



City of Beverly Hills

Planning Division

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TEL. (310) 458-1140 FAX. (310) 858-5966

## Planning Commission Report

**Meeting Date:** December 8, 2011

**Subject:** **9221 Whitworth Drive**  
**Four-Unit Condominium Building**  
Request for a Tentative Parcel Map (No. 71711) and Development Plan Review Permit for construction of a four-story, four-unit residential condominium building on the property located at **9221 Whitworth Drive**.  
PROJECT APPLICANT: Jerome Buckmelter Associates, Inc.

**Recommendation:** That the Planning Commission:

1. Conduct a public hearing and receive testimony on the project; and
2. Adopt the attached resolution conditionally approving the request for a Tentative Parcel Map and Development Plan Review Permit.

### REPORT SUMMARY

This report analyzes a request to construct a new residential condominium building on a single lot in the Multiple-Family Residential Zone (R-4). The project includes a single, four-story, 45 feet in height building. There are a total of four residential units and the 13 required parking spaces will be provided in a one-and-a-half level subterranean garage with access from the rear alley.

Special conditions are recommended to ensure that development of the proposed project will not adversely impact neighboring properties.

**Attachment(s):**

- A. Zoning Compliance Table
- B. Staff Recommended Findings and Conditions of Approval
- C. Public Notice
- D. Draft Planning Commission Resolution
- E. Architectural Plans (Under Separate Cover)

**Report Author and Contact Information:**

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## BACKGROUND

File Date 10/10/2011  
Application Complete 10/31/2011  
Subdivision Deadline 50 days from CEQA Determination (12/20/11)  
CEQA Deadline 60 days from CEQA Determination (12/30/11)

Applicant(s) Jerome Buckmelter Associates, Inc.  
Owner(s) Maple Drive Villas, LLC.  
Representative(s) Jerome Buckmelter

Prior Project Previews None  
Prior PC Action None  
Prior Council Action None

## PROPERTY AND NEIGHBORHOOD SETTING

### Property Information

Address 9221 Whitworth Drive  
Legal Description Beverly Hills Tract #6380, Ex of Alley Lot 1201  
Zoning District R-4  
General Plan Multi-Family Residential Medium Density  
Existing Land Use(s) Multi-Family Residential  
Lot Dimensions & Area 67.8' x 121.4" (average width x average depth): 8230.9 square feet  
Year Built 1945  
Historic Resource The property is not listed on any local, state or federal inventory  
Protected Trees/Grove None

### Adjacent Zoning and Land Uses

North R-4 Multiple-Family Residential  
South R-3-1-O, Medium Residential (City of Los Angeles)  
East R-4 Multiple-Family Residential  
West R-4 Multiple-Family Residential

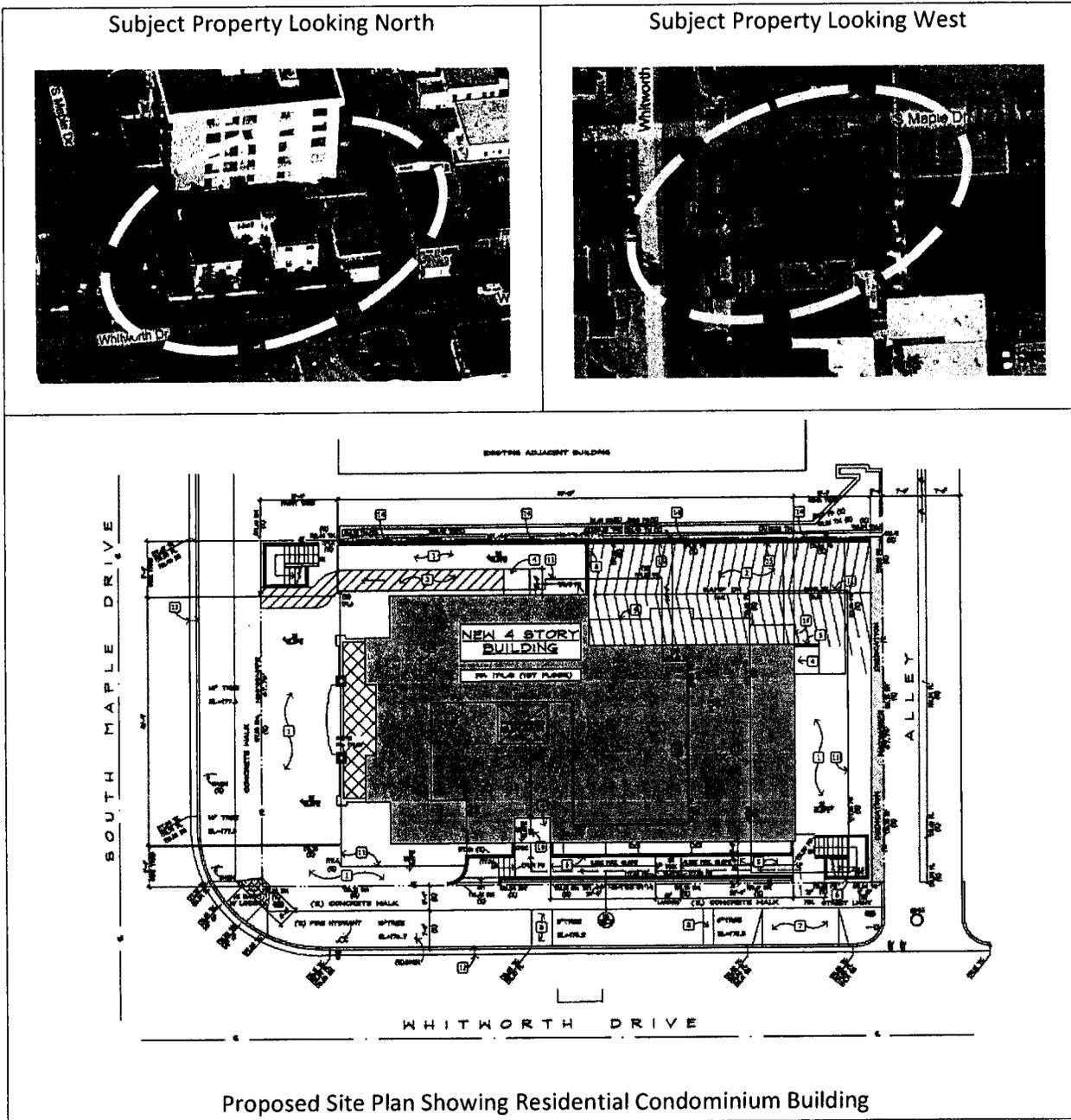
### Circulation and Parking

Adjacent Street(s) South Maple Drive and Whitworth Drive  
Adjacent Alleys 2-way 15' wide alley located at the rear of the property  
Parkways & Sidewalks 12.5' parkway (both)  
Parking Restrictions 2-hour parking: Zone BK 8AM-6PM Monday-Saturday (both)  
Nearest Intersection South Maple Drive and Whitworth Drive  
Nearest Signalized Whitworth Drive and South Doheny Drive  
Circulation Element Local street (both)  
Average Daily Trips South Maple Drive – 2,200 vehicles per day (both directions)  
Whitworth Drive – 3,700 vehicles per day (both directions)

