

C/O Office of the City Clerk
200 N. Spring Street, Room 395
Los Angeles, CA 90012

3923-3941 Hopevale Dr. Appeal

APPEAL FROM: Appeal from the Board of Building and Safety Commissioners

Appeal to: The City Council

Regarding Case NO: BF 140090 Project #ENV-2014-3285-MND

Last date to Appeal: March 20, 2015

Type of Appeal: Appeal the entire Board decision, by a neighbor other than the applicant/owner, claiming to be aggrieved by the Boards decision.

Appellant Information : Allison Feltus
3901 Pacheco Dr Sherman Oaks CA
714-425-1071
ruedebassano@gmail.com

Regarding Case No.: Board File Number 140090, ENV- CD: 4

Project Address 3923-3941 Hopevale Drive

Final Date to Appeal: March 20, 2015

Type of Appeal: Appeal of the entire Board decision, by an entity other than the project applicant/owner, claiming to be aggrieved by the Board's decision.

APPELLANT INFORMATION:

Name: Allison Feltus
Address: 3901 Pacheco Drive
Telephone: 818-906-3505
E-Mail: ruedebassano@gmail.com

Purpose of Appeal:

Dear Honorable Council Members:

This appeal seeks to reverse the entire decision of the Board of Building and Safety Commissioners ("the Board"), Agenda Item B3, at the Board's hearing on March 10, 2015. This appeal pertains to the

entire decision of the Board, including without limitation Board file number 140090, and Project Title ENV-2014-3285-MND (the "Project"). The appeal is based primarily on the Board's improper approval of a Mitigated Negative Declaration (MND), rather than an Environmental Impact Report (EIR), to disclose and mitigate the Project's adverse environmental impacts.

SUMMARY OF FACTS:

This appeal is submitted on behalf of the appellant and concerned homeowners in the neighborhood.

Unfortunately, the Board of Building and Safety Commissioners ("the Board") has repeatedly demonstrated that it does not share the communities concern for the health, safety and welfare of existing residents in the Sherman Oaks Community. In this case, I appeal the March 10, 2015 decision of the Board, which approved a haul route permit for the property owner Svetlana Molochanov for the export of 1,638 cubic yards of dirt from a lot located at 3923-3941 Hopevale Drive(the "Property"). The owner seeks the haul route permit as part of its development of a 5,000 square foot "single family home," with a basement and pool across 4 unimproved hillside lots. The export of 1,638 cubic yards of dirt would involve at least 400 truck trips (in and out). As discussed below in Item 1, the true volume of dirt exported is much greater, including substantial cubic yards of dirt exported from drilling cement solidier piles. This additional dirt export will result in many more truck trips, for dirt hauling alone, not including thousands of truck trips for cement and delivery of wood and steel.

1. The Board Failed To Consider the Extent of the Hopevale Project's Total Dirt Hauling Impacts.

The Board was presented with sworn statements, documentation and photographs describing the unstable condition of the steep hillside location of the proposed project. The Hopevale location has been noted historically to have substandard geological rating for any additional development. This has been acknowledged and noted by previous City Councilmen in the district including Mike Feuer and Jack Weiss.

