

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

E. FELICIA BRANNON
VICE PRESIDENT

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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

May 14, 2015

BOARD FILE: 140189
C.D.: 5

Bentley Realty Partners,LLC.
3800 La Crescenta Ave, Suite 106
La Crescenta, CA 91214

JOB ADDRESS: 3729 - 3735 SOUTH BENTLEY AVENUE
TRACT: TR 1858

The Board of Building and Safety Commissioners, at its meeting of May 12, 2015, gave consideration to the application by Bentley Realty Partners, to export 5,968 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 May 7, 2015.

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

(Continued on Page 2)

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Job Address: 3729-3735 SOUTH BENTLEY AVENUE

Board File: 140189

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



Van Ambatielos, President

BOARD OF BUILDING AND SAFETY COMMISSIONERS

NOT VALID WITHOUT STAMP AND SIGNATURE

CJ:cj

140189.FAL

c: Sr. Grading Inspector S. Valenzuela
Michael Hibbert
Pamela Irwin

Action By
the BOARD OF BUILDING AND SAFETY
COMMISSIONERS on May 12, 2015

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

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

FRANK BUSH
EXECUTIVE OFFICER

May 7, 2015

BOARD FILE NO. 140189
C.D.:5 (Councilmember P. Koretz)

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

APPLICATION TO EXPORT 5,968 CUBIC YARDS OF EARTH

PROJECT LOCATION: 3729 - 3735 SOUTH BENTLEY AVENUE

TRACT: TR 1858

BLOCK: NONE

LOT: 44 & 46

OWNER:

Bentley Realty Partners, LLC.
3800 La Crescenta Ave, Suite 106
La Crescenta, CA 91214

APPLICANT:

Bentley Realty Partners, LLC.
1925 Century Park East, Suite 2350
Los Angeles, CA 90067

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 5,968 cubic yards of material moved 0.7 miles within the hillside area at a rate of \$0.29 per cubic yard per mile results in a fee of \$1,211.50.
2. The required permit fee shall be paid at the Street Services Investigation and Enforcement Division office, 1149 South Broadway, Suite 350, Los Angeles, California, 90015, telephone (213) 847-6000.
3. Under the provisions of Section 62.202 of the Los Angeles Municipal Code, a cash bond or surety bond in the amount of \$50,000.00 shall be required from the property owner to cover any road damage and any street cleaning costs resulting from the hauling activity.
4. Forms for the bond will be issued by Susan Sugay, Bond Processor, Bureau of Engineering Valley District Office, 6262 Van Nuys Boulevard, Suite 351, Van Nuys, CA 91401; telephone (818) 374-5082.

B. GENERAL CONDITIONS:

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

2. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
3. The 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 effect.
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. **The applicant shall defend, indemnify and hold harmless the City of Los Angeles (City), its agents, officers, or employees, from any claim, action, or proceeding against the City to attack, set aside, void or annul this approval, which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.**
20. A copy of the first page of this approval and all Conditions and/or any subsequent appeal of this approval and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the City's Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

C. SPECIFIC CONDITIONS

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

1. The hauling operations are restricted to the hours between 9:00 a.m. and 2:00 p.m. on Mondays through Fridays. No hauling allowed on Saturdays, Sundays or City Holidays. Haul vehicles may not arrive at the site before the designated start time.

2. Hauling of earth shall be completed within the maximum time limit of 48 hauling days.
3. Staging is allowed on site and one on the west side of Bentley Avenue in front of the project site.
4. The approved haul vehicles are double bottom dump trucks and 10 wheeler dump trucks.
5. Total amount of dirt to be hauled shall not exceed 5,968 cubic yards.
6. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
7. A minimum of four 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 Bentley Avenue and Venice Boulevard.
 - C. The intersection of Sepulveda Boulevard and Charnock Road.
 - D. The intersection of Bentley Avenue and Charnock Road.

Additional flag attendants may be required by the LADBS Inspector, LADOT, or BOSS to mitigate a hazardous situation (e.g. blind curves, uncontrolled intersections, narrow portions of roads or where obstacles are present). Flag attendants and warning signs shall be in compliance with Part II of the latest Edition of "Work Area Traffic Control Handbook."

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

LOADED TRUCKS:

Exit project site southbound on Bentley Avenue, turn west (right) on Venice Boulevard, south (left) on Sepulveda Boulevard, enter northbound I-405 Freeway, and continue to the disposal site outside the City limits.

