

**3729-3735 BENTLEY AVENUE APPEAL**

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

APPEAL TO: The Honorable City Council

REGARDING CASE NO: Board File No 140189, ENV -2014-2801-CE

PROJECT ADDRESS: 3729-3735 Bentley Avenue, Los Angeles, CA 90034 TRACT: TR 1858

FINAL DATE TO APPEAL: MAY 22, 2015

TYPE OF APPEAL: Appeal of the entire Board decision, by Pamela Irwin, residents, neighbors and owners of Bentley Avenue and Charnock (see attached list), other than the project applicant/owner, claiming to be aggrieved by the Board's decision.

**APPELLANT INFORMATION:**

Name: Pamela Irwin & persons on attached list  
Address: 3674 So. Bentley Avenue, Los Angeles, CA 90034  
Telephone: 310-694-6934  
E-mail: [Pamela.Irwin@yahoo.com](mailto:Pamela.Irwin@yahoo.com)

**PURPOSE OF APPEAL:**

This appeal seeks to reverse the entire decision of the Board of Building and Safety Commissioners ("the Board"), at the Board's hearing on May 12, 2015. This appeal pertains to the entire decision of the Board, including without limitation Board file number 140189, and Project Title ENV -2014-2801-CE (the "Project"). The appeal is based on the Board's improper approval of a Mitigated Negative Declaration, rather than an Environmental Impact Report, to disclose and mitigate the Project's adverse environmental impacts.

Where, as here, Appellant Pamela Irwin presented several "fair arguments" that the Project would cause significant environmental impacts (regarding truck traffic congestion impacts, safety and noise impacts), and presented "substantial evidence" supporting those "fair arguments" the board had no discretion to approve the Project.

This appeal is also based on the Board's violation of City Municipal Ordinance Section 91.7006.7.4(5), which states in relevant part that the Board "shall," deny approval of a haul route permit request, when approval would "endanger the public health, safety and welfare."

In addition, appellant, Pamela Irwin prepared a Master Appeal to the City Planning commission on March 27<sup>th</sup> and when she attempted to file it, she was advised that although she had received a letter that she could appeal, that she was not an abutting property resident and that she was not allowed to file that appeal. A copy is attached herewith. Abutting residents have informed Pamela Irwin that they never received any notice of the building project or their right to appeal said project.

The attached list of additional appellants state that they were never notified of either the project or the hauling by any city departments. Each of these persons wish to be included in this appeal. (See attached list with names, addresses and signatures.)

Appellant, Pamela Irwin and persons on attached list are also appealing and objecting to the overall approval of this project, as it will have a negative impact on this neighborhood and the current residents and owners and is in violation of noise laws in place. It will be tearing down two very nice single story triplex buildings and constructing a five story 25 unit apartment building in their place. When the original planning committee created the original plan, I am sure they did not ever envision a five story 25 unit building or they would have made provisions to prohibited it. These original planners of mixed use of single family along with tri-plexes and duplexes envisioned single-family homes along with low impact multi family homes that looked almost exactly like the single family homes. These residences were designed for those people wanting a home like feel but could not yet afford their own home. The original city planners did not envision this type of monstrosity in a residential area where low density, single story, multi units were intended to blend with single-family homes.

Not only will this project be an abomination on this little residential street, the project will be the tallest building in Palms. It is contrary to the overall vision for "Protecting Los Angeles' Neighborhood Character and comprehensive Strategy" that was established as well as the overall master plan and vision of this neighborhood. According to the state law, "SB 1818" is only valid and can only be used if it does not impact these things.

Please note that, appellant, Pamela Irwin has been advised by most of the tenants of the abutting multi units and apartment buildings that they never received any notice whatsoever of the proposed project. Proper notice to these persons is required.

The approval of this project is discriminatory against existing residents and home owners. With the adoption of the new Ordinance 183497 for this area, all of the single family home owners are now restricted from adding more than 15% square footage to their homes whilst a developer who does not even live on this street is allowed to add more than 500% square footage and cause extensive negative impact just for personal greed.

This project at 3729-3735 Bentley Avenue obtained certain exceptions with CEQA by abusing the state law "SB 1818" that was specifically created, written and designed to increase "affordable housing units" for the State of California. This project in fact, is going to actually going to reduce "affordable housing" by demolishing 6 family units and replacing them with only 2 small "low income" units within this five story 25 unit building. This is in clear violation of the "spirit of the law SB 1818". This project will definitely "endanger the public health, safety and welfare" of the inhabitants and families of this neighborhood not only by reducing the affordable housing units by 4 units but by severely impacting the physical, mental health and well being of current residents by increased noise, pollution, asbestos, emissions, traffic, parking, increased water use, sewage, aesthetics and the overall peace and enjoyment of the neighborhood.

The demolition, hauling, increased traffic and construction "NOISE" from this project will definitely adversely impact the residents. Most residents will be severely impacted. Many residents are at home during the day during construction times. The City of Los Angeles Planning commission adopted rules regarding noise. (Please see attached.) It states that **the noise from construction of multi family projects is Clearly unacceptable and that new construction or development**

**generally should not be undertaken.**

State and local laws require that a detailed analysis of noise mitigation impact study or assessment must be made. To date no detailed analysis of noise mitigation impact study or assessment has been done for this project. Please see the attached copies of the City of Los Angeles laws and regulations regarding noise.

In addition to harming the residents on Bentley Avenue and the surrounding area, the construction and hauling routes will also severely impact the families and their children that attend the nearby Charnock elementary School on the corner of Charnock and Bentley Avenue with both noise and traffic. This school has multiple nursery school, kindergarten and elementary school sessions and classes throughout the day where children are going to and from school by foot, car and bicycle.

I certify that the statements contained in this appeal application and all supporting exhibits are complete and true:

Dated: May 22, 2015

Appellant: \_\_\_\_\_



Pamela Irwin

Some of the neighbors on Bentley Avenue and Charnock that have signed an attached form to be a part of this objection are:

Ann McCluskey	3630 S Bentley Ave	310-418-5357	<a href="mailto:mccluskey.an@gmail.com">mccluskey.an@gmail.com</a>
Patricia Doll	3622 S Bentley Ave	310-467-8934	<a href="mailto:patriciasdoll@gmail.com">patriciasdoll@gmail.com</a>
Holly Knipe	11064 Charnock Rd	818-206-0821	
Ron Bushy	11180 Charnock Rd	310-559-6363	<a href="mailto:Nancyironbutterfly@gmail.com">Nancyironbutterfly@gmail.com</a>
Asher Valles	11110 Charnock Rd	310-780-4996	<a href="mailto:asher@asherv.com">asher@asherv.com</a>
Deborah Baldwin	3635 S Bentley Ave	310-838-6002	<a href="mailto:dbaldwin14@yahoo.com">dbaldwin14@yahoo.com</a>
Javad Sabl	3621 S Bentley Ave	310-381-9797	<a href="mailto:valetsign@gmail.com">valetsign@gmail.com</a>
Greg Tieti	3634 S Bentley Ave	310-566-9197	<a href="mailto:obstruxion@yahoo.com">obstruxion@yahoo.com</a>
Parastoo Seidenfeld	3645 S Bentley Ave	310-508-9427	<a href="mailto:p2rx@hotmail.com">p2rx@hotmail.com</a>
Shirley Gordon	3651 S Bentley Ave	310-466-5200	<a href="mailto:shirleygordon@ca.rr.com">shirleygordon@ca.rr.com</a>
Gandhi Puvvada	3644 S Bentley Ave	310-839-3932	<a href="mailto:gandhi.puvvada@gmail.com">gandhi.puvvada@gmail.com</a>
Vener Capiral	3650 S Bentley Ave	310-204-3296	<a href="mailto:vcapiral@yahoo.com">vcapiral@yahoo.com</a>
Charlene Vinetz	3670 S Bentley Ave	310-202-8339	<a href="mailto:cvinetz@library.ucla.edu">cvinetz@library.ucla.edu</a>



# CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI  
MAYOR

BOARD OF  
BUILDING AND SAFETY  
COMMISSIONERS

VAN AMBATIELOS  
PRESIDENT

E. FELICIA BRANNON  
VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL  
GEORGE HOVAGUIMIAN  
JAVIER NUNEZ

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

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

FRANK BUSH  
EXECUTIVE OFFICER

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 AMBATELOS  
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  
201 NORTH FIGUEROA STREET  
LOS ANGELES, CA 90012