### Neighborhood Character

The area near the intersection of Whitworth Drive and South Maple Drive is designated as low-

medium- to medium-density multi-family residential land uses. The built environment surrounding the project site consists entirely of multi-family residential apartments and condominiums with varying densities, building ages, and architectural styles. A majority of the existing developments are two stories in height; however, the property directly north of the subject property is 5 stories in height and the property directly to the west, across South Maple Drive, is 3 stories in height.



### PROJECT DESCRIPTION

The property located at 9221 Whitworth Drive, at the northeast corner of the intersection with South Maple Drive, is approximately 8,228 SF and is improved with an existing 2-story multi-family residential

building. Per the Los Angeles County Office of the Assessor, the current building houses seven units, has a building area of 5,365 SF, and was built in 1945. There are seven parking spaces for the existing building with access from both Whitworth Drive (2 spaces) and the alley (5 spaces). The existing structure would be demolished to accommodate the proposed four-unit condominium residential building.

#### *Height*

As shown on the plans, the proposed 4-story building is approximately 42'-0" to the top of the parapet, as measured from the highest point at the adjacent existing grade. A structure enclosing the elevator equipment projects above the top of the parapet; however, the proposed height of this structure is 45'-0" and does not exceed the maximum allowed height. Two chimney caps are proposed to project slightly above the maximum allowed height but are not considered in height calculations provided the chimneys are not higher than required by law.

#### *Vehicle Access and Parking*

The proposed subterranean garage will be accessed from the alley located to the east of the property. There is no direct vehicle access to the subterranean garage from either South Maple Drive or Whitworth Drive.

The proposed project requires a total of 13 parking spaces (3 parking spaces for each 4-bedroom unit plus 1 guest parking space for every 4 units). There are a total of 12 fully-accessible (9' x 19') parking spaces as well as 1 ADA-accessible parking space to accommodate the 13 required parking spaces. All required parking spaces are located in the proposed subterranean garage.

#### *Pedestrian Access*

A 4'-0" wide walkway is proposed from South Maple Drive to a building entry located on the north elevation. Additionally, a small stairway and ADA-accessible ramp are located adjacent to Whitworth Drive to provide access to the building on the south elevation. Two stairwells are proposed, one at the northwest corner and one at the southeast corner, to provide pedestrian access to and from the subterranean garage.

#### *Landscaping*

New landscaping is proposed at the project site; however, no such plans have been provided as of the date of the preparation of this staff report. All proposed landscaping will be forwarded to the Architectural Commission for their review and approval; any comments that the Planning Commission may have regarding the architecture of the building or landscaping will be forwarded as well.

#### *Modulation*

For lots that exceed 50' in width, and for buildings that are 4 stories in height, the area of modulation required per the Beverly Hills Municipal Code is 3.5% of the aggregate principal building area or 1,500 SF, whichever is less. As the principal building area of the site is 4,336.54 SF, the aggregate principal building area is 17,346.16 SF (4,336.54 x 4 stories). The required modulation is 607.1 SF (based on 3.5% of the aggregate principal building area). The formula used to determine the required area of modulation is as follows:

$$AM = (D \times W \times S)$$

AM = The area of modulation in square feet  
D = The depth of the additional setback in feet as measured from the front setback line  
W = The width of the additional setback  
S = The number of stories affected by the setback

As the property exceeds 50'-0" in width, the depth of the additional setback shall be at least 10'-0". Portions of the proposed building provide a 10'-0" setback from the front setback line at the northwest and southwest corners of the building.

The modulation calculation specific to the proposed building is as follows:

**AM = (10' x 7.66' x 4 stories)**  
**AM = 306.4 SF**

As modulation is provided in two areas, the total area of modulation provided is **612.8 SF**. This area exceeds the required area of modulation and as such, is sufficient for purposes of providing front façade modulation.

#### *Outdoor Living Area*

Each multi-family residential development is required to provide at least 200 SF of outdoor living area for each residential unit proposed. This can be provided for in a combination between private and common outdoor living areas. For private outdoor living areas, each dimension (height, width, and depth) must be at least 6'-0". For common outdoor living areas, each dimension must be at least 15'-0". Outdoor living spaces located above a ground floor are not permitted to be located in a required side yard. There are a number of small balconies above the ground floor; however, these are not sufficient for purposes of providing outdoor living as 1) they extend into a required yard above the ground floor, and 2) they are not at least 6'-0" in each dimension.

Below is information regarding the total outdoor living area for each private unit as well as outdoor living area provided as common space.

Unit 1 / Ground Floor: 123.75 SF  
Unit 2 / Second Story: 96.25 SF  
Unit 3 / Third Story: 96.25 SF  
Unit 4 / Fourth Story: 96.25 SF  
Common Area: 472.5 SF  
**TOTAL: 885 SF**

The 885 SF of total outdoor living space complies with the requirement for at least 800 SF required for a 4-unit project. Additionally, each unit has the required 200 SF of outdoor living area between private and common areas.

#### Requested Permits

The entitlements requested as part of the proposed project are as follows:

**Tentative Parcel Map.** A Tentative Parcel Map is requested as such a map is required for any subdivider desiring to lay out for the purpose of sale or recordation any subdivision of land in the city.

**Development Plan Review Permit.** A Development Plan Review Permit is requested as it is required for all condominium projects.

### **ZONING CODE<sup>1</sup> COMPLIANCE**

A detailed review of the proposed project to applicable zoning standards is provided in Attachment A. As conditioned, the proposed project complies with all applicable codes, or is seeking through the requested permits, permission to deviate from certain code standards, in a manner that is consistent with the Zoning Ordinance.

