

11/7/05
EXHIBIT 7 "B"

6

CONDITIONS OF APPROVAL as Modified

**Coastal Development Permit, Project Permit Compliance/
Plot Plan Review/Site Plan Review**

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan and elevations labeled "Exhibits A-1 and A-2," stamped and dated 1/13/05 attached to the subject case file, except as modified by this action. Prior to the issuance of any permits for the subject project, detailed development plans, including a complete landscape and irrigation plan shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions.

Minor deviations may be allowed in order to comply with all provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

2. **Density.** Not more than 298-dwelling units shall be constructed on the subject property.
3. **Height.** The height of all buildings and structures on the subject property shall not exceed 61-feet, measured from the centerline of the street or alley or walk adjacent to the front lot line measured from the projection of the midpoint of the frontage, except where more than one building is being constructed on that lot, height for each building shall be measured from the projection of the midpoint of each building. For through lots, height shall be measured from centerline of whichever adjacent street is the lowest in elevation. (Section 9.B.3 of the Venice Coastal Zone Specific Plan). The residential buildings are limited to a maximum of four stories plus loft projections.
 - a. Portions of buildings on the subject site shall not exceed 25-feet in height when located within 0-feet to 49-feet from a lot classified in the R1 Zone or more restrictive zone.
 - b. Portions of buildings on the subject site shall not exceed 33-feet in height when located within 50-feet to 99-feet from a lot classified in the R1 Zone or more restrictive zone.
 - c. Portions of buildings on the subject site shall not exceed 61-feet in height when located within 100-feet to 199-feet from a lot classified in the R1 Zone or more restrictive zone.
4. **Residential Parking.** The project shall provide two spaces for each dwelling unit; plus a minimum of one guest parking space for each four or fewer units (e.g., 0.25 guest parking space per unit, any fraction shall be rounded up to require one additional guest parking space). (Section 13 of the Venice Coastal Zone Specific Plan)
 - a. Residential guest parking spaces shall be readily accessible, conveniently located and specifically reserved for guests at a rate of 1/4 parking space per dwelling unit.

- b. Tandem parking may be used only for the spaces which are assigned and designated for a single residential unit.
- c. Residential guest parking signs shall be clearly posted at building entrances. The signs shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Department of City Planning and shall indicate the number of reserved guest parking spaces.
- d. If any residential guest parking is located behind security gates, the following shall be apply
- 1) A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.
 - 2) An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served by the secured guest parking.
 - 3) The security gate shall be set back at least 20-feet from the public right-of-way so as to provide a waiting area for guest vehicles and to prohibit blockage or interference with the public right-of way by waiting guest vehicles.
 - 4) Alternatives to the provisions of this condition may be approved by the Department of City Planning provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.

Fees:

- e. Fees for required residential parking may be included in the rental, lease, or comparable fees charged to tenants of the project.
- f. No fees may be charged for guest parking for residential tenants.
5. **Parking Structure.** The parking structure shall not be visible from any vantage point from the single-family residential area.
- a. Solid decorative walls or decorative baffles which block light and deflect noise shall be installed along the side of the structure which face adjacent single-family residential uses.
 - b. A 3-foot 6-inches in height panel shall be installed on the south side of the structure facing Princeton Avenue, so as to minimize headlight glare.