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 FILED

APR 01 2015

LOS ANGELES, COUNTY CLERK

CITY OF LOS ANGELES  
 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)

CITY CLERK'S USE

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90850, 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. 15288            | Art. II, Sec. 2b           |
| <input type="checkbox"/> DECLARED EMERGENCY               | Sec. 15289            | Art. II, Sec. 2a (1)       |
| <input type="checkbox"/> EMERGENCY PROJECT                | Sec. 15268 (b) & (c)  | Art. II, Sec. 2a (2) & (3) |
| <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION | Sec. 15300 et seq.    | Art. III, Sec. 1           |
- Class 32 Category \_\_\_\_\_ (City CEQA Guidelines)
- 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>[Signature]</i>	TITLE: <b>City Planner</b>	DATE: <b>2/26/15</b>
FEE: <b>\$ 81.00</b>	RECEIPT NO. <b>2825</b>	REC'D. BY: <b>MNGHEN</b>
		DATE: <b>2/3/15</b>

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)

*[Signature]*  
 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-2014-2801-00

*Maureen Britt*  
Department Representative

*Norman Coath*

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: *M. H. Blorfroshan*  
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

RECEIVED  
BUILDING & SAFETY  
COMMISSION

2015 JAN -6 AM 11:05

RECEIVED

BF#: 140189

**THIS IS  
NOT A  
PERMIT**

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

CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: February 18, 2015  
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  
Street Services Investigation and Enforcement Division  
SUBJECT: ORDINANCE NOS. 148,167 AND 159,016 – EXPORT OF EARTH  
MATERIAL (HILLSIDE AREAS) – 3729 – 3735 SOUTH BENTLEY AVENUE

**I. FIELD MEETING/INSPECTION**

- A. An inspection was made by Senior Street Services Investigator II, Marsha Jackson, of the Street Services Investigation and Enforcement Division, on January 5, 2014
- B. The applicant's request was forwarded to the following Departmental representatives, and their recommendations have been received:
1. Mohammad Blorfroshan, Senior Transportation Engineer, LADOT Western District
  2. Marion Chapman, Superintendent I, Bureau of Street Services, Bay Harbor
- C. The approved haul route is as follows:

**Loaded:**

- From the project site
- South of Bentley Avenue
- West (right) on Venice Boulevard
- South left on Sepulveda Boulevard
- North on CA I-405 freeway
- West on US-101 freeway to the landfill site outside the City boundaries

**Unloaded:**

- From the landfill
- East on US-101 freeway
- South on CA I-405 freeway
- Exit at Venice Boulevard

RECEIVED  
2015 FEB 27 AM 9:42  
BUILDING & SAFETY  
COMMISSION

- 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

**Staging:**

On the west side of Bentley Avenue adjacent to the project site

Flagmen with radio control are required at the project site

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

**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 5,968 cubic yards of material moved 0.7 miles within the hillside area, at the rate of \$0.29 per cubic yard per mile = \$1,211.50.
- 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 \$50,000.00 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 4:00 p.m. on Mondays through Fridays, and 8:00 a.m. and 4:00 p.m. on Saturdays. No hauling is permitted on Sundays and holidays.
2. The vehicles used for hauling shall be Bottom Dump 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 5,968 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/MJ:ca

Site/haul routes 3729 -3750S Bentley Avenue

cc: Bureau of Street Services  
Marion Chapman, Superintendent I  
Bay Harbor Area  
Mail Stop #550

Bureau of Engineering  
Michael Patonai, District Engineer  
West Los Angeles District Engineering Office  
Mail Stop #499

Department of Transportation  
Jeannie Shen, District Engineer  
Hollywood - Wilshire District  
Mail Stop #726

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

Department of City Planning  
Darlene Navarette, Clerk Typist  
200 N. Spring Street, 7<sup>th</sup> Floor  
Mail Stop #395

Bureau of Street Services  
Marsha Jackson, Senior Investigator II  
1149 South Broadway, Suite 350  
Los Angeles, CA 90015

Owner: Bentley Realty Partners, LLC  
1925 Century Park East, Suite 2350  
Los Angeles, CA 90049  
(310) 996-2235 alt (310) 990-1476

Applicant: Bentley Realty Partners, LLC  
1925 Century Park East, Suite 2350  
Los Angeles, CA 90049  
(310) 996-2235 alt (310) 990-1476

Contractor: T-9 Enterprises, Inc.  
2420 1<sup>st</sup> Street  
La Verne, CA 91750  
(909) 392-0880

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  
201 NORTH FIGUEROA STREET  
LOS ANGELES, CA 90012

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

FRANK BUSH  
EXECUTIVE OFFICER

**NOTICE OF PUBLIC HEARING TO PROPERTY OWNERS  
WITHIN A 300-FOOT RADIUS OF GRADING SITE**

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

PROJECT ADDRESS: 3729-3735 SOUTH BENTLEY AVENUE  
DATE OF HEARING: May 12, 2015  
TIME OF HEARING: 9:30 a.m.  
PLACE OF HEARING: Room 900 (9th Floor), 201 North Figueroa Street, Los Angeles

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

*Letter to: Sharon Goin*  
*case info say object appeal*  
*note path of haul because of appeal*  
*CALL AQMB - & SPECIFIED PERMITS*

The Board of Building and Safety Commissioners of the City of Los Angeles will conduct a public hearing during which you may be present and speak regarding an application to haul earth material. The owner proposes to export 5,968 cubic yards of earth from the project site.

At the public hearing, the Board will be considering views of concerned parties regarding the proposed hauling operations and environmental review under the California Environmental Quality Act (CEQA). All problems of drainage, erosion and land stability on site are resolved as part of the grading plan check process prior to the issuance of the grading permit. Extensive soils engineering and geologic studies are commonly required for any substantial grading on hillside sites as part of obtaining the grading permit.

If you are unable to attend the hearing, you may submit your comments in writing prior to the date of the hearing. Comments should be addressed to the Board of Building and Safety Commissioners, Room 1080, 201 North Figueroa Street, Los Angeles, CA 90012. The City Departments of Building and Safety, Public Works and Transportation will submit recommendations to the Board for any controls they find are necessary to protect the interest of public health, safety and welfare during the hauling operation. A copy of the combined recommendations will be available at least two days before the hearing. Should you have specific questions regarding the proposed hauling operations, you may contact Jason Healey, Staff Engineer, at (213) 482-0466.

Agendas may be accessed through the City website at [www.lacity.org](http://www.lacity.org) "City Meetings and Agendas".

NOTE TO OWNER:

Failure of the owner or owner's representative(s) to appear at the hearing may result in a denial of the proposed haul route.

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Sign Language Interpreters, Communication Access Real-Time Transcription (CART), Assistive Listening Devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. Due to difficulties in securing Sign Language Interpreters, five or more business days notice is strongly recommended. For additional information, please contact the Commission Office at (213) 482-0466.

# MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

APPEAL TO THE CITY Planning Commission,  
(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: DIR-2014-2800-DB

PROJECT ADDRESS: 3729-3737 S. Bentley Avenue, Los Angeles, CA 90034

FINAL DATE TO APPEAL: March 28, 2015

- TYPE OF APPEAL:
- Appeal by Applicant
  - Appeal by a person, other than the applicant, claiming to be aggrieved
  - Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

## APPELLANT INFORMATION – Please print clearly

Name: Pamela Irwin

- Are you filing for yourself or on behalf of another party, organization or company?
- Self       Other: \_\_\_\_\_

Address: 3674 S Bentley Avenue

Los Angeles      Zip: 90034

Telephone: 310-435-4705      E-mail: pamelairwinctc@gmail.com

- Are you filing to support the original applicant's position?
- Yes       No

## REPRESENTATIVE INFORMATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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

**JUSTIFICATION/REASON FOR APPEALING** – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

Entire

Part

Your justification/reason must state:

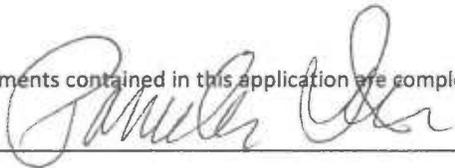
- The reasons for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

**ADDITIONAL INFORMATION/REQUIREMENTS**

- Eight (8) copies of the following documents are required (1 original and 7 duplicates):
  - Master Appeal Form
  - Justification/Reason for Appealing document
  - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K "Appeals from Building Department Determinations" are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

*"If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any."*  
 --CA Public Resources Code § 21151 (c)

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

Appellant Signature: 

Date: March 27, 2015

*Planning Staff Use Only*

Amount	Reviewed and Accepted by	Date
Receipt No.	Deemed Complete by	Date

Determination Authority Notified

Original Receipt and BTC Receipt (if original applicant)

The above case/building/project **WILL DEFINITELY HAVE A NEGATIVE** impact on the physical environment and on public health and safety.

