BOARD OF BUILDING AND SAFETY COMMISSIONERS

> HELENA JUBANY PRESIDENT

VAN AMBATIELOS VICE PRESIDENT

E. FELICIA BRANNON VICTOR H. CUEVAS SEPAND SAMZADEH

December 19, 2013

CITY OF LOS ANGELES



FRIC GARCETTI

MAYOR

DEPARTMENT OF BUILDING AND SAFETY 201 NORTH FIGUEROA STREET LOS ANGELES, CA 90012

RAYMOND S. CHAN, C.E., S.E. SUPERINTENDENT OF BUILDING INTERIM GENERAL MANAGER

BOARD FILE: 130109 C.D.: 5

Nile Niami 4929 Wilshire Blvd., #410 Los Angeles, CA 90010

JOB ADDRESS: 944 NORTH AIROLE WAY TRACT: TR 22727; LOT: 2

The Board of Building and Safety Commissioners, at its meeting of December 17, 2013, gave consideration to the application by Chris Parker, to export 39,805 cubic yards of earth, from the above-referenced property.

The Board took the following action:

- 1. <u>FIND</u> that this project will not have a significant effect on the environment pursuant to the City's Environmental Guidelines, and is in compliance with CEQA; that the MND reflects the independent judgment of the Lead Agency, the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in the files of the Los Angeles Department of Building and Safety Commission Office; and <u>ADOPT</u> the Mitigated Negative Declaration ENV-2013-1578-MND.
- 2. <u>APPROVE</u> the application subject to all conditions specified in the Department's report dated November 20, 2013, with the following conditions:
 - a. Item C.1 shall be modified as follows:

The hauling operations are restricted to the hours between 9:00 a.m. and 4:00 p.m. on Mondays through Fridays and 8:00 a.m. and 4:00 p.m. on Saturdays. No hauling allowed on <u>Saturdays</u>, Sundays or holidays. Haul vehicles may not arrive at site before the designated start time.

(Continued on Page 2)

Page 2 Job Address: 944 NORTH AIROLE WAY Board File: 130109

b. Item C. 7 shall be modified as follows:

<u>Eight (8)</u> flag persons (minimum) shall be required at the job site during staging and hauling to assist the trucks in and out of the project area. Flag persons and warning signs shall be in compliance with Part II of the latest Edition of "Work Area Traffic Control Handbook."

This action becomes effective and final when ten calendar days have elapsed from the date of the Board's action, unless an appeal is filed to the City Council pursuant to Section 91.7006.7.4 of the Los Angeles Municipal Code.

When a proposed Negative or Mitigated Negative Declaration has been approved, Public Resources Code Section 21152(a) requires that a Notice of Determination ("NOD") be filed within five working days after the effective date of the decision. The filing of the NOD with the County Clerk starts a 30-day statute of limitations on court challenges to the approval of the project pursuant to Public Resources Code Section 21167. Failure to file the notice results in the statute of limitations being extended to 180 days.

fr

Helena Jubany, President BOARD OF BUILDING AND SAFETY COMMISSIONERS

NOT VALID WITHOUT STAMP AND SIGNATURE

CJ:at 130109.FAL

c: Sr. Grading Inspector P. Mischlich Noah Muhlstein, representing Council District 5 Mark Armbruster Chris Parker Brad Callaway Jason Somers Phill Mills Renee Schillaci Reece Hamilton Mark Amin Dr. and Mrs. Frank Dufour Paul McClean Bill Scanlon Greg Suess Frank and Shelly Litvack Gordon Paddison Michael Lambert Cynthia Arnold Sion Maher

Action By the BOARD OF BUILDING AND SAFETY COMMISSIONERS on December 17, 2013 BOARD OF BUILDING AND SAFETY COMMISSIONERS

> HELENA JUBANY PRESIDENT

VAN AMBATIELOS VICE PRESIDENT

E. FELICIA BRANNON VICTOR H. CUEVAS SEPAND SAMZADEH

November 20, 2013

CITY OF LOS ANGELES



DEPARTMENT OF BUILDING AND SAFETY 201 NORTH FIGUEROA STREET LOS ANGELES, CA 90012

RAYMOND S. CHAN, C.E., S.E. SUPERINTENDENT OF BUILDING INTERIM GENERAL MANAGER

ERIC GARCETTI MAYOR

> BOARD FILE NO. 130109 C.D.:5 (Councilmember P. Koretz)

