Attachment 2

Resolution Approving the Beverly Hilton Specific Plan with Specific Plan and Conditions of Approval

(including CEQA Resolution and Final EIR which will be provided at the meeting)

RESOLUTION NO. 08-R-_____

RESOLUTION OF THE CITY OF BEVERLY HILLS ADOPTING THE BEVERLY HILTON SPECIFIC PLAN TO ENABLE THE REVITALIZATION OF THE EXISTING BEVERLY HILTON HOTEL SITE WITH A NEW LUXURY HOTEL, CONDOMINIUMS, AND OPEN SPACE

The City Council of the City of Beverly Hills hereby finds and resolves as follows:

Section 1. The City of Beverly Hills has adopted a General Plan for the City. The City Council by Resolution No. 08-R-_____, attached hereto as Exhibit A and incorporated herein by reference as if set forth in full, has amended the General Plan to provide for the creation of a new land use designation in "Specific Plan: Beverly Hilton." The City Council desires to adopt a Specific Plan for the Beverly Hilton site to implement the General Plan on the approximately nine acre property known as 9876 Wilshire Boulevard and described in the legal description attached hereto as Exhibit B, which is incorporated herein by reference as if set forth in full.

Section 2. The City of Beverly Hills Planning Commission held numerous hearings to consider the proposed Beverly Hilton Specific Plan. The Planning Commission provided the City Council with a written recommendation to adopt the Beverly Hilton Specific Plan.

Section 3. The City Council finds that the Beverly Hilton Specific Plan attached hereto as Exhibit C and incorporated herein by reference as if set forth in full, is consistent with the Beverly Hills General Plan for the reasons set forth in Section 5.2 of the Specific Plan and the following:

3.1 The Beverly Hilton Specific Plan implements Section 2.2 of the Land Use Element of the General Plan. The development contemplated by the Specific Plan is appropriate for the project site, which is an anchor location located at the intersection of Wilshire Boulevard and Santa Monica Boulevard, which is the western gateway to the City. The Specific Plan also contains a variety of land uses, including hotels, residential condominiums, restaurants, ancillary commercial, and open space. The mixed use nature of the site and the incorporation of open space make this development unique in the City. The mix of proposed uses and the project design also provide an adequate transition from the single family residential neighborhood to the north as well as the El Rodeo School to the northwest. The design of the buildings and open spaces in the Specific Plan incorporate enhanced setbacks from Wilshire Boulevard, and the building heights step up from north to south and east to west. Residence Building A is set back from Wilshire Boulevard to the same extent as the northern wing of the Hilton Tower (specifically, Residence A is set back to the same extent as the mid-point of the Wilshire facade of the northern wing of the Wilshire Tower). The Wilshire Tower has been in existence for more than fifty (50) years and establishes the long-existing scale and appropriate transition for this area. Further, the area is readily accessible from the City's major shopping areas, including the City's department store corridor which is located east of the Specific Plan Area. The Specific Plan also contains open space areas and pedestrian pathways to link the entire site to the Beverly Gardens pedestrian pathway that leads to the City's business triangle and retail area. Thus, the Specific Plan area is also readily accessible to that major shopping area. Finally, this anchor location is bounded by and at the intersection of Wilshire and Santa Monica Boulevards, which are major streets.

3.2 The Specific Plan is consistent with the General Plan Land Use Map, as amended to incorporate the Beverly Hilton Specific Plan designation.

3.3 The Specific Plan, as adopted, is consistent with Land Use Objectives 1.3 and 1.4 and the discussion of commercial area standards in the Land Use Element because, as adopted, the Specific Plan serves as an anchor location, establishes a sense of place through its architecture and landscaping, and also provides for an adequate transition from surrounding uses, an appropriate scale for the area, and incorporates a substantial landscaped buffer from nearby residential and institutional uses. The design of the buildings and open spaces in the Specific Plan incorporate substantial setbacks from Wilshire Boulevard, and the building heights step up from north to south and from east to west. The Residence A building is set back from Wilshire Boulevard to the same extent as the mid-point of the Wilshire facade of the northern wing of the Wilshire Tower, which has been in existence for more than fifty years and establishes the long existing scale and appropriate transition for this area. The 2-story element of the new luxury hotel, which steps up to the greater height at a greater setback from the intersection of Santa Monica and Wilshire Boulevards also keeps the building mass setback from Wilshire Boulevard and forms the transition to the taller Residence B building to the west.

3.4 The Specific Plan implements Program 4.3 of the housing element, as amended, by developing standards for a mixed residential commercial development, including additional height, for commercially zoned property at 9876 Wilshire Boulevard.

3.5 The Specific Plan would enable development of housing stock of exceptional quality that offers a variety of housing rarely found elsewhere (Land Use Element Section 1.1). The architectural design and features of the proposed development, along with its

open space and other amenities will ensure that the housing stock in the Specific Plan area is exceptional quality.

3.6 The Specific Plan, and related Development Agreement, will implement Housing Element Objective 2.2, Program 2.6, which provides that the City should create a local fund to assist developers of housing affordable to lower income households. As a condition of proceeding with the Specific Plan, the developer must contribute $1,500,000 to an affordable housing fund.

3.7 The Specific Plan implements Housing Element Goal 4, which is to expand the variety of housing products. The residential units proposed for this development are different from other units in the City due to the amenities provided, the location of the units, and the open space incorporated into the Specific Plan area.

3.8 The Specific Plan is consistent with Goal 1 of the Housing Element, which is to maintain the community's housing stock and to preserve the viability and stability of residential neighborhoods. The Specific Plan will meet the demand for new luxury housing by allowing an existing commercial site to be revitalized with a mixed use development, including residential condominiums, that will reduce market pressure to replace older housing stock with new, more expensive residential units.

3.9 The Specific Plan implements Recommendation 4.3 of the Open Space Element. Recommendation 4.3 recommends that open space standards in the multi-family (R-4) zone be developed so that there is an open space benefit to the City for permitting residential density in excess of the basic density of the zone. Recommendation 4.3 also indicates that the open space should be visible to the public. The Specific Plan implements Recommendation 4.3

for the multi-family portion of the Specific Plan Area by requiring expanded open space visible from Wilshire Boulevard and Beverly Gardens Park.

3.10 The Specific Plan, is consistent with Section 3.4 of the Open Space Element of the General Plan. Section 3.4 reaffirms the importance of open space requirements in multi-family zones. Again, the Specific Plan provides for expanded open space in the multi-family portions of the Specific Plan area and thus furthers the City's distinctive atmosphere for commercial and residential areas.

3.11 The Specific Plan implements Circulation Element Recommendation 2.5.2.f. Recommendation 2.5.2.f recommends that the City encourage the development of interconnected pedestrian ways with the private sector. The Specific Plan requires the development of enhanced pedestrian ways that link to Beverly Gardens Park through the Specific Plan Area, to Santa Monica Boulevard, and along Wilshire Boulevard.

3.12 The Specific Plan is consistent with the Conservation Element. The Conservation Element does not require the preservation of all potentially significant historic structures. However, the Specific Plan preserves the potentially significant and distinctive Hilton Tower. Additionally, Program Goal 2 of the Landmark Preservation section of the Conservation Element provides that the City should preserve the heritage and maintain historical continuity for buildings which are to be demolished. The Specific Plan requires that potentially significant buildings to be demolished shall be photographed with large format black and white photography and that a written report be prepared which follows Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standards at a minimum level 3 recordation. This documentation must be deposited in a suitable public depository.

Additionally, the developer must fund the production of a video of the property in its current condition, including the interiors and exteriors, to show its history. This video will be placed in the City of Beverly Hills public library and on the City of Beverly Hills website.

Section 4. The Project proposed for 9876 Wilshire Boulevard, including the Specific Plan, 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. A Final Environmental Impact Report (the "Final EIR") was prepared for the Project and is attached hereto as Exhibit D and is incorporated herein by reference as if set forth in full. The City Council certified the Final EIR, made environmental findings including findings with respect to the Specific Plan, adopted a statement of overriding considerations and adopted a mitigation monitoring and reporting program concerning the Project by separate Resolution No. 08-R-12600. That resolution is attached hereto as Exhibit E and is incorporated herein by reference as if set forth in full.

Section 5. The City Council hereby adopts the Beverly Hilton Specific Plan, attached hereto as Exhibit C, subject to the conditions contained therein.

Section 6. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and his certification to be entered in the Book of Resolutions of the City Council.

Adopted:

BARRY BRUCKER
Mayor

ATTEST:

BYRON POPE
City Clerk

Approved as to form:

LAURENCE S. WIENER
City Attorney

Approved as to content:

VINCENT P. BERTONI, AICP
Director of Community Development

EXHIBIT A

Resolution No. 08-R-_____

EXHIBIT B

LEGAL DESCRIPTION

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

PARCEL 1:

Lots 1, 2 and 8 and those portions of lots 3 and 7 in block 33 of Beverly, in the City of Beverly Hills, County of Los Angeles, State of California, as per map recorded in Book 13 Pages 62 and 63 of Maps, in the office of the County Recorder of said County, lying Easterly of the following described line:

Beginning at a point in the Northerly line of said block 33 distant South 89° 55' 00" East 335 feet from the Northeast corner of lot 5 of said block 33; thence South 0° 05' 00" West 177 feet; thence Southeasterly to a point in the Northwesterly line of Santa Monica Boulevard 85 feet wide, distant North 50° 28' 30" East 485 feet from the most Southerly corner of block 33.

PARCEL 2:

Those portions of lots 3 and 7 in block 33 of Beverly in the City of Beverly Hills, County of Los Angeles, State of California, as per map recorded in Book 13 Pages 62 and 63 of Maps, in the office of the County Recorder of said County, lying Easterly of the following described line:

Beginning at a point in the Northerly line of said block 33, distant South 89° 55' 00" East 300 feet from the Northeast corner of lot 5 of said block 33; thence South 0° 05' 00" West 177 feet; thence Southeasterly to a point in the Northwesterly line of Santa Monica Boulevard 85 feet wide distant North 50° 28' 30" East 431.22 feet from the most Southerly corner of said block 33.

EXCEPT those portions lying within Parcel 1 above described.

PARCEL 3:

An easement for private road purposes over the West 20 feet of the following described property.

Those portions of lots 3, 4 and 7 in block 33 of Beverly, in the City of Beverly Hills, County of Los Angeles, State of California, as per map recorded in Book 13 Pages 62 and 63 of Maps, in the office of the County Recorder of said County, included within a strip of land 40 feet wide, the center line of which is described as follows:

Beginning at a point in the Northerly line of said lot 3 distant North 89° 55' 00" East 300 feet measured along the Northerly line of said block 33 from the Northwest corner of lot 4 of said block 33; thence South 0° 05' 00" East 177.00 feet; thence Southeasterly South 38° 46' 45" East 583.79 feet to a point on the Southeasterly line of lot 7 of said block 33; distant 431.22 feet from the most Southerly corner of lot 6 of said block 33.

Assessor's Parcel Number: **4327-028-001**

EXHIBIT C

SPECIFIC PLAN

BEVERLY HILTON SPECIFIC PLAN

April 25, 2008

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CHAPTER 1.0
INTRODUCTION

1.1 PURPOSE AND INTENT

This Beverly Hilton Specific Plan (the "Specific Plan") was initiated to provide a framework for the redevelopment of an approximately 8.97-acre site at the western gateway to the City of Beverly Hills (the "City") between Wilshire and Santa Monica Boulevards (the "Specific Plan Area" or "Site"). The existing improvements on the Site include the existing Beverly Hilton hotel buildings and related below and above-ground parking structure. The development of the Site contemplated under the Specific Plan includes 1) the demolition of portions of the existing Beverly Hilton buildings, 2) the demolition of the existing above-ground and below-ground parking structure, 3) construction of a new luxury hotel at the eastern portion of the Site with up to 170 hotel rooms ("East Luxury Hotel Building"), 4) construction of poolside cabanas ("Poolside Cabanas"), 5) construction of a 2 story building with up to 22,000 square feet of conference center uses ("Conference Center"), 6) construction of a 6-story stepped up to 8-story residential building with up to 36 units ("Residences Building A"), 7) construction of a 16-story stepped up to 18-story residential building with up to 74 units ("Residences B Building"), construction of a subterranean parking structure with a minimum of three subterranean levels more particularly described herein, with 1,572 marked parking spaces, 331 valet spaces and capacity for 280 additional spaces that may be required by the Director of Community Development pursuant to the provisions of Section 4.3 below, to accommodate 2,183 parking spaces, and 8) construction of approximately 142,799 square feet of landscaped gardens and pedestrian areas, excluding rooftops, with public art in certain locations. The Specific Plan is a comprehensive policy and regulatory plan that shall be applied to the Site.

1.2 SPECIFIC PLAN AREA

A. Project Location

The Specific Plan Area is comprised of a parcel bounded by Wilshire Boulevard to the north, Santa Monica Boulevard to the east and south, and the centerline of Merv Griffin Way to the west. The net area of the Specific Plan Area is approximately 8.97 acres and has a slight grade running from the northwest to the south of the Specific Plan Area, resulting in a grade change of approximately 15 feet across the site. Figure 1 illustrates the location of the Site and Figure 2 illustrates the Specific Plan Area.

B. Existing Setting

1. Specific Plan Area

The existing development in the Specific Plan Area consists of the original Beverly Hilton hotel, known as the 352-room "Wilshire Tower," the 181-room Oasis/Palm Court building located in the northwest area of the Site, the 36-room Lanai Rooms adjoining the swimming pool, a conference center and office fronting on Wilshire Boulevard, and a below and above-ground parking garage. The hotel buildings include 569 guest rooms, meeting spaces, office space, commercial space, and restaurant uses. Figure 3 illustrates the existing Site conditions. The

implementation of the Specific Plan permits demolition of some of the existing buildings in the Specific Plan Area, including the parking garages, the Oasis/Palm Court portion of The Beverly Hilton, the Lanai Rooms and the adjoining swimming pool, and the meeting, retail, restaurant and office spaces fronting Wilshire Boulevard. Figure 4 illustrates the buildings on the Site that may be demolished.

2. Surrounding Land Uses

The Site is surrounded by a mix of land uses:

North: Wilshire Boulevard. Beverly Gardens Park is located directly north of the Beverly Hilton on the north side of Wilshire Boulevard. North of Beverly Gardens Park is single family one-story and two-story homes. El Rodeo Elementary School is located across Wilshire Boulevard to the northwest of the Site.

South: Santa Monica Boulevard. The former railroad right-of-way is across the street on the south side of Santa Monica Boulevard and is largely vacant. The property immediately south of the railroad right-of-way includes privately operated surface parking, retail (small shops), restaurants, and office building uses.

East: The area to the east, north of Wilshire Boulevard, is developed with high-rise developments and commercial uses as part of the City of Beverly Hills business triangle. The area to the east, south of Wilshire Boulevard, is developed with low-rise commercial buildings, with multi-story office buildings beyond.

West: Merv Griffin Way and the closed Robinson's-May department store and parking structure are located directly west of the site. A residential project, known as 9900 Wilshire, with ancillary commercial uses, has been approved by the City for the site.

Figure 5 illustrates the surrounding land uses.

1.3 GOALS AND OBJECTIVES

Implementation of the Specific Plan is designed to achieve the following goals and objectives:

A. To allow The Beverly Hilton to remain competitive in the hotel industry and local and regional marketplaces.

B. To create a new luxury hotel for the site with facilities, services and amenities on par with a five star or five diamond hotel.

C. To develop an environmentally sensitive and sustainable project.

D. To maintain the integrity of the existing Welton Becket-designed Wilshire Tower.

E. To enhance the City's western gateway and views from Wilshire Boulevard and Santa Monica Boulevard.

F. To develop the Site in a manner that capitalizes on its physical, social, and economic potential without adversely impacting neighboring residential and institutional uses.

G. To expand the variety of high-quality housing options available in close proximity to office and commercial centers, without displacing existing housing or residents.

H. To provide high-quality housing for local and area residents to meet market demand and provide a variety of housing options.

I. To maximize open space and accommodate on-site gardens and landscaped common space that complements the garden character of the Site and City.

J. To promote pedestrian activity in and around the Specific Plan Area.

K. To place parking and ancillary uses below grade to accommodate at-grade gardens and landscaped common space and create a more pleasant visual environment.

L. To improve vehicular circulation on the Site and in vicinity by providing multiple points of access to the Site, increasing on-site accommodations for event parking, and implementing off-site roadway improvements.

M. To maintain and enhance the sources and amount of transient occupancy tax for the City.

N. To provide affordable housing consistent with the objectives of the City's adopted or amended Housing Element by providing a contribution to the City's affordable housing trust fund.

O. To create a landmark luxury hotel in Beverly Hills that continues the Beverly Hills tradition of such uses.

1.4 CONTENTS

The Specific Plan consists of the following components:

Chapter 1.0 (Introduction): Chapter 1.0 provides a broad overview of the Specific Plan and its goals.

Chapter 2.0 (Planning Context): Chapter 2.0 describes the planning issues and process for the Specific Plan Area.

Chapter 3.0 (Plan Components): Chapter 3.0 sets forth the general land use concepts for the Specific Plan Area and describes land uses, building placement, traffic circulation and utilities.

Chapter 4.0 (Development Standards and Guidelines): Chapter 4.0 sets forth development standards and guidelines for the Specific Plan Area, including permitted uses, parking, building height, sign standards and architecture and design.

Chapter 5.0 (Implementation and Administration): Chapter 5.0 provides a review of the Specific Plan's relationship to the General Plan and sets forth the implementation and amendment process.

Chapter 6.0 (Operational Standards): Chapter 6.0 sets forth provisions governing the long-term operation of uses within the Specific Plan Area.

Chapter 7.0 (Mitigation Measures): Chapter 7.0 sets forth the conditions of approval and mitigation measures that have been adopted by the City Council and incorporates those conditions and mitigation measures into the Specific Plan.

Chapter 8.0 (Figures): Chapter 8.0 contains the Figures referenced throughout the Specific Plan and are integral elements of the Specific Plan.

Exhibit 1: Conditions of Approval imposed on the Specific Plan

CHAPTER 2.0
PLANNING CONTEXT

2.1 INTRODUCTION

This chapter provides an overview of the specific plan process and the public participation in developing the Specific Plan.

2.2 AUTHORITY

The California Government Code (Title 7, Division 1, Chapter 3, Article 8, §§ 65450-65457) authorizes cities to adopt specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan. Any specific plan adopted pursuant to this authority shall be consistent with the adopted general plan. Once the Specific Plan is adopted, related zoning, subdivision, public works projects and development agreements shall then be consistent with the Specific Plan.

2.3 GENERAL PLAN AND ZONING DESIGNATIONS

The Specific Plan Area was designated as Low Density General Commercial on the General Plan land use map and had a zoning designation of C-3 prior to the adoption of this Specific Plan.

In connection with the adoption of the Specific Plan, the Land Use Plan Map in the Land Use Element of the General Plan is being amended to designate the Specific Plan Area as "Specific Plan: Beverly Hilton." The zoning designation for the Specific Plan Area also is being amended to change the designation for the Specific Plan Area to the "Beverly Hilton Specific Plan" zone. Section 5.2 of the Specific Plan provides an analysis of the Specific Plan's consistency with the City's General Plan.

2.4 RELATIONSHIP TO THE MUNICIPAL CODE

As set forth in Title 10, Chapter 3, Article 15.8 of the Beverly Hills Municipal Code (the "Municipal Code"), this Specific Plan supersedes other development regulations and standards set forth in the Beverly Hills Zoning Ordinances (Chapters 3 and 4 of Title 10 of the Beverly Hills Municipal Code) for the Specific Plan Area. Except where the provisions of this Specific Plan expressly provide otherwise, the provisions of this Specific Plan are applied in lieu of the provisions of the Zoning Ordinances. For development standards not established as part of the Specific Plan, the standards in the Planning and Zoning Ordinances shall apply. In addition, any terms used in this Specific Plan that are not defined or described herein shall have the meanings, if any, set forth for them in the Planning and Zoning Ordinances.

2.5 PUBLIC PARTICIPATION

The proposed development authorized by the Specific Plan was first presented at a joint meeting of the City Council and Planning Commission on April 4, 2006. City staff conducted a public scoping meeting on September 18, 2006, for the purposes of obtaining public input regarding the potential environmental impacts associated with the Specific Plan, which were analyzed as part

of the environmental review of the Specific Plan mandated by the California Environmental Quality Act ("CEQA"). A Draft Environmental Impact Report was circulated for public review from August 7, 2007 to September 21, 2007. Portions of the Draft Environmental Impact Report were recirculated for public review from October 15, 2007 to November 13, 2007. The Planning Commission conducted public hearings on August 22, 2007, September 10, 2007, October 3, 2007, November 1, 2007, November 8, 2007, December 13, 2007, January 31, 2008, February 7, 2008, and February 20, 2008 and took public comment on the proposed development of the Site and the Specific Plan. The City Council conducted public hearings on March 27, 2008, April 1, 2008, April 8, 2008, April 15, 2008, and deliberated the Specific Plan and related entitlements on April 21, 2008, and April 29, 2008. The public was provided numerous opportunities to provide input into the development of the Specific Plan and other entitlements for the proposed project. The Specific Plan reflects changes to the originally proposed Specific Plan recommended by the Planning Commission and City Council.

2.6 CEQA COMPLIANCE

A Final Environmental Impact Report (the "Final EIR") has been prepared for the Specific Plan pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*, the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*), and the City's Local Environmental Guidelines. The Final EIR addresses the potential environmental impacts resulting from the implementation of the proposed Specific Plan and sets forth mitigation measures to lessen those environmental impacts. These mitigation measures have been incorporated into the Specific Plan(see Chapter 7.0).

CHAPTER 3.0
PLAN COMPONENTS

3.1 INTRODUCTION

The Specific Plan is a comprehensive policy and regulatory document that shall be used to guide development of the Site. This chapter addresses (a) the location, distribution and extent of land uses within the Specific Plan Area and (b) the location, distribution and extent of essential facilities serving the Specific Plan Area.

3.2 LAND USES

The land use concept for the Specific Plan Area provides for a complementary development consisting of two luxury hotels and ancillary uses, luxury residential units, an underground parking garage, and outdoor amenities and gardens. Figure 6 illustrates the basic site plan for development within the Specific Plan Area.

3.3 SITE PLANNING

A. Building Placement

The location and distribution of buildings and open space shall be substantially as shown on Figure 6 of the Specific Plan.

The number of hotel rooms within the Specific Plan Area shall not exceed five hundred and twenty-two (522) upon full implementation of the Specific Plan. The number of residential units shall not exceed one hundred and ten (110) upon full implementation of the Specific Plan. No more than 20,523 square feet of restaurant uses shall be developed in the Specific Plan Area.

Development authorized by the Specific Plan includes the following:

1. Wilshire Tower

The original Wilshire Tower shall remain as a hotel use, including ancillary uses, and may have up to three hundred and fifty-two (352) rooms. Rooms in the Wilshire Tower may be combined, reconfigured, or eliminated provided that the number of rooms does not exceed three hundred and fifty-two (352) and further provided that there is no reduction in the building square footage that is dedicated to hotel rooms. In addition, the Wilshire Tower may include replacement conference rooms and offices within a new building connected on the east side of the Wilshire Tower adjacent to Wilshire Boulevard. No condominium units shall be located in the Wilshire Tower without an amendment to the Specific Plan and approval of a subsequent tract map.

Given the significance of the Wilshire Tower, any material changes to the exterior features of the Wilshire Tower, including colors, materials, and signage, shall be subject to the approval of the Director of Community Development ("Director").

2. Residences A Building

The residential component on the northwest portion of the Specific Plan Area near the corner of Wilshire Boulevard and Merv Griffin Way shall be a building with a maximum of thirty-six (36) residential units.

3. Residences B Building

The residential component on the southwest portion of the Specific Plan Area near the corner of Santa Monica Boulevard and Merv Griffin Way shall be a building with a maximum of seventy-four (74) residential units.

4. New East Luxury Hotel Building

The new East Luxury Hotel Building shall be located at the easternmost area of the Site near the intersection of Wilshire and Santa Monica Boulevards as shown on Figure 6. This building shall contain a maximum of one hundred and seventy (170) hotel rooms.

The new East Luxury Hotel Building shall be built (including construction design and materials used) and shall operate at the same or better standard (on an overall basis and in all material respects) as urban hotels that are operated under the Ritz-Carlton and/or Four Seasons names, and which have an "AAA" rating of four (4) or five (5) diamonds or "Mobil" rating of four (4) or five (5) stars, with a preference for five (5) diamonds or stars. If such rating systems no longer exist, then a comparable rating under a hotel rating system generally accepted in the travel industry, as mutually agreed by the Owner and the City, shall be used to determine compliance with this provision.

5. Conference Center Building

The new Conference Center Building shall be located on the northeast portion of the site, near Wilshire Boulevard and to the east of the main garden area open to Wilshire Boulevard as shown on Figure 6. This building shall contain a conference center of no more than twenty-two thousand (22,000) square feet.

6. Poolside Cabanas

Poolside Cabanas may be located near the existing and future pool area of The Beverly Hilton. Any such cabana structures shall only be available for private use during pool hours and shall not be rented for overnight use.

B. Circulation

1. Local Circulation

The Specific Plan Area is located within the area bounded by Wilshire Boulevard to the north, Santa Monica Boulevard to the south, and Merv Griffin Way to the west. Other key streets in the vicinity include Whittier Drive and Elevado Avenue to the north. The locations of these streets are shown on Figure 8.

Wilshire Boulevard is an east-west arterial roadway that runs between Ocean Avenue in Santa Monica to the west and Grand Avenue in downtown Los Angeles to the east. In the vicinity of the Specific Plan Area, Wilshire Boulevard provides six lanes of travel, which are divided by painted medians and two-way left turn lanes. On-street parking is not permitted before 7:00 p.m. on Wilshire Boulevard within the immediate vicinity of the Specific Plan Area. Wilshire Boulevard is on the Congestion Management Plan (CMP) road system as a part of the CMP roadway network. Wilshire Boulevard includes many major busways operated by the Metropolitan Transportation Authority ("Metro"), and a bus stop is located adjacent to the Specific Plan Area just west of Santa Monica Boulevard.

Santa Monica Boulevard has been designated by the City as a Major Class 1 Highway. It is an east-west arterial roadway that runs between the City of Santa Monica to the west and Sunset Boulevard in Silver Lake to the east. The Santa Monica Boulevard Transit Parkway Project which was completed in 2007 consisted of the reconstruction and reconfiguration of 2.5 miles of Santa Monica Boulevard between I-405 on the west and Beverly Hills city limit on the east (Moreno Drive). This segment of the boulevard has three eastbound and three westbound travel lanes. The project includes a new street lighting and traffic signal system, a landscaped median, bicycle lanes and bus priority features. Santa Monica Boulevard is on the CMP road system as part of the CMP roadway network. Santa Monica Boulevard includes many major busways operated by Metro, and a bus stop is located adjacent to the Specific Plan Area just south of Wilshire Boulevard.

Whittier Drive is a local residential street. It is a north-south roadway, the southern terminus of which is directly across the street from the northern terminus of Merv Griffin Way. Nearby, Trenton Drive, a local residential street, originates at Whittier Drive and travels east and south, terminating at Wilshire Boulevard. Carmelita Avenue, a local residential street, begins at its intersection with Wilshire Boulevard and, running primarily west-east, ends near the eastern border of the City of Beverly Hills at Santa Monica Boulevard.

Transportation improvements and facilities, including, but not limited to driveways and parking facilities, shall be constructed within the Specific Plan Area to minimize the parking and circulation impacts on surrounding streets. The driveways and access points to parking facilities to be constructed within the Specific Plan Area shall be substantially as shown on Figure 8.

The access points, driveways and roadway improvements shall be substantially as shown on Figure 8. The primary vehicular ingress and egress for the Wilshire Tower shall be from Merv Griffin Way through a motor court, which shall include direct vehicular access to the subterranean parking garage. Primary access for delivery vehicles shall be provided from Santa Monica Boulevard, with additional loading areas provided along Merv Griffin Way. The primary vehicular ingress and egress for the residential units located on the west side of the Specific Plan Area shall be from Merv Griffin Way, with direct access to the subterranean parking garage. The primary vehicular access for the East Luxury Hotel Building shall be from Wilshire Boulevard and Santa Monica Boulevard, through a motor court, and shall include direct vehicular access to the subterranean parking garage.

Improvements shall be made to Wilshire Boulevard, Santa Monica Boulevard and Merv Griffin way, as described in Section 7.1 of Chapter 7.0.

2. Traffic Impacts

A traffic impact study was prepared in connection with consideration of the Specific Plan and related EIR. The study analyzed the impact of the Specific Plan and concluded that the implementation of the Specific Plan would have no significant adverse traffic impacts.

3. Pedestrian Circulation

The pedestrian character of the portion of Wilshire Boulevard and Santa Monica Boulevard adjoining the Site shall be created with landscaping and lighting improvements with the implementation of the entirety of The Beverly Hilton Revitalization Plan. The Merv Griffin Way frontage shall be improved with attention to pedestrian scale and details. The provision of this pedestrian opportunity is designed to encourage pedestrians from neighboring areas to walk to commercial uses, such as the hotel and restaurants in the Specific Plan Area, and to provide an attractive pedestrian link between the Business Triangle and the Beverly Hilton Specific Plan Area. See Figures 21 and 22.

4. Parking Facilities

Upon completion of development permitted by the Specific Plan, the subterranean parking structures shall provide the capacity to park not less than 2,183 vehicles in accordance with the requirements of Section 4.3 of the Specific Plan. Parking shall be provided substantially as shown in parking layout plans to be reviewed and approved by the Director of Community Development, and shall include separate residential and hotel parking areas. The subterranean parking structure shall provide capacity for no less than 2,183 vehicles, utilizing valet parking operations, substantially as shown in the parking layout plans to be approved by the Director. These spaces shall provide parking for all land uses within the Specific Plan Area. Conceptual configuration of the parking areas is shown on Figures 9A through 9D, but are subject to change in the parking layout plans to be approved by the Director. If the project is constructed in phases, sufficient parking for each phase shall be provided, as determined by the Director.

3.4 UTILITIES

Due to the long-time operation of hotel and other related commercial uses in the Specific Plan Area and the urbanized nature of the surrounding area, the Specific Plan Area is currently provided with adequate facilities for sewage, water, drainage, solid waste disposal, and energy. As limited in size and intensity of use by the Specific Plan, the Specific Plan Area shall not require the development of additional sewage, water, solid waste disposal, energy, or other essential facilities. However, the project shall pay its fair share to mitigate any impacts on City facilities. In addition, all utility construction, connections and maintenance shall conform to the provisions of the Beverly Hills Municipal Code.

A. Water

The City provides water to the Specific Plan Area. Figure 11 shows the location and size of the water distribution system that serves the Specific Plan Area. Project implementation will include an upgrade in the water distribution system to a 12-inch main for required fire hydrant flow rates. The existing supply and distribution of water, with the upgraded main can accommodate the

level of water demand from the hotel, commercial and residential uses proposed in the Specific Plan Area.

B. Sewer

Figure 12 shows the present size and location of the sewer facilities servicing the Specific Plan Area. Wastewater generated from the Specific Plan Area would be conveyed through these lines and treated at the Hyperion Water Treatment Plant in El Segundo. The calculations prepared by the City in connection with its review of the Specific Plan indicate that the existing sewer lines are adequate to accommodate the level of wastewater generated by the Specific Plan.

C. Solid Waste Disposal

Solid waste disposal for the Specific Plan Area is provided through a franchise with the City. All solid waste generated by the Specific Plan Area shall be disposed of at landfills in Los Angeles or Riverside Counties. The City's solid waste is currently disposed of at the following landfills: Puente Hills Landfill, Bradley West Landfill, Chiquita Canyon Landfill, Sunshine Canyon Landfill, and El Sobrante Landfill (Riverside County), although other solid waste facilities may be used. Based on the projected solid waste generation, the Specific Plan Area will not have significant solid waste disposal impacts and existing solid waste disposal facilities and landfill capacities are sufficient to accommodate the Specific Plan's projected solid waste.

D. Storm Drain

The Specific Plan Area is currently developed with hotel and parking structures. Implementation of the Specific Plan will not result in changes in absorption rates that would increase the amount of stormwater runoff from the Specific Plan Area. In addition, development within the Specific Plan Area shall comply with all requirements of the City's National Pollution Discharge Elimination System Permit (NPDES) and the City's stormwater and urban runoff management ordinance (Article 5, Chapter 4, Title 9 of the Beverly Hills Municipal Code). The storm drain plan for the Specific Plan Area is shown on Figure 13 of this Specific Plan.

E. Energy

The Southern California Edison Company provides electricity to the Specific Plan Area. The Southern California Gas Company provides natural gas to the Specific Plan Area. According to the studies prepared for the Specific Plan, the existing supply and distribution of electricity and natural gas can accommodate the level of demand from the uses proposed in the Specific Plan. Figures 14 and 15 illustrate electrical and gas facilities, respectively.

F. Graywater System

The project shall include a graywater system to reduce overall project water demands, and specifically, limit the demand for irrigation water. The graywater system will keep graywater separate from potable water and may include: (1) separate tanks to hold the graywater before and treated water after treatment; (2) a graywater treatment system including filtering and disinfecting systems; (3) booster pumps to ensure water is delivered at pressures adequate for their intended uses; (4) to the extent feasible, a passive stormwater capture system to further

reduce the demand for potable water; and (5) the ability to discharge surplus graywater to the municipal sewer.

The graywater system shall collect drainage discharged from sinks, service sinks, bathtubs, showers, and clothes washers. The "gray" wastewater shall then be filtered and treated until it reaches a level of quality consistent with its intended re-use. Graywater shall be used for irrigation and other non-potable water using systems, thus reducing the Project's overall water demands. The Residence A and B Buildings, new East Luxury Hotel Building, Conference Center Building, gardens and project landscaping shall be served by and incorporated into the design of the graywater system. The portions of the existing Beverly Hilton Hotel buildings that will be retained as part of the Specific Plan are not required to be served by or incorporated into the design of the graywater system, but incorporation of such retained buildings into the graywater system is encouraged whenever feasible.

