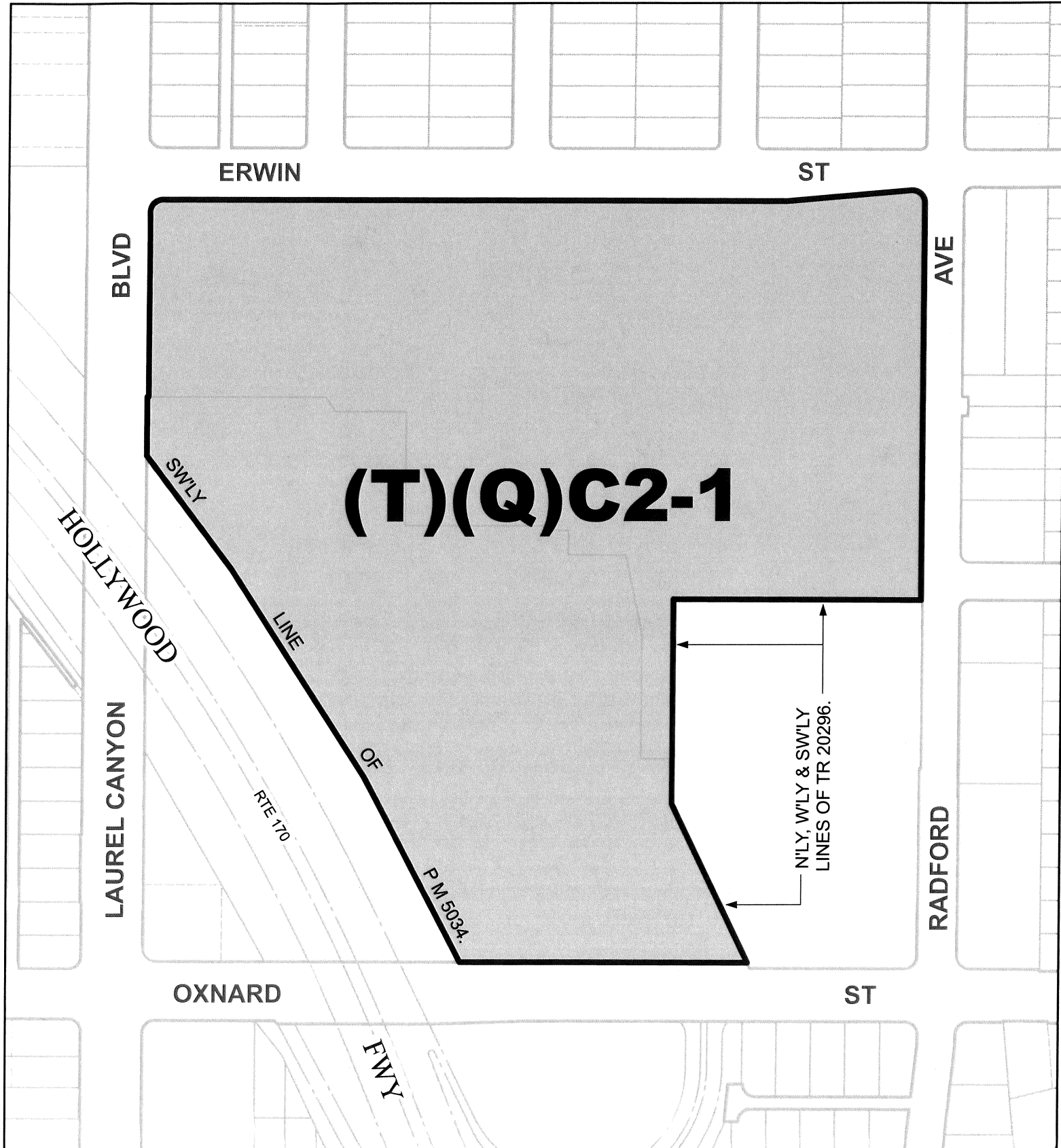


ORDINANCE NO. _____

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

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

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



(T)(Q)C2-1

ERWIN ST

ST

BLVD

AVE

HOLLYWOOD

LAUREL CANYON

SW'LY

LINE

OF

RTE 170

PM 5034

N'LY, W'LY & SW'LY
LINES OF TR 20296.

