

CONDITIONS OF APPROVAL

(As Modified by the City Planning Commission at its meeting on July 13, 2023)

The final map must be recorded within 36 months of this approval, unless the subdivider requests a time extension and it is granted before the end of such period, if applicable. Time Extensions may not always be granted.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

This project is located within the Downtown Design Guide Project Area. Per Ordinance 181,557, every project within this project area must comply with the Downtown Design Guide standards and guidelines. City Planning Department shall make the final determination on the proposed limited height easement, mergers and encroachments within the sidewalk easements for consistency with the Downtown Street Design Guide: Urban Design Standards and Guidelines.

1. Along 8th Street adjoining the subdivision, a 5-foot-wide sidewalk easement will be provided. Above easement shall be limited to a depth of 3 feet below finished sidewalk grade and unlimited height above finished sidewalk surface. This easement shall be shown on the final map.
2. Along Hope Street adjoining the subdivision, a 3-foot-wide strip of land will be dedicated to complete a 43-foot wide half right-of-way in accordance with the Modified 2-Way Avenue II of the Downtown Street Standards and a 20-foot radius property line return or a 15-foot by 15-foot corner cut be dedicated at the intersection with 8th Street beginning at 3 feet below finished sidewalk grade and 25 feet above finished sidewalk surface.
3. Along Hope Street adjoining the subdivision, an additional 3-foot-wide average width sidewalk easement will be provided in accordance with the Modified 2-way Avenue II of the Downtown Street Standards and an additional 20-foot radius easement line return or a 15-foot by 15-foot corner cut easement be provided at the intersection with 8th Street. Above easement shall be limited to a depth of 3 feet below finished sidewalk grade and 25 feet above finished sidewalk surface. This easement shall be shown on the final map.
4. At the intersection of Grand Avenue and 8th Street adjoining the subdivision, a 20-foot radius property line return or 15-foot by 15-foot corner cut will be dedicated and shall be limited to a depth of 2 feet below finished sidewalk grade and 25 feet above finished sidewalk surface.
5. Along Grand Avenue adjoining the subdivision, a 7-foot wide average width sidewalk easement will be provided in accordance with the Modified 1-Way Avenue II of the Downtown Street Standards and 20-foot radius easement line return or 15-foot by 15-foot corner cut easement be provided at the intersection with 8th Street. Above easement shall be limited to a depth of 2 feet below finished sidewalk grade and 25 feet above finished sidewalk surface. This easement shall be shown on the final map.
6. LADOT, in a letter to the City Engineer, shall determine that the proposed merger area of 8th Street between Hope Street and Grand Avenue as shown on the Revised Map is not necessary for current and future Public Street use.

7. The Department of City Planning, in a letter to the City Engineer prior to the recordation of the final map, will also determine that the proposed merger area of 8th Street between Hope Street and Grand Avenue as shown on the Revised Map is consistent with all applicable General Plan Elements of Highway and Circulation Elements for LA Mobility Plan and the Downtown Design Guide: Urban Design Standards and Guidelines.
8. If LADOT and Department of City Planning have no objections, the portion of 8th Street between Hope Street and Grand Avenue, as shown on the Revised Map and excluding the required dedication for the property line return or corner cut at the intersection with Hope Street and Grand Avenue, will be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the area being merged and waivers of any damages that may accrue as a result of such merger be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all utility agencies, cable companies and franchises maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the proposed areas to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

