crime Guidelines: Crime Prevention Through Environmental Design,” published by the Los Angeles Police Department.

Transportation and Traffic

TT-1 The Project Applicant shall prepare a Construction Traffic Management Plan, including street closure information, finalized haul routes, and staging plans. The Construction Traffic Management Plan shall be submitted to the Los Angeles Department of Transportation for review and approval prior to the issuance of a grading permit. The Construction Traffic Management Plan would include such elements as haul routes for construction activities, temporary traffic control devices, travel time restriction for construction-related traffic, consolidating construction truck deliveries, and designation of staging and parking areas for workers and equipment. Also, while not anticipated, if oversized vehicles or loads are to be transported over state highways, a permit shall be obtained from Caltrans. Where construction activities would occur within a public street right-of-way, such as directly adjacent to the Project Site, the following shall be included in the Construction Traffic Management Plan:

- A site-specific construction work-site traffic control plan shall be prepared for each construction phases and submitted to the City for review and approval prior to the issuance of a grading permit. This plan shall include such elements

as the location and hours of any necessary lane closures, protective devices and traffic controls (such as barriers, cones, flag persons, lights, warning beacons, temporary traffic signals, warning signs), the location and hours of any necessary access limitations for abutting properties, and provisions to maintain emergency access through construction work areas.

- Prepare a Construction Worker Parking Plan that identifies off-site parking location(s) for construction workers and the method of transportation to and from the Project Site for approval by the City. Prohibit construction worker parking on residential streets in the vicinity, except as approved by the Construction Traffic Management Plan.
- Provide advance notice of planned construction activities to the affected residents and property owners in the vicinity of the construction site.
- Coordinate with emergency providers (police/sheriffs, fire, ambulance, and paramedic services) to provide advance notice of ongoing construction activity and construction hours.
- Prior to hauling, the Project Applicant shall provide the following information to Los Angeles Fire Department Station No. 69 located at 15045 Sunset Boulevard, Pacific Palisades, California 90272, 310.575.8569:
 - Contact information for the construction superintendent or contractor
 - A copy of the approved haul route staff report
 - A map clearly illustrating the approved hauling route and involved street names
 - The approved hauling hours
 - The estimated completion date of hauling
- Prior to hauling, the Project Applicant shall contact the Emergency Operations Division, Specialized Enforcement Section of the Los Angeles Police Department at 213.486.0777 at least 24 hours prior to the start of hauling.
- Hauling vehicles shall not stage on any streets adjacent to the project.
- Loads shall be secured by trimming or watering or may be covered to prevent the spilling or blowing of the earth material. If the load, where it contacts the sides, front, and back of the truck cargo container area, remains 6 inches from the upper edge of the container area, and if the load does not extend, at its peak, above any part of the upper edge of the cargo container area, the load is not required to be covered, pursuant to California Vehicle Code Section 23114(e)(4).
- The owner/contractor shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads. The owner/contractor shall comply with all regulations set forth by the State of California Department of Motor Vehicles pertaining to the hauling of earth.

TT-2 Project Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases, as feasible. This requires the Applicant to maintain adequate and safe pedestrian protection, including physical separation (including use of barriers such as K-Rails or scaffolding, etc.) from workspace and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times. For public safety reasons, Swarthmore Avenue will be closed during construction. Every effort will be made to keep Swarthmore Avenue open when public safety is not at risk.

TT-3 Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility when feasible. For public safety reasons,

Swarthmore Avenue will be closed during construction. Every effort will be made to keep Swarthmore Avenue open when public safety is not at risk.

- TT-4** Covered walkways should be provided where pedestrians are exposed to potential injury from falling objects.
- TT-5** Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible, taking construction and construction staging into account. For public safety reasons, Swarthmore Avenue will be closed during construction. Every effort will be made to keep Swarthmore Avenue open when public safety is not at risk.
- TT-6** Trucks and loads are to be watered at the export site to prevent blowing dirt and are to be cleaned of loose earth at the export site to prevent spilling. Streets shall be cleaned of spilled materials during grading and hauling and at the termination of each workday.
- TT-7** A Transportation Demand Management (TDM) program shall be adopted as part of the Project features that support alternative transportation strategies and alleviate any potential impact on transportation and traffic. Elements of the TDM program are as follows:
- The owner shall contact the Los Angeles County Metropolitan Transportation Authority (Metro) to become informed about various TDM programs. Explicit notice to employees of the TDM program(s) shall be provided to existing and new employees when they are hired.
 - Notice of Metro bus routes and schedules shall be placed and maintained up-to-date in a central (public) location accessible to all employees.
 - Employees shall be made aware of a ride-sharing program, or similar successor programs administered by Caruso Affiliated or relevant property management company relevant to the Project Site or a successor agency. The owner shall ask employees register semi-annually in the ride-sharing program and shall make an effort to encourage participation in the program.
 - Bicycle storage locations shall be provided.
 - A bicycle sharing program shall be developed for the property.
 - The applicant shall provide monthly transit passes to employees. The number of transit passes shall be agreed upon by the Department of City Planning, prior to issuance of a building permit.
 - Should the property owner determine that during special events or peak seasonal period when additional on-site customer parking is needed, the property owner shall be responsible for coordinating a parking program with tenants to provide employee parking and shuttle service between the off-site parking and the development.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) or [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.

1. **Dedication(s) and Improvement(s).** 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), the following:
 - a. 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) Prior to 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 Planning Department.
 - 3) Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 184,054 adopted by the City Council, must be paid in full at the Development Services Division office.
2. **Sewers.** Construction of necessary sewer facilities shall be provided to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
3. **Drainage.** Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.
4. **Driveway/Parking Area Plan.** Preparation of a parking area and driveway plan to the satisfaction of the WLA District Offices of the Bureau of Engineering and the Department of Transportation.
5. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department prior to the approval of a building permit.
6. **Police Department.** Preparation of a plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting,

information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.

7. **Recreation and Parks Dedication.** Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.
8. **Street Lighting.** Street lighting facilities shall be provided to the satisfaction of the Bureau of Street Lighting.
9. **Street Trees.** All trees in the public right-of-way shall be provided per the Street Tree Division standards.
10. **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.