CHAPTER 4.0
DEVELOPMENT STANDARDS AND GUIDELINES

4.1 GENERAL PROVISIONS

The Specific Plan is a policy and regulatory document, and all development within the Specific Plan Area shall be governed by the Specific Plan in accordance with the development standards and guidelines contained herein.

4.2 PERMITTED USES

The uses allowed in the Specific Plan Area shall be limited to those uses shown on Figure 6 or otherwise described in this Section. Uses allowed in the Specific Plan area shall recognize the existing Hotel uses and the Business Triangle Commercial Area to the northeast of the site. Ancillary uses for the hotels include, without limitation, lobbies, lounges, function and pre-function spaces, retail, restaurants and open air dining, bars, health and day spas, fitness center, pools, roof-top uses including pools, recreational facilities and gardens, parking, storage, laundry and dry cleaning facilities, and central power, heating and air conditioning facilities. Ancillary uses for the condominiums include health spas, private fitness centers, pools, screening rooms, resident-serving retail uses, meeting rooms, roof-top uses including pools, recreational facilities and gardens, common and outdoor living areas, parking, storage, central power, heating and air conditioning facilities, other and amenities associated with luxury residential units for use by residents and their guests. Permitted uses shall also include the other permitted uses shown on Figure 6 or otherwise described in Section 4.2 of Chapter 4.0, and similar uses approved by the Director.

The uses set forth below are permitted uses within the Specific Plan Area. If a use is not listed below or is not a similar use that the Director determines is consistent with the goals and objectives of the Specific Plan, then such use is presumed to be prohibited unless a Conditional Use Permit is approved by the Planning Commission pursuant to the procedures set forth in Title 10, Chapter 3, Article 38 of the Municipal Code or any successor provisions. The Planning Commission may approve otherwise prohibited uses if the Commission determines, in addition to the required conditional use permit findings, that such uses do not materially alter the distribution, location and extent of the uses of land as set forth in the Specific Plan and the uses fulfill the intent of the Specific Plan as described in Section 1.3 (Goals and Objectives) of the Specific Plan. The foregoing notwithstanding, uses that must be permitted pursuant to Federal law shall be deemed permitted uses, and shall comply with any and all provisions of the Municipal Code regarding such uses.

A. Hotel Area

The following uses are permitted within the portion of the Specific Plan Area designated for hotel use, as shown on Figure 6:

- Airline ticket office.

- Alcohol sales (on-site and off-site) and consumption in conjunction with the uses listed under food and beverage establishments or in conjunction with open-air dining in the public right-of-way pursuant to Section 10-03-3505 of the Municipal Code, subject only to issuance of a Department of Alcoholic Beverage Control license.
- Art shop or gallery.
- Barber shop.
- Beauty salon.
- Bookstore.
- Business/conference center.
- Car rental office.
- Clothing and shoe stores.
- Day spa.
- Decorating or interior design shop.
- Florist.
- Food and beverage establishments, including bakeries, cafes, delicatessens, beer and wine shops, ice cream parlors, open air dining areas, located outside the public right-of-way, restaurants (full service), bars (in conjunction with restaurants) and specialty food, but excluding drive-up, drive-in and drive-through.
- Gift/novelties shop.
- Hotel and related ancillary facilities, including food and beverage establishments, meeting rooms, ballrooms, and other commercial uses listed in this Section.
- Jewelry store.
- Indoor live entertainment as an ancillary use in conjunction with a hotel.
- Outdoor live entertainment as an ancillary use in conjunction with a hotel, subject to the City's Noise Ordinance, and only in those areas identified on Figure 7.
- Retail stores and shops as ancillary uses in conjunction with a hotel.
- Newsstand.
- Ancillary parking garage.
- Photography shop or art gallery.
- Stationery stores.
- Travel agency.
- Other similar uses determined by the Director to be consistent with the goals and objectives of the Specific Plan.

B. Residential Area

The Specific Plan Area for the Residences building portions shall be designated for residential use, as shown on Figure 6. Uses permitted in the Residences building areas designated for residential use shall include residential dwellings, including condominiums, and the usual and customary accessory and appurtenant uses thereto, including without limitation the ancillary uses. Ancillary uses for the condominiums include health spas, private fitness centers, pools, private screening rooms, resident-serving retail uses, meeting rooms, roof-top uses including pools, recreational facilities and gardens, common and private outdoor living areas, parking, storage, central power, heating and air conditioning facilities, other and amenities associated

with luxury residential units. Uses shall also include the other uses shown on Figure 6 or otherwise described in Section 4.2 of Chapter 4.0, and similar uses approved by the Planning Commission.

4.3 PARKING

A. Parking Requirements

Upon completion of the development permitted by the Specific Plan, the parking structure(s) shall have the capacity to park 2,183 vehicles through a combination of marked spaces, valet spaces and mechanical lift spaces as provided in this Section. Upon completion of the development permitted by the Specific Plan, not less than 1,572 marked parking spaces shall be provided. A total of 331 spaces shall be provided as valet spaces. Capacity for an additional 280 spaces may be provided through mechanical lift spaces, marked spaces or valet spaces; the requirement to add the additional 280 spaces shall be determined by the Director as provided below. The configuration of the parking areas shown on Figures 9A through 9D and Figure 10 are representative, however final parking layout plans and parking operations management plan shall be approved by the Director prior to the issuance of any building permit for any part of the Project. Thereafter, the parking plans may be modified with the approval of the Director.

The spaces provided in the parking structure(s) shall provide parking for all land uses within the Specific Plan Area. The parking structure(s) may be built in phases as the development permitted by the Specific Plan is constructed, but the Director shall have the authority to determine the amount of parking required for each phase. Tandem spaces may not exceed 21% and compact spaces may not exceed 15%. Mechanical lift spaces shall be designed to lift a standard car and shall be considered a standard space, and the parking plans shall include designation of the areas in which mechanical lift spaces may be installed and those designated areas shall be designed with sufficient ceiling height to accommodate the mechanical lifts and related equipment.

In the event the Director in good faith determines, as herein provided, that there is a parking impact from uses within the Specific Plan in adjacent residential neighborhoods, the Director may require installation of an additional 280 parking spaces. The additional 280 parking spaces may be provided by a combination of additional marked, valet or mechanical lift spaces. The additional spaces shall be provided within one hundred and eighty (180) days after the Director's determination.

Additional parking, calculated pursuant to the provisions of the Beverly Hills Municipal Code parking standards, shall be provided for any additional use or uses that may be approved pursuant to the conditional use permit process set forth in Section 4.2 of this Specific Plan.

B. General Parking Provisions

All hotel, restaurant, retail, and other commercial parking shall be separated from the parking for the residents and their guests. Entry into the residential parking area shall be restricted by key-card or similarly secured access. The guest parking and valet parking for the residential component shall be located within the separately designated residential parking area. Valet parking shall be available for residents and to guests of the Residence Buildings. Valet and self parking shall be provided for hotel and restaurant patrons, unless otherwise approved by the Director of Community Development pursuant to a parking management plan. Of the required parking spaces, a total of 330 standard size parking spaces, as defined below, shall be provided for the Residence Buildings. If the number of units is reduced or the number of bedrooms modified then the parking requirement shall be adjusted consistent with the requirements of the Beverly Hills Municipal Code.

1. Parking Stall Dimensions and Aisle Width

   a. Standard Space: 9'-0" x 18'-0" (minimum).

   b. Compact Space: 8'-0" x 16'-0" (minimum). Not more than 15% of the total required parking stalls for the entire site may be designed as compact stalls, and parking for Residences A and B Buildings shall not include any compacts stalls. The restrictions of this paragraph 4.3 B. 1 b. shall not apply to parking stalls in excess of the number of required stalls.

   c. Minimum Aisle Width: 24'-0". The Director of Transportation and Engineering shall determine the appropriate aisle width where parking spaces are provided at less than a 90° angle to a drive aisle.

2. Tandem Spaces

   Each required parking stall within a parking area or garage shall be individually and easily accessible, except that automobiles may be parked in tandem in the following instances:

   a. In a public parking area providing attendants to park vehicles at all times said garage or parking area is open for use.

   b. In a parking area serving the residential units where the tandem parking is not more than two cars in depth, and provided that at least one parking stall per dwelling unit is individually and easily accessible. Residentially-assigned tandem spaces shall be assigned to the same residential unit.

C. Loading Areas

Four (4) short-term drop-off areas and three (3) longer-term loading areas shall be provided for the Specific Plan Area substantially in the locations and dimensions shown on Figure 8.

D. Hotel Access Areas

A primary hotel access area off of Merv Griffin Way shall be provided for the Wilshire Tower, substantially as shown on Figure 8. In addition, a primary hotel access area for the East Luxury Hotel Building shall be provided off of Wilshire Boulevard and Santa Monica Boulevards, substantially as shown on Figure 8.

4.4 STREET IMPROVEMENTS

A. Wilshire Boulevard Improvements

East bound Wilshire Boulevard shall include 2 left-turn lanes, 2 though lanes, and one through/right-turn lane at its intersection with Santa Monica Boulevard. The current drop off area on Wilshire Boulevard at the existing entrance to The Beverly Hilton shall be removed. From the location of the to be removed hotel drop-off area to approximately 160' west of the Santa Monica Boulevard intersection, a driveway parallel with Wilshire Boulevard shall be included as part of the construction for the East Luxury Hotel building. The curb radius at the corner of Wilshire Boulevard and Santa Monica Boulevard shall be redesigned and improved to provide safer right turns from Wilshire Boulevard to Santa Monica Boulevard. Also, as part of the street widening and streetscape improvements, the existing traffic signal at the intersection is proposed to be reconstructed and retimed to improve the efficiency of he Wilshire Boulevard and Santa Monica Boulevard intersection operation.

In addition to the roadway improvements, a new improved parkway varying from 10-27 feet in width shall provide for a new sidewalk, transit facilities and enhanced landscaping along the Wilshire Boulevard frontage as part of the project as shown on Figure 8.

B. Santa Monica Boulevard Improvements

Santa Monica Boulevard will be enhanced through a landscaped median located east of the intersection with Merv Griffin Way. A new traffic signal at the intersection of Merv Griffin Way and Santa Monica Boulevard is proposed to provide safe and efficient access to the site and Wilshire Boulevard. A curb line set back along Santa Monica Boulevard will be created to accommodate a new westbound lane. A new on-site staging area along the Santa Monica Boulevard edge of the property will utilize existing driveways while allowing for additional production and delivery vehicle capacity and parking to satisfy event requirements and operation needs for the hotels and residences. Furthermore, the site access plan will remove one existing driveway currently located on Santa Monica Boulevard. See Figure 8.

C. Merv Griffin Way/Whittier Drive Improvements

Merv Griffin Way will be aligned with Whittier Drive at its intersection with Wilshire Boulevard to provide a more efficient and safer intersection. The reconstructed intersection will include

three lanes northbound, including a right-turn lane, with two lanes southbound to Santa Monica Boulevard to increase the capacity of the intersection. In addition, a curb line setback along Merv Griffin Way north of the Hotel Entrance will allow for additional production and delivery vehicle circulation and parking satisfying event requirements and other operation needs for the hotels and residences. See Figure 8.

4.5 FLOOR AREA RATIO

The Floor to Area Ratio ("FAR") of the Specific Plan Area in its entirety shall not exceed 2.5:1, notwithstanding the specific lot configurations of the Site, at the completion of the implementation of the Specific Plan. Individual parcels or lots may exceed the permitted FAR, provided the FAR for the Specific Plan Area when calculated as a whole shall not exceed the maximum permitted FAR of 2.5:1.

4.6 BUILDING HEIGHT

Height for any structure on the Site shall be expressed as being measured from the adjacent grade.[1] Due to the natural slope of the parcel, there is an approximately 15 foot decrease in elevation from the northwest to the south, which results in a range of building heights across the site. In determining the height of a building or structure, none of the structures, improvements, features and other elements, and limitations applicable to such, now or hereafter excluded from the calculation of height in the definition of "Height of Building" in Section 10-3-100 of the Municipal Code (or any successor provision) shall be considered when determining the height of a building or structure pursuant to this Section 4.5. Figures 16A through 16F establish the permitted heights of buildings within the Specific Plan Area.

The height of the Conference Center on Wilshire Boulevard shall not exceed 41 feet from the adjacent grade[2] and two stories. The height of the Residences A Building near the corner of Merv Griffin Way and Wilshire Boulevard shall not exceed 101 feet from the adjacent grade[3] and 8 stories at the tallest point. The height of the Residences B Building near the corner of Merv Griffin Way and Santa Monica Boulevard shall not exceed 218 feet from the adjacent grade[4] and 18 stories at the tallest point. The height of the East Luxury Hotel Building shall not

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[1] "Height of Building" for nonresidential uses is defined in section 10-3-100 of the Beverly Hills Municipal Code, in part, as follows: "'height' shall mean the distance from the highest point of the natural ground level at the perimeter of a building or structure or from the highest point of the public sidewalk adjoining the lot or parcel upon which the building or structure is to be erected, whichever is higher, to the highest element of the building or structure." This height shall be expressed as height from the "datum point." It should be noted that measuring from datum point and measuring from adjacent grade are simply two different measuring conventions that define that same point above the project site.

[2] 29 feet from the datum point.

[3] 97 feet from the datum point.

[4] 200 feet from the datum point.

exceed 150 feet from the adjacent grade[5] and 12 stories. The heights of buildings shall be in substantial compliance with Figures 16A through 16F.

4.7 SIGN STANDARDS

A unified sign plan, satisfactory to the Director (the "Unified Sign Plan") shall be prepared for the Specific Plan Area. The Unified Sign Plan shall encompasses all exterior signage, including both permanent and temporary signs, and include locations of all new signage. The Director shall have the authority to approve or conditionally approve the Unified Sign Plan, and that decision shall be appealable to the Planning Commission. After approval of the Unified Sign Plan all signs that, in the determination of the Director, are consistent with the approved Unified Sign Plan, shall be issued a building permit without further discretionary review. The provisions of Title 10, Chapter 4 of the Municipal Code are not applicable to the Unified Sign Program.

All other signs shall be subject to architectural review pursuant to the procedures set forth in Chapter 4 of Title 10 of the Municipal Code. Signage for the Specific Plan Area shall be designed to identify entry locations and other key locations in the Specific Plan Area. Nothing in this Section shall require the modification of the display of any existing sign in the Specific Plan Area at the time of approval of the Specific Plan, including the existing signs reading "the BEVERLY HILTON."

4.8 OUTDOOR LIGHTING

A. Outdoor Lighting Plan

The City's Architectural Commission shall review and approve, subject to any required conditions, an outdoor lighting plan for the Specific Plan Area (the "Outdoor Lighting Plan") that encompasses all exterior lighting fixtures. Thereafter, all exterior lighting fixtures that, in the determination of the Director, are consistent with the adopted Outdoor Lighting Plan shall be permitted, subject to the issuance of any necessary permits, without further discretionary review. The Outdoor Lighting Plan shall incorporate the provisions specified in Subsection B through H of this Section.

B. Perimeter Street and Landscape Lighting

Light fixtures for the perimeter streets shall provide safe roadway and sidewalk lighting from well shielded fixtures, with light directed down to the pavement to prevent light spillover onto adjacent properties. Light fixtures shall be of a medium height (20 to 25 feet tall) to meet the roadway illumination requirements, the City of Beverly Hills street lighting standards, and coordinate with the street width. Lighting for the pedestrian walkways at Wilshire Boulevard, Merv Griffin Way, and Santa Monica Boulevard frontage sidewalk and landscape set back shall be a uniform brightness to provide the required safety and security lighting along the street. The type and design of the light fixtures shall reflect the unique, contemporary character of the project's architectural design. Landscape lighting shall highlight the plant forms and patterns

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[5] 136 feet from the datum point.

from concealed light sources, directed from the street side back to the interior of the Site to minimize any off-site glare or brightness.

C. On-Site Street, Sidewalk and Landscape Lighting

The lighting for the primary and secondary vehicular entrances shall provide required lighting for safety and security for pedestrian and vehicles, while defining unique exterior spaces at night with the pattern and intensity of light. Lighting fixtures at these entrances shall be lower scale height to create a more domestic quality with contemporary design details, well shielded to limit any high brightness or glare, and integrated with the spacing and design of the landscape forms. The proposed light fixtures include low height (15 feet tall) light poles, bollards, grade mounted landscape up-lights, in-ground burial up-lights, wall brackets and water feature lighting to create a distinct design character.

D. Motor Court Entry and Landscape

The lighting for the Motor Courts shall define the main exterior space with a slightly higher light level to allow for safe interaction of hotel guests, residents, staff, and vehicular traffic. The extent and form of the motor court shall be defined by a fixtures including low height (15 feet tall) light poles, bollards, grade mounted landscape up-lights, in-ground burial up-lights.

E. Pool Deck Level and Guest Amenities

Lighting at the outdoor activity and amenity spaces shall be low intensity, with the space defined by light washing building surfaces and landscape forms. The design incorporates distinct quality lighting comprised of decorative lanterns, concealed point and linear sources, recessed downlights and in ground up-lights. All proposed light sources shall be shielded to limit glare and improve comfort.

F. Building Façades

Exterior façade lighting shall define the project location and identity, and provide indirect light to adjacent exterior spaces on the Site. Lighting for the façades shall be integrated into the building elevation design, feature and accent the unique details of the architectural design, and located and specified to limit direct light to the building façade and the adjacent on-site landscape zones. Light fixtures shall be shielded so that no light is projected across the property lines onto adjacent properties.

G. Service Yard

Exterior service and maintenance areas shall be illuminated for safety with uniform brightness at the ground plane. Lights shall be shielded to direct light down to the walking or working surfaces. Service lights shall be switched via photocell, time clock, or motion switch to minimize the hours of operation to coordinate with the hours of use of the service or loading area.

H. Art Installation Lighting.

Lighting for sculpture or art installations shall be medium surface brightness, with light sources directed to contain the visibility of the light sources to within the project property lines.

I. Historic Streetlamps.

The street lights adjacent to the Site have been found to be potentially historic and shall be preserved and reinstalled along the Specific Plan Area of Wilshire Boulevard and Santa Monica Boulevard, as appropriate, in consultation with the project developer, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.

4.9 ARCHITECTURE AND DESIGN

A. Existing Site at the Time of Implementation of the Specific Plan

The Specific Plan provides for the removal of the above grade parking structure, the Oasis / Palm Court building which negatively impacted Merv Griffin Way by its location, obsolete portions of the Wilshire Tower, and extensive amounts of concrete paving, to create a landscaped campus setting with significantly increased open space filled with gardens.

The plan includes a remodeled pool area, new Poolside Cabanas, a Conference Center, a luxury hotel, two residence buildings, and low rise roof top landscaping as well as an extensive amount of outdoor artwork. The overall goal of the Specific Plan is to transform the existing limited open space and hard paved surfaces of the existing approximately 8.97 acre site with more landscaping which celebrates the garden city quality of Beverly Hills.

B. Poolside Cabanas

The Poolside Cabanas for the Beverly Hilton shall be located along Santa Monica Boulevard facing the Beverly Hilton pool area. The structures shall reflect modern architecture design principles that honor the original Welton Becket architecture of The Beverly Hilton Wilshire Tower, and shall respect the original design of the Beverly Hilton, which included poolside cabanas.

C. Residences A Building

The Residences A Building shall be located near the intersection of Merv Griffin Way and Wilshire Boulevard. The building shall be set back from Wilshire Boulevard approximately 67 feet. The building shall reflect modern architecture design principles that honor the original Welton Becket architecture of The Beverly Hilton Wilshire Tower. The architectural design shall reflect the California climate and indoor/outdoor living through extensive transparency, open balconies and high degree of connectivity between the interior and exterior landscaped spaces.

The Residences, A Building, shall be constructed substantially as shown on Figures 17A through 17B.

D. Residences B Building

The Residences A Building shall be located near the intersection of Merv Griffin Way and Santa Monica Boulevard. The building shall be set back from Santa Monica Boulevard approximately 35 feet. The building shall reflect modern architecture design principles that honor the original Welton Becket architecture of The Beverly Hilton Wilshire Tower. The architectural design shall reflect the California climate and indoor/outdoor living through extensive transparency, open balconies and high degree of connectivity between the interior and exterior landscaped spaces.

The Residences, B Building, shall be constructed substantially as shown on Figures 18A through 18B.

E. Conference Center

The Conference Center shall be located on Wilshire Boulevard. The building shall be set back from Wilshire Boulevard approximately 30 feet or more. The building shall be designed to reflect modern architectural design and shall be designed to facilitate the existing conference business of The Beverly Hilton.

The Conference Center shall be constructed substantially as shown on Figure 19.

F. East Luxury Hotel Building

The East Luxury Hotel Building shall be located near the intersection of Wilshire Boulevard and Santa Monica Boulevard. The building shall be set back from Wilshire Boulevard approximately 30 feet. The building shall be designed to reflect modern architecture design principles that honor the original Welton Becket architecture of The Beverly Hilton Wilshire Tower. The architectural design shall reflect the California climate and indoor/outdoor living through extensive transparency, open balconies and high degree of connectivity between the interior and exterior landscaped spaces.

The East Luxury Hotel Building shall be constructed substantially as shown on Figures 20A and 20B.

G. Open Space / Landscaping

The landscaping shall be developed substantially as shown on Figures 21 and 22. The location and type of all plant material shall respond to and complement the architectural design of the buildings in the Specific Plan Area and shall be integrated with the buildings as an additional architectural element. Landscaping shall be used to highlight entries, contrast with or reinforce building lines and volumes, and soften hard structural lines and building mass.

The landscaping shall be designed to enhance the garden quality of the City and shall incorporate mature plant material.

H. Ancillary Services and Parking

All parking and the distribution of services shall be located below grade. The loading dock, drop-of and pick-up areas, staging areas, and staging lane shall be as shown on Figure 22. By setting back from the property edges, the entirety of the plan shall allow for additional traffic capacity along Wilshire Boulevard and Santa Monica Boulevard. Merv Griffin Way shall be aligned, widened and landscaped. Significant amounts of open landscaped space shall be provided at the Wilshire Boulevard and Merv Griffin Way entrance to the Specific Plan Area. Pedestrian sidewalks adjacent to landscaped areas shall be provided continuously around the property as part of the construction of the entire plan. See Figure 21.

I. Architectural Review

Prior to the issuance of building permits, the final design, materials, and finishes of the buildings, and the proposed landscaping shall be subject to review and approval of the City's Architectural Commission. Thereafter, all development that, in the determination of the Director, is in substantial conformance with the Specific Plan shall be issued a building permit without further discretionary architectural review after final review by the Architectural Commission. Any future construction and modification to the exterior of the structures within the Specific Plan Area that is not in substantial conformance with the Specific Plan shall be subject to architectural review pursuant to the procedures set forth in Article 30 of Chapter 3 of Title 10 of the Municipal Code, and may be appealed to the City Council.

4.10 GREEN BUILDING STANDARDS

Development of new permanent structures in the Specific Plan area shall incorporate green construction standards and shall seek certification under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. The intent of LEED is to provide a national definition and standard of what constitutes green building and then to provide third party certification to assure correct implementation of the standard. LEED is based on a point system which determines one of four levels of certification a given building or project can achieve. The LEED categories include Sustainable Sites, Water Efficiency, Energy & Atmosphere, Materials & Resources, Indoor Environmental Quality, and Innovation and Design Process.

The project—but not any development existing on-site at the time of the implementation of the Specific Plan—shall incorporate green building standards that minimize, the extent reasonably feasible, the project's environmental impacts and improve the health and well being of the project's inhabitants and visitors. Any major improvements made to buildings existing on-site at the time of the implementation of the Specific Plan shall comply with Title 24, Part 6 of the California Code of Regulations, regarding energy efficiency, or its equivalent. A major improvement shall be defined as any improvements that exceed 50% of the replacement cost of the specific building undergoing improvement.

Key strategies for new construction shall include:

- Energy efficiency in excess of that required by the California Energy Performance Standard (Title 24) through strategies such as efficient heating and cooling equipment, glazing selection, and window shading from balconies and other overhangs to minimize heat gain while allowing the penetration of natural light;

- Water efficiency through the installation of low water use bathroom fixtures and faucets, and water efficient landscape systems;

- Low-emitting materials, green housekeeping products and other strategies to provide high quality interior air;

- Recycling a minimum of 75% of all construction and demolition debris;

- Subterranean parking to minimize "urban heat island;"

- An urban site close to transit and local services;

- An education program featuring the project's green strategies to educate project residents, visitors and the local community; and

- The involvement during design and construction of a LEED Accredited Professional.

- A grey water system as set forth in Section 3.4F of this Specific Plan.

CHAPTER 5.0
IMPLEMENTATION AND ADMINISTRATION

5.1 PURPOSE

This chapter sets forth criteria for determining consistency with the Beverly Hills General Plan (the "General Plan"), the relationship between the Specific Plan and the General Plan and provisions for amendments to the Specific Plan, and financing.

5.2 RELATIONSHIP TO THE GENERAL PLAN

The General Plan serves as the long-term planning guide for future development throughout the City. The General Plan operates as a guide to the type of community desired for the future and provides the means to accomplish that goal. California law requires a specific plan to be consistent with the adopted general plan. The Specific Plan has been adopted in conjunction with general plan amendments to (a) add text in the Land Use Element regarding the development of the Specific Plan Area that is consistent with the development permitted under the Specific Plan, (b) amend the Land Use Element to change the land use designation for the Specific Plan Area from "Low Density General Commercial" to "Beverly Hilton Specific Plan" in order to permit a mix of residential and hotel uses in the Specific Plan Area in a manner consistent with the General Plan (collectively, the "General Plan Amendments").

The Specific Plan is consistent with the General Plan, as amended, and advances the policies, objectives, goals, recommendations and characteristics identified below.

A. Land Use Element

The Land Use Element of the General Plan contains the following policies, recommendations and characteristics that are important to the Specific Plan:

> Section 1.1: "Beverly Hills is fortunate in that it is able to serve a variety of residential and commercial demands in a manner and combination which is difficult to duplicate elsewhere in the Los Angeles area... The characteristics which contribute to the special opportunities available in Beverly Hills include:
>
> - The quality of the physical environment, such as its extensive network of trees and landscaping. ...
> - The pride of its residents and businesses, as reflected in many ways, such as the architecture, landscaping and overall concern for the welfare of the community, as evidenced in the wide-ranging commitments to participation in community affairs.
> - The exceptional quality of its housing stock which offers a variety of housing and neighborhoods rarely found elsewhere."

> Section 2.2: It is also recommended that certain anchor locations be set aside to permit development of a higher intensity type of development which is not otherwise provided in the community. These areas should be located so as to be accessible from the City's major shopping areas and close to the City's major streets.

The Specific Plan is consistent with each of these policies, recommendations and characteristics. The implementation of the Specific Plan shall enhance the quality of the physical environment in Beverly Hills and foster a strong sense of place with the development of an architectural landmark at this important gateway to Beverly Hills, which features gardens, trees, public art and quality landscaping that complements the Beverly Gardens Park and the Electric Fountain on the north side of Wilshire Boulevard. The Specific Plan will also enhance the exceptional qualities of Beverly Hills by adding a luxury branded hotel and hotel amenities to the City. Urban residential housing will also be added to the existing housing stock of the City of Beverly Hills, offering additional high-quality housing options to current and prospective residents. The Specific Plan would also add variety to existing housing and neighborhoods rarely found elsewhere in the City. The Specific Plan's use of mixed commercial/residential uses will not only expand the variety of housing types available, but will also improve commercial/residential transitions in the area by creating residential uses on the south side of Wilshire Boulevard, adjacent to single family residential uses north of Wilshire Boulevard. The Specific Plan will also create an anchor location for this alternative hotel/residential use, not currently available in Beverly Hills. In addition, the General Plan Amendments include amendments to the Land Use Element that result in the consistency of the Specific Plan with the Land Use Element. The design of the Specific Plan with taller buildings set along the Santa Monica Boulevard frontage and the expanded open space and building set backs along Wilshire Boulevard create an adequate transition to single family residential neighborhoods to the north.

B. Open Space Element

The Open Space Element of the General Plan contains the following statement that is important to the Specific Plan:

> Section 2.3: "Possibly the City's greatest informal resource, however, is the elaborate network of landscaping and vistas which fosters a sense of spaciousness within an urban setting which sets this Community apart. Although a significant portion of the vegetation is a result of strategically located parks and the City's own tree-planting efforts, a substantial contribution is the result of the pride and initiative of private investment."

The Specific Plan contributes to this valuable resource by maximizing open space opportunities and landscaping in the Specific Plan Area. By adding a substantial area as open gardens, the Specific Plan adds to the City's existing elaborate network of landscaping and vistas throughout the City. In addition, the proposed landscaping improvements along Wilshire Boulevard complement the existing Beverly Gardens Park on the north side of Wilshire Boulevard. The private investment in the open space on the site will further embrace the garden quality of the City and enhance Beverly Gardens Park with no need for public financing.

C. Circulation Element

The Circulation Element of the Beverly Hills General Plan contains the following policies that are important to the Specific Plan:

> Section 2.1: "Through traffic (traffic neither destined for nor originating within Beverly Hills) should be encouraged to traverse Beverly Hills as efficiently as possible on selected streets only. These include Santa Monica, San Vicente, La Cienega, and Robertson Boulevards and Burton Way."
>
> "Access traffic (traffic destined for and/or originating in Beverly Hills) should be restricted to the extent possible to "through traffic" streets as well as certain north-south streets."
>
> Section 2.2: "Accessible parking in adequate quantities is not merely a convenience; it is a utility."
>
> "Centrally located parking facilities which can provide common parking for commercial establishments .... should be encouraged."

The Specific Plan is consistent with these provisions of the Circulation Element. The parking for the site provides adequate centrally located, uniformly operated parking facilities that can provide parking for hotel and residential uses as well as employees, guests and visitors to the Specific Plan Area, ensuring that residents and visitors alike have adequate access to parking, eliminating the need for parking on residential streets or other unrelated locations. It also includes new access points that shall diminish the traffic load on Merv Griffin Way and limit cut-through traffic on residential streets by improving both on-site circulation and access to Santa Monica Boulevard and Wilshire Boulevard, the two commercial corridors adjacent to the Specific Plan Area. Additionally, improvements to Wilshire and Santa Monica Boulevards shall enhance the traffic flow in the surrounding area for both through traffic and access traffic.

D. Housing Element

The Housing Element of the General Plan contains the following policies that are important to the Specific Plan:

> Program 4.3: "Develop standards for mixed residential-commercial developments, with and without low income housing components, including additional height, in areas currently zoned for commercial use and consider appropriateness of various areas, such as:
>
> -South side of Wilshire Boulevard, east of Beverly Drive (Between Stanley Drive and LeDoux Road, extend to the north side of Charleville Boulevard).
>
> -Eastern area of the Business Triangle.
>
> -South side of Burton Way (commercially zoned parcels).
>
> -Olympic Boulevard (commercially zoned parcels).

-La Cienega Boulevard north of Wilshire Boulevard.

-City-owned property where some or all of the residential units would be for lower-income housing.

-East side of Beverly Drive.

-9876 Wilshire Boulevard ("The Beverly Hilton site")."

5.3 ADMINISTRATION

Although every effort has been made to include provisions in the Specific Plan that are clear, the necessity of interpreting such provisions in light of specific and unusual cases may occur from time to time. When such interpretations are necessary, the Director of Community Development shall be responsible for the interpretation of the provisions of the Specific Plan. The Director shall be the City administrator responsible for enforcing the regulations, site development standards and procedures set forth in the Specific Plan. The Director shall have the administrative authority for interpretation related to the enforcement of the Specific Plan.

5.4 AMENDMENTS TO THE SPECIFIC PLAN

Formal amendments ("Amendments") to the Specific Plan require the review by both the Planning Commission and the City Council. Amendments are governed by the provisions of Section 65450 et seq. of the California Government Code and require compliance with specific notice and public hearing requirements. An amendment to the Specific Plan shall be required for (a) proposed modifications that would substantially alter the distribution, location, extent or density of the uses and buildings permitted in the Specific Plan, including (i) any increase in the total number of hotel guest rooms or residential units, of the overall floor area of the residential or hotel uses, or (ii) any increase in the total capacity of function rooms or areas or (b) a material increase in the maximum height of the buildings.

Notwithstanding the foregoing, the Director may, without the review and approval of the Planning Commission or the City Council, approve administrative modifications to the Specific Plan that do not substantially alter the distribution, location, extent or density of the uses and buildings permitted in the Specific Plan. An Administrative Modification shall be required with respect to changes to the site plan and building elevations that would materially alter the approved architectural style or modulation of the buildings. An Administrative Modification shall be processed pursuant to the procedures set forth in Article 36 of Chapter 3 of Title 10 of the Municipal Code for "Minor Accommodations to Certain Development Standards". The applicant or any person aggrieved by any decision regarding an Administrative Modification may appeal to the City Council as provided in Section 10-3-3604 of the Municipal Code (or any successor provision).

Notwithstanding anything to the contrary in this Section, the following modifications to the Specific Plan shall not require a formal amendment to the Specific Plan or an Administrative Modification: (a) the relocation or alteration of ancillary uses provided the Director determines that the relocation or alteration does not increase parking demand, (b) variations between the conceptual plans set forth in Chapter 8.0 and the final construction documents for the Specific

Plan Area development, provided the final construction documents substantially conform to the conceptual plans set forth in Chapter 8.0; (c) changes to the number and location of the residential and hotel parking spaces in the subterranean parking structure, provided that the subterranean parking structure includes a sufficient number of parking spaces to satisfy the parking requirements in Section 4.3 of Chapter 4.0; (d) changes to the configuration of the subterranean parking structure, provided that the access points to the subterranean parking structure do not materially change and do not present any safety issues; (e) changes to the locations of the permitted retail and restaurant uses within the hotel buildings provided that the Director determines that the changes do not increase parking demand; changes to the location of open air dining areas provided that the Director determines that the changes do not increase parking demand; (f) the substitution of similar types of plant species in the landscaping plan; or (g) minor changes to the site plan and building elevations, provided such changes do not materially alter the approved architectural style, modulation or height of the buildings.