9. If the merger of the portion of 8th Street between Hope Street and Grand Avenue, as shown on the Revised Map is not approved, the applicant shall submit a revised map not showing the proposed merger satisfactory to the Department of City Planning and the City Engineer.
10. A revised map be submitted satisfactory to the City Planning Department and the City Engineer prior to the submittal of the final map delineating all right-of-way dimensions, approved dedications or easements, and property line and easement line returns adjoining the subdivision. This map will be used for final map checking purposes.
11. All the proposed tract map boundary lines will be properly established in accordance with Section 17.07.D of the Los Angeles Municipal code prior to the recordation of the final map satisfactory to the City Engineer (Survey Division).
12. The subdivider will make a request to BOE Central District to determine the capacity of existing sewers in this area.
13. Satisfactory arrangements will be made with the Los Angeles County Department of Public Works prior to recordation of the final map for realignment, replacement and or relocation of the existing Los Angeles County drainage system within the 8th Street merger area including any necessary new drainage easements to be shown on the final map.
14. Satisfactory arrangements will be made with the Los Angeles County Department of Public Works prior to recordation of the final map for any necessary permits with respect to discharge into and reconstruction of their existing storm drain catch basin.

15. A set of drawings for airspace lots will be submitted to the City engineer showing the following:
 - a. Plan view at different elevations.
 - b. Isometric views.
 - c. Elevation views.
 - d. Section cuts at all locations where air space lot boundaries change.
16. The owners of the property will record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.
17. A Covenant and Agreement will be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:
 - a. That the owners shall be required to maintain all elements of the structure below the limited easement areas in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure within and adjacent to the below easement areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective, or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractors to make said repairs.
 - b. The owner shall be required to limit use and occupancy of the structures below the limited easement areas for vehicular parking use only. No combustible material shall be stored in the merger area.
 - c. The owners shall obtain a B-permit from the City Engineer for any substantial structural modification below the limited easement areas and for any structural modification areas and for any structural element outside said areas which provides lateral or vertical support to structures within said areas.
18. The subdivider will execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the proposed structure underneath the sidewalk areas in connection with the use and maintenance operations within said easements.
19. Any surcharge fee in conjunction with the street merger requests will be paid.

Note: See also Condition S-3 for Street Improvement conditions.

Any questions regarding this report should be directed to Quyen Phan of the Permit Case Management Division Section, via quyen.phan@lacity.org.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

20. Per Sec. 17.56 of the Los Angeles Municipal Code, each approved Tract Map recorded with the County Recorder shall contain the following statement: "The approval of this Tract

Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.”

21. The applicant shall comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

22. The Department of Building and Safety Zoning Section has reviewed the above Subdivision Map, date stamped on February 14, 2022, by the Department of City Planning. The site is designated as being in a **C2-4D Zone**. A clearance letter will be issued stating that no Building or Zoning Code violations exist relating to the subdivision on the subject site once the following items have been satisfied.
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Provide a copy of affidavit PKG-4743, PKG-5248, PKG-5261, AFF-10509, AFF-11147, and AFF-18103. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - c. Provide a copy of ZA case ZA-2021-7053-ZAI. Show compliance with all the conditions/requirements of the ZA case as applicable.
 - d. Provide a copy of CPC case CPC-2017-505-TDR-SPR. Show compliance with all the conditions/requirements of the CPC case(s) as applicable.
 - e. Obtain Bureau of Engineering approval for the proposed street merger.
 - f. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. “Area” requirements shall be re-checked as per net lot area after street dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
 - g. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes:

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards,

the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

23. A minimum of 20-foot reservoir space will be provided between any security gate(s) and the property line when a driveway is serving less than 100 parking spaces. Reservoir space will increase to 40 feet and 60 feet when the driveway is serving more than 100 and 300 parking spaces, respectively, or as shall be determined to the satisfaction of the Department of Transportation.
24. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21 A.
25. Los Angeles Department of Transportation (LADOT) recommends approval of the 36-foot-wide driveway on Hope Street. Final driveway width shall be determined by the Department of Public Works.
26. There should be 20 feet of full-curb-height between the service driveway and residential driveway. All vehicles may enter any 2-way driveway and once beyond the queuing area vehicular ingress may split to serve the service vehicles and residential vehicles. Project shall also meet the code requirement for Section 12.21 A-5(j) Internal Circulation. All portions of a public parking area or public garage shall be accessible to all other portions thereof without requiring the use of any public street, unless the Department of Transportation determines that such use is not detrimental to the flow of traffic.
27. A parking area and driveway plan will 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
28. A fee in the amount of \$205 will 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.