The proposed project does **NOT** qualify for Categorical Exemption because it does **NOT** conform to the definition of "in-fill Projects" as follows:

1) The project is NOT consistent with the applicable general plan designation and all applicable general plan policies. It is more that it's present 6 dwelling units and more that the perhaps allowable 18 dwelling units. It does NOT meet parking, yard, open space or landscaping requirements.

4) Approval of the project WOULD result in significant negative effect relating to traffic, noise and air quality and water quality.

Currently there is NO available parking from 4pm until 10am each day and no available parking on weekends. There is horrible traffic that has resulted in several traffic accidents and injuries and is a danger to the current residents. Because of the need of automobile transportation in Los Angeles and our proximity to UCLA, many units on this street have 2 to 3 adults occupying each bedroom. Each adult drives a car, which actually results in a minimum of 2 to 3 cars per bedroom. This project would go from 12 people or cars to 90+ people or cars.

I have lived on this street for over 10 years and personally have witnessed many accidents and have had to have over 60 cars towed away from in front of my driveway (parked illegally) when there was no other parking available. In addition to the cars, there will also be the construction noise and additional traffic on this **VERY NARROW** and highly traveled street. People use this street as an alternate to Sepulveda Blvd. This street **CANNOT** accommodate any additional traffic by cars or trucks or construction vehicles nor should the residents be exposed to increased emissions or noise.

In addition, many heavy construction vehicles have done extensive damage to our streets, curbs and sidewalks.

Water quality is a **HUGE** consideration. When one goes from 6 bedrooms in 1 story to 45 bedrooms in a 5 story building, or 12 people to 90+ people, it can't help but have a negative impact on water, air quality, noise and traffic.

This project is incompatible with the neighborhood. Buildings on major streets are 3 stories. This would be 5 stories and totally incompatible with the street and Palms.

This project would **ABSOLUTELY** without a doubt have an adverse and negative impact on the physical environment and on public health and safety.

I respectfully request that this building project be denied in its entirety or a hearing be set with appropriate traffic and environmental studies.

Thank you for your kind attention, consideration and denial of this project.

Respectfully yours,



Pamela Irwin Home Owner

3674 S Bentley Avenue, Los Angeles, CA 90034 310-435-4705

March 27, 2015



**Los Angeles County  
Department of Regional Planning**

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

**REGIONAL PLANNING COMMISSION  
APPEAL FORM**

DATE: March 27, 2015

TO: Ms. Rosie Ruiz  
Regional Planning Commission Secretary  
Department of Regional Planning  
County of Los Angeles  
320 W. Temple Avenue, Room 1350  
Los Angeles, California 90012

FROM: Pamela Irwin  
Name

SUBJECT: Project Number(s): \_\_\_\_\_  
Case Number(s): DIR-2014-2800-DB  
Case Planner: Michael J. LoGrande  
Address: 200 No Spring Street  
Assessors Parcel Number: Lots 44 & 46 Tract 1858  
Zoned District: Palms-Marvista-Del Rey

**Entitlement Requested:**

This project needs to be denied. I was born in Los Angeles and have lived at 3674 S Bentley Avenue. Historically each apartment unit occupant has a minimum of 2 cars per bedroom. There is no longer any available parking on our street after 4pm. I have had to have numerous cars towed that parked in my driveway.

**Related Zoning Matters:**

Tentative Tract/Parcel Map No.	
CUP, VAR or Oak Tree No.	
Change of Zone Case No.	
Other	

(Reverse)

I am appealing the decision of (check one and fill in the underlying information):

Decision Date:  **Director** Public Hearing Date:  **Hearing Officer**  
Hearing Officer's Name: \_\_\_\_\_  
Agenda Item Number: \_\_\_\_\_

The following decision is being appealed (check all that apply):

- The Denial of this request
- The Approval of this request
- The following conditions of approval:

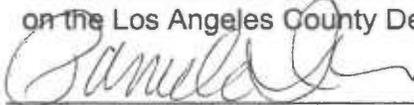
\_\_\_\_\_ List conditions here

The reason for this appeal is as follows: *THERE HAS BEEN NO NOISE IMPACT ANALYSIS.*

There is already no parking on our street and way too much traffic. Many accidents etc. The traffic study that they did, if any, is totally incorrect. Going from 6 units to 25 units and from 1 story to 5 stories will negatively affect this street and this neighborhood and is unsafe.

Are you the applicant for the subject case(s) (check one)?  YES  NO

Submitted herewith is a check or money order for the amount due, as indicated on the Fee Schedule on the Los Angeles County Department of Regional Planning's website.



Pamela Irwin

Appellant (Signature)

Print Name

3674 S Bentley Avenue Los Angeles, CA 90034

Address

310-435-4705

Day Time Telephone No.

\*Fee subject to change.

**DEPARTMENT OF  
CITY PLANNING**

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

**CITY PLANNING COMMISSION**

DAVID H. J. AMBROZ  
PRESIDENT

RENEE DAKE WILSON  
VICE-PRESIDENT

ROBERT L. AHN  
MARIA CABILDO  
CAROLINE CHOE  
RICHARD KATZ  
JOHN W. MACK  
DANA M. PERLMAN  
MARTA SEGURA

**CITY OF LOS ANGELES**  
CALIFORNIA



ERIC GARCETTI  
MAYOR

**EXECUTIVE OFFICES**

MICHAEL J. LOGRANDE  
DIRECTOR  
(213) 978-1271

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR  
(213) 978-1274

JAN ZATORSKI  
DEPUTY DIRECTOR  
(213) 978-1273

FAX: (213) 978-1275

INFORMATION  
[www.planning.lacity.org](http://www.planning.lacity.org)

**DIRECTOR'S DETERMINATION  
DENSITY BONUS AFFORDABLE HOUSING INCENTIVES**

March 13, 2015

**Owner**

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

**Case No.** DIR-2014-2800-DB  
**CEQA:** ENV-2014-2801-CE  
**Location:** 3729-3737 S. Bentley Ave.

**Council District:** 5  
**Neighborhood Council:** Palms  
**Community Plan Area:** Palms-Mar Vista- Del Rey  
**Land Use Designation:** Medium Residential  
**Zone:** R3-1  
**Legal Description:** Lots 44 & 46 Tract 1858

**Representative/ Applicant**

Craig Lawson & Co., LLC  
Alex Irvine  
8758 Venice Blvd. #200  
Los Angeles, CA 90034

**Last Day to File an Appeal:** March 28, 2015

**DETERMINATION**

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.22 A.25, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

**Approve** the following one (1) incentive requested by the applicant for a project totaling 25 dwelling units, reserving at least eleven (11) percent, or two (2) dwelling units, of the eighteen (18) total "base" dwelling units permitted on the site, for Very Low Income household occupancy for a period of 55 years, subject to the conditions of approval below:

1. **Height.** A 25 percent increase in the height requirement, allowing 56 feet in height in lieu of the normally required 45 feet.

**Adopt** the attached Findings.

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to ENV-2014-2801-CE, Section 21080 of the California Public Resources Code, and Article III, Section 1, Class 32 of the City of Los Angeles CEQA Guidelines.

## CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 25 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of two (2) units, that is 11 percent of the base dwelling units, shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (C)(2).
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (9a-d).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make two (2) units available to Very-Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Automobile Parking.** Vehicle parking shall be provided consistent with LAMC Section 12.22 A.25, Parking Option 1, which permits one on-site parking space for each residential unit with one or fewer bedrooms; two on-site parking spaces for each residential unit with two to three bedrooms; and two-and-one-half parking spaces for each residential unit with four or more bedrooms. Based upon the number and type of dwelling units proposed, 41 parking spaces shall be provided.
7. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.
8. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21 A.16. Long-term bicycle parking shall be provided at a rate of one per dwelling unit or guest room. Additionally, short-term bicycle parking shall be provided at a rate of one per ten dwelling units or guest rooms, with a minimum of two bicycle parking spaces for both long- and short-term bicycle parking. Based upon the number of dwelling units (25), twenty-five long-term and three short-term bicycle parking spaces shall be provided onsite.

9. **Height.** The project shall be limited to a maximum height of 56 feet.