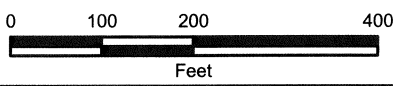
OXNARD

ST

FWY



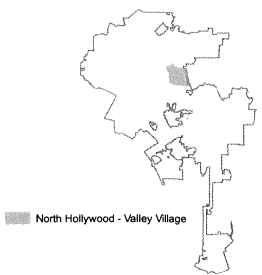
City of Los Angeles



CPC-2015-0889-VZC-SN-VCU-MCUP-SPR-ZAD-ZAA

AA/cf

092916



(Q) QUALIFIED CONDITIONS OF APPROVAL (as amended by PLUM on December 13, 2016)

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

A. Development Conditions:

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Site Plans, Floor Plans, Building Elevations, and Landscape Plan (Exhibit A, dated September 12, 2016) of the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions. The project shall be constructed in a manner consistent with the following project description:

The Project involves an integrated commercial, retail, and residential development consisting of a mix of uses totaling approximately 1.3 million square feet, including: (1) the adaptive re-use, rehabilitation, and partial expansion of the former Macy's building for approximately 256,000 square feet of office and retail uses, (2) approximately 316,000 square feet of new commercial development, to include office, retail, restaurant, health club, and cinema uses, (3) 642 rental housing units in two main residential buildings, and (4) public and private recreational amenities strategically located within the 25-acre site. The project also involves development of associated parking facilities, the installation of commercial signage, and the demolition of several existing buildings on-site.

2. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit “A”, as approved by the City Planning Commission.

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

3. **Building Height.** Building heights, as defined in LAMC 12.03, shall be limited to the following:
 - Commercial Building A = 40 feet
 - Commercial Buildings B, BA= 33 feet
 - Commercial Building C = 54 feet
 - Commercial Buildings D, E = 42 feet
 - Commercial Building F = 41 feet
 - Commercial Building G = 58 feet
 - Commercial Building H = 83 feet

- Commercial Building J = 110 feet
 - Parking Structure = 71 feet
 - Residential Building A = 64 feet
 - Residential Building B = 69 feet
4. **Publically Accessible Open Space.** Publically accessible open spaces shall remain open and accessible to the public daily from the hours of 6 a.m. to 10 p.m. and shall be provided in the following locations, in substantial conformance with Exhibit A, dated September 12, 2016:
- A minimum 25,000 square-foot park area shall be located along the east side of Commercial Building J.
 - A minimum 8,000 square-foot park area shall be located along the northeast corner of Residential Building B.
- 4a. **Guarantee for Publically Accessible Open Space.** The 25,000 square-foot open space area *shall not* be used towards satisfying any open space requirements of the Municipal Code for the residential buildings.
- i. No Building Permit shall be issued for any commercial building unless the Site Plan includes a minimum 25,000 square-foot publically accessible open space, as shown in the Site Plans and Landscape Plans of Exhibit A, dated September 12, 2016, and per Q-Condition No. 4.
 - ii. No Certificate of Occupancy shall be issued for any residential unit until a minimum 25,000 square-foot publically accessible open space area is improved and completed, as shown in the Site Plans and Landscape Plans of Exhibit A, dated September 12, 2016, and per Q-Condition No. 4.
5. **Parking/Electric Vehicle Charging Stations.** Vehicular and bicycle parking shall be provided in accordance with the Municipal Code. The project shall encourage carpooling and the use of electric vehicles by providing that at least 20 percent of the total code-required parking spaces for **residential and commercial uses**, but in no case less than one location, be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20 percent EV Ready, five (5) percent of the total Code-required parking spaces for **residential and commercial uses** shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking area. Otherwise, only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.
6. **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.