5.5 CONSISTENCY REVIEW

Prior to the issuance of building permits, the Director shall review all construction drawings for all structures and uses anticipated in the Specific Plan Area for consistency with the Specific Plan. Building permits shall be issued only after the Director has determined the structures and uses contemplated to be consistent with the Specific Plan.

5.6 FINANCING

The developer shall be responsible for all on-site improvements and shall pay its fair share allocation of any off-site improvements as required to mitigate significant environmental impacts associated with implementation of the Specific Plan, as identified in the Final EIR. No public funds are necessary to implement the Specific Plan.

CHAPTER 6.0
OPERATIONAL STANDARDS

6.1 HOTELS

The hotels shall be operated in compliance with the following operational standards:

A. Recreational Facilities. Except as provided in Subsection B below for the Spa and Fitness Center, all indoor and outdoor recreational facilities shall be limited to guests who are renting hotel guest rooms in the Specific Plan Area and their guests, and residents of the Specific Plan Area and their guests.

B. Spa and Fitness Center. Any spa, fitness center and treatment rooms shall primarily serve guests who are renting hotel guest rooms in the Specific Plan Area and their guests, and residents of the Specific Plan Area and their guests.

C. Open Air Dining Facilities. All open air dining areas located within the Specific Plan Area shall comply with the following standards:

1. The design and colors used for chairs, tables, lighting and other fixtures shall generally be consistent with the architectural style and colors used on the related building façade.

2. No advertising, other than advertising for the related restaurant, is permitted on any umbrellas.

3. Lights may only illuminate the open air dining area; they cannot emit spillover light on any adjacent public sidewalk.

4. No alcoholic beverages shall be served or consumed in the open air dining area without the required license and approval from the State Department of Alcoholic Beverages Control.

5. No umbrellas or other overhead furniture or fixtures shall have a clearance of less than seven feet and no such articles shall extend beyond the seating area.

6. Portable heaters shall be located a minimum of three feet from any combustible material and shall be located entirely within the seating area.

7. The seating area and any adjacent pedestrian travel aisle shall be maintained in a clean and orderly state at all times.

8. The open air dining area shall comply with all applicable provisions of the Beverly Hills Building Code, including, but not limited to, maintaining

proper building ingress and egress at all times, observing maximum seating capacities, providing proper circulation and providing appropriate handicapped access.

6.2 RESIDENTIAL

The residential units shall be operated in compliance with the following operational standards:

Outdoor living areas such as balconies shall not be used to store personal property in a manner that is visible from the public or private right-of-way, nor shall such outdoor areas be used to hang laundry. All outdoor living areas shall be maintained in a safe, clean, orderly, sanitary, and aesthetic condition. The covenants, conditions and restrictions to be reviewed by the City Attorney and recorded with respect to the Specific Plan Area shall include the foregoing standards.

6.3 CONSTRUCTION WITHIN THE SPECIFIC PLAN AREA

All construction within the Specific Plan Area shall comply with the mitigation measures identified in the EIR prepared for the Specific Plan and as incorporated into Chapter 7.0 of this Specific Plan. Conformity review permits, obtained through the Building and Safety Department, will be required prior to the construction of (1) the East Luxury Hotel Building and related structures including the Conference Center Building, (2) the Residences A Building and immediate area improvements, and (3) the Residences B Building and immediate area improvements.

Unless otherwise specifically provided herein, nothing in this Specific Plan shall be construed to prohibit the operation of existing on-site uses during construction.

6.4 PROJECT PHASING

The Project will be constructed and implemented in phases, as described below. Changes in the Project phasing may be approved by the Director. Decisions of the Director regarding the Project phasing shall be appealable the Planning Commission, and Planning Commission decisions regarding Project phasing shall be appealable to the City Council.

FIRST PHASE

This phase includes demolition of the Former Trader Vic's, hotel support and offices, and construction of the East Luxury Hotel subterranean parking, tunnel connection parking, East Luxury Hotel and new conference center. The maximum number of operational hotel rooms during this phase shall be no more than 569 (i.e. existing Hilton with Palm Court). The number of operational parking spaces (marked and valet) during construction shall be 818. Prior to issuance of the certificate of occupancy for the East Luxury Hotel Building, the Palm Court shall be taken out of service and a total of 405 additional parking spaces (underground parking for new Luxury Hotel) shall be available, for a total of 1,223 spaces (818 plus 405).

SECOND PHASE

This phase includes demolition of the old conference center, Palm Court building, and portions of the single story lobby and retail areas as well as construction of the subterranean parking structure underneath the Residences A Building area and existing entryway driveway area, Residences A Building, and revised hotel entry sequence. The maximum number of operational hotel rooms during this phase shall not exceed: 558 (East Luxury Hotel Building (170), Hilton (352) and existing poolside hotel rooms (36)). The number of operational parking spaces (marked and valet) during this phase of construction shall be 919 (East Luxury Hotel Building spaces of 405 spaces and 514 existing above ground parking structure spaces). Prior to Residence A receiving a certificate of occupancy the existing poolside hotel rooms will be taken out of service, and a total of 1,405 (405 for Luxury Hotel and approximately 1,000 under Residence A Building) parking spaces shall be available.

THIRD PHASE

This phase involves the demolition of the existing above ground parking structure, existing poolside hotel rooms and related poolside areas and construction of the subterranean parking garage underneath the Residences B Building area, Residences B Building, and remodeled pool area with poolside cabanas. The maximum number of operational hotel rooms during this phase shall not exceed 522 (East Luxury Hotel Building (170) and Hilton (352)). The number of operational parking spaces (marked and valet) during construction: 1,405 (East Luxury Hotel Building (405 spaces) and the Residence A portion of the subterranean parking structure (approximately 1,000 spaces)). Prior to the issuance of a certificate of occupancy for Residences B Building, a total of at least 1,572 marked parking spaces shall be provided, along with 331 valet parking spaces and opportunity for 280 additional spaces as discussed in Section 4.3 above.

CHAPTER 7.0 – CONDITIONS OF APPROVAL AND MITIGATION MEASURES

The conditions of approval attached hereto as Exhibit 1, and the Mitigation Monitoring and Reporting Program adopted for the Specific Plan, which is included as part of Exhibit 1, are hereby incorporated by reference, and shall be part of the Specific Plan as if set forth in full in this Chapter 7.0.

Beverly Hilton Specific Plan
Exhibit 1
Conditions of Approval

Community Development/Planning Project Conditions

1. Compliance with Plans. The Project shall be built in substantial compliance with the plans bearing a revision date of April 23, 2008 and submitted for review to the City Council along with the Planning Commission's recommendations on the project. These plans shall be kept on file with the City Clerk's office and the Department of Community Development/ Planning, inclusive of Exhibit A. "Standard Conditions List," and Exhibit C "Mitigation Monitoring and Reporting Program," which are incorporated herein by reference and made conditions to the approval of the Project. The Project shall be subject to additional conditions as may be imposed by the Architectural Commission within the scope of its review authority.

2. Minor Amendments. Minor amendments to the Conditions of Approval may be approved by the Director of Community Development and shall not require an amendment to the Beverly Hilton Specific Plan ("Specific Plan").

3. Number of Residential Units. In no case shall the Project include more than 110 residential units in accordance with the approved plans and details contained in approved Beverly Hilton Specific Plan.

4. Number of Hotel Units. In no case shall the Project, upon completion of development as provided for by the Specific Plan, include more than 522 hotel rooms in accordance with the approved plans and details contained in the approved Specific Plan. Prior to the completion of the development as provided for by the Specific Plan, the

maximum number of hotel rooms permitted at any given time shall be established by the project phasing section of the Specific Plan, which may be revised with the approval of the Director of Community Development.

5. Square Footage. In no case shall the site include more than 973, 565 square feet in the locations shown on in the Specific Plan.

6. General Parking Requirements. Upon completion of the development as provided for in the Specific Plan, the Project shall provide capacity for parking not less than 2,183 parking spaces for all on-site uses existing and proposed at the time of the implementation of the Specific Plan, substantially as shown in Figures 9A, 9B, 9C and 9D. Of these 2,183 spaces, not less than 1,572 marked parking spaces, 331 valet parking spaces and opportunity for 280 spaces on mechanical lifts or other means shall be provided. The valet and mechanical lift spaces opportunity shall be provided, substantially as shown in Figure 10. The 280 spaces utilizing mechanical lifts shall be constructed and made available for use at the discretion of the Community Development Director based on a good faith determination that there is a need for additional parking. These spaces shall provide the required parking for all land uses within the Specific Plan Area.

7. Residential Parking. As part of the 2,183 parking spaces required by Condition 6, a total of not less than 330 standard size parking spaces, as defined by Section 4.3 B.1. of the Specific Plan, shall be provided for the Residences A and B Buildings. If the number of units is reduced or the number of bedrooms modified then the number of parking spaces required shall be adjusted consistent with the requirements of the Beverly Hills Municipal Code. No more than 21% of the required Residences A and B Building parking may be tandem. Tandem spaces must be assigned to the same residential unit. Tandem spaces

may not be used for guest parking unless exclusively served by valet service. Parking spaces for residential units shall comply with the standards set forth in the Specific Plan and shall be used solely for the parking of the personal vehicles of residents, their guests, and employees associated with the condominium units and shall not be dedicated to or used to provide parking for any non-residential use. The required Covenants, Conditions and Restrictions for the Residences A and B Buildings shall incorporate the restrictions set forth in this condition.

8. Parking Accessibility. The final parking plan approved by the Building and Safety Division shall meet the minimum number and dimensions for residential and hotel parking stalls in accordance with the requirements of the Americans with Disabilities Act ("ADA") for an accessible parking space.

9. Employee Parking. The commercial and hotel components of the Project shall not be required to provide free employee parking. However, the owner(s) and/or operator(s) of the commercial and hotel components of the Project shall conduct an annual survey of off-site parking for employees, and if it is determined that employee parking is occurring in residential neighborhoods, then the Director of Community Development shall have the authority to require commercial tenants and hotels to provide free on-site parking for all employees. An employee shall be defined as a person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in the material details of how the work is to be performed.

10. Outdoor Event Noise. In addition to the provisions of the Specific Plan, outdoor live entertainment as an ancillary use in conjunction with the hotel shall be subject to the City's Noise Ordinance.

11. Pedestrian Signage. Prior to the issuance of occupancy permits for the Project, the Applicant shall install sufficient signage, as determined by the City Traffic Engineer, on both the interior and exterior of the parking garage to alert pedestrians of all entering/exiting vehicles at all access points of the residential and hotel garages.

12. Signage. Prior to the issuance of a building permit, the Applicant shall submit the unified sign plan required by Section 4.6 of the Specific Plan for review and approval. Said unified sign plan shall include, but not be limited to, provision of appropriate signage and precautionary devices inside the parking garage. After approval of the Unified Sign Plan, all project signage shall conform to the approved Unified Sign Plan.

13. Parking Valet/Operations Plan. Prior to the issuance of any occupancy permit, for each phase of the development, including the final completed phase, the applicant shall prepare and shall have received approval from the Director of Community Development and Director of Public Works and Transportation of a Parking Valet/Operations Plan for both hotel and restaurant tandem parking operations and residential parking operations during that phase. The residential parking operations plan shall include plans to meet the parking needs generated by large on-site events and parties (i.e. to include the aggregate number of people generated for multiple, simultaneous small events occurring at Residences A and B Buildings). Thereafter, the applicant and subsequent homeowners association shall implement said plan for any large on-site events and parties. The

requirement for the final residential operations plan shall be incorporated into the Covenants, Conditions, and Restrictions for the condominiums.

14. Safety/Technology. The Applicant shall install state-of-the-art devices or equipment as approved by the City's Police and Fire Departments to ensure that wireless telecommunication reception in the parking garage and in the project is adequate for police, fire and other emergency responders and the health and safety of residents and visitors. The system shall include an In-Building Bi-Directional Amplification System that will (a) provide City Emergency services personnel the ability to communicate reliably and efficiently by supported City radio systems, within any occupiable spaces inside the respective buildings; and (b) contain back-up / emergency power to ensure on-going, uninterrupted functionality in the event of any power failures or interruptions. Further, the System shall be tested on a regular basis to ensure reliable performance at all times, and the building owner or future homeowners association shall work cooperatively with the City to design, build, maintain and update the system as conditions require.

15. Loading. Prior to issuance of occupancy permits and subject to the review and approval of the Directors of Community Development and Public Works and Transportation, the Applicant shall provide a Loading Management Plan to minimize loading-related impacts from the Project on adjacent land uses. The Loading Management Plan shall identify permissible hours for loading and shall designate a delivery monitor to monitor the loading area and deliveries in order to control the circulation activities and to prevent overcrowding in the loading area. The Director of Public Works and Transportation and the Director of Community Development hereby retain the authority to impose additional conditions on the Project to address loading, delivery and parking issues,

including without limitation the authority to require valet parking for patrons of the commercial uses. The Applicant shall comply with the approved Loading Management Plan and any additional conditions imposed after adoption of this Resolution and after adoption of the Loading Management Plan, in order to address parking, loading and delivery issues. The Loading Management Plan shall prohibit loading activities on Wilshire and Santa Monica Boulevards. Further, the access points from Santa Monica Boulevard to the loading area shall be the minimum width feasible as determined by the City's Traffic Engineer.

16. Public and Common Areas. All public and common areas and facilities shall be clearly depicted, described, or both in the final plans reviewed by the Department of Community Development/Planning prior to issuance of a building permit.

17. Rooftop Uses. Rooftop uses are limited to uses as shown on the approved plans.

18. Green Building Design. The Project shall be constructed to meet the "Silver" rating pursuant to the City's green building rating system, as set forth in the City's Green Building/Sustainability Checklist ("Checklist") attached hereto and incorporated herein as Exhibit D. A green building plan shall be submitted as part of the application for a building permit. The green building plan shall indicate which points in the Checklist that the project will utilize, and indicate where compliance with each selected point is shown on the plans. The Applicant shall be required to implement all points shown in the final green building plan. The Building Official or his designee shall verify compliance with each selected point prior to issuance of a final certificate of occupancy. The Building Official may conduct other inspections as needed to ensure compliance with this condition. The

Applicant may request amendment of the green building plan and such amendment may be approved by the Building Official. If the City Council adopts a green building ordinance prior to the submittal of an application for a building permit, the Applicant shall comply with said Ordinance. As outlined in Section 4.8 of the Beverly Hilton Specific Plan, the applicant will also seek certification under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. If a conflict occurs between the City's Green Building standards and the LEED standards, the strictest standard shall apply.

19. Gray Water Usage Requirement. The Applicant shall install a gray water system as required by Section 3.4 F of the Specific Plan, including sufficient plumbing features to allow gray water to be used for landscaped areas on the property. All plumbing requirements shall be subject to review and approval by the City's Building and Safety Division.

20. Architectural Commission Review. Prior to the issuance of building permits, the final design, materials and finishes of the building, and proposed landscaping shall be subject to the review and approval of the Architectural Commission. The Applicant shall submit final landscape, lighting and irrigation plans that include mature-sized plantings along the property to provide an appropriate visual and aesthetically pleasing transition between the property and the neighboring property on the west side of Merv Griffin Way. Landscape plans shall be prepared by a licensed landscape architect.

21. Final Building Plans. Final building plans shall be consistent with the preliminary plans approved by this Resolution and shall be prepared by a licensed professional.

22. Traffic/Crossing Guard. In addition to the existing City crossing guards in the vicinity of the Project site, during Project construction, the City shall hire and the applicant

shall pay for, one or more additional crossing guards to assist children in crossing Wilshire Boulevard, Santa Monica Boulevard and Little Santa Monica Boulevard at the beginning and end of each school day, as deemed appropriate by the Director of Community Development. In addition, if deemed necessary by the Environmental Compliance Monitor, an additional guard shall be hired during construction on an as-needed basis to ensure the safety of children walking the length of Merv Griffin Way before and after school. The cost of any such additional crossing guards may be shared by the applicant and the applicant for the 9900 Wilshire Project if such cost sharing is directed by the Director of Community Development.

23. Hiring Practices. The Applicant shall require the Construction Manager/Supervisor to verify that no construction workers have prior felony records prior to hiring of any such workers, and shall not hire any such workers with such prior felony record to work on this Project. The on- site Construction Manger/Supervisor shall assure that no employees, subcontractors of any tier, material suppliers or consultants have direct contact with students from the Beverly Hills Unified School District during the performance of their duties, unless required within the scope of their duties and with the knowledge or approval of the Construction Manager/Supervisor and prior approval from the School District. The Applicant shall be responsible for verifying that any security personnel and/or crossing guards have no prior felony record prior to hiring of any such workers, and shall not hire any such workers with such prior felony record to work on this Project. Compliance with this provision shall be verified by the Environmental Compliance Monitor. Further, each contractor on the site shall provide the Environmental Compliance Monitor and the Beverly

Hills Unified School District Superintendent a certification form certifying that there are no known felons working on the site.

24. Traffic Signal at Merv Griffin Way/Santa Monica Boulevard. The Applicant shall install a traffic light at the Merv Griffin Way/Santa Monica Boulevard intersection or shall reimburse the City of Beverly Hills for installation of a traffic light. Installation and plans for the traffic light are subject to review and approval by the City's Traffic Engineer and Building Official. The Applicant may be entitled to a fair share reimbursement from other projects that impact this intersection and necessitate the traffic light. The traffic light either shall be installed and operational prior to the certificate of occupancy of the first building or the Applicant shall have deposited on file with the City an amount equal to their share of the traffic light materials and installation prior to the occupancy of any new building on the site. New buildings include the East Luxury Hotel Building, the Residence A and B Building, Poolside Cabanas and Conference Center Building.

25. Wilshire Boulevard and Santa Monica Boulevard Roadway Improvements. Prior to the issuance of any certificate of occupancy, the Applicant shall provide the right-of-way dedications to the City as shown on the approved plans and subject to review and approval by the City's Public Works Director. As approved by the Public Works Director, the applicant shall install and pay for improvements to the Wilshire and Santa Monica Boulevard right-of-way adjacent to the Project as shown on the approved plans, including but not limited to landscaping and street improvements.

Landscaping and Irrigation

26. Prior to final building inspection, the Applicant shall install all proposed irrigation and landscaping, including irrigation controllers, staking, and mulching, in accordance with the Architectural Commission's approval of the final building design.

27. Prior to occupancy, the Applicant shall submit a letter from the Project landscape architect certifying that all landscape material and irrigation has been installed and is functioning according to the approved landscape plans.

28. The property owners and successors in interest, including but not limited to any homeowners association, shall be responsible for the maintenance of the site drainage system, sidewalks, parkways, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way and all public and private open areas on the site including the eastern half of Merv Griffin Way. The Covenants, Conditions and Restrictions for this project shall specifically reflect this obligation.

Other City Departments' Requirements

29. The Applicant shall comply with all applicable conditions and permits required from the Public Works and Transportation Department and Community Services-Recreation and Parks Department attached as Exhibit A. The Applicant shall secure all necessary permits from the Engineering Division of Public Works prior to commencement of any demolition or Project related work.

30. An offsite improvement plan prepared by a registered civil engineer must be submitted to the Civil Engineering Division. This plan must show any existing street furniture within the public right-of-way (ROW) fronting the proposed improvement site. All new construction and relocation of any existing street furniture must be clearly shown.

31. The Project shall comply with all applicable conditions from the Fire Department as may be identified through the plan check process.

Construction Management

32. The Applicant shall comply with a Construction Management Plan that has been approved by the Director of Community Development prior to issuance of a building permit. The Construction Management Plan shall incorporate the Construction Traffic Management Plan and the Construction Workers Parking Plan as described in the attached Mitigation Measures for the project. The Construction Management Plan shall also include, at a minimum, the following requirements:

a. Parking and transportation to and from the construction parking area for construction workers, which shall be paid for by the Project Applicant.

b. A map identifying routes and parking lots to be utilized and shall be provided to the City and include written certification from the owner(s) of the parking lots proposed to be used that such parking will be available to the Applicant throughout the construction period.

c. A plan for the proposed demolition/construction staging for the 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 shall be included in the Construction Management Plan. The construction haul route shall be reviewed and approved by the City Traffic Engineer and the Director of Community Development. The approved haul route is subject to change if the haul route creates unanticipated traffic congestion or noise impacts.

d. All final construction mitigation measures.

e. An implementation plan for each phase of construction (demolition, excavation, concrete, superstructure, etc).

f. A requirement that all buildings be demolished, including the Oasis/Palm Court, Conference Center and the Hotel Support and Office Space buildings shall be wrapped during demolition.

g. Specification that construction hauling shall be restricted to Santa Monica Boulevard to/from Interstate 405; any deviations from this requirement first shall be reviewed by the School District and approved by the Director of Community Development.

h. Specification that hauling of debris and/or soil from the site shall be allowed to take place at night and/or weekends as approved by the Director of Community Development in accordance with an after hours work permit (BHMC Section 5-1206).

i. Measures to protect the artificial turf field and associated drainage system on El Rodeo School's campus from construction dirt and debris.

j. Requirements for measures such as a sign-in/sign-out requirement for all persons accessing and leaving the site, defined separations between public and construction areas, fencing and/or landscape barriers, active surveillance, privacy screening, and other similar measures to prevent unauthorized access between such areas.

k. A construction schedule that shall not exceed a total period of not more than 50 months, inclusive of time for all demolition and construction activities, measured from the commencement of any demolition activity. Any revisions to the

construction schedule that result in a construction/demolition period of more than 50 months shall require approval from the Director of Community Development.

33. A third-party Construction Management Plan Coordinator shall be retained to develop and maintain the Construction Management Plan. The developer shall deposit funds sufficient to pay for the Construction Management Plan Coordinator who shall be hired by and work for the City.

a. The Construction Management Plan Coordinator hired to provide these services shall be selected from a list of individuals or firms deemed qualified by the Director of Community Development, and shall be mutually agreed upon by the City of Beverly Hills and the Beverly Hills Unified School District. If the District does not agree with the City on a Coordinator within a 14 calendar day period after being presented with the list of qualified coordinators, the Director of Community Development shall have the authority to select the Coordinator.

b. The Construction Management Plan Coordinator should have experience in large private and public development including experience with school or hospital construction. The Coordinator must have a broad range of experience in construction management, estimating, scheduling and large commercial construction practices and techniques. Past experience with development projects in the City of Beverly Hills will be a consideration in the selection process.

34. An updated copy of the Construction Management Plan shall be provided to the designated Beverly Hills Unified School District representative, and shall be available at El Rodeo School at all times. Further, an up-to-date copy of the Construction

Management Plan shall be made available to the general public on the project's publicly accessible web page.

35. The Beverly Hills Unified School District shall be given a 14 calendar day period in which to review and comment on the Construction Management Plan before the City approves it.

36. The Construction Management Plan shall be updated, as deemed necessary by the Coordinator, throughout all phases of the construction process. This Plan shall be amended and updated to coordinate all construction activity at the site area should the adjacent 9900 Wilshire Project move forward concurrently.

37. The Construction Management Plan Coordinator shall participate in meetings throughout the construction process and shall provide necessary and prudent advice and resources to the City to properly develop, implement and modify the mitigation plan. Further, the applicant shall invite School District representatives and the City's representatives including but not limited to the Construction Management Plan Coordinator and Environmental Compliance Monitor to attend and participate in regular construction progress meetings.

38. Requests for after hours construction permits shall be reviewed by the City's Building Official in accordance with BHMC Section 5-1-206. The Building Official shall confer with the Environmental Compliance Monitor and revise any after hour's permits as necessary to mitigate noise to residential neighbors of the project.

39. The Applicant shall maintain a current construction schedule on a publicly accessible project's web page and shall provide the web page address on construction

signage placed on the boundary of the property or in a location visible to the public as determined by the Environmental Compliance Monitor.

40. A cash deposit of $25,000 shall be deposited with the City to ensure compliance with the conditions of this Resolution regarding construction activities. The $25,000 deposit shall be replenished as deemed necessary by the City's Building Official. Such deposit shall be returned to Applicant upon completion of all construction activities and in the event that no more than two violations of such conditions or the Beverly Hills Municipal Code occur. In the event that three or more such violations occur, the City may: (a) retain the deposit to cover costs of enforcement; (b) notify the Applicant that the Applicant may request a hearing before the City within ten days of the notice; and (c) issue a stop work notice until such time that an additional deposit of $25,000 is deposited with the City to cover the costs associated with subsequent violations. Work shall not resume for a minimum of two days after the day that the additional deposit is received by the City. If the Applicant timely requests a hearing, said deposit will not be forfeited until after such time that the Applicant has been provided an opportunity to appear and offer evidence to the City, and the City determines that substantial evidence supports forfeiture. Any subsequent violation will trigger forfeiture of the additional deposit, the issuance of a stop work notice and the deposit of an additional $25,000, pursuant to the procedure set forth herein above. All amounts deposited with the City shall be deposited in an interest bearing account. The Applicant shall be reimbursed all interest accruing on monies deposited. The requirements of this condition are in addition to any other remedy that the City may have in law or equity and shall not be the sole remedy of the City in the event of a violation of the conditions of this Resolution or the Beverly Hills Municipal Code.

41. During construction, the Applicant shall install a minimum twelve-foot (12') construction fence to reduce noise and dust impacts on neighboring properties. The final height of the fence shall be approved by the Director of Community Development in consultation with design professionals knowledgeable in the fields of noise and dust mitigation. The design of the construction fence shall be subject to Architectural Commission review and approval. The Applicant shall provide temporary aesthetic improvements, which may include landscaping, to improve the appearance of the site around the fence during the construction period.

42. The Applicant shall maintain the site in an orderly condition prior to commencement of and during construction, including but not limited to, maintenance of the orderly appearance of existing structures and landscaping on the site, dust suppression for areas cleared by demolition, maintenance of safety barriers and adjacent public sidewalks.

43. The applicant shall designate a Community Liaison Officer as outlined in the attached Mitigation Measures, directly accessible to the public by telephone in the event that the public has any concerns regarding the maintenance of the site. The name and telephone number of the Community Liaison Officer shall be transmitted to the Director of Community Development, the City's Building Official, and the Beverly Hills Unified School District Superintendent and the El Rodeo School Principal. In addition, the Applicant shall post the name and telephone number of the Community Liaison Officer on the site in a location readily visible to the general public as approved by the Director of Community Development. Said signs shall also include the name and number of a City contact from the Community Development Department. The Applicant representative's telephone number provided shall be manned during construction hours.

44. Within three working days after approval of this Resolution, the Applicant shall remit to the City a cashier's check, payable to the County Clerk, in the amount of $50.00 for a documentary handling fee in connection with Fish and Game Code requirements in addition to the Department of Fish and Game filing fee imposed pursuant to Fish and Game Code Section 711.4.

Property Maintenance

45. The property owners and successors in interest, including but not limited to any homeowners association and the hotels shall be responsible for the operation and maintenance of the private sewer connection(s) to the public sewer in the public right-of-way, the site drainage system, the maintenance of the common areas and facilities, the exterior of the building, sidewalks, parkways, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way and all public and private open areas on the site including the eastern half of Merv Griffin Way and any costs or corrections due to building or property maintenance code enforcement actions. The Covenants, Conditions and Restrictions for this Project, or other enforceable restriction of the site, including the hotels, shall specifically reflect this obligation.

Environmental Compliance Monitor

46. The Construction Management Plan Coordinator shall provide assistance in the selection of a full-time Environmental Compliance Monitor. The developer shall deposit funds sufficient to pay for the Environmental Compliance Monitor who shall be hired by and work for the City. The Environmental Compliance Monitor shall be selected from a list of individuals deemed qualified by the Director of Community Development and shall be mutually agreed upon by the City of Beverly Hills and the Beverly Hills Unified School District. If the District does not agree with the City on a Monitor within a 14

calendar day period after being presented with the list of qualified monitors, the Director of Community Development shall have the authority to select the Monitor.

47. The field office of the Environmental Compliance Monitor shall be located in a office trailer provided by the developer on or adjacent to the El Rodeo School campus for easy access to District staff, parents, and local residents. The location of the field office shall be approved by the Community Development Director. All utility and maintenance costs associated with the installation and maintenance of this trailer shall be paid for by the developer.

48. The Environmental Compliance Monitor shall maintain a daily log and provide monthly reports to the City and School District.

49. The Environmental Compliance Monitor shall immediately report any violations of the construction mitigation measures to the City.

50. City staff shall have the authority to immediately stop construction upon verification of any violation of the Construction Management Plan. Work shall not be allowed to restart until the problem is abated and/or corrective actions are taken to mitigate the violation.

51. The Environmental Compliance Monitor shall conduct a weekly meeting with the project construction manager(s) and shall invite City and School District representatives to attend such meetings.

Specialty Testing

52. Specialty consultants (noise and air quality) shall be hired to provide testing and monitoring and provide recommendations as described in the EIR, and imposed by these

conditions of approval. The developer shall deposit funds sufficient to pay for the specialty consultants who shall be hired by and work for the City.

53. The Construction Management Plan Coordinator shall provide assistance in the selection of these specialists.

54. Consultants hired to provide specialty testing services shall be selected from a list of individuals or firms deemed qualified by the Director of Community Development, and shall be mutually agreed upon by the City of Beverly Hills and the Beverly Hills Unified School District. If the District does not agree with the City on specialty testing consultants within a 14 calendar day period after being presented with the list of qualified specialty testing consultants, the Director of Community Development shall have the authority to select the specialty testing consultants.

55. All test results shall be maintained on file with the Environmental Compliance Monitor and included in monthly reports submitted to the City and School District.

56. Construction noise and vibration shall be monitored at El Rodeo School as part of the Construction Management Plan. Construction activities and/or measures may be modified to correct any excesses in the event acceptable thresholds are exceeded.

57. The Environmental Monitor shall initiate, and the Developer shall pay for a traffic study to be undertaken within 45 days after the beginning of each school year during construction of the Project to measure the then existing conditions and to determine whether unanticipated impacts resulting from the Project construction are occurring. Additional measures as may be identified by any such study that address impacts from the Project shall be implemented by the developer.

58. Construction traffic shall be monitored at the site so that the frequency of construction to/from the project site during periods when most schoolchildren are arriving/departing to/from schools will be reduced in the event that construction traffic exceeds thresholds that shall be identified in the Construction Management Plan.

General Conditions.

59. All electrical transformers and other such mechanical equipment shall be clearly depicted, described, or both, in the final plans reviewed by the Department of Community Development/Planning, prior to issuance of a building permit. Screening and/or relocation may be required if the proposed locations have the potential to adversely affect the appearance of the building from the public right-of-way.

60. The Covenants, Conditions and Restrictions (CC&R's) for this Project shall disclose the fact that, as this Project is located on Wilshire Boulevard and Santa Monica Boulevard, the maintenance of public improvements (street pavement, sidewalk, curb, gutter, water and sewer lines) along Wilshire and Santa Monica Boulevards is usually performed at night.

61. In accordance with the requirements set forth in City Council Resolution 71-R-4269, the applicant shall file a formal written request with the Civil Engineering Department for approval of any type of temporary construction encroachment (steel tieback rods, etc.) within the public right-of-way. Shoring plans and elevations prepared by a registered civil engineer must be submitted for review by the Civil Engineering Department. An indemnity bond must be submitted and approved by the City Attorney prior to excavation.

62. The Project shall comply with the applicable standard conditions and shall obtain all necessary permits from the Public Works/Engineering Department. The Standard Conditions List is attached hereto as Exhibit A and incorporated herein by this reference.

63. The Applicant shall comply with the requirements of the Street Tree Mitigation Plan of the Recreation and Parks Department, attached hereto as Exhibit B and incorporated herein by this reference.

64. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

65. The City reserves the right to make modifications and/or impose additional conditions which may become necessary to enable implementation of the specific conditions set forth in this Resolution, and the Applicant shall comply with all such modified or additional conditions.

66. Prior to the earlier of either the issuance of any occupancy permit or the sale or lease of any residential unit in the project, a subdivision map shall be approved by the City and the final map for such subdivision shall have been recorded with the County of Los Angeles Recorder and the condominium plan filed with the Department of Real Estate.

67. Prior to the approval of any final map, the applicant shall prepare and submit CC&R's for review and approval by the Director of Community Development and the City Attorney. The CC&R's shall be recorded prior to the approval of any final map.

68. Prior to the recordation of any final subdivision map, the applicant shall record a reciprocal parking and access agreement for the site in a form and content satisfactory to the Community Development Director and the City Attorney.

69. Unanticipated Traffic Impacts. In the event that the Director of Community Development determines that operation of the project is having unanticipated traffic or parking impacts, the Director shall require the owners of the hotels, Homeowners Association, or both, to provide an analysis of the traffic or parking impacts and recommend and implement mitigation for the impacts. If, in the opinion of the Director, the owners of the hotels, Homeowners Association, or both, fail to implement sufficient mitigation to mitigate the unanticipated traffic or parking impacts, then the Director shall schedule a hearing before the Planning Commission concerning the impacts being created by the project. The owner or Homeowners Association shall receive at least ten days notice of such hearing. Upon conclusion of the hearing, the Planning Commission may impose additional conditions upon the project as necessary to mitigate any unanticipated traffic or parking impacts caused by the project, and the owners of the hotels, Homeowners Association, or both, shall forthwith comply with any such additional conditions at their sole expense. However, the owner or owners of the hotels, Homeowners Association, or both, may appeal the decision of the Planning Commission to the City Council pursuant to the provisions of the Beverly Hills Municipal Code and any decision of the Planning Commission shall be stayed pending a decision by the City Council on appeal.

70. The Construction Management Plan shall contain a provision prohibiting construction trucks from queuing on Santa Monica Boulevard or Wilshire Boulevard during all aspects of construction.

71. The Environmental Compliance Monitor identified in Traffic Mitigation Measure TRAF-1 shall be responsible for monitoring compliance with both the conditions of approval and all the mitigation measures.

72. An air cleaning/filtering system shall be installed in the condominium buildings subject to the review and approval of the Building Official to assist in the removal of pollutants emanating from the adjacent streets.

73. The provisions of the Specific Plan shall not become effective until the ordinance approving the zone text amendment and zone change establishing the Beverly Hilton Specific Plan zoning and applying the zoning to the subject property becomes effective.

74. The provisions of the Specific Plan shall not become effective, and no development or implementation of the Specific Plan shall be permitted until a) the ordinance approving the development agreement has become effective and b) the Development Agreement is executed and recorded.

