

**ORDINANCE NO. \_\_\_\_\_**

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

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

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

PARTHENIA ST

THE INTENT OF THIS ORDINANCE IS FOR THE BOUNDARIES OF THIS ZONE CHANGE TO COINCIDE WITH THOSE OF RECORDED TR. 72271

BRYANT ST

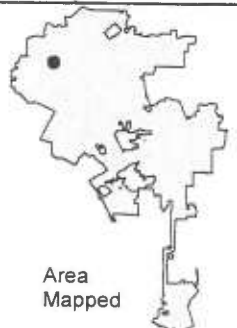
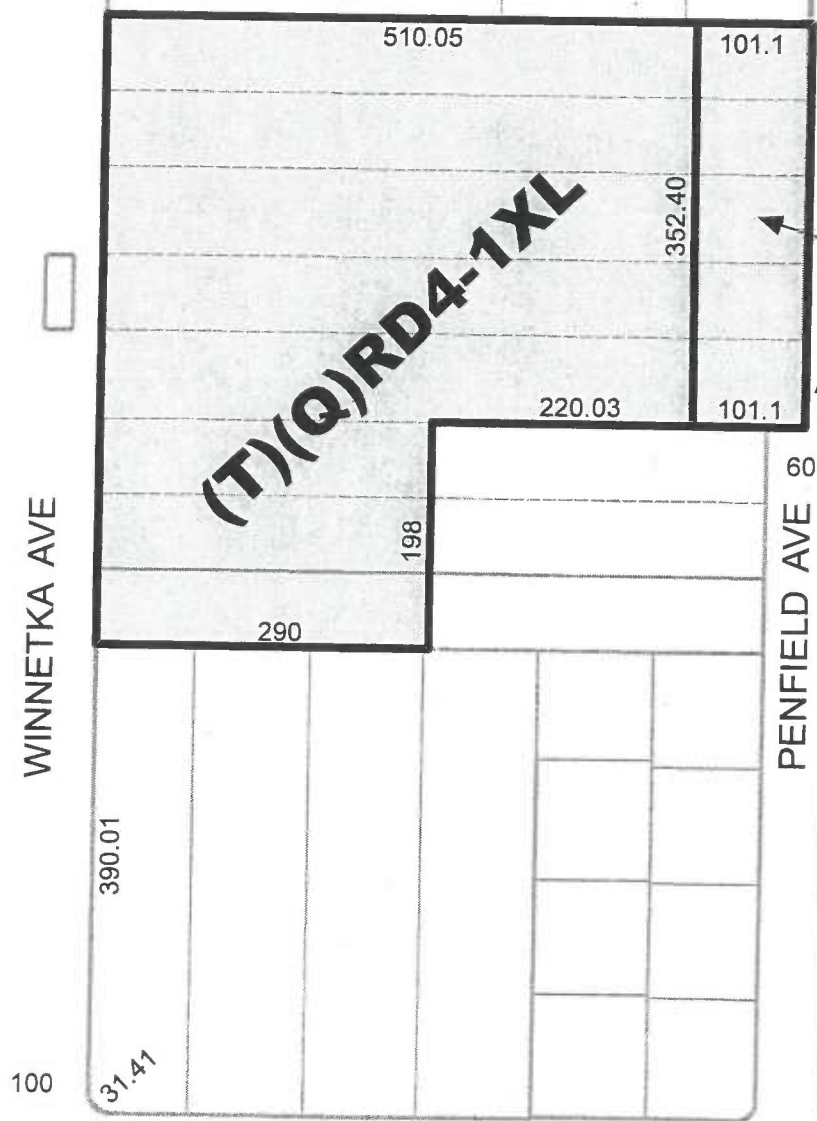
WINNETKA AVE

PENFIELD AVE

CHASE ST

**(T)(Q)RD4-1XL**

**(T)(Q)R1-1**



C.M. 192 B 113, 195 B 113	CPC-2013-2078-GPA-ZC-BL-ZV-SPR
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## (Q) QUALIFIED CONDITIONS OF APPROVAL