Board of Building and Safety Commissioners Room 1080, 201 North Figueroa Street

APPLICATION TO EXPORT 39,805 CUBIC YARDS OF EARTH

PROJECT LOCATION: 944 NORTH AIROLE WAY

TRACT: TR 22727 / 9745

BLOCK: -/3

LOT: 1, 2 / 3

OWNER:

Nile Niami 4929 Wilshire Boulevard, # 410 Los Angeles, CA 90010

APPLICANT:

Chris Parker 23622 Calabasas Road, #100 Calabasas, CA 91302

The Department of Transportation (DOT) and the Department of Public Works (DPW) have reviewed the subject haul route application and have forwarded the following recommendations to be considered by the Board of Building and Safety Commissioners (Board) in order to protect the public health, safety and welfare. Page 2 Job Address: 944 NORTH AIROLE WAY Board File: 130109

CONDITIONS OF APPROVAL

Additions or modifications to the following conditions may be made on-site at the discretion of the Grading Inspector, if deemed necessary to protect the health, safety, and welfare of the general public along the haul route.

Failure to comply with any conditions specified in this report may void the Board's action. If the hauling operations are not in accordance with the Board's approval, The Department of Building and Safety (DBS) shall list the specific conditions in violation and shall notify the applicant that immediate compliance is required. If the violations are not corrected or if a second notice is issued by DBS for violations of any of the conditions upon which the approval was granted, said approval shall be void. Inasmuch as Board approval of the import-export operations is a condition precedent to issuing a grading permit in a "hillside" designated area, violation of this condition may result in the revocation of the grading permit issued in reliance of this approval.

A. PERMITS AND BONDS REQUIRED BY THE DEPARTMENT OF PUBLIC WORKS:

PERMIT FEE MUST BE PAID BEFORE THE DEPARTMENT OF BUILDING AND SAFETY WILL ISSUE A GRADING PERMIT.

- 1. Under the provisions of Section 62.201 of the Los Angeles Municipal Code, the following permit fee shall be required:
 - a) A total of 39,805 cubic yards of material moved 3.5 miles within the hillside area at a rate of \$0.29 per cubic yard per mile results in a fee of \$3,000.00.
- 2. The required permit fee shall be paid at the Street Services Investigation and Enforcement Division office, 1149 South Broadway, Suite 350, Los Angeles, California, 90015, telephone (213) 847-6000.
- 3. Under the provisions of Section 62.202 of the Los Angeles Municipal Code, a cash bond or surety bond in the amount of \$50,000 shall be required from the property owner to cover any road damage and any street cleaning costs resulting from the hauling activity.
- 4. Forms for the bond will be issued by Susan Sugay, Bond Processor, Bureau of Engineering Valley District Office, 6262 Van Nuys Boulevard, Suite 351, Van Nuys, CA 91401; telephone (818) 374-5082.

B. GENERAL CONDITIONS:

1. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times shall provide reasonable control of dust caused by wind, at the sole discretion of the grading inspector.

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- 2. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- 3. The Traffic Coordinating Section of the Los Angeles Police Department shall be notified at least 24 hours prior to the start of hauling, (213) 893-8124/473-7800.
- 4. Loads shall be secured by trimming or watering or may be covered to prevent the spilling or blowing of the earth material. If the load, where it contacts the sides, front, and back of the truck cargo container area, remains six inches from the upper edge of the container area, and if the load does not extend, at its peak, above any part of the upper edge of the cargo container area, the load is not required to be covered, pursuant to California Vehicle Code Section 23114 (e) (4).
- 5. Trucks and loads are to be watered at the export site to prevent blowing dirt and are to be cleaned of loose earth at the export site to prevent spilling.
- 6. Streets shall be cleaned of spilled materials during grading and hauling, and at the termination of each workday.
- 7. The owner/contractor shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads.
- 8. The owner/contractor shall comply with all regulations set forth by the State of California Department of Motor Vehicles pertaining to the hauling of earth.
- 9. A copy of the approval letter from the City, the approved haul route and the approved grading plans shall be available on the job site at all times.
- 10. The owner/contractor shall notify the Street Services Investigation and Enforcement Division, (213) 847-6000, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations. Any change to the prescribed routes, staging and/or hours of operation must be approved by the concerned governmental agencies. Contact the Street Services Investigation and Enforcement Division prior to effecting any change.
- 11. No person shall perform any grading within areas designated "hillside" unless a copy of the permit is in the possession of a responsible person and available at the site for display upon request.
- 12. A copy of this report, the approval letter from the Board and the approved grading plans shall be available on the job site at all times. A request to modify or change the approved routes must be approved by the Board of Building and Safety Commissioners before the change takes place.
- 13. The grading permit for the project shall be obtained within twelve months from the date of action of the Board. If the grading permit is not obtained within the specified time, re-application for a public hearing through the Grading Division will be required.

