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June 12, 2026

The Board of Building and Safety Commissioners
201 North Figueroa Street, Suite 1030
Los Angeles, CA 90012

Re: APPEAL OF BOARD OF BUILDING AND SAFETY COMMISSIONERS DECISION

Board File No: 260011
Project Address: 1911, 1915, 1921-1931 West Sunset Boulevard
1910, 1918, 2000, 2008, 2010, 2016 & 2018 West Reservoir Street
Los Angeles, California
Appellant: 1911 West Sunset Owner, LLC
c/o Holland Partner Group

Dear Commissioners:

Pursuant to Los Angeles Municipal Code Section 91.7006.7.5.6, Holland Partner Group hereby appeals a portion of the June 2, 2026 decision of the Board of Building and Safety Commissioners relating to Board File No. 260011.

The Applicant requests that the Board modify Condition C.1 of the Board's approval and reinstate the originally requested hauling hours of 9:00 a.m. to 3:00 p.m., Monday through Friday.

The Applicant does not appeal the Board's approval of the haul route application, the approved haul route, or the vast majority of the conditions imposed by the Board. The appeal is limited solely to Condition C.1, which restricts hauling operations during the school year to:

- 9:00 a.m. to 12:30 p.m. on Wednesdays; and
- 9:00 a.m. to 1:45 p.m. on all other weekdays.

Basis of Appeal

- A. *The Project's Council-Approved Environmental Clearance Identified No Traffic Impact Requiring Mitigation.*

The project is the removal of an existing medical office building, restaurant building (Taix French Restaurant), and surface parking lot for the development of a mixed-use residential building consisting of 166 residential units and 13,000 square feet of commercial uses (the "Project"). The Project will set aside 24 units for Very Low Income Households.

The Project's CEQA clearance is a Sustainable Communities Project Exemption, approved pursuant to Public Resources Code Sections 21155 and 21155.1 (ENV-2020-3141-SCPE) (the "SCPE").

As relevant here, the SCPE imposed no limitation on hauling hours and identified no construction traffic impact requiring mitigation. The Project's Transportation Impact Analysis and a letter from LADOT were included as appendices to the SCPE, and the environmental record expressly acknowledged the location of schools approximately two blocks from the Project Site. The City thus previously evaluated the Project with full knowledge of nearby schools, and with the benefit of expert transportation review identified no impact warranting any restriction of hauling hours beyond the standards otherwise applicable.

Additionally, Pub. Res. Code § 51151.2 specifically requires that a Transit Priority Project ("TPP") such as the Project also incorporate all feasible mitigation measures, performance standards, or criteria from prior applicable EIRs. Prior applicable EIRs include SCAG's 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs. The SCPE specifically found when analyzing TRA-6, "Potential to result in conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities," from SCAG's 2016-2040 RTP/SCS Program EIR that "No mitigation applies."

The Applicant respectfully submits that the Board's decision conflicts with previous findings and analysis that have been adopted by the City with respect to the Project.

B. The Restriction Is Disproportionate to the Identified Concern

The project must export approximately 43,125 cubic yards of soil.

The reduction from a 9:00 a.m. – 3:00 p.m. hauling window to a 9:00 a.m. – 1:45 p.m. window, and only 9:00 a.m. – 12:30 p.m. on Wednesdays, significantly reduces daily hauling productivity.

The practical effect of the condition will:

- Extend the total duration of hauling operations by approximately 7 weeks;
- Increase disruption to the community and more trucks on the road;
- Increase construction costs;
- Delay subsequent phases of construction; and
- Prolong the delivery of project, being 166 units of which 24 units are assigned as Very Low Income (VLI).

Paradoxically, reducing daily hauling hours results in hauling occurring over a longer overall period, thereby extending the duration of community impacts rather than reducing them as well as delaying much needed affordable housing to the community. The SCPE analyzed Project construction, including the export of soil, based on an estimated nine-week grading and hauling phase, and expressly stated that the air

quality and noise analyses were based on the length of each construction phase. By extending hauling operations by approximately seven weeks, Condition C.1 nearly doubles the duration of the construction phase assumed in the City's environmental analysis, thereby prolonging, rather than reducing, the noise, dust, and emissions exposure evaluated in the City's own environmental review.

