

CONDITIONS OF APPROVAL

1. **Site Development.** The project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, 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 provisions of the Municipal Code or project conditions.
2. **Automobile Parking.** Pursuant to California Government Code Section 65585 and Assembly Bill 2097 (2021), the project shall be allowed to provide a minimum of zero parking spaces. The project is voluntarily providing 344 parking spaces, as shown in Exhibit "A".
3. **Floor Area Ratio (FAR).** The project total Floor Area shall be limited to a maximum of 1.5:1 per Section 9A of the Crenshaw Corridor Specific Plan (CCSP).
4. **Use.** The project shall not include any use prohibited by Section 6A of the Crenshaw Corridor Specific Plan (CCSP). Uses limited by the Specific Plan shall be in conformance with Section 6B of the CCSP and must be reviewed by the Department of City Planning, West/South/Coastal Project Planning Division, and obtain written approval by the Director of Planning.
5. **Studio Land Use.** The uses permitted within the boundaries of the subject property shall be consistent with the following Studio Land Uses: Sound Stage, Production Support, Production Office, Set Production, General Office, and Restaurant/Retail, including ancillary uses pursuant to Los Angeles Municipal Code (LAMC) Section 12.24.U.15.
6. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21 A.16.
7. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
8. **Parking Structure Design.** Parking structures or that portion of a building or structure that is used for parking at grade or above grade shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties.
9. **Landscape Plan.** 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. 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".
10. **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.

11. **Street Trees.**

- a. New street trees shall be planted within the public right-of-way, where feasible, at a ratio of at least one (1) tree for every 25 feet of lot length, to the satisfaction of the Bureau of Street Services, Urban Forestry Division, Department of Public Works.
- b. The project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.
- c. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The subdivider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

12. **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.

13. **Lighting.** All pedestrian walkways and vehicle access points will be well-lit. All outdoor lighting will be shielded to prevent excessive illumination and mitigate light impacts on adjacent residential properties and the public right-of-way. Utilize adequate, uniform, and glare-free lighting, such as dark-sky compliant fixtures, to avoid uneven light distribution, harsh shadows, and light spillage.

14. **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.

15. **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.

16. **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.

17. **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.

18. **Rooftop Equipment.** All rooftop equipment shall be screened to the top of the equipment. The mechanical systems shall be located at a minimum of 10 feet from the property line, ensuring it is not visible from adjacent properties.

19. **Underground Utilities.** To the extent physically feasible, all new utility lines that directly service a Project shall be installed underground. If underground service is not currently available, then provisions shall be made for future underground service, as determined appropriate by the Department of Water and Power per Section 13 of the Crenshaw Corridor Specific Plan (CCSP).

20. **Streetscape Requirements.** When right-of-way improvements are required of any Project I the Specific Plan area, pursuant to LAMC Section 12.37, LAMC Chapter 1, Articles 2 or 7, or other City ordinance, for a right-of-way with a streetscape plan, the improvements shall be consistent with the streetscape plan unless the LADOT General Manger or the City Engineer finds either of the following:

- a. Consistency with the streetscape plan is not feasible or practical;
- b. The cost of making the improvement consistent with the streetscape plan is generally in excess of the cost to other property owners who are required to make improvements consistent with the streetscape plan in the streetscape plan area.

21. **Design Review Board.** The project shall comply with the following conditions of the Crenshaw Corridor Design Review Board.

- i. There shall be no electronic signs on the property, except the proposed electronic signs located on the south façade of Building F, oriented towards the internal plaza.
- ii. All DWP transformers shall be screened.
- iii. The blue columns/bollards along Santa Rosalia Drive and Stocker Street shall be redesigned in a softer shape.
- iv. The pedestrian gate on Santa Rosalia Drive which provides public access on the property shall remain open during business hours.
- v. Make the corner wall condition on Stocker and Don Felipe more cohesive, wrap it, and add a 3D art element.
- vi. The parking sign located on the corner of Santa Rosalia Drive and Stocker shall include less white background space and shall not exceed the height of the railing located behind it

22. **Campus Signage.** Projects with a floor area of 50,000 square feet or more shall comply with LAMC Chapter 1, Article 4.4.

23. **Security Devices.** Exterior roll-down doors shall be no less than 75 percent transparent.