#### **Administrative Conditions**

10. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
11. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
12. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
13. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
14. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
15. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or 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.

## PROJECT BACKGROUND

The proposed project includes the demolition of two multi-family homes and new construction of an approximately 29,461 square foot residential development containing 25 units of multi-family housing, consisting of nine 1-bedroom, twelve 2-bedroom and four three-bedroom units, 41 parking spaces in one subterranean level and a portion of the ground-floor, in a 56-foot tall, five-story building. The subject site is comprised of two lots with a total area of approximately 15,117 square feet. The subject site is in the R3-1 zone, and within the Palms-Mar Vista-Del Rey Community Plan area. The property fronts Bentley Avenue on the east. Adjacent land uses consist of multi-family residential structures, ranging from one to four stories in height, also zoned R3-1, and designated Medium Residential.

In accordance with California State Law (including Senate Bill 1818, and Assembly Bills 2280 and 2222), the applicant is proposing to utilize Section 12.22 A.25 (Density Bonus) of the Los Angeles Municipal Code (LAMC), which permits a density bonus of 35 percent. This allows for 25 total dwelling units in lieu of the otherwise maximum density limit of 18 dwelling units on the property. A density bonus is automatically granted in exchange for the applicant setting aside a portion of dwelling units, in this case two (2), for habitation by Very Low income households for a period of 55 years. Consistent with the Density Bonus Ordinance, the Applicant is also automatically granted a reduction in required parking based on two Parking Options, or a reduction based on the Bicycle Parking Ordinance. The Applicant selected option 1, which requires a total of 41 parking spaces.

As permitted by LAMC Section 12.22 A.25, the applicant is requesting one (1) incentive that will facilitate the provision of affordable housing at the site: a 25 percent increase in the height requirement, allowing 56 feet in height in lieu of the normally required 45 feet.

Pursuant to LAMC Section 12.22 A.25 (e)(2), in order to be eligible for any on-menu incentives, a Housing Development Project (other than an Adaptive Reuse Project) shall comply with the following criteria, which it does:

- a. *The façade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the façade is not a flat surface.*

The subject site is located on the west side of Bentley Avenue. As evident from the elevation drawings and the floor plans displayed in Exhibit "A," the east elevation of the proposed building (facing Bentley Avenue) is not a flat surface, but rather articulated façade with variations in plane. The building façade is a reflection of the U-shape plan which faces Bentley Avenue and encloses an interior court yard. The pedestrian entrance is situated at the central axial of the street elevation, and the elevator and stair case are located opposite sides of this entrance. A balcony bridge above the pedestrian entrance connects elevator box and stair case in every level. The elevator box is a dark gray, tall, vertical cylinder, while the stair housing is a colorful cube. A wooden trellis roof extends over the stair housing and balcony bridges and leans on the elevator box to connect these two shape at the last level. The light color, hard troweled appearance of the first level lifts up the building from the ground. The building design is articulated with a series of balconies that are offset from the main building façade, painted steel balcony guardwalls, and windows which are detailed consistently. The façade is further varied using a range of architectural elements including, texture, materials, and color creating a significant degree of visual interest. Several different materials are used for the portion of the building that abuts the Bentley Avenue, including steel troweled stucco, glass, Trespa rainscreen panels, and anodized aluminum railing with glass infill. In addition

to the multitude of materials, the project's façade will incorporate a variety of colors. A whiter gray background contrasts with dark gray balcony guardwalls and the elevator housing. The colorful rainscreen panels come out from the gray texture and their appearance on both sides of the elevator cylinder harmonizes the unsymmetrical façade. Finally, the project substantially conforms to the City of Los Angeles Residential Citywide Design Guidelines.

- b. *All buildings must be oriented to the street by providing entrances, windows architectural features and/or balconies on the front and along any street facing elevation.*

As evident from the architectural drawings displayed in Exhibit "A," the building is oriented toward Bentley Avenue, which is a Minor Local Street. The project incorporates a large amount of glass on the front to create "eyes on the street" and clearly declare the project's residential nature. The architectural features at the building frontage, such as the balconies and the multitude of materials used, orient the building to the front. Several balconies at this façade act as an extension of living rooms and will bring a level of residential activity to the public view. Their size and location maximize their intended use for open space and engage the street on all floors. The main pedestrian entrance is recessed for shelter and protection is located on Bentley Avenue and leads to the courtyard. In addition, the project conforms to the City of Los Angeles Residential Citywide Design Guidelines.

- c. *The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).*

The proposed project is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument.

- d. *The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.*

The project is not located in a Hillside Area, nor is it located in a Very High Fire Hazard Severity Zone.

## DENSITY BONUS/AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS

1. Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a density bonus and requested incentive(s) unless the director finds that:

- a. The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in LAMC Section 12.22 A.25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the density bonus on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

The requested incentive, an increase in the allowable height, is expressed in the Menu of Incentives per LAMC Section 12.22 A.25(f) and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentive allows the developer to expand the building envelope so the additional two (2) restricted affordable units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the applicant's decision to set aside two (2) Very Low Income dwelling units for 55 years.

The subject site is zoned R3-1 which allows 18 units on the 15,117 square foot site, with a maximum 3:1 Floor Area Ratio (FAR) and a maximum height of 45 feet. The allowable floor area is approximately 30,000 square feet.

FAR	Buildable Lot Area* (sf)	Total Floor Area (sf)
3:1	10,005	10,005 X 3 = 30,015

\*15,117 sf gross lot area less 5-foot side yards and 25-foot front yard setback and 15-foot rear yard.

The yard requirements include 25-foot front-yard, a 16-foot rear yard, and 8-foot side yards. With these FAR, height and yard requirements, approximately 24,000 square feet of floor area can be built within four stories.

*Height Increase:* An 11-foot increase in height allows for a fifth floor within which additional floor area can be accommodated. As depicted in Exhibit A, the proposed project includes approximately 5,500 of floor area within the fifth floor, for a total building floor area of approximately 29,500 square feet.

Thus, the requested incentive allows the project to incorporate the full amount of floor area allowed by right per the R3-1 Zone. The costs are thereby spread over a greater square footage, resulting in a lower cost per square foot. On the income side, rental income is spread over a greater square footage, resulting in a lower rent per square foot. The incentive accommodates for the additional Density Bonus units.

- b. *The Incentive will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.*

There is no evidence that the proposed incentive will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed project determined that it is Categorically Exempt from environmental review pursuant to Article III, Section I, and Class 32 of the City of Los Angeles CEQA Guidelines. The Class 32 exemption is intended to promote infill development within urbanized areas.

The proposed project qualifies for a Categorical Exemption because it conforms to the definition of "In-fill Projects" as follows:

- 1) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The General Plan land use map for the Palms-Mar Vista- Del Rey Community Plan and zoning designate the subject property for Medium Residential land uses and R3-1, which allows up to 18 dwelling units on the project site. The project meets parking, yard, open-space, and landscaping requirements.
- 2) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The subject site is comprised of two lots, totally 15,117 square feet, or 0.35 acre, which is well below 5-acre threshold, and is surrounded by other multi-family projects.
- 3) The project site has no value as habitat for endangered, rare or threatened species due to the highly urbanized nature of the project site and surrounding area and per NavigateLA. The Los Angeles City Planning Department's Environmental and Public Facilities map for Significant Ecological Areas also shows that the subject site is not located in any of these areas.
- 4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project would not result in any significant effects related to traffic. The project is replacing six units that currently exist on the site for a net increase of only 19 units. Per the LADOT Referral Form, impacts related to transportation and traffic will be less than significant. The project is not expected to generate more than 126 additional daily vehicle trips to this local residential street, below the 500 daily vehicle trips CEQA threshold. The existing mobility and circulation available in proximity to the proposed project will result in no traffic impacts as a result of the additional 19 units that are being introduced into the community.

The development of the project would not result in any significant effects relating to noise, since the project must comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574 and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels. Furthermore, the project is below 75 dwelling units and 1,000 average daily vehicle trips CEQA threshold.

The development of the project would not result in any significant effects relating to air quality, since operational emissions for the project related traffic will be less than significant. In addition to mobile sources from vehicles, general development causes smaller amounts of "area source" air pollution to be generated from on-site energy consumption (natural gas combustion) and from off-site electrical generation. The sources represent a small percentage of the total pollutants. The inclusion of such emissions adds negligibly to the total significant project-related emissions burden generated by the proposed project. The project will not cause the SCAQMD's recommended threshold levels to be exceeded. Construction impacts will also be at less-than significant levels since Best Available Control Measures must be used where feasible.