7. **Lighting.** All outdoor lighting shall be shielded and down-casted within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes). Areas where retail and restaurant uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.
8. **Pedestrian Crosswalk.** A pedestrian crosswalk, connecting the 24,000 square-foot Central Plaza to the parking garage, shall be installed along the central driveway through the project site, for a minimum length of 50 feet. The pedestrian crosswalk shall be designed with decorative paving and improved as a raised speed table to provide a zero-curb walkway between the Central Plaza and the parking structure entrance.
9. **Driveway Permeability.** All driveways within the project site shall be designed with permeable materials, as feasible.
10. **Project Phasing.** Prior to the issuance of a building permit for any residential building, construction of a minimum of 50,000 square-feet of new commercial space, in addition to the full rehabilitation of Building J (the current Macy's building), for both office and commercial uses, and the full buildout of the park/open space shall have commenced.
11. A portion of the "Main Street" driveway through the center of the commercial area of the project, from the north side of Commercial Building D to the south side of Commercial Building E, shall be closed off to vehicular traffic during peak hours, and shall be closed off for a minimum of 20 hours a week, subject to the concurrence of the Los Angeles Fire Department, in order to add to the pedestrian walkability of the site and provide for more meeting opportunities in the commercial area where people are likely to congregate.

B. Environmental Conditions.

1. Prior to the issuance of any permit, the applicant shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the applicant to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items listed under this Tract's approval and all subsequent approvals associated with this case. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of all mitigation items.
2. Prior to the issuance of any permit, the applicant shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a

manner satisfactory to the Planning Department, binding the applicant and all successors to the following:

This Mitigation Monitoring Program (“MMP”) has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a “reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, Section 15097(a) of the State CEQA Guidelines requires that:

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The City of Los Angeles is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMP. Where appropriate, the Project’s Draft and Final EIRs have identified mitigation measures, regulatory compliance measures, and project design features to avoid or to mitigate potential impacts identified to a level where no significant impacts on the environment would occur, or impacts would be reduced to the extent feasible. This MMP is designed to monitor implementation of the Project’s mitigation measures as well as its project design features.

As shown on the following pages, each required mitigation measure and proposed project design feature for the project is listed and categorized by impact area, with an accompanying identification of the following:

- **Enforcement Agency:** The agency with the power to enforce the Mitigation Measure/Project Design Feature.
- **Monitoring Agency:** The agency to which reports involving feasibility, compliance, implementation and development are made.
- **Monitoring Phase:** The phase of the project during which the Mitigation Measure/Project Design Feature shall be monitored.
- **Monitoring Frequency:** The frequency at which the Mitigation Measure/Project Design Feature shall be monitored.
- **Action Indicating Compliance:** The action of which the Enforcement or Monitoring Agency indicates that compliance with the required Mitigation Measure/Project Design Feature has been implemented.

The Project’s MMP will be in place throughout all phases of the Project. The Project applicant will be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide a certification report to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure or project design feature has been

implemented. The City's existing planning, engineering, review, and inspection processes will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

The certification report shall be submitted to the Project Planner at the Los Angeles Department of City Planning. Each report will be submitted to the Project Planner annually following completion/implementation of the applicable mitigation measures and project design features and shall include sufficient information and documentation (such as building or demolition permits) to reasonably determine whether the intent of the measure has been satisfied. The City, in conjunction with the Applicant, shall assure that Project construction and operation occurs in accordance with the MMP.

After review and approval of the final MMP by the City, minor changes and modifications to the MMP are permitted, but can only be made by the Applicant subject to the approval by the City. The City, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed changes or modification. The flexibility is necessary due to the nature of the MMP, the need to protect the environment in the most efficient manner, and the need to reflect changes in regulatory conditions, such as but not limited to changes to building code requirements, updates to LEED "Silver" standards, and changes in Secretary of Interior Standards. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the City.