#### Agency Review

The following City Departments conducted a preliminary project review as it relates to other technical provisions of local and state law:

#### *Transportation Division*

Comments were received regarding traffic impacts, access to and from the subterranean garage, and operational requirements during the construction phase of the proposed project. As the proposed project is a small multi-family development with only four units, no measurable impact to adjacent intersections, streets and the alley is anticipated. Conditions regarding access to and from the subterranean garage and operational requirements during the construction phase of the proposed project have been provided to ensure these concerns are accommodated.

#### *Civil Engineering*

Comments were received regarding technical clarifications and standard conditions have also been provided. All such comments will be addressed when the project is submitted for plan check at the building permit phase.

#### *Water Supply and Distribution*

Comments were received regarding erosion control and best management practices for roof runoff. Conditions have been added as appropriate to ensure these conditions are accommodation and all such comments will be addressed when the project is submitted for plan check at the building permit phase.

#### *Building and Safety*

No comments were received regarding the proposed project.

#### *Fire Department*

Comments were received regarding stairwell access to the roof as required by the Fire Code as well as fire sprinklers and alarm systems proposed for the new building. Conditions have been added as appropriate to ensure these conditions are accommodation and all such comments will be addressed when the project is submitted for plan check at the building permit phase.

#### *Police Department*

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<sup>1</sup> Available online at [http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=466](http://www.sterlingcodifiers.com/codebook/index.php?book_id=466)

No comments were received regarding the proposed project.

*Community Services*

No comments were received regarding the proposed project; however, a condition has been added to ensure the protection of any street trees for the duration of the project.

**GENERAL PLAN<sup>2</sup> POLICIES**

The General Plan includes several goals and policies. Some policies relevant to the Planning Commission’s review of the project include:

- Policy LU 5.1 Neighborhood Conservation. Maintain the uses, densities, character, amenities, character, and quality of the City’s residential neighborhoods, recognizing their contribution to the City’s, identity, economic value and quality of life.
- Policy LU 5.2 Infill and Replacement Housing. Accommodate new and renovated housing within existing neighborhoods that is consistent with contextual parcel sizes, densities, built form and scale.
- Policy LU 7.1 Character and Design. Require that multi-family dwellings and properties be designed to reflect the high level of architectural and landscape quality that distinguishes existing neighborhoods.

**ENVIRONMENTAL ASSESSMENT**

The proposed project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines<sup>3</sup>, and the environmental regulations of the City. The project qualifies for a categorical exemption pursuant to Section 15303 Class 2 (Replacement or Reconstruction) and Class 3 (New Construction or Conversion of Small Structures) of the Guidelines. Specifically, a Class 3(b) exemption allows for the construction of a duplex or similar multi-family residential structure totaling no more than six dwelling units in an urbanized area.

**PUBLIC OUTREACH AND NOTIFICATION**

The following methods were utilized for public outreach and notification of the 4-unit condominium residential building on the property located at 9221 Whitworth Drive.

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	N/A	N/A	N/A	N/A
Newspaper Notice	10 days	11/28/2011	11/24/2011 (BH Weekly) 11/25/2011 (BH Courier)	15 days
Mailed Notice (Owners & Residents - 300' Radius)	10 days	11/28/2011	11/28/2011	10 days
Website	N/A	N/A	N/A	N/A

<sup>2</sup> Available online at [http://www.beverlyhills.org/services/planning\\_division/general\\_plan/genplan.asp](http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp)

<sup>3</sup> The CEQA Guidelines and Statute are available online at <http://ceres.ca.gov/ceqa/guidelines>

Public Comment

As of the date of the preparation of this report, staff has not received any public communication regarding the project.

**ANALYSIS<sup>4</sup>**

Project approval, conditional approval, or denial is based upon specific findings for the discretionary application requested by the applicant. Draft findings are included with this report in Attachment B and may be used to guide the Planning Commission's deliberation of the subject project.

Summary

In reviewing the requested Tentative Parcel Map, specific findings must be made with regard to consistency with the general plan of the city, site suitability, potential environmental impacts, potential public health impacts and public easements.

As conditioned, the proposed map is consistent with the consistent with the General Plan and Beverly Hills Municipal Code. The site is suitable to accommodate the type of development proposed with the current project and given the scope of work, no environmental or public health impacts are anticipated. Furthermore, based on a preliminary review by the Department of Public Works, no public easements will be impacted by the approval of the Tentative Parcel Map.

In reviewing the requested Development Plan Review Permit, specific findings must be made with regard to consistency with the General Plan and specific plans, harmonious development of the area, use and enjoyment of nearby residential properties, traffic and pedestrian safety hazards, and the public health, safety, and general welfare of the community.

As conditioned, the proposed project is consistent with the General Plan and the Beverly Hills Municipal Code. The proposed four-unit condominium building will replace the existing seven-unit apartment building that currently exists on site. Additionally, the proposed decrease in density will also result in a decrease of parking in the area. While the existing apartment building provides only seven parking spaces on-site, the proposed four-unit condominium building will provide 13 spaces on-site, further reducing parking impacts on South Maple Drive, Whitworth Drive, and surrounding streets. Based on the increased on-site parking, and reduced density of the proposed project, no measurable impact to traffic or traffic safety is anticipated. Additionally, while a majority of the multi-family residential developments in the area are two-stories in height, those directly adjacent to the proposed project are five-stories (to the north) and three stories (to the west). The proposed four-story condominium building will complement the existing scale and mass of those developments. The modulation incorporated into the South Maple Drive façade, as well as the buffering provided by the three- and five-story developments, will further soften the scale and mass impact of the proposed four-story building and will serve to enhance the existing streetscape and general neighborhood character. With these considerations, no impact to the general health, safety and welfare is anticipated.

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<sup>4</sup> The analysis provided in this section is based on draft findings prepared by the report author prior to the public hearing. The Planning Commission in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to modify the findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

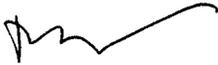
### **NEXT STEPS**

It is recommended that the Planning Commission conditionally approve the requested Tentative Parcel Map and Development Plan Review Permit, and adopt the attached resolution.

Alternatively, the Planning Commission may consider the following actions:

1. Approve the project with modified findings or conditions of approval.
2. Deny the project, or portions of the project, based on revised findings.
3. Direct staff or the applicant as appropriate and continue the hearing to a date (un)certain, consistent with permit processing timelines, and at the applicant's request or consent.