75. Merv Griffin and Wilshire Boulevard Intersection Improvements. The north bound lane configuration of the southern leg of the intersection of Merv Griffin Way and Wilshire Boulevard shall be modified to the full planned configuration as shown in Figure 8 of the Specific Plan within the Specific Plan Area. The improvements shall be completed, or guaranteed to the satisfaction of the City Attorney, prior to the earlier of the recordation of any final subdivision map or the issuance of the certificate of occupancy for the East Luxury Hotel. If completed by others, this project shall pay its fair share toward the cost of the improvement.

76. Uses ancillary to the residential uses in Residences Buildings A and B the Specific Plan shall be for the exclusive use of residents within the Specific Plan. Guests of residents may use such facilities except that there shall be no charge to or for non-resident guests and in no event shall memberships be given or sold to any person or entity that is not a resident within the Specific Plan.

77. The applicant shall execute and record against the entire Specific Plan Area a covenant and agreement to facilitate the continuation of the Golden Globe Awards, or successor event, at The Beverly Hilton property. The covenant and agreement shall be in a form satisfactory to the City Manager and the City Attorney, after consultation with the Beverly Hills Fire and Police Departments. The covenant and agreement shall include provisions providing for (a) the closure of Merv Griffin Way the day prior to and the day of the Golden Globe Awards event, (b) limitations on the use of vehicles on or access of persons to Merv Griffin Way the day prior to, the day or and the day after the Golden Globe Awards event, (c) grant of a license to use Merv Griffin Way for camera equipment, satellite truck use, celebrity arrivals, or any similar event-related use on the day prior to and the day of the Golden Globes Awards event, (d) limitations on any pedestrian and vehicular access points (other than emergency access as may be required by the Beverly Hills Fire or Police Departments) from the driveways of Residence A and B to Merv Griffin Way and to limit persons or vehicles from entering Merv Griffin Way from such access points on the day prior to and the day of the Golden Globe Awards event. These provisions also shall apply to the day after the Golden Globe Awards event to the extent reasonably necessary to remove equipment utilized in the Golden Globe Awards event. These provisions shall recognize that the Beverly Hilton Hotel and Residences A and B Buildings have their primary access from Merv Griffin Way. In addition, the covenant and agreement shall provide for a grant of access to the Specific Plan Area, including the Beverly Hilton, Residence A Building, Residence B Building, the Luxury Hotel site, and other buildings at any time as requested by the Beverly Hills Police Department, United States Secret Service, Federal Bureau of Investigation, or other governmental security agency and/or

their successors, as needed, to provide security for the Golden Globe Awards event, and (e) cooperation with requests by the Beverly Hills Police Department, United States Secret Services, Federal Bureau of Investigation, or other governmental security agency and/or their successors for a security perimeter for the Golden Globe Awards event. The covenant and agreement shall run with the land and shall provide for notice to all future owners of property within the Specific Plan Area, including future owners of units in the Residence A and B Buildings, including without limitation successors and assigns, owners of condominium interests, and tenants, of the existence of the covenant and agreement, which covenant and agreement shall be recorded prior to final map approval or certificate of occupancy for the hotel, but not prior to the issuance of a Building Permit, as that term is defined in the development agreement approved as part of this project.

Demolition

78. The developer shall take all reasonable actions to start and complete the demolition phases of construction on the Oasis/Palm Court and Conference Center during the summer months when El Rodeo School is not in session (approximately June 22nd through September 2nd). In the event that the demolition phases of construction are delayed for any reason such that substantial completion of those activities cannot be accomplished during the summer months of 2009 or 2010, the Community Development Director shall have the discretion, but not the obligation, to allow demolition to proceed while El Rodeo School is in session. The decision of the Director pursuant to this condition of approval shall be appealable to the City Manager.

79. Work at the site shall be accelerated during the summer months and while school is not in session to the fullest extent that is approved by the City.

80. The applicant shall provide the Beverly Hills Unified School District with a full set of final demolition plans and specifications and construction plans and specifications, before the start of demolition and construction respectively. The applicant shall also provide the Beverly Hills Unified School District with a copy of the detailed construction schedule prior to commencement of demolition.

Other Measures

81. During construction, the developer shall install and maintain at least two (2) remotely controlled cameras made accessible via the internet to City staff, the Construction Management Coordinator, and the Environmental Compliance Monitor for mitigation monitoring purposes. The cameras are to be placed at a height and location so that 100% of the project site is visible at all times. Cameras shall be maintained regularly and accessible at all times and shall be equipped with microphones.

82. During construction, the Construction Management Coordinator, Environmental Compliance Monitor or the specialty testing consultants shall have the authority to require additional measures deemed necessary to address unanticipated issues that may arise due to construction of the Project. The developer shall fund any and all such recommended measures regardless of the cost.

83. Any lighting associated with permitted night-time construction shall be shielded, directed downward, and approved by the Environmental Compliance Monitor.

84. The outdoor roof areas shall not be rented separately from the ballrooms and meeting rooms and shall be utilized only in conjunction with an event occurring inside the hotel.

85. During evening hours, hotel employees shall be prohibited from parking in public parking structures owned by the City of Beverly Hills, and shall instead occur in privately owned parking structures unless prior approval for parking is obtained through a special event permit or other appropriate permit from the City.

86. The existing setback for the building overhang adjacent to The Beverly Hilton's lobby/retail section just west of the existing Wilshire Tower shall be increased 6.4 feet, for a total setback of 13.9 feet from the property line as shown on Exhibit E attached hereto.

87. The cabana poolside rooms may be rented for private use during pool hours but shall not be rented for overnight use.

88. The applicant shall provide final parking plans and a parking operations management plan for review and approval by the Community Development Director prior to the issuance of any building permit. The plans shall specify a location or locations in the parking garage that shall have ceiling height sufficient to accommodate the mechanical lifts necessary to accommodate 280 lift operated parking spaces. The applicant shall also provide specifications of the mechanical lift systems to be utilized such that the Director of Community Development can verify that ceiling heights are sufficient to accommodate the equipment.

Exhibit A to Conditions of Approval
Standard Conditions of Approval

CITY OF BEVERLY HILLS

STANDARD CONDITIONS LIST

FOR THE PLANNING COMMISSION

ENGINEERING, UTILITIES AND RECREATION & PARKS:

1. The applicant shall remove and replace all defective sidewalk surrounding the existing and proposed buildings.

2. The applicant shall remove and replace all defective curb and gutter surrounding the existing and proposed buildings.

3. 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 of *$5,638.80**, if a certificate of occupancy is issued prior to approval of the final subdivision map by the City Council. (*The tax figure is adjusted annually.)

4. 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 tree existing tree roots within the parkway area. Remove and replace all defective alley and driveway approaches surrounding the existing and proposed buildings.

5. 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. (See attached Trees and Construction document.)

   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.

6. 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.

7. 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.

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

9. 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.

10. 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.

11. 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.

12. 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-or-way, and for use of the public right-or-way for staging and/or hauling certain equipment and materials related to the project.

13. 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.

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

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

16. 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.

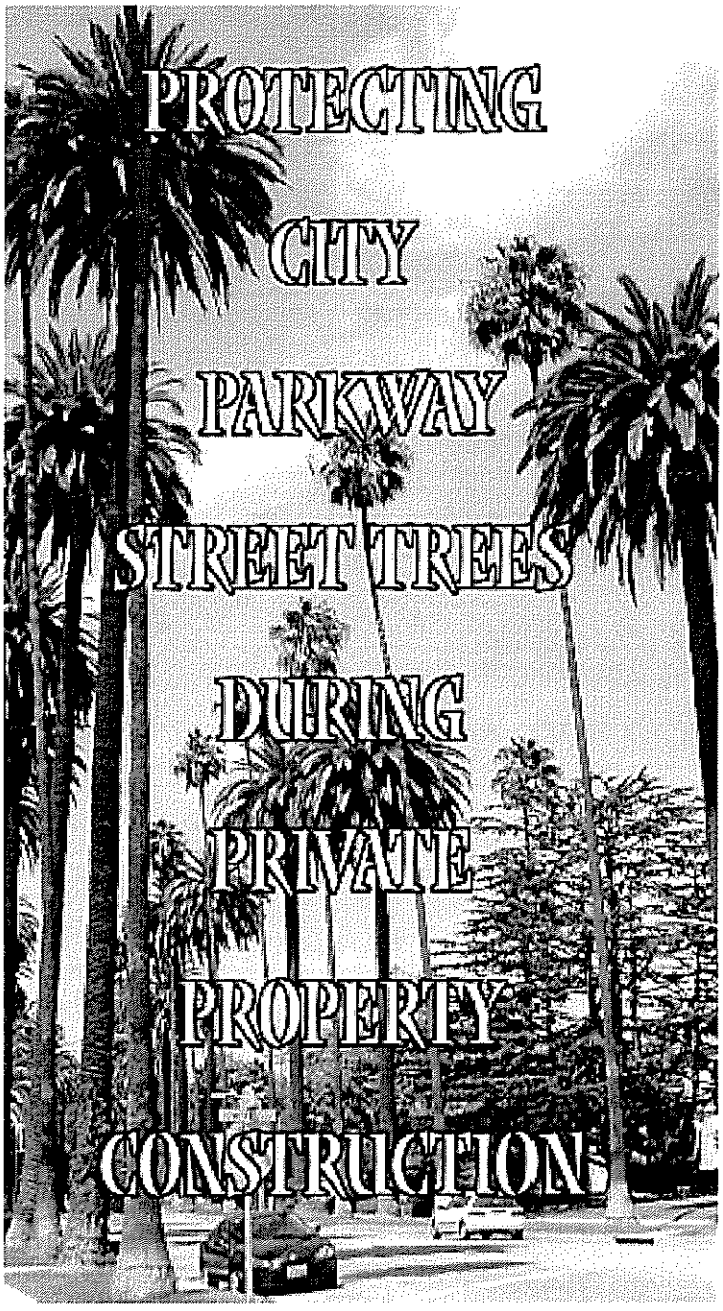
17. Organic residuals from daily operations and water used to wash trash rooms cannot be discharged to the alley. Examples are grocery stores, mini markets and food services.

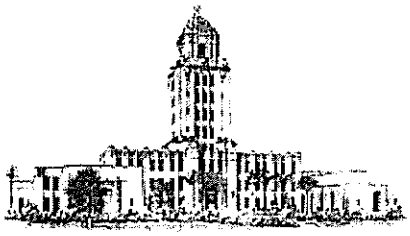
18. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Examples of ground water discharges are; rising ground water and garage sumps.

19. 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.

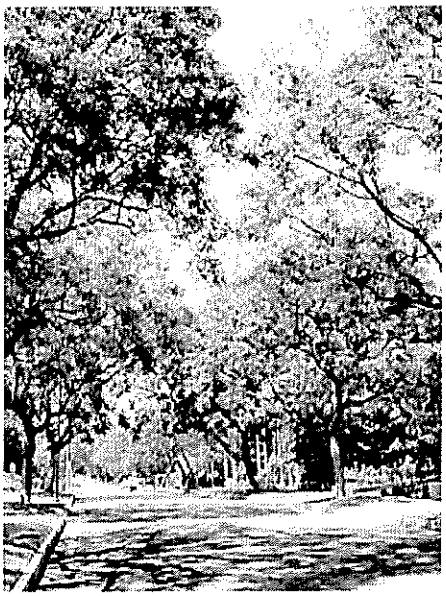
20. After completion of architectural review of a new or modified commercial structure, and prior to issuance of the certificate of occupancy, the applicant is required to comply with the Public Art Ordinance. An application is required to be submitted to the Fine Art Commission for review and approval of any proposed art piece or, as an alternative, the applicant may choose to pay an in-lieu art fee.

Exhibit B to Conditions of Approval
Tree Mitigation Conditions


PROTECTING
CITY
PARKWAY
STREET TREES
DURING
PRIVATE
PROPERTY
CONSTRUCTION



PROTECTING CITY PARKWAY STREET TREES DURING PRIVATE PROPERTY CONSTRUCTION



In addition to their numerous environmental benefits, trees in the parkway areas along the streets of Beverly Hills are a tremendous asset to residential and commercial communities. Street trees are protected by Beverly Hills Municipal Code (Sec. 5-6.1001) as follows: "It is illegal for parties who are not official representatives or authorized agents of the City of Beverly Hills to prune, remove, make attachment to, or otherwise damage a City street, park or protected tree." It is a violation of this City code to affix a sign, residence number plaque, mirror, light fixture, etc. to a City tree.

The maintenance and protection of street trees is a shared responsibility between property owners and the City of Beverly Hills. If you feel that a street tree is unheathy, damaged or in need of pruning, please contact the Department of Recreation and Parks Urban Forestry Division at 310.550.4638.

Construction activities can have severe and long lasting effects on the health of trees. Consideration must be given to street trees during a project's planning stages. Tree loss or damage can have a significant effect on the uniformity and value of a tree canopy along a street. The planning and implemention of any construction project must include the preservation of this important City asset. Planning and protecting the health of trees during construction is part of doing business in the City of Beverly Hills.

This brochure is provided to assist you to avoid endangering City trees during your construction project.

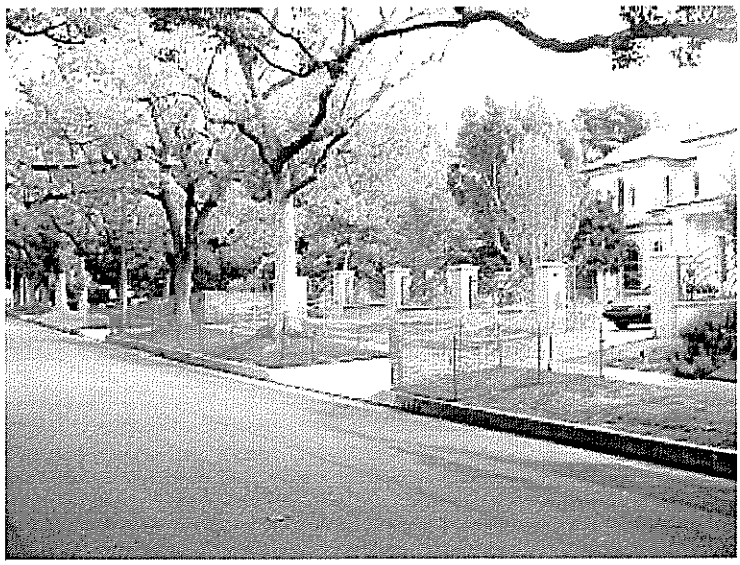
PROJECT PLANNING

- During the design process, please consider the long term effects that construction may have on City trees. Plan activities carefully, as the City of Beverly Hills will seek compensation for any damage to the trees caused by your construction activities.
- For any projects that include construction work in the public right-of-way, plans that accurately depict the public right-of-way will need the approval of the Departments of Recreation and Parks and Civil Engineering prior to any permits being issued by the Department of Building and Safety.
- All preliminary plans, sketches and drawings should identify all City parkway trees adjacent to the project site. The actual location and canopy diameter of City trees must be shown clearly on the plans.
- A City tree protection plan must be included in the inital plan submittal package. The tree protection plan may include a fenced tree protection zone, and must demonstrate how the parkway will be watered and maintained for the duration of the project. If it is determined that the proposed construction work will jeopardize the health of a street tree, or if the tree protection plan is deemed inadequate, you may be asked to provide a detailed report by a certified arborist showing the adequate protection of the tree and its value based on the International Society of Arboriculture(ISA) recognized standards.
- The negative effects of construction may take years to become apparent in the decline of trees. A claim may be filed with you and your general liability carrier should damage become apparent at a later date.
- You may wish to retain an International Society of Arboriculture (ISA) Certified Arborist to assist you with your project. Contact information is provided in this brochure.

Do not design projects at the expense of trees.

PROJECT APPROVAL

- All construction related permits will be processed by the Department of Building and Safety. Public Works permits are required for trucking, hauling and work conducted in the public right-of-way.
- The tree protection plan must be approved by the Recreation and Parks Urban Forest Division. If a tree protection zone fence is required, it must be installed and inspected prior to the commencement of any demolition or construction work. These inspections can be arranged by calling (310) 550-4638.



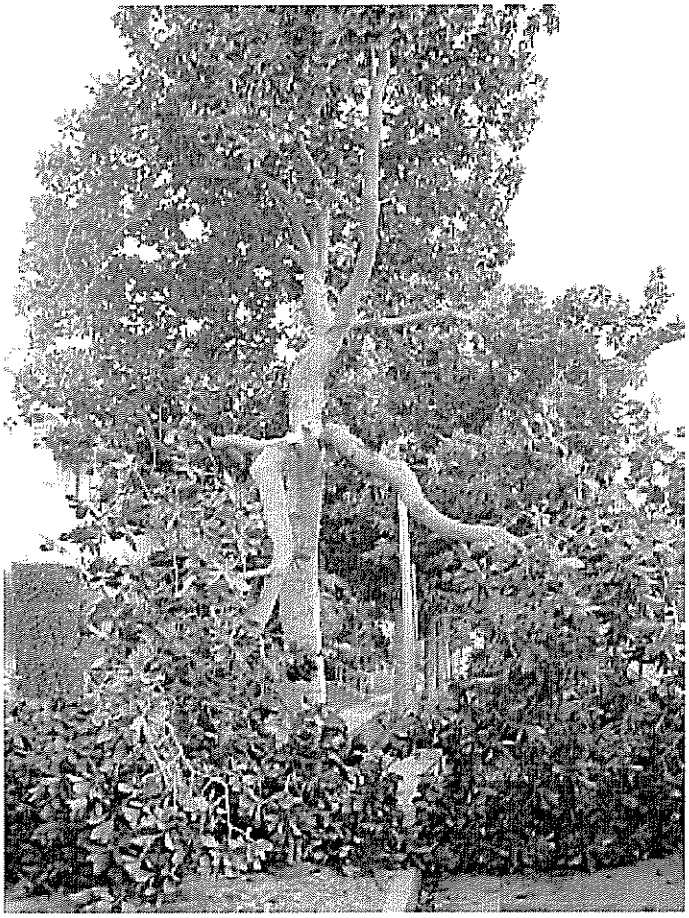
Maintain the tree protection zone fencing and parkway condition at all times.

SPECIFICATIONS

- A tree protection zone may require that the entire parkway be fenced. Fencing may be of a chain link or flexible configuration, but may not exceed 4 feet in height. Fence installation should be such that lines of sight are maintained so as to avoid any vehicle or pedestrian hazards. A warning sign must be displayed on the street side of the fence. The size of the sign must be no less than 8.5 x 11 inches. The sign must clearly state: "Warning: Tree Protection Zone". The sign shall clearly list the name and current contact information of the project owner or authorized representative.

DURING THE PROJECT

- Maintain the integrity of the tree protection zone fencing and keep the parkway site clean and maintained at all times.
- The site will be inspected by Building and Safety Department and the Urban Forest Division of the Recreation and Parks Department. If the tree protection plan is not complied with, or proves inadequate, additional measures may be required.
- It is recommended that trees be deep watered on a weekly basis for the duration of the project.



Do not allow cranes or other equipment to damage City trees.

CONTACT/RESOURCE INFORMATION

City of Beverly Hills contact information

- Recreation and Parks Department-
  Urban Forest Division Office: (310) 550-4638
  recreationandparks@beverlyhills.org

- Civil Engineering Department-
  Administration Office: (310) 285-2506
  civilengineering@beverlyhills.org

- Building and Safety Department-
  Permit Desk: (310) 285-1141
  buildingandsafety@beverlyhills.org

Determining the value of trees

- Council of Tree and Landscape Appraisers (CTLA), 2000. *Guide for Plant Appraisal*, 9th Ed. Savoy, IL: ISA, 143 pp.
  Order this reference guide online at:
  http://www.wcisa.net/pbItem.asp?PubID=30

  A library use only copy of this publication is available in the reference section of:
  The Beverly Hills Public Library
  444 North Rexford Drive
  Beverly Hills, CA 90210
  (310) 288-2244

Find an International Society of Arboriculture (ISA) Certified Arborist

- Western Chapter ISA: (530) 892-1006

- ISA, find an Arborist by phone: (217) 355-9411

- ISA, find an Arborist online: http://www.isa-arbor.com/arborists/arbsearch.html

Exhibit C to Conditions of Approval
Mitigation Monitoring and
Reporting Program

MITIGATION MONITORING PLAN

Section 2.0 and **Section 4.0** of the Final EIR identify the mitigation measures that will be implemented to reduce the impacts associated with the Beverly Hilton Revitalization Plan. The California Environmental Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6 of the Public Resources Code,

> *... the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.*

Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR.

The mitigation monitoring table lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in **Section 2.0** and discussed in **Section 4.0**. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The project applicant will have the responsibility for implementing the measures, and the various City of Beverly Hills departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan						
Mitigation Measure		Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
					Check Box	Date
Aesthetics, Light, and Glare						
LG-1	Project light sources shall be shielded, directed downward when intended to illuminate walking or working surfaces, and focused on the project site, to prevent light spillover onto adjacent properties or roadways.	Community Development Department	The project lighting plan filed with the Department of Community Development/Building & Safety Division shall comply with this requirement. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.		
Air Quality						
AQ-1	The Developer shall prepare a Construction Traffic Emission	Community Development	The project applicant shall submit a Construction	This measure shall be met during the		

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan						
Mitigation Measure		Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
					Check Box	Date
	Management Plan to minimize emissions from vehicles including, but not limited to, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.	Department	Traffic Emission Management Plan to the Director of Community Development prior to issuance of any grading or construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Traffic Emission Management Plan.	construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
AQ-2	The Contractor shall ensure that the use of all construction equipment is suspended during first-stage smog alerts.	See above.	See above.	See above.		
AQ-3	The Contractor shall promote the use of electricity or alternate fuels for on-site mobile equipment instead of diesel equipment to the extent feasible.	See above.	See above.	See above.		

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan						
Mitigation Measure		Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
					Check Box	Date
AQ-4	The Contractor shall maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.	See above.	See above.	See above.		
AQ-5	The Contractor shall promote the use of electric welders to avoid emissions from gas or diesel welders, to the extent feasible.	See above.	See above.	See above.		
AQ-6	The Contractor shall promote the use of on-site electricity or alternative fuels rather than diesel-powered or gasoline-powered generators to the extent feasible.	See above.	See above.	See above.		
AQ-7	Prior to use in construction, the project applicant and contractor will evaluate the feasibility of retrofitting the large off-road construction equipment that will be operating for significant periods. Retrofit technologies, such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., will be evaluated. These technologies will be required if they are verified by the California Air Resources Board. (CARB) and/or the U.S. Environmental Protection Agency (U.S. EPA) and are commercially available and can feasibly be retrofitted onto construction equipment.	See above.	See above.	See above.		
AQ-8	The Contractor shall ensure that traffic speeds on all unpaved roads are reduced to 15 mph or less.	See above.	See above.	See above.		
AQ-9	The Contractor shall ensure that the	See above.	See above.	See above.		

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan						
Mitigation Measure		Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
					Check Box	Date
	project site is watered at least three times daily during dry weather.					
AQ-10	The Contractor shall install wind monitoring equipment on site, to the extent feasible, and suspend grading activities when wind speeds exceed 25 mph per Southern California Air Quality Management District (SCAQMD) guidelines.	See above.	See above.	See above.		
AQ-11	The Contractor shall water storage piles by hand or apply cover when wind events are declared (wind speeds in excess of 25 miles per hour).	See above.	See above.	See above.		
AQ-12	The Contractor shall apply nontoxic chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).	See above.	See above.	See above.		
AQ-13	The Contractor shall replace ground cover in disturbed areas as quickly as possible.	See above.	See above.	See above.		
AQ-14	The project applicant shall retain a third-party air quality consultant to conduct continuous monitoring of the PM10 (dust) concentrations during the project demolition, excavation and grading phases of project construction (approximately 92 work days) to determine compliance with applicable air quality standards and regulations. Monitoring shall be accomplished using DustTrak™ aerosol monitors or other	Community Development Department	The Community Development Department shall hire a third-party air quality consultant. Weekly monitoring reports shall be submitted to the Community Development Department for review. The project proponent shall submit a corrective action plan and	During demolition and grading.		

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan						
Mitigation Measure		Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
					Check Box	Date
	similar monitoring networks and shall meet the following requirements: • The third-party consultant shall be approved by the City of Beverly Hills Planning Department. • Costs for the monitoring network and tests by the third-party consultant shall be borne by the project applicant.		have such plan approved prior to commencement of demolition activities.			
	• Monitors shall be located in such a manner that appropriate upwind (background) and two downwind locations from the project are selected. The locations shall be selected in order to monitor the project's contribution to ambient PM10 concentrations and to minimize the influence of dust contributions from outside sources. One downwind monitoring station shall be located at or near the El Rodeo School's southern perimeter. The other downwind monitor shall be located in an area beyond the project boundary where the general public could be present for a period of more than one hour. The upwind and downwind directions shall be based on the prevailing daytime wind direction in the vicinity of the project site. All locations shall be approved by the third-party air quality consultant and the Community Development					

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan						
Mitigation Measure		Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
					Check Box	Date
	Director.					
	• The monitoring network shall include at least one anemometer to measure wind speeds and directions. • Each monitoring station shall be secured in such a manner to prevent access and tampering by unauthorized persons and to prevent damage to the equipment. • Each monitoring station shall be sited in a location with access to necessary infrastructure (e.g., electricity needs, foundation requirements, internet connectivity). • Monitors shall be calibrated using collocated filter-based samplers (Mini-Vol or other similar equipment). The third-party consultant shall calibrate the DustTrak™ monitors as needed to ensure that data is within acceptable margins of error as determined by manufacturer's specifications.					
	• The 5-hour rolling average dust concentration threshold is equal to the threshold specified in SCAQMD Rule 403 (50 micrograms per cubic meter) as determined by the difference between the upwind and downwind stations. The 1-hour average dust concentration threshold shall be set at a level of 150 micrograms per cubic meter to provide					

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan						
Mitigation Measure		Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
					Check Box	Date
	sufficient warning for on-site construction managers or supervisors to implement corrective measures. An exceedance of the 1-hour threshold shall not be deemed as a violation of any air quality standard or regulation.					
	• Monitoring shall be continuous and provide data at 5-minute intervals. The data shall report rolling 5-hour and rolling 1-hour average PM10 concentrations. Monitoring shall be active on any day that construction activity occurs during the demolition, excavation, and grading phases of project construction. Data shall be made available to the third-party consultant, the City of Beverly Hills, the project applicant, and the on-site contractor on a secured internet website. The general public shall have access to 5-hour rolling average PM10 concentrations on a publicly accessible website.					

	• Monitors shall be equipped with a visual alarm (strobe light or similar) that shall notify appropriate on-site construction managers or supervisors if established thresholds are exceeded. Additionally, an email shall be sent to appropriate on-site construction managers or supervisors if specified PM10 thresholds are exceeded. • All corrective measures, as necessary to reduce emissions to acceptable levels, shall be implemented immediately. If immediate implementation of a specific corrective measure will result in the creation of a hazardous situation, as determined by the Environmental Monitor, construction activity shall be allowed to continue for a reasonable period of time as determined by the Environmental Monitor, until such time that is it safe to implement that corrective measure. Corrective measures shall be documented by the construction contractor in a log book accessible to the third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken.					
	• The project applicant and contractor shall develop a corrective action plan.					

	The plan shall be prepared and finalized prior to the commencement of project demolition. The plan shall indicate steps to safely and adequately reduce on-site dust emissions. The plan shall contain a list of possible corrective measures. The measures shall include, but at not limited to, application of water or other soil stabilizers, temporary reduction in on-site vehicle speed, temporary reduction in construction activity, suspension of construction activity and other appropriate measures. The plan shall also require notification of the Principal of El Rodeo School and the Beverly Hills Unified School District Superintendent in the event of an exceedance of any of the established thresholds. The project applicant and contractor shall obtain approval of the plan from the City of Beverly Hills Community Development Director prior to commencing demolition.					
AQ-15	The project applicant and/or contractor shall comply with SCAQMD Rule 403 by ensuring visible dust emissions from the project site do not go beyond the property line. • The project applicant and/or contractor shall designate a person located on-site who is trained and certified by the California Air Resources Board to conduct visible emissions evaluations (VEE). The designated person shall ensure compliance with SCAQMD Rule 403 by observing for visible dust	See above.	See above.	See above.		

	emissions beyond the property line during daytime working hours. Observations shall be conducted in accordance with U.S. Environmental Protection Agency Method 9(Title 40, Code of Federal Regulation, Part 60, Appendix A).					
	• The Beverly Hills Unified School District (BHUSD) shall provide the City of Beverly Hills with its schedule of outdoor activities and athletic events at El Rodeo School and Beverly Hills High School during the construction period as soon as the information becomes available. The City shall immediately provide this information to the project applicant and contractor. The project applicant and contractor shall require coordination of all construction activities so as minimize the occurrence of high-emitting fugitive dust construction activities during the scheduled outdoor events to the extent feasible.					
	• In the event visible dust emissions are observed beyond the property line, the designated person shall immediately inform a lead supervisor or other appropriate managing personnel. The supervisor shall immediately implement corrective measures. If visible dust emissions are anticipated to impact El Rodeo School, the supervisor shall notify the Principal of El Rodeo School and the Beverly Hills Unified School District					

	Superintendent. If immediate implementation of a corrective measure shall result in the creation of a hazardous situation, construction activity shall be allowed to continue for a reasonable period of time until such time that is it safe to implement corrective measures. Corrective measures shall be documented by the construction contractor in a log book accessible to the third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken.					
Cultural Resources						
CR-1	Components of The Beverly Hilton to be demolished shall be photographed with large-format black and white photography, and a written report, which follows Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standards at a minimum Level 3 Recordation. This documentation shall be donated to a suitable repository, such as the City of Beverly Hills Public Library. The costs shall be borne by the Applicant.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards. The project applicant shall provide applicable photographs and reports to the Community Development Department.	Prior to issuance of grading and building permits.		
CR-2	The Applicant shall fund the production of a video of the Beverly Hilton property showing the	Community Development Department	The project applicant shall hire an architectural historian qualified under	Prior to issuance of demolition permits		

	interiors and exteriors of the building and the site to show its history. the video shall be placed in the City of Beverly Hills Public Library and posted on the City of Beverly Hill's website.		the Secretary of Interior's Standards to produce the video.			
CR-3	Potentially historic street lights adjacent to the project site shall be preserved and reinstalled along this section of Wilshire Boulevard and Santa Monica Boulevard, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards. Historic street lights will be relocated, as advised.	Prior to issuance of grading and building permits.		
CR-4	Potentially historic sign posts adjacent to the project site on Merv Griffin Way shall be preserved and reinstalled in approximately the same locations, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards. Historic sign posts will be relocated, as advised.	Prior to issuance of grading and building permits.		
CR-5	If buried cultural resources are encountered during construction, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can assess the nature and significance of the archaeological discovery, per CEQA Section 15064.5 (f). Recovery of significant archaeological deposits, if necessary, shall include but not be limited to, manual or mechanical excavations, monitoring, soils testing, photography, mapping, or drawing to	Community Development Department	The project applicant shall provide proof that a certified archaeologist has investigated and has made appropriate recommendations.	During project construction.		

	adequately recover the scientifically consequential information from and about the archaeological resource. Further treatment may be required, including site recordation, excavation, site evaluation, and data recovery. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the archaeologist.					
CR-5	If human remains are discovered during construction, the coroner and designated Native American representatives shall be notified in accordance with Public Resources Code Section 5097.98, Health and Safety Code Section 7050.5, and Section 15064.5 (d) of the State CEQA Guidelines. State Health and Safety Code Section 7050.5 states that if human remains are unearthed during construction, no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. In accordance with applicable regulations, construction activities shall halt in the event of discovery of human remains, and consultation and treatment shall occur as prescribed by law. If human remains discovered are of Native American origin, it shall be necessary to comply with state laws relating to the disposition of Native American burials that fall within the jurisdiction of the California Native American Heritage Commission (Public Resources Code	Community Development Department	The project applicant shall provide proof that a certified archaeologist has investigated and has made appropriate recommendations.	During project construction.		

	Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052).					
	If the remains are determined to be Native American, the coroner shall contact the California Native American Heritage Commission to determine the most likely living descendant(s). The most likely living descendant shall determine the most appropriate means of treating the human remains and any associated grave artifacts and oversee disposition of the human remains and associated artifacts by the project archaeologists.					
CR-6	In the event a previously unknown fossil is uncovered during project construction, all work shall cease until a certified paleontologist can investigate the finds and make appropriate recommendations. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the monitor.	Community Development Department	The project applicant shall provide proof that a certified paleontologist has investigated and has made appropriate recommendations.	During project construction.		
Geology and Soils						
GEO-1	The proposed project shall be designed and constructed in accordance with recommendations contained in the Report of Geotechnical Investigation prepared by Mactec Engineering and Consulting, Inc. and in accordance with all applicable local, state, and federal regulations, such as the Uniform	Community Development Department/ Building & Safety Division	The construction plans filled with the Department of Community Development/Building & Safety Division shall comply with this requirement. The plan	This requirement shall be met prior to the issuance of relevant building permits.		