Conditions for On-Site Alcohol Consumption, Live Entertainment and Dancing

24. **Authorization.** Approved herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption, live entertainment and public dancing in conjunction with a maximum of four establishments shall be allowed for the sale and service of a full line of alcoholic beverages for onsite consumption, including, but not limited to, restaurant, bar, or other space upon the following:
 - a. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
 - b. The hours of operation are limited to 7 a.m. to 2 a.m. daily.
25. A maximum of four establishments shall be allowed for the sale and service of a full line of alcoholic beverages for onsite consumption, including, but not limited to, restaurant, bar, or other space.
26. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
27. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning (City Planning) and the Department of Building and Safety (LADBS) for purposes of having a building permit issued at any time during the term of this grant.
28. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
29. Prior to the effectuation of this grant, a Covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office.
30. The Covenant and Agreement (CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in the case file.
31. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
32. Electronic age verification device(s) may be used to determine the age of any individual attempting to purchase alcoholic beverages. If utilized, these devices shall be installed or utilized as handheld devices on the premises, maintained in an operational condition, and all establishment employees shall be instructed in their use.
33. Each employee of said establishment/permittee who sells or serves alcoholic beverages shall enroll in, attend and complete a certified, State Department of Alcoholic Beverage Control (ABC)-recognized, training program for the responsible sale and service of alcohol. This training shall be scheduled for new employees within 30 days of the opening of the establishment, or within 30 days after the start of employment, whichever applies. A record of the completion of this training program shall be maintained on the premises and shall be presented upon request of the Director.

34. A copy of these conditions shall be retained on the premises at all times and be immediately produced upon the request of any peace officer, employee of the ABC, the LADBS, or City Planning. The on-site manager and employees shall be knowledgeable of the conditions herein.
35. MVIP – Monitoring Verification and Inspection Program. Prior to the effectuation of this grant, fees required per Section 19.01 E.3 of the Code - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations and Section 19.04 of the Code - Miscellaneous ZA Sign Offs shall be paid to the City.
36. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
 - a. The owner and operator shall be notified of any deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by LADBS which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the decision-maker.
 - b. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to City Planning within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
37. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (upon his/her initiative, or upon written request by the Los Angeles Police Department [LAPD] or ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to Code Section 19.01 E of the Code, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions.
38. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 300-foot radius of the property, the Council Office and LAPD's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

39. Complaint Log. A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
- a. Entry, visible to pedestrians.
 - b. Customer service desk, front desk or near the reception area. Complaints shall be responded to within 24 hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint; and (3) the manner in which the complaint was resolved.
40. STAR/LEAD/RBS Training. Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or ABC "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request LAPD or ABC to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
41. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by ABC and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
42. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris or litter.
43. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.

Restaurant Conditions

44. Restaurants with sales and service of alcohol shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
45. A restaurant, café, or food hall shall be considered a single permit and shall be permitted to sell a full line of alcoholic beverages from one or more bars, lounges, or restaurants/stalls within a single restaurant, cafe or food hall establishment.
46. Amplified Sound. Outdoor amplified sound shall comply with the City of Los Angeles Noise Ordinance as codified in Chapter XI of the Code.

Bar/Lounge Conditions

47. Designated Driver Program. Prior to the utilization of this grant, establishments that do not serve food with alcohol sales shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
48. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by LAPD.
49. Only the front door shall be used for patron access to bar/lounge uses. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times, other than to permit access for deliveries, trash removal, and emergency access.
50. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
51. The exterior windows and glass doors of the establishments shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
52. The applicant shall utilize social media, webpages, or other media to provide travel information to the establishment. Such information shall promote the use of alternate travel means to automotive transportation (walk, bike, public transit, rideshare/service, or carpool).

Environmental Conditions

53. The proposed project shall comply with the adopted Mitigation Monitoring Program in compliance with Appendix J of the State CEQA Guidelines.
54. GS-1 Qualified Professional Paleontologist. Prior to excavation, the project applicant shall retain a Qualified Professional Paleontologist, as defined by the Society of Vertebrates Paleontology's Standard Practices (SVPS) (2010). The Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources.

Paleontological Worker Environmental Awareness Program. Prior to the start of construction, the Qualified Professional Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel to comply with Policy CR9 of the West Adams-Baldwin Hills-Leimert Community Plan Implementation Overlay District.

