

CITY OF LOS ANGELES

CALIFORNIA



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City Clerk

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Executive Officer

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refer to File No.

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012

Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

CLAUDIA M. DUNN
Chief, Council and Public Services Division

www.cityclerk.lacity.org

07-1379

CD 13

June 6, 2007

Jerry Neuman
Allen Matkins
515 S. Figueroa Street, 7th Floor
Los Angeles, CA 90071

Councilmember Garcetti
City Planning Department
Attn: Mark Lopez (w/copy of Ordinance)
cc: Director of Planning
cc: Geographic Information Section
Attn: Fae Tsukamoto

Bureau of Engineering
Land Development Group
Department of Transportation
Traffic/Planning Sections
Department of Building and Safety
c/o Zoning Coordinator
cc: Residential Inspection Unit
Bureau of Street Lighting
"B" Permit Section
Fire Department

Rick Holcomb
Camden U.S.A., Inc.
8105 Irvine Center Drive, Ste. 750
Irvine, CA 92618

RE: ZONE CHANGE FOR PROPERTY AT 1540 NORTH VINE STREET

At the meeting of the Council held MAY 16, 2007, the following action was taken:

Attached report adopted	<u> X </u>
Attached motion (-) adopted	<u> </u>
Attached resolution adopted	<u> </u>
FORTHWITH	<u> </u>
Mayor concurred	<u> </u>
To the Mayor FORTHWITH	<u> X </u>
Motion adopted to approve communication recommendation(s)	<u> </u>
Motion adopted to approve committee report recommendation(s)	<u> </u>
Ordinance adopted	<u> X </u>
Ordinance number	<u> 178836 </u>
Posted date	<u> 5-30-07 </u>
Effective date	<u> 7-9-07 </u>
Mayor approved	<u> 5-25-07 </u>
Findings adopted	<u> X </u>
Mitigated Negative Declaration adopted.....	<u> X </u>

City Clerk
kw



TIME LIMIT FILE - JULY 31, 2007

(LAST DAY FOR COUNCIL ACTION - JULY 31, 2007)

Summary:

At its meeting held May 8, 2007, the Planning and Land Use Management Committee recommended that Council approve the accompanying Zone Change Ordinance from C4-2D-SN to (T)(Q)C4-2-SN for the proposed construction of a 428,423 square foot mixed-use building, 11-stories high, consisting of 306 apartment units and a ground floor grocery market of approximately 67,500 square feet with an overall floor area ration of 4.5:1 (4.5 times the buildable area of the lot) for property at 1540 North Vine Street, subject to Conditions of approval. (The CPC also approved a Conditional Use and Site Plan Review for this project.)

The Committee recommended approval of the proposed Zone Change.

As indicated in Recommendation No. 5 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

. . . whenever property remains in a "Q" Qualified classification for six years . . . after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

MEMBER	VOTE
REYES:	YES
HUIZAR:	ABSENT
WEISS:	YES

BG:ys
5-9-07
CD 13
Attachment: Ordinance
"Q" and "T" Conditions of Approval

Mit. Neg. Dec., Rpt., Ord. + Findings
ADOPTED

MAY 16 2007

LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH

#071379

CPC-2006-3871-ZC-CUB-SPR

(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.

