

WWNC LUPC 611 GAYLEY AVENUE FRATERNITY APPLICANT'S PROPOSED CONDITIONS 3/5/15

D. Conditional Use Entitlement Conditions.

1. Use. The use of the property shall be limited to the continued use and maintenance residence for a fraternity organization or student housing. New construction shall be limited to a maximum of 22 guest rooms. Use and development of the subject property shall comply with all provisions of the [Q]IR4-1VL and the North Westwood Village Specific Plan, except as may be permitted herein.
2. Site Plan. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the City Planning Department for review. Development of the site shall be in substantial conformance with the site plan, floor plans and elevations labeled Exhibit _____ and dated _____ attached to the administrative file. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. Design Review and Project Permit Compliance. The building shall be in substantial conformance with those exhibits approved by the Westwood Community Design Review Board on January 7, 2015. Minor modifications will be accepted at the discretion of the City Planning Department Design Review Board staff.
4. Height. The height of all buildings and structures on the subject property shall not exceed 57 feet, as defined by Section 12.03 of the L.A.M.C. and as permitted by Sections 12.21.1 A.1 and 12.21.1 B.2 of the L.A.M.C. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties with single-family dwellings.
5. Parking/Driveway Plan. Prior to the issuance of any building permit, the applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval.
6. Parking/Garage Access. A minimum of 31 paved, striped parking spaces shall be provided and maintained on site, pursuant to LAMC Section 12.21 A.4. In addition, a remote electronic gate opening system shall be installed and the security gate shall be set back from the public right-of-way so as to provide a waiting area for vehicles and to prohibit blockage or interference with the public right-of-way by waiting vehicles. The garage entrance shall be kept closed and locked at all times, except when a vehicle is entering or exiting the garage, or when immediate loading or unloading into the garage is taking place, including when the trash dumpster or recycling bin is being hauled out for removal.
7. Vehicle Access/Storage. Residents and guests shall not block or obstruct the public right of way with vehicles or any other obstructions, including the public sidewalk, the driveway curb cut, and driveway apron, at any time. Motorcycles, mopeds, motor scooters, and any other motorized vehicles shall not be parked or left on the sidewalk, in the driveway apron, or in the front yard at any time, but shall be parked only in designated parking stalls inside the garage. Bicycles shall not be left abandoned on the sidewalk, in the driveway apron, or in the front yard at any time, but shall be left in designated bicycle racks or other appropriate storage locations maintained on the premises.
8. Improvements. Prior to the issuance of any building permits, public improvements for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary). 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 improvements are specifically acknowledged by the applicant/developer. In addition:
9. Security. Exterior doors and gates accessible from the public sidewalk shall be kept closed and locked at all times, except as may be required by the Los Angeles Department of Building and Safety, or the Los Angeles Fire Department.
10. Pay Phones. Pay phone(s) shall be located within the interior of the site and shall not be accessible from the public right of way.
11. Review of Compliance and Project Impact (Compliance Report). Within one year after the issuance of the Certificate of Occupancy for the new facility and each year for a period of 3 years, the applicant/owner shall be required to file an annual Compliance Report (using Plan Approval forms), with the Director of Planning, the applicable Council District Office, Neighborhood Council and any other applicable/effected entities, as determined by the Director of Planning, for the purpose of evaluating compliance with the operating requirements of this permit authorization. The Plan Approval may require a public hearing to be determined by the Director of Planning. Public notice shall be made to owners and occupants of property located within a radius of 500 feet.
12. Landscape Plan. The applicant shall submit landscape and irrigation plans to the Planning Department. All 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, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
13. Balconies. The following shall apply to all external, street facing balconies:
 - a. No items shall be permitted to be placed or stored on balconies or balcony railings.
 - b. The applicant shall ensure that appropriate restrictions are incorporated into any "Best Practices" documents, by-laws and lease or rental agreements governing the use of the property and that each resident is aware of such restrictions, and that such restrictions are subject to appropriate enforcement measures.
14. Trash and Storage Area(s). Solid masonry block walls, a minimum of six 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. All outside trash containers on the subject property shall be enclosed and shall be located so as not to result in noise or odor impacts on any adjacent residential use. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
15. Tree Removal (Non-Protected Trees).
 - a. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
 - b. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable' trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker.
 - c. The genus or genera of the tree(s) shall provide a minimum crown of 30'-50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No. 170,978), Guidelines K - Vehicular Use Areas.
16. Maintenance. The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways and exterior walls and areas along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
17. Community Relations. An authorized representative of the Applicant shall be available to meet with any representative of the Los Angeles Police Department, UCLA Police Department, UCLA Office of Fraternity and Sorority Relations, Los Angeles Fire Department, or the Los Angeles Department of Building and Safety, on an as-needed basis as determined by said Department/Agency and communicated to the Applicant.
18. Complaint Response/Community Relations. A phone number shall be provided by the applicant for the receipt of complaints from the community regarding the subject facility and shall be provided to the immediate neighbors, local neighborhood associations, and the applicable Council Office. The property owner/operator shall designate a community liaison who shall meet with representatives or the neighborhood and/or associations, at their request, to resolve neighborhood compliance regarding the subject property.
19. Best Practices Document. All guidelines, policies and volunteered conditions, related to the maintenance and continued operation of the subject use shall be contained in a Best Practices Document. Said document shall be made available to each resident of the facility and to the applicable Council Office and Neighborhood Council.
20. A complete copy of this Conditional Use Permit shall be retained on the premises at all times, and be immediately produced upon request by any representative of the Los Angeles Police Department, Los Angeles Fire Department or the Los Angeles Department of Building and Safety or the applicable Neighborhood Council and Council Office.

