

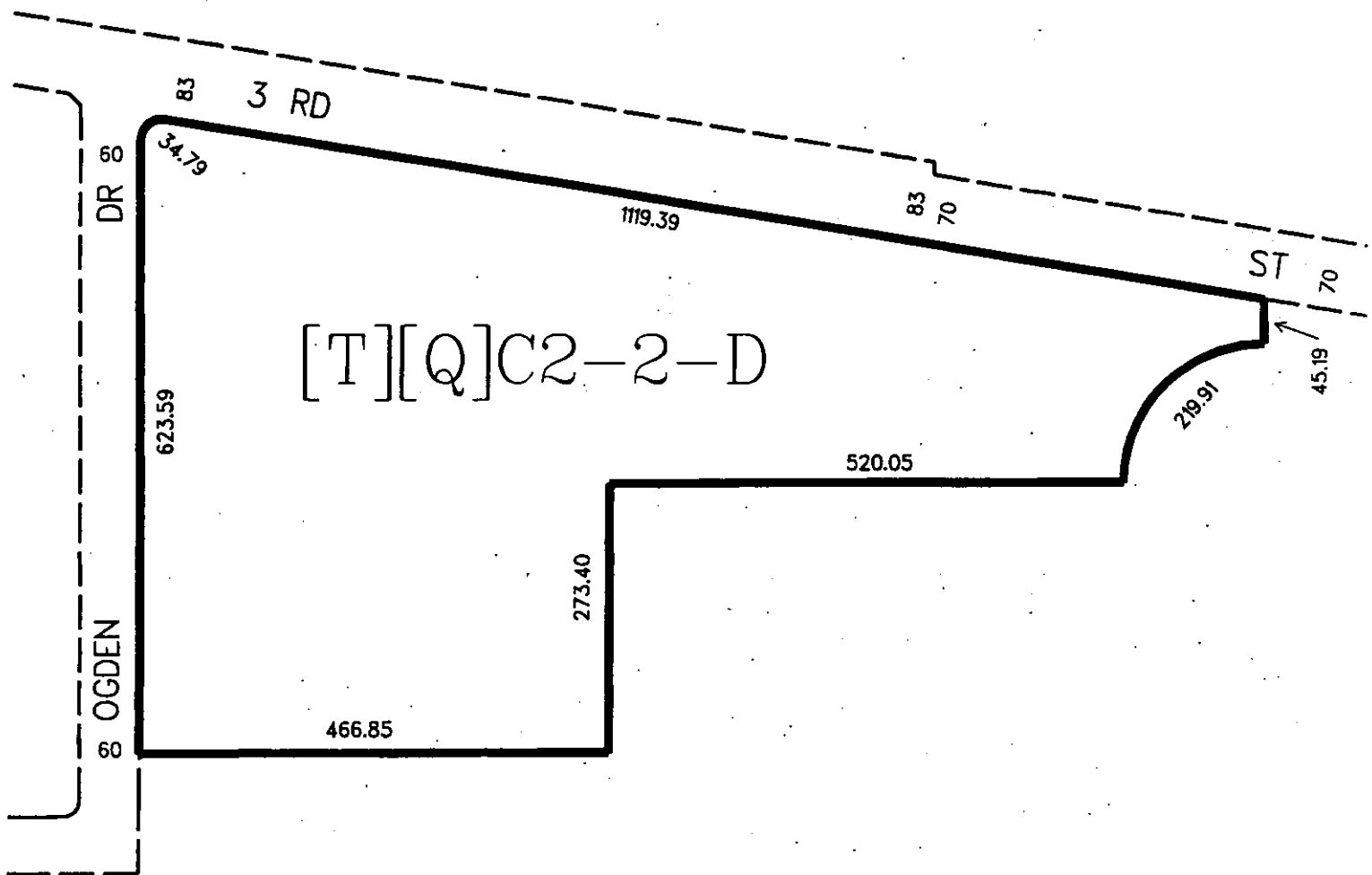
ORDINANCE NO. 171960

POSTED

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1, of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



[T][Q]C2-2-D



NOT TO SCALE

C.M. 135B177, 138B177	CPC 96-0316.ZC/GPA
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AE/SP

[Q] QUALIFIED CONDITIONS OF APPROVAL

Sec. 2 Pursuant to Section 12.32-K of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the Permanent "Q" Qualified Classification.