Condition C.1 also undermines determinations the City Council itself adopted. In approving the SCPE, the Council found that the Project would enable the preservation of the Taix French Restaurant, a designated Historic-Cultural Monument, as a legacy business and historical resource, and that the loss of the Project would result in the permanent loss of that resource. Unnecessarily prolonging construction delays both the delivery of housing, including the 24 Very Low Income units, and the return of this legacy business that the Council acted to preserve.

C. Existing Conditions Already Protect Public Health, Safety and Welfare

The Board's approval includes extensive operational safeguards, including:

- Restricted hauling hours beginning no earlier than 9:00 a.m.;
- An approved haul route reviewed by LADOT and Public Works;
- On-site-only staging;
- Required flag attendants with two-way radios;
- Truck spacing requirements;
- Dust control measures;
- Continuous inspection and logging requirements;
- Restrictions on truck arrival times; and
- Ongoing enforcement authority by City departments.

These conditions collectively provide substantial protection for public health, safety and welfare while allowing the project to proceed efficiently.

The Applicant is not requesting any modification to these protections.

D. Inconsistent With Letter of Determination and Other Project Sites

The City Planning Commission did not make the reduced haul hours a condition under the Letter of Determination, and the Appellant was only given notice that the reduced hours would be applied to the site when the Staff Report was made available the day before the hearing. The Appellant was prejudiced by the lack of reasonable notice of this condition.

The reduced haul hours are also inconsistent with previous projects, for example Holland Partner Group developed a 311 unit mixed-use building on the corner of 3rd and Fairfax which was immediately opposite Hancock Park Elementary School and the limited hours were not imposed.

E. The Housing Accountability Act Prohibits Conditions That Render the Project Infeasible or Impair Its Affordable Units

The Project is a “housing development project” within the meaning of the Housing Accountability Act, Government Code Section 65589.5 (the “HAA”), and includes 24 units reserved for Very Low Income households. The HAA applies not only to outright disapprovals of housing development projects, but also to conditions of approval that render a project infeasible or impair its ability to deliver its affordable units.

Specifically, under Government Code Section 65589.5(d), the City may not impose a condition of approval on a housing development project for very low, low-, or moderate-income households that renders the project infeasible unless it makes written findings, supported by a preponderance of the evidence in the record, that the condition is necessary to mitigate a specific, adverse impact upon the public health or safety, and that there is no feasible alternative method to satisfactorily mitigate that impact. The Board made no such findings, and the record would not support them. As described above, the approved SCPE already finds that the Project results in no traffic impact requiring mitigation, and the Board’s approval already includes extensive operational safeguards addressing the very concerns that appear to have motivated Condition C.1.

Condition C.1 directly undermines the feasibility of the Project and its ability to deliver its affordable units. The reduced hauling hours will extend hauling operations by approximately seven weeks, increase construction and carrying costs, delay all subsequent phases of construction, and postpone the delivery of 166 homes, including the 24 Very Low Income units. The estimated cost impact is between \$3 and \$3.5 million. A condition that materially increases the cost of, and delays, a housing development project providing affordable housing, without supporting findings or evidence, is precisely the type of condition the HAA prohibits.

F. No Objective Standard Supports the Reduced Hauling Hours

The HAA further provides that a housing development project may be required to comply only with applicable, objective, written development standards, conditions, and policies in effect at the time the application for the Project was deemed complete. (Gov. Code, § 65589.5(f), (j), (o).) A standard is “objective” only if it involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable to both the applicant and the public official. (Gov. Code, § 65589.5(h)(9).)