Report Reviewed By:



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David Reyes, Principal Planner

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## ATTACHMENT A Zoning Compliance Table

REGULATIONS	PERMITTED / ALLOWED	PROPOSED PROJECT	NOTES
<b>Primary Building</b>			
Height	45'-0" / 4 stories	Approx. 42'-0" / 4 stories	
Floor Area	1,500 SF (3+ bedrooms)	Unit 101: 3,120 SF Unit 201: 3,364 SF Unit 301: 3,364 SF Unit 401: 3,364 SF	Each unit exceeds the minimum floor area required for units with 3+ bedrooms.
Density	6.86 units + efficiency	4 units	
Front Setback	15'-0"	15'-0"	
Rear Setback	15'-0"	15'-0"	
Side Setback	8'-0" minimum	11'-0"	
Street Side Setback	8'-0" minimum	8'-0"	
Cumulative Side Setback	19'-0"	19'-0"	
Modulation	607.1 SF	612.8 SF	Lesser of 3.5% of aggregate building area or 1,500 SF
Open Space	800 SF	885 SF	Private: 412.5 Common: 472.5 SF
<b>Parking &amp; Circulation</b>			
Parking Spaces	13	13 (1 ADA-accessible)	
Driveway Width	20'-0" minimum 26'-0" maximum	20'-0"	
Aisle Width	26'-0"	22'-6"	90 degree parking Two-way aisle
Vertical Clearance	7'-0" 8'-2" ADA-accessible	7'-0" 8'-6" ADA-accessible	
<b>Landscaping</b>			
Front Yard Paving	1 driveway 5'-0" wide walkway	4'-0" wide walkway ADA-accessible ramp (street side)	More than one walkway (up to 5' in width) may be paved in a front yard to provide ADA-compliant access

**ATTACHMENT B**  
**Draft Findings and Conditions of Approval**

**DRAFT FINDINGS**

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Tentative Parcel Map

1. *The proposed map is consistent with applicable general and specific plans;*

The proposed map is consistent with the Beverly Hills General Plan and the objectives, policies, general land uses, and programs specified therein. The General Plan land use designation for the subject property is Multi-Family Residential Medium Density. The proposed map includes 4 residential condominium units, which are in conformance with the General Plan land use designation and Zoning Code for the subject property. The subject property is not within a specific plan area.

2. *The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;*

The proposed design and improvement of the subject property is consistent with the Beverly Hills General Plan and the objectives, policies, general land uses, and programs specified therein. The General Plan land use designation for the subject property is Multi-Family Residential Medium Density. The proposed map includes 4 residential condominium units, which are in conformance with the General Plan land use designation and Zoning Code for the subject property. The subject property is not within a specific plan area.

3. *The site is physically suitable for the type of development;*

The site is physically suitable for the type of development proposed with the current project. The site is currently developed with a seven-unit, two-story multi-family residential building. Under the density limitations set forth in the Beverly Hills Municipal Code, the project site could be developed to a maximum density of 8 units. The current proposal is to construct 4 units. Furthermore, the site is rectangular in shape, does not contain varying topography, and is capable of supporting the type of development proposed.

4. *The site is physically suitable for the proposed density of development;*

The site is physically suitable for the proposed density of the development. Under the density limitations set forth in the Beverly Hills Municipal Code, the project could be developed to a maximum density of 8 units. The proposed density of four units is well below what would otherwise be permitted by-right and adequate public facilities exist to serve the proposed project.

5. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat;*

As the proposed project is a multi-family residential development with 4 or less units, it is categorically exempt under the California Environmental Quality Act. As such, the development is not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.

**ATTACHMENT B**  
**Draft Findings and Conditions of Approval**

6. *The design of the subdivision or type of improvements is not likely to cause serious public health problems; and*

The design of the subdivision or type of improvements is not likely to cause serious public health problems. The proposed project design has been preliminarily reviewed by the Public Works Department (including Civil Engineering and Water Supply and Distribution) and the Building and Safety Division for cursory code compliance. No comments were received regarding potential public health problems and as such, the design of the subdivision and type of improvements are not anticipated to cause serious public health problems.

7. *The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.*

The design of the subdivision and type of improvements have been reviewed by the Department of Public Works and has been found not to be in conflict with any public easements. Furthermore, a 2.5' dedication will be provided along the alley to the east of the property in accordance with the City's Street Master Plan to improve access along the alleyway.

Development Plan Review Permit

1. *The proposed plan is consistent with the general plan and any specific plans adopted for the area;*

As conditioned, the proposed four-unit condominium residential building meets the Code requirements for multiple-family residential developments, particularly regarding use, height, density, open space and parking and is consistent with the Beverly Hills General Plan. There are no specific plans adopted for this area.

2. *The proposed plan will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;*

The proposed project is located in an area that primary consists of 2-story multi-family developments; however, those properties directly to the north and west of the subject property have increased heights (5 stories and 3 stories, respectively). The proposed 4-story condominium residential building fully complements those developments immediately adjacent to it and the proposed design is harmonious with other properties in the vicinity. Furthermore, the modulation provided on either side of the front façade facing South Maple Drive further softens the impact of the 4-story building.

3. *The nature, configuration, location, density, height and manner of operation of any commercial development proposed by the plan will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property;*

There is no commercial development proposed with the four-unit condominium residential building and as such, no adverse impact is anticipated.

4. *The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and,*

**ATTACHMENT B**  
**Draft Findings and Conditions of Approval**

As the proposed condominium has only four units, the project is not expected to generate significant traffic and no measurable impact on the adjacent intersections, streets and alley is anticipated. Project-specific conditions are provided that will mitigate any traffic safety hazards that may result due to the proposed condominium. Furthermore, as access to the garage is available only from the alley, no pedestrian-vehicle conflicts or pedestrian safety hazards are anticipated.

5. *The proposed plan will not be detrimental to the public health, safety or general welfare;*

The project will be built in accordance with the City's Building Code standards and is consistent with the zoning for the area. As such, the project is not anticipated to be detrimental to the public health, safety or general welfare.