A. Administrative

1. 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 must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department.
2. Approval verification and submittal. Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
3. Definition. Any agencies, public officials, or legislation referenced in these conditions shall mean the agencies, public officials, legislation or their successors, designees or amendments to any legislation.
4. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor, and in accordance with any stated laws or regulations, or any amendments thereto.
5. Plan. The subject property shall be developed substantially in conformance with Exhibit No. E-3, attached to City Planning Case No. 96-0316(ZC/GPA), and subject to the conditions of approval. Deviations may be allowed in order to comply with provisions of the Municipal Code and the intent of the subject permit authorization.

B. Conditions on Use.

1. Authorized Development. The following grant is for the expansion of an existing shopping center or to utilize the entitlements under Ordinance No. 168,992 (CPC No. 89-0597 MPR, 90-0449 HD) for 737 residential dwelling units. The new shopping center will measure approximately 117,000 square feet, approximately 23,300 square feet above the existing 93,670 square feet commercial space.
2. All other requirements of Los Angeles Municipal Code shall be fully complied with as though written herein.

C. Conditions on Design and Construction relating to the Shopping Center.

1. Air quality. The project shall be provided with an air filtration system to improve the air quality for the project's tenants/residents. However, this requirement shall not preclude the installation of operable windows which permit passive heating and cooling.
2. Buffer. A solid masonry wall six feet in height shall be erected along the lot lines of the mini-shopping center where abutting or across an alley from any residential zone or use except for that portion of the lot line where an access driveway is required by the City.
3. Construction Impact Mitigation. The following mitigation measures have been added to reduce impacts to traffic, air emissions (adjacent to the school), and land use conflicts:
 - a. Limit active material handling operations (i.e., structural demolition, grading and excavation activities) to one acre per day.
 - b. Adequately wet (i.e., three to four times daily) all exposed soils and demolition debris subject to active material handling.
 - c. Adequately wet all soil stockpiles and cover with suitable material to maintain moisture content and minimize wind erosion.
 - d. Procure an on-site construction liaison officer or designated representative to ensure the effectiveness of the mitigation measures:

- (1) During active material handling operations, the construction liaison officer or designated representative shall be empowered to order cessation of work if complaints from Hancock Park School are received regarding dust generating activities. Prior to the commencement of work, existing control measures shall be modified, as appropriate, to minimize the impact of dust generation to a level of insignificance.
 - (2) The LAUSD Environmental Health and Safety Branch will conduct noise monitoring at Hancock Park School to evaluate whether ambient noise levels are affected by construction. If ambient noise impacts levels increase by three decibels or greater, District staff will contact the construction liaison officer or designated representative who will then implement additional control measures to mitigate impacts to a less than significant level.
- e. There shall be no parking, hauling, or staging of construction vehicles, including construction worker vehicles, on Ogden Drive or Colgate Avenue.
 - f. Construction vehicles shall egress and ingress only from 3rd Street.
 - g. A schedule of construction activities shall be provided to the administrative staff of Hancock Park School.
 - h. All construction equipment used on the project site shall be equipped with sound and exhaust noise mitigating devices in working order as required by City, County, State, and Federal law.
 - i. During construction appropriate noise and dust barriers shall be provided to enclose stationary equipment and other barriers shall be erected as required around particularly noisy areas on the site. As an alternative, a sound barrier may be erected around the entire site during construction activities (i.e., plywood fencing), to the satisfaction of the Department of Building and Safety.

