

As modified on January 27, 2017

### **(Q) QUALIFIED CONDITIONS OF APPROVAL**

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

#### **A. Entitlement Conditions**

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped "Exhibit A" and dated October 28, 2016, and attached to 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, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
  - a. Prior to the issuance of a building permit, plans shall be submitted to the Major Projects staff for signature and inclusion in the case file that shall incorporate the following design elements:
    - i) All access gates (other than fire access gates) to the publicly accessible outdoor areas shall be kept open during the hours that such outdoor areas are open to the public.
    - ii) Planters shall provide a minimum soil depth of 24 inches for shrubs and 30 inches for small trees.
    - iii) Dog waste stations and trash receptacles shall be provided around the perimeter of the project and publicly accessible outdoor areas.
    - iv) The applicant shall be required to landscape and maintain a minimum 40,544 square foot open space as shown in "Exhibit A." The open space area shall be open to the public from 8:00 A.M. to sunset on a daily basis; provided that the Developer may close off such space to the public during such hours from time to time for periodic maintenance or special events. The Developer may in its sole good faith discretion establish rules and regulations from time to time for use of such open space. The Developer may exclude any individuals from such space who do not comply with such rules and regulations.
    - v) The project shall include approximately 2,700 square feet of solar panels, 25% of the roof area, on the project's rooftop space.
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. **Ordinance No. 173,680.** The prohibitions on signage pursuant to Ordinance No. 173,680, including prohibitions on off-site signs, pole signs, mural signs, and supergraphics, shall remain in effect and will not be superseded by this action.
4. **Development Agreement.** Prior to the issuance of a building permit, the Department of Building and Safety shall confirm that the public benefits, as identified in Case No. CPC-2016-3257-DA, have been satisfied.
5. **Maintenance.** The subject property, including associated parking facilities, sidewalks, landscaped parkways and planters, shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.
6. **Community Relations.** A 24-hour "hot-line" phone number for the receipt of construction-related complaints from the community shall be provided to immediate neighbors and the local neighborhood association, if any. The applicant shall be required to respond within 24-hours to any complaints received on this hotline.
7. **Posting of Construction Activities.** The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.

#### **B. Administrative Conditions**

8. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
9. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
10. **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 assigns. The agreement shall be submitted to the Department of City Planning Development Services Center for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

11. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
12. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
13. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
14. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
15. **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, Fire Department, or other City 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 per Condition No. Q-1 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. Said modifications may not alter the maximum density or other limitations included in these conditions.
16. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
  - i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion,

- based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
  - v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

17. **Mitigation Monitoring.** Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider 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 identified mitigation measures and project design features to avoid or to mitigate potential impacts identified to a level where no significant impact 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 Major Project's Section at the Los Angeles Department of City Planning. Each report will be submitted to the Major Project's Section 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.

18. **Mitigation Monitor (Construction).** Prior to the issuance of building permits, the applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP. The Construction Monitor shall also prepare documentation of the applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the applicant and Construction Monitor and be included as part of the applicant's Annual Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two businesses days if the applicant does not correct the non-compliance within a reasonable time of notification to the applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.
19. **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/Visual Character and Views**

**Project Design Feature A.1-1:** Temporary construction fencing shall be placed along the periphery of the Project Site to screen construction activity from view at the street level.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during field inspection
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Project Design Feature A.1-2:** The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public, and that such

temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during field inspection
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Project Design Feature A.1-3:** New on-site utilities that may be required to serve the Project shall be installed underground, where practical.