The Board did not take into consideration the existing haul routes that have impacted the community, proving to be a detriment, to the area. The ongoing construction of the 405 Freeway Widening project has redirected traffic through residential neighborhoods, placing a strain and bottleneck in the vicinity. Currently, traffic that would normally flow through freeway entrances to the 405 freeways on Sepulveda Blvd. at Valley Vista and near the Skirball Ctr. Bridge, during peak morning and evening hours, redirect themselves through Saugus Ave and Rayneta Ave. to Cody Road in an effort to reach Mulholland drive, to attempt to access an available alternate freeway entrance. This redirected traffic route is currently identified by Mobile Computer Applications as preferred routes to avoid existing bottlenecks in the construction related traffic grid. Further, during offpeak periods, the main freeway entrances previously referenced are closed to allow for construction. These freeway closures forces traffic to the residential neighborhoods seeking alternates routes to the 405, to traverse between the San Fernando Valley and West Los Angeles. The existing freeway closures coupled with a proposed haul route for trucks along the Rayneta/Saugus route places a day long bottleneck for neighbors attempting access to their homes. This is not a feasible option for Sherman Oaks homeowners. While it is quite clear that a traffic impact report was performed and assessed to prompt the 405 widening project. Did the Board consider these factors in this Haul Route ruling? Would the traffic from the 405 widening project fair better on single lane roads in a hillside residential neighborhood with multiple 10 wheel heavy load dirt trucks making more than 400 trips to import-export dirt? The Board was improper in its decision as a Traffic Impact Report was not commissioned and assessed before rendering a decision in the matter. The Board's approval of a haul route permit for the 3923-3941 Hopevale Dr. Project (the "Project") is a key example of the Board's disregard for the health, safety and welfare of Sherman Oaks

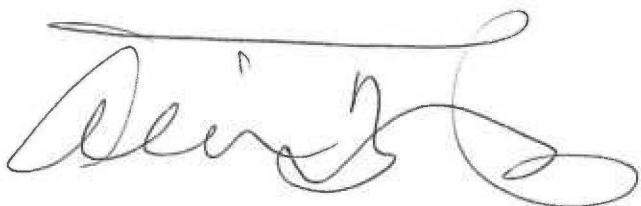
existing residents.

The conditions and mitigation plan violates local city and state ordinances. It is no surprise that the state of California has experienced a staggeringly low rainy season in the last several years, placing the state in a severe water drought. On July 29, 2014, the Office of Administrative Law approved and passed Emergency Water Conservation Regulations outlining restrictions to prevent wasteful water usage in the state of California. That law was extended on March 17, 2015 and included expanded restrictions on water usage emphasizing water conservation. The California State Water Resources Control Board laid out restrictions which bar individuals from watering down driveways, and watering yards or lots no more than twice per week.

The mitigation plan in the MND and the approval letter spells out provisions "Trucks and load are to be watered at the export site". It also indicates "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". Due to the reinforced water regulations, the approved haul route should be deemed invalid as it violates critical water conservation regulations that are required by all individuals, public and private. In order to enforce the water conservation rules, and reduce or eliminate wasteful water usage, the mitigation would then need to eliminate the plans including water in it's solution. The residual plan would then compromise the health of the neighborhood, providing an influx of fugitive dust and airborne spores to the area. The residual plan would violate SCAQMD District Rule 403.

The mitigation plan and the Board approval were issued with no regard of the prevailing water ordinances.

Finally, the applicant, through her agents, has already violated and is non compliant with the Haul Route Approval conditions and mitigation plan. It has been reported by many neighbors, the multiple misdemeanors committed by the applicant in the last year, in an attempt to begin construction without any permits. The applicant has trespassed on private property, cut numerous trees that are specifically defined in the Protected Tree ordinance, vandalized property and attempted to begin grading the hillside. What is most aggregious, the applicant was immediately notified of the trespassing and damage that was committed by her agents, only to openly defiant and have them return more than half a dozen times to continue to commit the same infractions without permits. This compromises the safety and welfare of our community. Further, the applicant and its agent have breached the public trust in their continued acts. The applicant has demonstrated through their repeated violations of the law, that there is pure lack of respect, dedication, regard or commitment to the law. There is no reliance that any mitigation plan or state law, would be followed. The applicant will continue to act with impunity with respect to the subject property. Any issuance is a proverbial "slap in the face" to laws of the state of California and the safety and welfare of this Sherman Oaks community. The applicant and her agents needs to be held accountable and suffer penalties and sanctions under the law, for the infractions that have been committed over the last year. Only then should a permit be explored. Currently, based on the facts contain herein along with the statements and testimony of neighbors and the appellatant, the appeal should be granted.

A handwritten signature in black ink, appearing to be "Alvin B. L.", written in a cursive style.

