

#14

APPEAL OF HAUL ROUTE PERMIT

BUILDING & SAFETY BOARD FILE 160127

NOTICE OF EXEMPTION (Case No. ENV-2016-3348-CE)

PROJECT ADDRESS: 1240 NORTH ANGELO DRIVE

**APPELLANT
EXHIBITS**

Date 2/28/17
Submitted to PLUM Committee
Exhibit File No 17-0159
Exhibit No 14
Communication from
Appellant

INDEX

1. **Photo Exhibits**
 - A – Goldstein House** (Appellant; located directly above the subject property);
 - B – Map** (depicting Subject Property and Appellant’s property);
 - C – Propose Haul Route and Alternate Route;**
 - D – 1240 Angelo Drive** (subject property; proximity of steep slope to narrow roadway);
 - E – Angelo Drive** (toward 180 degree hairpin turn);
 - F – Subject Property** (steepness of slope; no possibility of on-site staging);
 - G – K-rails at subject property** (installed at City’s expense);
 - H – Subject Property** (proximity of 75% slope to Angelo Drive);
2. **Appeal of Haul Route Permit;**
3. **Categorical Exemption issued by Planning Department;**
4. **Notice of CEQA Exemption;**
5. **2005 Order to Comply;**
6. **2016 Slope Stabilization Action funded by City at Subject Property;**
7. **Notice to Stop Construction and Intent to Revoke Permits;**
8. **Dept. of Building and Safety Notice of Determination;**
9. **Appeal of Notice of Determination.**