The development of the project would not result in any significant effects relating to water quality. The project is not adjacent to any water sources and construction of the project will not create any impact to water quality. Furthermore, the project will comply with the City's stormwater management provisions per LAMC 64.70.

- 5) The site can be adequately served by all required utilities and public services. The subject site is located in the Palms-Mar Vista- Del Rey Community Plan area, a well-established low and medium density residential area with public infrastructure that is fully improved. The site is currently being served adequately by the City's Department of Water and Power, the City's Bureau of Sanitation, the SoCal Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, and many others public services. The utilities and public services have been servicing the neighborhood continuously for over 50 years.

Therefore, there is no substantial evidence that the proposed project will have a specific adverse impact on the physical environment, on public health and safety, and on property listed in the California Register of Historic Resources.

## DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section §65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all low and very low income units that qualified the applicant" for the density bonus.

NOTE: California State Assembly Bill 2222 recently went into effect January 1, 2015. It introduces rental dwelling unit replacement requirements, which pertain to cases filed (not issued) as of January 1, 2015. This determination letter does not reflect replacement requirements because the case application was submitted to the Department of City Planning 08/01/2014, prior to the effective date of the amended Law. The new state law also increases covenant restrictions from 30 to 55 years for cases issued (not just filed) as of January 1, 2015. This determination letter does reflect 55 year covenant restrictions, given that the case decision, or approval, as noted on the front page, is being issued after January 1, 2015.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify zoning code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development (HUD) note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

## FINANCIAL ANALYSIS/PRO-FORMA

Pursuant to the Affordable Housing Incentive Density Bonus provisions of the LAMC (Section 12.22 A.25) proposed projects that involve on-menu incentives are required to complete the Department's Master Land Use Permit Application form, and no supplemental financial data is required. The City typically has the discretion to request additional information when it is needed to help make required findings. However, the City has determined that the level of detail provided in a pro forma is not necessary to make the findings for on-menu incentives. This is primarily because each of the City's eight on-menu incentives provides additional buildable area, which, if requested by a developer, can be assumed to provide additional project income and therefore provide for affordable housing costs. When the menu of incentives was adopted by ordinance, the impacts of each were assessed in proportion to the benefits gained with a set-aside of affordable housing units. Therefore, a pro-forma illustrating construction costs and operating income and expenses is not a submittal requirement when filing a request for on-menu incentives. The City's Density Bonus Ordinance requires "a pro forma or other documentation" with requests for off-menu incentives but has no such requirement for on-menu requests.

## TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

## TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

## VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 11.00 of the LAMC states in part (m):

"It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

## APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at [www.cityplanning.lacity.org](http://www.cityplanning.lacity.org).

Planning Department public offices are located at:

*Downtown Office*  
*Figueroa Plaza*  
*201 North Figueroa Street, 4<sup>th</sup> Floor*  
*Los Angeles, CA 90012*  
*(213) 482-7077*

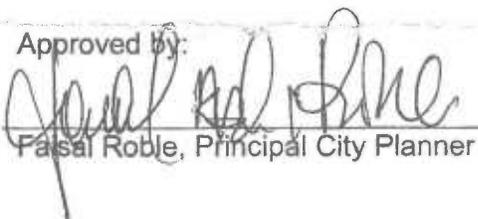
*Valley Office*  
*Marvin Braude Constituent Service Center*  
*6262 Van Nuys Boulevard, Suite 251*  
*Van Nuys, CA 91401*  
*(818) 374-5050*

**Only abutting property owners and residents can appeal this Density Bonus Compliance Review Determination.** Per the Density Bonus Provision of State Law (Government Code Section §65915) the Density Bonus increase in units above the base density zone limits and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable. Per Section 12.22 A.25 of the LAMC, appeals of Density Bonus Compliance Review cases are heard by the City Planning Commission.

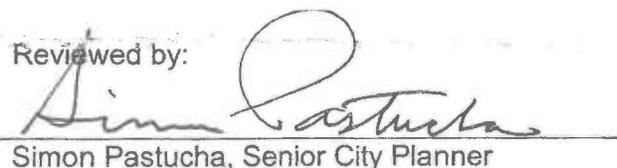
The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Michael J. LoGrande  
Director of Planning

Approved by:

  
Faisal Roble, Principal City Planner

Reviewed by:

  
Simon Pastucha, Senior City Planner

Prepared by:

  
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## 2.20 NOISE

### 2.20.1 *Introduction*

This section identifies the primary noise sources within the City of Los Angeles. The most pervasive noise source within the City is motor vehicle noise. Therefore, noise is assessed on a Citywide and a Community Plan level.

### 2.20.2 *Thresholds of Significance*

The Plan would create a significant noise impact if it causes areas with acceptable CNEL levels to exceed State compatibility standards and/or existing ordinances. It should be recognized that there are no noise ordinances to regulate mobile noise sources, but are limited to stationary noise sources. If an area currently exceeds State compatibility standards, then a significant noise impact would be based on UMTA noise guidelines. At the present time, the only established standard limits noise increases from construction to 5 dBA and has established other standards not related specifically to measurable noise increases, but to direction of noise sources away from sensitive land uses. In some cases, a 3 dB threshold has been used to establish significance, as the smallest noise increase audible to most people. Generally, increases of less than 3 dBA are considered insignificant. Increases from 3 to 5 dBA are usually considered substantial, and over 5 dBA, significant.

### 2.20.3 *Existing Conditions*

The term "noise" is used to describe unwanted sound. The perception of noise is a subjective matter because individual opinions vary as to what constitutes "unwanted sound". Noise can be categorized into two types: background noise, which is a near-constant source of sound associated with a particular environment; and intrusive or peak noises, which are isolated events that stand out from background noise. The background noise environment is generated by a variety of constant or long-term noise sources that are within, close to, and distant from a particular environment or location. The extent to which intrusive noise prevails over the background noise depends on its proximity, intensity, duration, frequency, and time of occurrence.

The results of medical studies show that the primary cause of hearing loss is cumulative long-term exposure to excessive near-constant noise sources. Intrusive noise, although not generally a cause of permanent hearing loss, does contribute to stress, irritability, increased blood pressure, loss of sleep, and low work efficiency. The sound level of speech is typically about 60 to 65 dBA. In general, noise begins to interfere with a listener's understanding of speech when it exceeds 55 to 60 dBA. Sleep can be disturbed when interior noise levels exceed 50 dBA.

The primary concerns in dealing with community and environmental noise are the effect of noise on people, and noise mitigation. To analyze noise effects and develop mitigation, noise must be measured and described, and then compared and evaluated in terms of set guidelines and regulations.

The unit of measurement of environmental noise is the decibel (dB). To better approximate the range of sensitivity of the human ear to sounds of different frequencies, the A-weighted decibel scale was devised. Because the human ear is less sensitive to low frequency sounds, the A-scale de-emphasizes these frequencies by incorporating frequency weighting of the sound signal. When the A-scale is used, the decibel levels are shown as dBA. On this scale, the range of human hearing extends from about 3dBA to about 140 dBA. A 10 dBA increase is judged by most people as a doubling of the sound level. The smallest change that can be heard is about 2 to 3 dBA. The noise levels in a quiet urban area in the daytime are typically about 50 dBA. Normal speech produces a sound level of about 65 dBA at 3 feet while a diesel truck at 50 feet would result in a sound level near 90 dBA. Noise levels above 110 dBA become intolerable and then painful, while levels higher than 70 dBA over continuous periods can result in a loss of hearing.

Since environmental noise fluctuates in intensity over time, noise impacts are commonly evaluated using time-averaged noise levels. The Community Noise Equivalent Level (CNEL) represents an energy average of the A-weighted noise levels over a 24-hour period with 5 dBA and 10 dBA penalties added for nighttime noise between the hours of 7:00 PM and 10:00 PM and 10:00 PM to 7:00 AM, respectively. The penalties were selected to account for reduced ambient noise levels during these time periods. Individual events have a greater impact between 7:00 PM and 7:00 AM due to increased human sensitivity to noise during quieter periods, when sleep is the most probable activity. The level of acceptability of a noise environment is dependent on the activity that is conducted and the type of building construction. Figure N-1 provides noise exposure compatibility guidelines for a variety of land uses. The guidelines are consistent with the ranking of noise levels for various land uses as defined in the City of Los Angeles EIR Manual for Private Projects. The figure shows that for many noise sensitive land uses such as residences, schools, hospitals and religious facilities, the maximum acceptable CNEL is 65 dB. For land uses that are commercial or industrial, the maximum acceptable CNEL is 74 dB.