8

- c. Light standards on any uncovered, above ground level area of the structure shall not be higher than the adjacent perimeter walls or shall be directed away from all adjacent single family residential uses.
 - d. Garage floors and ramps shall be constructed with textured surfaces to minimize tire squeal noises.
6. **Facade (Multi-Family Residential More than 40 Feet in Length).** The facade of the building shall be articulated/varied so that the facade is not a flat surface as shown in the elevations labeled "Exhibits A-1 and A-2," stamped and dated 1/13/05 attached to the subject case file.
 7. **Balconies (Adjacent to Single Family Dwellings).** Above the first floor there shall be no balconies in the units shown on Exhibit B, dated 1/13/05 which are those which have a direct line of sight to any adjacent existing single-family use.
 8. **Landscaped Buffer (the "buffer area").** A landscaped setback/buffer, ranging from 28-feet to 33-feet, shall be planted along the northerly and westerly property lines adjacent to single-family residential uses to the north and west, in the area indicated on the site plan labeled Exhibit "A" and dated 1/13/05, attached to the file.
 - a. Fast growing trees shall be planted in the landscape buffer and shall not be less than 36-inch box, 1½-inch to 2-inch caliper trunk, trees which are not less than 8-feet tall at the time of planting, and shall be placed to provide visual screening between the subject site and adjacent single-family residential uses. For the "buffer area" portion, the applicant shall consult with the applicable Council District Office as to the location of trees prior to approval of the Landscape Plan as required by Condition No. 9. The Council Office shall facilitate outreach to the abutting single-family property owners to allow individual property owners input on whether trees are planted adjacent to their property line.
 - b. The required fire access lane shall be constructed of grass-crete or a similar material to the satisfaction of the Department of City Planning and the Fire Department. The emergency gate at the fire lane intersection with Thatcher Avenue shall be at the sidewalk, if determined feasible by the Fire Department, in order to prohibit any setback from use as a loading or parking area. An emergency gate shall be located at each end of the buffer area which shall be locked and accessible only to the Fire Department, and which shall not have exterior hardware other than for the Fire Department.
 9. **Landscaping.** Open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan. The landscape and irrigation plan shall be prepared by a licensed landscape architect to the satisfaction of the Department of City Planning prior to issuance of any building permit. Automatic sprinklers in the buffer area shall be operated only between 7 am and 10 pm. Use of landscape maintenance machinery in the buffer area shall occur only during these hours and no more than two days per week.

9

10. **Loading.** Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of City Planning and the Department of Transportation and loading shall not be permitted from Thatcher. All loading vehicles shall access the site only from Lincoln on the new access road to the designated loading areas.
11. **Lighting.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
12. **Screening.** Any structure on the roof, such as air conditioning units, antennae, and other equipment, except solar panels, shall be fully screened from view from any existing adjacent single-family properties, as seen from grade.
13. **Wall.** A solid decorative masonry wall, a minimum of 6-feet in height, shall be constructed along any common property line between the subject property and any adjoining property containing a single-family residential use, including in areas where such a wall already exists along said property line. There shall be no openings. The wall shall be measured from the subject property at the lowest grade adjacent to the wall.
14. **Wall (Trash and Storage).** Solid masonry block walls, a minimum of 6-feet in height, shall enclose trash and other storage areas. There shall be no openings except for gates. The areas shall be buffered so as not to result in noise, odor or debris impacts on any adjacent uses. The trash and storage area shall not be located within 33-feet of any single-family use or in the buffer area. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. Trash pick up shall take place only between 7:00 AM and 8:00 PM Monday through Friday, and 10:00 AM to 4:00 PM on Saturday. There shall be no pick up on Sunday or legal holidays. Trash pickup vehicles shall access the site only from the new access road from Lincoln Boulevard and not from Thatcher.
15. **Noise (Receiving, Trash, Storage Areas).** Any activities associated with areas devoted to trash compacting, loading and unloading, receiving, and the "tote and bale" enclosure, shall be limited as follows: Monday through Friday, 7:00 AM to 8:00 PM; Saturday, 10:00 AM to 4:00 PM; no receiving, trash, or storage area use shall be allowed on Sunday or legal holidays. Such activities shall not be permitted in the buffer area or on Thatcher.
16. **Coastal Transportation Corridor Specific Plan (CTCSP).** Prior to issuance of demolition/building permits the Project shall comply with applicable requirements of the Coastal Transportation Corridor Specific Plan, Ordinance No. 168,999, to the satisfaction of the Department of Transportation. Pursuant to section 5.B of the CTCSP, the legal owner(s) of the property must sign and record a Covenant and Agreement, prior to issuance of any building permit, acknowledging the contents and limitations of the Specific Plan in a form designed to run with the land.