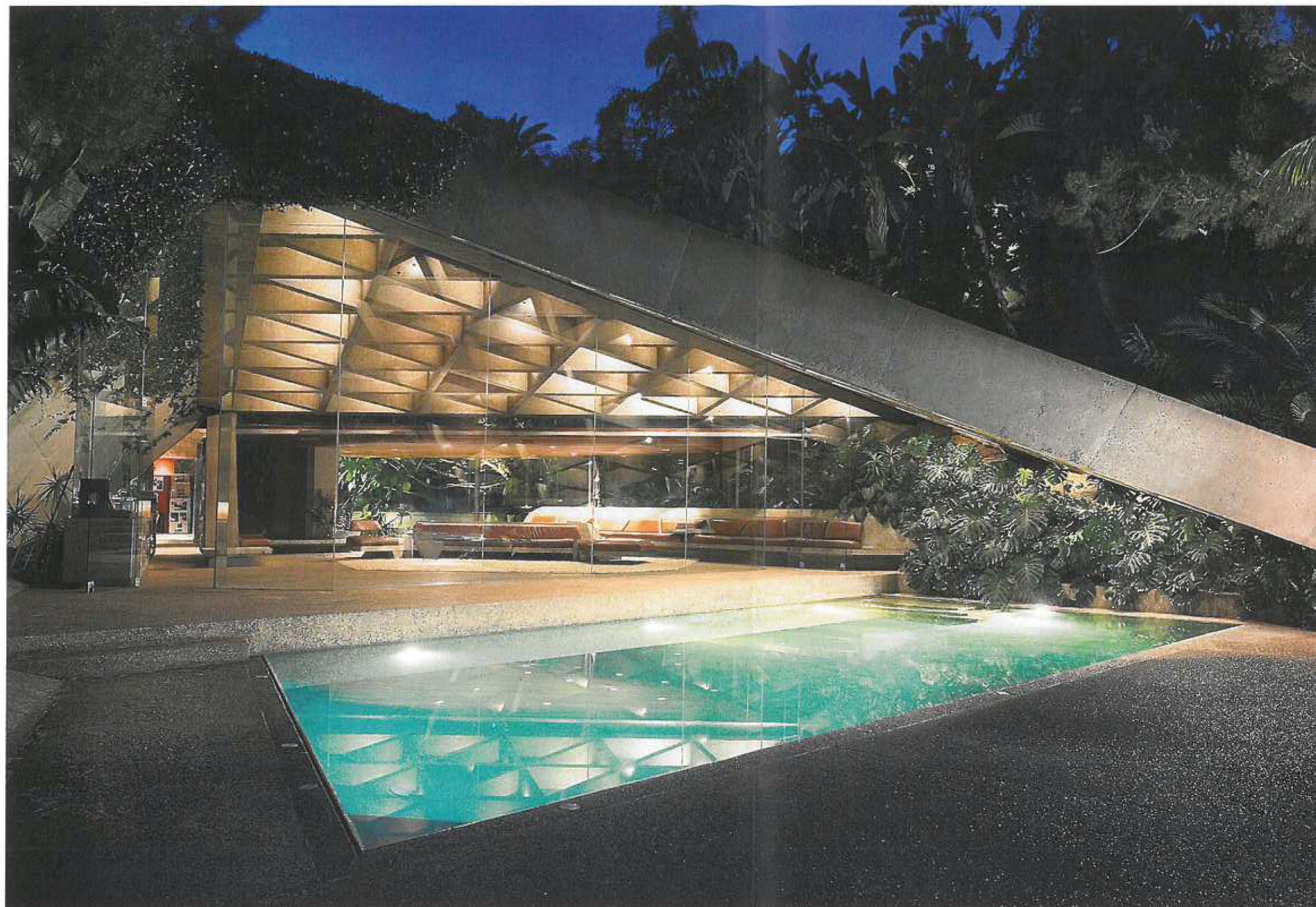


PHOTO EXHIBIT A
GOLDSTEIN HOUSE

1996

GOLDSTEIN

JULIANI

TRACT NO. 6774

M. B. 70-44-47

TRACT NO. 24216

M. B. 632 - 61

TRACT NO. 22144

M. B. 624 - 39 - 41

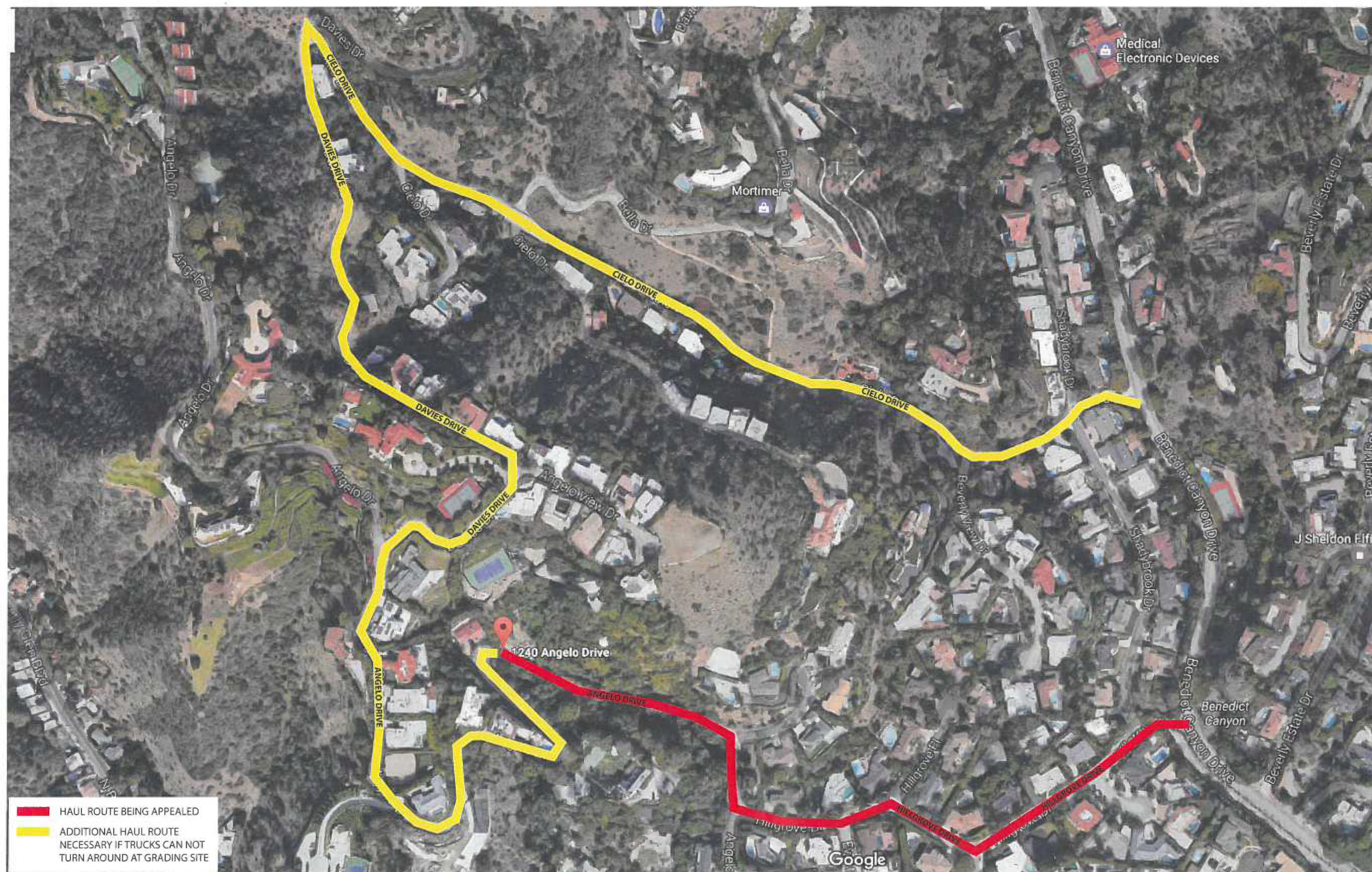
CODE
67

FOR PREV. ASSM'T. SEE: 667-10,34 & 38

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

DETAIL NO SCALE

PHOTO EXHIBIT B
Area Map showing Subject
Property and Appellant Property



**PHOTO EXHIBIT C
PROPOSED HAUL ROUTE and
ALTERNATE ROUTE**

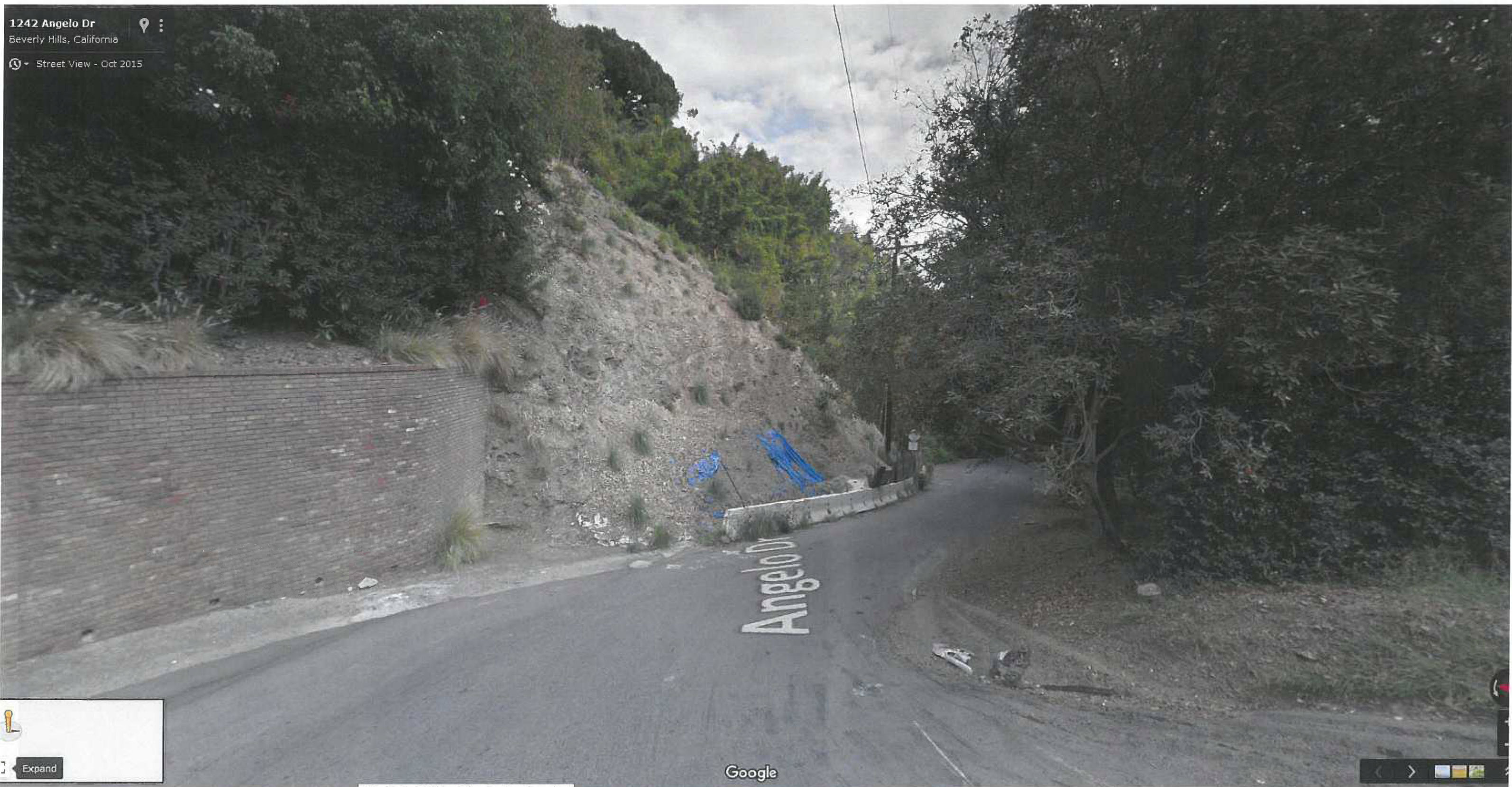


PHOTO EXHIBIT D
1240 ANGELO DRIVE
proximity of steep hillside to
narrow road

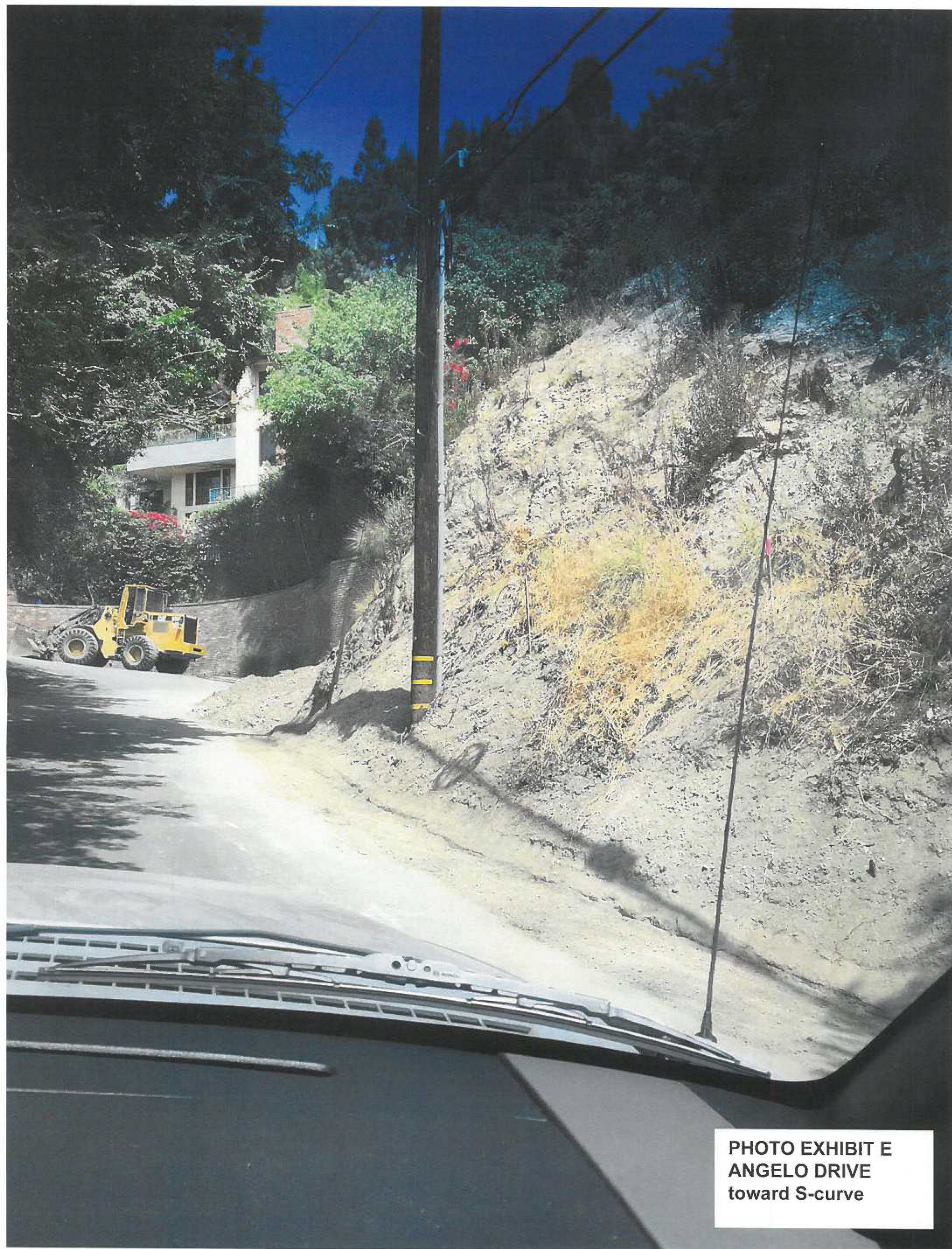


PHOTO EXHIBIT E
ANGELO DRIVE
toward S-curve

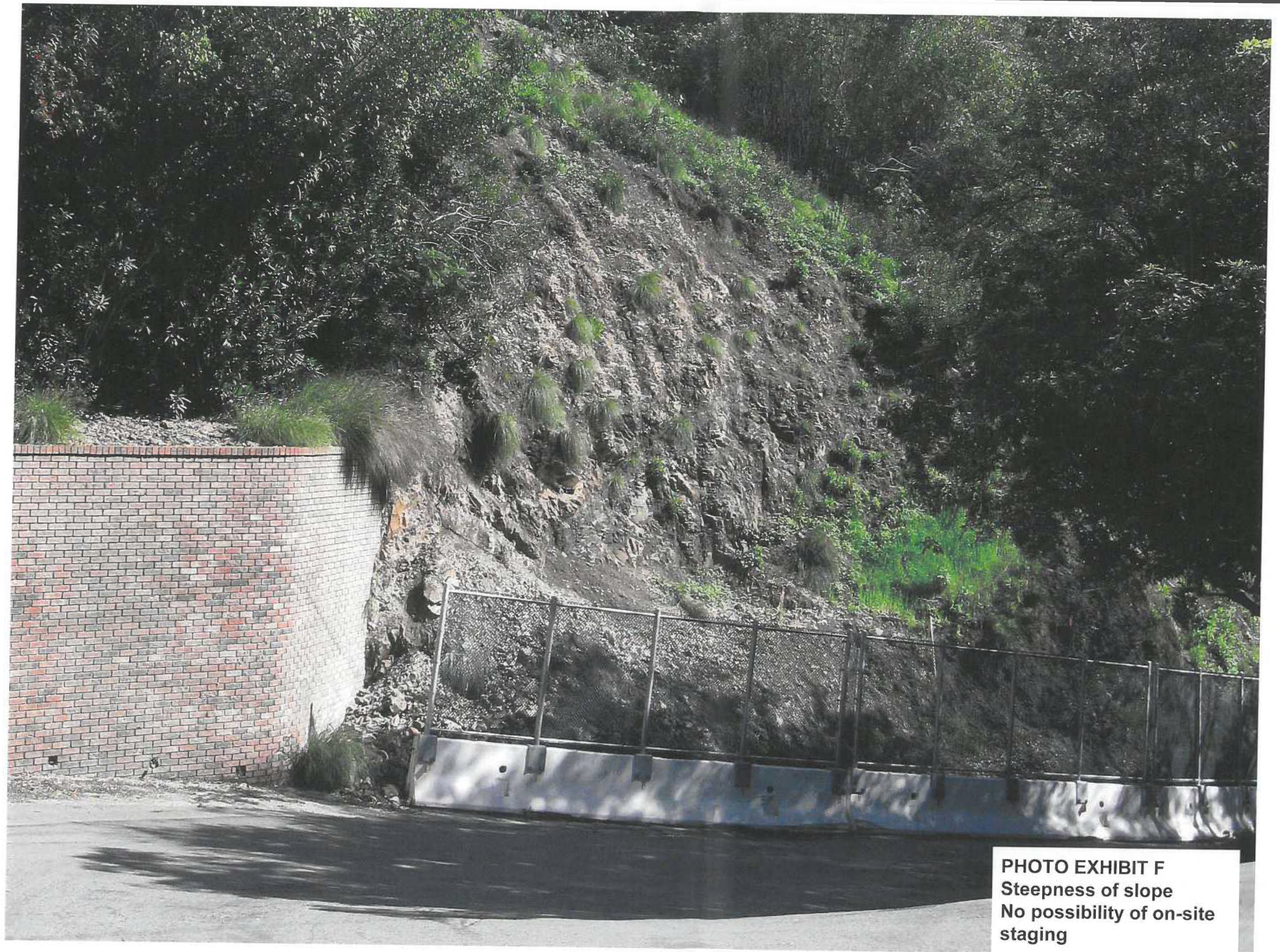


PHOTO EXHIBIT F
Steepness of slope
No possibility of on-site
staging

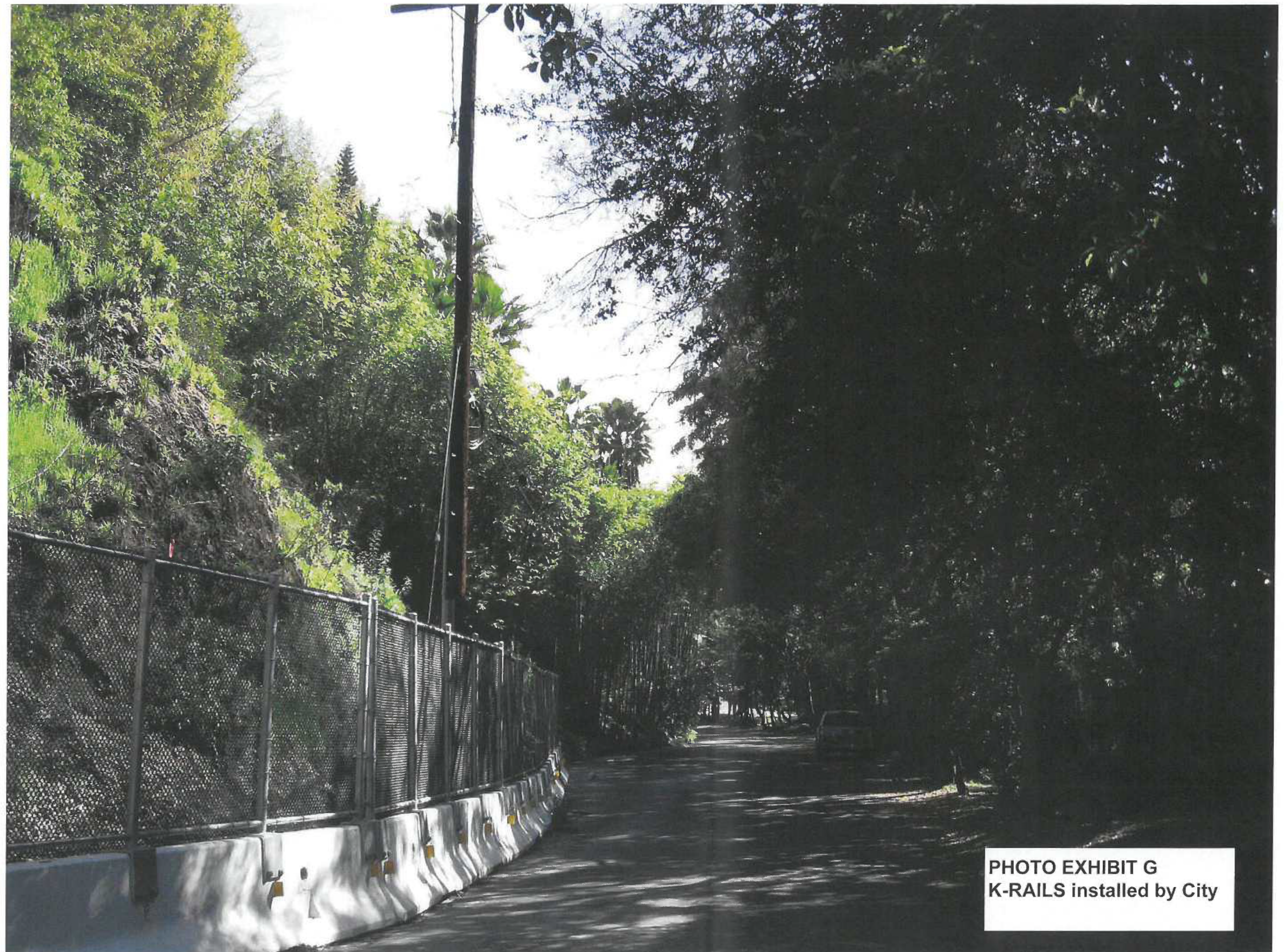


PHOTO EXHIBIT G
K-RAILS installed by City



PHOTO EXHIBIT H
Proximity of slope to
narrow roadway

LAW OFFICES
GILCHRIST & RUTTER
PROFESSIONAL CORPORATION

WILSHIRE PALISADES BUILDING
1288 OCEAN AVENUE, SUITE 800
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February 10, 2017

VIA HAND DELIVERY

Council President Wesson
Honorable Council Members
The Los Angeles City Council
Office of the City Clerk
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Re: Appeal of Haul Route Permit
Building & Safety Board File 160127
Notice of Exemption (Case No. ENV-2016-3348-CE)
Project Address: 1240 North Angelo Drive

RECEIVED
CITY CLERK'S OFFICE
2017 FEB 10 AM 1:48
BY _____
CITY CLERK
DEPUTY

Dear Council President Wesson and Honorable Council Members:

This firm represents Mr. James Goldstein, the owner of the property at 10104 Angelo View Drive which adjoins the subject property on three sides. On January 31, 2017, the Board of Building & Safety Commissioners (Board) approved a haul route permit to export approximately 4,096 cubic yards of earth from 1240 North Angelo Drive.

This appeal seeks to reverse the entire decision of the Board, including the approval of the Haul Route permit and the approval of a Categorical Exemption, rather than a Mitigated Negative Declaration to disclose and mitigate the project's adverse environmental impacts. This appeal is also based on the Board's violation of City Municipal Code Section 91.7006.7.4(5) which states that the Board "shall" deny approval of a haul route permit request, when such approval would "endanger the public health, safety and welfare".

The Appellant owns the property located at 10104 Angelo View Drive ("Goldstein Property"). The Goldstein Property is located immediately uphill from the Subject Property owned by Bruce Juliani, and surrounds the north, east and west sides of the Subject Property. A map showing the relative locations of the Goldstein Property and the Subject Property is attached as Exhibit 1.

Mr. Juliani has been working on plans to develop the Subject Property for more than 10 years. Mr. Goldstein has previously had justifiable concerns regarding the adverse effects that the development of the Subject Property could have on his property. The Appellant's concerns are now the public's concerns, as well. The Goldstein Property includes, without limitation, a

Council President Wesson
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unique home and accessory structures designed by the esteemed architect, John Lautner. In February 2016, the Appellant made a Promised Gift of the Goldstein Property, including the Lautner-designed home and accessory structures, and the surrounding uniquely landscaped hillside gardens, to the Los Angeles County Museum of Art ("LACMA"), together with a trust fund to maintain the property. The Appellant intends that his Promised Gift of the Goldstein Property will result in the Goldstein Property serving as a working example of extraordinary art and architecture that will be studied and enjoyed by the public for years to come through LACMA's scheduled programming. Therefore, it is critical to the Appellant during his lifetime and to LACMA and the public thereafter, that the Goldstein Property's structures and landscaped hillside gardens remain structurally and geologically sound.

Consequently, the Appellant's experts and attorneys have been trying to contact Mr. Juliani and his architect on a regular basis, asking to review the working plans for the development of the Subject Property, but their requests were either refused or ignored. Mr. Juliani has continually refused to cooperate with the Appellant, despite the fact that his property is located directly uphill from the Subject Property and stands to be most affected physically by the development.

On March 8, 2016, LADBS issued six permits for the development of the New Residence (collectively, "Permits"), including:

- A grading permit, Permit No. 14010-20000-06607, showing only 920 cubic yards of dirt would be exported;
- A retaining wall permit, Permit No. 14020-20000-02751, showing four retaining walls;
- A single-family dwelling and private garage permit, Permit No. 14010-20000-03400;
- A private pool and spa permit, Permit No. 14047-20000-01538;
- An irregular-shaped driveway/concrete deck permit, Permit No. 15020-20000-02521; and
- A temporary shoring permit, Permit No. 14020-20000-02752.

On March 15, 2016, the Appellant's attorneys received notice from Mr. Juliani that the Permits had been issued. Mr. Goldstein's representative tried several times through the LADBS

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to review the approved plans and other documents (collectively, "Approved Plans") for the New Residence that support the Permits, but were told that they had been sent "offsite" for copying.

Additionally, in response to the March 15, 2016, Notice from Mr. Juliani, the Appellant's attorneys again asked that the Appellant be allowed to review the Approved Plans. His attorneys received no response to their request until finally, on the evening of Tuesday, March 22, they received copies of certain of the Approved Plans from a Mr. Sam Amin on behalf of Mr. Juliani.

These plans were reviewed by zoning, engineering, and soils and geology experts for Mr. Goldstein and on March 31, 2016, after discovering numerous errors, omissions, and misstatements, Mr. Goldstein filed appeals to the issuance of the six permits with the Department of Building & Safety.

On April 18, 2016, the Department of Building & Safety, after reviewing the appeals filed by Mr. Goldstein, issued a letter to Mr. Juliani ordering him to stop construction and giving him notice of the Department's Intent to Revoke the permits, since they were issued in error (see enclosed letter attached as Exhibit 2).