- **Enforcement Agency:** Department of Building and Safety; Department of Water and Power; Department of Public Works
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit

**Project Design Feature A.1-4:** Mechanical, electrical, and roof top equipment, as well as building appurtenances, shall be screened from public view.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

**Project Design Feature A.1-5:** Trash areas associated with the proposed buildings shall be enclosed or otherwise screened from view from public rights-of-way.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation

- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

**Project Design Feature A.1-6:** The enclosure wall for the residential building's loading dock located adjacent to the alley south of the Project Site shall be designed with graffiti-detering material or plant covering.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

#### **Light, Glare, and Shading**

**Project Design Feature A.2-1:** Light sources associated with Project construction shall be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary. However, construction lighting shall not be so limited as to compromise the safety of construction workers.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during field inspection
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Project Design Feature A.2-2:** Glass or other materials used in building façades shall be anti-reflective or treated with an anti-reflective coating in order to minimize glare (e.g., minimize the use of glass with mirror coatings). Consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended, glass with coatings required to meet the Energy Code requirements shall be permitted.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety

- **Monitoring Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

**Project Design Feature A.2-3:** All on-site exterior lighting, including lighting fixtures on the pool deck, shall be shielded and directed toward areas to be illuminated to limit spillover onto nearby residential areas. All ground level pedestrian and security lighting shall use full-cutoff or fully shielded lighting oriented to pedestrian areas/sidewalks so as to minimize over-lighting. Lights shall be hooded, well shielded, and directed such that they shall limit spillover light at the ground level of the property line of any off-site residential uses.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

#### **Greenhouse Gas Emissions**

**Project Design Feature C-1:** The design of the new buildings shall incorporate features to be capable of achieving at least Silver certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED)-CS® or LEED-NC® Rating System as of January 1, 2011. Such LEED® features shall include energy-efficient buildings, a pedestrian- and bicycle-friendly site design, and water conservation measures, among others.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at project plan check
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit

**Project Design Feature C-2:** The Project would include up to four common area gas fire pits and would not include hearths (woodstove and fireplaces) installed in the residences.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at project plan check; Once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

**Project Design Feature C-3:** The Project would encourage carpooling and the use of electric vehicles by providing that at least 20 percent of the total code-required residential parking spaces provided shall 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. 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.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

**Project Design Feature C-4:** At least 5 percent of the total code-required residential parking spaces shall be equipped with EV charging stations. Plans shall indicate the proposed type and location(s) of charging stations. Plan design shall be based on Level 2 or greater EVSE at its maximum operating capacity. When the application of the 5 percent requirement results in a fractional space, round up to the next whole number.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

### Geology and Soils

**Project Design Feature D1:** A final design-level geotechnical, geologic, and seismic hazard investigation report that complies with all applicable state and local code requirements shall be prepared for the Project by a qualified geotechnical engineer and certified engineering geologist and shall be submitted to the Los Angeles Department of Building and Safety, consistent with City of Los Angeles Building Code requirements (see 2008 Los Angeles Building Code Section 1802.1 or the applicable section in effect at the time of preparation of the site specific report). The site-specific geotechnical report shall be prepared to the written satisfaction of the City of Los Angeles Department of Building and Safety. The site-specific geotechnical report shall address each of the recommendations provided in the *Geotechnical Investigation, Proposed High Rise Tower, 11750 Wilshire Boulevard, Los Angeles, California* (Geotechnical Investigation), prepared by Geocon West, Inc. (March 24, 2014), including, but not limited to the following, and as may be amended in accordance with future regulatory requirements:

- The proposed structure shall be supported on deep foundations consisting of drilled, cast-in-place friction piles. The piles shall derive support in the undisturbed alluvium found at and below a depth of 40 feet.
- If existing fill material is to be re-used as engineered fill, any oversize material (greater than 6 inches) and any encountered deleterious debris encountered in the fill material shall be removed, and compacted fill shall be tested by a qualified engineer.
- The concrete slab-on-grade shall derive support directly on the alluvial soils and/or engineered fill, if necessary. Any disturbed or soft soils in excavation bottom shall be excavated and properly compacted or stabilized prior to slab construction at the direction of the geotechnical engineer.
- Waterproofing of the slab shall be required due to the depth of the proposed structure and presence of groundwater.
- If groundwater accumulates within the proposed excavation, temporary dewatering shall be required to maintain a safe working

environment during excavation and construction activities. A qualified dewatering consultant shall be retained to design the dewatering system as well as verify the water quality which is required for obtaining discharge permits from the Sanitation District (sewer discharge) or Regional Water Quality Control Board (storm drain discharge). Temporary dewatering shall consist of gravel-filled trenches (French drains). The number and locations of the French drains can be adjusted during excavation activities as necessary to collect and control any encountered groundwater. The French drains shall then direct the collected seepage to a sump where it will be pumped out of the excavation.