**DRAFT CONDITIONS**

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1. The Project shall be modified to provide roof access for fire suppression personnel access and egress from stairwell #2, located at the rear of the building.
2. Final plans shall include all documentation and specifications necessary for fire sprinklers and fire alarms.
3. Final plans shall show a section indicating the ramp slope leading to the subterranean garage beings after the 2.5' alley dedication.
4. Subject to review and approval by the City's Transportation Engineer, the opening of the garage shall provide adequate setbacks so as to satisfy the minimum turning radius for a typical passenger vehicle (25.8') to cover the path of the front overhang.
5. The garage gate shall be installed at a minimum distance from the alley to provide sufficient room for at least one vehicle to queue at the garage gate without obstructing traffic in the alley.
6. A warning light shall be installed at the exit ramp by the alley. Such device shall light up when a vehicle is leaving the garage so as to notice the on-coming traffic in the alley.
7. Any parabolic mirror proposed to improve visibility shall not be placed within any public right-of-way.
8. A sign shall be placed on South Maple Drive indicating the availability of guest parking located in the subterranean garage. All guest parking spaces shall be clearly designated.
9. The Applicant shall submit a Construction Management Plan to the Department of Community Development for review and approval prior to the issuance of a building permit. The Construction Management Plan shall include, at a minimum, the following:

**ATTACHMENT B**  
**Draft Findings and Conditions of Approval**

- 9.1 Written information about the construction parking arrangement and hauling activities at different stages of construction to be reviewed by the Engineering Division of Public Works and the Building and Safety Division of Community Development.
  - 9.2 Information regarding the anticipated number of workers, the location of parking with respect to schedule during the construction period, the arrangement of deliveries, hauling activities, the length of time of operation, designation of construction staging area and other pertaining information regarding construction related traffic.
  - 9.3 The proposed demolition/construction staging for the Project to determine the amount, appropriate routes and time of day heavy hauling traffic necessary for demolition, deliveries, etc. to the project site.
10. **APPEAL.** Decisions of the Planning Commission may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeal forms are available in the City Clerk's office. Decisions involving subdivision maps must be appealed within ten (10) days of the Planning Commission Action. An appeal fee is required.
  11. **RECORDATION.** The resolution approving the Tentative Parcel Map and Development Plan Review Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development within 60 days of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project shall be null and void and of no further effect. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60 day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the Project.
  12. **EXPIRATION. Tentative Parcel Map:** The exercise of rights granted in such approval shall be commenced within two (2) years after the adoption of such resolution.
  13. **EXPIRATION. Development Plan Review Permit:** The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution.
  14. **VIOLATION OF CONDITIONS:** A violation of these conditions of approval may result in a termination of the entitlements granted herein.
  15. This approval is for those plans submitted to the Planning Commission on December 8, 2011, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.

**ATTACHMENT B**  
**Draft Findings and Conditions of Approval**

16. Minor amendments to the plans shall be subject to approval by the Director of Community Development. A significant change to the approved Project shall be subject to Planning Commission Review. Construction shall be in conformance with the plans approved herein or as modified by the Planning Commission or Director of Community Development.
17. Project Plans are subject to compliance with all applicable zoning regulations, except as may be expressly modified herein. Project plans shall be subject to a complete Code Compliance review when building plans are submitted for plan check. Compliance with all applicable Municipal Code and General Plan Policies is required prior to the issuance of a building permit.
18. Prior to the issuance of building permits, the design, materials, and finish of the building and landscaping shall be subject to the review and approval of the Architectural Commission.
19. The CC&Rs will be submitted and reviewed by the City Attorney prior to recordation of the final map.
20. Approval Runs With Land. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.
21. Prior to the issuance of a building permit, all applicable Park and Recreation Facilities Tax required by the Municipal Code shall be paid.
22. The Project shall operate at all times in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking or other actions.
23. The Project shall operate at all times in compliance with Municipal requirements for Noise Regulation.
24. During the construction period, street sweeping shall be conducted several times a day and as directed by the City Engineer. Dirt shall not be tracked out of the construction site.
25. The Applicant shall remove and replace all public sidewalks surrounding the Project site that are rendered defective as a result of Project construction.
26. The Applicant shall remove and replace all curbs and gutters surrounding the Project site that are rendered defective as a result of Project construction.
27. The Applicant shall comply with all applicable statutes, ordinances and regulations concerning the conversion of residential rental units into condominiums, including, but not limited to, the requirement that the applicant pay the City of Beverly Hills the condominium conversion tax, if a certificate of occupancy is issued prior to approval of the final subdivision map by the City Council. The amount of tax to be paid shall be based on the fees in place at the time of conversion.
28. The applicant shall remove all unused landings and driveway approaches. These parkway areas, if any, shall be landscaped and maintained by the adjacent property owner. This landscape material cannot exceed six to eight inches in height and cannot be planted against the street

**ATTACHMENT B**  
**Draft Findings and Conditions of Approval**

trees. Care shall be taken to not damage or remove the trees existing tree roots within the parkway area. Remove and replace all defective alley and driveway approaches surrounding the existing and proposed buildings.

29. The applicant shall protect all existing street trees adjacent to the subject site during construction of the proposed project. Every effort shall be made to retain mature street trees. No street trees, including those street trees designated on the preliminary plans, shall be removed and/or relocated unless written approval from the Recreation and Parks Department and the City Engineer is obtained.
30. Removal and/or replacement of any street trees shall not commence until the applicant has provided the City with an improvement security to ensure the establishment of any relocated or replaced street trees. The security amount will be determined by the Director of Recreation and Parks, and shall be in a form approved by the City Engineer and the City Attorney.
31. The applicant shall provide that all roof and/or surface drains discharge to the street. All curb drains installed shall be angled at 45 degrees to the curb face in the direction of the normal street drainage flow. The applicant shall provide that all groundwater discharges to a storm drain. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Connection to a storm drain shall be accomplished in the manner approved by the City Engineer and the Los Angeles County Department of Public Works. No concentrated discharges onto the alley surfaces will be permitted.
32. The applicant shall provide for all utility facilities, including electrical transformers required for service to the proposed structure(s), to be installed on the subject site. No such installations will be allowed in any City right-of-way.
33. The applicant shall underground, if necessary, the utilities in adjacent streets and alleys per requirements of the Utility Company and the City.
34. The applicant shall make connection to the City's sanitary sewer system through the existing connections available to the subject site unless otherwise approved by the City Engineer and shall pay the applicable sewer connection fee.
35. The applicant shall make connection to the City's water system through the existing water service connection unless otherwise approved by the City Engineer. The size, type and location of the water service meter installation will also require approval from the City Engineer.
36. The applicant shall provide to the Engineering Office the proposed demolition/construction staging for this project to determine the amount, appropriate routes and time of day of heavy hauling truck traffic necessary for demolition, deliveries, etc., to the subject site.
37. The applicant shall obtain the appropriate permits from the Civil Engineering Department for the placement of construction canopies, fences, etc., and construction of any improvements in the public right-of-way, and for use of the public right-of-way for staging and/or hauling certain equipment and materials related to the project.