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

E. FELICIA BRANNON
VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER NUNEZ

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

RAYMOND S. CHAN, C.E., S.E.
GENERAL MANAGER

FRANK BUSH
EXECUTIVE OFFICER

March 12, 2015

BOARD FILE: 140090
C.D.: 4

Svetlana Molchanov
1411 Tower Grove Drive
Beverly Hills, CA 90210

JOB ADDRESS: 3923 – 3941 NORTH HOPEVALE DRIVE
TRACT: TR 6984

The Board of Building and Safety Commissioners, at its meeting of March 10, 2015, gave consideration to the application by Pedram Kazemi, to export 1,638 cubic yards of earth from the above-referenced property.

The Board took the following action:

1. FIND that with the imposition of the mitigation measures described in the Mitigated Negative Declaration (MND), and incorporated herein as project conditions, there is no substantial evidence that the proposed project will have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act.
2. ADOPT the Mitigated Negative Declaration ENV-2014-3285-MND.
3. APPROVE the application subject to all conditions specified in the Department's report dated March 9, 2015, with the following exceptions:
 - a. Item C.1 shall be modified as follows:

The hauling operations are restricted to the hours between 10:30 a.m. and 3:00 p.m. on Mondays through Fridays. No hauling allowed on Saturdays, Sundays or City Holidays. Haul vehicles may not arrive at the site before the designated start time.

(Continued on Page 2)

Job Address: 3923 – 3941 NORTH HOPEVALE DRIVE

Board File: 140090

- b. Item C.2 shall be modified as follows:

Hauling of earth shall be completed within the maximum time limit of 22 hauling days.

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.



Van Ambatielos, President

BOARD OF BUILDING AND SAFETY COMMISSIONERS

CJ:mct

140090.fal

- c: Sr. Grading Inspector J. Velasquez
Pedram Kazemi
Paul Edelman
Tom Henry, City Planner
Alexander Shvartsman
Brendt Butler
Irena Shut
Jacky Surber
Jonathan Brand

APPROVED BY

DATE

SIGNATURE

March 19, 2015

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

—
VAN AMBATIELOS
PRESIDENT

E. FELICIA BRANNON
VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER NUNEZ
—

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

—
RAYMOND S. CHAN, C.E., S.E.
GENERAL MANAGER

FRANK BUSH
EXECUTIVE OFFICER
—

March 9, 2015

BOARD FILE NO. 140090
C.D.:4 (Councilmember T. LaBonge)

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

APPLICATION TO EXPORT 1,638 CUBIC YARDS OF EARTH

PROJECT LOCATION: 3923 - 3941 NORTH HOPEVALE DRIVE

TRACT: TR 6984

BLOCK: NONE

LOT: 62, 63, 64, & 65

OWNER:

Svetlana Molchanov
1411 Tower Grove Drive
Beverly Hills, CA 90210

APPLICANT:

Pedram Kazemi
4966 Topanga Canyon Blvd.
Woodland Hills, CA 91364

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.

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 1,638 cubic yards of material moved 1.3 miles within the hillside area at a rate of \$0.29 per cubic yard per mile results in a fee of \$617.52.
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 \$50,000.00 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.

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) 486-0688/486-0690.
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.

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. All hauling vehicles must prominently display a unique placard identifying the project address on the vehicle or in the front windshield.
16. No staging of hauling trucks on any streets adjacent to the project, unless specifically approved as a condition of an approved haul route.
17. Trucks shall be spaced so as to discourage a convoy affect.
18. Only one hauling truck at any time shall be allowed on portions of the hauling route that are classified as substandard hillside streets.
19. 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.
20. **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.**
21. **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. No hauling allowed on Saturdays, Sundays or City Holidays. Haul vehicles may not arrive at the site before the designated start time.