Paleontological Monitoring. Initial part-time monitoring (i.e., spot-checking) shall be conducted for all ground-disturbing activities that reach 6 feet or more below the surface to check for the presence of geologic units of high sensitivity (i.e., Quaternary older alluvium). If such sediments are observed at depth, then full-time monitoring shall be conducted. Paleontological monitoring shall be conducted by a paleontological monitor with experience with collection and salvage of paleontological resources and who meets the minimum standards of the SVPS (2010) for a Paleontological Resources Monitor. The Qualified

Professional Paleontologist may recommend that monitoring be reduced in frequency or ceased entirely based on geologic observations. Such decisions shall be subject to review and approval by the City of Los Angeles. In the event of a fossil discovery by the paleontological monitor or construction personnel, all construction activity within 50 feet of the find shall cease, and the Qualified Professional Paleontologist shall evaluate the find. If the fossil(s) is (are) not scientifically significant, then construction activity may resume. If it is determined that the fossil(s) is (are) scientifically significant, the following shall be completed:

Fossil Salvage. The paleontological monitor shall salvage (i.e., excavate and recover) the fossil to protect it from damage/destruction. Typically, fossils can be safely salvaged quickly by a single paleontological monitor with minimal disruption to construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits. After the fossil(s) is (are) salvaged, construction activity may resume.

Fossil Preparation and Curation. Fossils shall be identified to the lowest (i.e., most-specific) possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Professional Paleontologist.

Final Paleontological Mitigation Report. Upon completion of ground-disturbing activities (or laboratory preparation and curation of fossils, if necessary), the Qualified Professional Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts. The report shall include a summary of the field and laboratory methods employed; an overview of project geology; and, if fossils were discovered, an analysis of the fossils, including physical description, taxonomic identification, and scientific significance. The report shall be submitted to the City of Los Angeles and, if fossil curation occurred, the designated scientific institution.

55. N-1 Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
56. N-2 A temporary construction noise barrier, or equivalent noise reduction strategy, shall be installed on the northern property line that is capable of reducing noise by 10 dBA or greater as needed at affected residences.
57. N-3 Noise and vibration construction activities whose specific location on the Project site may be flexible (e.g., operation of compressors and generators) shall be conducted as far away as possible from the nearest sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses. The construction contractor shall locate construction staging areas away from noise-sensitive uses.
58. N-4 Amplified sound shall not be permitted after 10:00 pm and special events with no amplified sound equipment shall not be permitted after 12:00 am without further study. The applicant shall prepare an acoustical study to predict operational noise levels of outdoor gathering spaces once the acoustical equipment layout and anticipated event hours and occupancy have been identified. The acoustical study shall predict noise levels based on amplified sound equipment locations, equipment maximum noise level, number of pieces of equipment, and occupancy of each of the outdoor gathering spaces. The acoustical study

shall identify any additional mitigation measures to ensure ambient noise levels at sensitive receptors would not result in an incremental increase in community noise equivalent level of 5 dBA or more at surrounding sensitive receptors. Noise reduction methods that may be implemented include, but are not limited to:

- a. Time restrictions on operation of amplified sound and events.
 - b. Design features, such as solid barriers to reduce noise at off-site sensitive receptors.
 - c. Restrictions on decibel levels of amplified sound equipment.
59. N-5 Prior to commencement of construction activity, a qualified structural engineer licensed in California shall survey the existing foundation and other structural aspects of Sanchez Ranch Adobe. The survey shall provide a shoring design to protect the identified land uses from potential damage. The qualified structural engineer shall submit a pre-construction survey letter establishing baseline conditions at the historic buildings. These baseline conditions shall be forwarded to the lead agency and to the mitigation monitor prior to issuance of any foundation only or building permit. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-on letter describing damage, if any, to the historic buildings. The letter shall include recommendations for any repair, as may be necessary, in conformance with the Secretary of the Interior Standards. Repairs to shall be undertaken and completed in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24) prior to issuance of any temporary or permanent certificate of occupancy for the new building.
60. T-1 The Project shall implement the following intersection improvements at Santa Rosalia Drive/Angeles Vista Boulevard and Stocker Street.
- a. Install a protected-only left-turn phase for the northbound Santa Rosalia Drive/Angeles Vista Boulevard at Stocker Street, which includes restriping the approach from a shared left-through and right-turn lane to a dedicated left-turn lane, a through lane, and a right-turn lane. Restriping of the approach may require the removal of existing on-street parking on both sides of the street.
 - b. Implement a protected-permissive left-turn phasing for the eastbound and westbound approaches of Stocker Street.
 - c. Install a dedicated right-turn lane for the southbound approach of Santa Rosalia Drive/Angeles Vista Boulevard.
61. T-2 The Project shall install stop signs or electronic warning devices at site access points; install stop-signs and pavement markings internal to the site; and install devices to augment driver/pedestrian sight lines.
62. T-3 Intersection improvement at Santa Rosalia Drive/ Angeles Vista Boulevard and Stocker Street.
- a. Install a protected-only left-turn phase for the northbound Santa Rosalia Drive/ Angeles Vista Boulevard at Stocker Street, which includes restriping the approach from a shared left-through and right-turn lane to a dedicated left-turn lane, a through lane, and a right-turn lane. Restriping of the approach may require the removal of existing on-street parking on both sides of the street.