**ATTACHMENT B**  
**Draft Findings and Conditions of Approval**

38. The applicant shall remove and reconstruct any existing improvements in the public right-of-way damaged during construction operations performed under any permits issued by the City.
39. During construction all items in the Erosion, Sediment, Chemical and Waste Control section of the general construction notes shall be followed.
40. Condensate from HVAC and refrigeration equipment shall drain to the sanitary sewer, not curb drains.
41. Water discharged from a loading dock area must go through an interceptor/clarifier prior to discharging to the storm drain system. A loading dock is not to be confused with a loading zone or designated parking space for loading and unloading.
42. Organic residuals from daily operations and water used to wash trash rooms cannot be discharged to the alley. Examples are grocery stores, mini markets and food services.
43. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Examples of ground water discharges are; rising ground water and garage sumps.
44. Storm water runoff from automobiles going into a parking garage shall be discharged through a clarifier before discharging into the storm drain system. In-lieu of discharging runoff through a clarifier, parking lots can be cleaned every two weeks with emphasis on removing grease and oil residuals which drip from vehicles. Maintain records of cleaning activities for verification by a City inspector.

ATTACHMENT C  
Public Notice



NOTICE OF PUBLIC HEARING

DATE: December 8, 2011  
TIME: 1:30 PM, or as soon thereafter as the matter may be heard  
LOCATION: Council Meeting Room 280A  
Beverly Hills City Hall  
455 North Rexford Drive  
Beverly Hills, CA 90210

The Planning Commission of the City of Beverly Hills, at its REGULAR meeting on Thursday, December 8, 2011, will hold a public hearing beginning at 1:30 PM, or as soon thereafter as the matter may be heard to consider:

A request for a Tentative Parcel Map (No. 71711) and Development Plan Review Permit to allow the construction of a new four-story, four-unit condominium building on the property located at 9221 Whitworth Drive. A Development Plan Review Permit is required for all condominium projects within the city. The total building area is 22,698 square feet, inclusive of the subterranean garage. All required parking is located in the subterranean garage, which includes 12 fully-accessible parking spaces and one ADA-accessible parking space. The lot on which the project is proposed is 0.19 acres and is zoned R-4 (Multiple Residential Zone); it is surrounded by existing apartment and condominium buildings.

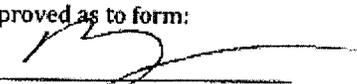
This project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The project qualifies for a Class 2 Categorical Exemption for replacement or reconstruction of existing structures and a Class 3 Categorical Exemption for new construction of a multi-family residential structure totaling no more than four dwelling units. Therefore, the project has been determined not to have a significant environmental impact and is exempt from the provisions of CEQA.

Any Interested person may attend the meeting and be heard or present written comments to the Commission.

According to Government Code Section 65009, if you challenge the Commission's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing.

If there are any questions regarding this notice, please contact Cindy Gordon, Assistant Planner in the Planning Division at 310-285-1191, or by email at [cgordon@beverlyhills.org](mailto:cgordon@beverlyhills.org). Copies of the applications, plans, and Categorical Exemption are on file in the Community Development Department, and can be reviewed by any interested person at 455 North Rexford Drive, Beverly Hills, CA 90210.

Approved as to form:

  
Jonathan Lait, AICP  
City Planner

Mailed: November 28, 2011

City of Beverly Hills 455 N. Rexford Drive Beverly Hills, California 90210 p (310) 285-1141 f (310) 858-5966 [BeverlyHills.org](http://BeverlyHills.org)

**ATTACHMENT D**  
**Draft Planning Commission Resolution**

**ATTACHMENT E**  
**Architectural Plans**

Under separate cover

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A REQUEST FOR A TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW PERMIT TO ALLOW THE CONSTRUCTION OF A NEW FOUR-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON THE PROPERTY LOCATED AT 9221 WHITWORTH DRIVE.

The Planning Commission of the City of Beverly Hills hereby finds, resolves and determines as follows:

Section 1. Jerome Buckmelter, Applicant, on behalf of the property owners, Maple Drive Villas, LLC, of 9221 Whitworth Drive, (collectively the "Applicant") have submitted an application for Tentative Parcel Map No. 71711 and a Development Plan Review Permit to allow a four-unit, four-story residential condominium development in the Central Area of the City at 9221 Whitworth Drive (the "Project").

Section 2. The project site is located on the northeast corner of the intersection of Whitworth Drive and South Maple Drive. The area surrounding the project site consists of multi-family residential apartments and condominiums with varying densities, building ages, and architectural styles.

The project site is currently developed with a two-story, seven-unit apartment building. There are seven covered on-grade parking spaces with access from both Whitworth Drive and the alley directly adjacent to the project site. All existing structures would be demolished to accommodate the new condominium building.

The Project will be comprised of four units totaling 14,771 square feet in area at or above grade and four stories in height. The four units will range in size from 3,144 square feet to 3,407 square feet. Each unit will consist of four bedrooms. The Project includes a one-and-a-half level (split) subterranean garage with 13 fully accessible parking spaces. The Project is required to provide 607 square feet of modulation, and meets this requirement by providing 611 square feet of modulation at the northwest and southwest corners of the building. Additionally, the Project provides 885 square feet of outdoor living space in both private and public areas, which exceeds the 800 square feet of outdoor living space required by the Municipal Code.

Section 3. The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.* ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq.*), and the City's Local CEQA Guidelines (hereafter the "Guidelines"), and the City's environmental guidelines, and a Class 2 Categorical Exemption has been issued in accordance with the requirements of Section 15302 of the Guidelines for construction associated with replacement or reconstruction of existing structures. Additionally, the Project qualifies for a Class 3 Categorical Exemption in accordance with the requirements of Section 15303 of the Guidelines for construction associated with new multi-family residential structures of not more than six dwelling units in an urbanized area. Therefore, the Project will not result in a significant environmental impact.

Section 4. Notice of the Project and public hearing was mailed on November 28, 2011 to all commercial and multi-family residential property owners and residential tenants

within a 300-foot radius of the property and to all single-family property owners and residential tenants within a 500-foot radius of the property. Additionally, notice of the Project and public hearing was published in two newspapers of local circulation on November 24, 2011 and November 25, 2011. On December 8, 2011 the Planning Commission considered the application at a duly noticed public meeting. Evidence, both written and oral, was presented at the meeting.