5. Design. Preparation of design plans to the satisfaction of City Council District 4 and Director of Planning that considers the following:
 - a. Existing trees and landscaping on 3rd street to remain.
 - b. Landscape plans.
 - c. Design shall include pedestrian walkways.
 - d. Planters in front of the new retail stores.
 - e. Access from the rear of the stores, so that the rear parking lot will be used.
 - f. Pedestrian gate from Park La Brea to the market and retail stores.
 - g. Review of elevation and site plan drawings.
 - h. Truck access from 3rd Street.
 - i. A block wall for the nearby school if so desired by the school.
 - j. Eliminate building elevations directly onto 3rd Street without setback, landscape, and/or parking.
6. Energy. The California Environmental Quality Act requires that the project be considered relative to potential energy impacts. Investigation should address impacts resulting from potential consumption of non-renewable resources. Mitigation measures may include compliance with Title 24, California State Code (Energy Conservation Standards), the use of natural gas and/or solar energy; and consultation with the Department of Water and Power and Southern California Gas Co. regarding feasible energy conservation measures.
7. Height. No building or structure shall exceed a height of 40 feet.
8. Landscape.
 - a. Landscaping. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect.
 - b. Landscaping shall consist of plant materials such as trees shrubs and planted ground cover. All planted areas shall be contained within a minimum 6-inch high continuous concrete curb. Walkways, driveways and other hardscape shall not constitute landscaping.

- c. A landscaped planted area having a minimum inside width of five feet shall be required along all street frontage unless it can be demonstrated that such a requirement reduces driveway, and service areas below a minimum standard as required by the Department of Building and Safety or Department of Transportation. At a minimum, five percent of all surface parking area not covered by structures shall be put into landscape.
 - d. Shade producing trees shall be planted at a ratio of one tree for every four surface parking areas. The trees shall be located in such a manner and size so that the trees produce an overhead canopy effect that is anticipated to cover at least 50 percent of the parking area after 10 years of growth.
 - e. Shade producing trees, as identified in the Street Tree List of the Bureau of Street Maintenance, shall be planted along street frontages, singularly or in groups. That at least one 24-inch boxed tree shall be planted for every 20 feet of street frontage of the site.
 - f. An automatic irrigation system shall be provided for all landscaped areas. This system shall be installed prior to the issuance of any certificate of occupancy.
 - g. The Project shall comply with the requirements of the City's Xeriscape Ordinance and Landscape Ordinance .
9. Lighting (On-site). Areas of the subject site not covered by a building shall have night lighting for safety and security. Driveways and gasoline service areas shall have a minimum of 3/4 foot candle of flood lighting measured at the pavement. All other open exterior areas, such as walkways and trash areas, shall have low level security- type lighting. All exterior lighting shall be directed onto the subject site, and all flood lighting shall be designed to eliminate glare to adjoining properties.
10. Paleontological. If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of an paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los

Angeles, Cal State Long Beach, or the County Museum to assess the resources and evaluate the impact. Copies of the Paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum. A covenant and agreement shall be recorded prior to obtaining a grading permit.

11. Parking (Auto). Parking shall be provided in accordance with the requirements of the Los Angeles Municipal Code and to the satisfaction of the Department of Building and Safety. A minimum 496 parking spaces shall be provided on-site.
12. Parking (Bicycle). Bicycle parking shall be provided for at least five bicycles.
13. Risk of Upset (Emergency). The applicant shall submit an emergency response plan for approval by the City Planning Department and the Fire Department.
14. Risk of Upset (Wilshire-Fairfax Area Only). The Project shall comply with administrative procedures of Ordinance No. 161,552 of the Los Angeles Municipal Code, establishing a High Potential Methane Zone in the Fairfax area of the City of Los Angeles.
15. Signage.
 - a. Off-site commercial signs are prohibited.
 - b. Flashing or blinking signs are prohibited.
 - c. Pennants, banners, ribbons, streamers, spinners or balloon are prohibited.
 - d. Pole signs are prohibited.
 - e. Projecting signs and roof signs are prohibited.
 - f. Monument signs and information signs shall be located only within the landscaped planted areas.
16. Trash Storage. Trash storage bins shall be located within a gated covered enclosure constructed of material identical to the exterior wall materials of the building.
17. Utility Lines. All new utility lines which directly service the subject site shall be installed underground. If underground service is not currently available, then

provisions shall be made for future underground service.