2. Hauling of earth shall be completed within the maximum time limit of 20 hauling days.
3. Staging is allowed on site only.
4. The approved haul vehicles are 10 wheeler dump trucks.
5. Total amount of dirt to be hauled shall not exceed 1,638 cubic yards.
6. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction. Five additional signs will be placed at the following locations:
 - A. Two on Rayneta Drive in advance of Hopevale Drive.
 - B. One on Cody Road in advance of Rayneta Drive.
 - C. Two on Sepulveda Boulevard in advance of Sherman Oaks Avenue.
7. Five flag attendants, each with two-way radios, will be required during hauling hours to assist with staging and getting trucks in and out of the project area. One flag attendant will be placed at the following locations:
 - A. The entrance of the project site.
 - B. Midway between the project site and the intersection of Hopevale Drive and Rayneta Drive.
 - C. The intersection of Hopevale Drive and Rayneta Drive.
 - D. The intersection of Rayneta Drive and Cody Road.
 - E. The intersection of Rayneta Drive and Saugus Avenue.

Additional flag attendants may be required by the LADBS Inspector, LADOT, or BOSS to mitigate a hazardous situation (e.g. blind curves, uncontrolled intersections, narrow portions of roads or where obstacles are present). Flag attendants 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 City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be contacted four days prior to beginning operations to obtain fee requirements, applicable restrictions, and to have "Temporary Tow Away No Stopping Anytime" signs posted on both sides of Hopevale Drive adjacent to the project site.

10. Prior to hauling, the applicant shall provide the following information to Los Angeles Fire Department Station #88 located at 5101 N. Sepulveda Blvd., Los Angeles, CA 91403; telephone (818) 756-8688:
 - A. Contact information for the construction superintendent or contractor.
 - B. A copy of this approved staff report.
 - C. A map clearly illustrating the approved hauling route and involved street names.
 - D. The approved hauling hours.
 - E. The estimated completion date of hauling.

11. The recommended route is as follows:

LOADED TRUCKS:

Exit project site northbound on Hopevale Drive, turn west (left) on Rayneta Drive, north (right) on Saugus Avenue, west (left) on Valley Vista Boulevard, north (right) on Sepulveda Boulevard, enter northbound I-405 Freeway, and continue to the disposal site outside of the city limits.

EMPTY TRUCKS:

From the disposal site, travel southbound on I-405 Freeway, exit onto Valley Vista Boulevard/Sepulveda Boulevard off-ramp, turn north (right) on Flume Walk, west (left) on Sherman Oaks Avenue, north (left) on Sepulveda Boulevard, east (right) on Valley Vista Boulevard, south (right) on Woodcliff Road, east (left) on Rayneta Drive, south (right) on Hopevale Drive, and continue to the project site.

12. Only one hauling truck, associated with this project address, shall be allowed on the following substandard hillside streets, at any time: Hopevale Drive, Rayneta Drive, and Woodcliff Road.
13. 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-2014-3285-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

E. MANDATORY FINDINGS AND RECOMMENDED ACTIONS

1. On January 25, 2015, the Department of City Planning issued the above described MND No. (ENV-2014-3285-MND).
2. FIND that this project will not have a significant effect on the environment under the above described MND No. (ENV-2014-3285-MND) because 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, pursuant to the City'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.
3. ADOPT the Mitigated Negative Declaration (ENV-2014-3285-MND).

CODE:

SEC. 91.7006. CONDITIONS PRECEDENT TO ISSUING A GRADING PERMIT.

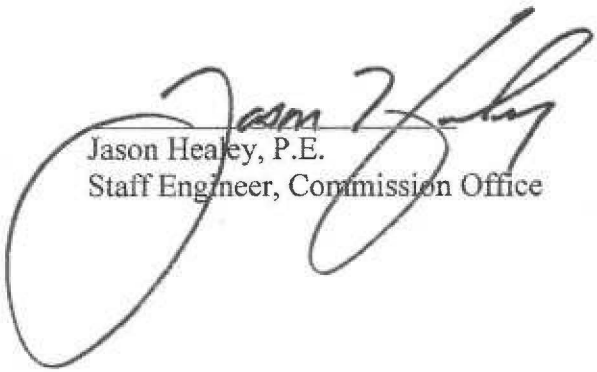
Section 91.7006.7. Limitation of Export and Import

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.