17. **Public Improvements (see also Conditions 24-28 regarding Demolition and Construction). Dedication(s) and Improvements.** Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation and Fire Department. The construction of public improvements shall be required prior to issuance of a certificate of occupancy. However, as set forth below, if construction of such improvement cannot be reasonably completed prior to issuance of said certificate of occupancy, other guarantees shall be provided.

a. Plan Review/Sign-offs.

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

b. Guarantee of Transportation Dedications and Improvements. The applicant shall consult with the Bureau of Engineering and the Department of Transportation (DOT) for any dedications or street widening requirements. These requirements must be guaranteed, before the issuance of any building permit, through the B-permit process of the Bureau of Engineering, Department of Public Works.

It should be noted that Lincoln Boulevard is under the California Department of Transportation (CALTRANS) jurisdiction. Any proposed improvement on Lincoln Boulevard would require approval from CALTRANS.

c. Construction of Transportation Improvements.

11

The following improvements shall be constructed and completed prior to issuance of a final certificate of occupancy to the satisfaction of DOT and the Bureau of Engineering:

- 1) Construct a new access roadway off Lincoln Boulevard as shown in the exhibit labeled "Exhibit C," stamped and dated 11/11/04 attached to the subject case file. The right-of-way for the new roadway shall be dedicated to a width of approximately 51-feet and provide a two lanes, one for ingress and one for egress ranging from 12-feet to 18-feet per lane. The new roadway shall provide sole vehicular access for the proposed project as well as the properties on the south side of Princeton Avenue and those C4-OX zoned properties on Carter Avenue south of Berkeley.

The applicant shall show due diligence, to the satisfaction of LADOT, the Bureau of Engineering and the Council Office in constructing the roadway. If the applicant is not able to complete construction of the roadway prior to issuance of the final certificate of occupancy, the applicant shall provide a letter of credit to the City of Los Angeles, guaranteeing construction of the roadway. Upon completion of construction of the roadway, the letter of credit shall be released by the City.

- 2) Gates shall be provided with architecturally compatible pilasters and wrought iron to prevent through vehicular traffic between Lincoln Boulevard and the Oxford Triangle neighborhood, subject to approval by the City including requirements for emergency vehicle access to the satisfaction of LADOT, Bureau of Engineering and the Fire Department. The gates shall be installed at two locations:
 - i. On Carter Avenue, south of Berkeley Drive, at the location of the new road, and
 - ii. The intersection of Princeton Drive and Thatcher Avenue

as shown in the exhibits labeled "Exhibit D-1 and D-2" stamped and dated 11/11/04 attached to the subject case file. Plans for the design of the gates and locations of the closures must be approved by the Council office no later than May 31, 2005. The Board of Public Works and/or the Bureau of Engineering shall issue revocable permits or other authorizations to allow for construction of the gates.

Each of these gates will maintain existing pedestrian access. To the extent feasible, the pedestrian access portion at each location will incorporate physical design elements to deter motorcycles or other vehicles from using the pedestrian sidewalks to circumvent the gates.

- 3) A new traffic signal shall be installed on Lincoln Boulevard at the new access roadway with appropriate pedestrian crossing of Lincoln Boulevard to the satisfaction of DOT.

12

- d. Fair-share contribution. The project shall contribute a fair-share contribution of \$115,600 for the planning and implementation of Lincoln Corridor enhancements. This payment shall be made to the City of Los Angeles Department of Transportation, prior to the issuance of any building permit.
- e. Parking/driveway plan. Submit a parking and driveway plan to the Department of Transportation, Construction Services Counter (Station 23 at 201 North Figueroa Street, third floor), prior to the issuance of a building permit.
- f. Street Lighting. If determined necessary, provide street lighting to the satisfaction of the Bureau of Street Lighting.
- g. Street Trees. If determined necessary, construct tree wells and plant street trees satisfactory to the City Engineer and the Street Tree Division (213) 847-0833 of the Bureau of Street Services.
- h. Sewers. If determined necessary, construct sewers to the satisfaction of the City Engineer.
- i. Recreation. Per Section 12.33 of the Municipal Code, the applicant shall pay the applicable Quimby fees for construction of condominiums, or Recreation and Park fees for construction of apartment buildings.
- j. Prior to issuance of a clearance letter, all engineering fees pertaining to Ordinance 171,502 adopted by the City Council must be paid in full.

