



Planning Commission Report

Meeting Date: August 11, 2016

Subject: **410 Chris Place
View Restoration Permit**

Request for a View Restoration Permit by the View Owner at 410 Chris Place for the complete removal of eight trees located on a neighbor's property at 430 Dabney Lane (Foliage Owner).

Project Applicant: Michael Kassan
Representative: Crest Real Estate

Recommendation: That the Planning Commission:
1. Continue the public hearing on the item to August 25, 2016

REPORT SUMMARY

The view owner and applicant at 410 Chris Place requests the complete removal of the following eight trees located on the property at 430 Dabney Lane (foliage owner):



Number in the Image	Foliage
1	2 Elm trees (on the east side of the property)
2	1 Silky oak
3	Bamboo ¹
4	1 Pine and 1 Silky oak (on the east side of the property)
5, 6, and 7	3 Pine trees

The Planning Commission may issue a View Restoration Permit to a view owner with a protectable view² where the protectable view from a viewing area is substantially disrupted by

¹ The bamboo constituted a hedge and exceeded the maximum allowable height for a hedge in a side yard. The hedge height is being resolved through code enforcement.

² PROTECTABLE VIEW: A protectable view may include any view of the Los Angeles area basin from a "viewing area" as defined in BHMC 10-8-102. The view of the Los Angeles area basin may include, but is not limited to, city lights (Beverly Hills and other cities), ocean, and horizon. The term "protectable view" does not mean an



foliage. Through issuance of a View Restoration Permit, the Planning Commission may require restorative action on the foliage owner's property.

The view owner notified staff that he and the foliage owner are working towards reaching a private agreement for the removal of the eight trees, and consequently, would like to continue the item to the August 25, 2016 Planning Commission hearing. If a private agreement is reached to remove the eight trees, an arborist report must be submitted to the City to evaluate whether any of the trees would be considered protected as a "heritage" or "native" tree³ under the City's ordinance regarding the regulation of trees on private property. If any of the trees are identified as protected, removal of the protected trees via a private agreement could trigger Planning Commission review of a Tree Removal Permit pursuant to BHMC §10-3-2901.

NEXT STEPS

It is recommended that the Planning Commission continue the public hearing to the August 25, 2016 Planning Commission meeting.

Report Reviewed By:

A handwritten signature in blue ink, appearing to read "Masa Akire", written over a horizontal line.

Masa Akire, AICP, Principal Planner

unobstructed panorama of all or any of the above. For purposes of this section, a protectable view shall be determined from a point thirty six inches (36") above the finished grade of the viewing area.

³ HERITAGE TREE: Any tree not listed on the city's official list of native trees with a primary trunk circumference of forty eight inches (48") or more, measured at a height of four feet six inches (4'6") above natural grade.

NATIVE TREE: A tree listed on the city's official list of local native trees, as adopted from time to time by resolution of the city council, and which has a primary trunk circumference of twenty four inches (24") or more, measured at a height of four feet six inches (4'6") above natural grade. The official list of local native trees shall be maintained on file in the departments of planning and community development, building and safety and recreation and parks.



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August 11, 2016

Attachment A

Request for Continuance from View Owner's Representative

Cynthia de la Torre

From: Cynthia de la Torre
Sent: Tuesday, August 02, 2016 11:21 AM
To: 'Thomas DuMary III'
Subject: RE: 410 Chris Place Posted Notice Signs

Thanks, Thomas. We will present that information at the August 11 meeting, and request that the Planning Commission continue the item to the August 25 meeting.

Thanks,

Cynthia de la Torre

Assistant Planner

Community Development Department
City of Beverly Hills
455 N Rexford Dr.
Beverly Hills, CA 90210
Ph. (310) 285-1195
cdelatorre@beverlyhills.org

Doing Research on a Property?

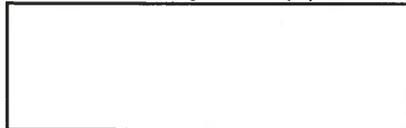
General site, zoning, and building permit information can be found online by searching your property in the top right corner on the City's [Public GIS website](#). Specific zoning information can be found within [Chapter 3 of Title 10 of the Beverly Hills Municipal Code](#).

From: Thomas DuMary III [mailto:thomas@crestrealestate.com]
Sent: Tuesday, August 02, 2016 11:20 AM
To: Cynthia de la Torre
Subject: Re: 410 Chris Place Posted Notice Signs

Please push the hearing to 8/26. I believe that we will have everything settled between neighbors by then, so the issue will be the removal of the potentially protected trees.

Best,

Thomas DuMary III, Esq. | *General Manager / CFO*



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"Trusted through our Knowledge, Hard Work & Dedication"

On Tue, Aug 2, 2016 at 9:46 AM, Cynthia de la Torre <cdelatorre@beverlyhills.org> wrote: