

CONDITIONS OF APPROVAL 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.

Dedications 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).

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. **Bureau of Engineering.** Prior to the issuance of signoffs 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.
 - a. Dedication Required:
 - i. **Sepulveda Eastway** (Collector Street) – None.
 - ii. **Westchester Parkway** (Boulevard II) – None.
 - b. Improvement Required:
 - i. **Sepulveda Eastway** – Remove existing sidewalk and all encroachments from the public right-of-way. Construct new integral concrete curb, 2-foot gutter and a 13-foot-wide concrete sidewalk. Remove the existing curb ramp and construct new ADA-accessible curb ramps. Repair any broken or off-grade roadway pavements. Comply with LADOT requirements of ZI-1874 Specific Plan: Los Angeles Coastal Transportation Corridor.
 - ii. **Westchester Parkway** – Remove the existing sidewalk and reconstruct a new minimum 5-foot-wide concrete sidewalk adjoining the curb and landscape the parkway. Construct new ADA-accessible curb ramps at the northeast corner with Sepulveda Eastway. Repair any broken or off-grade concrete curbs, gutters and broken roadway pavements.

Notes: Broken curb and/or gutter includes segments within existing score lines that are depressed or upraised by more than 1/4 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 ¼ 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>.

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.
- d. Sewer lines exist in Westchester Parkway. Extension of the house connection lateral to the new property line may be required. 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>.
- f. Obtain a revocable permit from the West Los Angeles (WLA) District Office for any landscaping, wall, fences or structures to remain in the public right-of-way at <https://engpermits.lacity.org/public> or <https://appointments.lacity.org/apptsys/Public/Account>.
- g. 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.

3. Bureau of Street Lighting.

- a. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, relocate and upgrade streetlights: one (1) on Sepulveda Eastway and one (1) on Westchester Pkwy.

4. Department of Transportation.

- a. 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). Each parking space, parking area, or loading area should be located such that vehicle maneuvers can be accomplished without driving onto the public right-of-way or sidewalk unless the public right-of-way is an alley or if it satisfies back-up maneuver space requirements, LAMC Section 12.21 A-5.
- b. A minimum of 20-foot reservoir space be provided between any security gate(s) or first parking stall (whichever comes first) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation. A project site that desires to secure driveways servicing non-residential land uses during the period of after business hours, will be allowed to install security gates at the property line. The property owner will be required to install and maintain signage "Security Gate Shall Remain Open During Business Hours" on the vehicle access gate(s) facing ingress traffic.
- c. Driveway(s) should be located as far from the intersection as possible. At a minimum, driveways on Arterial Streets should not be placed within 150 feet (or to the extent feasible) from the prolongation of the curb line of the intersecting street. Driveways on Collector or Local Streets should not be placed within 75 feet from the prolongation of the curb line of the intersecting street (or to the extent feasible) or as shall be determined to the satisfaction of the Department of Transportation. Therefore, recognizing that driveway design recommendations may vary depending upon site constraints, location, and usage. Existing driveways may be considered for review and approval as constructed if the project which has necessitated their review is of limited scope and they continue to meet the needs of the new land use or is restriping only. DOT recommends that although the existing project driveway on Westchester Parkway is currently located at a substandard distance from the nearest intersection with Sepulveda Eastway, the project may retain this existing driveway at its current location with a restricted "Right-In/ Right-Out" operation to accommodate safe and orderly vehicular access.
- d. This project is subject to the Los Angeles Coastal Transportation Corridor Specific Plan requirements and this determination does not include approval of the project's driveways and internal circulation or parking scheme. Adverse traffic impacts could occur due to access and circulation issues. A parking area and driveway plan be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Ave., Los Angeles, 90045. For an appointment, email: ladot.devreview.wla@lacity.org.

- e. 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 any final map.

Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

5. Fire Department.

- a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- b. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- c. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
- d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. The following recommendations 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: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and 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.
- f. Site plans shall include all overhead utility lines adjacent to the site.
- g. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- h. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- i. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

QUALIFIED (Q) CONDITIONS

Pursuant to LAMC Section 12.32-G, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

1. **Use.** Development at the project site is limited to uses permitted in the C2 Zone, and residential uses in accordance with the density and development standards of the R4 Zone.

CONDITIONS OF APPROVAL

Entitlement Conditions

1. Except as modified herein, 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. 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. 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.
3. **Use.** Approved herein is a change of use from an existing cultural center to new office.
4. **Floor Area.** The existing building shall maintain a maximum floor area of 7,744 square feet.
5. **Height.** The existing building shall maintain a maximum overall height of 21 feet.
6. **Automobile Parking.** The project shall be permitted to provide a minimum of zero parking spaces pursuant to California Government Code Section 65863.2 (AB 2097). Six (6) parking spaces are provided, as shown in Exhibit A.
7. **Bicycle Parking.** Bicycle parking shall be provided in conformance with the Los Angeles Municipal Code ("LAMC").
8. **Signage.** On-site signs shall be limited to the maximum allowable under the LAMC.
9. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
10. 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.

Administrative Conditions

11. 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 Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
12. Prior to the issuance of any permits, 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 Department of City Planning for attachment to the subject case file.

13. **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.
14. **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.
15. **Condition Compliance.** 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.
16. **Building Plans.** All the Conditions of Approval, and any other written modifications, shall be printed on the final building plans / drawings submitted to the Department of City Planning and the Department of Building and Safety.
17. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
18. **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 "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
19. **Department of Building and Safety.** The granting of this Determination by the Director of Planning does not in any way indicate compliance with applicable provisions of the Los Angeles Municipal Code (LAMC). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect the uses, or 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.
20. **Covenant.** 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. 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 Department of 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 case file. Fees required per LAMC Section 19.01.E(3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City prior to the final clearance of this condition.

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

22. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.

23. **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 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.