A review of the grading plans and such other documents among the Approved Plans disclosed that the figure for the export of dirt from the excavation of the New Residence's piles and footings, 920 cubic yards of dirt, has been understated. Based on the information contained in those documents, the excavation of the piles, alone, will account for at least 651 cubic yards of dirt, if not more, without including grade beams or footings, the excavation of which would contribute an estimated additional 50 to 100 cubic yards of dirt. Moreover, it was unclear whether slab thickness was taken into account; that is, it is unclear whether the export volume was calculated from the top or from the bottom of the slab. If the export volume was calculated from the top of the slab, then the total export volume has been further understated.

Los Angeles Municipal Code Section 91.7006.7.5 requires that a haul route permit be obtained before allowing the import or export of more than 1,000 cubic yards of dirt in areas governed by the Baseline Hillside Ordinance.

In any event, it was clear that correcting the export volume resulting from the excavation of the piles, alone, yields a total export volume of at least 1,162 cubic yards, which in turn triggers the requirement that a haul route permit be obtained prior to the issuance of the Grading Permit, and thus, prior to allowing any development to occur at the Subject Property.

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According, the Grading Permit was improperly issued and must be revoked. Under Los Angeles Municipal Code Section 91.7006.7.5, a haul route permit must be issued, accompanied by a review under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), before a grading permit could be issued. Without a grading permit, development of the New Residence cannot proceed.

Several other issues raised by the Appellant with regard to the other building permits were determined to be significant and Building & Safety required that these issues be addressed and corrected through the processing of Supplemental Building Permits. These issues included:

- The approved building and grading permits utilized a design that had not been reviewed and approved for Code compliance with the City's soils and geology standards and requirements.
- The height of the approved structure exceeded the height limitations of the City's Baseline Hillside Ordinance.
- The required prevailing setback calculations were not correctly calculated.
- The approved plans illegally contained four retaining walls in violation of Code Section 12.21 C.8, which allows only two retaining walls.

Further, the issues contained in the Appellant's original appeal regarding the lack of proper soils and geology analysis, and conformance with current City Code requirements with regard to the design of retaining walls, cut and fill slopes, and the residential structure were not addressed at all in the Department's response to the appeals. Rather, the applicant began to submit a series of revised Soils and Geology Reports and correction letters based on a revised project. These revised reports are not currently available for review to verify that the current revised plans are correctly designed.

In addition, several other issues which the Appellant raised in these appeals were dismissed by the Department of Building & Safety. These items included: allowable floor area, improper use of the Multiple Structures floor area bonus provisions and the building setback from the street.

The Appellant then filed an appeal of the Department of Building and Safety's determination to the Director of City Planning on July 2016. The City Planning Department held a public hearing on this appeal on October 6, 2016. At the conclusion of that hearing, the

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hearing officer, at the request of Mr. Juliani's representatives, kept the record open in order for them to submit additional information for a period of two weeks. This period was extended several times at the request of Mr. Juliani's representative, until finally on January 9, 2017, the record was closed.

It appears that the only material submitted by Mr. Juliani's representatives was a revised grading plan. The hearing examiner has not yet rendered a decision on the Appellant's appeal of Building & Safety's determination under the original appeal.

However, the applicant did file an application for the subject haul route permit and as a result of the hearing held by the Building & Safety Commissioners, Mr. Goldstein became aware that the applicant had also filed applications for Supplemental Building Permits to all six of the building permits that are subject to being revoked.

Mr. Goldstein is appealing the approval of the haul route by the Building & Safety Commission in order to protect his property from potential damage that could result from the grading and export of earth directly adjacent and below his residence, along with the associated accessory structures, including the mature and heavily-landscaped gardens on his property. Mr. Goldstein is particularly concerned that the staging and loading of trucks on the subject property could affect the stability of the existing slopes on his property directly above and on both sides of the subject property.

The subject property slopes very steeply down from Mr. Goldstein's property to North Angelo Drive. There is no existing level area on the property from which to safely stage and load material for export. Angelo Drive is a narrow substandard hillside street and there is no area on the street to stage or load export material without reducing access to one lane.

The property at 1242 North Angelo Drive, immediately to the north of the subject property takes its driveway access from North Angelo Drive at the apex of a 180-degree hairpin curve. In addition, the street has an approximate 15% grade, which further limits the ability to safely load trucks and not impact access to this property.

Mr. Juliani has continually refused to share his plans with Mr. Goldstein even after the Department of Building & Safety determined that the previously approved plans were seriously flawed and should not have been issued. Building & Safety's records show that five Addendum Soils and Geology Reports have been submitted since April of 2016, and none of these reports are currently available for public review. At this time, we have seen a supplemental grading plan

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which is completely different than the previously approved permit and which is based on revised Soils and Geology Reports which are not available for review.

The haul route permit allows the export of 4,096 cubic yards of material, while the plans for the Supplemental Grading Permit only show 3,202 cubic yards of export. Mr. Goldstein is not able to determine what is currently proposed nor whether it is designed properly, and whether it conforms to the City's Zoning and Building Codes.

The current haul route permit includes conditions that are not realistic and do not provide adequate protection to Mr. Goldstein's property, nor the surrounding community. Condition No. 3 requires staging onsite only. The existing site has extremely steep slopes and there is no possible way to accommodate hauling trucks onsite. Further, there is no room either onsite or on Angelo Drive for a truck to turn around.

Condition No. 4 allows 10-wheeler dump trucks which are too large to navigate the extremely steep and narrow residential streets. Trucks should be limited to 7 cubic yards and provisions for the safe turning around of trucks should be clearly described.

Given the extreme slope of the property, the very limited space to grade on the property, the lack of useable area to load trucks, and the lack of useable areas to turn trucks around, the approved haul route permit will endanger the public health, safety and welfare of the surrounding and nearby residents and the general public visiting the immediate area.

Also, the Board adopted a Categorical Exemption as the environmental clearance for the proposed haul route. A Categorical exemption implies that there would be no possibility of any significant environmental impacts from the proposed haul route. The Notice of Exemption prepared by the Department of City Planning incorrectly describes the project as a new three-story, 34-foot in height, 4,500 square-foot single family residence with a new pool. The project is actually a 30 to 36-foot in height building with 3,644 square feet of floor area, a rooftop deck and with two 9 to 10-foot high retaining walls. There is no discussion of the total amount of grading onsite and no discussion of potential traffic impacts in the surrounding Hillside Area.

Also, the Notice of Exemption states that the construction of a new single family dwelling will be on a site which has been previously developed with a single family dwelling. The site has never been graded or developed with a single family dwelling. The Notice of Exemption also states that the subject site is not designated as a scenic highway, nor are there any scenic highways located near the site. But, Sunset Boulevard which is used for hauling from

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Benedict Canyon to the 405 Freeway is designated as a scenic Highway by the Mobility 2035 Plan.

These misstatements of facts make the issuance of a Categorical Exemption infeasible. The project should be considered through the preparation of a Mitigated Negative Declaration, rather than being granted a Categorical Exemption.

This appeal is based upon the limited facts available to the Appellant at this time. The Appellant reserves the right to submit additional materials should such materials become known prior to the City Council's decision on this matter.

Based upon the above facts, we respectfully request the City Council overturn the Board of Building & Safety Commissioner's decision and deny this haul route permit.

Thank you in advance for your consideration.

Sincerely,

GILCHRIST & RUTTER
Professional Corporation



Thomas W. Casparian
Of the Firm

EXHIBIT 1

EXHIBIT 2

BOARD OF
BUILDING AND SAFETY
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JAVIER NUNEZ

CITY OF LOS ANGELES
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ERIC GARCETTI
MAYOR

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

April 18, 2016

Bruce Juliani
1906 Greenfield Ave
Los Angeles, CA 90025

NOTICE TO STOP CONSTRUCTION AND NOTICE OF INTENT TO REVOKE BUILDING PERMIT NOS. 14010-20000-03400 FOR NEW 3-STORY SINGLE FAMILY DWELLING, 14020-20000-02751 FOR NEW REATING WALLS, 14020-20000-02752 FOR TEMPORARY SHORING, 15020-20000-02521 FOR IRREGULAR DRIVEWAY CONCRETE DECK, 14047-20000-01538 FOR 13 FEET BY 30 FEET SWIMMING POOL AND 14030-20000-06607 FOR SITE GRADING FOR PROPERTY LOCATED AT 1240 NORTH ANGELO DRIVE

On March 8, 2016, Building Permit Nos. 14010-20000-03400 for a new 3-story single family dwelling with basement and 4-car attached garage, 14020-20000-02751 for retaining walls, 14020-20000-02752 for temporary shoring, 15020-20000-02521 for irregular driveway concrete deck, 14047-20000-01538 for 13 feet by 30 feet swimming pool, and 14030-20000-06607 for site grading were issued for property located at 1240 North Angelo Drive.

After the issuance of above mentioned permits, LADBS has determined that the permits were issued in error due to the following facts:

- The exhibits for the proposed single family dwelling shown in the approved geology and soils report is substantially different from the plans for the single family dwelling approved by LADBS. A revised soils and geology report incorporating the permitted layout of the single family dwelling shall be submitted to LADBS for review and approval.
- The proposed project plans show four retaining walls which exceeds the maximum two retaining walls allowed per LAMC Section 12.21C8.
- A portion of the building is projecting above the maximum allowable height of 30 feet.
- The total cubic yards of the excavation for piles and the site grading for the proposed project will result in export of soil over 1,000 cubic yards which will require a Haul Route approval per LAMC Section 91.7006.7.4.

April 18, 2016
Page 2

**NOTICE TO STOP CONSTRUCTION AND NOTICE OF INTENT TO REVOKE
BUILDING PERMIT NOS. 14010-20000-03400 ... FOR PROPERTY LOCATED AT 1240
NORTH ANGELO DRIVE**

Therefore, LADBS intends to revoke Building Permit Nos. 14010-20000-03400, 14020-20000-02751, 14020-20000-02752, 15020-20000-02521, 14047-20000-01538 and 14030-20000-06607.

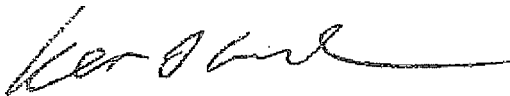
The authority to revoke permits is stipulated in Section 98.0601 of the L.A.M.C., which reads:

"The Department shall have the authority to revoke any permit, slight modification or determination whenever such action was granted in error or in violation of other provisions of the code and conditions are such that the action should not have been allowed."

Hereby, you are ordered to immediately stop all work related to construction of the new single family dwelling, retaining walls, swimming pool, and related grading work.

You have until May 3, 2016 to provide any reasons why Building Permit Nos. 14010-20000-03400, 14020-20000-02751, 14020-20000-02752, 15020-20000-02521, 14047-20000-01538 and 14030-20000-06607 should not be revoked; otherwise, Building Permit Nos. 14010-20000-03400, 14020-20000-02751, 14020-20000-02752, 15020-20000-02521, 14047-20000-01538 and 14030-20000-06607 will be revoked on May 3, 2016.

Should you have any other questions, please call Mr. Sia Poursabadian, Office Manager of the Van Nuys District Office at (818)374-4300.



KEN GILL, Assistant chief
Permitting and Engineering Bureau

c: Ifa Kashefi, Permit and Engineering Bureau, LADBS
Sia Poursabadian, Permitting and Engineering Bureau, LADBS
Larry Galstian, Inspection Bureau, Chief, LADBS
Pascal Chalitta, Inspection Bureau, Assistant Chief, LADBS

BOARD OF
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SUPERINTENDENT OF BUILDING

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

February 1, 2017

BOARD FILE: 160127
C.D.: 5

Behrooz Haghazadeh
1906 Greenfield Avenue
Los Angeles, CA 90025

JOB ADDRESS: 1240 NORTH ANGELO DRIVE
TRACT: TR 6774

The Board of Building and Safety Commissioners, at its meeting of January 31, 2017, gave consideration to the application by Bruce Juliani to export 4,096 cubic yards of earth from the above-referenced property.

The Board took the following actions:

1. FIND that the project is Categorically Exempt under the California Environmental Quality Act pursuant to the notice of exemption prepared by the Department of City Planning.
2. APPROVE the application subject to all conditions specified in the Department's report dated January 24, 2017.

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 91.7006.7.5 of the Los Angeles Municipal Code.


Van Ambatelos, President
BOARD OF BUILDING AND SAFETY COMMISSIONERS

Action By
the BOARD OF BUILDING AND SAFETY
COMMISSIONERS on

January 31, 2017

NOT VALID WITHOUT STAMP AND SIGNATURE

CJ:mct
160127.fal

c: Sr. Grading Inspector S. Valenzuela
Tom Stemnock, Planning Associates Inc.
Nancy S. Wolf, M.D., Psy. D, FAPA
Lawrence Wolf

Alan Cade
Shahram Vahdat
Bruce Juliani
Vladimir Elmandvich

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201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

FRANK M. BUSH
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

January 24, 2017

BOARD FILE NO. 160127
C.D.: 5 (Councilmember P. Koretz)

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

APPLICATION TO EXPORT 4,096 CUBIC YARDS OF EARTH

PROJECT LOCATION: 1240 NORTH ANGELO DRIVE

TRACT: TR 6774

BLOCK: NONE

LOT: FR 21 (ARB 14)

OWNER:

Behrooz Haghnazarzadeh
1906 Greenfield Avenue
Los Angeles, CA 90025

APPLICANT:

Bruce Juliani
1906 Greenfield Avenue
Los Angeles, CA 90025

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 4,096 cubic yards of material moved 4.6 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 \$273,000.00 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 Emergency Operations Division, Specialized Enforcement Section of the Los Angeles Police Department shall be notified at least 24 hours prior to the start of hauling, (213) 486-0777.
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. Hauling vehicles shall not stage on any streets adjacent to the project, unless specifically approved as a special condition in this report.
17. Hauling vehicles shall be spaced so as to discourage a convoy affect.
18. 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.
19. 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.
20. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Owner shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the owner and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the owner from responsibility to reimburse the City pursuant to the requirement in paragraph (iii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the owner from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the owner within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the owner of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the owner shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the owner of any obligation imposed by this condition. In the event the owner fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the owner otherwise created by this condition.

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 is 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 55 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 4,096 cubic yards.
6. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction. One additional truck crossing sign shall be located on the west side of Benedict Canyon Drive, north of the intersection of Benedict Canyon Drive and Hillgrove Drive.
7. A minimum of three 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. The intersection of Angelo Drive and Hillgrove Drive.
 - C. The intersection of Hillgrove Drive and Benedict Canyon Drive.

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 of the haul route, if necessary.

9. The recommended route is as follows:

LOADED TRUCKS:

Exit project site eastbound on Angelo Drive, turn left (east) on Hillgrove Drive, right (south) on Benedict Canyon Drive, right (west) on Sunset Boulevard, right (west) on Sepulveda Way, right (north) on Sepulveda Boulevard, enter northbound I-405 Freeway at Moraga Drive, and continue to the disposal site outside the City limits.

EMPTY TRUCKS:

From the disposal site, travel southbound I-405 Freeway, exit onto Sunset Boulevard off ramp, turn left (south) on Church Lane, left (east) on Sunset Boulevard, left (north) on Benedict Canyon Drive, left (west) on Hillgrove Drive, right (north) on Angelo Drive and continue to the project site.

