

CONDITIONS OF APPROVAL

1. **Site Development.** The project shall be in substantial conformance with the plans and materials submitted by the Applicant, including the proposed building design elements and materials, stamped "Exhibit A," dated December 3, 2024, attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Project Planning Bureau, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 77 multi-family residential dwelling units, including On-Site Restricted Affordable Units.
3. **On-Site Restricted Affordable Units.** 12 units shall be reserved for Very Low Income households, as defined by the California Government Code 65915 and by the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
4. **Changes in On-Site Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25.
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make 12 units available to Very Low Income Households or equal to 16 percent of the project's total base residential density allowed, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the project's Replacement Unit Determination. Enforcement of the terms of said covenant shall be the responsibility of LAHD. The Applicant shall submit a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD.
6. **Averaging (Incentive).** Development rights related to FAR, density, parking, open space, and vehicular access shall be averaged across the site instead of segregated into the underlying C2-1VL and R4P-1 Zones.
7. **Floor Area Ratio (FAR) (Incentive).** The project total Floor Area shall be limited to 74,282 square feet or 2.99:1 FAR per Exhibit "A".
8. **Height (Waiver).** The project shall be limited to a maximum height of 71 feet and six (6) stories as shown on sheets A-3.5 and A-3.6 of Exhibit "A".
9. **Transitional Height (Waiver).** The project shall not be subject to the Transitional Height requirement at the C2-1VL..
10. **Setback (Incentive).** The project shall have a minimum 5-foot rear yard setback.

11. **Parking Per AB 2345.** The project shall be allowed to provide a minimum of one (1) parking space per unit for studio and one- bedroom units and 1.5 spaces per unit for two- bedroom units pursuant to California Government Code Section 65915 (AB 2345). The project is providing 84 parking spaces, as shown in Exhibit "A".
12. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16 and Exhibit "A".
13. **Landscape Plan.** The landscape plan shall indicate landscape points for the project equivalent to **10% more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
14. **Soil Depths.** Shrubs, perennials, and groundcover shall require a minimum soil depth as follows:
 - a. A minimum depth with a height ranging from 15 to 40 feet shall be 42 inches.
 - b. A minimum depth with a height ranging from 1 to 15 feet shall be 24 to 36 inches.
 - c. A minimum depth with a height of less than 1 foot shall be 18 inches.
 - d. A minimum depth of an extensive green roof shall be 3 inches.

Trees shall require a 42-inch minimum soil depth. Further, the minimum amount of soil volume for tree wells on the rooftop or any above grade open spaces shall be based on the size of the tree at maturity:

- e. 220 cubic feet for trees with a canopy diameter ranging from 15 to 19 feet.
 - f. 400 cubic feet for trees with a canopy diameter ranging from 20 to 24 feet.
 - g. 620 cubic feet for trees with a canopy diameter ranging from 25 to 29 feet.
 - h. 900 cubic feet for trees with a canopy diameter ranging from 30 to 34 feet.
15. Street Dedications and Improvements.

Dedications

- a. Sepulveda Boulevard (Boulevard II) – A variable width to a 5-foot wide strip of land along the property frontage to complete a 55-foot wide half right-ofway in accordance with Boulevard II standard.

Improvements

- b. Sepulveda Boulevard – Construct a new full-width concrete sidewalk along abutting the new property line. Repair and or replace any broken, off-grade concrete curb, gutter and adjacent roadway pavement. Close all unused driveways with full height concrete curb, 2-foot gutter and sidewalk.
- c. Alley (East of Sepulveda Boulevard) – Repair any broken, damaged, cracked or off-grade alley pavement and longitudinal concrete gutter. Upgrade the alley intersection at Sepulveda (as necessary) per BOE standard.
- d. Alley (North of National Boulevard) – Repair any broken, damaged, cracked or off-grade alley pavement and longitudinal concrete gutter.

Notes: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than ¼ inch from the surrounding concrete work or are

separated from the main body of the concrete piece by a crack through the entire vertical segment and greater than 1/8 inch at the surface of the section.

Non-ADA compliant sidewalk shall include any sidewalk that has a cross slope that exceeds 2% and/or is depressed or upraised by more than 1/4 inch from the surrounding concrete work or has full concrete depth cracks that have separations greater than 1/8 inch at the surface. The sidewalk also includes that portion of the pedestrian path of travel across a driveway.

All new sidewalk curb and gutter shall conform to the Bureau of Engineering Standard Plans S410-2, S440-4, S442-6 and S444-0.

Upgrade all existing curb ramps to comply with ADA requirements. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information at <https://engpermits.lacity.org/public> or via <https://appointments.lacity.org/apptsys/Public/Account>.

Board of Public Works approval be obtained for the removal of any tree in the existing or proposed right-of-way area associated with the improvement requirements outlined herein. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for removal of such trees.

Notes: Street lighting may be required satisfactory to the Bureau of Street Lighting at <https://lalights.lacity.org> or via <https://appointments.lacity.org/apptsys/Public/Account>.

Department of Transportation may have additional requirements for dedication and improvements.

Refer to the Department of Transportation regarding traffic signals, signs and equipment at (213) 485-1062 or via <https://appointments.lacity.org/apptsys/Public/Account>.