No provision of the Los Angeles Municipal Code, no adopted Board rule or policy, and no other objective written standard in effect when the application was deemed complete prescribes the reduced hauling hours set forth in Condition C.1. To the contrary, the Municipal Code otherwise permits hauling within substantially broader hours, and the originally requested 9:00 a.m. to 3:00 p.m. window already reflects a voluntary narrowing of those hours to avoid peak commute and school arrival periods. Condition C.1 instead reflects an ad hoc, subjective judgment applied to this Project alone, as

confirmed by the inconsistent treatment of comparable projects described above. Indeed, the Project was processed pursuant to the Housing Crisis Act of 2019 (SB 330), confirming the Project's right to be reviewed under only the ordinances, policies, and standards in effect when its preliminary application was submitted. (Gov. Code, §§ 65589.5 (o), 65941.1.) The HAA does not permit a condition of this kind to be imposed on a housing development project.

G. Condition C.1 Is Inconsistent With the State Density Bonus Law

The Project was entitled pursuant to the State Density Bonus Law, Government Code § 65915, and its implementing provisions in LAMC Sections 12.22.A.25 and 12.24.U.26. The City approved a 51% density bonus permitting 166 units in lieu of the 110-unit base density, in exchange for the reservation of 24 units for Very Low Income households for a period of 55 years. Under Section 65915, the City may not apply any development standard that will have the effect of physically precluding construction of a qualifying development at the permitted density and with the granted waivers, and must waive or reduce any such standard. (Gov. Code, § 65915(e)(1).) The statute must also be interpreted liberally in favor of producing the maximum number of affordable units. (Gov. Code, § 65915(r).)

To the extent Condition C.1 operates as a development standard or other regulation governing construction of the Project, it impedes and delays construction of the Project and its affordable units, materially increases Project costs, and does so without any countervailing public health or safety justification supported by the record. A condition that burdens the construction of a density bonus project and delays delivery of its affordable units, while serving no demonstrated protective purpose beyond the safeguards already imposed, cannot be reconciled with Section 65915. For the same reasons the condition fails under the HAA, it is inconsistent with the Density Bonus Law and should be modified as requested.

H. The Board Made No Findings Supporting Condition C.1, and the Record Would Not Support Them

Independent of the foregoing, the Board imposed Condition C.1 without articulating any findings connecting the evidence before it to the specific reduced hours selected. An agency exercising adjudicatory authority must render findings sufficient to "bridge the analytic gap between the raw evidence and ultimate decision," so that the parties and any reviewing court can trace the agency's reasoning. (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.)

No such findings accompany Condition C.1. Nothing in the record identifies why hauling between 1:45 p.m. and 3:00 p.m. (or after 12:30 p.m. on Wednesdays) presents a hazard that the Board's other extensive conditions do not already address, particularly where the approved haul route was designed to avoid school frontages, the route was reviewed by LADOT and Public Works, and the City's environmental review, prepared with knowledge of nearby schools, identified no construction traffic impact requiring mitigation. Generalized concerns are not substantial evidence (*Porterville Citizens for*

Responsible Hillside Development v. City of Porterville (2007) 157 Cal.App.4th 885, 901), and they cannot supply the written findings, supported by a preponderance of the evidence, that the HAA requires before a condition of this kind may be imposed.

I. Reinstatement of the Original Hours Better Balances Public and Project Interests

The requested 9:00 a.m. to 3:00 p.m. hauling window represents a reasonable compromise that already avoids peak morning commute and school arrival periods.

The requested hours were developed as part of the project's planning process and appropriately balance neighborhood concerns, traffic operations, construction efficiency, and public safety.

Restoring these hours would materially reduce the overall duration of hauling while maintaining all other safeguards imposed by the Board.

Requested Relief

For the reasons stated above, the Applicant respectfully requests that the Board grant this appeal and modify Condition C.1 of Board File No. 260011 as follows:

"Hauling operations shall be permitted between 9:00 a.m. and 3:00 p.m., Monday through Friday, when school is in session and between 7:00 a.m. and 3:00 p.m. when school is not in session. No hauling shall occur on Saturdays, Sundays, or City holidays. Haul vehicles shall not arrive at the site before the designated start time."