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- 14. A log noting the dates of hauling and the number of trips (i.e. trucks) per day shall be available on the job site at all times.
- 15. This approval pertains only to the City of Los Angeles streets. Those segments of the haul route outside the jurisdiction of the City of Los Angeles may be subject to permit requirements and to the approval of other municipal or governmental agencies and appropriate clearances or permits is the responsibility of the contractor.
- 16. The applicant shall defend, indemnify and hold harmless the City of Los Angeles (City), its agents, officers, or employees, from any claim, action, or proceeding against the City 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.
- 17. A copy of the first page of this approval and all Conditions and/or any subsequent appeal of this approval and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the City's Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

C. SPECIFIC CONDITIONS

An authorized Public Officer may make additions to, or modifications of, the following conditions if necessary to protect the health, safety, and welfare of the general public.

- 1. The hauling operations are restricted to the hours between 9:00 a.m. and 3:00 p.m. on Mondays through Fridays. Saturday hauling is restricted to the hours of 8:00 a.m. and 4:00 p.m. No hauling allowed on Sundays or holidays. Haul vehicles may not arrive at the site before the designated start time.
- 2. Hauling of the material shall be completed within the maximum time limit of 79 hauling days.
- 3. Staging: Staging is allowed on site only.
- 4. The approved haul vehicles are double-bottom dump trucks.
- 5. Total amount of dirt to be hauled shall not exceed 39,805 cubic yards.
- 6. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.

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7. Three flag persons (minimum) shall be required at the job site during staging and hauling to assist the trucks in and out of the project area. One of the three flaggers shall be placed at the intersection of Bellagio Road and Bellagio Way to assist trucks into the traffic stream. Additional truck crossing sign shall also be placed in advance of this intersection on Bellagio Road. (See accompanying slide.) The remaining flaggers shall be placed at the site entrance and at the intersection of Stradella Road and Airole Way. *Radio controlled communication is required between the flag persons.* The flag persons and warning signs shall be in compliance with Part II of the latest Edition of "Work Area Traffic Control Handbook."

- 8. The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along streets in haul route.
- 9. The recommended route is as follows:

LOADED TRUCKS:

Exit the site travelling southbound on Airole Way, south (right) on Stradella Road, south (right) on Sarbonne Road, westbound (right) on Bellagio Road and continue to Sunset Boulevard, westbound (right) on Sunset Boulevard, north (right) on North Church Lane, enter southbound I-405 Freeway, transition eastbound I-10 Freeway, transition eastbound CA-60 Freeway and continue to the disposal site east of the city.

EMPTY TRUCKS:

From the landfill enter the westbound CA-60 Freeway, transition westbound I-10 Freeway, transition northbound I-405 Freeway, exit Wilshire Boulevard eastbound, continue on Wilshire Boulevard eastbound, north (left) on Veteran Avenue, east (right) on Sunset Boulevard, north (left) on Bellagio Way, east (right) on Bellagio Road, north (left) on Sarbonne Road, north (left) on Stradella Road, north (left) on Airole Way to the project site.

10. The applicant shall provide a staked sign at the site containing the contact information for the Senior Street Services Investigator (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor. The letters shall be a minimum of 3 inches in height.

D. ENVIRONMENTAL CONDITIONS

A Mitigated Negative Declaration (MND) was prepared for this project by the Department of City Planning (ENV-2013-1578-MND). Each mitigation measure identified in the MND is incorporated herein by reference as though fully set forth, and compliance with each is expressly made a condition of this project approval.

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E. MANDATORY FINDINGS AND RECOMMENDED ACTIONS

- 1. On November 20, 2013, the Department of City Planning issued the above described MND No. (ENV-2013-1578-MND). On the basis of the whole of the record before the Lead Agency, including any comments received, the Lead Agency FINDS that with the imposition of the mitigation measures described in the MND, and incorporated herein as project conditions, there is no substantial evidence that the proposed project will have a significant effect on the environment.
- 2. <u>FIND</u> that this project will not have a significant effect on the environment, pursuant to the State's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the MND reflects the independent judgment of the lead agency, the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in the files of the Los Angeles Department of Building and Safety Commission Office; and <u>ADOPT</u> the Mitigated Negative Declaration (ENV-2013-1578-MND).