10. Only one hauling truck, associated with this project address, shall be allowed on Angelo Drive, Hillgrove Drive and Benedict Canyon Drive at any time.
11. Prior to hauling, the applicant shall provide the following information to Los Angeles Fire Department Station #37 located at 1090 Veteran Avenue, Los Angeles, CA 90024; telephone (310) 575-8537:
- 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.
12. 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.
13. A Registered Deputy Grading Inspector shall notify the LADBS haul route monitoring inspector at least 48 hours prior to the beginning of hauling operations, and shall continuously inspect and accurately log the dates and hours of hauling, the number of daily truck trips, the material in each loaded truck (i.e. soil or demolition material), and the approved haul route.

D. ENVIRONMENTAL CONDITIONS

The Department of City Planning has analyzed this project and determined that it qualifies for a Categorical Exemption pursuant to section 15332 of the State California Environmental Quality Act (CEQA) Guidelines under Class 32, and Article III, Section 1, Class 3, Category 1 of the City CEQA Guidelines (Case No. ENV-2016-3348-CE). If you concur with the Department of City Planning's exemption analysis, you can comply with your obligations under CEQA by determining that the project is exempt for the reasons outlined in the Notice of Exemption prepared by City Planning.

E. MANDATORY FINDINGS AND RECOMMENDED ACTIONS

1. FIND that the project is categorically exempt under CEQA pursuant to the Notice of Exemptions prepared by the Department of City Planning and submitted herewith.

CODE:

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

Section 91.7006.7. Limitation of Export and Import

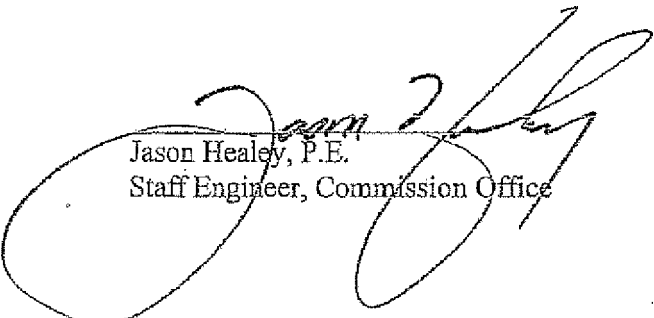
5. At the public hearing, the Board of Building and Safety Commissioners shall consider the views of the applicant and all other affected persons. The board shall then grant or conditionally grant approval of export and import operations or, in the event it determines that the grading activity, including 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.

FRANK BUSH
General Manager

Action By
the BOARD OF BUILDING AND SAFETY
COMMISSIONERS on

January 31, 2017



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

BF #: 160127

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

RECEIVED

5 - Western SR# 66579
1240 N. Angelo Dr.
2009 SEP 20 AM 9:18

Date: September 20, 2016
To: Cora Johnson, Board Secretary
Building and Safety Commission Office
201 N. Figueroa Street, Room 1080, Stop 115

BUILDING & SAFETY
COMMISSION

From: Mohammad H. Blorfroshan, Senior Transportation Engineer
Western District, Department of Transportation

Subject: HAUL ROUTE
1240 NORTH ANGELO DRIVE
Board File No: ~~Not Assigned~~

BF #: 160127

This Department has reviewed the subject haul route. The following are recommended haul route conditions for this project:

LOADED TRUCK ROUTE: From the project site, south on Angelo Drive, east (left) on Hillgrove Drive, south (right) on Benedict Canyon Drive, west (right) on Sunset Boulevard, north (right) on Sepulveda Way, north (right) on Sepulveda Boulevard, enter onto I-405 North to the export site outside the City Limits.

EMPTY TRUCK ROUTE: From the export site outside the City Limits, south on I-405 Freeway, exit at Sunset Boulevard, south (left) on Church Lane, east (left) on Sunset Boulevard, north (left) on Benedict Canyon Drive, west (left) on Hillgrove Drive, north (right) on Angelo Drive to the project site.

HOURS OF OPERATION: Monday thru Friday: 9:00 AM to 3:00 PM. No hauling on weekends or Holidays.

STAGING: On Site. No staging is allowed on Angelo Drive. Flagmen with radio control are required at the project site's entrance on Angelo Drive, and at Angelo Drive and Hillgrove Drive, and Hillgrove Drive and Benedict Canyon Drive intersections during the hauling operation.

HAULING OPERATIONS: Hauling operations may be conducted on alternate major or secondary highway routes any day where freeway on-ramps or off-ramps, or other freeway ramps or streets listed on the approved haul route are closed, until the streets or freeway ramps are reopened to through traffic.

If you have any questions, please contact my office at (310) 575-8138.

cc: Joan Pelico, Shawn Bayliss, Faisal Alsseri, Gurmet Khara, Council District 5
Tom Caraballo, Timothy Walls, BSS, Investigation & Enforcement
Michel Claiborne-Thompson, Jason Healey, Christina Mills, Keaven Shaw, Edmond Lee,
Alexus Call, Grant Woods, Jeff Napier, Larry Galstian LADBS
Rudy Guevara, LADOT

BF #: 160127

FORM GEN. 160 (Rev. 9-28-11)

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

~~160084~~
This is
Not a
Permit

DATE: November 22, 2016

TO: Honorable Board of Building and Safety Commissioners
Attn: Cora Johnson, Acting Board Secretary
201 N. Figueroa Street, Room 1080
Mail Stop #115

FROM: Nazario Saucedo, Director, Bureau of Street Services
By: Gary Harris, Chief Street Services Investigator II *Min: R64*
Street Services Investigation and Enforcement Division

BUILDING & SAFETY
COMMISSION

2016 NOV 29 AM 11:36

RECEIVED

SUBJECT: ORDINANCE NOS. 148,167 AND 159,016 – EXPORT OF EARTH
MATERIAL (HILLSIDE AREAS) – 1240 NORTH ANGELO DRIVE

I. FIELD MEETING/INSPECTION

- A. An inspection was made by Senior Street Services Investigator II, T. F. Walls, of the Street Services Investigation and Enforcement Division, on October 18, 2016.
- B. The applicant's request was forwarded to the following Departmental representatives, and their recommendations have been received:
1. Mohammad H. Blorfroshan, Engineer, Department of Transportation
 2. Chi Ming Gong, Superintendent I, Bureau of Street Services
- C. The approved haul route is as follows:

Loaded:

- From the project site
- Turn south on Angelo Drive
- Turn east (left) on Hillgrove Drive
- Turn south (right) on Benedict Canyon Drive
- Turn west (right) on Sunset Boulevard
- Turn north (right) on Sepulveda Way
- Turn north (right) on Sepulveda Boulevard
- Enter onto I-405 Freeway North to the export site

Unloaded:

- From the export site
- Head south on I-405 Freeway
- Exit Sunset Boulevard
- Turn south (left) on Church Lane
- Turn east (left) on Sunset Boulevard
- Turn north (left) on Benedict Canyon Drive
- Turn west (left) on Hillgrove Drive
- Turn north (right) on Angelo Drive to the project site

Staging:

On site, no staging is allowed on Angelo Drive. Flagmen with radio control are required at the project site's entrance on Angelo Drive. Angelo Drive and Hillgrove Drive intersection and Hillgrove Drive and Benedict Canyon Drive intersections during the hauling operation.

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

II. REQUIRED PERMIT FEE AND BOND

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

- A. Under the provisions of Section 62.201 of the Los Angeles Municipal Code, the following permit fee shall be required:
 - 1. A total of 4,096 cubic yards of material moved 4.6 miles within the hillside at a rate of \$0.29 per cubic yard per mile would exceed the maximum chargeable under the Ordinance. Therefore, the maximum fee chargeable, \$3000.00 shall be due.
- B. The required permit fee shall be paid at the Street Services Investigation and Enforcement Division office, 1149 South Broadway, Suite 350, Los Angeles, CA 90015, telephone (213) 847-6000.
- C. Under the provisions of Section 62.202 of the Los Angeles Municipal Code, a cash bond or surety bond in the amount of \$273,000.00 shall be required from the property owner to cover any road damage and/or street cleaning costs resulting from the hauling activity.
- D. Forms for the bond will be issued by Susan Sugay, Bond Control, Bureau of Engineering Valley District Office, 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401, telephone (818) 374-5082.

III. SPECIAL 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 is permitted on Saturdays, Sundays and holidays.
2. The vehicles used for hauling shall be 10-Wheeler trucks.
3. All trucks are to be cleaned of loose earth at the export site to prevent spilling. The contractor shall remove any material spilled onto the public street.
4. All trucks are to be watered at the export site to prevent excessive blowing of dirt.
5. The applicant shall comply with the State of California, Department of Transportation policy regarding movement of reducible loads.
6. Total amount of dirt to be hauled shall not exceed 4,096 cubic yards.
7. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
8. Flagpersons shall be required at the job site to assist the trucks in and out of the project area. Flagpersons and warning signs shall be in compliance with Part II of the latest Edition of "Work Area Traffic Control Handbook."
9. The permittee shall comply with all regulations set forth by the State of California, Department of Motor Vehicles pertaining to the hauling of earth.
10. 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.
11. 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.
12. 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 at (213) 847-6000 prior to effecting any change.

13. The permittee shall notify the Street Services Investigation and Enforcement Division at (213) 847-6000 at least 72 hours prior to the beginning of hauling operations and shall notify the Division immediately upon completion of hauling operations.
14. The application shall expire eighteen months after the date of the Board of Building and Safety Commission approval. The permit fee shall be paid to the Street Services Investigation and Enforcement Division prior to the commencement of hauling operations.

NS/GH/TW:ca

S:haul routes 1240 NORTH ANGELO DRIVE

cc: Bureau of Street Services
Chi Ming Gong, Superintendent I
East Valley Area
Mail Stop #550

Bureau of Engineering
Mati Laan, District Engineer
East Valley District Engineering Office
Mail Stop #496

Department of Transportation
Mohammad H. Blorfroshan, Senior Transportation Engineer
East Valley Traffic District
Mail Stop #769

Edmond Yew, District Engineer
Land Development Group
Mail Stop #901

Bureau of Street Services
T. F Walls, Senior Street Services Investigator II
1149 South Broadway, Suite 350
Los Angeles, CA 90015

Owner: Bruce Juliani
1906 Greenfield Avenue
Los Angeles, CA 90025
(213) 272-5159

Applicant: Bruce Juliani
1906 Greenfield Avenue
Los Angeles, CA 90025
(213) 272-5159

Contractor: Rivera Trucking
12951 Gladstone Avenue
Sylmar, CA 91342
(818) 652-1654

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY

BF#: 160127

AD REVISED
12/6/2016

ENVIRONMENTAL REVIEW QUESTIONNAIRE

JOB ADDRESS: 1240 N. ANGELO DR., LOS ANGELES, CA

Briefly describe the complete project and include the proposed amount of Import/Export of soil for hauling and the number of residential units, if applicable:

CONSTRUCTION OF ONE SINGLE FAMILY RESIDENCE
WITH POOL. 4,096 CY OF EXPORT

DEPARTMENT OF CITY PLANNING OR PUBLIC WORKS USE ONLY:



The Department of City Planning has analyzed this project, which includes the import/export of soil and hauling, and pursuant to State and City Environmental Quality Act (CEQA) Guidelines, has determined it qualifies for a Categorical Exemption (CE) per the attached Notice of Exemption. (Case No. ENV-2016-3348-CE)

The Notice of Exemption references the following amount of import/export of soil to be hauled: 4,096 cubic yards
CLASS 3, CATEGORY 1 and CLASS 32.



The Department of City Planning or Public Works has analyzed this project, which includes the import/export of soil and hauling, and pursuant to State and City Environmental Quality Act (CEQA) Guidelines, has prepared or has had another agency prepare the ATTACHED Mitigated Negative Declaration (MND). (Case No. _____)

The circulation end date for the above mentioned MND is: _____

The MND references the following amount of import/export of soil to be hauled: _____ cubic yards

Mitigated measures for hauling are found on the following MND pages: _____

Check one of the following boxes:

☐ No Comments were received during the circulation period.

☐ Yes, Comments were received during the circulation period. These comments and written responses from the agency that prepared the MND are ATTACHED with the MND referenced above.



The Department of City Planning or Public Works has analyzed this project, which includes the import/export of soil and hauling, and pursuant to State and City Environmental Quality Act (CEQA) Guidelines, has prepared or has had another agency prepare the ATTACHED Environmental Impact Report (EIR). (Case No. _____)

The circulation end date for the above mentioned EIR: _____

The EIR references the following amount of import/export of soil to be hauled: _____ cubic yards

Mitigated measures for hauling are found on the following EIR pages: _____

Check one of the following boxes:

☐ No Comments were received during the circulation period.

☐ Yes, Comments were received during the circulation period. These comments and written responses from the agency that prepared the EIR are ATTACHED with the EIR referenced above.

Victor A. Vallejo

Victor A. Vallejo E.

12-5-16

213-988-1453

Print: Name of Planning/Public Works staff

Signature

Date

Telephone Number

BF#: 160127

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)


REVISED
 12/6/2016

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY

City of Los Angeles Department of City Planning

COUNCIL DISTRICT

5

PROJECT TITLE

HAUL ROUTE

LOG REFERENCE

ENV 2016-3348-CE

PROJECT LOCATION

1240 Angelo Drive, Los Angeles, CA. 90077

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

4,096 cubic yards of soil excavation from vacant land for a new 4,500 square foot single family dwelling and new pool.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

Bruce Juliani

CONTACT PERSON

Alan Cade

AREA CODE

818

TELEPHONE NUMBER

915-2801

EXT.

EXEMPT STATUS: (Check One)

STATE CEQA GUIDELINES

CITY CEQA GUIDELINES

MINISTERIAL

Sec. 15268

Art. II, Sec. 2b

DECLARED EMERGENCY

Sec. 15269

Art. II, Sec. 2a (1)

EMERGENCY PROJECT

Sec. 15269 (b) & (c)

Art. II, Sec. 2a (2) & (3)

X CATEGORICAL EXEMPTION

Sec. 15300 *et seq.*

Art. III, Sec. 1

Class 3 Category 1 (City CEQA Guidelines)

OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

BUILDING & SAFETY
COMMISSION

2016 DEC -6 PM 12:45

RECEIVED

JUSTIFICATION FOR PROJECT EXEMPTION: The project is for the construction of a new three story, 34 feet in height, 4,500 square foot single-family dwelling and new pool on vacant land, and an application for a haul route for the export of approximately 4,096 cubic yards of earth. As a single family home, this project qualifies for a Class 3 Category 1 Categorical Exemption.