E. Environmental Conditions.

21. Graffiti. Every building, structure, or portion thereof shall be maintained in a safe and sanitary condition and in good repair. The premises of every building or structure shall be maintained in good repair and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Sections 91.8104. The exterior of all privately owned buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.
22. Signage. On site signs shall be limited to the maximum allowable under the code. Temporary signs are not permitted.
23. Light. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
24. Air Pollution (Stationary). The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
25. Seismic. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
26. Erosion/Grading/Short-Term Construction Impacts.
 - a. 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 keep the construction area sufficiently dampened to control dust caused by grading 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.
 - b. Noise
 - g. The project shall comply with the City of Los Angeles Noise Ordinance No. 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.
 - h. Construction and demolition 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.
 - i. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - j. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
 - k. The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
 - c. Grading

Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within "Hillside" areas. The application of BMPs includes but is not limited to the following mitigation measures:

 - l. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - m. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
 - n. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
 - d. General Construction
 - o. 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/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
 - p. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
 - q. Do not hose down pavement at material spills. Dry cleanup methods shall be used whenever possible.
 - r. Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
 - s. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.
 - t. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
27. Hillside.
 - a. The applicant shall obtain haul route approval from the Board of Building & Safety Commissioners for export/import in excess of 1,000 cubic yards.
 - b. All haul route hours shall be limited to off-peak hours as determined by Board of Building and Safety Commissioners.
 - c. LADBS shall assign specific haul route hours of operation.
 - d. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
 - e. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
 - f. LADBS shall stagger haul trucks based upon a specific area's capacity, as determined by LADOT, and the amount of soil proposed to be hauled to minimize cumulative traffic and congestion impacts.
 - g. The City of Los Angeles Department of Transportation (LADOT) shall recommend to the Building & Safety Commission Office the appropriate size of trucks allowed for hauling, best route of travel, the appropriate number of flag people.
 - h. Trucks having no current hauling activity shall not idle but be turned off.
 - i. The applicant shall be limited to no more than two trucks at any given time within the site's staging area.
 - j. No parking shall be permitted on the street during Red Flags Days in compliance with the Los Angeles Fire Department Red Flag No Parking program.
 - k. In order to preserve adequate access for emergency vehicles, all construction material shall be stored on-site and not on the street during hauling operations.
 - l. The applicant shall provide a soils and/or geotechnical report to LADBS (reports need to be determined by LADBS) for review and approval that shall include measures to mitigate impacts related to grading.
 - m. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
28. Explosion/Release (Asbestos Containing Materials). Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM 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.
29. Increased Noise Levels (Parking Structure Ramps).
 - a. Concrete, not metal; shall be used for construction of parking ramps.
 - b. The interior ramps shall be textured to prevent tire squeal at turning areas.
 - c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