Please contact this section at ladot.onestop@lacity.org for any questions regarding the above.

FIRE DEPARTMENT

29. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- 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. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - e. Fire Lane Requirements:
 1. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 2. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
 3. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
 4. Submit plot plans indicating access road and turning area for Fire Department approval.
 5. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
 6. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
 7. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
 8. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
 9. No framing shall be allowed until the roadway is installed to the satisfaction of

the Fire Department.

- f. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
- g. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
- h. 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.
- i. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- j. The entrance to a Residential lobby must be within 50 feet of the desired street address curb face.
- k. 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.
- l. 2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)
 - (i) When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
 - (ii) It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
 - (iii) This policy does not apply to single-family dwellings or to non-residential buildings.
- m. Site plans shall include all overhead utility lines adjacent to the site.

- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. No proposed development utilizing cluster, group, or condominium design of one- or two-family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- p. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- q. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
- r. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- s. Standard cut-corners will be used on all turns.
- t. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- u. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Safety Plan, which is an element of the General Plan of the City of Los Angeles.
- v. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- w. Each standpipe in a new high-rise building shall be provided with two remotely located FDC's for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- x. During demolition, the Fire Department access will remain clear and unobstructed. The Fire Department has no objection to the Airspace Vacation.
- y. FPB #105 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- z. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:

- (i) The establishment of a property owners association, which shall cause a yearly inspection, to be made by a registered civil engineer, of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - (ii) The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
 - (iii) In the event that the property owner's association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
 - (iv) Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
 - (v) That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- aa. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
 - bb. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
 - cc. Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.
 - dd. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.
 - ee. Entrance to the main lobby shall be located off the address side of the building.
 - ff. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
 - gg. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

- hh. 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.
- ii. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting please call **(213) 482-6543**. You should advise any consultant representing you of this requirement as well.

BUREAU OF STREET LIGHTING

- 30. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

NOTES:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

Note: See also Condition S-3(c) for Street Lighting Improvement conditions.

DEPARTMENT OF RECREATION AND PARKS

- 31. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

DEPARTMENT OF WATER AND POWER

- 32. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1(c).).

BUREAU OF SANITATION

33. The Clean Water Conveyance Divisions of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated June 22, 2021, 2021. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Clean Water Conveyance Divisions will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY

34. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of 3 people in case the applicant/owner has any additional questions.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

35. 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 or as approved by the Board of Public Works and Urban Forestry Division.
36. 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 sub divider or contractor shall notify the Urban Forestry Division at: (213) 847- 3077 upon completion of construction for tree planting direction and instructions.

Notes:

Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

37. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- a. Limit the proposed development to one master ground lot and 9 airspace lots for condominium purposes.
 - b. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

38. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2017-505-TDR-ZV-SPPA-DD-SPR and ZA-2021-7053-ZAI shall be submitted to the satisfaction of the Advisory Agency. In the event CPC-2017-505-TDR-ZV-SPPA-DD-SPR and ZA-2021-7053-ZAI are not approved, the subdivider may be required to submit a tract modification.
39. Tribal Cultural Resource Inadvertent Discovery. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, auguring, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:
- Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning.
 - If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
 - The Applicant shall implement the tribe's recommendations if a qualified archaeologist and a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably conclude that the tribe's recommendations are reasonable and feasible.
 - The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any affected tribes that have been reviewed and determined by the qualified archaeologist and by a culturally affiliated tribal monitor to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
 - If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or by a culturally affiliated tribal monitor, the Applicant may request mediation by a mediator agreed to by the Applicant and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.
 - The Applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified

archaeologist and by a culturally affiliated tribal monitor and determined to be reasonable and appropriate.