3. **Mitigation Measures and Project Design Features.** The development of the project site is hereby bound to the following Mitigation Measures and Project Design Features, which are conditions of approval for the project:

Aesthetics

- B-1 Temporary fencing would be installed around the Project Site during construction.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Plan approval

- B-2 All mechanical and electrical equipment that is located on the rooftops would be screened from public view.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Plan approval

- B-3 Utility equipment would be placed underground, screened from public view, or incorporated into the design of the Project.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction
Monitoring Frequency: Once, at plan check
Action Indicating Compliance: Plan approval

- B-4 All landscaped areas would be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Pre-construction
Monitoring Frequency: Once, at plan check
Action Indicating Compliance: Issuance of building permit

- B-5 All exterior lighting would be designed with internal and/or external glare control and would be designed, arranged, directed, or shielded to contain illumination on-site.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction
Monitoring Frequency: Once, at plan check
Action Indicating Compliance: Plan approval

- B-6 The exterior of the proposed structures 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.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-construction
Monitoring Frequency: Once, at plan check
Action Indicating Compliance: Plan approval

Air Quality

- C-1 All off-road construction equipment greater than 50 hp shall meet U.S. EPA Tier 4 emission standards, where available, to reduce NO_x, PM₁₀, and PM_{2.5} emissions at the Project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

Enforcement Agency: Los Angeles Department of Building and Safety; SCAQMD
Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspection
Action Indicating Compliance: Field inspection sign off

- C-2 Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require trucks that meet U.S. EPA 2007 model year NO_x emissions requirements.

Enforcement Agency: Los Angeles Department of Building and Safety; SCAQMD
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspection
Action Indicating Compliance: Field inspection sign off

- C-3 At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided.

Enforcement Agency: Los Angeles Department of Building and Safety; SCAQMD
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Once, during field inspection
Action Indicating Compliance: Field inspection sign off

- C-4 Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades>.

Enforcement Agency: Los Angeles Department of Building and Safety; SCAQMD
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspection
Action Indicating Compliance: Field inspection sign off

- C-5 Lengthen the period for the application of architectural coatings to four months or limit application of coatings to no more than 35,156 square feet of surface area per day to minimize any daily emissions of VOC that could exceed SCAQMD thresholds of significance.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic field inspection
Action Indicating Compliance: Field inspection sign off

- C-11 The Project Applicant shall ensure that construction vehicles avoid, to the extent feasible, travel on streets immediately adjacent to the Laurel Hall School. The City shall ensure that haul routes are designed to comply with this measure.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off

- C-12 The Project Applicant shall provide for the funding for the replacement of air filters at the beginning and at the end of construction in any air conditioning units at Laurel Hall School.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off

- C-13 The Project Applicant shall provide advance notification of the Project's anticipated general construction schedule and a specific schedule for site grading and preparation activities.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off

Cultural Resources

- D-1 If any archaeological materials are encountered during the course of Project development, all further development activity shall be halted in the area of the discovery and:

a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center located at California State University Fullerton, or a member of the Society of Professional Archaeologists (SOPA), or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact.

b. The archaeologist's survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.

c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study, or report.

- d. Project development activities may resume once copies of the archaeological survey, study, or report are submitted to the South Central Coastal Information Center at California State University Fullerton.
- e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: If materials are encountered

Action Indicating Compliance: Field inspection sign-off

D-2 If any paleontological materials are encountered during the course of Project development, all further development activities shall be halted in the area of the discovery and:

- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology – USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum – who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact.
- b. The paleontologist’s survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study, or report.
- d. Project development activities may resume once copies of the paleontological survey, study, or report are submitted to the Los Angeles County Natural History Museum.
- e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to the issuance of a grading permit.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: If materials are encountered

Action Indicating Compliance: Field inspection sign-off

- D-3 In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
- a. Stop immediately and contact the County Coroner.
 - b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the coroner has 24 hours to notify the Native American Heritage Commission.
 - c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.
 - d. The most likely descendant has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
 - e. If the descendant does not make recommendations within 48 hours, the owner shall reinter the remains in an area of the property secure from further disturbance.
 - f. If the owner does not accept the descendant's recommendations, the owner or the descendant may request mediation by the Native American Heritage Commission.