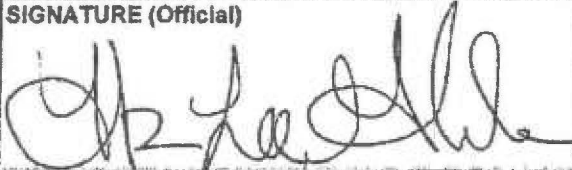
6. Any affected person, including the applicant, who is dissatisfied with the decision of the board, may appeal the board decision within 10 days to the City Council by filing an appeal with the city clerk on forms which the city clerk provides. The City Council shall hear and make its determination 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.
General Manager

March 10, 2015


Jason Healey, P.E.
Staff Engineer, Commission Office

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

LEAD CITY AGENCY City of Los Angeles		COUNCIL DISTRICT 4
PROJECT TITLE ENV-2014-3285-MND		CASE NO.
PROJECT LOCATION 3941 N HOPEVALE DR		
PROJECT DESCRIPTION The proposed project includes a request for a Haul Route for the export of 1,680 cubic yards of dirt from the site, for the construction of a two-story single-family dwelling on an approximately 18,000 square-foot vacant site. Approximately 1,680 cubic yards of grading will occur on-site.		
NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY Svetlana Molchanov 1411 Tower Grove Drive, Beverly Hills, CA 90210		
FINDING: The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance <p style="text-align: center;">(CONTINUED ON PAGE 2)</p>		
SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.		
Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.		
THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.		
NAME OF PERSON PREPARING THIS FORM Tom Henry	TITLE City Planning Associate	TELEPHONE NUMBER (818) 374-5061
ADDRESS 200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	SIGNATURE (Official) 	DATE JANUARY 25, 2015

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-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.

IV-80. Tree Removal (Locally Protected Species)

- Environmental impacts may result due to the loss of protected trees on the site. However, these potential impacts will be mitigated to less than significant level by the following measures:
- All protected tree removals require approval from the Board of Public Works.
- A Tree Report shall be submitted to the Urban Forestry Division of the Bureau of Street Services, Department of Public Works, for review and approval (213-847-3077), prior to implementation of the Report's recommended measures.
- A minimum of two trees (a minimum of 48-inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division.
- The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.
- Bonding (Tree Survival):
- a. The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.
- b. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

VI-50. Geotechnical Report

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- 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.

VIII-40. Hillside Construction Staging and Parking Plan

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- Prior to the issuance of a grading or building permit, the applicant shall submit a Construction Staging and Parking Plan to the Department of Building and Safety and the Fire Department for review and approval. The plan shall identify where all construction materials, equipment, and vehicles will be stored through the construction phase of the project, as well as where contractor, subcontractor, and laborers will park their vehicles so as to prevent blockage of two-way traffic on streets in the vicinity of the construction site. The Construction Staging and Parking Plan shall include, but not be limited to, the following:
 - No construction equipment or material shall be permitted to be stored within the public right-of-way.
 - During the Excavation and Grading phases, only one truck hauler shall be allowed on the site at any one time. The drivers shall be required to follow the designated travel plan or approved Haul Route.
 - Truck traffic directed to the project site for the purpose of delivering materials, construction-machinery, or removal of graded soil shall be limited to off-peak traffic hours, Monday through Friday only. No truck deliveries shall be permitted on Saturdays or Sundays.
 - All deliveries during construction shall be coordinated so that only one vendor/delivery vehicle is at the site at one time, and that a construction supervisor is present at such time.
 - During all phases of construction, all construction vehicle parking and queuing related to the project shall be as required to the satisfaction of the Department of Building and Safety, and in substantial compliance with the Construction Staging and Parking Plan, except as may be modified by the Department of Building and Safety or the Fire Department.
 - As appropriate, a radio operator shall be on-site to coordinate the movement of material and personnel, in order to keep the roads open for emergency vehicles, their apparatus, and neighbors.

XVI-30. Transportation (Haul Route)

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- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle 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.