CODE:

SEC. 91.7006. CONDITIONS PRECEDENT TO ISSUING A GRADING PERMIT. Section 91.7006.7. Limitation of Export and Import

- 5. At the public hearing, the Board of Building and Safety Commissioners shall consider the views of the applicant and all other affected persons. The board shall then grant or conditionally grant approval of export and import operations or, in the event it determines that the grading activity, including the hauling operation, will endanger the public health, safety and welfare, it shall deny the request. Where conditions of the permit are recommended by the Department of Public Works, including the condition that a bond be posted pursuant to Section 62.202 of the Los Angeles Municipal Code, such conditions shall be made a part of any permit which may be issued. The decision of the board shall not be effective until 10 calendar days have elapsed from the date of the board's decision.
- 6. Any affected person, including the applicant, who is dissatisfied with the decision of the board, may appeal the board decision within 10 days to the City Council by filing an appeal with the city clerk on forms which the city clerk provides. The City Council shall hear and make its determination on the appeal not later than the 30th day after the appeal has been filed. The decision of the City Council on the matter shall be final. If the City Council fails to act on any appeal within the time limit specified in this section, the action of the board on the matter shall be final.

RAYMOND S. CHAN, C.E., S.E. Interim General Manager

J. T. Christian

Staff Inspector, Commission Office

Action By the BOARD OF BUILDING AND SAFETY COMMISSIONERS on December 17, 2013.

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PROJECT LOCATION 944 North Airole way			
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	, (CONTIN	NUED ON PAGE 2)	
SEE ATTACHED SHEET(S) FO	R ANY MITIGATION MEA	SURES IMPOSED.	
	ake may adopt the mitigate	ed negative declariation, ame	ith the response of the Lead City and it, or require preparation of an EIR. ropriate findings made.
THE INI	TIAL STUDY PREPARED	FOR THIS PROJECT IS AT	TACHED.
NAME OF PERSON PREPARING TH	SFORM	TITLE	TELEPHONE NUMBER
DAVID SOLAIMAN TEHRANI		City Planning Associate	(213) 978-1193
ADDRESS	SIGNATURE (Official)		DATE
200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	and		November 20, 2013
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I-10. Aesthetics (Landscape Plan)

- Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- 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 and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12,40-D) and to the satisfaction of the decision maker.

I-40. Aesthetics (Retaining Walls less than 8 feet in Height)

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Retaining walls that can be viewed from the adjacent public right(s)-of-way shall incorporate one or more of the following to minimize their visibility: clinging vines, espaliered plants, or other vegetative screening; decorative masonry, or other varied and textured façade; or utilize a combination of methods. The method of compliance with this measure shall be noted on any required landscape plan.

I-90. Aesthetics (Vandalism)

- Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris
 along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a less than
 significant level by the following measures:
- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

I-120. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

i-130. Aesthetics (Glare)

- Environmental impacts to adjacent residential properties may result from glare from the proposed project. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

III-10. Air Pollution (Demolition, Grading, and Construction Activities)

- •
- 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. Wetting could reduce fugitive dust by as much as 50 percent.
- The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.

IV-10. Habitat Modification (Nesting Native Birds, Hillside or Rural Areas)

The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). The following measures are as recommended by the California Department of Fish and Game:

- Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture of kill (Fish and Game Code Section 86).
- If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
- a. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a Qualified Biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
- b. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species (within 500 feet for suitable raptor nesting habitat) until August 31.
- c. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- d. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

IV-70. Tree Removal (Non-Protected Trees)

- Environmental impacts from project implementation may result due to the loss of significant trees on the site.
 However, the potential impacts will be mitigated to a less than significant level by the following measures:
- Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general
 condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

Cultural Resources (Archaeological)

- Environmental impacts may result from project implementation due to discovery of unrecorded archaeological
 resources. However, the potential impacts will be mitigated to a less than significant level by the following measures;
- if any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
- The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- Project development activities may resume once copies of the archaeological survey, study or report are submitted to: SCCIC Department of Anthropology, McCarthy Hall 477, CSU Fullerton, 800 North State College Boulevard, Fullerton, CA 92834.
- Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.