Enforcement Agency: Los Angeles Department of Building and Safety, Los Angeles County Coroner

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: If human remains are encountered

Action Indicating Compliance: Coroner or Native American Heritage Commission sign-off

Geology and Soils

E-3 Geological Engineering Investigation Recommendations

The Project shall comply with the Conclusions and Recommendations found on pages 11 through 49 of the Geotechnical Engineering Investigation, prepared by Geotechnologies, Inc., August 15, 2014, to the satisfaction of the Bureau of Engineering.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off

Noise

- J-1 Two weeks prior to commencement of construction, notification shall be provided to the off-site residential and studio uses within 500 feet of the Project site that

discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Two weeks prior to construction

Monitoring Frequency: Once, at notification

Action Indicating Compliance: Contractor sign-off

- J-2 Temporary sound barriers, capable of achieving a sound attenuation of at least 10 dBA (e.g., construction sound wall with sound blankets) at 50 feet of distance, and capable of blocking the line-of-sight from ground level construction equipment powered by internal combustion engines to the adjacent sensitive receptors shall be installed.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, during field inspection

Action Indicating Compliance: Field inspection sign-off

- J-3 All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA at 50 feet of distance.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, during field inspection

Action Indicating Compliance: Field inspection sign-off

- J-4 All construction areas for staging and warming-up equipment shall be located as far away as possible from adjacent residences and sensitive receptors.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspection

Action Indicating Compliance: Field inspection sign-off

- J-5 Portable noise sheds for smaller, noisy equipment, such as air compressors, dewatering pumps, and generators shall be provided where feasible.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, during field inspection

Action Indicating Compliance: Field inspection sign-off

- J-6 A haul route for exporting demolition materials from the site to a nearby landfill shall access the Hollywood Freeway (SR-170) via Oxnard Street and should minimize travel on residential streets with sensitive receptors. Similarly, import of materials should use the SR-170 off-ramp at Oxnard Street.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspection

Action Indicating Compliance: Field inspection sign-off

- J-8 The City shall require that truck deliveries and haul routes during construction, to the extent feasible, shall be directed away from Laurel Hall School.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off

Public Services – Fire Protection

- L.1-5 The construction contractors and work crews shall (1) properly maintain the mechanical equipment according to best practices and the manufacturers' procedures; (2) ensure proper storage of flammable materials; and (3) cleanup of spills of flammable liquid.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspection

Action Indicating Compliance: Field inspection sign-off

- L.1-6 If there are partial closures to streets surrounding the Project Site, flagmen shall be used to facilitate the traffic flow until the street closure around the construction is complete.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Demolition and construction

Monitoring Frequency: Periodic field inspection

Action Indicating Compliance: Field inspection sign-off

- L.1-7 During demolition and construction, LAFD access from major roadways shall remain clear and unobstructed.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Demolition and construction

Monitoring Frequency: Periodic field inspection

Action Indicating Compliance: Field inspection sign-off

- L.1-8 The design of the Project Site shall provide adequate access for LAFD equipment and personnel to the structures.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-Construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Issuance of building permits

Public Services – Police Protection

- L.2-1 The Project Applicant shall provide for the deployment of a private security guard to monitor and patrol the Site, appropriate to the phase of construction throughout the construction period. The patrol shall be deployed at times that are typical within the local-area construction industry for a Project of this size.

Enforcement Agency: Los Angeles Department of building and Safety

Monitoring Agency: Los Angeles Department of building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off

- L.2-2 The Project Applicant shall provide the LAPD with a diagram of each portion of the Project Site, showing access routes and additional access information as requested by the LAPD, to facilitate police response.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-Occupancy

Monitoring Frequency: Once, prior to occupancy

Action Indicating Compliance: Police Department confirmation of receiving diagram

- L.2-5 Emergency access shall be maintained to the Project Site during construction through marked emergency access points approved by the LAPD.