There are six (6) exceptions to this Exemption which must be considered in order to find a project exempt under Class 3, Category 1: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

Although the subject site is in a Hillside Area, Baseline Hillside Ordinance, Special Grading Area, and Very High Fire Hazard Severity area, and Landslide area, specific Regulatory Compliance Measures in the City of Los Angeles that regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. Regulatory Compliance Measures (RCMs) include the submittal of a Geology and Soils Report to the Department of Building and Safety, and the issuance of a Geology and Soils Report Approval Letter, which details conditions of approval which must be followed. In addition, the RCMs require that design and construction of the building must conform to the Uniform Building Code, California Building Code, and grading on site shall comply with the City's Landform Grading Manual, as approved by the Department of Building and Safety Grading Division. Other agencies include the Board of Public Works Urban Forestry Division, South Coast Air Quality Management District, Federal Migratory Bird Treaty Act, California Fish and Game Code, Clean Water Act, California Public Resources Code, State Health and Safety Code, Native American Heritage Commission, California Department of Conservation, Los Angeles Green Building Code, Los Angeles Fire Code, Los Angeles Regional Water Quality Board, Los Angeles Stormwater and Urban Runoff Pollution Control Regulations, Los Angeles Department of Water and Power, Noise Ordinance No. 161,574, and the California Integrated Solid Waste Management Act. These RCM's have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. Thus, the location of the project will not result in a significant impact based on its location. According to Navigate LA, within 500 feet of the subject site, there is one pending haul route application and one approved haul route permit in conjunction with the construction of a new home at each site. The project proposes to construct a single family dwelling, in an area zoned and designated for such development. All adjacent lots are developed with single family dwellings, and the subject site is of a similar size and slope to nearby properties. The size of the proposed project at 4,500 square feet is not unusual for the vicinity of the subject site, and is similar in scope to other existing homes in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. According to Appendix B of the City of Los Angeles Mobility Plan, the subject site is not designated as a scenic highway, nor are there any designated scenic highways located near the project site.

According to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register. In addition, the site was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE <i>Victor A. Vallejo E.</i>		TITLE City Planning Associate		DATE 12/5/16	
FEE: \$2,736.00 (Accounts for deduction of publication fee)		RECEIPT NO. 0104628672		REC'D. BY <i>Victor A. Vallejo E.</i>	
				DATE 9/6/16	

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

NAME (PRINTED)

SIGNATURE

DATE

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

E. FELICIA BRANNON
VICE-PRESIDENT

JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER NUNEZ

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

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

FRANK BUSH
GENERAL MANAGER

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

GEOLOGY AND SOILS REPORT APPROVAL LETTER

November 10, 2016

LOG # 92861-01
SOILS/GEOLOGY FILE - 2
LAN

Bruce Juliani
1906 Greenfield Avenue
Los Angeles, CA 90025

TRACT: 6774
LOT(S): PR 21 (Arb-14)
LOCATION: 1240 N. Angelo Drive

<u>CURRENT REFERENCE</u> <u>REPORT/LETTER(S)</u>	<u>REPORT</u> <u>No.</u>	<u>DATE(S) OF</u> <u>DOCUMENT</u>	<u>PREPARED BY</u>
Request for Modification	24652	11/01/2016	LADBS
Addendum Report	CYG-11-6071	11/03/2016	C.Y. Geotech, Inc.
"	"	10/18/2016	"
"	"	10/06/2016	"
"	"	09/25/2016	"

<u>PREVIOUS REFERENCE</u> <u>REPORT/LETTER(S)</u>	<u>REPORT</u> <u>No.</u>	<u>DATE(S) OF</u> <u>DOCUMENT</u>	<u>PREPARED BY</u>
Dept. Correction Letter	92861	05/18/2016	LADBS
Addendum Report	CYG-11-6071	04/16/2016	C.Y. Geotech, Inc.
3 rd Party Review	GH12428-E	03/29/2016	Grover-Hollingsworth
Addendum Report	CYG-11-6071	01/08/2016	CY Geotech, Inc.
Dept. Approval Letter	74463-02	01/30/2014	LADBS
Request for Modification	20989	01/30/2014	"
Geology/Soils Report	CYG-11-6071	12/31/2013	C.Y. Geotech, Inc.
Dept. Correction Letter	74463-01	05/21/2012	"
Geology/Soils Report	CYG-11-6071	03/06/2012	C.Y. Geotech, Inc.
Dept. Correction Letter	74463	08/30/2011	LADBS
Geology/Soils Report	CYG-11-6071	06/24/2011	C.Y. Geotech, Inc.

The current referenced reports that concern a proposed three-level residence with basement garage, swimming pool, retaining walls and driveway have been reviewed by the Grading Division of the Department of Building and Safety. The Department approved the previous reports for a similar project. Since the approval letter dated 01/30/2014 (Log #74463-02), the proposed project was revised. The current reports present another configuration of the project. The 09/25/2016 report

presents updated slope stability, including seismic analysis and provides updated soldier pile and retaining wall design parameters.

The consultants recommend to support the proposed structures on drilled-pile foundations bearing on competent bedrock.

The site is located in a designated seismically induced landslide hazard zone as shown on the "Seismic Hazard Zones" map issued by the State of California. The consultants recommends the use of soldier piles to bring the static and seismic slope stability factors of safety up to minimum Code standards. Therefore, the requirements of the City of Los Angeles Building Code, have been satisfied.

A Request of Modification (RFM) of Building Ordinances was approved by the Department dated 01/30/2014 (File # 20989) to allow the existing 1.5:1 (H:V) fill slope to remain as is on the eastern portion of the subject site, and to allow the existing fill to support the new building wall backfill to create the required building setback from the ascending slope. The consultants note that no new fill slopes are proposed for this project. Cut slopes in bedrock shall be no steeper than 1.5:1, as recommended by the consultants.

The new project design includes a over-steep slope above the entrance driveway retaining wall. A Request for Modification of Building Ordinances, dated 11/01/2016, file #24652, as been approved to allow this slope to remain as-is providing that the proposed wire-mesh netting and rock bolts are installed on the face of the slope.

The referenced reports are acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis () refer to applicable sections of the 2014 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. All conditions of the above referenced Department approval letter dated 01/30/2014 (Log #74463-02) shall apply except as specifically modified herein.
2. Proposed soldier piles SP1 through SP25 shown on the "Grading Plan" included in the 09/25/2016 report, shall be designed as recommended on page 2 of the 09/25/2016, referenced report and page 1 of the 11/03/2016 referenced report.
3. Retaining walls shall be designed for the minimum lateral earth pressures specified on page 3 of the 09/25/2016 report. However, in the event that any proposed soldier piles are used also to support a retaining wall (refer to Figures A to D and summary tables on page 2 of the 09/25/2016 report), the wall shall be designed for the recommended lateral earth pressure for the retaining wall or for the recommended lateral earth pressure for the soldier pile, whichever is higher. All surcharge loads shall be incorporated into the design.
4. The rock bolt supported wire mesh shall be installed on the over-steepened slope above the driveway retaining wall according to the specifications recommended in the 10/18/2016 report.

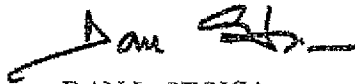
Page 3

1240 N. Angelo Drive

5. The group effects reduction factors (requires by Code where the center-to-center spacing of deep foundation elements in the direction of lateral force is less than eight times the least horizontal dimension of an element) are included on page 1 of the referenced report dated 11/03/2016.



DANIEL C. SCHNEIDER
Engineering Geologist II



DAN L. STOICA
Geotechnical Engineer I

DCS/DLS:dcs/dls
Log No. 92861-01
213-482-0480

cc: C.Y. Geotech, Inc., Project Consultant
WL District Office

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

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CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

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

FRANK BUSH
GENERAL MANAGER

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

GEOLOGY AND SOILS REPORT APPROVAL LETTER

November 29, 2016

LOG # 95799

SOILS/GEOLOGY FILE - 2

Bruce Juliani
1906 Greenfield Avenue
Los Angeles, CA 90025

TRACT: 6774
LOT(S): FR 21 (Arb-14)
LOCATION: 1240 N. Angelo Drive

<u>CURRENT REFERENCE REPORT/LETTER(S)</u>	<u>REPORT No.</u>	<u>DATE(S) OF DOCUMENT</u>	<u>PREPARED BY</u>
Addendum Report	CYG-11-6071	11/17/2016	CY Geotech. Inc.
Oversized Doc(s).	"	"	"

<u>PREVIOUS REFERENCE REPORT/LETTER(S)</u>	<u>REPORT No.</u>	<u>DATE(S) OF DOCUMENT</u>	<u>PREPARED BY</u>
Dept. Approval Letter	92861-01	11/10/2016	LADBS
Request for Modification	24652	11/01/2016	LADBS
Addendum Report	CYG-11-6071	11/03/2016	C.Y. Geotech, Inc.
"	"	10/18/2016	"
"	"	10/06/2016	"
"	"	09/25/2016	"
Dept. Correction Letter	92861	05/18/2016	LADBS
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Dept. Correction Letter	74463	08/30/2011	LADBS
Geology/Soils Report	CYG-11-6071	06/24/2011	C.Y. Geotech, Inc.

The current referenced reports that concern a proposed three-level residence with basement garage, swimming pool, retaining walls and driveway have been reviewed by the Grading Division of the Department of Building and Safety. The Department conditionally approved a previous revision

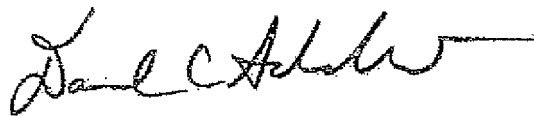
1240 N. Angelo Drive

of the proposed development in a letter dated 11/10/2016, Log #92861-01. The current report presents analysis and revised recommendation for a minor change from the approved plan. The current plan contains an increase elevation of three feet for the level rear yard area. Rear yard retaining walls are revised accordingly. Design loads for the soldier piles have also been revised

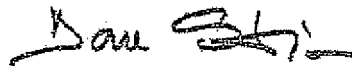
The current referenced report is acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis () refer to applicable sections of the 2014 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. All conditions of the above referenced Department approval letter shall apply except as specifically modified herein.
2. The stabilizing soldier piles shall be design according to the parameters shown on the tables on pages 1 and 2 of the 11/17/2016 report.



DANIEL C. SCHNEIDERREIT
Engineering Geologist II



DAN L. STOICA
Geotechnical Engineer I

DCS/DLS:dcs/dls
Log No. 95799
213-482-0480

cc: CY Geotech. Inc., Project Consultant
WL District Office

BF#: 160127

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)


REVISED
12/6/2016

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY

City of Los Angeles Department of City Planning

COUNCIL DISTRICT

5

PROJECT TITLE

HAUL ROUTE

LOG REFERENCE

ENV 2016-3348-CE

PROJECT LOCATION

1240 Angelo Drive, Los Angeles, CA. 90077

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

4,096 cubic yards of soil excavation from vacant land for a new 4,500 square foot single family dwelling and new pool.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

Bruce Juliani

CONTACT PERSON

Alan Cade

AREA CODE

818

TELEPHONE NUMBER

915-2801

EXT.

EXEMPT STATUS: (Check One)

STATE CEQA GUIDELINES

CITY CEQA GUIDELINES

MINISTERIAL

Sec. 15268

Art. II, Sec. 2b

DECLARED EMERGENCY

Sec. 15269

Art. II, Sec. 2a (1)

EMERGENCY PROJECT

Sec. 15269 (b) & (c)

Art. II, Sec. 2a (2) & (3)

☒ CATEGORICAL EXEMPTION

Sec. 15300 et seq.

Art. III, Sec. 1

Class 3 Category 1 (City CEQA Guidelines)

OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

BUILDING & SAFETY
COMMISSION

2016 DEC -6 PM 12:45

RECEIVED

JUSTIFICATION FOR PROJECT EXEMPTION: The project is for the construction of a new three story, 34 feet in height, 4,500 square foot single-family dwelling and new pool on vacant land, and an application for a haul route for the export of approximately 4,096 cubic yards of earth. As a single family home, this project qualifies for a Class 3 Category 1 Categorical Exemption.

There are six (6) exceptions to this Exemption which must be considered in order to find a project exempt under Class 3, Category 1: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

Although the subject site is in a Hillside Area, Baseline Hillside Ordinance, Special Grading Area, and Very High Fire Hazard Severity area, and Landslide area, specific Regulatory Compliance Measures in the City of Los Angeles that regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. Regulatory Compliance Measures (RCMs) include the submittal of a Geology and Soils Report to the Department of Building and Safety, and the issuance of a Geology and Soils Report Approval Letter, which details conditions of approval which must be followed. In addition, the RCMs require that design and construction of the building must conform to the Uniform Building Code, California Building Code, and grading on site shall comply with the City's Landform Grading Manual, as approved by the Department of Building and Safety Grading Division. Other agencies include the Board of Public Works Urban Forestry Division, South Coast Air Quality Management District, Federal Migratory Bird Treaty Act, California Fish and Game Code, Clean Water Act, California Public Resources Code, State Health and Safety Code, Native American Heritage Commission, California Department of Conservation, Los Angeles Green Building Code, Los Angeles Fire Code, Los Angeles Regional Water Quality Board, Los Angeles Stormwater and Urban Runoff Pollution Control Regulations, Los Angeles Department of Water and Power, Noise Ordinance No. 161,574, and the California Integrated Solid Waste Management Act. These RCM's have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. **Thus, the location of the project will not result in a significant impact based on its location. According to Navigate LA, within 500 feet of the subject site, there is one pending haul route application and one approved haul route permit in conjunction with the construction of a new home at each site. The project proposes to construct a single family dwelling, in an area zoned and designated for such development. All adjacent lots are developed with single family dwellings, and the subject site is of a similar size and slope to nearby properties. The size of the proposed project at 4,500 square feet is not unusual for the vicinity of the subject site, and is similar in scope to other existing homes in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. According to Appendix B of the City of Los Angeles Mobility Plan, the subject site is not designated as a scenic highway, nor are there any designated scenic highways located near the project site.**

According to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register. In addition, the site was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE <i>Victor A. Vallejo E.</i>		TITLE City Planning Associate		DATE 12/5/16	
FEE: \$2,736.00 (Accounts for deduction of publication fee)		RECEIPT NO. 0104628672		REC'D BY <i>Victor A. Vallejo E.</i>	
				DATE 9/6/16	

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

NAME (PRINTED) _____

SIGNATURE _____

DATE _____

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

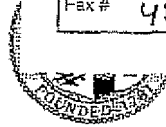
EFREN ABRATIQUE, P.E.
PRESIDENT

JAVIER NUÑEZ
VICE-PRESIDENT

PEDRO BIRBA
MARSHA L. BROWN
WILLIAM J. ROUSE

CITY OF

Post-It® Fax Note 7671		Date 12/2	# of pages 1
To Tom Skennock		From Bonnie Kopp	
Co./Dept.		Co.	
Phone #		Phone # 756-8083	
Fax # 487-6760		Fax #	



ANTONIO R. VILLARAIGOSA
EXECUTIVE OFFICER

ANTONIO R. VILLARAIGOSA
MAYOR

DATE: December 1 2005

Behrooz Haghazadeh
3837 Broadway Pl.
Los Angeles CA, 90037
323-234-1000

ORDER TO COMPLY

VIOLATION ADDRESS: 1244 N. Angelo Dr.

ORDER #LT120105

APN #4357014022

An inspection of the site referenced above on November 28, 2005 reveals that work has progressed beyond the scope of work as permitted by building permit # 05030-10000-03668. This has created a hazardous and unsafe condition.

Therefore, you are hereby ordered to comply with the following requirements of the Los Angeles Municipal Code (LAMC) and other laws on or before December 5, 2005.

Stop all work as of 12:00 PM December 1, 2005.

91.104.2.4 L.A.M.C.

Provide approved plans, reports and Department approval letters at the job site.

91.106.3.2.6 L.A.M.C.

Do not resume work until inspection has been requested and performed by the authorized representative of the department.

91.108.3; 91.108.9.1 L.A.M.C.