	Building Code (UBC) and Title 9 of the Beverly Hills Municipal Code.		check engineers will review the plans to ensure that they comply with this requirement.			
Hazards and Hazardous Materials						
HAZ-1	Any suspect lead based paint shall be sampled prior to any renovations or demolition activities. Any identified lead based paint located within buildings scheduled for renovation or demolition, or noted to be damaged, shall be abated by a licensed lead-based paint abatement contractor, and disposed of according to all state and local regulations.	Community Development Department/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		
HAZ-2	Construction activities shall comply with SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. This rule is intended to limit asbestos emissions from demolition or renovation of structures and the associated disturbance of ACMs generated or handled during these activities. The rule requires that SCAQMD be notified before demolition or renovation activity occurs. This notification includes a description of structures and methods utilized to determine the presence or absence of asbestos. All ACMs found on the site shall be removed prior to demolition or renovation in accordance with the requirements of Rule 1403.	Community Development Department/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		
HAZ-3	Prior to demolition activities, the sampling of suspect materials for lead	Community Development	The remediation plans shall include notes and	This measure shall be in effect until the		

	content shall be conducted. If these surfaces are determined to contain concentrations of lead at or above regulatory limits, their removal by a licensed abatement contractor in accordance with applicable regulations shall be necessary prior to demolition or renovation activities.	Department/ Building & Safety Division Department of Public Works	specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	issuance of the certificate of occupancy.		
HAZ-4	During demolition or renovation activities, the airborne lead concentration shall not exceed the Permissible Exposure Level (PEL), as required by the California Occupational Health and Safety Administration (Cal/OSHA), Title 8, California Code of Regulations (CCR), Construction Safety Orders for Lead, Section 1532.1.	Community Development Department/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		
HAZ-5	The demolition debris waste stream shall be analyzed for lead content during materials separation to ensure compliance with U.S. Environmental Protection Agency (EPA) regulations related to transportation and disposal of hazardous materials.	Community Development Department/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		
HAZ-6	All personnel workers potentially exposed to lead-containing materials shall be trained and protected in accordance with federal OSHA regulations.	Community Development Department	Proof of training and protection in accordance with federal OSHA regulations shall be provided to the Director	This measure shall be in effect until the issuance of the certificate of occupancy		
HAZ-7	Fluorescent light ballast labels shall be inspected prior to demolition. If the ballast labels do not include the	Community Development Department/	The remediation plans shall include notes and specific instructions	This measure shall be in effect until the issuance of the		

	statement, "No PCBs," the ballast(s) shall be properly removed by a licensed PCB removal contractor and disposed of as PCB-containing waste prior to demolition.	Building & Safety Division Department of Public Works	outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	certificate of occupancy.		
Hydrology and Water Quality						
HYDRO -1	Prior to start of soil-disturbing activities at the site, a Notice of Intent (NOI) and Stormwater Pollution and Prevention (SWPPP) shall be prepared by the applicant in accordance with, and in order to partially fulfill, the California State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 (General Construction Permit). The SWPPP shall meet the applicable provisions of Sections 301 and 402 of the CWA and Title 9, Chapter 4, Article 5, Storm Water and Urban Runoff Pollution Control from the Beverly Hills Municipal Code by requiring controls of pollutant discharges that utilize best available technology (BAT) and best conventional pollutant control technology (BCT) to reduce pollutants. Examples of BAT/BCT that may be implemented during site grading and construction could include straw hay bales, straw bale inlet filters, filter barriers, and silt fences.	Community Development Department	The project applicant will prepare a NOI and SWPPP.	Prior to the issuance of grading and building permits.		
HYDRO -2	Prior to issuance of any grading or building permits, the project applicant shall prepare and submit to the City of	Community Development Department	The project applicant will prepare a Storm Water Pollution Prevention Plan.	Prior to the issuance of grading and building permits.		

	Beverly Hills a SWPPP to be administered throughout all phases of grading and project construction. The SWPPP shall incorporate BMPs to ensure that potential water quality impacts during construction phases are minimized. Examples of practices that may be implemented during grading and construction could include straw hay bales, straw bale inlet filters, filter barriers, and silt fences.					
Noise						
NOISE-1	Prior to issuance of grading permits, the applicant shall submit a Construction Management Plan satisfactory to the Director of Community Development and the Building Official. The Building Official shall enforce noise attenuating construction requirements. The Construction Management Plan shall include, but not be limited to, the following: • Excavation, grading, and other construction activities related to the proposed project shall be restricted to the hours of operation allowed under Section 5-1-206, Restrictions on Construction Activity, of the City Municipal Code. Any deviations from these standards shall require the written approval of the Director of Community Development. • Stockpiling and vehicle staging areas shall be located as far away from occupied residences as possible, and screened from these uses by a solid	Community Development Department School District	The project applicant shall submit a Construction Management Plan to the Director of Community Development prior to issuance of any grading or construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Management Plan.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		

	attenuation barrier constructed. Noise attenuation barriers constructed to the specifications identified in the bullet points below are capable of reducing noise levels by 7.7 dB(A).					
	• Solid noise attenuation barriers (temporary barriers or noise curtains) with a sound transmission coefficient (STC) of at least 20 shall be used along all project boundaries during the construction phases associated with the development of the project. Noise attenuation barriers constructed at the property lines to a height of 8 feet with an STC rating of at least 20 are capable of reducing noise levels by 7.7 dB(A). • All stationary construction equipment (e.g., air compressor, generators, etc.) shall be operated as far away from the residential and institutional uses to the north of the project site as possible. If this is not possible, the equipment shall be shielded with temporary sound barriers, sound aprons, or sound skins to the satisfaction of the Director of Community Development.		The applicant shall work with the School District to ensure that no construction activity generating the highest noise levels is undertaken during any designated testing periods occurring at El Rodeo School. The exact dates and times shall be determined by the School District.			
	• Haul routes for removing excavated materials from the site shall be designed to avoid residential areas, and areas occupied by noise sensitive receptors (e.g., hospitals, schools, convalescent homes, etc.).					
	• Prior to the start of every school year, the applicant shall obtain a schedule of testing periods at El Rodeo School. The applicant shall submit a					

	construction schedule for review and approval by the Community Development Director and the Environmental Monitor that ensures that no construction activity generating the highest noise levels (e.g. demolition and grading) is undertaken during any designated testing periods at the school. Such testing periods typically occur for one week per semester; however, the exact dates and times will be determined by the School District.					
NOISE-2	The applicant shall implement sound attenuation features to reduce noise levels at all private outdoor livable spaces (i.e., balconies) on residence and hotel building floors 1 through 6 fronting Wilshire and Santa Monica Boulevards and Merv Griffin Way. Such features may include berms made of sloping mounds of earth, walls and fences constructed of a variety of materials, thick plantings of trees and shrubs, or combinations of these materials, or the use of solid material for balcony construction such as double-paned or laminated glass, Plexiglas, or wood. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels at the exterior livable spaces do not exceed state land use standards for residences. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Beverly Hills for review and approval	Community Development Department/ Building & Safety Division	The project plans filed with the Department of Community Development/Building & Safety Division shall comply with this requirement. The plan check engineers will review the plans to ensure that they comply with this requirement.	This requirement shall be met prior to the issuance of relevant building permits.		

	prior to the issuance of building permits.					
NOISE-3	The applicant shall incorporate building materials and techniques that reduce sound transmission through walls, windows, doors, ceilings, and floors of on-site residences in order to achieve interior noise levels that are below the state land use guidelines standards for interior noise levels that are below the state land use guidelines standards for interior noise. Such building materials and techniques may include double-paned windows, staggered studs, or sound-absorbing blankets incorporated into building wall design, or outdoor noise barriers erected between noise sources and noise-sensitive areas, such as berms made of sloping mounds of earth, walls and fences constructed of a variety of materials, thick plantings of trees and shrubs, or combinations of these materials. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed state standards for residences. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Beverly Hills for review and approval prior to the issuance of building permits.	See above.	See above.	See above.		
NOISE-4	The Beverly Hilton Revitalization Plan project applicant shall coordinate with the 9900 Wilshire project applicant regarding the following: • All temporary roadway closures shall be coordinated to limit overlap of	Community Development Department	The collective team of the two projects shall submit a signed document explaining their collaborative plans to the Community Development	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the		

	roadway closures; • All major deliveries for both projects shall be coordinated to limit the occurrence of simultaneous deliveries. The applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously; • The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared; and • Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.		Department for review to enforcement.	certificate of occupancy.		
Fire Protection and Emergency Services						
FIRE-1	The proposed signal at the intersection of Santa Monica Boulevard and Merv Griffin Way shall be outfitted with an Opticom device, a traffic signal pre-emption used to control signalized intersections to allow the Beverly Hills Fire Department (BHFD) to provide a safe response route and to decrease response times to emergencies.	Department of Public Works/Civil Engineering Division and Community Development Department Fire Department	The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure for the BHFD to review. The applicant will pay a fair share contribution to this measure.	This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.		
FIRE-2	The 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard shall be replaced with a 12-inch main in order to achieve adequate fire flow for the project. The	Department of Public Works/Civil Engineering Division and Community	The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair	This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of		

	line shall be replaced from the intersection of Wilshire Boulevard and Santa Monica Boulevard to the western boundary of the project site. The project applicant shall pay its "Fair Share" towards the upgrade of the 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard prior to the issuance of building permits. Upgrade of the main shall be completed concurrently with project construction and prior to building occupancy. The project applicant shall coordinate with the City so that construction of the upgraded main shall not conflict with construction of the proposed project.	Development Department	share contribution to this measure.	the project.		
Transportation, Traffic, Parking, and Circulation						
TRAF-1	An Environmental Monitor shall be retained that will be responsible for monitoring compliance with the mitigation measures in the adopted Mitigation Monitoring Program. The name, phone number, and other contact information for the Environmental Monitor shall be posted on the construction trailer or other location visible to public view as determined by the Community Development Director. The developer shall deposit funds sufficient to pay for the Environmental Monitor who will be hired by and work for the City.	Community Development Department	An independent Environmental Monitor shall be retained. The project applicant shall submit photographs of the posted contact information to the Community Development Department.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
TRAF-2	The Environmental Monitor shall pro-actively inform the public of the ongoing project progress and exceptions to the	See above.	See above.	See above.		

	expected plans. This shall include sending a quarterly mailer to all property owners within 1,000 feet of the exterior boundaries of the property. The developer shall be responsible for the full cost of the mailer including postage. The Environmental Monitor shall also respond to requests for information and assistance from members of the public when impacts raise special concerns by members of the public.					
TRAF-3	The Construction Relations Officer shall be assigned and a hotline number shall be published on construction signage placed along the boundary of the project site, along Wilshire Boulevard, Merv Griffin Way, and Santa Monica Boulevard to address day-to-day issues.	Community Development Department	An independent Construction Relations Officer shall be retained. The project applicant shall submit photographs of the posted contact information to the Community Development Department.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
TRAF-4	The Developer, Construction Relations Officer, and Environmental Monitor shall each provide monthly project updates to the Community Development Department (CDD) Director, unless otherwise warranted due to resident complaints.	Community Development Department	The Developer, Construction Relations Officer, and Environmental Monitor shall each provide monthly project updates to the CDD Director.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
TRAF-5	The Developer shall revise and finalize the Draft Construction Traffic Management Plan to minimize traffic flow interference from construction activities. The Final Construction Traffic Management Plan shall be submitted to the City and shall include plans to accomplish the following: • Maintain existing access for land uses	Community Development Department	The project applicant shall submit a Construction Traffic Management Plan and a Construction Working Parking Management Plan to the Director of Community Development prior to issuance of any grading or	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		

	in the proximity of the project site during project construction. • Schedule deliveries and pick-ups of construction materials for non-peak travel periods. • Coordinate haul trucks, deliveries and pick-ups to reduce the potential for trucks waiting to load or unload for protracted periods of time. • Minimize obstruction of through-traffic lanes on Wilshire Boulevard and Santa Monica Boulevard, and prohibit obstruction of these same lanes that accommodate construction during peak hours. • Construction equipment traffic from the contractors shall be controlled by flagman.		construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Traffic Management Plan			
	• Designate transport routes for heavy trucks and haul trucks to be used over the duration of the proposed project. • Schedule vehicle movements to ensure that there are no vehicles waiting off site and impeding public traffic flow on the surrounding streets. • Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local		and the Construction Working Parking Management Plan.			

	businesses. • Prior to submittal to the City of Beverly Hills, the Developer shall provide their Construction Traffic Management Plan and Construction Working Parking Management Plan to the Beverly Hills Unified School District and Los Angeles County Metropolitan Transit Authority for their review and comment. The Developer shall notify the City of Beverly Hills of all comments received from these agencies related to the Construction Traffic Management Plan. • Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the project site and neighboring businesses.					
	• Prohibit parking for construction workers except on the project site and any designated off-site parking locations. These off-site locations will require the approval of the City of Beverly Hills. These off-site parking locations cannot include any parking garage in the City of Beverly Hills or any residential streets including Whittier Drive and those streets which connect to Whittier Drive. The Final Construction Traffic Management Plan shall be submitted and approved by the City no later than 30 days prior to commencement of construction and shall include 1) a requirement for use of double belly					

	trucks to the maximum extent feasible to reduce the number of truck trips, 2) provisions for the Environmental Monitor to oversee and coordinate concurrent construction activities at 9900 Wilshire and the Beverly Hilton project, 3) an Action Plan to avoid construction-related traffic congestion and how to respond to unforeseen congestion that may occur, 4) requiring truck access and deliveries in non-peak traffic periods to the greatest extent feasible, and 5) prohibition on queuing of construction related vehicles on public streets in the City.					
TRAF-6	The Developer shall submit a Construction Workers Parking Plan identifying parking locations for construction workers. To the maximum extent feasible, all worker parking shall be accommodated on the project site. During demolition and construction activities when construction worker parking cannot be accommodated on the project site, the Plan shall identify alternate parking locations for construction workers and specify the method of transportation to and from the project site for approval by the City 30 days prior to commencement of construction. The Construction Workers Parking Plan must include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These include but are not limited to the	Community Development Department	The primary contractor shall submit to the department a program and affidavit attesting to the compliance with this measure as part of the Construction Workers Parking Plan, which will be reviewed by the Community Development Department/Building & Safety Department.	The program and affidavit shall be submitted prior to the commencement of any work on the project site. This measure shall be in effect until the issuance of the certificate of occupancy.		

	following measures:					
	• All construction contractors shall be provided with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on residential streets north of Wilshire or in public parking structures; • No parking for construction workers shall be permitted except within designated areas. The contractor shall be responsible for informing subcontractors and construction workers of this requirement, and if necessary as determined by the Community Development Director, for hiring a security guard to enforce these parking provisions. The contractor shall be responsible for all costs associated with parking and the enforcement of this mitigation measure; and					
	• In lieu of the above, the project applicant/construction contractor has the option of phasing demolition and construction activities such that all construction worker parking can be accommodated on the project site throughout the entire duration of demolition, excavation and construction activities.					
TRAF-7	The project applicant shall revise the project site plan to indicate on-site traffic	Department of Public	The Department of Public Works/Civil Engineering	This measure shall be implemented prior to		

	control planned for the project. At a minimum, all traffic control devices should be placed at all project exits onto Wilshire Boulevard, Santa Monica Boulevard, and Merv Griffin Way prior to the occupancy of any of the new buildings proposed on the site.	Works/Civil Engineering Division and Community Development Department	Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair share contribution to this measure.	issuance of certificate of occupancy and shall remain effective throughout the life of the project.		
TRAF-8	The applicant for The Beverly Hilton Revitalization Plan shall coordinate with the applicant for the 9900 Wilshire project during all phases of construction regarding the following: • All temporary roadway closures shall be coordinated to limit overlap of roadway closures; • All major deliveries for both projects shall be coordinated to limit the occurrence of simultaneous deliveries. The applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously; • The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared; and • Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.	Community Development Department	The collective team of the two projects shall submit a signed document explaining their collaborative plans to the Community Development Department for review to enforcement.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
Water						
WTR-1	The 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340,	Department of Public	The Department of Public Works/Civil Engineering	This measure shall be implemented prior to		

	No. 341, No. 342, and No. 343 along Wilshire Boulevard shall be replaced with a 12-inch main in order to achieve adequate fire flow for the project. The line shall be replaced from the intersection of Wilshire Boulevard and Santa Monica Boulevard to the western boundary of the project site. The project applicant shall pay its "Fair Share" towards the upgrade of the 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard prior to the issuance of building permits. Upgrade of the main shall be completed concurrently with project construction and prior to building occupancy. The project applicant shall coordinate with the City so that construction of the upgraded main shall not conflict with construction of the proposed project.	Works/Civil Engineering Division and Community Development Department	Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair share contribution to this measure.	issuance of certificate of occupancy and shall remain effective throughout the life of the project.		
Wastewater						
WW-1	The proposed restaurant shall install a Fat, Oil and Grease (FOG) Interceptor to remove these substances from its wastewater before entering the sanitary sewer system. This device helps prevent these substances from clogging the sanitary sewer system. The device shall be regularly inspected by the Los Angeles County Department of Public Works.	Los Angeles County Department of Public Works	Los Angeles County of Department of Public Works shall regularly inspect the FOG inceptor.	This measure shall be implemented prior to issuance of the proposed restaurant's business license and shall remain effective throughout the life of the project.		
Energy						
ENG-1	Prior to submittal of final plans, the applicant shall make necessary	Community Development	The applicant shall provide to the	This measure shall be implemented prior to		

	alterations to the generation or distribution system as required by Southern California Edison (SCE). The applicant shall then provide to the Beverly Hills Community Development Department a letter from SCE, which states that electricity will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.	Department	Community Development Department a letter from SCE.	submittal of final plans.		
ENG-2	Prior to submittal of final plans, the applicant shall complete a load survey in accordance with the Gas Company procedures and make any necessary alterations to the distribution system as required by the Gas Company. The applicant shall then provide to the Beverly Hills Community Development Department a letter from the Gas Company, which states that natural gas will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.	Community Development Department	The applicant shall provide to the Community Development Department a letter from the Gas Company.	This measure shall be met prior to submittal of final plans.		

Exhibit D to Conditions of Approval
Green Building Checklist

Attachment 3

City of Beverly Hills
Green Building/Sustainability Checklist

New Commercial, Multi-Family and Mixed-Use Development

Project Name:	
Project Address:	

Compliance Level

Buildings > 25,000 sq. ft. = Silver (33 - 38 points) or Certified (26 - 32 points) - if the lot is vacant
Buildings > 10,000 to 24,999 sq. ft. = Certified
Buildings < 10,000 sq. ft. = 10% above Title 24 and Solar Ready Construction

Sustainable Sites — 14 Points Maximum

C.E.	**Construction Activity Pollution Prevention**	Required	SS P1**
C.E.	**Stormwater Design Requirement**	Required	
OWNER	**Development Density & Community Connectivity**	1	SS 2**
OWNER	**Brownfield Redevelopment**	1	SS 3**
ARCH.	**Alternative Transportation**, Public Transportation Access	1	SS 4.1**
ARCH.	**Alternative Transportation**, Bicycle Storage & Changing Rooms	1	SS 4.2**
ARCH.	**Alternative Transportation**, Low-Emitting & Fuel-Efficient Vehicles	1	SS 4.3**
C.E.	**Alternative Transportation**, Parking Capacity	1	SS 4.4**
C.E.	**Site Development,** Protect of Restore Habitat	1	SS 5.1**
C.E.	**Site Development,** Maximize Open Space	1	SS 5.2**
C.E.	**Stormwater Design,** Quantity Control	1	SS 6.1**
C.E.	**Stormwater Design,** Quality Control	1	SS 6.2**
C.E./ARCH.	**Heat Island Effect,** Non-Roof	1	SS 7.1**
C.E./ARCH.	**Heat Island Effect,** Roof	1	SS 7.2**
E.E.	**Light Pollution Reduction**	1	SS 8**

Water Efficiency — 5 Points Maximum

LANDSCAPE	**Water Efficient Landscaping**, Reduce by 50%	1	WE 1.1**
LANDSCAPE	**Water Efficient Landscaping**, No Potable Use or No Irrigation	1	WE 1.2**
M.E.	**Innovative Wastewater Technologies**	1	WE 2**
M.E.	**Water Use Reduction**, 20% Reduction	1	WE 3.1**
M.E.	**Water Use Reduction**, 30% Reduction	1	WE 3.2**

Energy & Atmosphere — 17 Points Maximum

COMM.	**Fundamental Commissioning of the Building Energy Systems**	Required	EA P1**
M.E.	**Minimum Energy Performance**	Required	EA P2**
M.E.	**Fundamental Refrigerant Management**	Required	EA P3**
M.E.	**Optimize Energy Performance** (Report from M.E. based on ASHRAE is required)	1 to 10	EA 1**
M.E.	**On-Site Renewable Energy** (Report from M.E. based on ASHRAE is required)	1 to 3	EA 2**
COMM.	**Enhanced Commissioning**	1	EA 3**
M.E.	**Enhanced Refrigerant Management**	1	EA 4**
M.E.	**Measurement & Verification**	1	EA 5**
OWNER	**Green Power**	1	EA 6**

Materials & Resources — 13 Points Maximum

ARCH.	**Storage & Collection of Recyclables**	Required	MR P1**
ARCH.	**Building Reuse**, Maintain 75% of Existing Walls, Floors & Roof	1	MR 1.1**
ARCH.	**Building Reuse**, Maintain 100% of Existing Walls, Floors & Roof	1	MR 1.2**
ARCH.	**Building Reuse**, Maintain 50% of Interior Non-Structural Elements	1	MR 1.3**
CONT.	**Construction Waste Management**, Divert 50% from Disposal	1	MR 2.1**
CONT.	**Construction Waste Management**, Divert 75% from Disposal	1	MR 2.2**
ARCH.	**Materials Reuse**, 5%	1	MR 3.1**
ARCH.	**Materials Reuse**,10%	1	MR 3.2**
ARCH.	**Recycled Content**, 10% (post-consumer + ½ pre-consumer)	1	MR 4.1**
ARCH.	**Recycled Content**, 20% (post-consumer + ½ pre-consumer)	1	MR 4.2**
ARCH.	**Regional Materials**, 10% Extracted, Processed & Manufactured Regionally	1	MR 5.1**
ARCH.	**Regional Materials**, 20% Extracted, Processed & Manufactured Regionally	1	MR 5.2**
ARCH.	**Rapidly Renewable Materials**	1	MR 6**
ARCH.	**Certified Wood**	1	MR 7**

Indoor Environmental Quality — 15 Points Maximum

M.E.	**Minimum IAQ Performance**	Required	EQ P1**
LEED AP	**Environmental Tobacco Smoke** (ETS) **Control**	Required	EQ P2**
M.E.	**Outdoor Air Delivery Monitoring**	1	EQ 1**
M.E.	**Increased Ventilation**	1	EQ 2**
CONT.	**Construction IAQ Management Plan**, During Construction	1	*EQ 3.1***
CONT.	**Construction IAQ Management Plan**, Before Occupancy	1	EQ 3.2**
ARCH.	**Low-Emitting Materials**, Adhesives & Sealants	1	EQ 4.1**
ARCH.	**Low-Emitting Materials**, Paints & Coatings	1	EQ 4.2**
ARCH.	**Low-Emitting Materials**, Carpet Systems	1	EQ 4.3**

ARCH.	**Low-Emitting Materials**, Composite Wood & Agrifiber Products	1	EQ 4.4**
LEED AP	**Indoor Chemical & Pollutant Source Control**	1	EQ 5**
M.E.	**Controllability of Systems**, Lighting	1	EQ 6.1**
M.E.	**Controllability of Systems**, Thermal Comfort	1	EQ 6.2**
M.E.	**Thermal Comfort**, Design	1	EQ 7.1**
M.E.	**Thermal Comfort**, Verification	1	EQ 7.2**
ARCH.	**Daylight & Views**, Daylight 75% of Spaces	1	EQ 8.1**
ARCH.	**Daylight & Views**, Views for 90% of Spaces	1	EQ 8.2**

Innovation & Design Process — 5 Points Maximum

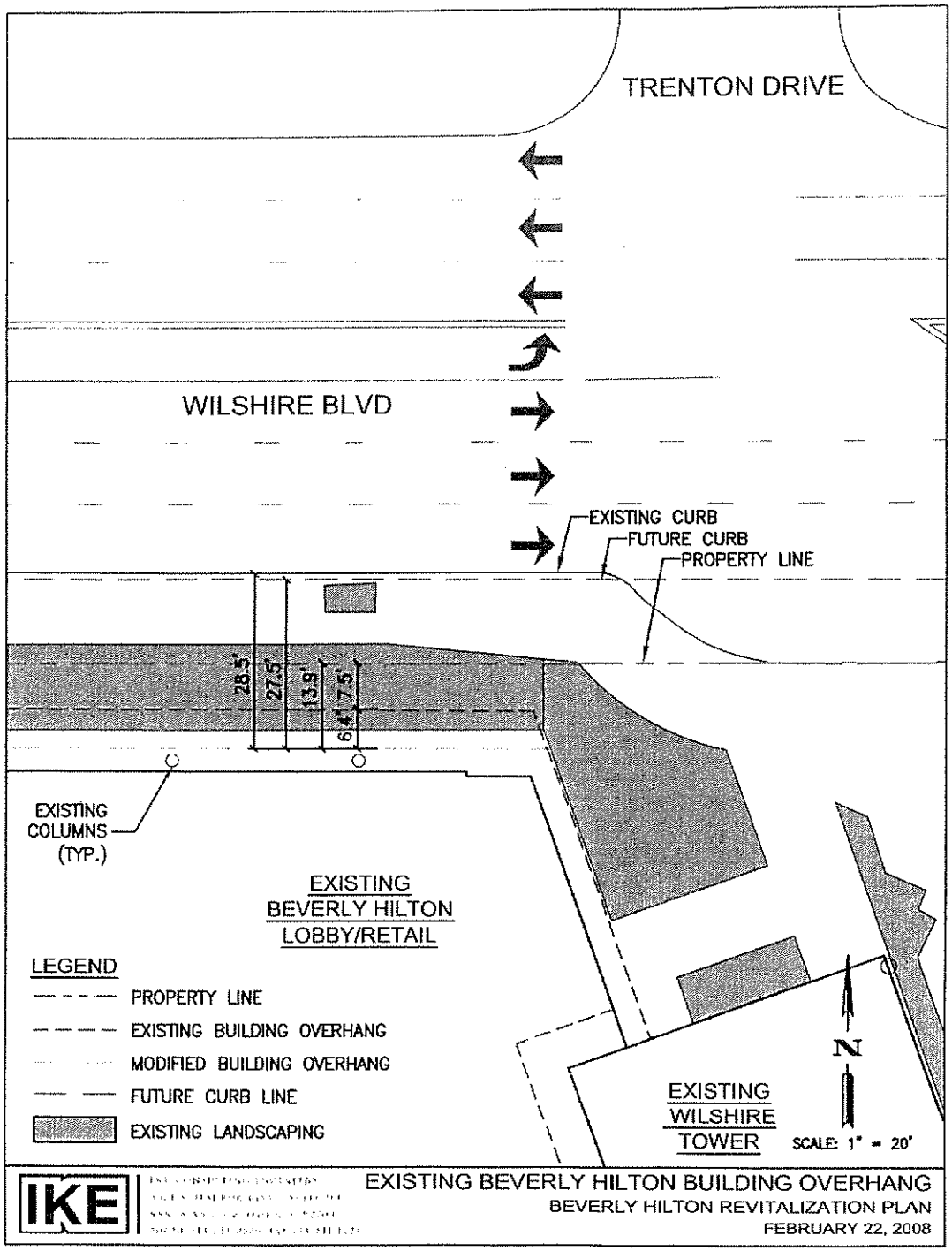
ALL PROFS.	**Innovation in Design**: Provide Specific Title	1	ID 1.1**
ALL PROFS.	**Innovation in Design**: Provide Specific Title	1	ID 1.2**
ALL PROFS.	**Innovation in Design**: Provide Specific Title	1	ID 1.3**
ALL PROFS.	**Innovation in Design**: Provide Specific Title	1	ID 1.4**
	LEED® Accredited Professional	1	ID 2**

Project Totals (Pre-certification estimates) =

* Certified 26- 32 points; Silver 33 - 38 points; Gold 39 - 51 points; Platinum 52 - 69 points

** Refers to LEED Source Book for New Construction for Intent and Requirement of each category

Exhibit E to Conditions of Approval
Building Overhang Exhibit


TRENTON DRIVE
WILSHIRE BLVD
EXISTING CURB
FUTURE CURB
PROPERTY LINE
28.5'
27.5'
13.9'
7.5'
6.4'
EXISTING COLUMNS (TYP.)
EXISTING BEVERLY HILTON LOBBY/RETAIL
LEGEND
PROPERTY LINE
EXISTING BUILDING OVERHANG
MODIFIED BUILDING OVERHANG
FUTURE CURB LINE
EXISTING LANDSCAPING
EXISTING WILSHIRE TOWER
N
SCALE: 1" = 20'
IKE
EXISTING BEVERLY HILTON BUILDING OVERHANG
BEVERLY HILTON REVITALIZATION PLAN
FEBRUARY 22, 2008

CHAPTER 8.0
FIGURES

All figures attached herein shall be deemed integral to the Specific Plan and its implementation.

LIST OF FIGURES

1. Specific Plan Area Location Map
2. Specific Plan Area
3. Existing Site Conditions
4. Existing Above-Grade Buildings to be Demolished
5. Surrounding Land Uses
6. Specific Plan Site Plan / Building Placement
7. Outdoor Event Locations
8. Surrounding Circulation and On-site Circulation: Access and Driveways
9. Parking Plan (9A-9D)
10. Parking Plan using maximized valet/Mechanical Lift Diagram
11. Water System Plan
12. Sewer System Plan
13. Storm Drain Plan
14. Electric Facilities Plan
15. Natural Gas Plan
16. Building Heights (16A-16F)
17. Residences A Building Design (17A-17B)
18. Residences B Building Design (18A-18B)
19. Conference Center Design
20. East Luxury Hotel Building Design (20A-20B)
21. Open Space/Landscape Design
22. Ground Level Open Space

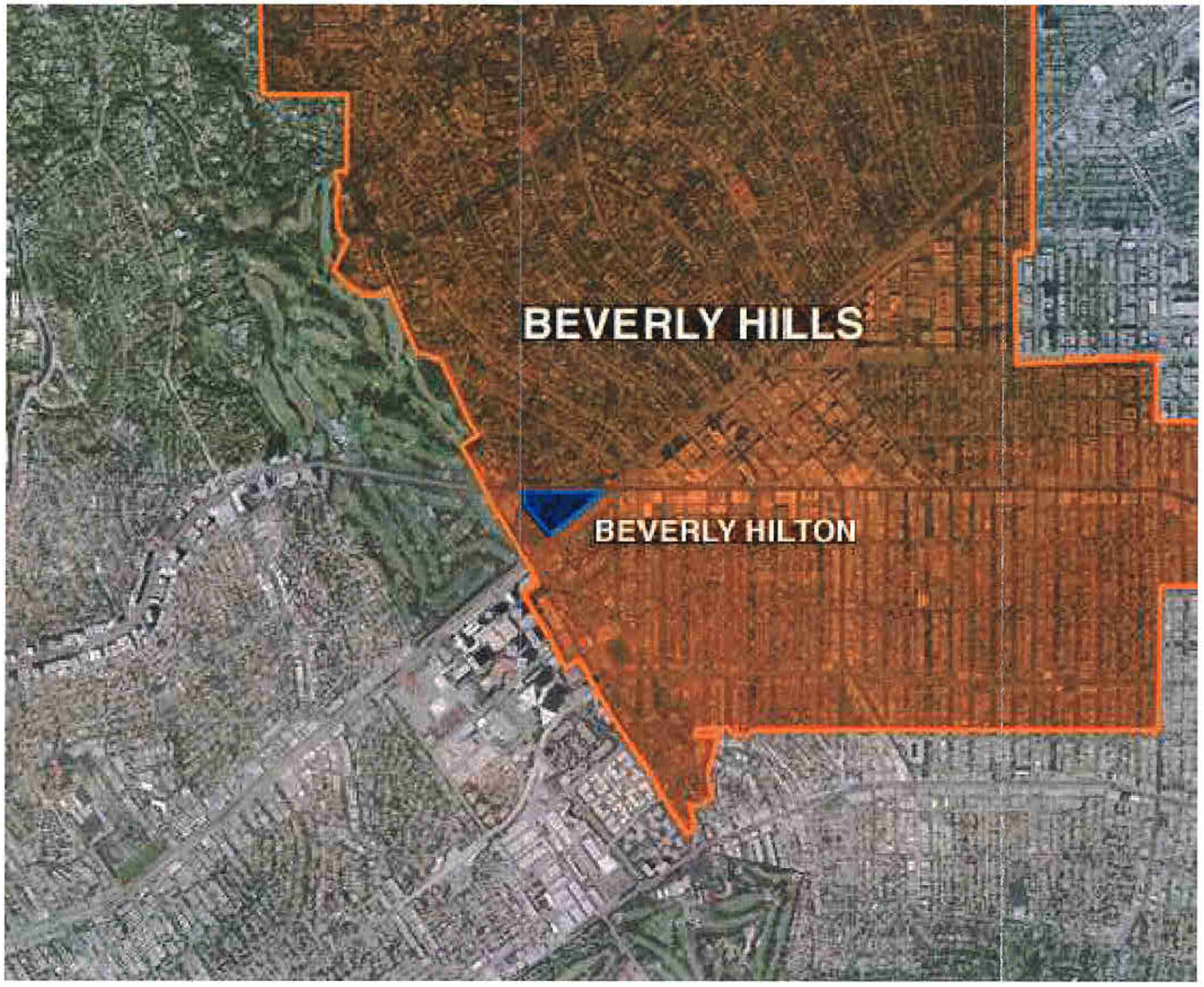
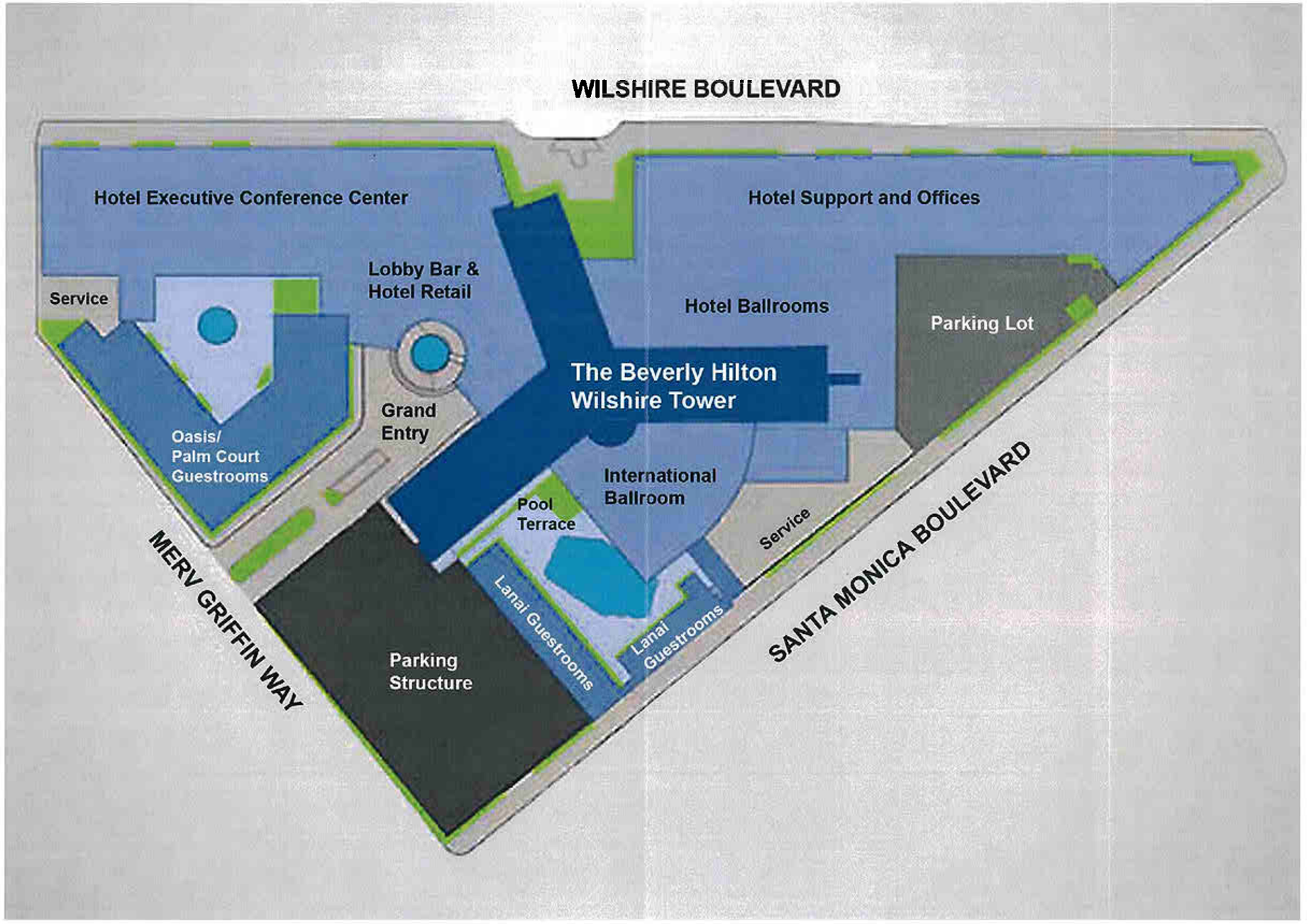