Enforcement Agency: Los Angeles Police Department

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspection

Action Indicating Compliance: Field inspection sign-off

- L.2-6 The Project shall provide for on-site security measures and controlled access systems for residents and tenants to minimize the demand for police protection services.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-Construction
Monitoring Frequency: Once, at plan check
Action Indicating Compliance: Issuance of building permits

Transportation/Traffic

M-1 Whitsett Avenue & Victory Boulevard (Intersection #4): Restripe the northbound approach of Whitsett Avenue to provide an exclusive right-turn lane, restripe the southbound approach of Whitsett Avenue to provide an exclusive right-turn lane and modify the existing traffic signal to include both eastbound and westbound left-turn phases and northbound and southbound right-turn overlap phases. These improvements would change both the northbound and southbound approaches from one left-turn lane, one thru lane, and one shared thru/right lane to one left-turn lane, two thru lanes, and one exclusive right-turn lane. These improvements can be accommodated without any roadway widening but would require the removal of approximately two on-street parking spaces along the west side of Whitsett Avenue.

Enforcement Agency: LADOT
Monitoring Agency: LADOT
Monitoring Phase: Pre-occupancy
Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy
Action Indicating Compliance: LADOT approval

M-2 Laurel Canyon Boulevard & Victory Boulevard (Intersection #8): Restripe the southbound approach of Laurel Canyon Boulevard to provide a second left-turn lane and an exclusive right-turn lane and to modify the existing traffic signal to include a southbound right-turn overlap phase. These improvements would change the southbound approach from one left-turn lane, one thru lane and one shared thru/right lane to two left-turn lanes, two thru lanes and one exclusive right-turn lane.

Enforcement Agency: LADOT
Monitoring Agency: LADOT
Monitoring Phase: Pre-occupancy
Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy
Action Indicating Compliance: LADOT approval

M-3 Laurel Canyon Boulevard & Oxnard Street (Intersection #11): Install a CCTV camera at this location, in coordination with LADOT staff. Restripe the northbound approach of Laurel Canyon Boulevard to provide a second left-turn lane, restripe the eastbound approach to provide an exclusive right-turn lane, and to modify the existing traffic signal to include a northbound left-turn phase and an eastbound right-turn overlap phase.

Enforcement Agency: LADOT
Monitoring Agency: LADOT
Monitoring Phase: Pre-occupancy
Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy
Action Indicating Compliance: LADOT approval

- M-4 Laurel Canyon Boulevard & Burbank Boulevard (Intersection #12): Install protected left-turn phasing in all four approaches at this intersection. Restripe the southbound approach to provide an exclusive right-turn lane and modify the existing traffic signal to include an eastbound left-turn phase and a southbound right-turn overlap phase.

Enforcement Agency: LADOT

Monitoring Agency: LADOT

Monitoring Phase: Pre-occupancy

Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy

Action Indicating Compliance: LADOT approval

- M-5 SR-170 Northbound Ramps & Oxnard Street (Intersection #13): Restripe the eastbound approach to provide an exclusive right-turn lane and to modify the existing traffic signal to include an eastbound right-turn overlap phase. These improvements would change the eastbound approach from one left-turn lane, one thru lane and one shared thru/right lane to one left-turn lane, two thru lanes and one exclusive right-turn lane.

Enforcement Agency: LADOT

Monitoring Agency: LADOT

Monitoring Phase: Pre-occupancy

Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy

Action Indicating Compliance: LADOT approval

- M-6 Lankershim Boulevard/Colfax Avenue & Victory Boulevard (Intersection #17): Restripe the southbound approach to provide an exclusive right-turn lane and to modify the existing traffic signal to include a southbound right-turn overlap phase. These improvements would change the southbound approach from one left-turn lane, one thru lane and one shared thru/right lane to one left-turn lane, two thru lanes and one exclusive right-turn lane.