- Stormwater shall be retrained, filtered, and discharged in accordance with City requirements. Based on the depth of the existing subterranean parking garage and the on-site soil conditions, a stormwater infiltration system is not feasible for the Project.
- The Project Site shall continue to include a permanent groundwater dewatering and treatment system located in the subterranean parking structure to prevent the groundwater table from impacting the proposed structure. The Project Applicant shall ensure that the final system complies with the recommendations in Section 8.5 of the Geotechnical Investigation, and shall implement any necessary improvements as needed.
- Due to the potential for high-moisture content soils at the excavation bottom, stabilization measures shall be implemented to prevent excessive disturbance at the excavation bottom, if necessary. If this condition exists, rubber tire equipment shall not be allowed in the excavation bottom until it is stabilized or extensive soil disturbance could result. Track mounted equipment shall be considered to minimize disturbance to the soils.
- Where a temporary or permanent dewatering is not installed, an alternative method of subgrade stabilization shall consist of introducing a thin lift of 3 to 6-inch diameter crushed angular rock into the soft excavation bottom. The use of crushed concrete shall also be acceptable. The crushed rock shall be spread thinly across the excavation bottom and pressed into the soils by track rolling or wheel rolling with heavy equipment. Voids between the rock fragments shall not be created so the rock must be thoroughly pressed or blended into the soils. All subgrade soils shall be properly compacted and proof-rolled in the presence of a geotechnical engineer.
- If corrosion sensitive improvements are installed, a corrosion engineer shall be retained to evaluate corrosion test results and incorporate the necessary precautions (e.g., protective coatings, cathodic protection) as determined by the corrosion engineer to avoid premature corrosion of buried metal pipes and concrete

structures in direct contact with the soils, subject to Los Angeles Department of Building and Safety approval.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); field inspection sign-off (construction)

## Noise

**Project Design Feature H-1:** Power construction equipment (including combustion engines), fixed or mobile, would be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards) and shall include the use of plug-in electrical or solar-powered generators only. All equipment would be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. Construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during field inspection
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Project Design Feature H-2:** Project construction would not include the use of driven (impact) pile systems.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during field inspection
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Project Design Feature H-3:** All outdoor mounted mechanical equipment would be enclosed or screened from offsite noise-sensitive receptors (in accordance with the L.A. CEQA Thresholds Guide, noise-sensitive receptors include residences, transient lodgings, schools, libraries, churches, hospitals, nursing homes, auditoriums, concert halls, amphitheatres, playgrounds and parks) to the extent necessary to

comply with Los Angeles Municipal Code noise requirements, including those set forth in Chapter XI, Article 2 of the Los Angeles Municipal Code. At Plan check, building plans shall include documentation prepared by a noise consultant verifying of compliance with this measure.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

**Project Design Feature H-4:** Driveways within the parking garage shall utilize non-squeal paving finishes (i.e., paving finishes that are not smooth, often referred to as “broom finishes”).

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit; field inspection sign-off

**Mitigation Measure H-1:** A temporary and impermeable sound barrier shall be erected in the following locations and, at Plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure:

- Along the western property line of the Project Site between the construction area and apartment buildings on the west side of Granville Avenue. The temporary sound barrier shall be designed to provide minimum 10dBA noise reduction at the ground level.
- Along the southern property line of the Project Site between the construction area and apartment building on the south side of the alley. The temporary sound barrier shall be designed to provide minimum 10dBA noise reduction at the ground level.