WARNING: A citation requiring your appearance in court may be issued if compliance is not obtained. This may result in a fine up to \$1000.00 and/or six months in jail. LAMC 11.00(m) & 98.0408 (a)

No person shall fail, refuse or neglect to comply with all orders issued by the Department pursuant to this division. Any person violating this subsection shall be guilty of a misdemeanor which shall be punishable by a fine of not more than \$1,000.00 or by imprisonment in the County Jail for a period of not more than six months, or by both. In addition, the Department shall collect investigation fees.

LAMC 11.00(m) & 91.7005.8.1 & 91.107.5.1

This Order is issued pursuant to the provision of LAMC 91.7005.7. If this substandard condition is not eliminated within the specified time limit, this Department will record a "Certificate of Substandard Property" with the Office of the County Recorder.

Appeals to this order may be made pursuant to Section 98.0403.2 of the Los Angeles Municipal Code. Please inquire about procedures.

If you fail to comply with this Order within 15 days of the due date of compliance or of any extension of time granted by the Department, you then may be subject to a noncompliance fee. LAMC 98.0411(a)

Leslie S. Trujillo
INSPECTOR NAME

INSPECTOR SIGNATURE

310-575-8030
PHONE #

LAW OFFICES
GILCHRIST & RUTTER
PROFESSIONAL CORPORATION

WILSHIRE PALISADES BUILDING
1299 OCEAN AVENUE, SUITE 900
SANTA MONICA, CALIFORNIA 90401-1000

TELEPHONE (310) 393-4000
FACSIMILE (310) 394-4700
E-MAIL: cpago@gilchristutter.com

July 14, 2006

Mr. Ray Wooden
Principal Grading Inspector
Los Angeles Department of Building & Safety
3rd Floor, Grading Division
210 N. Figueroa Street
Los Angeles, CA 90012

Re: 1244 N. Angelo Drive/Order # LT120105

Dear Mr. Wooden:

On November 28, 2005, and again on December 1, 2005, the Department of Building and Safety issued an Order to Comply against Mr. Bruce Juliani with respect to the property located at 1244 N. Angelo Drive. Mr. Juliani was cited for, among other things, excavating his hillside property without the proper permit. As set forth in the November 28, 2005 Order to Comply, "vertical cuts exceed 5' - soils engineer to provide temporary shoring at once - - approved by L.A. City."

On December 2, 2005, I personally spoke to you on behalf of Jim Goldstein, the uphill landowner affected by the illegal grading. You told me you had met with Mr. Juliani on or about December 1 and that he had promised to get his soils engineer to call your department the following week to address the problems caused by the illegal grading. You also told me that the soils engineer would be required to submit a report documenting how the hillside could be stabilized. Finally, during our conversation, you confirmed that Mr. Juliani had obtained a permit for a temporary access road because he "sold a bill of goods" to the plan checker and that the Department intended to require him to comply with all grading requirements going forward.

It is now mid-July, 2006 and nothing has been done to mitigate the illegal grading. To our knowledge, no plan to stabilize the hillside has been submitted, let alone approved or implemented. Unless something is done immediately, Mr. Goldstein will face another rainy season with no precautionary measures having been taken.

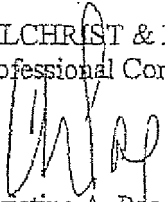
LAW OFFICES
GILCHRIST & RUTTER
PROFESSIONAL CORPORATION

Mr. Ray Wooden
Principal Grading Inspector
Los Angeles Department of Building & Safety
July 14, 2006
Page 2

On behalf of the uphill landowner, we are very concerned by the apparent lax enforcement of the City's Order to Comply. We would sincerely appreciate your addressing this matter immediately.

Very truly yours,

GILCHRIST & RUTTER
Professional Corporation



Christine A. Page
Of the Firm

CAP:ja/133033_1.DOC/071406
3403.024

cc: William Litvak, Esq. (counsel for Bruce Juliani)
Mr. James F. Goldstein

1244 N Angelo Dr



Permit #:

05030 - 10000 - 03668

Plan Check #: X05LA09759

Printed: 11/08/05 11:22 AM

Event Code:

Grading
1 or 2 Family Dwelling
Express Permit
No Plan Check

City of Los Angeles - Department of Building and Safety
**APPLICATION FOR GRADING PERMIT
AND GRADING CERTIFICATE**

Last Status: Ready to Issue

Status Date: 11/08/2005

1. TRACT	BLOCK	LOT(s)	ARE	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
TR 6774		21	14	M B 70-44/47	144B153 300	4357 - 014 - 022

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles
LADBS Branch Office - WLA
Council District - 5
Certified Neighborhood Council - Bel Air - Beverly Cres
Community Plan Area - Bel Air - Beverly Crest

Census Tract - 2612.00
District Map - 144B153
Energy Zone - 9
Fire District - VHFHSZ
Hillside Grading Area - YES

Hillside Ordinance - YES
Earthquake-Induced Landslide Area - Yes
Near Source Zone Distance - 0
Thomas Brothers Map Grid - 592-C5

ZONE(S): RE15-1-H/

4. DOCUMENTS

5. CHECKLIST ITEMS

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
Haghnazarzadch, Behrooz 3837 Broadway Pl LOS ANGELES CA 90037 3232341000

Tenant:
Applicant: (Relationship: Owner)
Bruce Juliani - 3837 Broadway Pl LOS ANGELES, CA 90037

7. EXISTING USE

PROPOSED USE

(70) Grading - Hillside

8. DESCRIPTION OF WORK

Proposed temporary access roadway for site exploration as per soils engineer's recommendations. Restore site to its original conditions, no export of dirt is permitted under this permit.

9. # Bids on Site & Uses

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: DAS PC By:
OK for Cashier: Fred Wong Coord. OK:
Signature: Date: 11/08/05

For information and/or inspection requests originating within LA County,

Call toll-free (888) LA4BUILD

Outside LA County, call (213) 482-0000. (LA4BUILD = 524-2845)

For Cashier's Use Only

W/O #: 53003668

LA Department of Buildings and Safety
LA 03 28 152964 11/08/05 11:28AM

11. PROJECT VALUATION & FEE INFORMATION Final Fee Period

Permit Valuation: 800 cu yd PC Valuation:

FINAL TOTAL Grading 1,287.50
Permit Fee Subtotal Grading 1,105.00
O.S. Surcharge 22.50
Sys. Surcharge 67.50
Planning Surcharge 67.50
Planning Surcharge Misc Fee 5.00
Permit Issuing Fee 20.00

GRADING PERMIT \$1,105.00
GRADING PLAN CHECK \$20.00
ONE STOP SURCH \$22.50
SYSTEMS DEVT. FEE \$67.50
CITY PLANNING SURCH \$67.50
MISCELLANEOUS \$5.00

Total Due: \$1,287.50
Credit Card: \$1,287.50

05LA 83838

Sewer Cap ID:

Total Bond(s) Due:

12. ATTACHMENTS

1021130200524284



* P 0 5 0 3 0 1 0 0 0 0 0 3 6 6 B F N *

14. APPLICATION COMMENTS

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless, the information printed exceeds that required by Section 19825 of the Health and Safety Code of the State of California.

15. Building Relocated From:

16. CONTRACTOR, ARCHITECT, & ENGINEER NAME ADDRESS

(O), Owner-Builder

CLASS LICENSE# PHONE#

0

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason (Section 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

☐ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business & Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale).

OR

☒ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business & Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.)

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier:

Policy Number:

☒ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or was sent to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Due to the possible presence of lead-based paint, lead safe work practices are required on all repairs in pre-1979 buildings that disturb paint. Failure to do so could create lead hazards that violate California Health and Safety Code Section 17920.10 and Section 105256 and may be subject to a \$1000 fine or criminal prosecution. For more information call L.A. County's Department of Health Services at (800)524-5323. In order to locate a Lead Certified Professional and obtain additional information, call California DHS at (800)597-5323 or go to the DHS Website at <http://www.dhs.ca.gov/childlead/html/GENclst.html>.

20. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

- (1) I accept all the declarations above namely the Owner-Builder Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning and Final Declaration; and
- (2) This permit is being obtained with the consent of the legal owner of the property.

Print Name:

Sign:

Date:

11/8/05

Owner

☐ Authorized Agent

PROJECT INFORMATION REPORT

City of Los Angeles

Bureau of Engineering

Department of Public Works

Angelo Drive (1242) Slope Stabilization

(M800)

Current Phase	Scope of Work
Construction	<p>This project will mitigate an unstable cut slope by constructing a chain-link debris barrier affixed to the existing k-rail. The work will also include the removal and disposal of the existing plywood and rebar debris, as well as removal of the soil which has collected within the public right-of-way. These improvements are considered temporary, until the private owner develops the property. As a condition of the City constructing the barrier, the owner shall periodically remove debris that collects behind the barrier.</p>
Construction Information	
Expected Duration: from 6/14/2016 to 12/21/2016	
Construction Cost: \$89,600	
Contractor: Clarke Contracting Corp.	Project Status
Program Information	
Group: Bridges and Streets	
Program: Hillside Slope Stability Program	
Project Mgr: Craig Kunesh	<p>Four bids were received ranging from approximately \$72,000 to \$80,000, with the lowest being received from Clarke Contracting Corporation (Contractor) at \$71,680.00. A Construction Order in the amount of \$71,680.00, with an amount not to exceed of \$89,600, was issued to the Contractor on 6/20/16 and a Notice to Proceed (NTP) in the amount of \$71,680.00 was issued to the Contractor on June 20, 2016. The Contractor</p>
PM Phone: (213) 847-0504	
Lead Division: Geotechnical Engineering Group	
Work Order: E1907682 (Active)	
Council District(s)	Geographic Information
5 - Paul Koretz	
Neighborhood Council(s)	
Bel Air-Beverly Crest NC	
Funding Source	<p>Planning Area: Central Area Address: 1242 Angelo Drive</p>
Gas Tax Fund	

Information Resources
Listed below are various resources available for finding more information related to projects.
City of Los Angeles Internet Home Page http://www.lacity.org/
Bureau of Engineering Internet Home Page http://eng.lacity.org/
BOE Mapping Application (Navigate LA) http://navigate.la.lacity.org/
BOE Public Right of Way Reservation System http://navigate.la.lacity.org/pwrsview/
Bureau of Engineering Project Information Reports http://eng.lacity.org/iuprs/
Bureau of Engineering Projects Out to Bid http://eng.lacity.org/docs/dpw/bids/consbids.pdf

ENGINEERING



CITY OF LOS ANGELES

Gary Lee Moore, PE, ENV SP
City Engineer



Photo 1: View looking northeast towards a cut slope located on the northern side of Angelo Drive. Note the plastic tarp and K-rails along the base of the cut.

Council District 5

As of July 8 2016

Bridges and Streets

No.	Project Title Project Number	Estimated Const Cost	Project Mgr Name/Phone	Proj Status Council Dist(s)	Expected Construction
1	Angelo Drive (1242) Slope Stabilization M800	\$89,600	Craig Kunesh (213) 847-0504	Construction 5	06/14/2016 to 12/21/2016
2	Burbank Blvd & Hayvenhurst Ave Intersection Impr M575	\$484,912	Ramnik Mungra (213) 485-4526	Construction 5, 6	11/03/2014 to 07/31/2017
3	Exposition - West Bikeway - Northvale Segment M806	\$5,000,000	Michael Haddadin (213) 485-4642	Design 5	09/02/2018 to 09/01/2019
4	Gould Avenue (8250) Bulkhead M802	\$400,000	Pedro Garcia 213 847-0472	Pre-Design 5	01/28/2019 to 07/29/2019
5	Purple Line Extension E119	\$4,200,000,000	Curtis Tran (213) 485-4505	Construction 4, 5, 10, 11	06/14/2014 to 04/06/2023
6	Sidewalk Repair Program Bid Package #22 SP22	\$1,360,971	Alice Kim (213) 847-4811	Construction 1, 3, 5, 6, 10, 11, 12, 13	05/20/2016 to 02/02/2017

Recreational and Cultural Facilities

No.	Project Title Project Number	Estimated Const Cost	Project Mgr Name/Phone	Proj Status Council Dist(s)	Expected Construction
1	Rancho Park Golf Starter House & Restrooms G1028	\$2,000,000	Ada F-Delarosa (213) 485-4865	Design 5	08/02/2017 to 08/01/2018
2	Robertson Recreation Center K024	\$7,000,000	Jaime Contreras (213) 847-4710	Design 5	01/31/2017 to 06/30/2018

Sewers

No.	Project Title Project Number	Estimated Const Cost	Project Mgr Name/Phone	Proj Status Council Dist(s)	Expected Construction
1	DAR 05 Hollywood/Wilshire Planning Area C946	\$4,992,900	Mary Thomas (213) 485-1552	Pre-Design 4, 5, 10	04/02/2018 to 09/30/2019
2	DAR 06 Northeast Los Angeles/Silver Lake / Boyle Heights/ South Los Angeles C947	\$11,943,100	Richard Pedrozo (213) 485-1638	Pre-Design 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,	06/02/2019 to 06/30/2021
3	LCIS Rehab Blackwelder to Olympic C898	\$20,000,000	Hortensia Alonso (213) 485-1641	Design 5, 10	03/02/2017 to 09/30/2019
4	LCIS Units 7-8 Rehabilitation - Alta Vista to Vine C935	\$2,817,000	Claudia Haskett (213) 485-1639	Design 4, 5, 13	03/01/2018 to 02/28/2019
5	SSRP E20 Ventura Bl & Kester Av C949	\$10,457,600	Mary Thomas (213) 485-1552	Pre-Design 4, 5, 6, 10	08/02/2019 to 01/31/2021

Stormwater and Water Quality

No.	Project Title Project Number	Estimated Const Cost	Project Mgr Name/Phone	Proj Status Council Dist(s)	Expected Construction
1	Waring Ave. Storm Drain Improv. J627	\$700,000	Nadir Shah 213-847-0359	Bid & Award 5	09/01/2016 to 01/31/2017



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MAYOR

DEPARTMENT OF
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201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

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

FRANK BUSH
EXECUTIVE OFFICER

April 18, 2016

Bruce Juliani
1906 Greenfield Ave
Los Angeles, CA 90025

**NOTICE TO STOP CONSTRUCTION AND NOTICE OF INTENT TO REVOKE
BUILDING PERMIT NOS. 14010-20000-03400 FOR NEW 3-STORY SINGLE FAMILY
DWELLING, 14020-20000-02751 FOR NEW REATING WALLS, 14020-20000-02752 FOR
TEMPORARY SHORING, 15020-20000-02521 FOR IRREGULAR DRIVEWAY
CONCRETE DECK, 14047-20000-01538 FOR 13 FEET BY 30 FEET SWIMMING POOL
AND 14030-20000-06607 FOR SITE GRADING FOR PROPERTY LOCATED AT 1240
NORTH ANGELO DRIVE**

On March 8, 2016, Building Permit Nos. 14010-20000-03400 for a new 3-story single family dwelling with basement and 4-car attached garage, 14020-20000-02751 for retaining walls, 14020-20000-02752 for temporary shoring, 15020-20000-02521 for irregular driveway concrete deck, 14047-20000-01538 for 13 feet by 30 feet swimming pool, and 14030-20000-06607 for site grading were issued for property located at 1240 North Angelo Drive.