Holland Partner Group is open to discussing further mitigation measures such as additional traffic control in order for the Board to grant the modification requested above.

Sincerely,

Elisa Paster

Elisa Paster
Managing Partner
of RAND PASTER & NELSON, LLP

EP:tdp

cc: Lynda Hass, Hass Consulting Group, Inc.
Joshua Finnegan, 1911 West Sunset Owner, LLC

CITY OF LOS ANGELES

CALIFORNIA

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

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



JACOB STEVENS
PRESIDENT

NANCY YAP
VICE PRESIDENT

CORISSA HERNANDEZ
JAVIER NUNEZ
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KAREN BASS
MAYOR

OSAMA YOUNAN, P.E.
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

JOHN WEIGHT
EXECUTIVE OFFICER

June 4, 2026

BOARD FILE NO. 260011
C.D.: 13 (Councilmember H. Soto-Martinez)

1911 West Sunset Owner, LLC
c/o Chris Riha
1675 SW. Marlow Ave., Ste. 404
Portland, OR 97255

JOB ADDRESS: 1911, 1915, 1921-1931 WEST SUNSET BOULEVARD;
1910, 1918, 2000, 2008, 2010, 2016 & 2018 WEST RESERVOIR
TRACT: LAKE SIDE TRACT

The Board of Building and Safety Commissioners, at its meeting of June 2, 2026, gave consideration to the application by Holland Partner Group, to export 43,125 cubic yards of earth from the above-referenced property.

The Board took the following action:

1. DETERMINED, that based on the whole of the administrative record, the Project is exempt from CEQA as a Sustainable Communities Project (SCP) pursuant to Public Resource Code, Section 21155.1, as determined by the Los Angeles City Council on June 28, 2022.
2. APPROVED the application subject to all conditions specified in the Department's report dated May 27, 2026.

This action becomes effective and final when ten calendar days has elapsed from the date of the Board's action, unless an appeal is filed with the City Council pursuant to Section 91.7006.7.5.6 of the Los Angeles Municipal Code.

for *Veronica Lopez*
Jacob Stevens, President
BOARD OF BUILDING AND SAFETY COMMISSIONERS

Action By
the BOARD OF BUILDING AND SAFETY
COMMISSIONERS on
June 2, 2026

NOT VALID WITHOUT STAMP AND SIGNATURE

c: Principal Grading Inspector S. Valenzuela L. Haas D. Norby C. Clay K. Cooper R. Schave
A. Moreau

260011.fal
LADBS G-5 (Rev. 07/23/2024)

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

VL:jh

CITY OF LOS ANGELES

CALIFORNIA

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

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



JACOB STEVENS
PRESIDENT

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MOISES ROSALES

KAREN BASS
MAYOR

OSAMA YOUNAN, P.E.
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

JOHN WEIGHT
EXECUTIVE OFFICER

May 27, 2026

BOARD FILE NO. 260011
C.D.: 13 (Councilmember H. Soto-Martinez)

Board of Building and Safety Commissioners
Room 1030, 201 North Figueroa Street

APPLICATION TO EXPORT 43,125 CUBIC YARDS OF EARTH

PROJECT LOCATION: 1911, 1915, 1921-1931 WEST SUNSET BOULEVARD;
1910, 1918, 2000, 2008, 2010, 2016 & 2018 WEST RESERVOIR
STREET

TRACT: LAKE SIDE TRACT

BLOCK: NONE

LOT(s): 1 (ARB 2), 2, 3 (ARB 1 & 2), 4 (ARB 1 & 2), 5 (ARB 1), 5A

OWNER:

1911 West Sunset Owner, LLC
c/o Chris Riha
1675 SW. Marlow Ave., Ste. 404
Portland, OR 97255

APPLICANT:

Holland Partner Group
5000 E. Spring St., Suite 500
Long Beach, CA 90815

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.