- Along the eastern property line of the Project Site between the construction area and apartment building on the east, side of Stoner Avenue. The temporary sound barrier shall be designed to provide minimum 10dBA noise reduction at the ground level.
- **Enforcement Agency:** Department of City Planning Department of Building and Safety
- **Monitoring Agency:** Department of City Planning Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once at Project plan check; Once during field inspection
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Mitigation Measure H-2:** Stationary source equipment that is flexible with regard to relocation (e.g., generators and compressors) shall be located so as to maintain the greatest distance from sensitive land uses (in accordance with the L.A. CEQA Thresholds Guide, sensitive land uses include residences, schools, childcare centers, hospitals, parks, or similar uses), and unnecessary idling of such equipment shall be prohibited.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections during construction
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Mitigation Measure H-3:** Loading and unloading of heavy construction materials shall be located on-site and away from noise-sensitive uses (in accordance with the L.A. CEQA Thresholds Guide, noise-sensitive uses include residences, transient lodgings, schools, libraries, churches, hospitals, nursing homes, auditoriums, concert halls, amphitheatres, playgrounds and parks), to the extent feasible.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections during construction
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Mitigation Measure H4:** Construction trucks (haul and large delivery trucks) shall be limited to a maximum of 4 trips per hour along Granville Avenue.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action(s) Indicating Compliance with Mitigation Measure(s):** Field inspection; Quarterly compliance certification report submitted by project contractor

#### **Public Services—Police Protection**

**Project Design Feature I.1-1:** During construction, the Project Applicant shall implement temporary security measures including security fencing (e.g., chain-link fencing), low-level security lighting, and locked-entry (e.g., padlock gates or guard-restricted access) to limit access by the general public. Regular security patrols during non-construction hours shall also be provided. During construction activities, the Contractor shall document the security measures and the documentation shall be made available to the Construction Monitor.

- **Enforcement Agency:** Los Angeles Police Department; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during field inspection
- **Action(s) Indicating Compliance:** Field inspection sign-off

**Project Design Feature I.1-2:** During operation, the Project shall include private onsite security, a closed circuit security camera system, and keycard entry for the residential building and the residential parking areas.

- **Enforcement Agency:** Los Angeles Police Department; Department of City Planning
- **Monitoring Agency:** Department of City Planning
- **Monitoring Phase:** Operation
- **Monitoring Frequency:** Annually
- **Action(s) Indicating Compliance:** Documentation of private on-site security in annual compliance report

**Project Design Feature I.1-3:** The Project shall provide sufficient lighting of building entries and walkways to provide for pedestrian orientation and clearly identify a secure route between parking areas and points of entry into buildings.

- **Enforcement Agency:** Los Angeles Police Department; Department of Building and Safety

- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check; once at field inspection
- **Action(s) Indicating Compliance with Mitigation Measure(s):** Plan approval and issuance of building permits; Issuance of Certificate of Occupancy

**Project Design Feature I.1-4:** The Project shall provide sufficient lighting of parking areas to maximize visibility and reduce areas of concealment.

- **Enforcement Agency:** Los Angeles Police Department; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at plan check; once at field inspection
- **Action(s) Indicating Compliance with Mitigation Measure(s):** Plan approval and issuance of building permits (pre-construction); Issuance of Certificate of Occupancy (pre-operation)

**Project Design Feature I.1-5:** Prior to the approval of plans, the Project Applicant shall submit a diagram of the Project Site to the Los Angeles Police Department West Bureau Commanding Officer that includes access routes and any additional information that might facilitate police response.

- **Enforcement Agency:** Los Angeles Police Department; Department of City Planning
- **Monitoring Agency:** Department of City Planning
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check
- **Action(s) Indicating Compliance:** Written confirmation of consultation and receipt of diagram by Los Angeles Police Department

**Mitigation Measure I.1-1:** Prior to the issuance of a building permit, the Project Applicant shall consult with the Los Angeles Police Department's Crime Prevention Unit regarding the incorporation of crime prevention features appropriate for the design of the Project, including applicable features in the Los Angeles Police Department's Design Out Crime Guidelines.