18. Water. The Project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

D. Conditions on Operation Relating to the Shopping Center.

1. Delivery Trucks. During project operation, no delivery trucks shall use Colgate Avenue, nor Ogden Drive (south of the alley) unless required by the Department of Transportation.
2. Graffiti removal and deterrence. The property owners and all successors shall acknowledge the applicability of the graffiti removal and deterrence requirements pursuant to Municipal Code Sections 91.8101-F, 91.8904.1 and 91.1707-E relative to the subject project, particularly with regard to the following:
 - a. The first nine feet of exterior walls and doors, measured from grade, and all of any walls enclosing the property shall be built and maintained with a graffiti resistant finish consisting of either a hard, smooth, impermeable surface such as ceramic tile, baked enamel or a renewable coating of an approved, anti-graffiti material or a combination of both pursuant to Section 91.1707-E; and
 - b. the period for compliance with a graffiti removal order issued by the Building and Safety Department is 15 days following which period with failure to perform, the City or its contractor is empowered to enter the property to remove such graffiti with costs accruing to the property owner (91.8904.1); and
 - c. the period for compliance with a subsequent order for a subsequent occurrence is three days (91.8904.1.).
 - d. In addition to a,b, and c above, exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vine,

screened by oleander trees or similar vegetation capable of covering or screening entire walls up to the height of at least 9 feet, excluding windows and signs.

3. Noise. Surface area cleaning and sweeping, trash collections from and deliveries to establishments at the property shall occur no earlier than 7 a.m. nor later than 8 p.m., Monday through Friday, and no earlier than 10 a.m. nor later than 4 p.m., on Saturday and Sunday.

E. Conditions Relating to the Construction and Maintenance of 737 Residential Dwelling Units. (Conditions are verbatim from Ordinance No. 168,992 (CPC No. 89-0597 MPR, 90-0449 HD)):

1. Access. Vehicular ingress and egress from the subject property shall be prohibited from Third Street, except for emergency access as may be required by the Fire Department.
2. Density. Residential density shall not exceed a maximum of 737 dwelling units. A minimum of two hundred sixteen (216) of the dwelling units constructed shall be contained in the congregate living facility described in Condition No. 9 below.
3. Environmental. The following conditions are required by the environmental clearance (under CPC No. 89-0597 MPR, 90-0449 HD) for subject project.
 - a. Air Quality. The project shall be provided with an air filtration system to improve the air quality for the project's tenants/residents. However, this requirement shall not preclude the installation of operable windows which permit passive heating and cooling.
 - b. Archaeological. Prior to issuance of grading or building permits for the subject project, a qualified archaeologist shall be retained to monitor any subsurface operations, including but not limited to grading, excavation, trenching or removal of existing features of the subject property. The archaeologist shall be authorized to and must halt the project and order reasonable protective measures if any significant archaeological resources are uncovered. Such authorization shall be in writing, shall be recorded by covenant and agreement with the County

Recorder and shall be provided to the Planning Department for placement in the subject file prior to issuance of grading or building permits for subject project.