Enforcement Agency: LADOT

Monitoring Agency: LADOT

Monitoring Phase: Pre-occupancy

Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy

Action Indicating Compliance: LADOT approval

- M-7 Lankershim Boulevard & Oxnard Street (Intersection #20): Restripe the eastbound approach to provide an exclusive right-turn lane, restripe the westbound approach to provide an exclusive right-turn lane and modify the existing traffic signal to include both northbound and southbound left-turn phases and eastbound and westbound right-turn overlap phases. These improvements would change both the eastbound and westbound approaches from one left-turn lane, one thru lane and one shared thru/right lane to one left-turn lane, two thru lanes and one exclusive right-turn lane. These improvements can be accommodated without any roadway widening but would require the relocation of a bus stop along the south side of Oxnard Street. As a condition of approval, LADOT has stated that the lead/lag combination phasing for the eastbound and westbound protected left-turn movements would be required as part of the final traffic signal design to avoid the possibility of "interlock."

Enforcement Agency: LADOT

Monitoring Agency: LADOT

Monitoring Phase: Pre-occupancy

Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy

Action Indicating Compliance: LADOT approval

M-8 LAUSD Transportation Branch shall be contacted at (213) 580-2950 regarding the potential impact upon existing school bus routes. Laurel Hall School shall also be contacted regarding the potential impact upon existing school bus routes.

- School buses must have unrestricted access to schools.
- During the construction phase, truck traffic and construction vehicles may not cause traffic delays for transported students.
- During and after construction changed traffic patterns, lane adjustment, traffic light patterns, and altered bus stops may not affect school buses' on-time performance and passenger safety.
- Pursuant to the California Vehicle Code, other trucks and construction vehicles that encounter school buses using red-flashing-lights must-stop-indicators shall stop.
- The Project Manager or designee shall have to notify the LAUSD Transportation Branch and Laurel Hall School of the expected start and ending dates for various portions of the project that may affect traffic within nearby school areas.
- Contractors shall maintain safe and convenient pedestrian routes to all nearby schools. The applicable Pedestrian Route to School map can be found at <http://www.lausd-oehs.org/saferoutestoschools.asp> and a pedestrian route map shall also be requested from Laurel Hall School.
- Contractors shall maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicle routes to school may be impacted.
- Contractors shall maintain ongoing communication with Laurel Hall School administrators, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicle routes to school may be impacted.
- Installation and maintenance of appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
- Construction vehicles shall avoid, to the extent feasible, travel on streets immediately adjacent to Laurel Hall School and Victory Elementary School.
- No staging or parking of construction-related vehicles, including worker-transport vehicles, shall occur on or adjacent to a school property. The staging and parking of construction-related vehicles shall be located as far away from Laurel Hall School as feasible.
- Funding for crossing guards (at contractor's expense) is required when safety of children may be compromised by construction-related activities at impacted school crossings.
- Barriers and/or fencing shall be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.
- Contractors are required to provide security patrols (at their expense) to minimize trespassing, vandalism, and short-cut attractions.

Enforcement Agency: LAUSD

Monitoring Agency: LAUSD

Monitoring Phase: During construction
Monitoring Frequency: Ongoing, during construction
Action Indicating Compliance: LAUSD confirmation

M-9 Construction Traffic Management Plan

The Project shall prepare a Construction Traffic and Parking Management Plans for all stages of construction activity at the Project Site. These will be developed in close coordination with LADOT and will include specific provisions for truck routes and staging and construction worker parking. These plans should include but not be limited to the following, as appropriate:

- Identification of truck staging areas, and management of truck access/egress to minimize truck impacts on the street system.
- Development of Worksite Traffic Control Plans, including temporary traffic controls, lane reconfigurations, temporary traffic signal operation, signage, detour plans as appropriate, and provisions for flag personnel, etc.
- Development of a construction worker transportation demand management plan to encourage use of ridesharing and minimize parking needs.
- Development of a construction worker Parking Management Plan to provide sufficient on-site parking and to minimize temporary impacts to the local street network as a result of construction worker traffic entering or exiting the Project Site.
- An adequate provision for alternate routing, protection barriers, covered walkways where necessary and feasible, and other safety precautions for pedestrians and bicyclists through the Project Area.
- To the extent possible schedule construction-related deliveries, other than concrete and earthwork-related deliveries, to reduce travel during peak commute periods.
- Develop and submit a Freeway Truck Management Plan to Caltrans.