BEVERLY HILLS
BEVERLY HILTON

Figure 2 - Specific Plan Area


WILSHIRE BOULEVARD
Hotel Executive Conference Center
Hotel Support and Offices
Lobby Bar &
Hotel Retail
Service
Hotel Ballrooms
Parking Lot
The Beverly Hilton
Wilshire Tower
Grand
Entry
Oasis/
Palm Court
Guestrooms
International
Ballroom
Pool
Terrace
Service
MERV GRIFFIN WAY
SANTA MONICA BOULEVARD
Lanai Guestrooms
Lanai
Guestrooms
Parking
Structure

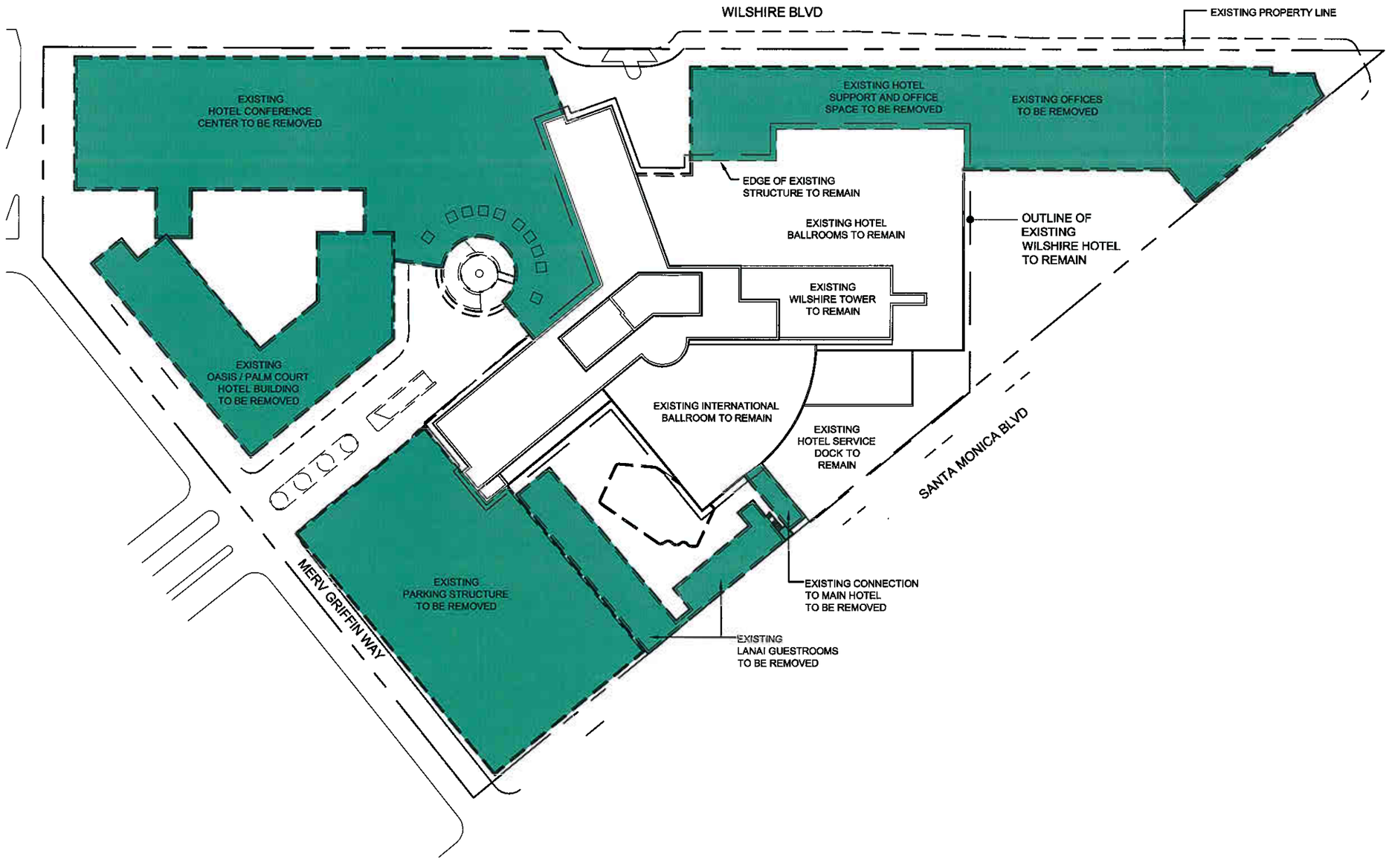
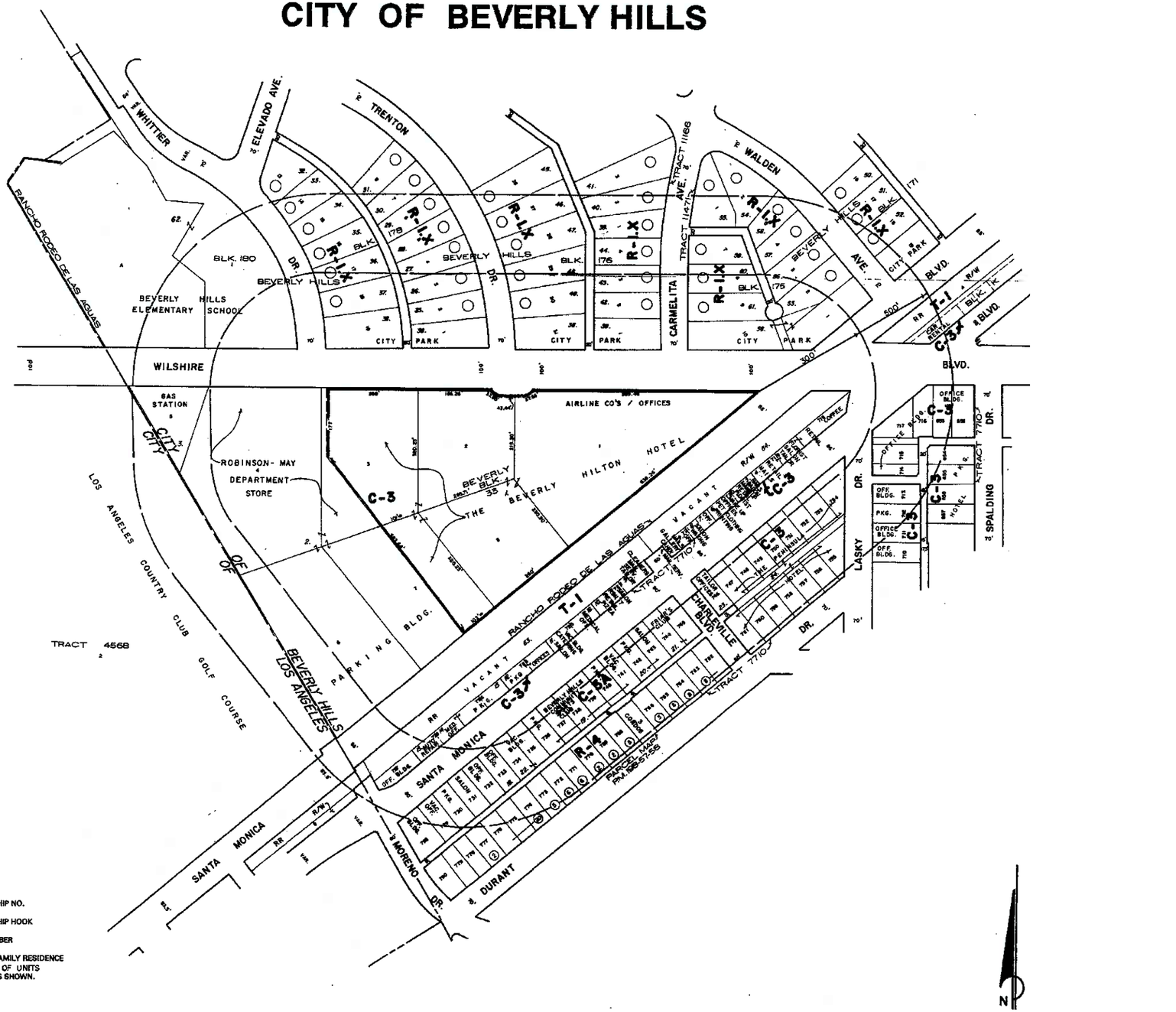


Figure 4 - Existing Above Grade Buildings to be Demolished

Scale: 1" = 120'-0"

April 29, 2008

CITY OF BEVERLY HILLS



LEGEND

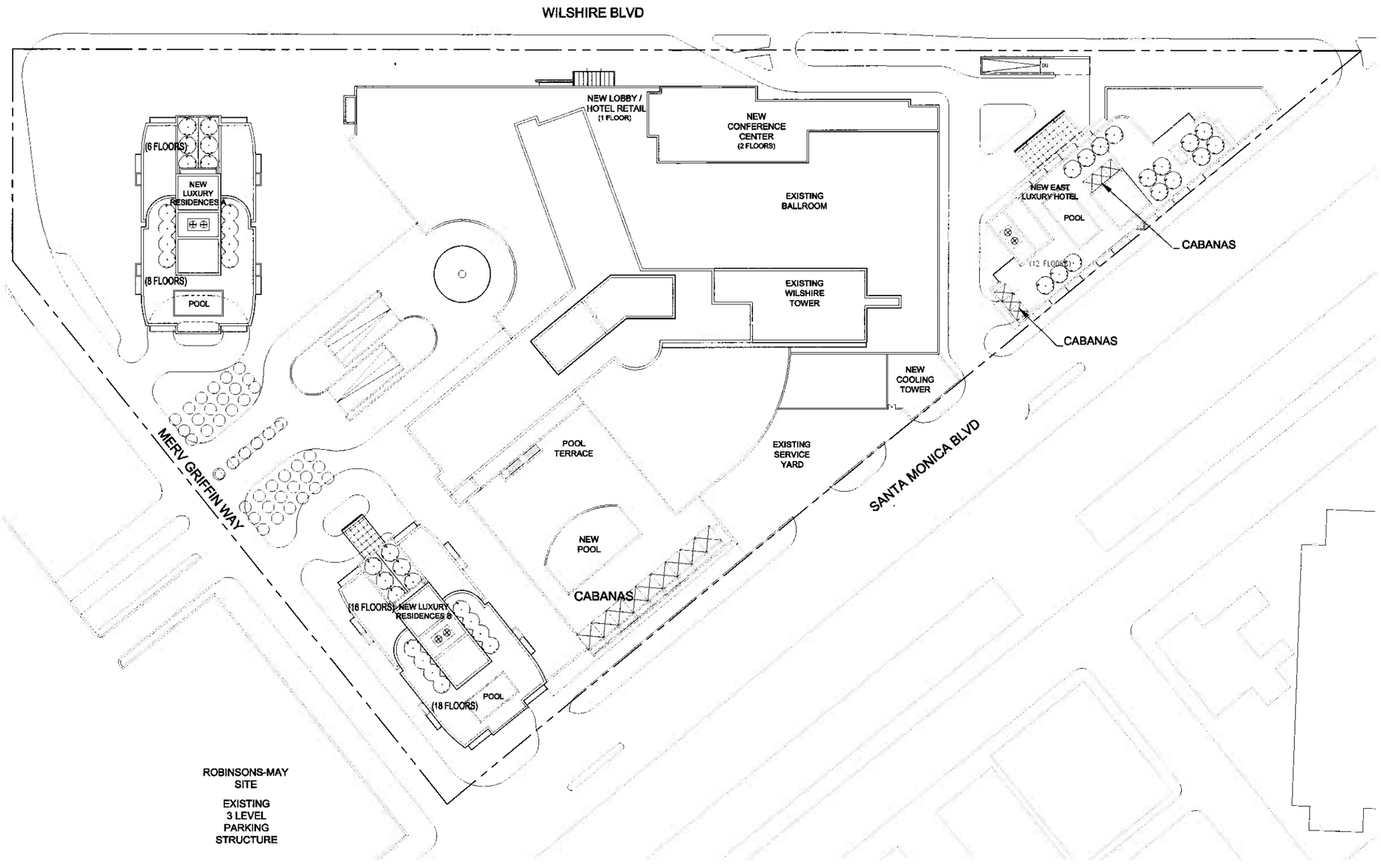
2. OWNERSHIP NO.

1 OWNERSHIP HOOK

7 LOT NUMBER

○ SINGLE FAMILY RESIDENCE
(5) NUMBER OF UNITS
ALL OTHER USES AS SHOWN.

C-3 ZONING

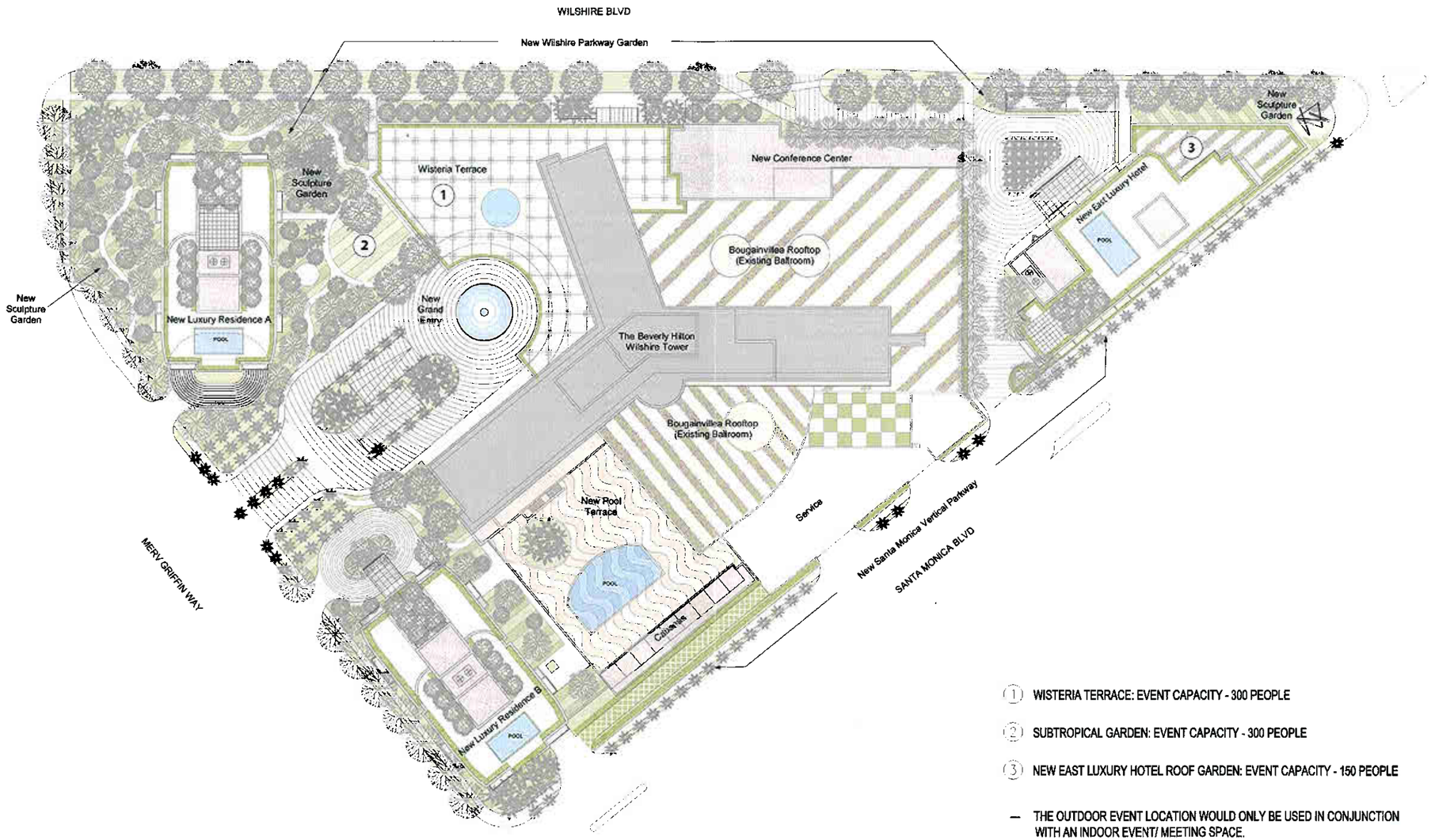


The Beverly Hilton Specific Plan

Figure 6 - Specific Plan Site Plan / Building Placement Plan

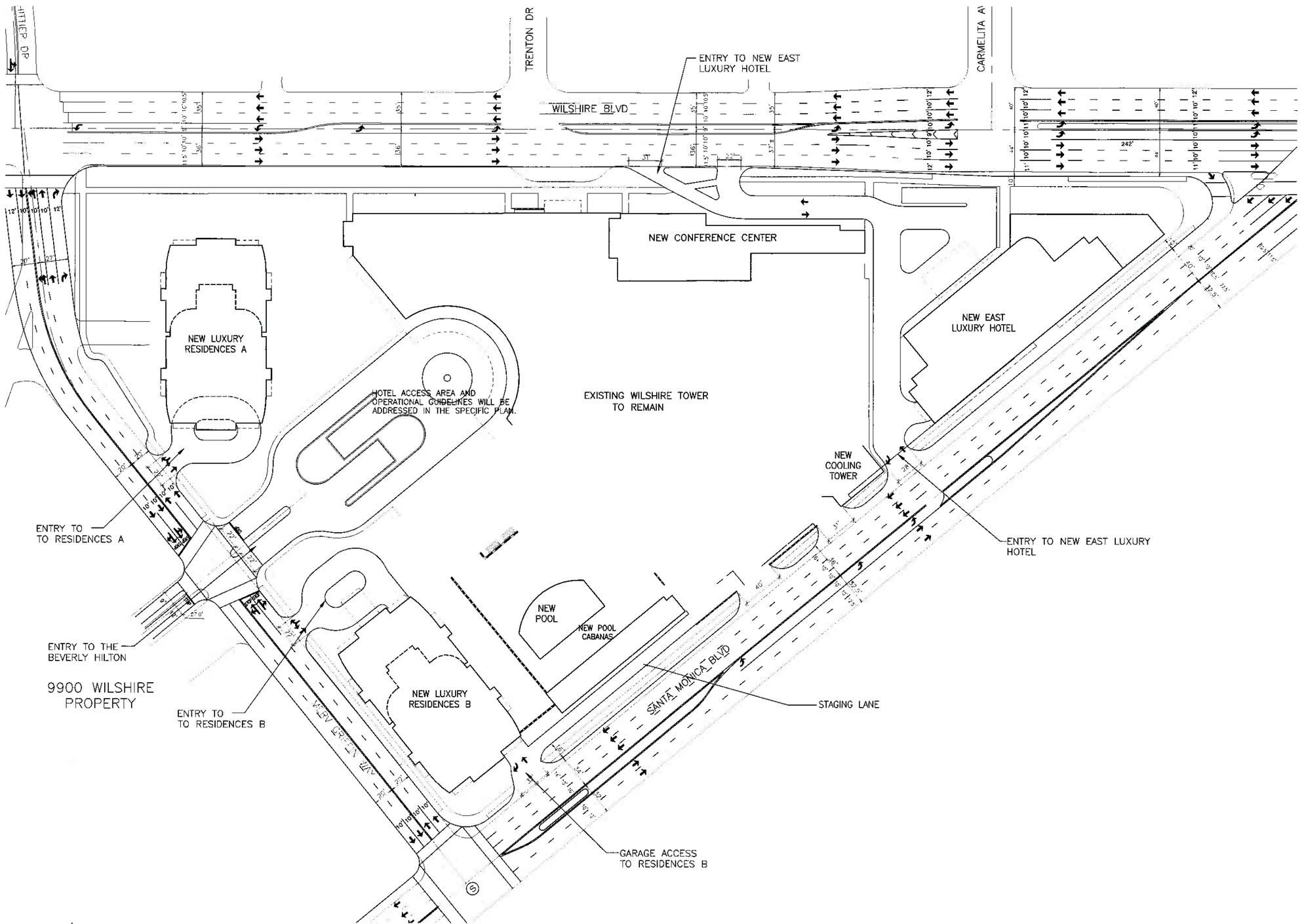
Scale: 1" = 120'-0"

April 29, 2008



1. WISTERIA TERRACE: EVENT CAPACITY - 300 PEOPLE
2. SUBTROPICAL GARDEN: EVENT CAPACITY - 300 PEOPLE
3. NEW EAST LUXURY HOTEL ROOF GARDEN: EVENT CAPACITY - 150 PEOPLE

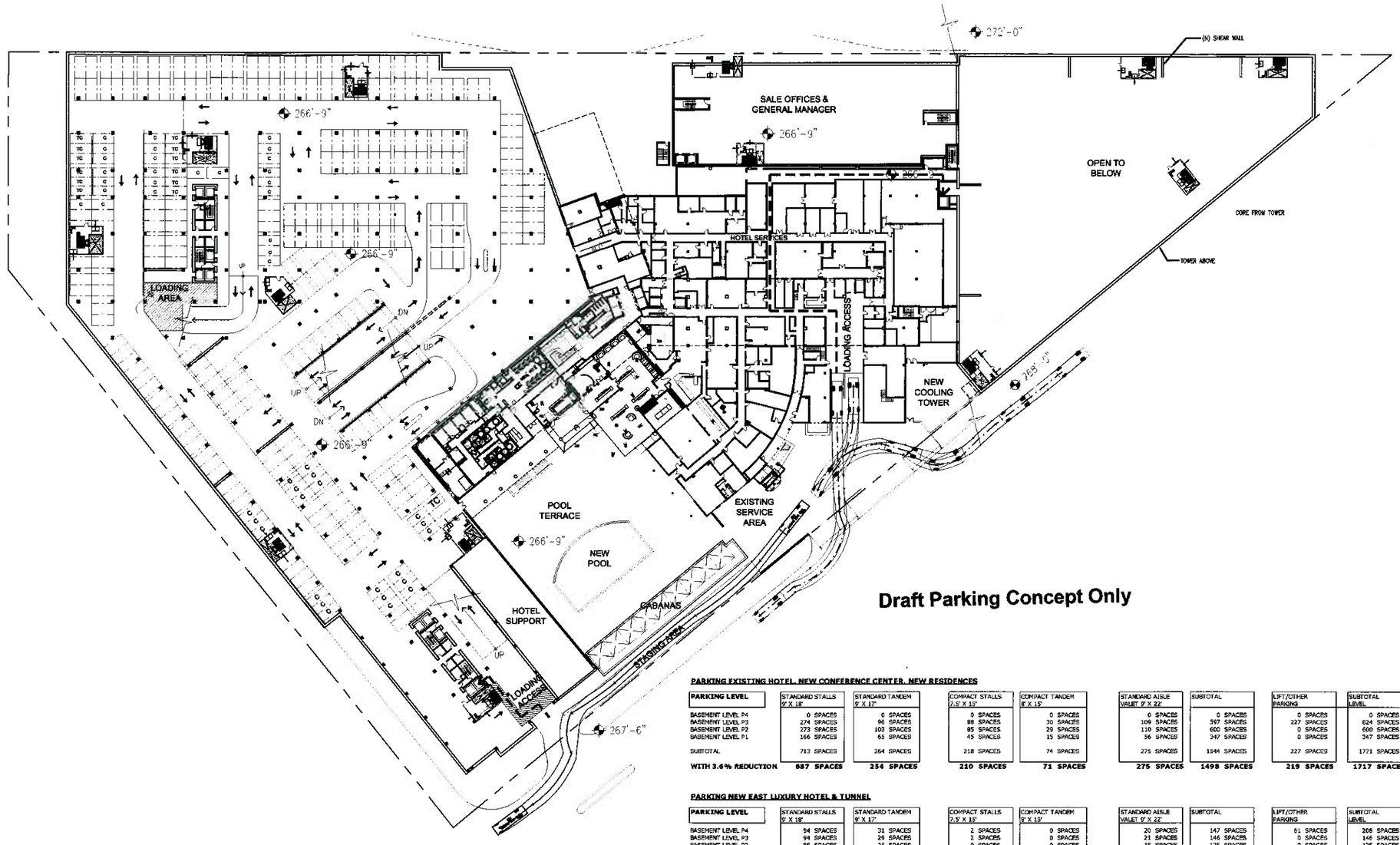
- THE OUTDOOR EVENT LOCATION WOULD ONLY BE USED IN CONJUNCTION WITH AN INDOOR EVENT/ MEETING SPACE.
- THE TOTAL COMBINED OCCUPANCY OF THE WISTERIA TERRACE AND SUBTROPICAL GARDEN WOULD NOT EXCEED 300 PEOPLE.



The Beverly Hilton Specific Plan

Figure 8 - Surrounding Circulation and On-Site Circulation/ Access, Driveways

Scale: 1" = 120'-0" *April 29, 2008*



Draft Parking Concept Only

PARKING EXISTING HOTEL, NEW CONFERENCE CENTER, NEW RESIDENCES

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES
BASEMENT LEVEL P3	274 SPACES	96 SPACES	88 SPACES	30 SPACES	109 SPACES	597 SPACES	227 SPACES	824 SPACES
BASEMENT LEVEL P2	273 SPACES	103 SPACES	85 SPACES	29 SPACES	110 SPACES	600 SPACES	0 SPACES	600 SPACES
BASEMENT LEVEL P1	166 SPACES	65 SPACES	45 SPACES	15 SPACES	56 SPACES	347 SPACES	0 SPACES	347 SPACES
SUBTOTAL	713 SPACES	264 SPACES	218 SPACES	74 SPACES	275 SPACES	1544 SPACES	227 SPACES	1771 SPACES
WITH 3.6% REDUCTION	**687 SPACES**	**254 SPACES**	**210 SPACES**	**71 SPACES**	**275 SPACES**	**1498 SPACES**	**219 SPACES**	**1717 SPACES**

PARKING NEW EAST LUXURY HOTEL & TUNNEL

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	94 SPACES	31 SPACES	2 SPACES	0 SPACES	20 SPACES	147 SPACES	61 SPACES	208 SPACES
BASEMENT LEVEL P3	94 SPACES	29 SPACES	3 SPACES	0 SPACES	21 SPACES	146 SPACES	0 SPACES	146 SPACES
BASEMENT LEVEL P2	85 SPACES	23 SPACES	0 SPACES	0 SPACES	15 SPACES	125 SPACES	0 SPACES	125 SPACES
BASEMENT LEVEL P1	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES
SUBTOTAL	273 SPACES	85 SPACES	4 SPACES	0 SPACES	56 SPACES	418 SPACES	61 SPACES	479 SPACES
WITH 3.6% REDUCTION	**263 SPACES**	**82 SPACES**	**4 SPACES**	**0 SPACES**	**56 SPACES**	**405 SPACES**	**59 SPACES**	**464 SPACES**

PARKING SUMMARY WITH 3.6% REDUCTION FOR VENTILATION SHAFTS, ACCESSIBLE STALLS

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	94 SPACES	31 SPACES	2 SPACES	0 SPACES	20 SPACES	147 SPACES	61 SPACES	208 SPACES
BASEMENT LEVEL P3	368 SPACES	125 SPACES	90 SPACES	30 SPACES	130 SPACES	743 SPACES	219 SPACES	962 SPACES
BASEMENT LEVEL P2	358 SPACES	128 SPACES	85 SPACES	29 SPACES	125 SPACES	725 SPACES	0 SPACES	725 SPACES
BASEMENT LEVEL P1	166 SPACES	65 SPACES	45 SPACES	15 SPACES	56 SPACES	347 SPACES	0 SPACES	347 SPACES
WITH 3.6% REDUCTION	**951 SPACES**	**336 SPACES**	**214 SPACES**	**71 SPACES**	**331 SPACES**	**1903 SPACES**	**280 SPACES**	**2183 SPACES**

TOTAL COMPACT SPACES **285**

TOTAL STANDARD SPACES **1618**

NOTES TO PARKING SUMMARY:

1 A 3.6% REDUCTION FOR VENTILATION SHAFTS AND ACCESSIBLE STALLS WILL REDUCE THE NUMBER OF PARKING SPACES .

2 MAXIMIZED VALET OPERATION WILL INCREASE PARKING CAPACITY FROM 1,572 TO 1,903 SPACES.

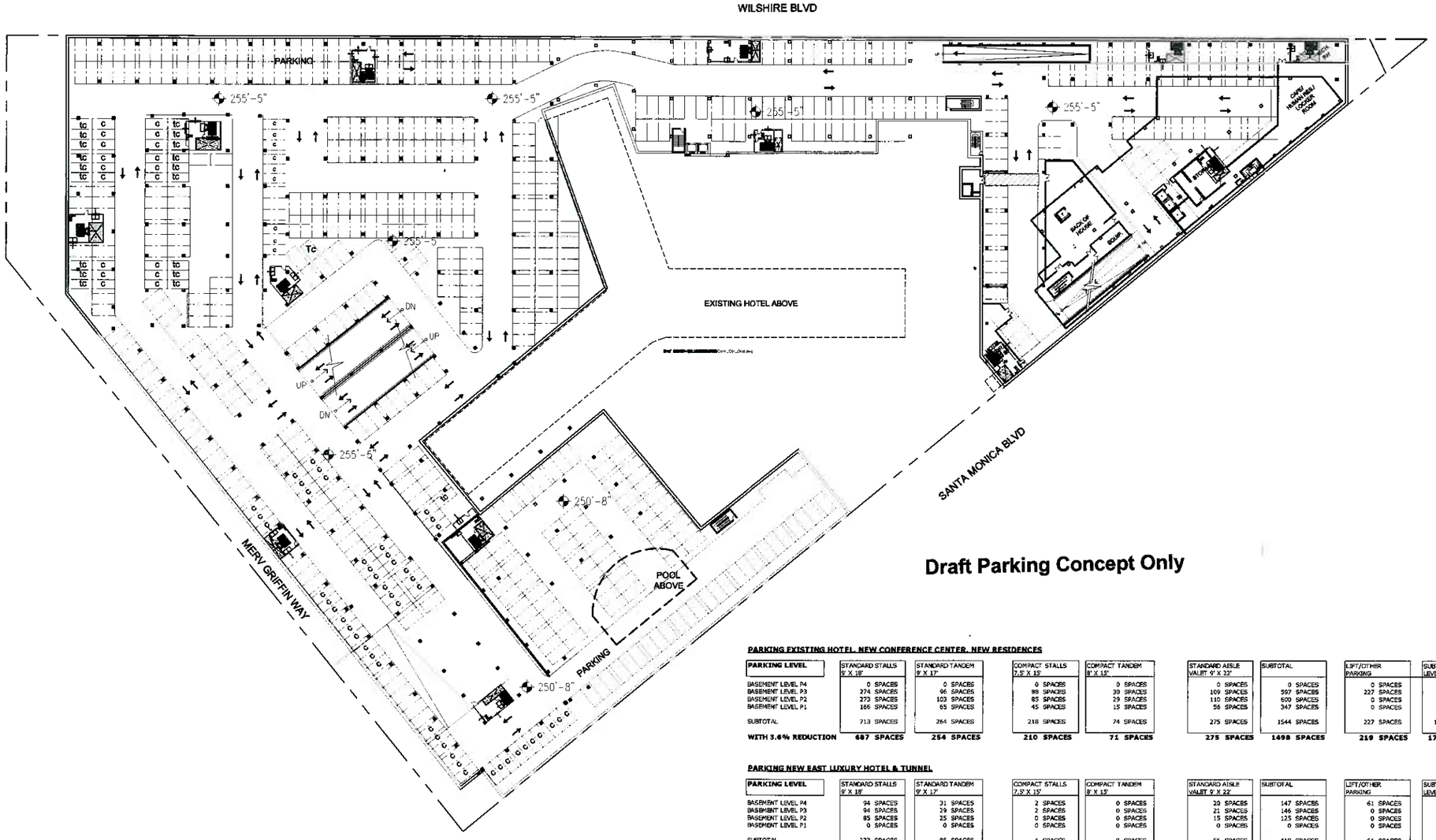
3 COMPACT & COMPACT TANDEM SPACES EQUALS 15% OF 1903 SPACES

The Beverly Hilton Specific Plan

Figure 9A - Parking Level P1 Plan

Scale: 1" = 120'-0"