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

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

Mello Act Compliance

18. [See Mello Act Compliance Conditions of Approval]

Other Conditions

19. **Review and Evaluation of Permit Compliance.** One year after the issuance of the final certificate of occupancy the applicant/owner shall be required to file a report with the Director of Planning, the Department of Transportation (LADOT), and the applicable Council District Office for the purpose of evaluating the Project's compliance with the operating requirements of this permit authorization to evaluate the effects of operations, traffic, parking, and loading for the project upon the surrounding community.

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13

- a. Upon issuance of the project's first certificate of occupancy, the applicant shall provide a copy of the certificate of occupancy to the Director of Planning for inclusion in the subject City Plan Case file.
 - b. The reports to be submitted by the applicant/owner, prepared by a certified transportation or traffic engineer, shall evaluate the adequacy of the conditions and whether there are any, significant effects resulting from the project traffic and parking on residential streets in adjacent neighborhoods.
 - c. LADOT shall transmit to the Director of Planning its review and recommendations concerning the report within 45 days of its receipt.
 - d. Upon review of this report, the Director shall determine whether there will be need for additional conditions, and state accordingly in his/her written determination.
 - e. If the report provides evidence that corrective measures are necessary, the Director may require modification of the conditions of approval relating to operations, parking and loading for the project, pursuant to the purpose, authority, and procedures set forth in Section 12.27.1 of the Municipal Code. If any modifications are required, copies of such modifications shall be provided to all owners of properties within 500 feet from the project.
 - f. The applicant shall submit a report of any complaints received by the building owner or manager, from the surrounding community, about project traffic, parking, operations and measures undertaken to resolve legitimate community concerns as part of the report to assist the Director to reviewing and evaluating permit compliance.
 - g. The report must be accompanied by the payment of appropriate fees and be accepted as complete by the Department of City Planning. The applicant's fee shall be determined by an actual cost basis for City staff review involved in this compliance review process.
20. **Community Relations.** A 24-hour "hot-line" phone number for the receipt of complaints both construction related and from the operation of the building shall be provided to immediate neighbors and the local neighborhood association, if any. The applicant shall be required to respond within 24 hours of any complaint received on this hotline. 213-533-4169
21. **Preferential Parking District.** The applicant shall work with the neighborhood, the affected Council District and LADOT to form a Preferential Parking District if requested by the neighborhood no later than one year following issuance of the final certificate of occupancy. If a Preferential Parking District is approved by the City, the applicant shall pay the fee cost of providing preferential parking for single-family residences within a one block radius for a period of 5 years. The applicant is also responsible for the cost of sign installation for a one block radius from the proposed project.

14

- 22. **Maintenance.** The subject property including associated parking facilities, sidewalks, and landscaped planters adjacent to the exterior walls along the all property lines shall be maintained in an attractive condition and shall be kept free of trash and debris. Trash receptacles shall be located throughout the site.
- 23. **Demolition and Construction Related Parking.** Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction and demolition activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. Parking and/or staging of demolition and construction vehicles shall not be permitted on Thatcher adjacent to the project. For overnight parking, all demolition and construction vehicles shall be stored on site unless returned to their owners' base of operations.
- 24. **Demolition and Construction Related Access.** Demolition and construction vehicles servicing the project site shall utilize access to be obtained by the applicant between the project site and Lincoln Boulevard, such as within the general location shown in "Exhibit B," stamped and dated 1/13/05 attached to the subject case file, rather than traveling on Oxford Triangle Specific Plan residential streets. This demolition and construction access may be provided across privately owned property and need not be within an area which is improved to public street standards or dedicated to the City, but must be provided prior to issuance of a demolition permit. The applicant shall require all demolition and construction contractors to limit access to the site to the new access area for deliveries in addition to other demolition and construction activities. The access area will be closed outside of construction activity hours and locked with keys available to emergency response agencies. The applicant will ensure that the site is staffed with adequate security at all times that it is open.
- 25. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 7:00 AM and ending at 6:00 PM, Monday through Friday, and 8:00 AM to 6:00 PM on Saturday. No truck deliveries shall occur outside of that time period. No truck queuing related to such deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period. All construction deliveries shall be made via the new access route. If warranted, any truck haul routes and staging areas shall be subject to approval by the Department of Building and Safety and Department of Transportation.