Section 5. In considering the request for a Tentative Parcel Map, the Planning Commission considered the following criteria:

1. Whether the proposed map is consistent with applicable general and specific plans;
2. Whether the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
3. Whether the site is physically suitable for the type of development;
4. Whether the site is physically suitable for the proposed density of development;
5. Whether the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat;
6. Whether the design of the subdivision or type of improvements are likely to cause serious public health problems; and

7. Whether the design of the subdivision or type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Section 6. Based on the foregoing, the Planning Commission hereby finds and determines as follows:

1. The proposed map is consistent with the Beverly Hills General Plan and the objectives, policies, general land uses, and programs specified therein. The General Plan land use designation for the project site is Multi-Family Residential Medium Density. The proposed map includes four residential condominium units, which are in conformance with the General Plan land use designation and Zoning Code for the project site. Therefore, the map is consistent with the Beverly Hills General Plan. The project site is not located within a specific plan area.

2. The proposed design and improvement of the subject property are consistent with the Beverly Hills General Plan and the objectives, policies, general land uses, and programs specified therein. The proposed map includes four residential condominium units, which are permitted under the General Plan land use designation and Zoning Code for the project site. Therefore, the map is consistent with the Beverly Hills General Plan. The project site is not located within a specific plan area.

3. The site is physically suitable for the type of development proposed. The site is currently developed with a seven-unit, two-story multi-family residential building. Under the density limitations set forth in the Beverly Hills

Municipal Code, the project site could be developed to a maximum density of eight units. The current proposal is to construct four units. The site is rectangular in shape, does not contain varying topography, and is capable of supporting the type of development proposed.

4. The site is physically suitable for the proposed density. Under the density limitations set forth in the Beverly Hills Municipal Code, the project site could be developed to a maximum density of eight units. The proposed density of four units is below what would otherwise be permitted and adequate public facilities exist to serve the proposed project.

5. Based on the proposed density of four units, the Project is categorically exempt under the California Environmental Quality Act. Furthermore, the Project site is located within a developed urban setting that does not contain habitat suitable for fish or wildlife. Therefore, the development is not anticipated to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.

6. The design of the subdivision and type of improvements are not anticipated to cause serious public health problems. The Project has been designed in accordance with all applicable Public Works and Building and Safety development standards, and is therefore not anticipated to cause serious public health problems.

7. The design of the subdivision and type of improvements have been reviewed by the Department of Public Works and have be found not to be in conflict with any public easements. Further, a 2.5' dedication will be provided along the alley to the east of the property in accordance with the City's Street Master Plan to improve

access along the alleyway. Therefore, the design of the subdivision and type of improvements are not anticipated to conflict with any public easements for access through or use of the property within the proposed subdivision.

Section 7. In considering the request for a Development Plan Review Permit, the Planning Commission considered whether the Project would have a substantial impact on the following criteria:

1. Whether the proposed plan is consistent with the general plan and any specific plans adopted for the area;
2. Whether the proposed plan will adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;
3. Whether the nature, configuration, location, density, height and manner of operation of any commercial development proposed by the plan will significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property;
4. Whether the proposed plan will create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and,
5. Whether the proposed plan will be detrimental to the public health, safety or general welfare.

Section 8. Based on the foregoing, the Planning Commission hereby finds and determines as follows:

1. As conditioned, the Project meets the Code requirements for multiple-family residential developments and is consistent with the goals and policies of the Beverly Hills General Plan and its associated land use designations. Furthermore, the Project is not located within or adjacent to a specific plan area.

2. The Project is located in an area that consists primarily of two-story multi-family developments; however, the properties directly to the north and west of the Project site contain buildings that are five stories and three stories in height, respectively. The proposed four-story condominium residential building will complement the adjacent development, and the proposed design of the Project will be a harmonious addition to the area. Furthermore, the modulation provided at the northwest and southwest corners of the building, facing South Maple Drive, softens the massing of the Project.

3. There is no commercial development proposed with the Project and as such, no adverse impact is anticipated.

4. Based on a review by the City's Transportation Division, the project is not expected to generate significant traffic and no measurable impact on the adjacent intersections, streets and alley is anticipated. As conditioned, the Project will not generate traffic safety hazards that may result. Furthermore, as access to the garage is available only from the alley, and as a result, no pedestrian-vehicle conflicts or pedestrian safety hazards are anticipated.

5. The Project will be built in accordance with the City's Building Code standards and is consistent with the zoning for the area. As such, the Project is not anticipated to be detrimental to the public health, safety or general welfare.

Section 9. Based on the foregoing, the Planning Commission hereby grants the requested Tentative Parcel Map and Development Plan Review Permit, subject to the following conditions:

1. The Project shall be modified to provide roof access for fire suppression personnel access and egress from stairwell #2, located at the rear of the building.

2. Final plans shall include all documentation and specifications necessary for fire sprinklers and fire alarms.

3. Final plans shall show a section indicating the ramp slope leading to the subterranean garage beings after the 2.5' alley dedication.

4. Subject to review and approval by the City's Transportation Engineer, the opening of the garage shall provide adequate setbacks so as to satisfy the minimum turning radius for a typical passenger vehicle (25.8') to cover the path of the front overhang.

5. The garage gate shall be installed at a minimum distance from the alley to provide sufficient room for at least one vehicle to queue at the garage gate without obstructing traffic in the alley.

6. A warning light shall be installed at the exit ramp by the alley. Such device shall light up when a vehicle is leaving the garage so as to notice the oncoming traffic in the alley.

7. Any parabolic mirror proposed to improve visibility shall not be placed within any public right-of-way.

8. A sign shall be placed on South Maple Drive indicating the availability of guest parking located in the subterranean garage. All guest parking spaces shall be clearly designated.

9. The Applicant shall submit a Construction Management Plan to the Department of Community Development for review and approval prior to the issuance of a building permit. The Construction Management Plan shall include, at a minimum, the following:

9.1 Written information about the construction parking arrangement and hauling activities at different stages of construction to be reviewed by the Engineering Division of Public Works and the Building and Safety Division of Community Development.

9.2 Information regarding the anticipated number of workers, the location of parking with respect to schedule during the construction period, the arrangement of deliveries, hauling activities, the length of time of operation, designation of construction staging area and other pertaining information regarding construction related traffic.