ENV-2013-1578-MND

V-20.

 A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

V-30. Cultural Resources (Paleontological)

- Environmental impacts may result from project implementation due to discovery of unrecorded paleontological
 resources. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

V-40. Cultural Resources (Human Remains)

- Environmental impacts may result from project implementation due to discovery of unrecorded human remains.
- In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
- a. Stop immediately and contact the County Coroner: 1104 N. Mission Road, Los Angeles, CA 90033. 323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
- b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely
 descendent of the deceased Native American.
- d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- e. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
- f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

VI-10. Seismic

- Environmental impacts to the safety of future occupants may result due to the project's location in an area of
 potential seismic activity. However, this potential impact will be mitigated to a less than significant level by the
 following measure:
- The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

VI-20. Erosion/Grading/Short-Term Construction Impacts

- Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:
- 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.

- 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:
- a. 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.
- b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

VI-30. Erosion/Grading/Short-Term Construction Impacts (Hillside Grading Areas)

- Environmental impacts may result from the visual alteration of natural landforms due to grading. However, this impact will be mitigated to a less than significant level by the following measures:
- The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.
- 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.

VI-50. Geotechnical Report

- Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

VII-10. Green House Gas Emissions

- The project will result in impacts resulting in increased green house gas emissions. However, the impact can be reduced to a less than significant level though compliance with the following measure(s):
- Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

IX-20. Stormwater Pollution (Demolition, Grading, and Construction Activities)

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- Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- 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.
- 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.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- XII-20. Increased Noise Levels (Demolition, Grading, and Construction Activities)
- 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.

- 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.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

XVI-30. Transportation (Haul Route)

- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- (Non-Hillside): Projects involving the import/export of 20,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
- (Hillside and Subdivisions): Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
- (Hillside Projects):
- All haul route hours shall be limited to off-peak hours as determined by Board of Building and Safety Commissioners.
- The Department of Transportation shall recommend to the Building and Safety Commission Office the appropriate size of trucks allowed for hauling, best route of travel, the appropriate number of flag people.
- The Department of Building and Safety shall stagger haul trucks based upon a specific area's capacity, as
 determined by the Department of Transportation, and the amount of soil proposed to be hauled to minimize
 cumulative traffic and congestion impacts.
- The applicant shall be limited to no more than two trucks at any given time within the site's staging area.

XVI-60. Inadequate Emergency Access (Hillside Streets - Construction Activities)

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- No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
- All demolition and construction materials shall be stored on-site and not within the public right-of-way during demolition, hauling, and construction operations.

XVII-10. Utilities (Local Water Supplies - Landscaping)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous
 water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in
 lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to
 irrigate during the early moming or evening hours to minimize water loss due to evaporation, and water less in the
 cooler months and during the rainy season).
- In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- Weather-based irrigation controller with rain shutoff
- Matched precipitation (flow) rates for sprinkler heads
- Drip/microspray/subsurface irrigation where appropriate
- Minimum irrigation system distribution uniformity of 75 percent
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
- Use of landscape contouring to minimize precipitation runoff
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

XVII-20. Utilities (Local Water Supplies - All New Construction)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

- Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

XVII-90. Utilities (Solid Waste Recycling)

- Environmental impacts may result from project implementation due to the creation of additional solid waste.
 However, this potential impact will be mitigated to a less than significant level by the following measure:
- (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- (Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

XVII-100. Utilities (Solid Waste Disposal)

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 - All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

XVIII-10. Cumulative Impacts

 There may be environmental impacts which are individually limited, but significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. However, these cumulative impacts will be mitigated to a less than significant level though compliance with the above mitigation measures.

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK ROOM 395, CITY HALL LOS ANGELES, CALIFORNIA 90012 CALIFORNIA ENVIRONMENTAL QUALITY ACT

INITIAL STUDY

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and CHECKLIST (CEQA Guidelines Section 15063)