- **Enforcement Agency:** Los Angeles Police Department; Department of City Planning

- **Monitoring Agency:** Department of City Planning
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check
- **Action(s) Indicating Compliance:** Written confirmation of consultation and receipt of plan by Los Angeles Police Department

#### **Public Services—Fire Protection**

**Project Design Feature I.2-1:** Prior to the issuance of a building permit, the Project Applicant shall submit a plot plan to the Los Angeles Fire Department (LAFD) for approval. The plot plan shall include the following minimum design features:

- Access for LAFD apparatus and personnel to and into all structures shall be required.
- No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building, but in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street, or fire lane. This stairwell shall extend onto the roof.
- Entrance to the main lobby shall be located off the address side of the building.
- The width of private roadways for general access use and fire lanes shall not be less than 20 feet and the fire lane shall be clear to the sky.
- All access roads, including fire lanes, shall be maintained in an unobstructed manner and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.
- Where access requires accommodation of LAFD apparatus, the minimum outside radius of the paved surface shall be 35 feet. An additional 6 feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. Overhead clearance shall not be less than 14 feet.
- The LAFD may require additional vehicular access where buildings exceed 28 feet in height.
- Where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, that structure shall be

engineered to withstand a bearing pressure of 8,600 pounds per square foot.

- Any required fire hydrants to be installed shall be fully operational and accepted by the LAFD prior to any building construction.
- Where rescue window access is required, conditions and improvements shall be provided as necessary to meet accessibility standards as determined by the LAFD.
- **Enforcement Agency:** Los Angeles Fire Department
- **Monitoring Agency:** Los Angeles Fire Department
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check
- **Action(s) Indicating Compliance:** Issuance of building permit

### **Traffic, Access, and Parking**

**Project Design Feature J-1:** Prior to the start of construction, the Project Applicant shall prepare and submit to the Los Angeles Department of Transportation for review and approval a construction management plan. Subject to approval by the Los Angeles Department of Transportation, features of the construction management plan should include, but shall not be limited to, the following:

- Maintaining existing access for land uses in proximity of the Project Site, including land uses that are accessed from the alley to the south of the Project Site;
- Limiting potential lane closures to off-peak travel periods, to the extent feasible;
- Scheduling receipt of construction materials during non-peak travel periods, to the extent possible;
- Coordinating deliveries to reduce the potential trucks waiting to unload for extended periods of time;
- Prohibiting parking by construction workers on adjacent streets and directing construction workers to park on-site or other designated parking areas;
- Maintaining adequate and safe pedestrian protection including physical separation (including utilization of barriers such as K-Rails, scaffolding, etc.) from work space and vehicular traffic, and overhead protection, due to sidewalk closures or blockage, at all times;
  - Temporary pedestrian facilities shall be adjacent to the Project Site and provide, safe, accessible routes that replicate as nearly as practical the characteristics of the existing facility;

- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects;
- Sidewalks shall be closed or blocked only when necessary for construction staging, and shall be reopened as soon as reasonably feasible taking construction and construction staging into account;
- Complying with the approved construction traffic control plans that identify all traffic control measures, signs, delineators, etc., to be implemented by the construction contractor through the duration of construction; and
- Using flag persons to control traffic movement during the ingress and egress of trucks and heavy equipment from the Project Site and/or temporary lane closures.

In addition, the construction management plan shall take into account and be coordinated with other construction management plans that are in effect or have been proposed for other projects in the Project vicinity.

- **Enforcement Agency:** Department of Transportation
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check
- **Action(s) Indicating Compliance:** Plan approval and issuance of grading permit

**Project Design Feature J-2:** Prior to the start of construction, the Project Applicant shall prepare and submit to the Los Angeles Department of Transportation for review and approval a haul truck route program that specifies the construction truck routes to and from the Project Site.

- **Enforcement Agency:** Department of Transportation
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check
- **Action(s) Indicating Compliance:** Plan approval and issuance of grading permit

## Water

**Project Design Feature K.11:** The Project design shall incorporate the following design features to support water conservation:

- Use of drought-tolerant plants and indigenous species, storm water collection through a first flush filtration system of rain gardens where possible, permeable pavement wherever possible, and storm water filtration planters to collect roof water.