When a noise source is introduced into an area or when an existing source is expected to change, the noise impact associated with this change may be assessed in two ways. First, the absolute noise exposure is compared with the criteria presented in Figure X.1 to evaluate the acceptability of the future noise source. Second, the relative change in the noise exposure is examined. Small changes in noise exposure of 1 to 2 dBA are usually imperceptible to the average person and are insignificant regardless of the absolute level. Changes of 3 to 4 dBA are usually noticeable but may not be significant depending upon the absolute level. Increases of 5 dBA and above are usually considered significant.

Changes in noise levels are most noticeable during quieter periods of the day or night. The hourly energy average sound level (Leq) is used to measure the hourly noise exposure. Leq is a single number which represents the energy averaged sound



LOS ANGELES  
CITYWIDE GENERAL PLAN  
FRAMEWORK EIR

LAND USE CATEGORY	COMMUNITY NOISE EXPOSURE Ldn* or CNEL, db						
	50	55	60	65	70	75	80
RESIDENTIAL - LOW DENSITY SINGLE FAMILY, DUPLEX, MOBILE HOMES							
RESIDENTIAL - MULTI. FAMILY							
TRANSIENT LODGING - MOTELS, HOTELS							
SCHOOLS, LIBRARIES, CHURCHES, HOSPITALS, NURSING HOMES							
AUDITORIUMS, CONCERT HALLS, AMPHITHEATRES							
SPORTS ARENA, OUTDOOR SPECTATOR SPORTS							
PLAYGROUNDS, NEIGHBORHOOD PARKS							
GOLF COURSES, RIDING STABLES, WATER RECREATION, CEMETERIES							
OFFICE BUILDINGS, BUSINESS COMMERCIAL AND PROFESSIONAL							
INDUSTRIAL, MANUFACTURING UTILITIES, AGRICULTURE							

INTERPRETATION



**NORMALLY ACCEPTABLE**  
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.



**NORMALLY UNACCEPTABLE**  
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.



**CONDITIONALLY ACCEPTABLE**  
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.



**CLEARLY UNACCEPTABLE**  
New construction or development should generally not be undertaken.

SOURCE: Office of Noise Control, California Department of Health  
Envicor Computer Graphics

Guidelines for  
Environmental  
(exterior) Noise  
Compatible  
Land Use

level over the measurement period (usually 15 minutes to an hour). An Leq of 70 dBA can often make it difficult to have face-to-face conversations at normal voice levels. For example, freeway traffic noise (70 dBA at 50 feet) can make telephone use difficult.

### **Noise Sources and Levels**

The existing noise environments in the Los Angeles area vary considerably as a result of the variety of land uses and densities. In most areas, automobile, truck, and bus traffic is the major source of noise. Traffic activity generally produces an average sound level that remains fairly constant with time. Individual high-noise-level events that can occur from time to time include honking horns, sirens, operating construction equipment, and passbys of noisy vehicles such as trucks and buses. Air and rail traffic, and commercial and industrial activities are also major sources of noise in some areas. In addition, air conditioning and ventilating systems contribute to the total noise levels, particularly during the summer months.

Major sources of ground-borne vibration in the project areas typically include trucks and buses operating on surface streets, and freight and passenger train operations. The most significant sources of construction-induced ground-borne vibration are pile driving and blasting.

**Motor Vehicle Noise** The most influential and widely dispersed noise source in Los Angeles is motor vehicle traffic. The rush hour automobile traffic noise impacts on pedestrians violate City noise standards daily on virtually every major highway, State highway, and freeway in the City. Noise generated by motor vehicles varies with the volume and speed of traffic. Noise levels increase as traffic volume and speed increase. Traffic noise levels are also influenced by the proportion of traffic represented by trucks, increasing as the proportion of trucks increases. Traffic noise decreases by about three dBA with each doubling of distance from the roadway. Noise levels can be reduced further by shielding by barriers such as sound walls.

As the Level-of-Service on roadways decreases beyond a certain point (generally Level-of-Service C), reductions in traffic speeds offset increases in traffic volumes, and noise levels decrease.

**Aircraft Noise** There are three major airports which influence noise levels in Los Angeles. They are the Los Angeles International Airport (LAX), the Van Nuys Airport and the Burbank Airport. The Los Angeles International Airport and the Van Nuys Airport are within the City limits while the Burbank Airport is outside the City. The 65 dBA, CNEL, contours from these airports affect land uses within the City. Two smaller general aviation airports (the Santa Monica Municipal Airport and the Whiteman Airport in Pacoima) are within or adjacent to the City, but the 65 dBA, CNEL, contours from those airports are generally contained within the airport boundaries. The California Airport Noise Standards consider 65 dBA, CNEL, the "noise impact boundary" for airports. Areas outside of the 65 dBA,

CNEL, contour are affected, although to a lesser extent, by aircraft overflights. Aircraft overflights contribute to the noise environment to at least some extent throughout Los Angeles.

The growth of commercial aviation traffic at LAX and Burbank Airport has significantly increased noise impacts in Westchester-Playa Del Rey, South Central Los Angeles, Sun Valley, and North Hollywood. The airports in Van Nuys, Santa Monica, and Pacoima have also increased their noise impacts in the respective adjacent communities.

There are over 50 private heliports within the City of Los Angeles. Helicopter overflights are related to activities such as emergency access, transport of hospital patients, crime prevention and apprehension activities, and private activities. At heights of 400 to 500 feet above the ground, helicopter noise (particularly in the quieter evening and nighttime periods) is clearly discernible to residents on the ground. According to studies prepared for the U.S. Environmental Protection Agency (EPA) light utility helicopters (2-7 seats), single event noise from piston and turbine models ranging from 78 to 86 dBA at a distance of 500 feet.<sup>1</sup> For example, if a helicopter were to operate over the same location for 15 minutes in the evening when neighborhood noise levels are about 50 dBA, then the resulting change in the ambient CNEL would be an increase of about 26-decibels, a significant and noticeable change. Helicopter noise is particularly noticeable in the downtown area. Many of the buildings have helipads on the roof and sound from helicopters taking off and landing can be channeled to the street level by enclosed spaces formed by the buildings.

**Railroad Noise** Los Angeles is served by three major railroad companies (the Southern Pacific, the Union Pacific, and the Santa Fe). Each has several tracks which receive regular daily freight traffic. Other tracks are used to a lesser extent for local service. Each railroad also has an active rail yard in the vicinity of Los Angeles. The Southern Pacific yard is within the City (in the Boyle Heights Community Plan Area). The Union Pacific and the Santa Fe yards are within Commerce and Vernon, respectively, south of Boyle Heights. AMTRAK operates daily train service through Los Angeles. In addition, Taylor Yard, located to the west of Glassell Park is a major source of railroad noise. Railroad noise sources include noise from moving trains, whistle noise, rail crossing warning signals, and rail yards.

This rail noise and rail vehicular noise impacts areas along the East and Central San Fernando Valley rail corridors, the East Los Angeles and Downtown rail corridors, the South Los Angeles rail corridors, and the Harbor area rail lines. Rail transit (Metro Blue Line) right-of way and facilities are located along Washington Boulevard and Long Beach Avenue. Future rail lines are being planned and construction is already taking place on the Red Line extension on Wilshire

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<sup>1</sup> U.S. Environmental Protection Agency, Transportation Noise and Noise from Equipment Powered by Internal Combustion Engines, December 31, 1971, Document No. NTID300.13, p.54

Boulevard and in Hollywood. Although the Red Line extension is a subway, other lines constructed at grade or at an aerial alignment may constitute a noise impact particularly where they are adjacent to residential areas.

**Construction** Construction activities typically generate noise through the use of heavy machinery and equipment. As well as on-site equipment, haul trucks going to and from the site create additional disturbances, particularly if the construction activity is occurring in a residential area. Construction activities in the City of Los Angeles are limited to the hours between 7:00 AM and 6:00 PM. However, although the noise ordinance limits construction noise increases of 5 decibels or more, construction equipment often exceeds these limits.

### **Noise Standards, Plans and Policies**

The Los Angeles Noise Ordinance, the Noise Element of the General Plan, and the Los Angeles Noise Compatibility Guidelines are the applicable noise-related standards and guidelines for Los Angeles. Title 24 of the California Administrative Code regulates interior noise levels for new multi-family residential dwellings. Noise from aircraft and motor vehicles is regulated by federal and state law, respectively.

