

File No. 18-0862

MITIGATED NEGATIVE DECLARATION (MND), ADDENDUM, MITIGATION MEASURES, MITIGATION MONITORING PROGRAM, and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to a haul route appeal for the property located at 11667 West Bellagio Road.

Recommendations for Council action:

1. FIND, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in MND No. ENV-2015-1274-MND, and Addendum; and pursuant to California Environmental Quality Act Guidelines, Sections 15162 and 15164, no subsequent environmental impact report, negative declaration, nor addendum is required for approval of the project.
2. ADOPT the FINDINGS of the Board of Building and Safety Commissioners (BBSC) as the Findings of the Council.
3. RESOLVE TO DENY THE APPEAL filed by Nancy Myers, David Deringer, Bruno Naylor, Susan Naylor, Gigi Stage, and the Bel Air Association from the determination of the BBSC, and THEREBY SUSTAIN the decision of the BBSC in approving an application to export 3,074 cubic yards of earth, for the property located at 11667 West Bellagio Road, subject to Conditions of Approval.
4. INSTRUCT the Los Angeles Department of Building and Safety to closely oversee the enforcement of the conditions stipulated in their report dated August 15, 2018, and in the MND and subsequent Addendum, and inform Council District Five of any activity that violates the conditions outlined in the above mentioned documents.

Applicant: Kourosch Nazarian

Owner: Sam Nazarian Properties, LLC

Board File No. 180030

Environmental No. ENV-2015-1274-MND

Fiscal Impact Statement: None submitted by the BBSC. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

TIME LIMIT FILE - OCTOBER 9, 2018

(LAST DAY FOR COUNCIL ACTION - OCTOBER 9, 2018)

Summary:

At a regular meeting held on September 25, 2018, the PLUM Committee considered an appeal for the property located at 11667 West Bellagio Road. Staff from the Los Angeles Department of Building and Safety (LADBS) provided background information on the original determination and appeal. The Appellant and Applicant provided comments in support of and opposing the appeal. A Representative from Council District Five provided comments in support of denying the appeal, with additional instructions for LADBS to monitor conditions. After an opportunity for public comment, the Committee recommended to deny the appeal and sustain the determination of the BBSC relative to the haul route application. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER:</u>	<u>VOTE:</u>
HUIZAR	YES
HARRIS-DAWSON	ABSENT
ENGLANDER	YES
BLUMENFIELD	YES
PRICE	YES

ZHC
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-NOT OFFICIAL UNTIL COUNCIL ACTS-