April 29, 2008



Draft Parking Concept Only

PARKING EXISTING HOTEL, NEW CONFERENCE CENTER, NEW RESIDENCES

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES
BASEMENT LEVEL P3	274 SPACES	96 SPACES	88 SPACES	39 SPACES	109 SPACES	597 SPACES	227 SPACES	824 SPACES
BASEMENT LEVEL P2	273 SPACES	103 SPACES	85 SPACES	29 SPACES	110 SPACES	609 SPACES	0 SPACES	609 SPACES
BASEMENT LEVEL P1	166 SPACES	65 SPACES	45 SPACES	15 SPACES	56 SPACES	347 SPACES	0 SPACES	347 SPACES
SUBTOTAL	713 SPACES	264 SPACES	218 SPACES	74 SPACES	275 SPACES	1544 SPACES	227 SPACES	1771 SPACES
WITH 3.6% REDUCTION	687 SPACES	254 SPACES	210 SPACES	71 SPACES	275 SPACES	1498 SPACES	219 SPACES	1717 SPACES

PARKING NEW EAST LUXURY HOTEL & TUNNEL

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	94 SPACES	31 SPACES	2 SPACES	0 SPACES	20 SPACES	147 SPACES	61 SPACES	208 SPACES
BASEMENT LEVEL P3	94 SPACES	29 SPACES	2 SPACES	0 SPACES	21 SPACES	146 SPACES	0 SPACES	146 SPACES
BASEMENT LEVEL P2	85 SPACES	25 SPACES	0 SPACES	0 SPACES	15 SPACES	125 SPACES	0 SPACES	125 SPACES
BASEMENT LEVEL P1	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES
SUBTOTAL	273 SPACES	85 SPACES	4 SPACES	0 SPACES	56 SPACES	418 SPACES	61 SPACES	479 SPACES
WITH 3.6% REDUCTION	263 SPACES	82 SPACES	4 SPACES	0 SPACES	56 SPACES	405 SPACES	59 SPACES	464 SPACES

PARKING SUMMARY WITH 3.6% REDUCTION FOR VENTILATION SHAFTS, ACCESSIBLE STALLS

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	94 SPACES	31 SPACES	2 SPACES	0 SPACES	20 SPACES	147 SPACES	61 SPACES	208 SPACES
BASEMENT LEVEL P3	368 SPACES	125 SPACES	90 SPACES	30 SPACES	130 SPACES	743 SPACES	219 SPACES	962 SPACES
BASEMENT LEVEL P2	358 SPACES	128 SPACES	85 SPACES	29 SPACES	125 SPACES	725 SPACES	0 SPACES	725 SPACES
BASEMENT LEVEL P1	166 SPACES	65 SPACES	45 SPACES	15 SPACES	56 SPACES	347 SPACES	0 SPACES	347 SPACES
WITH 3.6% REDUCTION	851 SPACES	336 SPACES	214 SPACES	71 SPACES	331 SPACES	1903 SPACES	280 SPACES	2183 SPACES

TOTAL COMPACT SPACES 285

TOTAL STANDARD SPACES 1618

NOTES TO PARKING SUMMARY:

1 A 3.6% REDUCTION FOR VENTILATION SHAFTS AND ACCESSIBLE STALLS WILL REDUCE THE NUMBER OF PARKING SPACES .

2 MAXIMIZED VALET OPERATION WILL INCREASE PARKING CAPACITY FROM 1,572 TO 1,903 SPACES.

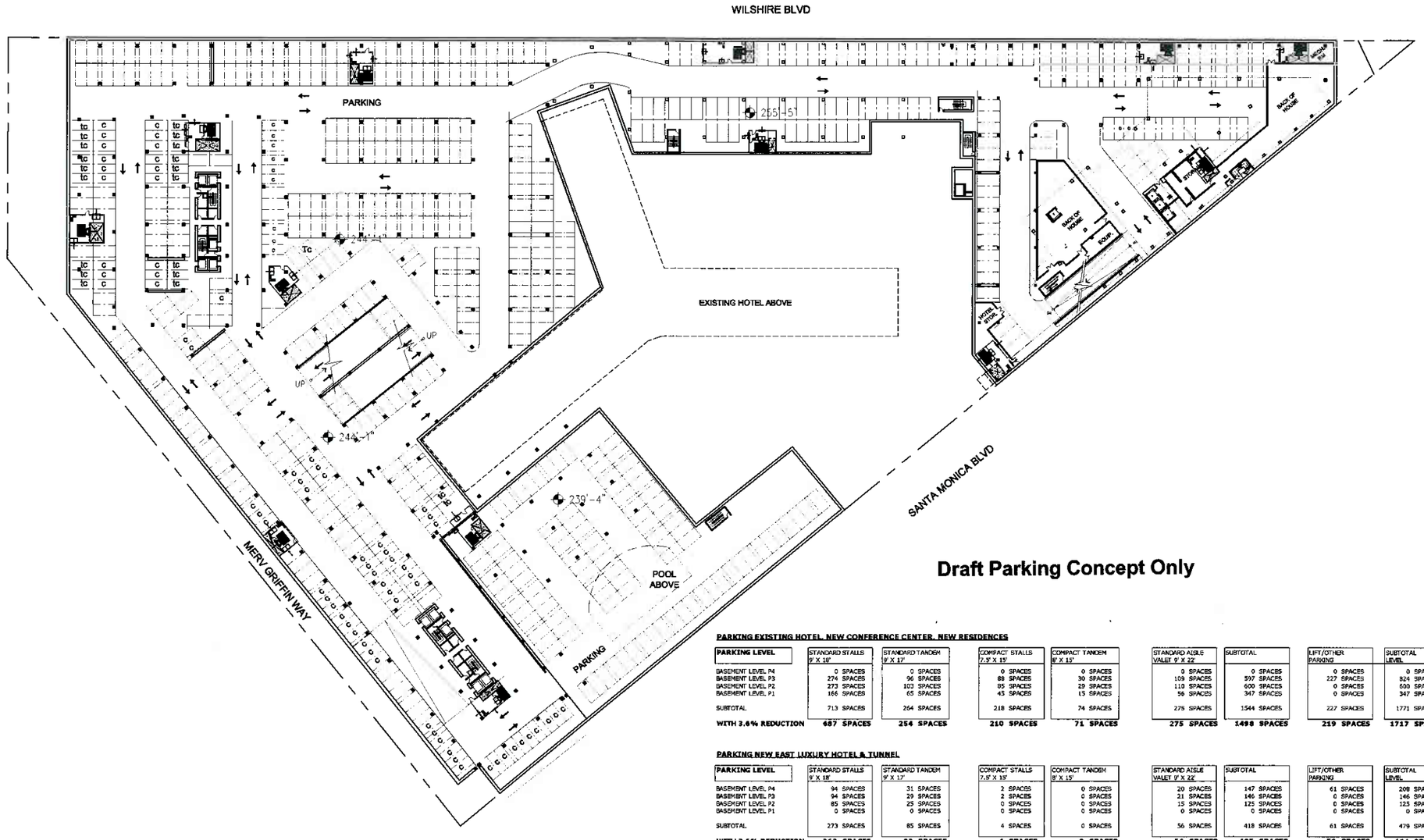
3 COMPACT & COMPACT TANDEM SPACES EQUALS 15% OF 1903 SPACES

The Beverly Hilton Specific Plan

Figure 9B - Parking Level P2 Plan

Scale: 1" = 120'-0"

April 29, 2008



Draft Parking Concept Only

PARKING EXISTING HOTEL, NEW CONFERENCE CENTER, NEW RESIDENCES

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES
BASEMENT LEVEL P3	274 SPACES	96 SPACES	88 SPACES	30 SPACES	109 SPACES	597 SPACES	227 SPACES	824 SPACES
BASEMENT LEVEL P2	273 SPACES	103 SPACES	95 SPACES	29 SPACES	110 SPACES	600 SPACES	0 SPACES	600 SPACES
BASEMENT LEVEL P1	166 SPACES	65 SPACES	45 SPACES	15 SPACES	56 SPACES	347 SPACES	0 SPACES	347 SPACES
SUBTOTAL	713 SPACES	264 SPACES	218 SPACES	74 SPACES	275 SPACES	1544 SPACES	227 SPACES	1771 SPACES
WITH 3.6% REDUCTION	**687 SPACES**	**254 SPACES**	**210 SPACES**	**71 SPACES**	**275 SPACES**	**1498 SPACES**	**219 SPACES**	**1717 SPACES**

PARKING NEW EAST LUXURY HOTEL & TUNNEL

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	94 SPACES	31 SPACES	2 SPACES	0 SPACES	20 SPACES	147 SPACES	61 SPACES	208 SPACES
BASEMENT LEVEL P3	94 SPACES	29 SPACES	2 SPACES	0 SPACES	21 SPACES	146 SPACES	0 SPACES	146 SPACES
BASEMENT LEVEL P2	85 SPACES	25 SPACES	0 SPACES	0 SPACES	15 SPACES	125 SPACES	0 SPACES	125 SPACES
BASEMENT LEVEL P1	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES
SUBTOTAL	273 SPACES	85 SPACES	4 SPACES	0 SPACES	56 SPACES	418 SPACES	61 SPACES	479 SPACES
WITH 3.6% REDUCTION	**263 SPACES**	**82 SPACES**	**4 SPACES**	**0 SPACES**	**56 SPACES**	**405 SPACES**	**59 SPACES**	**464 SPACES**

PARKING SUMMARY WITH 3.6% REDUCTION FOR VENTILATION SHAFTS, ACCESSIBLE STALLS

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	94 SPACES	31 SPACES	2 SPACES	0 SPACES	20 SPACES	147 SPACES	61 SPACES	208 SPACES
BASEMENT LEVEL P3	368 SPACES	125 SPACES	90 SPACES	30 SPACES	130 SPACES	743 SPACES	219 SPACES	962 SPACES
BASEMENT LEVEL P2	358 SPACES	128 SPACES	85 SPACES	29 SPACES	125 SPACES	725 SPACES	0 SPACES	725 SPACES
BASEMENT LEVEL P1	166 SPACES	65 SPACES	45 SPACES	15 SPACES	56 SPACES	347 SPACES	0 SPACES	347 SPACES
WITH 3.6% REDUCTION	**951 SPACES**	**336 SPACES**	**214 SPACES**	**71 SPACES**	**331 SPACES**	**1903 SPACES**	**280 SPACES**	**2183 SPACES**

TOTAL 285 COMPACT SPACES

TOTAL 1618 STANDARD SPACES

NOTES TO PARKING SUMMARY:

1 A 3.6% REDUCTION FOR VENTILATION SHAFTS AND ACCESSIBLE STALLS WILL REDUCE THE NUMBER OF PARKING SPACES .

2 MAXIMIZED VALET OPERATION WILL INCREASE PARKING CAPACITY FROM 1,572 TO 1,903 SPACES.

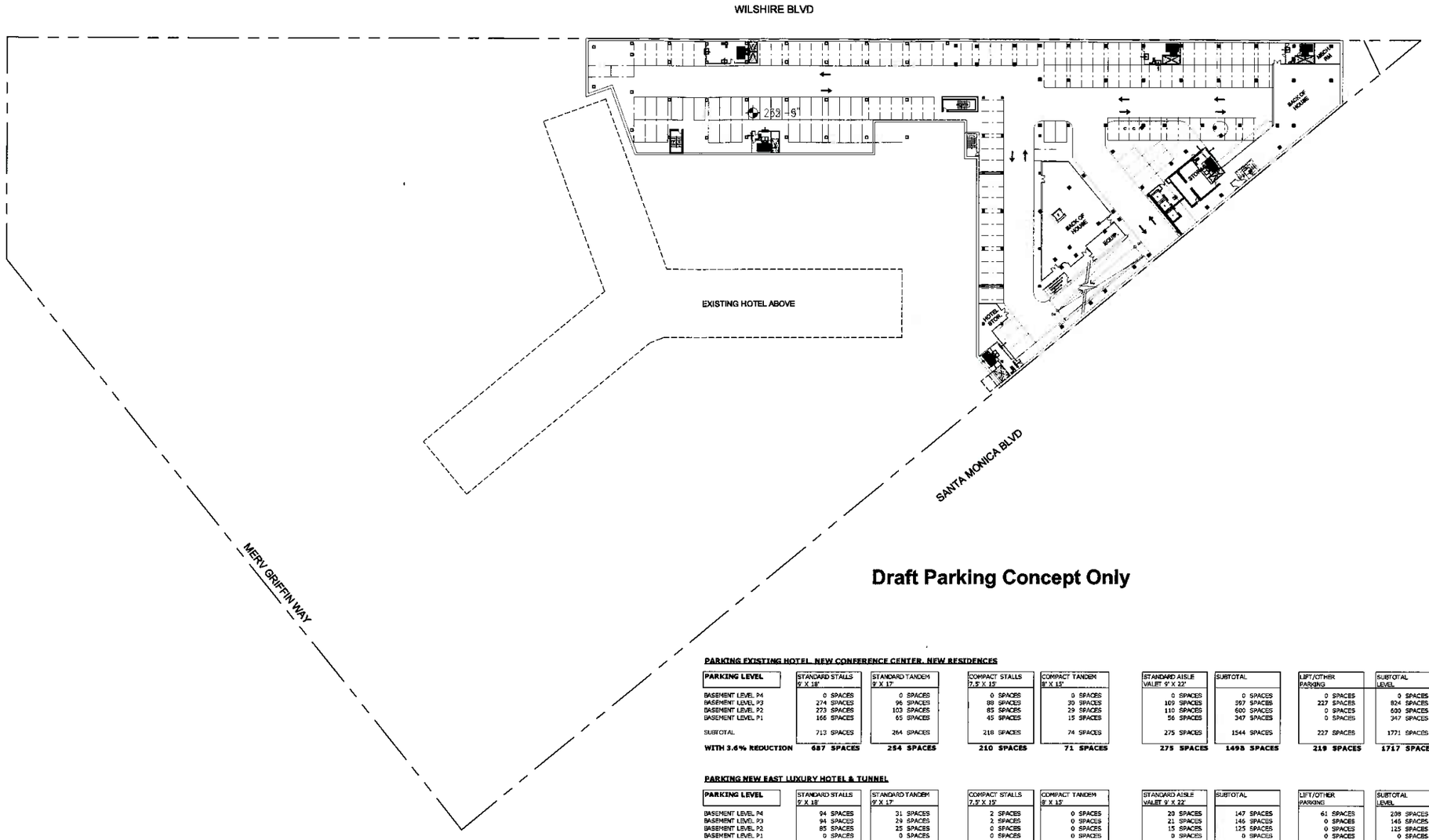
3 COMPACT & COMPACT TANDEM SPACES EQUALS 15% OF 1903 SPACES.

The Beverly Hilton Specific Plan

Figure 9C - Parking Level P3 Plan

Scale: 1" = 120'-0"

April 29, 2008



Draft Parking Concept Only

PARKING EXISTING HOTEL, NEW CONFERENCE CENTER, NEW RESIDENCES

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES
BASEMENT LEVEL P3	274 SPACES	96 SPACES	88 SPACES	30 SPACES	109 SPACES	597 SPACES	227 SPACES	824 SPACES
BASEMENT LEVEL P2	273 SPACES	103 SPACES	85 SPACES	29 SPACES	110 SPACES	600 SPACES	0 SPACES	600 SPACES
BASEMENT LEVEL P1	166 SPACES	65 SPACES	45 SPACES	15 SPACES	56 SPACES	347 SPACES	0 SPACES	347 SPACES
SUBTOTAL	713 SPACES	264 SPACES	218 SPACES	74 SPACES	275 SPACES	1544 SPACES	227 SPACES	1771 SPACES
WITH 3.6% REDUCTION	**687 SPACES**	**254 SPACES**	**210 SPACES**	**71 SPACES**	**275 SPACES**	**1498 SPACES**	**219 SPACES**	**1717 SPACES**

PARKING NEW EAST LUXURY HOTEL & TUNNEL

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	94 SPACES	31 SPACES	2 SPACES	0 SPACES	20 SPACES	147 SPACES	61 SPACES	208 SPACES
BASEMENT LEVEL P3	94 SPACES	29 SPACES	2 SPACES	0 SPACES	21 SPACES	146 SPACES	0 SPACES	146 SPACES
BASEMENT LEVEL P2	85 SPACES	25 SPACES	0 SPACES	0 SPACES	15 SPACES	125 SPACES	0 SPACES	125 SPACES
BASEMENT LEVEL P1	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES	0 SPACES
SUBTOTAL	273 SPACES	85 SPACES	4 SPACES	0 SPACES	56 SPACES	418 SPACES	61 SPACES	479 SPACES
WITH 3.6% REDUCTION	**263 SPACES**	**82 SPACES**	**4 SPACES**	**0 SPACES**	**56 SPACES**	**405 SPACES**	**59 SPACES**	**464 SPACES**

PARKING SUMMARY WITH 3.6% REDUCTION FOR VENTILATION SHAFTS, ACCESSIBLE STALLS

PARKING LEVEL	STANDARD STALLS 9' X 18'	STANDARD TANDEM 9' X 17'	COMPACT STALLS 7.5' X 15'	COMPACT TANDEM 8' X 15'	STANDARD AISLE VALET 9' X 22'	SUBTOTAL	LIFT/OTHER PARKING	SUBTOTAL LEVEL
BASEMENT LEVEL P4	94 SPACES	31 SPACES	2 SPACES	0 SPACES	20 SPACES	147 SPACES	61 SPACES	208 SPACES
BASEMENT LEVEL P3	368 SPACES	125 SPACES	90 SPACES	30 SPACES	130 SPACES	743 SPACES	219 SPACES	962 SPACES
BASEMENT LEVEL P2	358 SPACES	128 SPACES	85 SPACES	29 SPACES	125 SPACES	725 SPACES	0 SPACES	725 SPACES
BASEMENT LEVEL P1	166 SPACES	65 SPACES	45 SPACES	15 SPACES	56 SPACES	347 SPACES	0 SPACES	347 SPACES
WITH 3.6% REDUCTION	**951 SPACES**	**336 SPACES**	**214 SPACES**	**71 SPACES**	**331 SPACES**	**1903 SPACES**	**280 SPACES**	**2183 SPACES**

TOTAL **285** COMPACT SPACES

TOTAL **1618** STANDARD SPACES

NOTES TO PARKING SUMMARY:

1 A 3.6% REDUCTION FOR VENTILATION SHAFTS AND ACCESSIBLE STALLS WILL REDUCE THE NUMBER OF PARKING SPACES .

2 MAXIMIZED VALET OPERATION WILL INCREASE PARKING CAPACITY FROM 1,572 TO 1,903 SPACES.

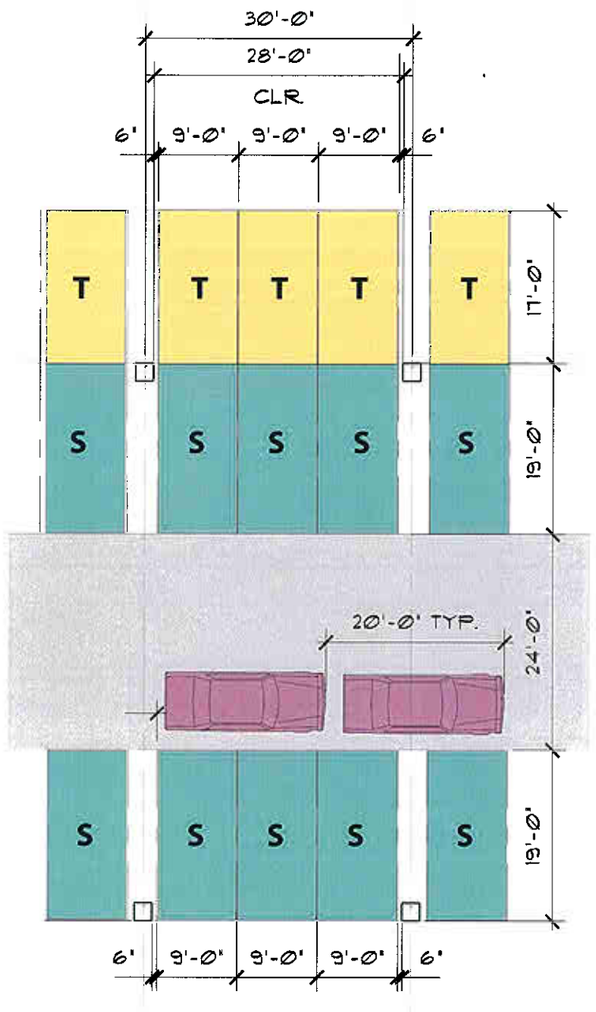
3 COMPACT & COMPACT TANDEM SPACES EQUALS 15% OF 1903 SPACES

The Beverly Hilton Specific Plan

Figure 9D - Parking Level P4 Plan

Scale: 1" = 120'-0"

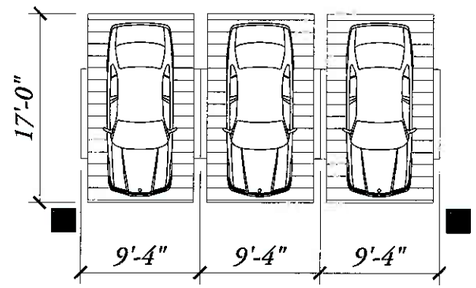
April 29, 2008



Legend

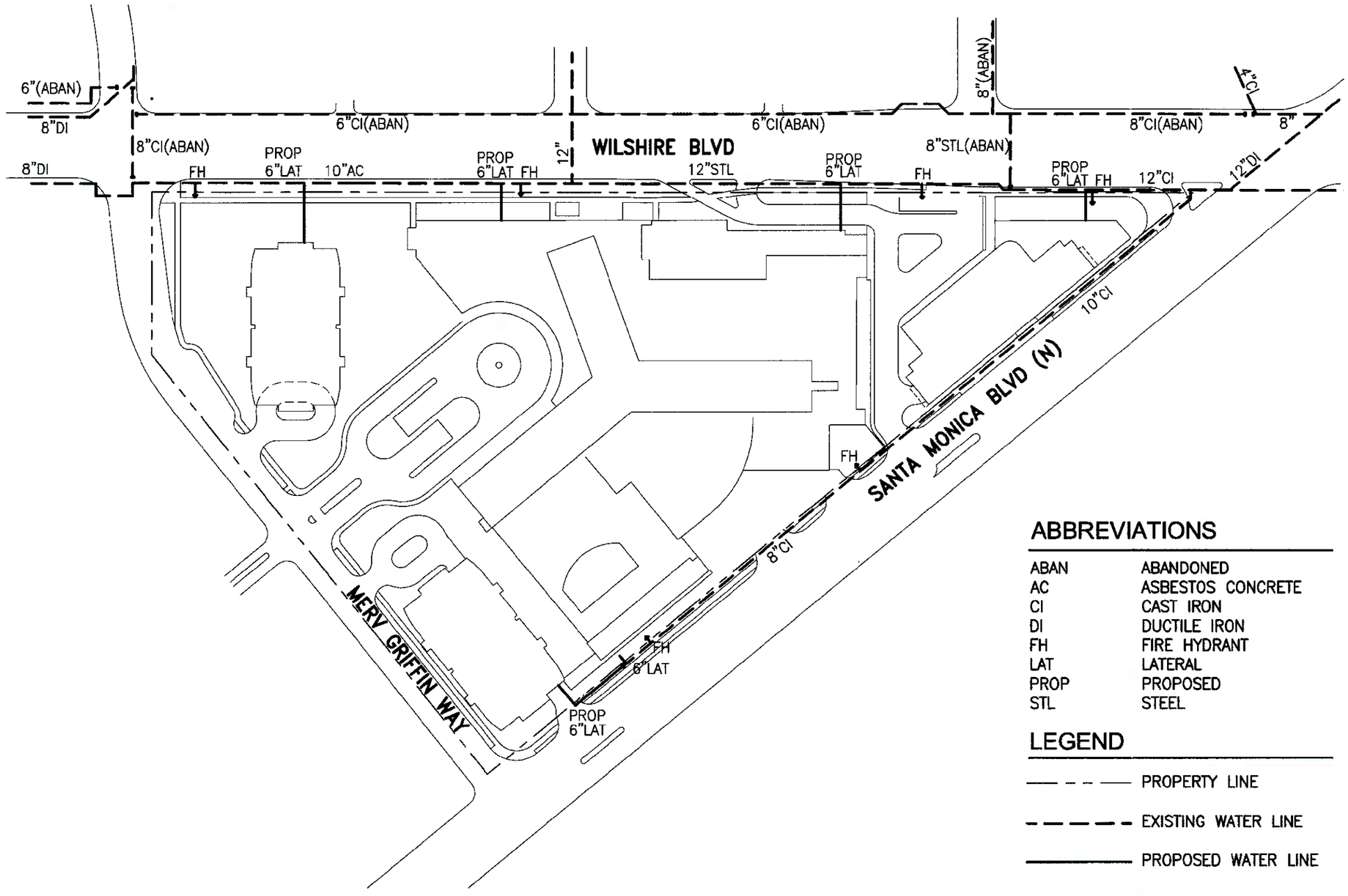
- S Standard Spaces
- T Tandem Spaces
- Drive Aisle
- Aisle Valet Parking

PARKING LIFT DIAGRAM



VALET OPERATIONS

- In Non-Residential Parking Area Only
- Behind Single or Tandem Parking Spaces
- No Parking in Primary Circulation Lanes
- Increases Maximum Parking Capacity from 1,572 to 1,903



ABBREVIATIONS

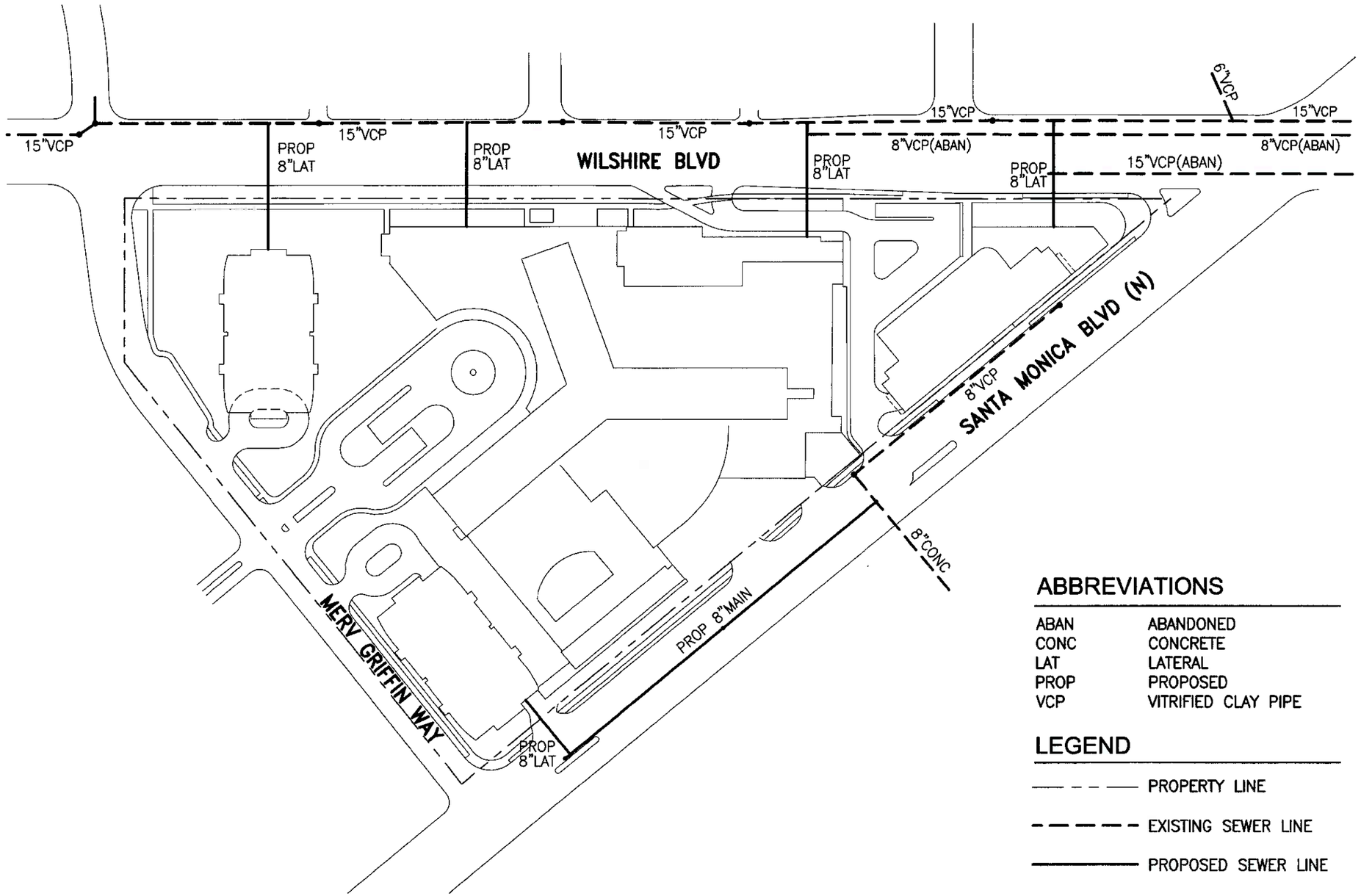
ABAN	ABANDONED
AC	ASBESTOS CONCRETE
CI	CAST IRON
DI	DUCTILE IRON
FH	FIRE HYDRANT
LAT	LATERAL
PROP	PROPOSED
STL	STEEL