**The Los Angeles Noise Ordinance** The City of Los Angeles has a Noise Ordinance intended to prohibit loud, unnecessary, and unusual noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity working or residing in the area. The ordinance establishes limits for noise sources such as shouting, radios, amplified music, etc. The ordinance also prohibits construction noise between the hours of 6:00 PM and 7:00 AM. The Noise Ordinance is enforced by the Los Angeles Building and Safety Department and the Police Department in response to citizen complaints.

**City of Los Angeles Noise Element** The Noise Element serves as the official guide to government, businesses and private citizens who wish to identify, mitigate and regulate noise pollution within the City of Los Angeles. The Plan includes definitions, objectives, policies, standards, criteria and programs necessary when decisions are made affecting the noise environment within the City of Los Angeles. However, it does not establish standards and noise regulations for activities such as airplanes and motor vehicles, since such noise-producing activities are not under the jurisdiction of the City of Los Angeles.<sup>2</sup>

Several key objectives of the Noise Element are listed below:

- To reduce noise levels produced by all present modes of transportation, as well as to require acceptable noise levels for future modes.
- To reduce the impact of construction and industrial noise.

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<sup>2</sup> City of Los Angeles Noise Element 1975

- To provide the basis for noise evaluation in land use considerations and Environmental Impact Reports.
- To abate unnecessary outdoor noises.

**City of Los Angeles Noise Regulations** Standards for protecting sensitive land uses from short-term noise are established in the City of Los Angeles Noise Ordinances (Nos. 156,363 and 161,574). Ordinance No. 156,363 generally focuses on the enforcement of noise standards based on a residential decibel level of 40 dBA during the day and 50 dBA at night. The burden of proof is on the violator regarding the technical feasibility to conform to Federal EPA standards. This measure affects stationary and mobile noise sources, including construction activities, the operation of equipment and machinery, amplified sound and other nuisance noise sources. As a general rule, the ordinance restricts the hours for noisy activities and also permits up to a 5 decibel increase over ambient conditions for noise sources of short-duration. The ordinance provides sound level measurement procedures, methods to reconcile conflicting noise limits and factors to correct noise problems. Ordinance 161,574 specifies a five-minute duration of time within a sixty minute period between 7:00 a.m.-10:00 p.m. for a violation period. Definitive decibel limits and time periods are given for construction tools, garbage, and vehicle loadings.

The basic premise of the Ordinances is to establish criteria to define when noise levels disturb the tranquillity of neighborhoods or cause discomfort or annoyance to normal human sensitivity by new sound level measurements, define limited periods of time for noise frequencies and specify enforcement actions.<sup>3</sup>

With respect to construction noise, the City of Los Angeles Noise Ordinance does not permit an intruding noise to raise the ambient noise level by more than 5 dBA. Construction noise in the City of Los Angeles is regulated by the provisions of Sections 112.03 and 41.40 of the noise ordinance. Section 112.03 of the ordinance does not permit construction work in residential areas or within 500 feet of an area that creates noise that "is loud unnecessary and unusual and substantially exceeds the noise customarily and necessarily attendant to reasonable and efficient performance of such work." Section 41.40 prohibits construction work during the nighttime hours of 9:00 p.m. to 7:00 a.m. of the next day which creates noise "to the disturbance of persons occupying sleeping quarters in any dwelling hotel or apartment or other place of residence." Construction work is also prohibited before 8:00 a.m. or after 6:00 p.m. on any Saturday and at any time on any Sunday.

**Noise Compatibility Guidelines** Not all land-uses are compatible with each other in terms of activities and noise generated. In particular, residential areas that are not separated from industrial or commercial activities by open space or major arterials and/or commercial zones are sources of conflict. Industrial and commercial land use related noise conflicts with residential areas can include hours of operation, use of noisy equipment or processes, truck activity etc. Figure N-2 illustrates land-use

<sup>3</sup> City of Los Angeles, Noise Ordinance 156,363 1982, Noise Ordinance 161,574 1986 and Noise Element 1977.

noise compatibility based on permitted noise levels in zoning categories in the City of Los Angeles.

**Title 24 Noise Insulation Standards** Title 24 specifies the maximum allowable sound transmission between dwelling units in new multi-family buildings, and limits allowable interior noise levels in new multi-family residential units to 45 dBA, CNEL. For new multi-family construction proposed in areas where the existing exterior noise level is greater than 60 dBA, CNEL, Title 24 requires that an acoustical analysis be performed to demonstrate that interior levels would not exceed 45 dBA, CNEL.

### **Sensitive Receptors**

Some land uses are considered more sensitive to ambient noise levels than others, due to the amount of noise (in terms of both exposure time and "insulation" from noise) and the types of activities typically involved. Residences, motels and hotels, schools, libraries, churches, hospitals, nursing homes, auditoriums, parks and outdoor recreational areas are generally more sensitive to noise than are commercial and industrial land uses. Noise-sensitive receptors are dispersed throughout the City of Los Angeles.

While the Plan and the City's Noise Ordinance regulate construction equipment noise and noise increases beyond 5dBA in any neighborhood (i.e., above the expected ambient noise level), presumed ambient day and night time noise levels exceeding 65dBA are permitted in M2 and M3 zones citywide. Because of the attenuation rate (the rate at which noise dissipates as you move further from the source) of point and area noise generators, it is possible for legal noise levels in less restrictive zones to intrude into more restrictive zones. This intrusion potential is the most severe when M2 and M3 zones abut residential zones. The greatest potential for this is adjacent industrial corridors of the East and Central San Fernando Valley, East and South Los Angeles, LAX, Harbor-Gateway, and the Harbor Area. Smaller areas may be impacted in the Southwest San Fernando Valley, Hollywood and Western Los Angeles.

#### **2.20.4 Project Impacts**

While it is true that the Framework Policy level of development will constitute an increase in traffic, this alone does not mean that noise levels will automatically increase in areas adjacent to freeways, arterials and collectors. An important factor in traffic noise is the actual speed of the traffic. As future traffic volumes increase, the capacity of the roads to carry traffic will be greatly diminished, and the result will be a decrease in overall traffic speed. Although traffic volume increases clearly contribute to traffic noise increases, without an accompanying increase in speed, there will not be significant changes in noise levels and the impact on adjacent land-uses will not be as high as anticipated. While it is detrimental to circulation to experience a decrease in traffic speed, from the standpoint of noise impacts it is beneficial.

**FIGURE N-2: POTENTIAL CHANGE IN AMBIENT NOISE LEVELS (DECIBELS) FROM ADJACENT LAND-USE ZONES**

	Residential Ambient day: 50dBA Ambient night: 40dBA		Commercial Ambient day: 60dBA Ambient night: 55dBA		Light Manufacturing Ambient day: 65dBA Ambient night: 65dBA		Heavy Manufacturing Ambient day: 70dBA Ambient night: 70dBA	
	Day	Night	Day	Night	Day	Night	Day	Night
<b>Residential</b> Ambient day: 50dBA Ambient night: 40dBA	3	3	10	15	15	25	20	30
<b>Commercial</b> Ambient day: 60dBA Ambient night: 55dBA	10	15	3	3	6	10	10	15
<b>Light Manufacturing</b> Ambient day: 65dBA Ambient night: 65dBA	15	25	6	10	3	3	6	6
<b>Heavy Manufacturing</b> Ambient day: 70dBA Ambient night: 70dBA	20	30	10	15	6	6	3	3

Shaded boxes represent a significant increase in ambient noise levels from adjacent land-uses. A 5 dBA change is the City's threshold level.

Ambient day (7:00 AM to 10:00 PM) and Ambient night (10:00 PM to 7:00 AM) numbers are the permitted ambient for the City of Los Angeles.

Residential Zones (all zones equally or less restrictive than R5) include A1, A2, RA, RE40, RE20, RE15, RE11, RE9, R5, R1,

RU, RE2.5, RE3, RE4, RW1, RW2, R2, RD1.5, RD2, RD3, RD4, RD5, RD8, R3, R4, R5, OS.

Commercial Zones include CR, C1, C1.5, C2, C4, C5, CM, P, PB, PF

Light Manufacturing Zones include MR1, MR2, M1

Heavy Manufacturing Zones include M2, M3

The Public Facilities zone (PF) is included with commercial zones because it permits activities similar to those in commercial zones with regard to the noise levels typically generated.