(CEUA C	Suidelines Section 15063)				
LEAD CITY AGENCY:	COUNCIL DISTRICT:	DATE:			
City of Los Angeles	CD 5 - PAUL KORETZ	10/23/2013			
RESPONSIBLE AGENCIES: Department of City Planning					
	ELATED CASES:				
and a second	A 2013-2045 WTM	⋤⋤⋺⋎⋰⋍⋺⋺⋧⋳⋧⋵⋶⋳⋽⋨⋛⋬⋽∊⋵⋽⋳⋠⋿⋍⋛⋵∊⋭⋳⋺⋽⋐⋐⋛⋤⋺⋐⋸∊⋺⋺⋺⋺⋺⋺⋽⋨⋚⋎⋎⋈⋺⋠⋎⋺⋎⋺⋎⋳⋎⋼⋳⋖⋽∊∊⋽⋹⋺⋻⋛⋛⋹⋲⋬⋺⋹⋜⋧⋞⋳⋍			
PREVIOUS ACTIONS CASE NO.:		-			
	Does NOT have significant char	iges from previous actions			
PROJECT DESCRIPTION:					
DEMOLISH (E) 2 STORY SFD AND CONSTRUCT NEW 2	STORY SFD	an a			
ENV PROJECT DESCRIPTION:		<i>4</i>			
The proposed project involves the construction of a new tw					
tennis court and other appurtenant structures, including a					
export of approximately 39,805 cubic yards of earth. The n approximately 70,187 square feet of floor area. Total floor	nain residence will be approximately 25.18	A (plus basement) and will contain			
project requires several discretionary approvals: 1) A zone	variance to nermit up to four kitchens	within a single family dwelling and			
guest house on property in the RE20-1-H Zone, in lieu of c	ne kitchen in the main dwelling otherw	ise permitted under LAMC Sec.			
12.07.01-A,1; 2) The approval of a haul route to permit the					
25,730 cubic yards of total grading); and 3) The Waiver of					
square feet.					
ENVIRONMENTAL SETTINGS:		·			
The subject property is located in the Bel Air - Beverly Cre					
square feet of lot area (3.84 acres). The property comprise					
942-944 Airole Way. The site has an irregular shape, meas	suring approximately 375 feet in width	at its widest point and approximately			
800 feet in length from south to north.					
The site sits atop a hill overlooking adjacent properties with	h descending elevations in all direction	s Those properties comprise			
estate-size dwellings on very large lots in the RE20-1-H ar		s. These proporties comprise			
The subject property is presently primarily developed with a single-family dwelling containing approximately 10,964 square feet of floor					
area according to the Los Angeles County Assessor, and with a second single-family dwelling containing approximately 1779 square					
feet of floor area. Both buildings are to be demolished.					
The subject encoder and the first of a new decoder and the set first of the Wayness and the set of					
The subject property was subdivided many decades ago (the existing main dwelling was constructed 44 years ago in 1969, according to the records of the Los Angeles County Assessor). Thus, the entire development has been previously graded and improved with					
is the records of the Los Angeles County Assessor). Thus, the entire development has been previously graded and improved with single family dwellings and appurtenant structures, and with landscaping in the areas planned for the new improvements.					
Airole Way is a substandard hillside limited street with a right of way width of 30 feet and roadway width of 20 feet, and Stradella Road					
is a substandard hillside limited street with a right of way width of 40 feet and a roadway width of 26 feet.					
PROJECT LOCATION:					
944 North Airole way					
COMMUNITY PLAN AREA:	AREA PLANNING COMMISSION:	CERTIFIED NEIGHBORHOOD			
BEL AIR - BEVERLY CREST	WEST LOS ANGELES	COUNCIL:			
STATUS:		BELAIR - BEVERLY CREST			
		•			

Does Conform to Plan		
Does NOT Conform to Plan		
EXISTING ZONING: RE20-1-H	MAX. DENSITY/INTENSITY ALLOWED BY ZONING: 1 dwelling unit per 20,000 square feet of lot area	
GENERAL PLAN LAND USE: VERY LOW I RESIDENTIAL	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: 1 dwelling unit per 20,000 square feet of lot area	LA River Adjacent: NO
	PROPOSED PROJECT DENSITY: 1 dwelling unit per 167,186 square feet of lot area	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

N. Balannii (& hai	City Planning Associate	(213) 978-1193
Signature	Title	Phone

Evaluation Of Environmental Impacts:

- 1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less that significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the Incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used, Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)	
Background	
PROPONENT NAME:	PHONE NUMBER:
Nile Niami	0 -
APPLICANT ADDRESS:	
4929 Wilshire Boulevard, Suite 410, Los Angeles, CA 90010	
AGENCY REQUIRING CHECKLIST:	DATE SUBMITTED:
Department of City Planning	05/30/2013
PROPOSAL NAME (if Applicable):	

Page 3 Job Address: 944 NORTH AIROLE WAY Board File: 130109

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