Enforcement Agency: LADOT
Monitoring Agency: LADOT
Monitoring Phase: Pre-occupancy
Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy
Action Indicating Compliance: LADOT approval

M-10 The Project shall incorporate Transportation Demand Management (TDM) strategies, which could include, but are not limited to:

- Provide an Internal Transportation Management Coordination Program with on-site transportation coordinator;
- Implement enhanced pedestrian connections (e.g., improve sidewalks, widen crosswalks adjacent to the Project, install wayfinding signage and pedestrian level lighting, etc.);
- Design the Project to ensure a bicycle, pedestrian, and transit friendly environment;
- Include a provision that all retailers over 10,000 square feet and office users are required to comply with the state parking cash-out law;
- Provide on-site car share amenities;

- Provide rideshare program and support for Project employees and tenants;
- Allow for subsidized transit passes for eligible Project employees and tenants;
- Coordinate with LADOT to determine if the site would be eligible for one or more of the services to be provided by the future Mobility Hubs program (secure bike parking, bike share kiosks, and car-share parking spaces);
- Provide on-site transit routing and schedule information;
- Upgrade bus shelters immediately adjacent to the Project Site;
- Provide a program to discount transit passes for residents/employees possibly through negotiated bulk purchasing of passes with transit providers;
- Guaranteed Ride Home Program; and
- Preferential parking for HOVs, carpools, and vanpools.

Prior to occupancy, a comprehensive TDM program tailored specifically for the Project will be developed.

Enforcement Agency: LADOT

Monitoring Agency: LADOT

Monitoring Phase: Pre-occupancy

Monitoring Frequency: Once; prior to issuance of Certificate of Occupancy

Action Indicating Compliance: LADOT approval

Utilities and Service Systems – Wastewater

N.1-3 In the event of full or partial public street closures, such as during the construction of new wastewater lines, the Construction Traffic Management Plan shall be in implemented.

Enforcement Agency: Los Angeles Department of Building and Safety; LADOT

Monitoring Agency: LADOT

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off

Utilities and Service Systems – Water

N.2-6 In the event of full or partial public street closures, such as during the construction of new water lines, the Construction Traffic Management Plan shall be in implemented.

Enforcement Agency: Los Angeles Department of Building and Safety; LADOT

Monitoring Agency: LADOT

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off

Utilities and Service Systems – Solid Waste

N.3-4 To the maximum extent feasible, demolition and construction debris including, but not limited to, concrete, asphalt, wood, drywall, metals, and other miscellaneous and composite materials shall be recycled and salvaged.

Enforcement Agency: Los Angeles Bureau of Sanitation
Monitoring Agency: Los Angeles Bureau of Sanitation
Monitoring Phase: Demolition and construction
Monitoring Frequency: Ongoing during construction
Action Indicating Compliance: Field inspection sign-off

Utilities and Service Systems – Energy Conservation

N.4-4 The Project shall use Energy Star appliances where available.

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-Construction
Monitoring Frequency: Once, at plan check
Action Indicating Compliance: Issuance of building permits

C. Administrative Conditions:

1. **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 Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
7. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department

of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

8. Indemnification and Reimbursement of Litigation Costs. The 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.

Section 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles : one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____

Holly L. Wolcott, City Clerk

By: _____
Deputy

Approved. _____

Mayor

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

December 13, 2016
see attached report



Vincent P. Bertoni, AICP
Director of Planning

File Nos. CF 16-1280;
CPC-2015-889-VZC-SN-VCU-CU-MCUP-SPR-ZAD-ZAA-1A,
ENV-2015-888-EIR, ENV-2015-888-EIR-ADD1