Job Address: 1911, 1915, 1921-1931 WEST SUNSET BOULEVARD;
 1910, 1918, 2000, 2008, 2010, 2016 & 2018 WEST RESERVOIR STREET
 Board File: 260011

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.

Violation of haul route conditions shall be reported to the appropriate Department. The Department responsible for enforcement is indicated by an acronym at the end of each haul route condition. Refer to the table below for agency name and contact information.

Acronym	Agency Name	contact
BSS	Bureau of Street Services	myLA311 Website: www.myla311.lacity.org Phone: Dial 311 or (213) 473-3231
LAPD	Los Angeles Police Department Special Enforcement Unit	Email: Trafficgroup@lapd.online Phone: (877) 275-5273
DOT	Department of Transportation	Phone: (818) 374-4823
DBS	Department of Building and Safety	Principal Inspector Sergio Valenzuela (213) 482-0397

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 43,125 cubic yards of material moved 0.78 miles within the hillside area at a rate of \$0.29 per cubic yard per mile would exceed the maximum chargeable under the Ordinance. Therefore, the maximum fee chargeable, \$3,000.00 shall be due.
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.

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1910, 1918, 2000, 2008, 2010, 2016 & 2018 WEST RESERVOIR STREET

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3. Under the provisions of Section 62.202 of the Los Angeles Municipal Code, a cash bond or surety bond in the amount of \$213,500.00 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 Bond Control, Bureau of Engineering Valley District Office, 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401; telephone (818) 374-5090.

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. (DBS)
2. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law. (LAPD)
3. Loads shall be secured by trimming and 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). (LAPD)
4. 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. (DBS)
5. Streets shall be cleaned of spilled materials during grading and hauling, and at the termination of each workday. (BSS)
6. The owner/contractor shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads. (DOT)
7. 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. (LAPD)
8. 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. (DBS)
9. The owner/contractor shall notify the Street Services Investigation and Enforcement Division, (213) 847-6000 and LAPD traffic group, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division

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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. (BSS & LAPD)

10. 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. (DBS)
11. 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. (DBS)
12. 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 Commission Office will be required. (DBS)
13. Hauling must commence within eighteen months after Board action approval. Failure to haul within that time will result in additional fees and a bond reassessment by the Bureau of Engineering. (DBS)
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. (DBS)
15. Hauling vehicles shall not stage on any streets adjacent to the project, unless specifically approved as a special condition in this report. (DOT)
16. Hauling vehicles shall be spaced so as to discourage a convoy effect. (LAPD)
17. Grading and hauling activities shall be discontinued during periods of high winds and Red Flag days as determined by the Los Angeles Fire Department. (DBS)
18. This approval pertains only to the City of Los Angeles streets. Those segments of the haul route outside the jurisdiction of the City of Los Angeles may be subject to permit requirements and to the approval of other municipal or governmental agencies and appropriate clearances or permits is the responsibility of the contractor.
19. **A copy of the first page of this approval and all Conditions and/or any subsequent appeal of this approval and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the City's Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.**
20. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

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Owner shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.**
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.**
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the owner and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the owner from responsibility to reimburse the City pursuant to the requirement in paragraph (iii).**
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the owner from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).**
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.**

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

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such

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participation shall not relieve the owner of any obligation imposed by this condition. In the event the owner fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

C. SPECIFIC CONDITIONS

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

1. The hauling operations are restricted to the hours between 9:00 a.m. and 12:30p.m. on Wednesdays and between 9:00 and 1:45 p.m. all other weekdays during the school year; and between 9:00 and 3:00 p.m. when schools are on session breaks. No hauling is allowed on Saturdays, Sundays, or City Holidays. Haul vehicles may not arrive at the site before the designated start time. (DBS)
2. Hauling of earth shall be completed within the maximum time limit of 454 hauling days. (DBS)
3. Staging is allowed on-site only. Staging shall not interfere with traffic nor access to neighboring driveways. (DOT)
4. The approved haul vehicles are bottom dump trucks. (BSS)
5. Total amount of dirt to be hauled shall not exceed 43,125 cubic yards. (DBS)
6. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction. (BSS)

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7. A minimum of three flag attendants, each with two-way radios, will be required during hauling hours to assist with pedestrian traffic, staging and getting trucks in and out of the project area. Flag attendants will be placed at the following locations:
 - A. Two at the entrance/exit of the project site on Reservoir Street.
 - B. At the intersection of Reservoir Street and Sunset Boulevard.