After the issuance of above mentioned permits, LADBS has determined that the permits were issued in error due to the following facts:

- The exhibits for the proposed single family dwelling shown in the approved geology and soils report is substantially different from the plans for the single family dwelling approved by LADBS. A revised soils and geology report incorporating the permitted layout of the single family dwelling shall be submitted to LADBS for review and approval.
- The proposed project plans show four retaining walls which exceeds the maximum two retaining walls allowed per LAMC Section 12.21C8.
- A portion of the building is projecting above the maximum allowable height of 30 feet.
- The total cubic yards of the excavation for piles and the site grading for the proposed project will result in export of soil over 1,000 cubic yards which will require a Haul Route approval per LAMC Section 91.7006.7.4.

April 18, 2016
Page 2

**NOTICE TO STOP CONSTRUCTION AND NOTICE OF INTENT TO REVOKE
BUILDING PERMIT NOS. 14010-20000-03400 . . . FOR PROPERTY LOCATED AT 1240
NORTH ANGELO DRIVE**

Therefore, LADBS intends to revoke Building Permit Nos. 14010-20000-03400, 14020-20000-02751, 14020-20000-02752, 15020-20000-02521, 14047-20000-01538 and 14030-20000-06607.

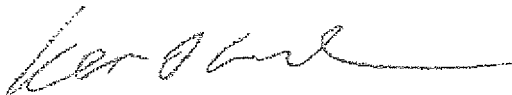
The authority to revoke permits is stipulated in Section 98.0601 of the L.A.M.C., which reads:

"The Department shall have the authority to revoke any permit, slight modification or determination whenever such action was granted in error or in violation of other provisions of the code and conditions are such that the action should not have been allowed."

Hereby, you are ordered to immediately stop all work related to construction of the new single family dwelling, retaining walls, swimming pool, and related grading work.

You have until May 3, 2016 to provide any reasons why Building Permit Nos. 14010-20000-03400, 14020-20000-02751, 14020-20000-02752, 15020-20000-02521, 14047-20000-01538 and 14030-20000-06607 should not be revoked; otherwise, Building Permit Nos. 14010-20000-03400, 14020-20000-02751, 14020-20000-02752, 15020-20000-02521, 14047-20000-01538 and 14030-20000-06607 will be revoked on May 3, 2016.

Should you have any other questions, please call Mr. Sia Poursabadian, Office Manager of the Van Nuys District Office at (818)374-4300.



KEN GILL, Assistant chief
Permitting and Engineering Bureau

c: Ifa Kashefi, Permit and Engineering Bureau, LADBS
Sia Poursabadian, Permitting and Engineering Bureau, LADBS
Larry Galstian, Inspection Bureau, Chief, LADBS
Pascal Chalitta, Inspection Bureau, Assistant Chief, LADBS

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MAYOR

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

FRANK BUSH
INTERIM GENERAL MANAGER

July 1, 2016

James F. Goldstein
c/o Richard H. Close, Esq.
10104 Angelo View Drive
Beverly Hills, California 90210

1240 NORTH ANGELO DRIVE; DBS-16009-DCP

You are hereby notified that the Los Angeles Department of Building and Safety ("LADBS") has rendered a written determination in response to your appeal concerning the above-referenced matter. The Department's determination is effective July 1, 2016. The report, dated June 17, 2016, is enclosed.

Pursuant to L.A.M.C. §12.26 K, the determination made by LADBS may be appealed to the Director of Planning within 15 days of the effective date of the written determination. If you choose to appeal the determination, you must file the appeal at the public counter of the Department of City Planning no later than July 20, 2016. Please refer to L.A.M.C. §12.26 K (1) through §12.26 K (3) for specific filing instructions. The appeal fee is \$500.00.

If you have any additional questions, you may contact me at (213) 482-0472.

CORA JOHNSON, P.E.
Structural Engineering Associate IV
Permit and Engineering Bureau

Enclosure

c: Sia Poursabastian, Senior Structural Engineer
Bruce Juliani (VEA Architects)

1240 N. Angelo Drive

Page 1

Report No, DBS- 16009 -DCP

REPORT ON APPEAL FROM LADBS DETERMINATION TO THE DIRECTOR OF PLANNING
PURSUANT TO L.A.M.C. §12.26 K (Ordinance No. 175,428)

REPORT NO. DBS- 16009 -DCP

JOB ADDRESS: 1240 N. Angelo Drive	Date of Report: June 17, 2016
ZONE: RE15-1-H	Effective Date of Determination: July 1, 2016
C.D.: 5 (Councilmember: Paul Koretz)	Deadline to Appeal to DCP: July 20, 2016
PLANNING AREA: Bel Air- Beverly Crest	Appeal Fee: \$500.00

APPEAL

Determine that the Los Angeles Department of Building and Safety ("LADBS") erred and abused its discretion in issuing the following permits:

- Building Permit No. 14010-20000-03400 for new fully sprinklered 76'-4"x91'-8" irregular shaped 3-story single family dwelling with basement, roof deck, 3rd floor deck and attached 4-car garage;
- Building Permit No. 14020-20000-02751 for 10' maximum high retaining wall;
- Building Permit No. 14020-20000-02521 for 37'-0"x36'-6" irregular shaped driveway concrete deck;
- Building Permit No. 14020-20000-02752 for temporary shoring;
- Swimming Pool Permit No. 14047-20000-01538 for 13'x30' pool per engineered plans;
- Grading Permit No. 14030-20000-06607 for grading related to site grading of new single family dwelling and excavation/backfill related to site retaining wall, basement wall, shoring and pool.

EXHIBITS

- EXHIBIT A: Building Permit No. 14010-20000-03400 for new fully sprinklered 76'-4"x91'-8" irregular shaped 3-story single family dwelling with basement, roof deck, 3rd floor deck and attached 4-car garage.
- EXHIBIT B: Building Permit No. 14020-20000-02751 for 10' maximum high retaining wall.
- EXHIBIT C: Building Permit No. 14020-20000-02521 for 37'-0"x36'-6" irregular shaped driveway concrete deck.
- EXHIBIT D: Building Permit No. 14020-20000-02752 for temporary shoring.
- EXHIBIT E: Swimming Pool Permit No. 14047-20000-01538 for 13'x30' pool per engineered plans.
- EXHIBIT F: Grading Permit No. 14030-20000-06607 for grading related to site grading of new single family dwelling and excavation/backfill related to site retaining wall, basement wall, shoring and pool.
- EXHIBIT G: Notice to Stop Construction and Notice of Intent to Revoke letter, dated April 18, 2016.
- EXHIBIT H: Neighborhood Conservation Interim Control Ordinance (ICO) No. 183,497.

1240 N. Angelo Drive

Page 2

Report No. DBS- 16009 -DCP

EXHIBIT I: ZIMAS vicinity map showing the lot located at 1240 N. Angelo Drive.

EXHIBIT J: Prevailing front yard calculations

APPENDIX: Appeal package submitted by appellant on March 31, 2016

OVERVIEW

The subject site is located in the Bel Air- Beverly Crest area of the City. The zone for the subject lot is RE15-1-H. The lot is currently vacant and fronting on a Substandard Hillside Limited Street and subject to the Baseline Hillside Ordinance (BHO) per Los Angeles Municipal Code (LAMC), Section 12.21C.10.

The property is also subject to Neighborhood Conservation Interim Control Ordinance (ICO) No. 183,497 which limits the import or export of exempted graded earth not to exceed 6,000 cubic yards in Bel Air area.

HISTORY

On October 22, 2014, Architectural and Structural plans were submitted to the Department of Building and Safety (LADBS) for plan check under Building Permit Application No. 14010-20000-03400 for a new single family dwelling, Building Permit Application No. 14020-20000-02751 for retaining wall, Building Permit Application No. 14020-20000-02752 for temporary shoring, Building Permit Application No. 14047-20000-01538 for new pool and Building Permit Application No. 14030-20000-06607 for site grading.

On September 18, 2015, Architectural and Structural plans were submitted to LADBS for plan check under Building Permit Application No. 14020-20000-02521 for a driveway concrete deck.

On March 8, 2016, Building Permit No. 14010-20000-03400 for new single family dwelling, Building Permit No. 14020-20000-02751 for retaining wall, Building Permit No. 14020-20000-02521 for driveway deck, Building Permit No. 14020-20000-02752 for temporary shoring, Building Permit No. 14047-20000-01538 for new pool and Building Permit No. 14030-20000-06607 for site grading were issued.

On March 31, 2016, the appellant submitted the appeal (*Appendix*).

On April 18, 2016, LADBS issued Notice to Stop Construction and Notice of Intent to Revoke letter after it determined that Building Permit Nos. 14010-20000-03400, 14020-20000-02751, 14020-20000-02752, 15020-20000-01538 and 14030-20000-06607 were issued in error based on the facts enumerated in the aforementioned letter.

DISCUSSION:

The following issues are identified in the appellant's brief (*Appendix*), along with the corresponding responses from LADBS:

Issue No. 1

The maximum floor area for building permit #14010-20000-03400 has been improperly calculated and the development improperly includes a bonus of additional floor area for having multiple structures.

LADBS Response to Issue No. 1

Any project subject to the Baseline Hillside Ordinance (BHO) has the option of either utilizing the "*Slope Analysis Map*" per LAMC Section 12.21C.10(b)(1) or the "*Guaranteed Minimum Residential Floor Area*" per LAMC Section 12.21C.10(b)(2).

LAMC Section 12.21C.10(b)(2) applies to all legal lots in addition to the lots "...which were made nonconforming as a result of an adopted zone change or code amendment changing the minimum Lot size, and met the minimum Lot size requirements of the original zone."

The maximum Residential Floor Area (RFA) for the proposed single family dwelling is determined by utilizing the "*Guaranteed Minimum Residential Floor Area*" per LAMC Section 12.21C.10(b)(2) which limits the maximum RFA for all buildings and accessory buildings on the subject property to 18% of the lot size or 1,000 square feet, whichever is greater.

In addition to maximum RFA allowed per LAMC Section 12.21C.10(b)(2), an additional bonus of 30% is allowed per LAMC Section 12.21C.10(b)(3) since the project is utilizing the "*Guaranteed Minimum Residential Floor Area*" and the "*Multiple Structure Option*" per LAMC Section 12.21C.10(b)(3)(v).

The Multiple Structure Option per LAMC Section 12.21C.10(b)(3)(v) states "*In addition to the lot coverage requirements, any one building and structure exceeding more than 6 feet above Hillside Area Grade, shall cover no more than 20% of the area of lot.*" The "building and structure" in LAMC Section 12.21C.10 (b) (3) (v) is not limited to "habitable structure" only.

The proposed single family dwelling, pool structure and driveway concrete deck on site are all six (6) feet above Hillside Area Grade and each building or structure covers less than 20% of the area of the lot, and therefore, the proposed project is qualified for 30% bonus since the total lot coverage of all buildings and structures is less than 40% of the area of lot.

Therefore, the proposed project has rightfully utilized the "*Guaranteed Minimum Residential Floor Area*" per LAMC Section 12.21C.10(b)(2) and the additional bonus of 30% per LAMC Section 12.21C.10(b)(3)(v) of Residential Floor Area bonus.

Issue No. 2

The new driveway concrete deck under permit No. 14020-20000-02521 does not provide for a sufficient front yard setback.

LADBS Response to Issue No. 2

The property is fronting on Substandard Hillside Limited Street and therefore subject to LAMC Section 12.21C.10(a)(2) which states "*there shall be a minimum front yard setback of at least 5 feet. However, the prevailing front yard setback regulations shall apply, so long as a front yard setback of no less than 5 feet is provided.*"

LAMC Sec.12.21 C10(a)(1), Prevailing Front Yard Setback, states "*Where there are two or more developed lots which have Front Yards the vary in depth by not more than 10 feet, and such lots comprise 40% or more of frontage, then the minimum front yard depth shall be the average depth of the front yards of such lots.*"

The original prevailing front yard setback calculation was performed in error since zero front yard setbacks for the vacant lots were used in calculation. However, the new analysis of prevailing front yard setback has determined that no prevailing front yard setback can be established for the subject property and therefore, the project is subject to the minimum of 5 feet front yard setback per LAMC Section 12.21C.10(a)(2).

In this determination, only the frontage of the vacant lots were considered per LAMC Section 12.21C.10(a)(1). (EXHIBIT J)

Therefore, the project is subject to the 5 feet front yard setback per LAMC Section 12.21C.10(a)(2) and Building Permits No. 14020-20000-02521 is valid as issued.

Issue No. 3

The approved plans illegally contain three retaining walls in violation of LAMC Code Sec. 12.21 C.8. Three retaining walls are (1) one long retaining wall at south end of subject property associated with the driveway and deck; (2) one wall jutting northeast from the western corner of the new building; (3) one wall jutting north near the northeastern corner of the subject property.

LADBS Response to Issue No. 3

The Northeast retaining wall as permitted is considered as more than one retaining wall and therefore, LADBS issued Notice to Stop Construction and Notice of Intent to Revoke Building Permit No. 14020-20000-02751 on April 18, 2016. Subsequently, the applicant has revised the Northeast retaining wall layout in order to make it as one continuous retaining wall per LAMC Section 12.21C.8.

The continuous Northeast retaining wall along with the retaining wall associated with the driveway and the concrete deck will comply with LAMC Section 12.21C.8 which limits the total number of the retaining walls on a property to two.

The applicant will need to submit revised retaining wall layouts for approval and permit.

Therefore, the proposed new layout for the Northeast retaining wall and the South end retaining wall will be in compliance with LAMC Section 12.21C.8.

Issue No. 4

The height of the new residence has been improperly calculated, resulting in a building of excess height, in violation of LAMC Sec.12.21C10(d)(1)(i).

LADBS Response to Issue No. 4

The zone for the subject property is RE15-1-H and the proposed roof for the new single family dwelling has a slope greater than 25% and therefore, the maximum height is limited to 36 feet per LAMC Section 12.21C.10(d) and Table 12.21C.10-4.

LAMC Sec.12.21C.10(d), Height Limits, states "*No portion of a building or structure shall be erected or enlarged which exceeds the envelope height limits as outlined in Table 12.21 C.10-4.*"

The single family dwelling permitted under Building Permit No. 14010-20000-03400 has a roof deck projecting beyond the height limit and therefore, LADBS issued Notice to Stop Construction and Notice of Intent to Revoke Building Permit No. 14010-20000-03400 on April 18, 2016. Subsequently, the applicant has revised the roof deck such that it does not project beyond the envelope height limits and the proposed single family dwelling will be within 36 feet envelope line from Grade.

Therefore, the proposed revised single family dwelling building will be in compliance with LAMC Section 12.21C.10(d).

Conclusion

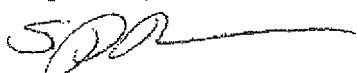
LADBS has determined that the proposed revisions by the applicant to the proposed roof deck of the single family dwelling permitted under Building Permit No. 14010-20000-03400 and the proposed revisions to the Northeast retaining wall layout permitted under Building Permit No. 14020-20000-02751 will comply with the maximum building height per LAMC Section 12.21C.10(d) and the limitation of the maximum two retaining walls per LAMC Section 12.21C.8 respectively.

The applicant will submit revised plans to the proposed single family dwelling and the Northeast retaining wall to LADBS for the final approval and Building permit when all the items in the LADBS Notice to Stop Construction and Notice of Intent to Revoke letter dated April 18, 2016, are addressed.