Source: City of Los Angeles General Plan Noise Element and Municipal Code 1994

This argument is illustrated in Table N-1. It can be seen that while traffic volumes have increased by approximately 20 percent for all three facility types, speed has decreased between 19 and 43 percent with a subsequent drop in CNEL of 7 to 8 percent.

Guidelines for environmental noise compatibility are established by the Environmental Protection Agency.<sup>4</sup> According to these guidelines, 60 decibels is defined as "normally acceptable" for residential neighborhoods and 65 decibels is defined as "normally unacceptable". For commercial areas these numbers are raised by 5 decibels respectively. Noise calculations for the Los Angeles General Plan Framework are calculated for a distance of 20 feet outside the right-of-way. This means that a significant noise level for residential areas within this distance is 65 decibels, and for commercial areas 70.

Table N-2 illustrates noise levels for all the community plans in the City of Los Angeles. The CNEL is calculated using Los Angeles General Plan Framework daily traffic volumes by facility type.<sup>5</sup> From this it can be seen that there are no exceedances of the standard of 65 decibels, which means that the Framework Policy level of development does not constitute an impact.

#### 2.20.5 *Alternative Impacts*

All five alternatives show a decrease in average CNEL between 1990 and 2010.

For Theoretical Buildout (Table N-3) the level of 65 decibels is exceeded for freeways in Beverly Crest/Bel Air and Westwood, which means that in these three community plan areas, the threshold for residential noise is exceeded and constitutes an impact.

For Alternative A (See Table N-4) thirty of the thirty-five plans show exceedances of 65 decibels and two (Beverly Crest/Bel Air and Westwood) show exceedances of 70 decibels on freeways. This alternative will constitute an impact.

For the Community Plan Buildout (Table N-5) none of the 35 community plans exceeds 65 decibels. Therefore, the Community Plan Buildout alternative does not constitute an impact.

For the No Project, No Growth alternative, (Table N-7) the threshold of 65 decibels is exceeded for one community plan (Beverly Crest/Bel Air), and for this community plan would constitute an impact. The same is true for the 2010 Market alternative (Table N-6).

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<sup>4</sup> Environmental Protection Agency - Information in Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety Report No. 550/9-74-004, March 1974

<sup>5</sup> Estimates based upon information provided in document RD-77-108, U.S. Department of Transportation, Federal Highway Administration, 1977.

**TABLE N-1**

**RELATIVE CHANGES IN TRAFFIC VOLUME, DAILY AVERAGE SPEED AND CNEL FOR POLICY ALLOCATION**

Facility Type	Volume - Average Daily Traffic			Average Speed			CNEL		
	Existing	Policy	% Change	Existing /a/	Policy /b/	% Change	Existing	Policy	% Change
Freeways	297,720	417,124	+40	48	17	-65	69	60	-13
Arterials	264,390	367,971	+39	32	15	-53	63	57	-10
Collectors	42,583	60,047	+41	21	11	-48	59	54	-8

/a/ 1990 average daily speed

/a/ Estimated by applying ratio of future peak hour speed to existing peak hour speed

Source: Terry A. Hayes Associates

**TABLE N-2**

Policy Allocation Community Noise Equivalent Level (CNEL in decibels)

COMMUNITY	FREEWAY	ARTERIAL	COLLECTOR
Arleta-Pacoima	62	58	56
Beverly Crest	65	57	54
Boyle Heights	62	58	55
Brentwood	62	58	53
Canoga Park	63	57	53
Central City	61	57	55
Central City North	62	58	55
Chatsworth	62	57	54
Encino-Tarzana	63	58	52
Granada Hills	62	57	54
Harbor Gateway	62	57	55
Hollywood	62	58	55
Mission Hills	63	59	55
North Hollywood	62	58	56
Northeast LA	62	58	55
Northridge	62	58	55
Palms	62	57	54
Reseda	62	58	55
San Pedro	57	55	53
Sherman Oaks	63	58	55
Silverlake	62	58	56
South Central LA	60	57	55
Southeast LA	62	56	54
Sun Valley	61	57	55
Sunland-Tujunga	62	58	55
Sylmar	63	57	52
Van Nuys	63	58	55
Venice	0	57	52
West Adams	63	58	54
West LA	63	58	55
Westchester	63	57	52
Westlake	60	58	55
Westwood	65	57	52
Wilmington	60	57	55
Wilshire	63	58	56
Maximum Value	65	59	56

Notes: Sound level calculated for 20 feet outside right-of-way.  
Assumes sound propagation over hard surface with no barriers  
Assumes at grade vertical alignment of all facilities.

**TABLE N-3**

**RELATIVE CHANGES IN TRAFFIC VOLUME, DAILY AVERAGE SPEED AND CNEL FOR THEORETICAL BUILDOUT**

Facility Type	Volume - Average Daily Traffic			Average Speed			CNEL		
	Existing	Theor. Bldout.	% Change	Existing /a/	Theor. Bldout.	% Change	Existing	Theor. Bldout.	% Change
Freeways	297,720	521,676	+75	48	24	-50	69	67	-3
Arterials	264,390	408,685	+55	32	19	-41	63	60	-5
Collectors	42,583	69,725	+64	21	13	-38	59	58	-2

/a/ 1990 average daily speed  
 Source: Terry A. Hayes Associates

**TABLE N-4**

**RELATIVE CHANGES IN TRAFFIC VOLUME, DAILY AVERAGE SPEED AND CNEL FOR ALTERNATIVE A**

Facility Type	Volume - Average Daily Traffic			Average Speed			CNEL		
	Existing	Alt A.	% Change	Existing /a/	Alt A. /b/	% Change	Existing	Alt A.	% Change
Freeways	297,720	486,914	+64	48	27	-44	69	65	-6
Arterials	264,390	361,980	+37	32	23	-28	63	61	-3
Collectors	42,583	65,311	+53	21	14	-33	59	57	-2

/a/ 1990 average daily speed

/b/ Estimated by applying ratio of future peak hour speed to existing peak hour speed

Source: Terry A. Hayes Associates

**TABLE N-5**

**RELATIVE CHANGES IN TRAFFIC VOLUME, DAILY AVERAGE SPEED AND CNEL FOR COMMUNITY PLAN BUILDOUT**

Facility Type	Volume - Average Daily Traffic			Average Speed			CNEL		
	Existing	CPA Bldout.	% Change	Existing /a/	CPA Bldout.	% Change	Existing	CPA Bldout.	% Change
Freeways	297,390	586,376	+97	48	17	-65	69	62	-10
Arterials	264,390	508,636	+92	32	15	-53	63	59	-6
Collectors	42,583	87,573	+106	21	11	-48	59	56	-5

/a/ 1990 average daily speed  
 Source: Terry A. Hayes Associates

**TABLE N-6**

**RELATIVE CHANGES IN TRAFFIC VOLUME, DAILY AVERAGE SPEED AND CNEL FOR 2010 MARKET**

Facility Type	Volume - Average Daily Traffic			Average Speed			CNEL		
	Existing	CPA. Bldout.	% Change	Existing /a/	CPA. Bldout.	% Change	Existing	CPA. Bldout.	% Change
Freeways	297,720	417,192	+40	48	34	-29	69	62	-6
Arterials	264,390	366,140	+46	32	26	-19	63	58	-8
Collectors	42,583	59,782	+40	21	17	-19	59	56	-5

/a/ 1990 average daily speed  
 Source: Terry A. Hayes Associates

**TABLE N-7**

**RELATIVE CHANGES IN TRAFFIC VOLUME, DAILY AVERAGE SPEED AND CNEL FOR  
NO PROJECT, NO GROWTH**

Facility Type	Volume - Average Daily Traffic			Average Speed			CNEL		
	Existing	CPA. Bldout.	% Change	Existing /a/	CPA. Bldout.	% Change	Existing	CPA. Bldout.	% Change
Freeways	297,720	391,401	+32	48	38	-21	69	65	-6
Arterials	264,390	315,764	+19	32	29	-9	63	58	-8
Collectors	42,583	52,364	+23	21	19	-10	59	55	-7

/a/ 1990 average daily speed  
Source: Terry A. Hayes Associates

**2.20.6**      *Mitigation Measures*

In conformance with Caltrans noise abatement policies, if noise levels in residential areas exceed the threshold of 65 decibels, it is anticipated that a soundwall construction program will be developed and planned adjacent to residential areas on the city freeway system.

**2.20.8**      *Level of Impact Significance*

None.