Additional flag attendants may be required by the LADBS Inspector, LADOT, or BSS 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." (BSS)

8. The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along streets of the haul route, if necessary. (DOT)
9. Contractor shall contact LADOT at (213) 485-2298 at least 10 business days prior to hauling to post "Temporary Tow Away No Stopping" signs along Sunset Boulevard and Reservoir Street, adjacent to the project site if needed during hauling. (DOT)
10. The approved route by DOT and BSS is as follows:

LOADED TRUCKS:

From the project site, travel eastbound on Reservoir Street, turn right (west) on Sunset Boulevard, left (eastbound) on Park Avenue, right (south) on Glendale Boulevard, right (west) on Palo Alto Street, enter the southbound US-101 Freeway, transition onto the eastbound I-10 Freeway, and continue to the disposal site located outside city limits: United Rock, 1245 Arrow Highway, Irwindale, CA.

EMPTY TRUCKS:

From the disposal site located outside city limits, travel westbound on the I-10 Freeway, transition onto the northbound US-101 Freeway, take the Alvarado Street exit (exit 4B), turn right (north) on Alvarado Street, right (east) on Reservoir Street and continue to the project site. (BSS)

11. Prior to hauling, the applicant shall provide the following information to Los Angeles Fire Department Station #20 located at 2144 West Sunset Boulevard Los Angeles, CA 90026; telephone (213) 485-6220:
 - A. Contact information for the construction superintendent or contractor.
 - B. A copy of this approved staff report.
 - C. A map clearly illustrating the approved hauling route and involved street names.

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- D. The approved hauling hours.
 - E. The estimated completion date of hauling.
12. The applicant shall provide a staked sign at the site containing the contact information for the Senior Street Services Investigator (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor. The letters shall be a minimum of 3 inches in height. (DBS)
 13. A Registered Deputy Grading Inspector shall notify the LADBS district grading inspector at least 48 hours prior to the beginning of hauling operations, and whose sole responsibility shall be to continuously inspect and accurately log the dates and hours of hauling, the number of daily truck trips, the material in each loaded truck (i.e. soil or demolition material), and the approved haul route. (DBS)
 14. Should the sidewalk need to be closed during hauling, a permit and approval from the Department of Public Works, Bureau of Street Services is required, and the proper sidewalk detour shall be implemented per CA MUTCD TA-28 or page 48 of the WATCH Manual. If you have any questions, please contact Oliver Hou at (323) 957-6823. (DOT)

D. ENVIRONMENTAL CONDITIONS

After conducting a public hearing, the Los Angeles City Council approved the SCP Exemption on June 28, 2022 and determined that the project qualifies for a Sustainable Communities Project Exemption pursuant to Section 21155.1 of the Public Resource Code (Case No. ENV-2020-3141-SCPE).

E. MANDATORY FINDINGS AND RECOMMENDED ACTIONS

1. FIND that the Los Angeles City Council held a hearing on June 28, 2022 and has determined that the Project is exempt from CEQA as a Sustainable Communities Project (SCP) pursuant to Public Resource Code, Section 21155.1.

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

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shall be made a part of any permit which may be issued. The decision of the board shall not be effective until 10 calendar days have elapsed from the date of the board's decision.

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

OSAMA YOUNAN, P.E.
General Manager
Superintendent of Building



Joaquin Greenough
Sr. Staff Inspector, Commission Office