


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

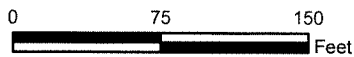
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

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.



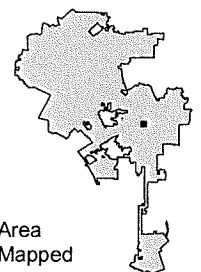
 **(T)(Q)C2-2**



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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.

### A. Entitlement Conditions

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the Plot plan and elevations marked **Exhibit A**, dated **May 22, 2014**, and attached to the administrative file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the Department of City Planning Department for review.
2. **Use.** Use of the subject property shall be limited to the use and area provisions of the C2-2 zone; hotel and commercial uses shall be permitted.
3. **Height.** The building shall be limited to a height of 75 feet. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.
4. **Floor Area Ratio (FAR).** FAR shall not exceed 4.2:1. The total floor area of non-residential, ground-floor retail commercial use shall not exceed 1,564 square feet, as defined by Section 12.03 of the LAMC.
5. **Residential Density.** Not more than 75 guest rooms and 7 apartment units may be constructed on the property.
6. **Driveway.** The site design shall be limited to one driveway with a maximum width of 28 feet along the building frontage on Catalina Street. Revised plans shall include elevations that depict the frontage with one driveway, and indicate transparency or other pedestrian-oriented treatment that will be implemented to replace the building driveway entrance.
7. **Parking.** Pursuant to LAMC Section 12.21A4(x)(3) the Project need not provide more than 6 commercial parking spaces, or two parking spaces for every one thousand square feet of combined gross floor area of commercial use. Parking for hotel units and apartment units shall be provided subject to LAMC Section 12.21.A.4.
8. **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, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Department of City Planning Department.
9. **Window Transparency.** A note shall be added to the Project Elevations to indicate that all ground floor windows shall be comprised of non-reflective, transparent glass. Any at-grade parking uses shall not be visible from the exterior of the building. Architectural treatments, or other design features shall be used to ensure the parking is not visible from the exterior of the building.

10. **Pedestrian walkways.** Clearly marked pedestrian access-ways shall be integrated into the site design and connect to the commercial area. The entryway shall incorporate enhanced paving treatment to create a safety buffer between the driveway area and the pedestrian entrance to the hotel and restaurant patio.
11. **Building Materials.** A note shall be added to the Project Elevations to indicate that the corrugated metal materials incorporated into the design shall be of a non-reflective material.
12. **Ground Level Pedestrian Access.** The doors for pedestrian access along Catalina Street shall remain open during business hours.
13. **Loading.** The Project shall be allowed a loading space height of height of 11 feet and 6 inches. The loading area shall be secured by gates, fencing, or other appropriate security measure and it shall be maintained free of any trash or debris for the life of the Project.
14. **Refuse/recycling area.** Details shall be provided on the method of enclosure for the refuse/recycling areas at the time of final plan sign off. The refuse/recycling area shall be secured with an enclosure that fully screens the view of the refuse/recycling area. It shall be constructed in a style similar to that of the main building.
15. **Outdoor Dining.** Final architectural plans shall indicate appropriate buffers and light deflection such as screening, landscaping, and walls as necessary, to ensure that no noise or lighting disturbance would be created on neighboring properties as a result of outdoor dining located on the ground floor. No up-lighting shall be utilized.
16. **Street Tree Maintenance.** The applicant shall maintain the existing street trees in the Catalina Street frontage parkway for the life of the project. If they cannot be maintained in good condition, new trees shall be planted in their place to the satisfaction of the City's Urban Forestry Division of the Bureau of Street Services, Department of Public Works.

## B. Environmental Conditions

17. **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 licensed Landscape Architect and to the satisfaction of the decision maker.
18. **Aesthetics (Retaining Walls less than 8 feet in Height).** Retaining walls that can be viewed from the adjacent public right(s)-of-way shall incorporate one or more of the following to minimize their visibility: clinging vines, espaliered plants, or other vegetative screening; decorative masonry, or other varied and textured façade; or utilize a combination of methods. The method of compliance with this measure shall be noted on any required landscape plan.
19. **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.

**20. Aesthetics (Signage)**

- a. On-site signs shall be limited to the maximum allowable under the Municipal Code.
- b. Multiple temporary signs in store windows and along building walls are not permitted.

**21. 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. Up-lighting shall not be utilized.

**22. 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 caused by grading and hauling, and at all times provide reasonable control of dust caused 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.
- g. Trucks having no current hauling activity shall not idle but be turned off.

**23. Air Quality (Operational).** The construction contractor shall choose low- or no- VOC indoor paints. VOC concentrations (grams/liter) of interior paints should equal to or less than those specified by the EPA's Environmentally Preferable Purchasing Program as follows:

- i. Interior latex coatings: Flat, 100 grams/liter; Non-flat, 150 grams/liter
- ii. Interior oil-based paints: 380 grams/liter

**24. Objectionable Odors (Commercial Trash Receptacles)**

- a. Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use.
- b. Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer.

**25. Tree Removal (Public Right-of-Way)**

- a. Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- b. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- c. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site,

- on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- d. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

#### **26. Cultural Resources (Archaeological)**

- a. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
  - i. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  - ii. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - iii. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- b. Project development activities may resume once copies of the archaeological survey, study or report are submitted to:  
SCCIC Department of Anthropology  
McCarthy Hall 477  
CSU Fullerton  
800 North State College Boulevard  
Fullerton, CA 92834
- c. 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.
- d. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

#### **27. Cultural Resources (Paleontological)**

- a. If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
  - i. 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.
  - ii. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - iii. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
  - iv. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- b. 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.
- c. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

**28. Cultural Resources (Human Remains)**

Environmental impacts may result from project implementation due to discovery of unrecorded human remains.

- In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
  - i. Stop immediately and contact the County Coroner:  
  
1104 N. Mission Road  
Los Angeles, CA 90033  
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or  
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
  - ii. 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.
  - iii. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
  - iv. The most likely descendent 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.
  - v. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
  - vi. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party.

**29. Seismic.** The design and construction of the Project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

**30. Geotechnical Report**

- a. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- b. The Project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

**31. Erosion/Grading/Short-Term Construction Impacts**

- a. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.