In addition, LADBS has determined that Building Permit No. 14020-20000-02521 for driveway deck, Building Permit No. 14020-20000-02752 for temporary shoring, Building Permit No. 14047-20000-01538 for new pool and Building Permit No. 14030-20000-06607 for site grading are in compliance with all Los Angeles City Codes; and therefore, LADBS has determined that the department did not err or abuse its discretion in the issuance of Building permits Nos. 14020-20000-02521, 14020-20000-02752, 14047-20000-01538 and 14030-20000-06607.

Frank Bush
Interim General Manager

Prepared By:



Siavosh Poursabastian
Senior Structural Engineer



APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

☐ Area Planning Commission ☐ City Planning Commission ☐ City Council ☒ Director of Planning

Regarding Case Number: DBS-16009-DCP

Project Address: 1240 N. Angelo Drive, Beverly Hills, CA 90210

Final Date to Appeal: 07/20/2016

Type of Appeal: ☐ Appeal by Applicant/Owner
 ☐ Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved
 ☒ Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): James Goldstein

Company: _____

Mailing Address: 10104 Angelo View Drive

City: Beverly Hills

State: CA

Zip: 90210

Telephone: (310) 393-4000

E-mail: Jim@jamesfgoldstein.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self

☐ Other: _____

- Is the appeal being filed to support the original applicant's position? ☒ Yes ☐ No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Tom Stemnock

Company: Planning Associates, Inc.

Mailing Address: 4040 Vineland Avenue, Suite 108

City: Studio City

State: CA

Zip: 91604

Telephone: (818) 487-6789

E-mail: trns@pal-la.com

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? ☐ Entire ☒ Part

Are specific conditions of approval being appealed? ☐ Yes ☒ No

If Yes, list the condition number(s) here: See attached Exhibit "A"

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: James F. Goldstein

Date: 18 July 16

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - o Appeal Application (form CP-7769)
 - o Justification/Reason for Appeal
 - o Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - o Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

EXHIBIT "A"

The Appellant (James F. Goldstein) owns the property located at 10104 Angelo View Drive ("Goldstein Property"). The Goldstein Property is located immediately uphill from the Subject Property, 1240 North Angelo Drive, owned by original applicant Juliani, and surrounds the north, east and west sides of the Subject Property. A map showing the relative locations of the Goldstein Property and the Subject Property is attached as **Exhibit 1**.

Juliani has been working on plans to develop the Subject Property for more than 10 years. The Appellant has previously had justifiable concerns regarding the adverse effects that the development of the Subject Property could have on the Goldstein Property. The Appellant's concerns are now the public's concerns, as well. **An Order to Comply, dated December 1, 2005, to provide approved plans, reports and Department Approval letters for grading beyond the scope of Building Permit #05030-10000-03668 which created hazardous conditions was issued by the Department of Building and Safety, and has never been resolved.**

The Goldstein Property includes, without limitation, a unique home and accessory structures designed by the esteemed architect John Lautner. In February 2016, the Appellant made a Promised Gift of the Goldstein Property, including the Lautner-designed home and accessory structures, and the surrounding uniquely landscaped hillside gardens, to the Los Angeles County Museum of Art ("LACMA"). The Appellant intends that his Promised Gift of the Goldstein Property will result in the Goldstein Property serving as a working example of extraordinary art and architecture that will be studied and enjoyed by the public for years to come through LACMA's scheduled programming. Therefore, it is critical to the Appellant during his lifetime and to LACMA and the public thereafter, that the Goldstein Property's structures and landscaped hillside gardens remain structurally and geologically sound.

On March 8, 2016, the Los Angeles Department of Building and Safety ("LADBS") issued six permits for the development of the New Residence (collectively, "Permits"), including:

- a building permit, Permit No. 14010-20000-03400;
- a grading permit, Permit No. 14030-20000-06607;
- a retaining wall permit, Permit No. 14020-20000-02751;
- a private pool and spa permit, Permit No. 14047-20000-01538;
- an irregular shaped driveway/concrete deck permit, Permit No. 15020-20000- 02521;
and
- a temporary shoring permit, Permit No. 14020-20000-02752.

On March 15, 2016, the Appellant's attorneys received notice from Juliani that the Permits had been issued. After receiving that Notice, the Appellant's attorneys and land use consultant tried several times through the LADBS to review the Approved Plans, but were told that they had been sent "offsite" for copying.

Additionally, in response to the March 15, 2016 Notice from Juliani, the Appellant's attorneys asked that the Appellant be allowed to review the Approved Plans. His attorneys received no response to their request until finally, on the evening of Tuesday, March 22, they received copies of certain Approved Plans from a Mr. Sam Amin on behalf of Juliani.

The Appellant's attorney's, land use consultants and Soils and Geology consultants reviewed these plans and on March 31, 2016 submitted appeals to the Department of Building and Safety pursuant to Section 12.26 K of the Zoning Code concerning numerous errors or abuse of discretion in the issuance of the six building permits. Copies of the appeals are attached as **Exhibit 2**.

The Department of Building and Safety issued a written determination to those appeals (DBS-16009-DCP) on July 1, 2016 (**Exhibit 3**). The Department found that a number of matters alleged in the appeal were errors or abuse of discretion and called for revisions of the plans, but did not specifically require the submission of applications for supplemental building permits to revise the plans. Further, the Department's Determination fails to address several issues raised in the appellant's appeals.

This appeal to the Director of Planning includes appeals of those items which the Appellant believes still constitute an error or abuse of discretion concerning the issuance of the six building permits by the LADBS. Those issues which are discussed in the July 1, 2016 LADBS Determination Letter and are now being appealed to the Director of Planning are as follows:

ISSUE NO. 1: THE MAXIMUM FLOOR AREA FOR BUILDING PERMIT NO. 14010-20000-03400 HAS BEEN IMPROPERLY CALCULATED AND THE DEVELOPMENT IMPROPERLY INCLUDES A BONUS OF ADDITIONAL FLOOR AREA FOR HAVING MULTIPLE STRUCTURES.

A: The Guaranteed Minimum Residential Floor Area Is Not Available For The Subject Property

The LADBS states that any project subject to the Baseline Hillside Ordinance has the option of either utilizing the "Slope Analysis Map" per LAMC Section 12.21 C.10(b)(1) or the "Guaranteed Minimum Residential Floor Area" per LAMC Section 12.21 C.10(b)(2).

This is not correct. LAMC Code Section 12.21 C.10(b)(1) requires the use of a Slope Analysis Map as part of an application for any permit or for a Discretionary Approval as defined in Section 16.05 B of the Zoning Code.

Section 12.21 C.10(b)(2) allows a Guaranteed Minimum Residential Floor Area based on a percentage of the lot size in the R1, RS, RE and RA zone only for those lots which meet

specific criteria as stated in the paragraph immediately below Table 12.21 C.10-3. This paragraph reads as follows:

"The guaranteed minimum for the original zone as stated in the paragraph above shall apply to Lots that meet the following criteria: have an area that is less than 50% of the minimum Lot size for its Zone, were made nonconforming in Lot size as a result of an adopted zone change or code amendment changing the minimum Lot size, and met the minimum Lot size requirements of the original zone."

The subject property is zoned RE15-1-H. Prior to 6/25/1966 most of the residential properties in the Santa Monica Mountains were zoned R1, RS or RA. Ordinance No. 132,416 became effective on 6/25/1966 and changed the zoning of these properties to RE15-1-H. Many of the lots previously zoned R1, RS or RA had lot areas of less than 15,000 sq. ft. and those lots became substandard when zoned RE15-1-H and have certain non-conforming rights.

Section 12.21 C.10(b)(2) was included in the Baseline Hillside Ordinance to give those lots that have an area of less than 50% of the minimum lot size for its current zone and were made nonconforming in lot size as a result of an adopted zone change or code amendment changing the minimum lot size requirement and which met the minimum lot size requirements of the original zone a guaranteed minimum Residential Floor Area due to their substandard status.

The subject property does not have a lot area of less than 50% of the 15,000 sq. ft. required in the RE15-1-H zone. Its lot area is 15,618 sq. ft. Also, the subject property was not made nonconforming in lot size as a result of the zone change, but the lot did meet the minimum lot size requirements of the original R1-1 zone.

In order to use Section 12.22 C.10(b)(2) the subject property must meet all three criteria (see Page 10 of the "Baseline Hillside Ordinance -A Comprehensive Guide to the new Hillside Regulations" published 5/9/2011 by the City Planning Department). (Exhibit 4)

Therefore, the subject property is not eligible for use of the Guaranteed Minimum Residential Floor Area provisions and the permitted Floor Area must be based on Section 12.22 C.10(b)(1), the Slope Analysis Map. Such a map has not been prepared and the correct permitted floor area has not been determined.

B: The Residential Floor Area Bonus Is Limited To 20% In This Situation

The second item discussed in Issue No. 1 is the granting of a Multiple Structure Option per Section 12.21 C.10(b)(3). This section allows an additional 30% for lots where the guaranteed minimum outlined in Subparagraph (2) of this paragraph is utilized. Since the Guaranteed Minimum Residential Floor Area provisions of Section 12.22 C.10(d)(2) do not apply to this property, as explained above, the Residential Floor Area Bonus can only be 20% of the maximum Residential Floor Area determined by Table 12.21 C.10-2.

Therefore, Building Permit No. 14010-20000-03400 must be revoked and the correct floor area must be determined according to the provisions of the Baseline Hillside Ordinance. If

the current plans exceed the permitted floor area, then the project must be redesigned to conform to the correct maximum floor area.

ISSUE NO. 2: THE NEW DRIVEWAY CONCRETE DECK UNDER PERMIT NO. 14020-20000-02521 DOES NOT PROVIDE FOR A SUFFICIENT FRONT YARD SETBACK.

The Appellant is not appealing the LADBS determination on Issue No. 2.

ISSUE NO. 3: THE APPROVED PLANS ILLEGALLY CONTAIN THREE RETAINING WALLS IN VIOLATION OF LAMC CODE SEC. 12.21 C.8.

The LADBS in their Determination Letter dated July 1, 2016, stated that the current approved plans do contain more than two retaining walls and need to be revised.

The Appellant is appealing the language of the LADBS determination letter and is requesting that the current Building Permit No. 14020-20000-02751 for retaining walls be revoked and that a new or supplemental permit showing a revised retaining wall system conforming to the provisions of Section 12.21 C.8 of the Zoning Code must be sought.

ISSUE NO. 4: THE HEIGHT OF THE NEW RESIDENCE HAS BEEN IMPROPERLY CALCULATED, RESULTING IN A BUILDING OF EXCESS HEIGHT, IN VIOLATION OF LAMC SEC. 12.21 C.10(d)(1)(i).

The LADBS in their Determination Letter dated July 1, 2016, states that the current approved plans show a roof deck projecting beyond the permitted height limit and that the applicant has revised the roof deck, such that it does not project beyond the envelope height limits.

The Appellant is appealing the language of the LADBS determination letter and is requesting that the current Building Permit No. 14020-20000-03400 be revoked and that a new or supplemental permit showing a revised roof deck conforming to the provisions of the Baseline Hillside Ordinance must be sought.

ISSUES LEFT UNADDRESSED IN LADBS DETERMINATION LETTER

In addition to the determinations addressed in the LADBS determination letter dated July 1, 2016 (DBS-16009-DCP), several other issues raised in the Appellant's appeal to LADBS dated March 31, 2016, were not addressed. The Appellant, under this appeal to the Director of Planning, requests that these additional issues be resolved as follows:

NEED APPROVED SOILS AND GEOLOGY REPORT BASED ON REVISED BUILDING PLANS.

Permit No. 14010-20000-03400 for the dwelling and garage is unsupported by geotechnical reports. Rather, the geotechnical reports used an analysis of a *different set of plans*

which bear no resemblance to the permitted plans. This "bait-and-switch" by the original applicant is the subject of a Third-Party Review of Technical Reports dated 3/29/16, by Grover-Hollingsworth and Associates, Inc. and filed 04/04/16, with the LADBS Grading Division.

The Appellant is requesting that the permit No. 14010-20000-03400 be revoked and that a new or supplemental permit must be sought based upon a revised Soils and Geology Report for the revised project, and that said Soils and Geology Report be reviewed and approved by LADBS.

RETAINING WALLS ARE UNDERDESIGNED.

In our appeal to LADBS, we stated that the permitted retaining wall plans (Permit No. 14020-20000-02751) should be revoked since the design was not based upon an approved Soils and Geology Report. Here again, the retaining wall permit is unsupported by geotechnical reports. Rather, the geotechnical reports used an analysis of a *different set of plans* which bear no resemblance to the permitted plans. This "bait-and-switch" by the original applicant is the subject of a Third-Party Review of Technical Reports dated 3/29/16, by Grover-Hollingsworth and Associates filed 04/04/16, with the LADBS Grading Division.

LADBS, in its determination letter dated July 1, 2016, did not address the adequacy of the design of the retaining walls. The Appellant is requesting that Building Permit No. 14020-20000-02751 be revoked and that a new or supplemental permit be issued based upon an approved Soils and Geology Report.

HAUL ROUTE PERMIT IS REQUIRED.

In the Appellant's appeal to LADBS, it was charged that the calculation of the amount of export of dirt from the excavation of the new structures, piles and footings had been understated. There is no documentation to justify the amount of export which the original applicant estimated to be 920 cubic yards. Also, it is unclear whether the slab thickness was taken into account in the calculation.

We estimate that the export volume resulting from the excavation of the piles alone, yields an export of at least 1,162 c.y. of dirt. Export of dirt in excess of 1000 c.y. in a Hillside Area requires a haul route approval (Section 91.7006.7.5 of the L.A.M.C.).

We are requesting that the calculation of the estimate of total export be documented by the applicant and approved by LADBS. If it exceeds 1,000 c.y., Permit No. 14030-20000-06607 for site grading should be revoked and a haul route permit must be obtained prior to the issuance of a new grading permit or a supplemental grading permit.

SHORING IS UNDERDESIGNED.

In our appeal to LADBS, we stated that the permitted temporary shoring plan (Permit No. 14020-20000-02752) should be revoked since the design was not based upon an approved Soils and Geology Report.

LADBS, in its determination letter dated July 1, 2016, did not address the adequacy of the design of the shoring plan, other than to say that the plans are in compliance with all City Codes. This determination can only be made after LADBS has reviewed and approved a Soils and Geology Report based on the required revisions to the project. Again, the geotechnical reports used an analysis of a *different set of plans* which bear no resemblance to the permitted plans, which is the subject of a Third-Party Review of Technical Reports dated 03/29/16, by Grover-Hollingsworth and Associates, Inc. and filed on 04/04/16, with the LADBS Grading Division.

For the above reasons, the Appellant respectfully requests that the Director of Planning determine that the Department of Building and Safety did err or abuse its discretion with regard to the issuance of Building Permit Nos. 14010-20000-03400 (SFD dwelling and garage), 14020-20000-02751 (10' high retaining walls), 14020-20000-02752 (temporary shoring), and 14030-20000-06607 (grading), and said permits must be revoked and new permits or supplemental permits must be issued conforming to all City Codes in order to assure that the Goldstein Property's structures and landscaped hillside gardens remain structurally and geologically sound.