- b. Implement a protected-permissive left-turn phasing for the eastbound and westbound approaches of Stocker Street.
 - c. Install a dedicated right-turn lane for the southbound approach of Santa Rosalia Drive/ Angeles Vista Boulevard.
 - d. Installation of stop signs or electronic warning devices at site access points
 - e. Installation of stop signs and pavement markings internal to the site.
 - f. Installation of devices to augment driver/pedestrian sight lines.
63. TCR-1: Prior to commencing any ground disturbance activities at the Project site, the Applicant, or its successor, shall retain qualified tribal monitors/consultants from the Gabrieleno Band of Mission Indians Kizh-Nation and a qualified archaeologist/archaeological monitor. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil, pavement removal, grubbing, tree removals, boring or a similar activity at the project site. Any tribal monitor/consultant shall be approved by the Gabrieleno Band of Mission Indians-Kizh Nation Tribal Government. A qualified archaeologist/archaeological monitor shall be identified as principal personnel who must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in Southern California. The archaeologist shall ensure that all other personnel associated with and hired for the archaeological monitoring are appropriately trained and qualified.
- a. While any ground disturbance activities are taking place, the archaeological and tribal monitors/consultants shall observe all ground disturbance activities on the project site at all times. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archaeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground disturbing activities are completed, or when the City has determined that the Project site has a low potential for impacting tribal cultural resources after consultation with the tribal monitor/consultant and archaeologist.
 - b. Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor/consultant, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that includes information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project site, for City inspection, documentation establishing the WEAP training was completed for all members of the construction crew involved in ground disturbance activities.
 - c. In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by the archaeologist, in consultation with the tribal monitor/consultant approved by the Gabrieleno Band of Mission Indians-Kizh

Nation, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- i. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities in the immediate vicinity of the find until the find can be assessed by the archaeologist and tribal monitor/consultant.
- ii. If the archaeologist and tribal monitor/consultant determine the resources are Native American in origin, the Gabrieleno Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes.
- iii. The Applicant, or its successor, shall implement the tribe's recommendations if the archaeologist, in consultation with the tribal monitor/consultant, reasonably conclude that the tribe's recommendations are reasonable and feasible.
- iv. In addition to any recommendations from the Gabrieleno Band of Mission Indians-Kizh Nation, the archaeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation. Any discrepancies between the implementation of the recommendations shall be resolved through the City as the Lead Agency, in consultation with the archaeologist and tribal monitor/consultant.
- v. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the archaeologist and tribal monitor/consultant and determined to be reasonable and appropriate.
- vi. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 4 above.
- vii. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
- viii. Notwithstanding paragraph 7 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, Section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.

- ix. Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken.

Department of Transportation Conditions

64. A minimum of 60-foot reservoir space be provided between any security gate(s) and the property line or as shall be determined to the satisfaction of the Department of Transportation.
65. The driveway from Stocker Street will be limited to ingress only or to right-turn restrictions if it is to be used for both ingress and egress or as shall be determined to the satisfaction of the Department of Transportation.
66. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk (not applicable when driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway), LAMC 12.21 A.
67. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestop@lacity.org.
68. That a fee in the amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

Administrative Conditions

69. **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.
70. **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.
71. **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.
72. **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.

73. **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.
74. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
75. **Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.

76. 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.