1. **Use.** The development of the subject property shall comply with all applicable provisions of the C4-2-SN Zone.
2. **Site Plan.** The use and development of the property shall be in substantial conformance with the plans, renderings and elevations submitted with the application and marked Exhibit E-3 through E-7, dated March 8, 2007 and attached to the subject City Plan Case 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 and floor plans indicating the location of all areas for which the CUB permit is being requested, shall be submitted to the satisfaction of the Planning Department.
NOTE: Sign renderings and elevations are not a part of the subject request.
3. **Floor Area.** The project shall comply with the following:
 - a. Maximum allowed Floor Area Ratio: 4.5 times the buildable area of the lot;
 - b. Maximum 428,423 square feet of mixed use development;
 - c. Maximum 306 apartment units;
 - d. Maximum 69,000 square feet of grocery/retail sales.
4. **Height.** The height of all buildings and structures on the subject property shall not exceed 11 stories or 145 feet as defined by Sections 12.03 and 12.21.1B 3 of the L.A.M.C. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.
5. **Parking.** A minimum of 800 on-site parking spaces shall be provided as follows: a minimum of 250 subterranean commercial parking spaces and a minimum of 550 residential parking spaces.
 - a. Parking in excess of LAMC requirements, when not otherwise utilized by retail patrons, shall be made available for use and access by the general public. The number of spaces provided, their location and access shall be in substantial conformance with the site plans marked Exhibit E-3 and attached to the administrative file.
 - b. The applicant shall prepare and implement a TDM/Ridesharing Plan for the development. The TDM/Rideshare Plan should focus on alternative transportation options. The plan shall be reviewed and approved by LADOT, in consultation the Department of City Planning and the applicable Council Office. The TDM/Rideshare Plan shall include at a minimum:
 1. Dedicated parking spaces for use by a carshare/rideshare program;
 2. Adequate bicycle parking facilities (number of racks to be determined by the Departments of City Planning and Transportation);
 3. Preferential parking for hybrid vehicles (developer to disclose the number and location of spaces);
 4. Metro pass promotional plan for new residents and employees.
6. **Hours of Operation.** The proposed market use shall have hours of operation from 6:00am to 12:00 am Monday through Sunday. Use of any patio or outside café shall cease at 10:00pm.
7. **Security.** A minimum of one, private, State licensed, uniformed, security guard(s) shall be present on-site, during operating hours.

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8. **Los Angeles Community Redevelopment Agency (LAICRA) Requirements.** The subject project shall conform to all applicable provisions/requirements of the Redevelopment Agency and the Redevelopment Plan for the Hollywood Redevelopment Project area.
9. **Signs.** Issue no sign permit for the construction, erection, reconstruction, rehabilitation, addition to or structural alteration of any sign on a lot located in whole or in part within the Hollywood Signage Supplemental Use District area unless and until any and all applicable requirements of the SUD are complied with, and any required approval is obtained from the Department of City Planning, Community Planning Metro Bureau. Any master sign program appeal or exception, which would go to the Central Area Planning Commission will instead be directed to the City Planning Commission.
10. **Design.** The design of the project shall be in substantial conformance with the site plans renderings and elevations dated March 8, 2007, attached to the administrative file. The building design shall conform to the following:
 - a. Façades along pedestrian frontages shall include a variety of features such as: a combination of different textures, colors and materials; distinctive architectural features; display windows; signage; setbacks and differentiated massing; rooflines; shade and shadow features.
 - b. The façade shall create or reinforce an existing façade rhythm.
 - c. Upper floors shall be differentiated from the ground floor.
 - d. There shall be no blank walls along pedestrian frontages; walls shall incorporate a combination of elements such as: sculpted, carved or penetrated wall surface; planters, murals; mosaics; public art, including the proposed façade treatment along Selma Avenue; awnings and/or lighting.
 - e. At corners, the building frontage shall consider building cut-offs in response to any need to accommodate pedestrians and to protect pedestrian safety, security and enjoyment.
 - f. A physical partition shall be required between the patio and/or side-walk café area(s) and any adjacent to open public area
11. **Cultural Resources.** Prior to the issuance of any building permits, the applicant shall submit the project to the Los Angeles City Office of Historic Resources for review. Compliance with all applicable requirements shall be required. Prior to any disturbance to the Walk of Fame, a City of Los Angeles designated Historic Cultural Landmark (HCM No. 194), the project applicant shall contact the Hollywood Chamber of Commerce directly via letter detailing the location of the proposed project, its potential impact on the Walk of Fame, project timeline, list of effected stars and surrounding sidewalk area, proposed procedures for removal of stars, where and for how long the stars will be stored, how they will be secured and other relevant details. The Chamber will reply via letter with the required procedures related to alterations to the Walk of Fame and a list of contractors approved for such work. Additionally, the Chamber will request a formal in-person meeting between the property owner and Chamber officials to discuss the process in greater depth. The Chamber's contact person for written correspondence is Ms. Anna Holler (stargirl@hollywoodchamber.net), who can be reached via telephone at 323-469-8311. Hollywood Chamber of Commerce, 7018 Hollywood Boulevard, Hollywood, CA 90028. Accepting that specific details for removal, storage and replacement of effected stars and terrazzo will be determined through coordination with the Chamber, the following general procedures shall be implemented:
 - a. Photographic and documentary recordation of the location of each Walk of Fame star potentially impacted by project construction shall be completed by a qualified architectural historian;
 - b. Prior to any construction or demolition activities that have the potential to damage the

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sidewalk along Vine Street, each section of sidewalk containing a star that cannot be reasonably protected in place shall be cut and carefully removed within its respective bronze-bordered square as specifically directed by Chamber procedures. Each effected star shall be promptly crated and stored, at a secured off site location; and,

- c. Following completion of project construction, reinstallation of each effected star at its original documented location shall occur within a newly poured, color-matched terrazzo sidewalk with work completed to the satisfaction of the Chamber.