Regarding any conflicts with power pole matters, contact the Department of Water and Power at (213) 367-0562 or via <https://appointments.lacity.org/apptsys/Public/Account>.

Refer to the Fire Department Hydrants and Access Unit regarding fire hydrants at (213) 482-6543 or via <https://appointments.lacity.org/apptsys/Public/Account>.

c. Provide proper drainage for street being improved and for the site being developed. Any discharge of roof or site storm water drainage must be through a curb outlet. Discharge must be by gravity flow or approved outlet structure from the property line to the curb face.

d. Sewer lines exist in Sepulveda Boulevard and in the alley east of Sepulveda Boulevard. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

e. Submit a request to the West Los Angeles (WLA) District Office sewer counter to determine the capacity of the existing public sewer to accommodate the proposed development at <https://engpermits.lacity.org/public> or via <https://appointments.lacity.org/apptsys/Public/Account>.

d. Submit a parking area and driveway plan to the WLA District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

16. Street Trees.

- a. Street Trees. Street trees shall be provided to the satisfaction of the Urban Forestry Division.
- b. Street trees may be used to satisfy on-site tree requirements pursuant to LAMC Section 12.21 G.3 (Chapter 1, Open Space Requirement for Six or More Residential Units). Per Exhibit "A" and 12.21 G.3, two (2) Street trees shall be provided.
- c. Required Trees per 12.21 G.2. As conditioned herein, a final submitted landscape plan shall be reviewed to be in substantial conformance with Exhibit "A." There shall be a minimum of eight (8) 24-inch box, or larger, trees on site pursuant to LAMC Section 12.21 G.2. Any required trees pursuant to LAMC Section 12.21 G.2 shown in the public right-of-way in Exhibit "A" shall be preliminarily reviewed and approved by the Urban Forestry Division prior to building permit issuance. In-lieu fees pursuant to LAMC Section 62.177 shall be paid if placement of required trees in the public right-of-way is proven to be infeasible due to City determined physical constraints.

17. Stormwater/irrigation. The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.

18. Lighting Design. Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.

19. Heat Island Effect. To reduce the heat island effect, a minimum of 50% of the area of pathways, patios, driveways or other paved areas shall use materials with a minimum initial Solar Reflectance value of 0.35 in accordance with ASTM (American Society of Testing Materials) standards.

20. Solar and Electric Generator. Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible.

Or: Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators shall be used during construction. (WL)

21. Solar-ready Buildings. The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

22. Signage. There shall be no off-site commercial signage on construction fencing during construction.

Assembly Bill (AB) 130 Conditions

23. (If requested by a California Native American tribe) The project shall include tribal monitoring during all ground-disturbing activities, as follows:
 - a. The California Native American tribe shall designate the monitor.
 - b. The tribal monitor shall comply with applicant's site access and workplace safety requirements.
 - c. The applicant shall compensate the tribal monitor at a reasonable rate, determined in good faith, that aligns with customary compensation for cultural resource monitoring, taking into account factors such as the scope and duration of the project.
24. Tribal cultural resources shall be avoided where feasible, in accordance with subdivision (a) of PRC Section 21084.3. In furtherance of this requirement, where feasible, the project applicant shall provide deference to tribal preferences regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal traditional knowledge in the protection and sustainable use of tribal cultural resources and landscapes.
25. All treatment and documentation of tribal cultural resources shall be conducted in a culturally appropriate manner, consistent with PRC Section 21083.9.
26. A California Historical Resources Information System (CHRIS) archaeological records search and a tribal cultural records search shall be completed for the project site.
27. A Sacred Lands Inventory request shall be submitted to the Native American Heritage Commission.
28. The project shall comply with Section 7050.5 of the Health and Safety Code and PRC Section 5097.98, including immediate work stoppage upon discovery of human remains or burial grounds, and treatment in accordance with applicable law and in consultation with the affected California Native American tribe.
29. An application of tribal ecological knowledge into habitat restoration efforts undertaken by the project as applicable to the specific environmental context and conditions of the project.
30. The development proponent shall complete a Phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code, prior to effectuating the associated project entitlement and/or issuance of a demolition, grading, or building permit.
31. If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.
32. If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.
33. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.

34. Freeway Proximity Requirements.

- a. The building shall have a centralized heating, ventilation, and air-conditioning system.
- b. The outdoor air intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway.
- c. The building shall provide air filtration media for outside and return air that provides a minimum efficiency reporting value of 16.
- d. The air filtration media shall be replaced at the manufacturer's designated interval.
- e. The building shall not have any balconies facing the freeway.

35. Fire Department. Submit plot plans for Fire Department approval and review prior to issuance of building permits.

36. Department of Transportation.

Worksite Traffic Control Requirements: DOT recommends that a construction work site traffic control plan be submitted to DOT's Citywide Temporary Traffic Control Section or Permit Plan Review Section for review and approval prior to the start of any construction work. Refer to <http://ladot.lacity.org/what-we-do/plan-review> to determine which section to coordinate review of the work site traffic control plan. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. DOT also recommends that all construction on related truck traffic be restricted to off-peak hours to the extent feasible.

Administrative Conditions

37. Final Plans. Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.

38. Notations on Plans. Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.

39. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

40. Code Compliance. Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.

41. Department of Building and Safety. The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to

the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

42. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

43. **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 \$50,000. 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.