- (1) A "qualified archaeologist" means securing the services of the Center for Public Archaeology of California State University at Northridge, the Archaeological Survey of the University of California at Los Angeles or a member of the Society of Professional Archaeologists.
 - (2) Copies of any archaeological survey, study, report or findings shall be provided to the Environmental Review Section of the Department of City Planning (Room 1500, 221 N. Figueroa, Los Angeles, California 90012) for incorporation into the City archaeological site identification program.
 - (3) The archaeologist may not halt a project for more than 90 days without the approval of the City Planning Commission. Such approval must be requested by letter from the archaeologist submitted not more than 10 days after the project is halted. The letter must be accompanied by documentation to support the request and must contain measures to protect the site and to allow all or part of the project to proceed.
- c. Energy Conservation. The Department of Water and Power and the Southern California Gas Company shall be consulted regarding feasible energy conservation features which can be incorporated into the design of the project. All structures shall comply with State Building Energy Efficiency Standards (Title 24).
- d. Lighting. All lighting shall be shielded and directed onto the site and no floodlighting shall be located so as to be seen directly by the adjacent residential areas. This condition shall not preclude the installation of low-level security lighting.
- e. Landscaping. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation

system, in accordance with a landscape plan prepared by a licensed landscape architect, licensed architect or landscape contractor to the satisfaction of the Planning Department and the Council Office of the district in which the property is located.

f. Noise (Residential).

- (1) All exterior windows and glass doors having a line of sight of Third Street shall be constructed with double pane glass.
- (2) Any exterior wall having a line of sight of Third Street shall be constructed so as to provide a Sound Transmission Class of 50 or greater, as defined in the Uniform Building Code Standard No. 35-1, 1979 edition or any revision thereto. The developer, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, specifying any alternative means of sound insulation dBA in any habitable room.
- (3) As an alternative to the measures described in paragraphs (1) and (2) above, the developer may retain an acoustical engineer to submit evidence, specifying any alternative means of sound attenuation sufficient to reduce interior noise levels below 45 dBA in any habitable room.

- g. Parking (Residential). Any multiple residential use of the subject property shall provide for resident parking on the subject property as required by Municipal Code Section 12.21.A.4. or any amendment thereto, and guest parking at a ratio of at least one-quarter space per rental dwelling unit and one-half space per condominium dwelling unit in excess of that required by the Municipal Code. Any designated guest parking shall be clearly identified and readily accessible to guests of the project. Any congregate living facility/senior housing project for which reduced parking pursuant to Municipal Code Section 12.21.A.4.(u) is authorized shall nevertheless provide guest parking at the above-stated ratio.

- (1) Tandem parking may be used only for the spaces which are assigned and designated for a single residential unit.
 - (2) 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 working shall be to the satisfaction of the Planning Department and shall indicate the number of reserved guest parking spaces.
 - (3) If any guest parking is located behind security gates, the following shall apply:
 - (i) 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.
 - (ii) An electronic intercommunication system shall be installed. The system shall be easily accessible to the drivers of guest vehicles and to the units served by the secured guest parking.
 - (iii) The security gate shall be set back at least 18 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 is assured.
 - (iv) Alternatives to the provisions of this condition may be approved by the Planning Department provided that the intent of readily accessible guest parking facilities and no interference with the public right-of-way is assured.
- h. Parking/Driveway Plan. A parking area and driveway plan shall be prepared for approval by the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.
- i. Parking Level Screening. Not more than one level of structure parking shall be at or above grade with no more than eight (8) feet exposed, the

exposed portions to be fully screened. Any above-grade parking level shall be screened from the view of any public right-of-way by landscape features including trees, shrubbery and/or planter boxes. Any planter boxes shall not be used to add to the height of a structure.