12. **Site Plan Review.** The subject Site Plan Review is approved subject to any appeals and shall be subject to any applicable requirements of the Hollywood Signage Supplemental Use District.

B. Environmental Conditions.

13. **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 Planning Department.

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

15. **Lighting.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties

16. **Glare.** The exterior of the proposed building shall be constructed of materials such as high-performance tinted non-reflective glass and pre case concrete or fabricated wall surfaces.

17. **Air Pollution (Stationary).** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the diminished air quality effects on occupants of the project.

18. **Archaeology.** If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology, California State University Fullerton, OR a member of the Society of Professional Archaeologist (SOPA), OR a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center. A covenant and agreement shall be recorded prior to obtaining a grading permit.

19. **Paleontology.** If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology, University of Southern California, University of California at Los Angeles, California State University at Los Angeles, California State University at Long Beach, or the Los Angeles County Museum of Natural History to assess the resources and evaluate the impact. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Museum of Natural History. A covenant and agreement shall be recorded prior to obtaining a grading permit.

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20. **Seismic.** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
21. **Construction (Air Quality).**
- 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.
 - b. The owner or contractor shall maintain the construction area sufficiently dampened to control dust caused by grading, construction and hauling, and at all times provide reasonable control of dust caused by wind.
 - c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
 - e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent the generation of excessive amounts of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Construction (Noise). 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.

- a. Construction 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.
- b. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously that causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- d. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, to insure an acceptable interior noise environment

General Construction.

- a. 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.
- b. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- e. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and to limit the tracking of sediment into streets.
- f. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills

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22. **Food Service Industry (Restaurants, Bakeries, Food Processors) and Storm Water Run Off: Mixed Use Residential Buildings.** The following measures shall be incorporated.
- a. Compliance with Ordinance Nos. 172,176 and 173,494 (Stormwater and Urban Runoff Pollution Control), which require the application of Best Management Practices (BMPs).
 - b. Compliance with Chapter IX, Division 70 of the Municipal Code, which addresses grading, excavations, and fills.
 - c. Compliance with The Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Quality Control Board (A copy of the SUSMP can be downloaded at <http://www.swrcb.ca.gov/rwqcb4/>).
 - d. Stormwater BMPs shall be incorporated to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the *Development Best Management Practices Handbook Part B Planning Activities*. A signed certificate shall be required from a California licensed civil engineer or licensed architect that the proposed BMPs comply with this numerical threshold standard.
 - e. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
 - f. Maximize trees and other vegetation at the site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
 - g. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
 - h. Cleaning of oily vents and equipment to be performed within designated covered area, sloped for wash water collection and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
 - i. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.
 - j. Reduce and recycle wastes, including oil and grease.
 - k. Store liquid storage tanks (drums and dumpsters) in designated paved areas with impervious surfaces in order to contain leaks and spills install a secondary containment system such berms, curbs or dikes, use drip pans or absorbent materials whenever grease containers are emptied.
 - l. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
 - m. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
 - n. Legibility of stencils and signs must be maintained.
 - o. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
 - p. Any connection to the sanitary sewer shall be required to receive authorization by the Bureau of Sanitation.
 - q. The owner shall record a covenant and agreement satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions. Prescriptive Methods detailing BMPs specific to the "Restaurant" project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These

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Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org.