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

### Entitlement Conditions

1. **Use.** The use of the subject property shall be limited to those uses permitted in the RD4 and R1 Zones as defined in Sections 12.09.1 and 12.08 of the Los Angeles Municipal Code ("LAMC").
2. **Density.**
  - a. A maximum of 59 detached residential dwelling units shall be permitted on the portion zoned RD4.
  - b. A maximum of five single-family lots shall be permitted on the portion zoned R1.
3. **Height.** The height of the building on the subject property shall not exceed 30 feet as defined in LAMC Section 12.21.1-A,1. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties with single-family dwellings.
4. **Parking.** A minimum of two covered off-street parking spaces shall be provided in accordance with LAMC Section 12.21-A,4(a) and ½ guest parking space per unit. In addition:
  - a. Garage floors shall be constructed with textured surfaces to minimize tire squeal noises.
  - b. Guest parking spaces shall be clearly marked. The signage shall be in easy to read lettering.
  - c. Shade trees shall be planted adjacent to guest parking spaces to provide 50 percent shading at full growth.
5. **Open Space.** A minimum of 35,292 square feet of open space shall be required in excess of the amount otherwise required pursuant to Municipal Code Section 12.21-G,2.
6. **Flood Hazard.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172,081 (effective 7/3/98).

### Administrative Conditions

7. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews 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.
8. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.

9. **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.
10. **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.
11. **Building Plans.** Page 1 of the grant 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.
12. **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 pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
13. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
14. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
15. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews 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.

## CONDITIONS OF APPROVAL

1. **Site Plan.** Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Planning Department. The plans shall comply with provisions of the LAMC, the subject conditions, and the intent of the subject permit authorization. The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "4" or as modified by the City Planning Commission attached to the subject case file.
2. **Green Building Program.** Pursuant to LAMC Section 16.10, (Green Building Program), prior to the issuance of any building permit, the project must be reviewed and the plans stamped approved by the Director of Planning (or designee).
3. **Security Gates.** No gates shall be permitted for vehicles entering and exiting the development.
4. **Pedestrian Gates.** A gate shall be provided at the rear of each Penfield Avenue lot to provide individual access to the common open space (pool area) within the multiple-family lot.
5. **Driveways.** Any unused curb and driveways cuts shall be replaced with sidewalks to maintain continuity for pedestrians.
6. **Common Access Driveways.** To shield automobile headlights and deter from possible shortcuts, along the three common east-west driveways on the Winnetka frontage, the plan shall include a 32-inch high wall, hedge, or raised planter along the edge of the common driveway portion between Unit No. 1 and 19, 40 and 46, and 52 and 60 within the landscaped area.
7. **Bicycle Parking.** Short term bicycle parking shall be provided in accordance with LAMC Section 12.21-A,16(a)(1) and shown on the site plan. Long term bicycle parking shall be provide within each individual garage.
8. **Rubbish Collection.** Permit a deviation from LAMC Section 12.21-A,19(c) to provide three individual recycling receptacles for each detached dwelling unit in lieu of the required common recycling area/room.
9. **Residential Fronting on Major Highway.**
  - a. All exterior windows having a line of sight of a Major Highway (Winnetka Avenue) shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.

OR

- b. As an alternative, the applicant may retain an acoustical engineer to submit evidence, along with the application for a building permit, of any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

10. **Posting of Construction Activities.** 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.
11. **Construction-related Parking.** Off-street parking shall be provided for all construction-related parking generated to employees of the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.
12. **Dust Walls.** Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the property line as necessary to preclude dust dispersion from the project site to adjacent properties. The walls shall be in place during any time period when grading is being conducted within 100 feet of any occupied residence on said adjoining lots.
13. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. No truck deliveries for construction shall occur outside of that time period. No construction truck staging related to such deliveries to the project site shall occur on any adjacent streets.
14. **Construction Damage Bond.**
  - a. A cash bond or security ("Bond") shall be posted in accordance with terms, specifications, and conditions to the satisfaction of the Bureau of Engineering and shall remain in full force and effect to guarantee that any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, is properly repaired by the applicant.
  - b. Prior to the issuance of a Certificate of Occupancy, any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, shall be properly repaired by the applicant to the satisfaction of the Bureau of Engineering. The applicant is hereby advised to obtain all necessary permits to facilitate this construction/repair.
15. **Maintenance.** The subject property (including associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

### **Environmental Conditions**

16. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.



**17. Aesthetics (Vandalism).**

- a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

**18. Aesthetics (Signage on Construction Barriers).**

- a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

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

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

**21. Air Pollution (Demolition, Grading, and Construction Activities).**

- a. 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.
- b. The construction area shall be kept sufficiently dampened to control dust cause by grading and hauling, and at all times provide reasonable control of dust cause by wind.
- c. 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.
- d. All dirt/soil loads shall be secured by trimming, watering, or other appropriate means to prevent spillage and dust.
- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.