EMPTY TRUCKS:

From the disposal site, travel southbound I-405 Freeway, exit at Venice Boulevard off ramp, turn north (right) on Sawtelle Boulevard, east (right) on Venice Boulevard, north (left) on Sepulveda Boulevard, east (right) on Charnock Road, south (right) on Bentley Avenue, and continue to the project site.

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

D. ENVIRONMENTAL CONDITIONS

The Department of City Planning has analyzed this project and determined that it qualifies for a Categorical Exemption pursuant to section 15300 of the State California Environmental Quality Act (CEQA) Guidelines, and Article III, Section 1, Class 32 of the City CEQA Guidelines (Case No. ENV-2014-2801-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 Exemption 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.

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Job Address: 3729 - 3735 SOUTH BENTLEY AVENUE

Board File: 140189

6. Any affected person, including the applicant, who is dissatisfied with the decision of the board, may appeal the board decision within 10 days to the City Council by filing an appeal with the city clerk on forms which the city clerk provides. The City Council shall hear and make its determination on the appeal not later than the 30th day after the appeal has been filed. The decision of the City Council on the matter shall be final. If the City Council fails to act on any appeal within the time limit specified in this section, the action of the board on the matter shall be final.

RAYMOND S. CHAN, C.E., S.E.

General Manager



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

ORIGINAL FILE

CITY CLERK'S USE

APR 01 2015

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

LOS ANGELES, COUNTY CLERK

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90860, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21187 (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: DIR 2014-2800 (DB) LOG REFERENCE: ENV 2014-2801-CE

PROJECT LOCATION: 3729-3735 S. BENTLEY AVENUE, LOS ANGELES, CA 90034

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: DENSITY BONUS w/ 1 ON-MENU INCENTIVE FOR HEIGHT, TOTAL 25 UNITS

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

CONTACT PERSON: ALEX IRVINE AREA CODE: 310 TELEPHONE NUMBER: 838-2400 EXT.: 109

EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 et seq.	Art. III, Sec. 1
Class <u>32</u> Category _____ (City CEQA Guidelines)		
<input type="checkbox"/> OTHER	(See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)	

JUSTIFICATION FOR PROJECT EXEMPTION: In-fill development meeting the conditions described in this section, (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

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>Alex Irvine</i>	TITLE: City Planner	DATE: 2/26/15
FEE: \$81.00	RECEIPT NO. 2825	REC'D BY: MNSHEN DATE: 2/3/15

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

IF FILED BY THE APPLICANT:

* NOAH ADLER
NAME (PRINTED)

Noah Adler
SIGNATURE

2/3/15
DATE

I hereby certify and attest this to be a true and correct copy of the original record on file in the office of the Department of City Planning of the City of Los Angeles designated as ENV-2017-2801-66

Maureen Britt

Department Representative

Naomi Gauth

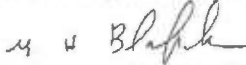
BF#: 140189

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

5 - Western SR# 31819
3729 - 3735 S. Bentley Av

Date: January 6, 2015

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


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

Subject: **HAUL ROUTE**
3729 - 3735 SOUTH BENTLEY AVENUE
Board File No: 140189

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 of Bentley Avenue, west (right) on Venice Boulevard, south (left) on Sepulveda Boulevard, north on I-405 Freeway, west on US-101 Freeway to the landfill site outside the City boundaries.

EMPTY TRUCK ROUTE: From the landfill, east on US-101 Freeway, south on I-405 Freeway, exit at Venice Boulevard, north (right) on Sawtelle Boulevard, east (right) on Venice Boulevard, north (left) on Sepulveda Boulevard, east (right) on Charnock Road, south (right) on Bentley Avenue to the project site.

HOURS OF OPERATION: To avoid peak traffic hours, limit hours of the hauling operation, Monday thru Friday: 9:00 AM to 4:00 PM. Saturday Hours: 8:00 AM to 4:00 PM.

STAGING: On the west side of Bentley Avenue adjacent to the project site. Flagmen with radio control are required at the project site and at the intersection of Bentley Avenue and Charnock Road 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.

MHB/Haul Route 3729 - 3735 S. Bentley Av DOT Review

cc: Tom Caraballo, Karen Bowie, Timothy Wells, BSS, Investigation & Enforcement
Michel Claiborne-Thompson, Jason Healey, LADBS

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JAN 06 2015

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