- Use of high-efficiency toilets (maximum 1.28 gallons per flush), including dual-flush water closets, and no-flush or waterless urinals in all non-residential restrooms as appropriate.
- Use of non-residential restroom faucets with a maximum flow rate of 0.5 gallon per minute and non-residential kitchen faucets (except restaurant kitchens) with a maximum flow rate of 1.5 gallons per minute. Use of restaurant kitchen faucets with pre-rinse self-closing spray heads with a maximum flow rate of 1.6 gallons per minute.
- Use of non-residential restroom faucets of a self-closing design (i.e., that would automatically turn off when not in use).
- Use of residential bathroom and kitchen faucets with a maximum flow rate of 1.5 gallons per minute. No more than one showerhead per shower stall, with a flow rate no greater than 2 gallons per minute.
- Use of high-efficiency clothes washers either within individual units (with water factor of 6.0 or less) and/or in common laundry rooms (commercial washers with water factor of 7.5 or less).
- Incorporation of a leak detection system for any swimming pool, Jacuzzi, or other comparable spa equipment introduced on-site.
- Use of high-efficiency Energy Star-rated dishwashers where appropriate.
- Use of weather-based irrigation controller with rain shutoff, matched precipitation (flow) rates for sprinkler heads, and rotating sprinkler nozzles or comparable technology such as drip/microspray/subsurface irrigation where appropriate.
- Installation of a separate water meter (or submeter), flow sensor, and master valve shutoff for irrigated landscape areas totaling 5,000 square feet and greater.
- Use of proper hydro-zoning and turf minimization, as feasible.
- **Enforcement Agency:** Department of Water and Power
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (pre-operation)

**Project Design Feature K.12:** The Project Applicant shall coordinate with the Los Angeles Department of Water and Power to ensure that necessary improvements to the off-site fire water system are implemented so that

the system is able to provide a fire flow of 6,000 to 9,000 gallons per minute from four to six adjacent hydrants flowing simultaneously with a residual pressure of 20 pounds per square inch at full flow to the Project Site, as determined by the Los Angeles Fire Department. All improvements shall be designed and constructed in accordance with applicable City standards, including those set forth in the City Plumbing Code.

- **Enforcement Agency:** Department of Water and Power; Los Angeles Fire Department
- **Monitoring Agency:** Los Angeles Fire Department
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once, prior to plan approval; once prior to issuance of a Certificate of Occupancy (to verify any necessary installation)
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (operation)

**Project Design Feature K.13:** The Project shall install new service laterals and meters for fire water, domestic water, and irrigation uses as needed to connect to the existing water mainlines in Stoner Avenue, Granville Avenue, and/or Wilshire Boulevard, as determined by the Los Angeles Department of Water and Power and Los Angeles Department of Public Works. Project-related water infrastructure shall be designed and installed to meet all applicable City requirements.

- **Enforcement Agency:** Department of Water and Power; Department of Public Works
- **Monitoring Agency:** Department of Water and Power
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once, prior to plan approval; once prior to issuance of a Certificate of Occupancy (to verify any necessary installation)
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit (pre-construction); issuance of Certificate of Occupancy (operation)

#### **Solid Waste**

**Project Design Feature K.3-1:** The Project shall incorporate features to be capable of achieving at least Silver certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED)-CS® or LEED-NC® Rating System (January 1, 2011). In so doing, the Project shall:

- Implement a construction waste management plan to achieve a minimum 75 percent diversion from landfills;

- Use at least 10 percent recycled material, at least 10 percent regional materials use (sourced within 500 miles), and certified wood in new construction; and
- Use recycled content for concrete, fly ash within concrete, and structural steel with recycled content.
- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at project plan check
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit

20. **Construction Mitigation Conditions.** Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
  - b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
  - c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
- CM-2. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-9. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non

recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.