- j. Trees. Prior to issuance of a grading permit or other building permit for the subject project, a plot plan prepared by a reputable tree expert, as defined by Municipal Code Section 17.02, shall be submitted to the Planning Department and Street Tree Division of the Bureau of Street Maintenance for approval. The plan shall contain the following:
- (1) Location, size, type and current condition of existing significant desirable trees.
 - (2) Measures recommended by the tree expert for preservation or relocation of as many significant desirable trees as possible on the subject property, including any parkway trees, to the satisfaction of the Planning Department.
 - (3) Measures for replacement or significant desirable trees which cannot be preserved or relocated on the property.
 - (4) Replacement trees in the parkway must be to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.
 - (5) Replacement trees must be not less than 24-inch box trees which are not less than eight feet in height, not less than two inches in trunk diameter and with not less than a five-foot spread. In those cases where trees of the required size and caliber cannot be obtained, a larger container stock shall be required. Further, all trees shall be in a healthy growing condition. Root bound trees are not acceptable.
- k. Water conservation. The Department of Water and Power shall be consulted regarding feasible water conservation features which can be incorporated into the design of the project.

1. Public Services.

- (1) Police. Applicants shall consult with the Los Angeles Police Department Crime Prevention Unit on design and implementation of a security plan. Prior to the issuance of any building permits, applicant shall execute and record a covenant to the satisfaction of the LAPD assuring implementation of the applicable measures described on pp. 188-189 (Section IV -0.2) of the Park La Brea SDEIR dated January, 1991.
 - (2) Fire. Applicant shall submit all building plans to the Fire Department for review. Prior to the issuance of any building permits, applicant shall execute and record a covenant to the satisfaction of the Fire Department assuring implementation of the measure described on pp. 185-187 (Section IV. 0.1) of the Park La Brea SDEIR dated January, 1991.
 - (3) Libraries. Applicant shall contribute to a trust fund to the satisfaction of the Department of Libraries for the financing of the expansion/upgrading of library facilities serving the project. The pro rata contribution shall be one hundred dollars (\$100) per capita based on the projected population of the housing development utilizing household size estimates presented in Table 22 (p. 144) of the Park La Brea SDEIR dated January, 1991.
- m. Solid Waste. Facilities for source separation of recyclable materials including, but not limited to glass, metal, newsprint and plastics shall be provided.
- n. Open Space.

Open Space Definition: Usable open space for the purpose of this section shall be defined as private and/or common open areas with recreational amenities open to the sky (except that structures may project no more than three feet into an open space area provided that there is at least ten feet of clearance underneath) which are designed and intended to be used for active or passive recreation purposes.

A minimum of 100 square feet of usable open space shall be provided for each dwelling unit. Parking areas, driveways, front yard setback areas, and rooftops shall not be included as open space. To be considered as usable open space, the project shall meet the following criteria.

- (1) Private Open Space. Patios and yards (located at ground level or the first habitable room level) which are part of a single dwelling unit and are enclosed by solid screen material at least four feet in height may be included as usable open space provided said areas have a horizontal dimension of at least eight feet and contain a total area of not less than 150 square feet.

Private open space areas may not count for more than 50 percent of the total required open space, as well as more than 100 square feet per unit (RD1.5 or less restrictive zones).

- (2) Common Usable Open Space. Each common usable open space area shall have a total area of at least 400 square feet and shall have an average width of 20 feet with no width less than 15 feet at any point. Side yard and rear yard setback areas shall be at least 15 feet in width.

Recreation rooms at least 600 square feet in area may qualify as common open space, but shall not exceed more than 25 percent of total open space required.

Common open space areas shall incorporate recreational amenities such as swimming pools, spas, picnic tables, benches, tot lots, ball courts, barbecue areas, sitting areas, etc. to the satisfaction of the Department of Planning. (Note, amenities that meet the Department of Recreation and Parks specifications pursuant to Section 17.12F LAMC may be credited against fees required under Section 12.33 of the LAMC).

A minimum of 50 percent of the common usable open space areas shall be planted in ground cover, shrubs or trees and shall include at

least one 24-inch box tree for every three dwelling units (trees shall be planted within open space areas). An automatic irrigation system shall be provided for all required landscaped areas. Landscaped areas located on top of a parking garage or deck shall be contained within permanent planters at least 30 inches in depth (12 inches for lawn/ground cover) and properly drained.