Environmental Conditions

- 26. **Construction (Air Quality).**
 - a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.
 - b. The owner or contractor shall maintain the construction area sufficiently dampened to control dust caused by grading, construction and hauling, and at all times provide reasonable control of dust caused by wind.

- c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
 - e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent the generation of excessive amounts of dust.
 - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - g. Approval and construction of the permanent access road to Lincoln Boulevard shall commence following completion of demolition and site preparation work on the apartment project site.
27. **Construction (Noise).** The project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- a. Construction shall be restricted to the hours of 7:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 6:00 PM on Saturday.
 - b. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously that causes high noise levels.
 - c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. All construction equipment shall be fitted with residential grade mufflers, where feasible.
 - d. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, to insure an acceptable interior noise environment.
 - e. A 10-foot temporary sound barrier shall be erected along the project site boundaries adjacent to residential uses such that the "line of sight" between onsite construction activities and the residential uses is blocked. The barrier shall be composed of, or lined with, acoustical blankets or similar device with a sound transmission class (SCT) rating of twenty-five or more.
28. **General Construction.**
- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials, including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials and wastes shall be removed to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.

- b. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
 - c. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
 - d. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
 - e. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
 - f. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.
29. **Liquefaction.** A geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist in compliance with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that consider building design. Building design mitigation measures should consider, but not be limited to: ground stabilization, foundation type and depths, and structural systems to accommodate anticipated displacements.
30. **Underground Storage Tanks.** Underground storage tanks shall be decommissioned or removed as required by the Fire Department Underground Storage Tank Division. If any contamination is found, further remediation measures shall be developed in consultation with the Fire Department and other appropriate State agencies. Prior to issuance of a building permit, a letter certifying that remediation is complete shall be submitted to the Department of City Planning from the appropriate agency (Department of Toxic Substance Control or the Regional Water Quality Control Board).
31. **Asbestos Containing Materials.** Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no asbestos containing materials are present in the building. If asbestos containing materials are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.
32. **Hazardous Materials.** A lead-based paint survey shall be performed prior to demolition activities by a qualified lead abatement consultant. If such materials are found, then appropriate abatement measures shall be performed in compliance with all applicable Local, Regional, State and Federal regulations.

33. **Fire.** The requirements of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
- a. Fire lanes, where required, shall be a minimum of 20-feet in width. The emergency gate at the fire lane intersection with Thatcher Avenue shall be at the sidewalk, if determined feasible by the Fire Department, in order to prohibit any setback from use as a loading or parking area.
 - b. The entry door to each dwelling unit shall be within 300-feet of an approved fire hydrant.
 - c. Entrances to any dwelling unit or guest room shall not be more than 150-feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - d. Buildings exceeding 28-feet in height shall have access sufficient to accommodate an aerial ladder truck as required by the Fire Department.
 - e. All fire lanes and fire hydrants shall be installed and approved by the Fire Department prior to issuance of certificate of occupancy.
4. **Police.** The building plans shall incorporate design guidelines relative to security, semi-public and private spaces (which may include but not be limited to access control to building), secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities and building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Refer to *Design out Crime Guidelines: Crime Prevention Through Environmental Design* published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, Phone: 213-485-3134). These measures shall be approved by the Police Department prior to the issuance of building permits.
35. **Schools.** The payment of school fees shall be made to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
36. **Safety Hazards.** Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
37. **Solid Waste.** The developer shall institute a recycling program to the satisfaction of the Department of City Planning to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material, but shall not be located within the buffer area. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program. All vehicles servicing the Project shall only access the site from Lincoln using the new access road and not from Thatcher.