- s. The following activity is to be conducted under proper cover with drain routed to the sanitary sewer.; Handling or storage of hazardous wastes.
- Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
 - Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
 - Reduce the use of hazardous materials and waste by: using detergent-based or water-based cleaning systems; and avoid chlorinated compounds, petroleum distillates, phenols and formaldehyde.
 - Convey runoff safely from the tops of slopes and stabilize disturbed slopes.
 - Utilize natural drainage systems to the maximum extent practicable.
 - Control or reduce or eliminate flow to natural drainage systems to the maximum extent practicable.
 - Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
 - The storage area must be paved and sufficiently impervious to contain leaks and spills.
 - The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
23. **Increased Noise Levels (Parking Structure Ramps).** Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.
24. **Fire.** The requirements of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
- a. Fire lanes, where required, shall be a minimum of 20 feet in width;
 - b. All structures shall be within 300 feet of an approved fire hydrant;
 - c. Entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
25. **Solid Waste.** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and appropriately recycled as a part of the projects regular solid waste removal program.
- C. **Conditions Volunteered by the Applicant.**
26. **Hollywood Mobility Trust Fund.** Prior to the issuance of building permits, the applicant shall deposit \$850,000.00 into the (soon to be established) Hollywood Mobility Trust Fund. The Fund shall be used for community benefits designed to improve the quality of life and foster a variety of mobility options for Hollywood residents.
27. **Affordable Housing Fund.** Funding in the amount of \$1,500,000.00 shall be provided for the development of off-site affordable housing. The applicant shall work with Council District 13 to

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determine the allocation of such funds to affordable housing developments within ½ mile of the project site that will facilitate a minimum of 31 units of low to very low affordable housing. Such funds shall be provided prior to the issuance of a Certificate of Occupancy for the applicant's project or any portion thereof. Receipt and allocation of such funds shall be acknowledged by the recipient of the funds and Council District 13 in satisfaction of this condition.

28. **Archaeology.** Prior to removal of parking lot pavement, a qualified archaeologist who meets the Secretary of the Interior Standards for Archaeology (prehistoric and historical-period) (36 CFR 61) shall be retained by the Applicant and approved by the City of Los Angeles to perform a site inspection of the ground beneath the pavement. This inspection, to be initiated upon removal of the parking lot paving, shall include survey of exposed ground surfaces, and may include sample screening of sediment disturbed by the parking lot removal and limited sub-surface testing if deemed appropriate by the qualified archaeologist. If archaeological resources are identified, the archaeologist shall have the authority to halt construction in order to assess the find, until assessment is complete. The archaeologist shall then prepare a report summarizing the results of the investigation including documentation and significance assessment of those cultural resources encountered. The results shall also include recommendations regarding which portions of the Project should be further monitored during construction, if any. If no archaeological resources are found, the inspecting archaeologist shall prepare a report summarizing survey methods and conclusions. This report also shall include recommendations with respect to the need for any further archaeological resource monitoring of earth-moving activities on the Project site.

If unknown archaeological and/or cultural materials are discovered during any remedial grading or excavation activity not monitored by a qualified archaeologist (as defined above), work shall stop in the immediate area and the applicant and City of Los Angeles (City) shall be notified. A qualified archaeologist (as defined above) shall be consulted to determine the discovery's significance and, if necessary, develop a mitigation plan. This plan should include avoidance alternatives, if feasible, to mitigate impacts. Work will be allowed to resume in the area of the discovery only with the approval of the qualified archaeologist. If the discovered cultural materials are prehistoric in nature or include Native American remains, the Project archaeologist shall contact the City and arrange for a Native American monitor to be retained to assist in the identification of the resources or human remains. The Native American monitor shall be retained by the applicant from a list of suitable candidates from the Native American Heritage Commission.

29. **Construction Monitoring for Paleontological Resources.** A qualified paleontologist shall be retained by the Applicant and approved by the City of Los Angeles. At the onset of excavation or grading activity in sediments four feet or more below the original ground surface, the paleontologist shall determine if the sediments on-site exhibit high or low potential for encountering subsurface paleontological resources.