- o. Articulation/Massing. For any building facade greater than sixty (60) feet in length, articulation shall be required for every fifty (50) feet. Minimum depth of modulation of the facade shall be four (4) feet for a minimum horizontal dimension of six (6) feet. For the purposes of this condition, recessed balconies shall not be considered as the building facade; however, cantilevered balconies shall be considered as the facade.

- p. Paleontological. Prior to issuance of grading or building permits for the subject project, a qualified paleontologist shall be retained to monitor any subsurface operations, including but not limited to grading, excavation, trenching or removal of existing features of the subject property. The paleontologist shall be authorized to and must halt the project and order reasonable protective measures if any significant paleontological resources are uncovered. Such authorization shall be in writing, shall be recorded by covenant and agreement with the County Recorder and shall be provided to the Planning Department for placement in the subject file prior to issuance of grading or building permits for the subject project.
 - (1) A "qualified paleontologist" means securing the services of the County Museum of Natural History (George C. Page Museum).
 - (2) Copies of any paleontological survey, study, report or findings, shall be provided to the Environmental Review Section of the Department of City Planning (Room 1500, 221 N. Figueroa St., Los Angeles, California, 90012) for incorporation into the City Paleontological Site Identification Program.

- (3) The Paleontologist may not halt a project for more than 90 days without the approval of the City Planning Commission. Such approval must be submitted not more than 30 days after the project is halted. The letter must be accompanied by documentation to support the request and must contain measures to protect the site and to allow all or part of the project to proceed.
- q. Risk of Upset. Applicant shall implement the mitigation measures related to methane gas as described on pp. 141-142 (Section IV-J) of the Park La Bear SDEIR, dated January, 1991.
- r. Graffiti Removal and Deterrence. The owners and all successors shall acknowledge applicability of the graffiti removal and deterrence requirements of the Municipal Code to this project as contained in Sections 91.8101(f), 91.8904.1 and 91.1707(e), particularly with regard to the following:
- (1) The first nine feet of exterior walls and doors, measured from grade, and all of any walls enclosing the property shall be built and maintained with a graffiti resistant finish consisting of either a hard, smooth, impermeable surface such as ceramic tile, baked enamel or a renewable coating of an approved, anti-graffiti material or a combination of both (91.1707[e]); and
 - (2) The period for compliance with a graffiti removal order issued by the Building and Safety Department is 15 days following which period with failure to perform, the City or its contractor is empowered to enter upon the premise to remove such graffiti with costs accruing to the owner (91.8904.1); and
 - (3) The period for compliance with a subsequent order for subsequent occurrence is three days (91.8904.1B).
 - (4) In addition to (1), (2), and (3) above, exterior walls or new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to

the height of at least nine (9) feet, excluding windows and signs.

- s. Height. The average height of all buildings and structures located on the subject property shall not exceed fifty-three (53) feet in height. Notwithstanding, anything to the contrary contained in the Municipal Code, for the purposes of this section, height shall be measured from the highest point of the roofplate of the building to the natural grade directly beneath said point. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view from the ground level of nearby residential properties.
- t. Congregate Living Facility. Development of the subject property with multiple-unit residential shall include a congregate care facility providing a minimum of two hundred sixteen (216) congregate living units. All congregate living units shall be reserved and maintained for rental to qualifying residents as defined in Section 51.3 of the State Civil Code to the satisfaction of the Planning Department and the Department of Housing Preservation and Production. Exception: A maximum of 10 percent of these congregate living units may be occupied by physically handicapped tenants (as defined in Chapter 2, Title 24 of the California Administrative Code) who would not otherwise be qualifying residents.
- u. Housing (Senior Citizen).
 - (1) Use. The congregate living facility described in Condition No. 9 above shall be a senior citizen housing development as defined by the California Civil Code Section 51.3, or any amendment thereto, including specially designed accessible housing features.
 - (2) Elevators and ramps. The project shall provide elevators and/or ramps which make the parking facilities of the project accessible to all residential units in the project.
- v. Landscape Buffer. A minimum 20-foot landscaped buffer shall be provided along the Third Street frontage. Walkways and driveways shall be permitted to cross any buffer. However, no buildings or structures may be permitted within the buffer with the exception of retaining walls and fences. This condition is not intended to limit the buildable area used to calculate

the floor area ratio.