30. Public Services (Fire). 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.
31. Utilities (Solid Waste). Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
32. Bulky Item Disposal. The Applicant shall be responsible for informing residents on a quarterly basis that all bulky items must be hauled off site to an appropriate recycling facility or trash dump, or arranged for free pick up by the City's bulky item trash pickup program.
- F. As Volunteered by the Applicant:
33. All trash, debris, rubbish and litter shall be picked up and removed from the front yard, landscaped area, front porch, driveway and public sidewalk within 15 feet of the demised premises, and both front stairwells no less frequently than at least three times per week during the regular UCLA academic year school year (generally mid-September through mid-June), and no less frequently than at least twice weekly during UCLA Summer Sessions (generally mid-June through mid-September).
34. Within 12 hours after the end of any recruitment event, large party, or social function on the premises, the entire front yard, landscaped area, driveway, front porch, side yards, rear yard, exterior stairwells, garage, public sidewalk, gutter, curb, and street adjacent to the demised premises shall be cleaned and swept of all trash, debris, rubbish, and litter, including, but not limited to, all food wrappers and debris, cups, bottles, broken glass, chewing gum, and cigar and cigarette butts.
35. No stickers, decals, posters, fliers, or handbills shall be posted anywhere on the front exterior of the premises, or posted or affixed to any public lampposts, trees, utility boxes, mailboxes, or any other public property.
36. All windows on the front façade of the premises shall be kept free of signs or banners visible from the street.
37. Any broken window, including broken or damaged panes of glass, shall be repaired or replaced within 72 hours of its occurrence.
38. Emergency contact phone numbers for Los Angeles Fire Department, Los Angeles Police Department, UCLA Police Department, UCLA Hospital, and local ambulance services, shall be posted next to all common area telephones.
39. Except for necessary repairs and maintenance, no tenant or other person shall be allowed on the roof at any time. The parts of the terrace area at the fourth floor level designed for use and occupancy shall not be restricted, but shall be separated from the landscaped areas not designed for use and occupancy by a 6'0" high fence with locked gate(s) as shown on the plans submitted with the application.
40. At all times, any furniture located or used on the exterior front porch shall be appropriate weather-proofed outdoor patio or garden furniture designed for outdoor use and made of an appropriate all-weather material (i.e., wood, aluminum, wicker, rattan, heavy-duty plastic, resin, etc.) Such outdoor patio furniture shall be maintained in a neat, clean, and attractive condition. At no time shall any upholstered or other furniture designed for interior use be maintained or located on the exterior front porch.
41. Following the issuance of a Certificate of Occupancy, the Applicant shall, no less frequently than three times each year, coordinate with the Fifth District Council Office, the UCLA Office of Fraternity and Sorority Relations, and the UCLA Office of Community and Local Government Relations to organize, staff, and operate a volunteer-based "Operation Clean Sweep" program (OCS) in the North Village Specific Plan Area and/or the Westwood Village Specific Plan Area, to remove litter, trash, stickers, flyers, graffiti, rubbish, food wrappers, debris, cups, bottles, broken glass, chewing gum, cigar and cigarette butts, and bulky trash items from the public right of way, streets, gutters, curbs, alleys, sidewalks, lampposts, mailboxes, utility boxes, and other public property. This OCS project shall be conducted once each Fall, Winter, and Spring Quarter during the regular UCLA academic school year (mid-September through mid-June). The minimum commitment by the Applicant shall be to provide fifteen (15) volunteers each time, providing a minimum of four (4) hours per volunteer. Additionally, the Applicant shall invite and encourage other UCLA fraternity and sorority members, other UCLA students, North Village residents, Westwood neighbors, Westwood business and property owners, and other community volunteers to participate in this project.
42. Any exterior sign or banner on the premises, or interior sign which can be viewed from the street, which contains the name or logo of any alcoholic beverage, including any beer, wine, or spirits, shall be prohibited at all times.
43. Any exterior sign or banner on the premises, or interior sign which can be viewed from the street, which contains any lewd, indecent, offensive, or profane language or graphic image, or which contains any language or graphic image that is deemed offensive or degrading toward a person based on race, color, creed, national origin, religion, gender, sexual orientation, or disability shall be prohibited at all times.
44. All residents of the premises, all non-resident members of the fraternity who make use of the premises, and all guests, shall be knowledgeable of these conditions and shall be held responsible for abiding by them at all times.
- G. Administrative Conditions of Approval.
45. Approval, Verification and Submittal(s). 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 Planning Department for placement in the subject file.
46. 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 or as otherwise approved by the appropriate City authority.
47. 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 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 for attachment to the file.
48. 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.
49. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
50. Building Plans. Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
51. Project Plan Modifications. Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, design or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Design Review Board.
52. Applicability: North Westwood Village Specific Plan. Except as noted herein, this grant does not confer exceptions or an approval of compliance with any other sections of the adopted North Westwood Village Specific Plan. The applicant/owner shall be responsible for compliance with all other requirements and standards established by the adopted Specific Plan and obtaining Project Permit Compliance and Design Review Board Approval.
53. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

54. 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 Director of Planning to impose additional corrective conditions, if, in the Director of Planning's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

55. Utilization of Entitlement. The applicant/owner shall have a period of three years from the effective date of the subject grant to effectuate the terms of this entitlement by securing a building permit for the authorized use, or unless prior to the expiration of the time period to utilize the privileges, the applicant files a written request and is granted an extension to the termination period.