If sediment appropriate to produce vertebrate macrofossils is encountered, all excavation or grading activity in native sediments four feet or more below original ground level shall be monitored until rough grading is 50% complete. If no paleontological resources have been detected up to that point, monitoring can be reduced to part time or to on-call status, at the discretion of the paleontologist. If sediment appropriate to produce vertebrate microfossils is encountered, it shall be tested. If found to be fossiliferous, a standard sample (6,000 pounds) of each fossiliferous horizon shall be stockpiled, and later processed for recovery of vertebrate microfossils. If fossils are found during monitoring, the paleontologist shall prepare a report summarizing the results of the monitoring program including methods of fossil recovery, preparation, and curation, and a description of the fossils collected and their significance. A copy of the report shall be provided to the Applicant and to the City of Los Angeles. The fossils and a copy of the report will be deposited in an accredited curation facility. In the event the paleontologist determines that the site exhibits low potential for encountering resources, excavation

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need not be monitored. If potential resources are encountered without the paleontologist on site, work in the area shall be halted until the area can be evaluated by the paleontologist and any necessary follow-up procedures implemented.

If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.

D. Administrative Conditions of Approval.

30. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees 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.
31. **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.
32. **Code Compliance.** Los Angeles Municipal Code area, height, open space and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
33. **Covenant.** The Department of Building and Safety shall not issue any building permit for construction on a lot or lots within the Specific Plan area until the owner of the property has executed and recorded with the County Recorder a Covenant and Agreement acknowledging and accepting the contents and limitations of this Specific Plan. The covenant and agreement shall be executed by all fee owners of the property, shall run with the land and shall be binding on future owners, successors, heirs, or assignees of the owners. A certified copy of the recorded covenant shall be delivered to the Departments of City Planning and Building and Safety prior to the issuance of any building permit(s).
34. **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.
35. **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.
36. **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.
37. **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 to

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impose additional corrective conditions, if, in the Commission's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

38. **Utilization of Entitlement.** The applicant/owner shall have a period of two years (for the Conditional Use) from the effective date of the subject grant to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the privileges, the applicant files a written request and is granted an extension to the termination period for up to one additional year pursuant to Section 12.24 J of the Municipal code. Thereafter, the entitlement shall be deemed terminated and the property owner shall be required to secure a new authorization for the use.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedication(s) and Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary). The Vine Street frontage has been exempted from these requirements for dedications and improvements because of its Historic Cultural Monument status. (HCM No. 194).

A. Responsibilities/Guarantees.

- 1.) As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
- 2.) Prior to issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

B. Street Dedications and Improvements.

1. Dedications Required:

Vine Street (Major Highway Class II) - None.

Selma Avenue (Local Street) - None.

Argyle Avenue (Local Street) - None.

2. Improvements Required:

Vine Street - None.

Selma Avenue - Remove and reconstruct existing curb, gutter and sidewalk. Contact the Urban Forestry Division of the Bureau of Street Services to determine if the existing trees require removal or root trimming.

Argyle Avenue - Repair any broken, off-grade or bad order concrete curb, gutter and sidewalk to the satisfaction of the City Engineer. Close any unused driveways.

- ### C.
- Sewer lines exist along Vine Street, Selma and Argyle Avenues to serve this project. Extension of the 6-inch house connection laterals to the new property line will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a Building Permit. An investigation by the Bureau of Sanitation may be necessary to determine the capacity of the existing sewers to

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accommodate the additional flow that will be generated by the proposed development. Submit a request to the Bureau of Engineering Central District public counter located at 201 N. Figueroa Street, 3rd floor.

- D. No major drainage problems are involved. Roof drainage and surface run-off from the project site shall be collected and treated at the site and directed to the streets via drain systems constructed under the sidewalk and through the curb drains connected to the catch basins.
- E. **Street Lighting:** Installation of street lights to the satisfaction of the Bureau of Street Lighting. If new street light(s) are required, the property within the boundary of the development shall be formed or annexed into a Street Lighting Maintenance Assessment District prior to final recordation or issuance of the Certificate of Occupancy.
- F. Install tree wells with root barriers and plant trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal may be required in conjunction with the street improvements and may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information at (213) 458-5675.
- G. Submit a parking area and driveway plan to the Central District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
- H. Preparation of a plot plan to the satisfaction of the Fire Department.
- I. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N, to the satisfaction of the Department of Telecommunications.
- J. **Recreation and Parks Dedication.** Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park and recreational purposes or pay the applicable Quimby fees for construction of condominiums, or Recreation and Park fees for construction of apartment buildings.
- K. The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
- L. Prior to the issuance of a clearance letter to the department of City Planning, all engineering fees pertaining to Ordinance 176,077 adopted by the Los Angeles City Council must be paid in full at this office.

Notice. If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice. Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.