- (1) The landscaped buffer along Third Street shall be open to the sky with no balconies or projections into the landscape buffer.
- (2) An exhibit shall be included showing the double-loaded tree system including size of trees on Third Street.

- w. Reserved Lower Income Units. The project shall reserve and maintain in 43 of the total 216 senior congregate living facility units for rental to lower income residents, as defined in Section 50079.5 of the State Health and Safety Code, for 30 years. Units reserved for lower income residents shall not be rented for more than 30 percent of 60 percent of the area median monthly income, calculated to the satisfaction of the Department of Housing Preservation and Production.
- x. Plans. Prior to the issuance of building permits, detailed development plans and elevations, including complete landscaping and irrigation plans, shall be submitted to the satisfaction of the Planning Department and the Council Office of the district in which the property is located. Such review of the detailed development plans shall only be for the purpose of assuring that such plans substantially conform to the site plans on file and with the conditions set forth herein. This section shall not be deemed to give the Planning Department, the Council Office, or any other agency or entity the discretion to amend any condition or impose any new conditions on the Project.
- y. Street Trees. Street trees 30 feet on-center (minimum 24-inch box) with root collars to prevent uplifting of sidewalks, shall be provided. Construction of tree wells, and planting of street trees shall be carried out to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and cause the same to be published by posting for ten days in three public places in the City of Los Angeles, to wit: one copy on the bulletin board located at the Main Street entrance to the City Hall of the City of Los Angeles; one copy on the bulletin board located on the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in said City; and one copy on the bulletin board located at the Temple Street entrance to the Hall of Records in the said City.

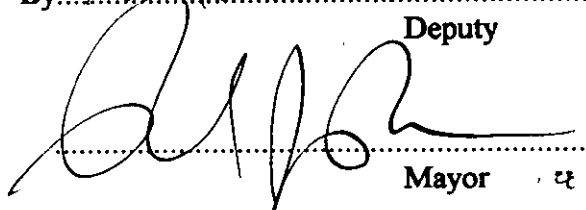
I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting ofMAR 18 1998.....

J. MICHAEL CAREY, City Clerk

Approved.....MAR 23 1998.....

By.....Maria Kostencich.....

Deputy



Mayor

Approved as to Form and Legality

.....
JAMES K. HAHN, City Attorney

By
Deputy

File No. 98-0029.....

City Clerk Form 23

Pursuant to Section 97. 2
of the City Charter, the
City Planning Commission on
9-11-97 recommended
that this ordinance be adopted
by the City Council.

Gabrielle Williams
Commission Executive Assistant

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 171960 - Plan Amendment & zone change for property located at 6200-6298 West Third Street - CPC 96-0316(ZC) (GPA), a copy of which is hereto attached, was finally adopted by the Council of the City of Los Angeles on March 18, 1998, & under direction of said Council & said City Clerk, pursuant to Section 31 of the Charter of the City of Los Angeles, on March 24, 1998, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: one copy on the bulletin board at the Main Street entrance to City Hall of said City, one copy on the bulletin board on the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in said City, & one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles in said City.

The copies of said ordinance posted as aforesaid were kept posted continuously & conspicuously for ten days, or more, beginning March 24, 1998 to and including May 3, 1998.

I declare under penalty of perjury that the foregoing is true & correct.

Signed this 24th day of March 1998 at Los Angeles, California.

Maria C. Rico

Deputy City Clerk

Effective Date: May 3, 1998

C.F.98-0029