Administrative Conditions

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APCW 2002-7626 CDP-SPP-SPR-MEL

Page 13

18

38. **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.
39. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
40. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file:
41. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
42. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
43. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
44. **Utilization of Entitlement.** The applicant/owner shall have a period of two years from the effective date of the subject grant for the Coastal Development Permit, Project Permit Compliance, and Plot Plan Review to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code. The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use.

Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

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MELLO ACT CONDITIONS OF APPROVAL

18. Reserved Affordable Units shall be included in the total number of dwelling units to be constructed on the subject property (not more than 298-dwelling units, see Condition 2 above).
- a. Reserved Affordable Units shall be located on-site and reserve 24 units out of the 298 total new apartment dwelling units (or 8-percent of the total new apartment dwelling units) for very-low income affordable housing, which shall be 50% of household income as set forth in sub-section d. 1) below.
 - b. Prior to issuance of any building permit, the applicant shall provide the Department of City Planning and the Housing Department proof of recordation of a covenant and agreement assuring compliance with the performance standards, criteria, tenant affordability and eligibility requirements established by this condition. The Reserved Affordable Units shall be reserved as "Affordable Units" for at least 30 years from issuance of a Certificate of Occupancy.
 - c. Performance Standards and Criteria.
 - 1) Eleven of the required Reserved Affordable Units shall feature at least one bedroom and one bathroom, and shall be no smaller than 605 square feet. Eleven of the required Reserved Affordable Units shall feature at least two bedrooms and two bathrooms, and shall be no smaller than 940 square feet. Two of the Reserved Affordable Units shall feature at least three bedrooms and two bathrooms, and shall be no smaller than 1150 square feet. If less than 298 units are constructed, then forty-five percent of the total Reserved Affordable Units shall be one bedroom and one bathroom, forty-five percent of the total Reserved Affordable Units shall be two bedrooms and two bathrooms, and ten percent of the total Reserved Affordable Units shall be three bedrooms and two bathrooms. Reserved Affordable Units may feature different interior finishes, such as floor and wall coverings, cabinetry, and plumbing and electrical fixtures, which may be of different quality than market rate units.
 - 2) The Reserved Affordable Units shall be dispersed throughout the project as depicted on the attached Exhibit E, dated 1/13/05.
 - 3) Residents of the Reserved Affordable Units may not be charged for amenities that are provided at no cost to other residents including, but not limited to, access to recreational facilities, parking, cable TV, and interior amenities such as dishwashers and microwave ovens. Optional services provided must be optional for all residents, and available to all under the same terms and conditions.
 - 4) The Reserved Affordable Units shall be made available for occupancy at the same time as the market-rate units.
 - d. Tenant Affordability and Eligibility.
 - 1) All restricted dwelling units shall comply with the affordability restrictions on household income as established by LAHD in conformance with HUD.
 - 2) Each Reserved Affordable Unit shall be restricted for a period of not less than 30 years from the Certificate of Occupancy for that unit.

CONDITIONS OF APPROVAL**Coastal Development Permit**

1. **Compliance with Conditions of Case No. APCW 2002-7626 CDP-SPP-SPR-MEL and Council File No. CF 04-0939.** The applicant/owner shall comply with Conditions of Approval 1 through 17 and 19 through 44, contained in original Case No. APCW 2002-7626 CDP-SPP-SPR-MEL and Council File Case No. CF 04-0939, including the site plan and elevations labeled "Exhibit A-1 and A-2," stamped and dated January 13, 2005 attached to the subject case files, as amended and adopted by the City Council on January 26, 2005 (Council action dated January 27, 2005).
2. **Related Tentative Tract.** The applicant shall comply with all of the requirements contained in Vesting Tentative Tract No. 62062 VTT, and including map stamp-dated November 9, 2004, being processed concurrently with this determination and any subsequent modifications thereto, to the satisfaction of the Advisory Agency of the Department of City Planning.

Administrative Conditions

3. **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.
4. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
5. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
6. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
7. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
8. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
9. **Utilization of Entitlement.** The applicant/owner shall have a period of two years from the effective date of the subject grant for the Coastal Development Permit to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the grant, the applicant files a written request, and is

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ZA 2005-0686 CDP

Page C-2

21

granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

10. **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 of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, including discontinuance and revocation, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

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