- 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.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

40. Haul Route Conditions:

- a. Loaded Trucks: Exit job site on 8th St (Westbound); Right turn onto N/B Harbor Fwy (CA-110) on-ramp.
- b. Empty Trucks: N/B Harbor Fwy (CA-110); Exit towards James M. Wood Bl/9th St. (Eastbound); Left turn on Olive St. (Northbound); Left turn onto 8th St (Westbound) to jobsite.
- c. Days and Hours of Hauling Operation: Hauling should be from 9:00 AM to 3:30 PM weekdays, and 8:00 AM to 6:00 PM on Saturdays. No hauling should be performed on Sundays.
- d. Staging Area: Trucks shall be staged on job site only. No staging of trucks on city streets at any time.

NOTE: NO INTERFERENCE TO TRAFFIC, ACCESS TO DRIVEWAYS MUST BE MAINTAINED AT ALL TIMES.

- e. The contractor shall contact LADOT at (213) 485-2298 at least four business days prior to hauling to post "Temporary Tow-Away No Stopping" signs along 8th Street, adjacent to the job site for hauling if needed.
- f. Flagger control shall be provided during the hauling operations to assist with ingress and egress of truck traffic on 8th Street.

If you have any questions, please call Syunik Zohrabyan at (213) 972-4943.

41. Construction Equipment. The applicant shall make a good faith effort to ensure that all off-road diesel-powered equipment greater than 50 hp used during Project construction activities meet USEPA Tier 4 Final emissions standards. A copy of each such unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified Tier specification and operating permit.

42. 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.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES.

43. The project shall be in substantial conformance with the project design features (PDFs) mitigation measures (MMs) in the MMP from the Project’s Final Environmental Impact Report and attached to the subject case file (Exhibit B). The implementing and enforcing agencies may determine substantial conformance with the PDFs and mitigation measures in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.
43. Implementation. The Mitigation Monitoring Program (MMP), that is part of the case file and attached as Exhibit B, shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each Mitigation Measure (MM) and Project Design Feature (PDF) and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each MM and PDF has been implemented. The Applicant shall maintain records demonstrating compliance with each MM and PDF. Such records shall be made available to the City upon request.
44. Construction Monitor. During the construction phase and prior to the issuance of the first demolition or building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of MMs and PDFs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

45. The Construction Monitor shall also prepare documentation of the Applicant's compliance with the MM during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

DEPARTMENT OF CITY PLANNING - STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22 A.10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.

- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.

- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use for access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.

- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct any necessary mainline sewer satisfactory to the B-Permit Engineering Office.
 - (b) Construct any necessary drainage facilities.
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting as required below:

IMPROVEMENT CONDITION: Construct new pedestrian lights: two (2) on Hope St., four (4) on 8th St., and two (2) on Grand Avenue. If street widening per BOE improvement conditions, relocate and upgrade street lights; two (2) on Hope St., four (4) on 8th St., and two (2) on Grand Avenue.

Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

Conditions set: 1) in compliance with Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau

of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) Improve 8th Street adjoining the subdivision by the construction of new concrete curb, gutter and a 17-foot wide concrete sidewalk with tree wells. Repair and or replace any damaged, cracked or off-grade concrete bus pad and roadway pavement, including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer:
- (j) Improve Hope Street being dedicated and adjoining the subdivision by the construction of a new concrete curb, gutter, and an 18-foot wide concrete sidewalk with tree wells. Repair and or replace any damaged, cracked or off- grade roadway pavement, including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
- (k) Improve Grand Avenue adjoining the easement by the construction of a new concrete curb, gutter, and a 24-foot wide concrete sidewalk with tree wells. Repair and or replace any damaged, cracked or off-grade roadway pavement, including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
- (l) Improve all newly dedicated property line returns and corner cuts, easement line returns, and corner cut easements with concrete sidewalks and reconstruct all existing curb ramps per BOE's latest Standards and per Special Order 04-0222.
- (m) Construct any necessary on-site mainline and house connection sewers satisfactory to the City Engineer.
- (n) That Board of Public Works approval be obtained, prior to the recordation of the final map, for the removal of any tree in the existing or proposed right-of-way area associated with improvement requirements outlined herein. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for removal of such trees.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However, the existing or proposed zoning may not permit this number of units.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.