9.3 The proposed demolition/construction staging for the Project to determine the amount, appropriate routes and time of day heavy hauling traffic necessary for demolition, deliveries, etc. to the project site.

10. APPEAL. Decisions of the Planning Commission may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeal forms are available in the City Clerk's office. Decisions involving subdivision maps must be appealed within ten (10) days of the Planning Commission Action. An appeal fee is required.

11. RECORDATION. The resolution approving the Tentative Parcel Map and Development Plan Review Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project shall be **null and void and of no further effect**. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60 day time limit if, at the time of

the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the Project.

12. EXPIRATION. Tentative Parcel Map: The exercise of rights granted in such approval shall be commenced within two (2) years after the adoption of such resolution.

13. EXPIRATION. Development Plan Review Permit: The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution.

14. VIOLATION OF CONDITIONS: A violation of these conditions of approval may result in a termination of the entitlements granted herein.

15. This approval is for those plans submitted to the Planning Commission on December 8, 2011, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.

16. Minor amendments to the plans shall be subject to approval by the Director of Community Development. A significant change to the approved Project shall be subject to Planning Commission Review. Construction shall be in conformance with the plans approved herein or as modified by the Planning Commission or Director of Community Development.

17. Project Plans are subject to compliance with all applicable zoning regulations, except as may be expressly modified herein. Project plans shall be subject to a complete Code Compliance review when building plans are submitted for

plan check. Compliance with all applicable Municipal Code and General Plan Policies is required prior to the issuance of a building permit.

18. Prior to the issuance of building permits, the design, materials, and finish of the building and landscaping shall be subject to the review and approval of the Architectural Commission.

19. The CC&Rs will be submitted and reviewed by the City Attorney prior to recordation of the final map.

20. Approval Runs With Land. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

21. Prior to the issuance of a building permit, all applicable Park and Recreation Facilities Tax required by the Municipal Code shall be paid.

22. The Project shall operate at all times in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking or other actions.

23. The Project shall operate at all times in compliance with Municipal requirements for Noise Regulation.

24. During the construction period, street sweeping shall be conducted several times a day and as directed by the City Engineer. Dirt shall not be tracked out of the construction site.

25. The Applicant shall remove and replace all public sidewalks surrounding the Project site that are rendered defective as a result of Project construction.

26. The Applicant shall remove and replace all curbs and gutters surrounding the Project site that are rendered defective as a result of Project construction.

27. The Applicant shall comply with all applicable statutes, ordinances and regulations concerning the conversion of residential rental units into condominiums, including, but not limited to, the requirement that the applicant pay the City of Beverly Hills the condominium conversion tax, if a certificate of occupancy is issued prior to approval of the final subdivision map by the City Council. The amount of tax to be paid shall be based on the fees in place at the time of conversion.

28. The applicant shall remove all unused landings and driveway approaches. These parkway areas, if any, shall be landscaped and maintained by the adjacent property owner. This landscape material cannot exceed six to eight inches in height and cannot be planted against the street trees. Care shall be taken to not damage or remove the trees existing tree roots within the parkway area. Remove and replace all defective alley and driveway approaches surrounding the existing and proposed buildings.

29. The applicant shall protect all existing street trees adjacent to the subject site during construction of the proposed project. Every effort shall be made to retain mature street trees. No street trees, including those street trees designated on the preliminary plans, shall be removed and/or relocated unless written approval from the Recreation and Parks Department and the City Engineer is obtained.

30. Removal and/or replacement of any street trees shall not commence until the applicant has provided the City with an improvement security to ensure the establishment of any relocated or replaced street trees. The security amount will be determined by the Director of Recreation and Parks, and shall be in a form approved by the City Engineer and the City Attorney.

31. The applicant shall provide that all roof and/or surface drains discharge to the street. All curb drains installed shall be angled at 45 degrees to the curb face in the direction of the normal street drainage flow. The applicant shall provide that all groundwater discharges to a storm drain. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Connection to a storm drain shall be accomplished in the manner approved by the City Engineer and the Los Angeles County Department of Public Works. No concentrated discharges onto the alley surfaces will be permitted.

32. The applicant shall provide for all utility facilities, including electrical transformers required for service to the proposed structure(s), to be installed on the subject site. No such installations will be allowed in any City right-of-way.

33. The applicant shall underground, if necessary, the utilities in adjacent streets and alleys per requirements of the Utility Company and the City.

34. The applicant shall make connection to the City's sanitary sewer system through the existing connections available to the subject site unless otherwise approved by the City Engineer and shall pay the applicable sewer connection fee.

35. The applicant shall make connection to the City's water system through the existing water service connection unless otherwise approved by the City

Engineer. The size, type and location of the water service meter installation will also require approval from the City Engineer.

36. The applicant shall provide to the Engineering Office the proposed demolition/construction staging for this project to determine the amount, appropriate routes and time of day of heavy hauling truck traffic necessary for demolition, deliveries, etc., to the subject site.

37. The applicant shall obtain the appropriate permits from the Civil Engineering Department for the placement of construction canopies, fences, etc., and construction of any improvements in the public right-of-way, and for use of the public right-of-way for staging and/or hauling certain equipment and materials related to the project.

38. The applicant shall remove and reconstruct any existing improvements in the public right-of-way damaged during construction operations performed under any permits issued by the City.

39. During construction all items in the Erosion, Sediment, Chemical and Waste Control section of the general construction notes shall be followed.

40. Condensate from HVAC and refrigeration equipment shall drain to the sanitary sewer, not curb drains.

41. Water discharged from a loading dock area must go through an interceptor/clarifier prior to discharging to the storm drain system. A loading dock is not to be confused with a loading zone or designated parking space for loading and unloading.

42. Organic residuals from daily operations and water used to wash trash rooms cannot be discharged to the alley. Examples are grocery stores, mini markets and food services.

43. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Examples of ground water discharges are; rising ground water and garage sumps.

44. Storm water runoff from automobiles going into a parking garage shall be discharged through a clarifier before discharging into the storm drain system. In-lieu of discharging runoff through a clarifier, parking lots can be cleaned every two weeks with emphasis on removing grease and oil residuals which drip from vehicles. Maintain records of cleaning activities for verification by a City inspector.

Section 10. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his/her Certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted:

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Daniel M. Yukelson  
Chair of the Planning Commission of the  
City of Beverly Hills, California

Attest:

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Secretary

Approved as to form:

Approved as to content:

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David M. Snow  
Assistant City Attorney

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Jonathan Lait, AICP  
City Planner