LEGEND

PROPERTY LINE

EXISTING WATER LINE

PROPOSED WATER LINE



ABBREVIATIONS

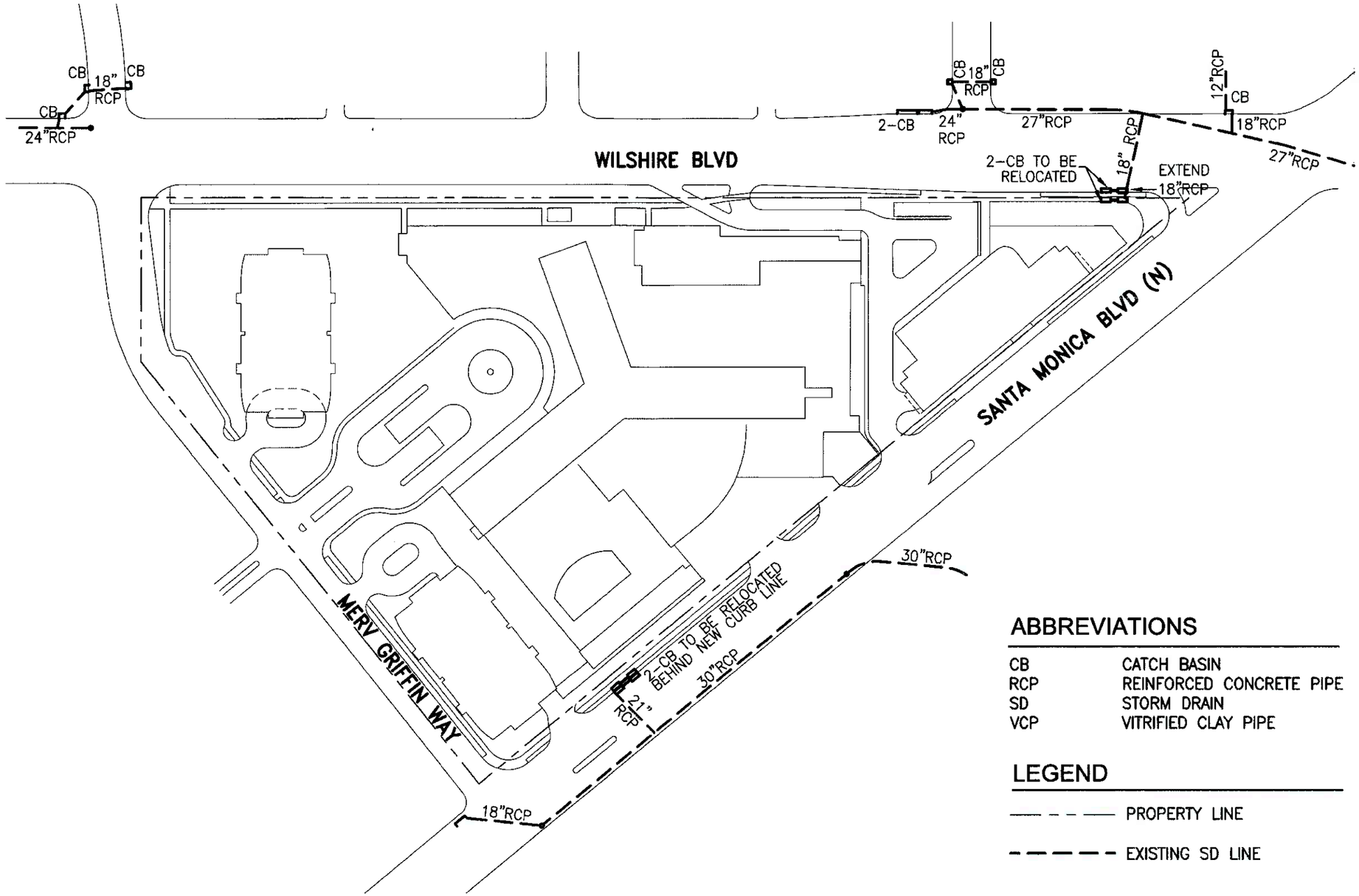
ABAN	ABANDONED
CONC	CONCRETE
LAT	LATERAL
PROP	PROPOSED
VCP	VITRIFIED CLAY PIPE

LEGEND

PROPERTY LINE

EXISTING SEWER LINE

PROPOSED SEWER LINE



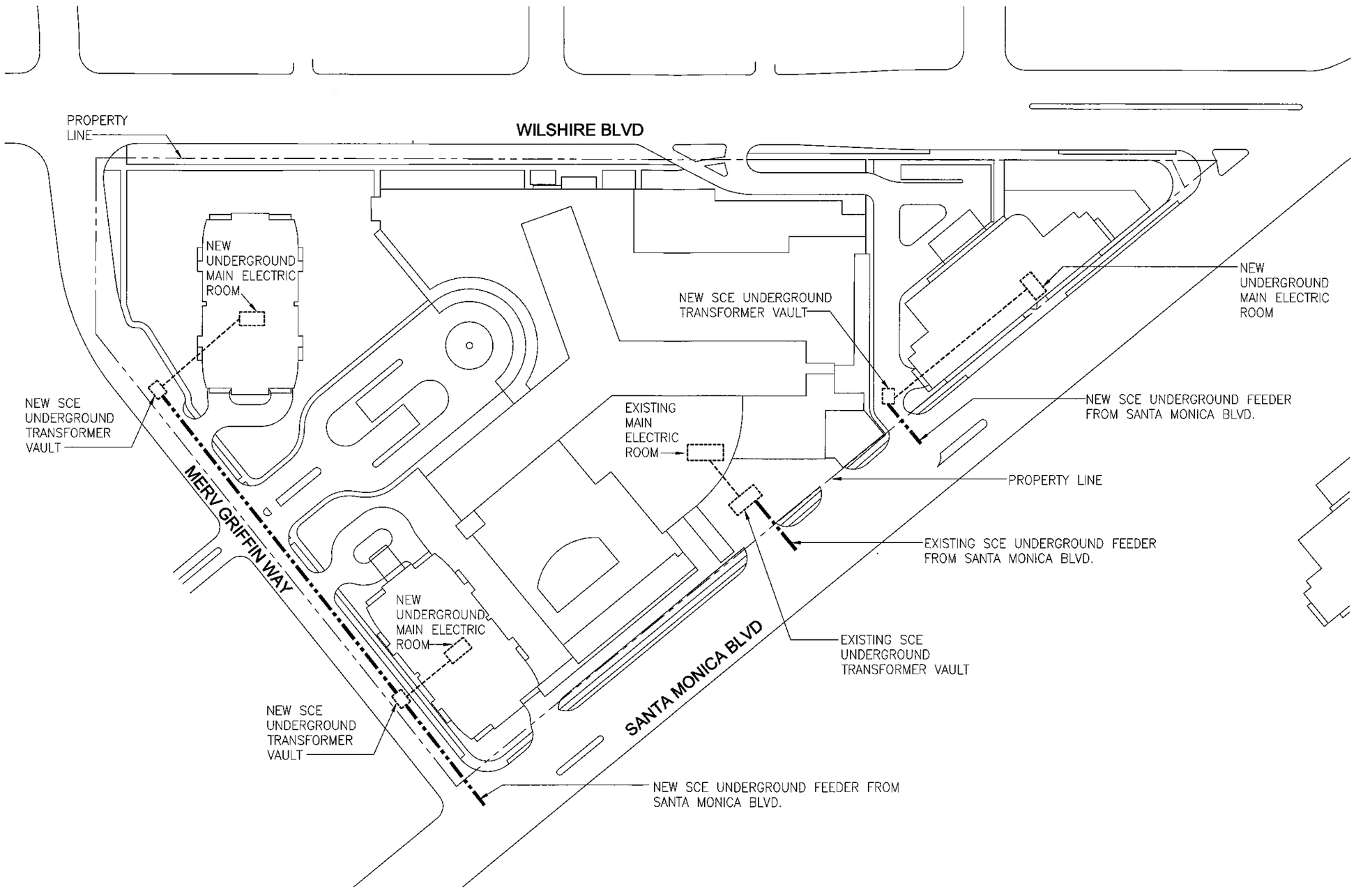
ABBREVIATIONS

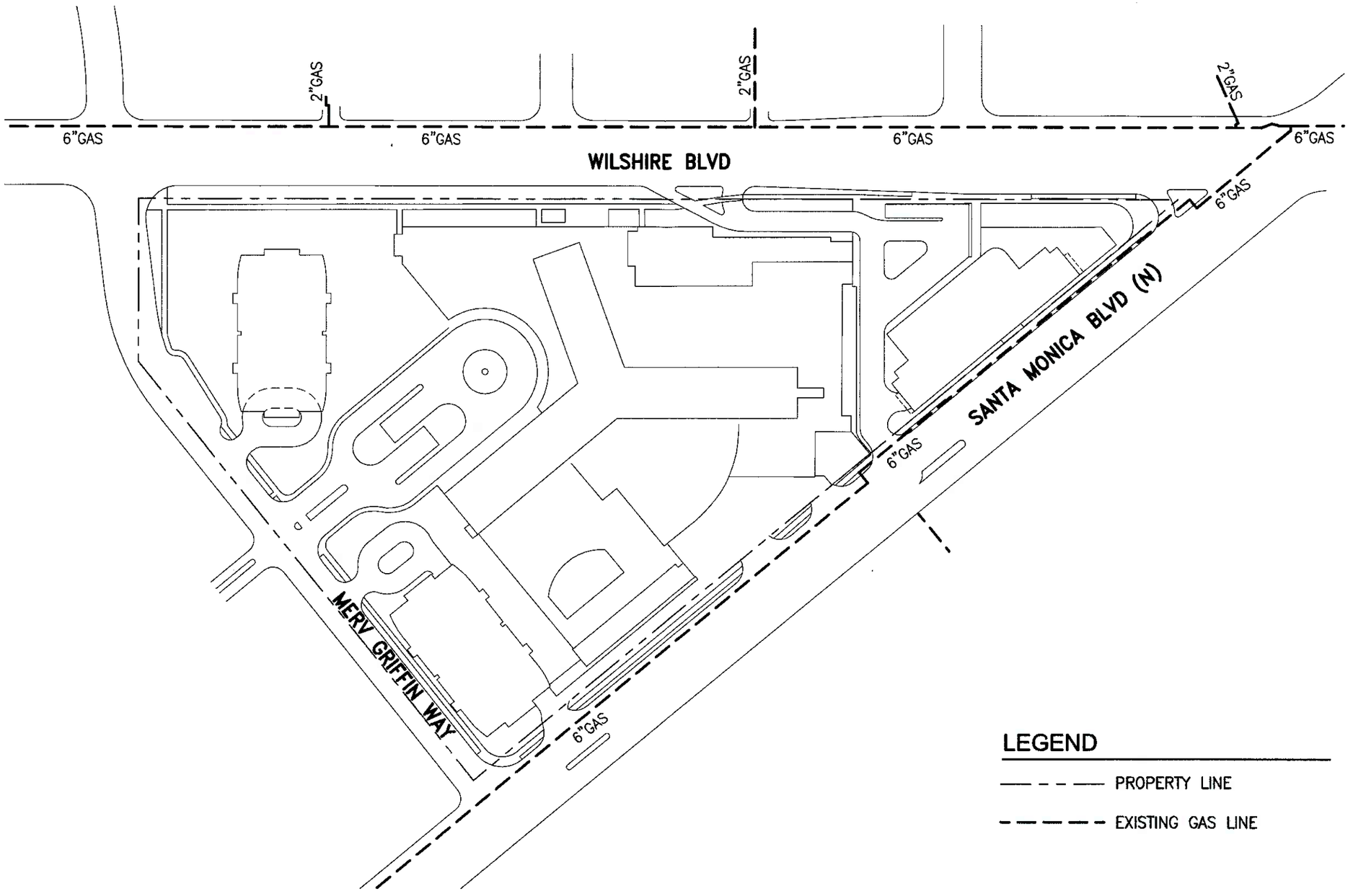
CB	CATCH BASIN
RCP	REINFORCED CONCRETE PIPE
SD	STORM DRAIN
VCP	VITRIFIED CLAY PIPE

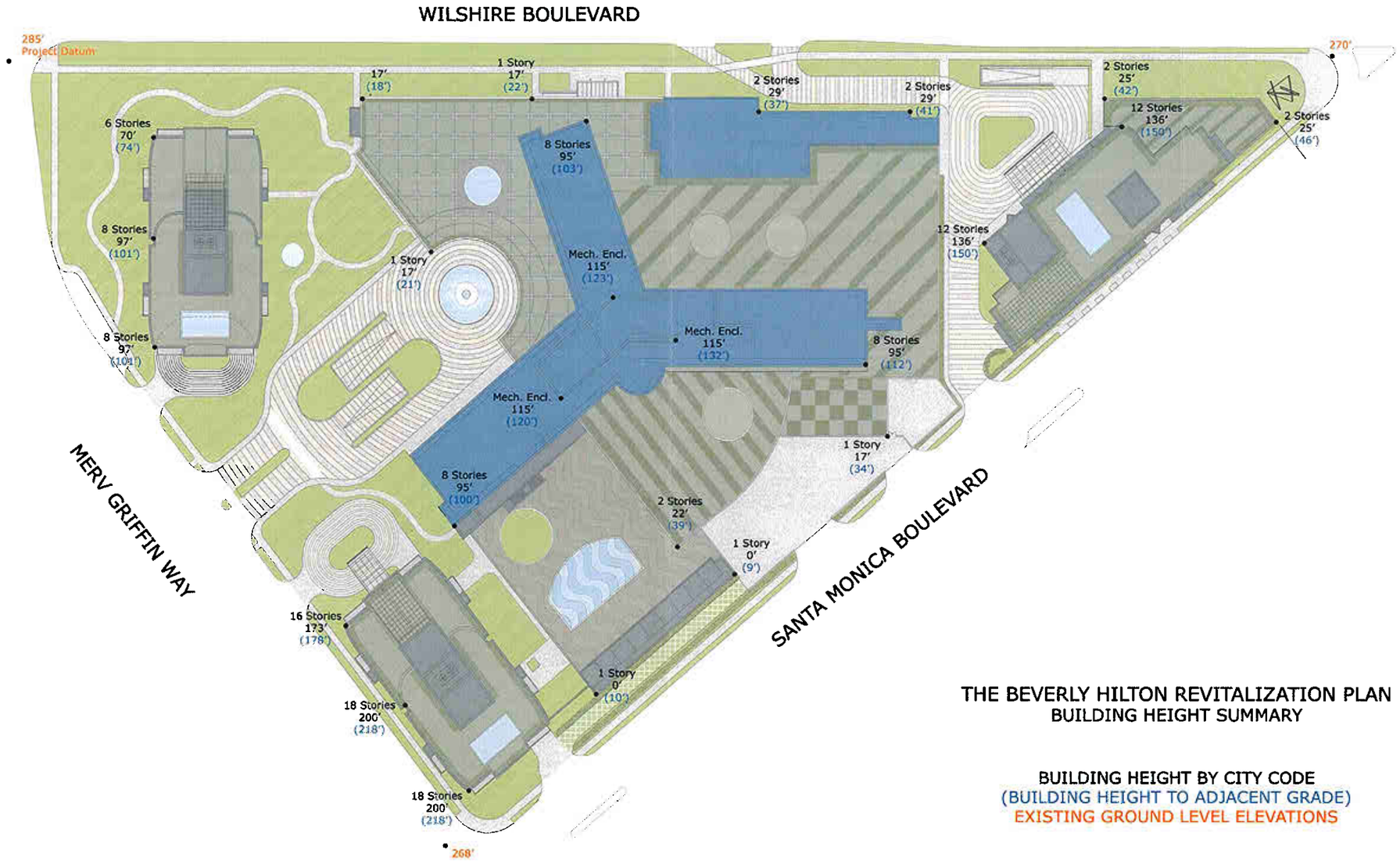
LEGEND

PROPERTY LINE

EXISTING SD LINE

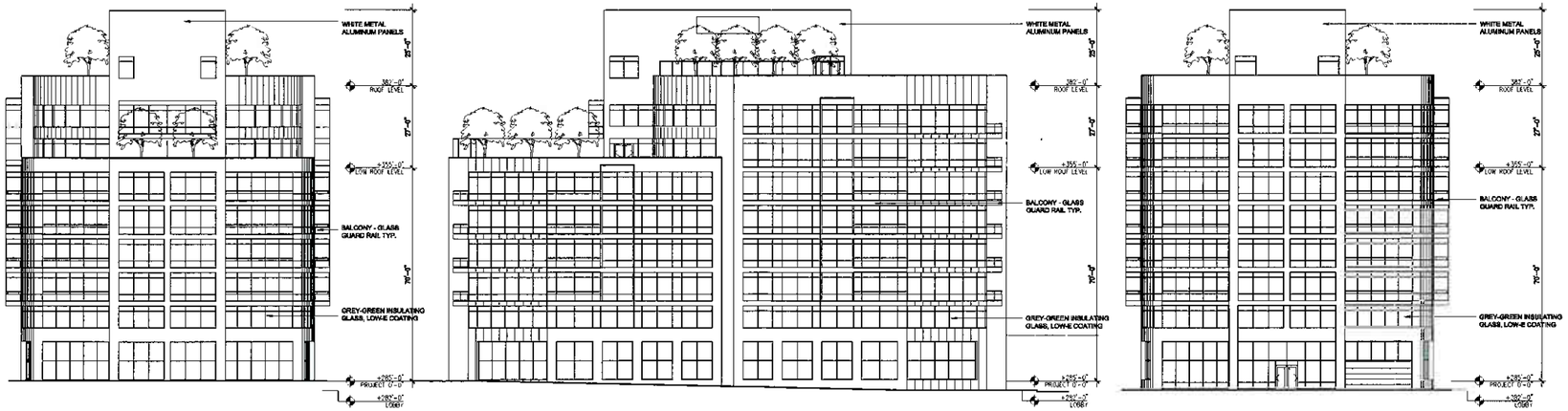

PROPERTY LINE
WILSHIRE BLVD
NEW UNDERGROUND MAIN ELECTRIC ROOM
NEW SCE UNDERGROUND TRANSFORMER VAULT
NEW UNDERGROUND MAIN ELECTRIC ROOM
NEW SCE UNDERGROUND TRANSFORMER VAULT
EXISTING MAIN ELECTRIC ROOM
NEW SCE UNDERGROUND FEEDER FROM SANTA MONICA BLVD.
PROPERTY LINE
MERV GRIFFIN WAY
EXISTING SCE UNDERGROUND FEEDER FROM SANTA MONICA BLVD.
NEW UNDERGROUND MAIN ELECTRIC ROOM
EXISTING SCE UNDERGROUND TRANSFORMER VAULT
SANTA MONICA BLVD
NEW SCE UNDERGROUND TRANSFORMER VAULT
NEW SCE UNDERGROUND FEEDER FROM SANTA MONICA BLVD.


2"GAS
2"GAS
2"GAS
6"GAS
6"GAS
6"GAS
6"GAS
WILSHIRE BLVD
6"GAS
SANTA MONICA BLVD (N)
6"GAS
MERV GRIFFIN WAY
6"GAS
LEGEND
PROPERTY LINE
EXISTING GAS LINE



THE BEVERLY HILTON REVITALIZATION PLAN
BUILDING HEIGHT SUMMARY

BUILDING HEIGHT BY CITY CODE
(BUILDING HEIGHT TO ADJACENT GRADE)
EXISTING GROUND LEVEL ELEVATIONS



1 NORTH ELEVATION

2 WEST ELEVATION

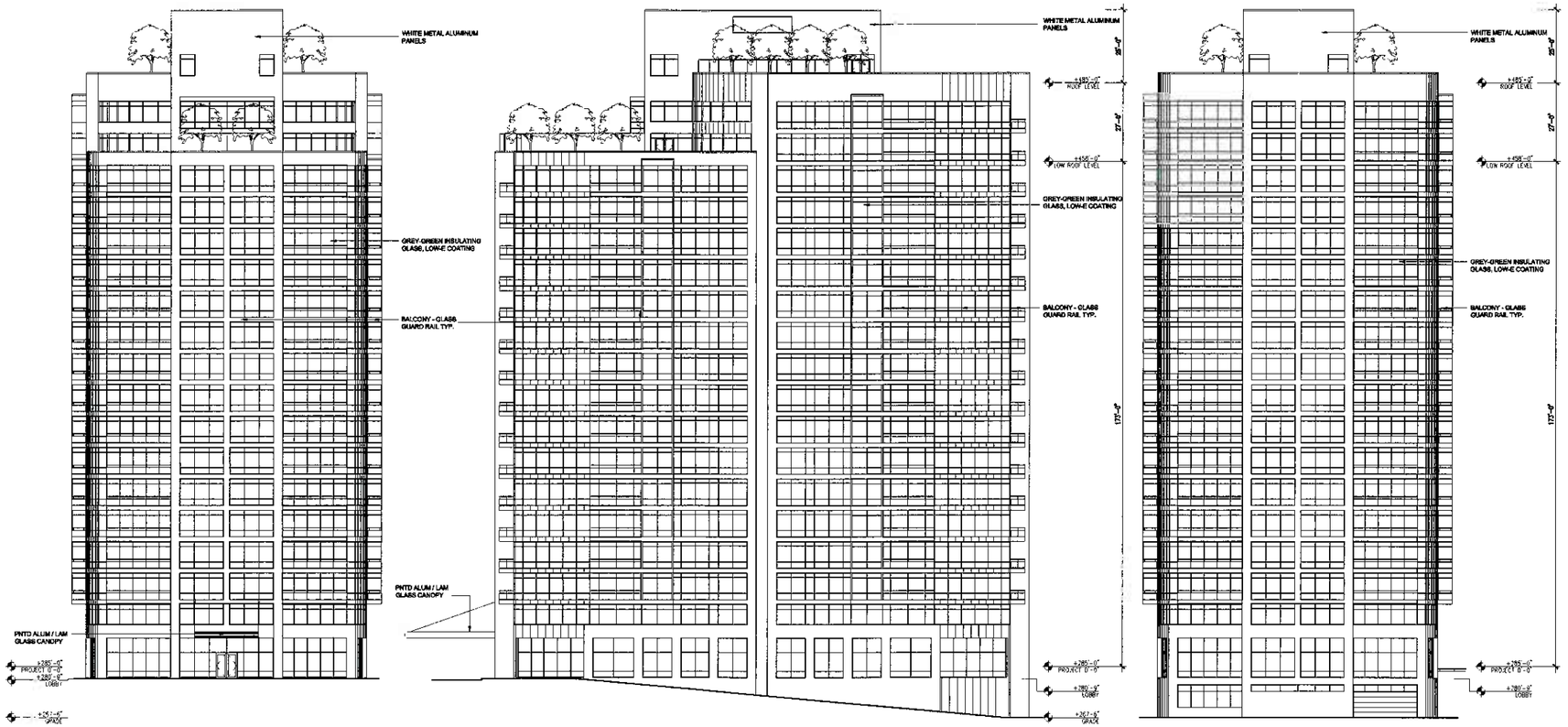
3 SOUTH ELEVATION

The Beverly Hilton Specific Plan

Figure 16B - Building Heights (New Luxury Residences A Elevations)

Scale: 1" = 60'-0"

April 29, 2008



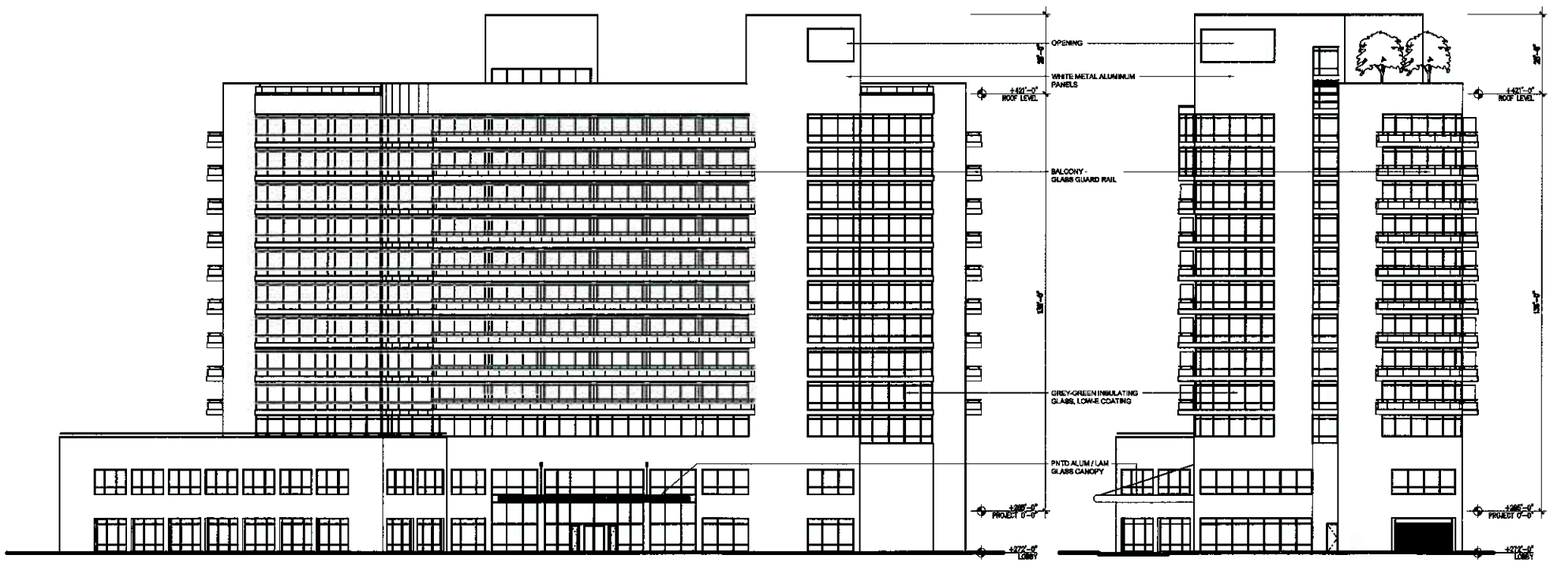
1 NORTH ELEVATION

2 WEST ELEVATION

3 SOUTH ELEVATION

The Beverly Hilton Specific Plan

Figure 16C - Building Heights (New Luxury Residences B Elevations) *Scale: 1" = 60'-0"* *April 29, 2008*

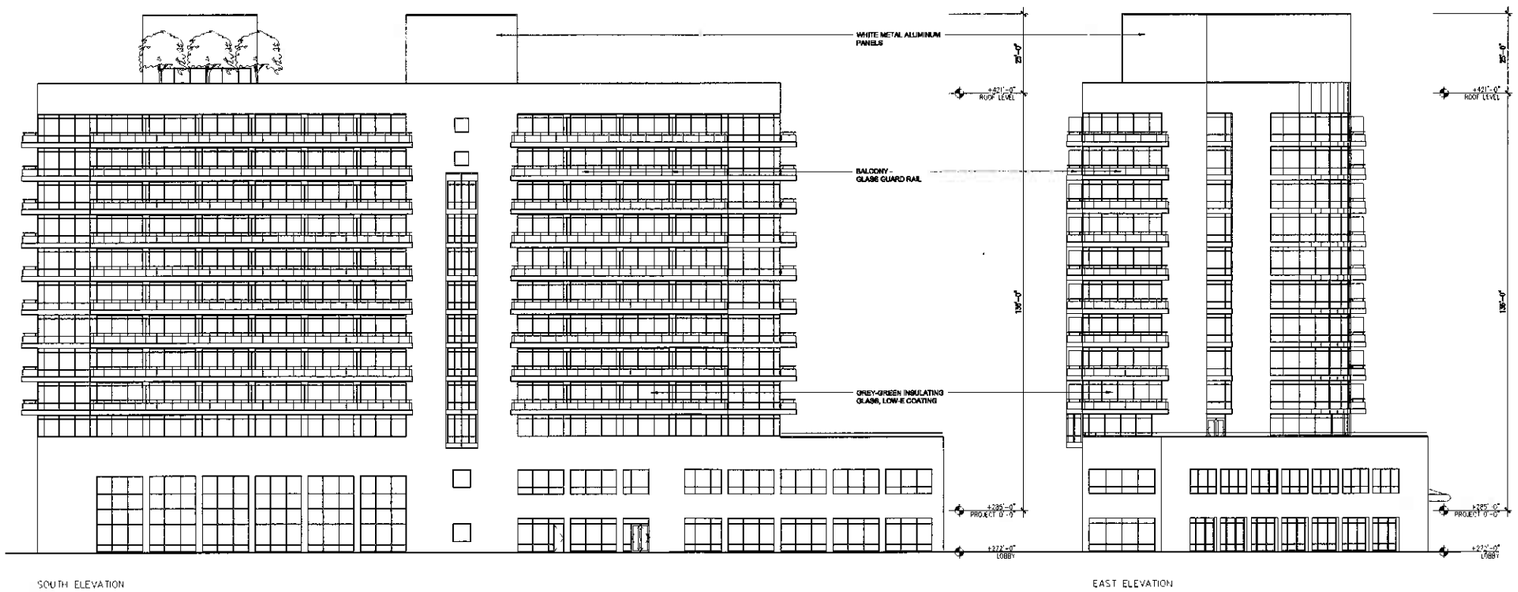


1 NORTH ELEVATION

2 WEST ELEVATION

The Beverly Hilton Specific Plan

Figure 16D - Building Heights (New East Luxury Hotel Elevations) *Scale: 1" = 60'-0"* *April 29, 2008*

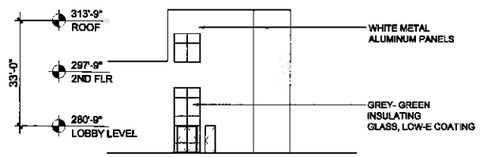


1 SOUTH ELEVATION

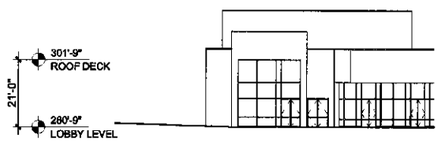
2 EAST ELEVATION

The Beverly Hilton Specific Plan

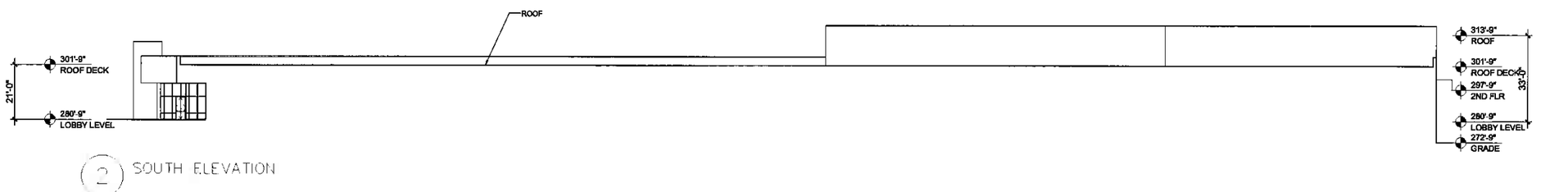
Figure 16E - Building Heights (New East Luxury Hotel Elevations) *Scale: 1" = 60'-0"* *April 29, 2008*



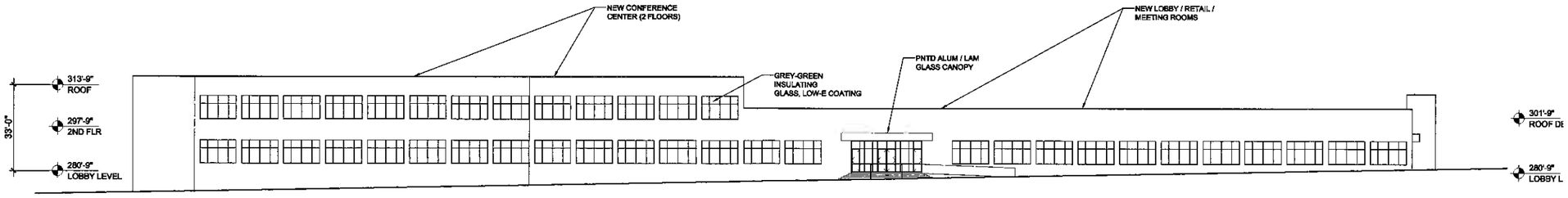
4 EAST ELEVATION



3 WEST ELEVATION



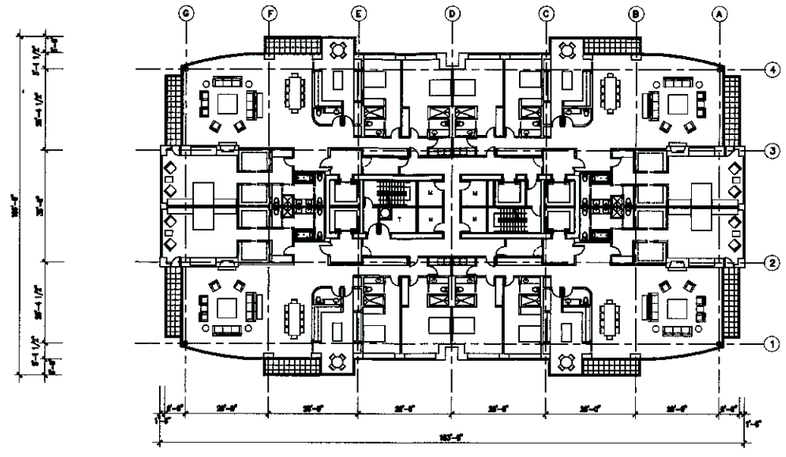
2 SOUTH ELEVATION



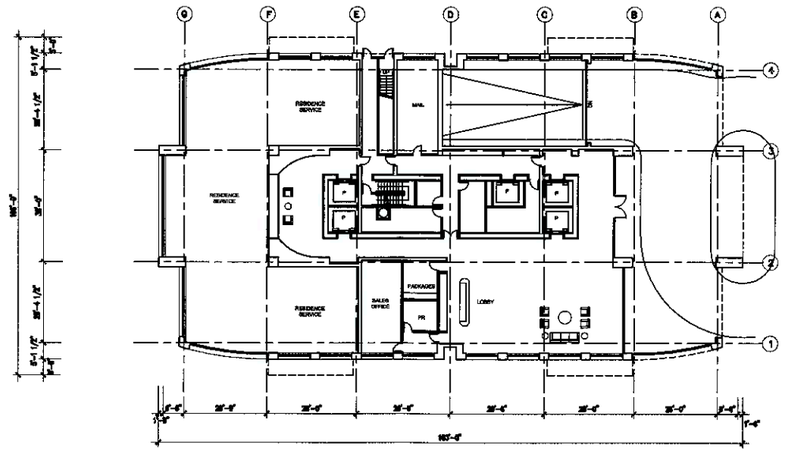
1 NORTH ELEVATION

The Beverly Hilton Specific Plan

Figure 16F - Building Heights (New Conference Center Elevations) *Scale: 1" = 60'-0"* *April 29, 2008*



2 SECOND FLOOR PLAN



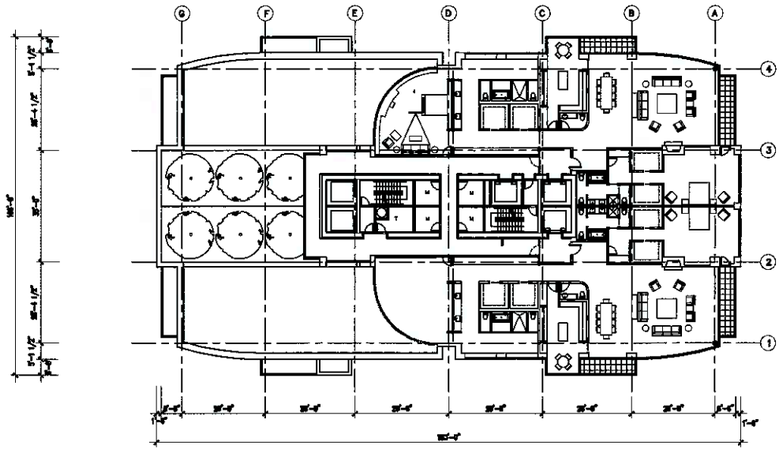
1 GROUND FLOOR PLAN

The Beverly Hilton Specific Plan

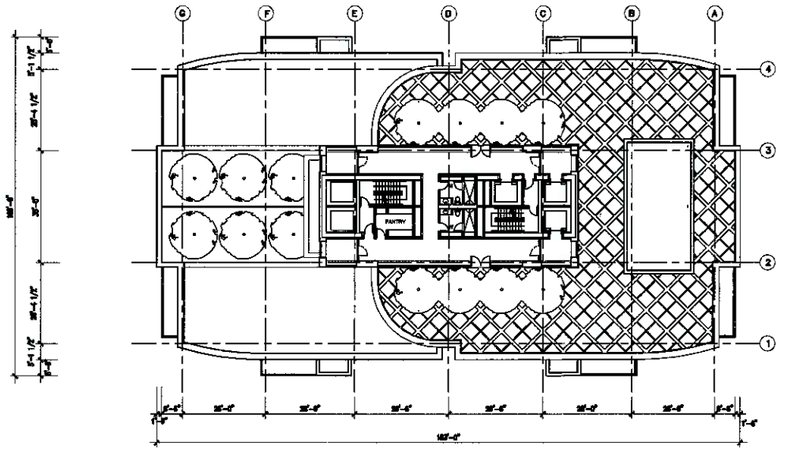
Figure 17A - New Luxury Residences A Building Design

Scale: 1" = 60'-0"

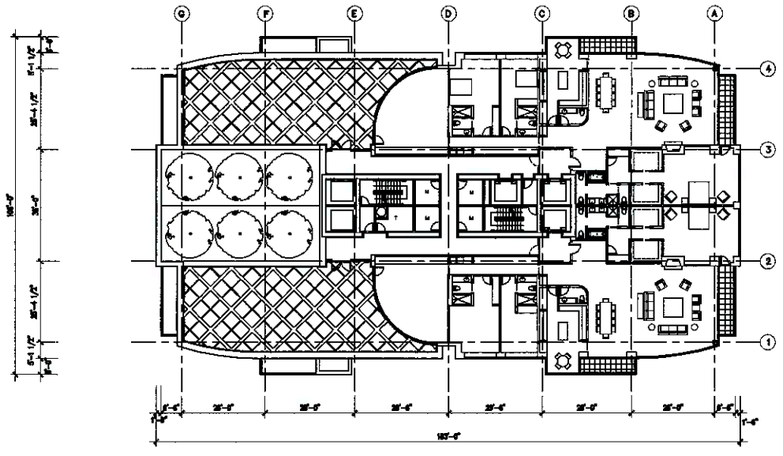
April 29 , 2008



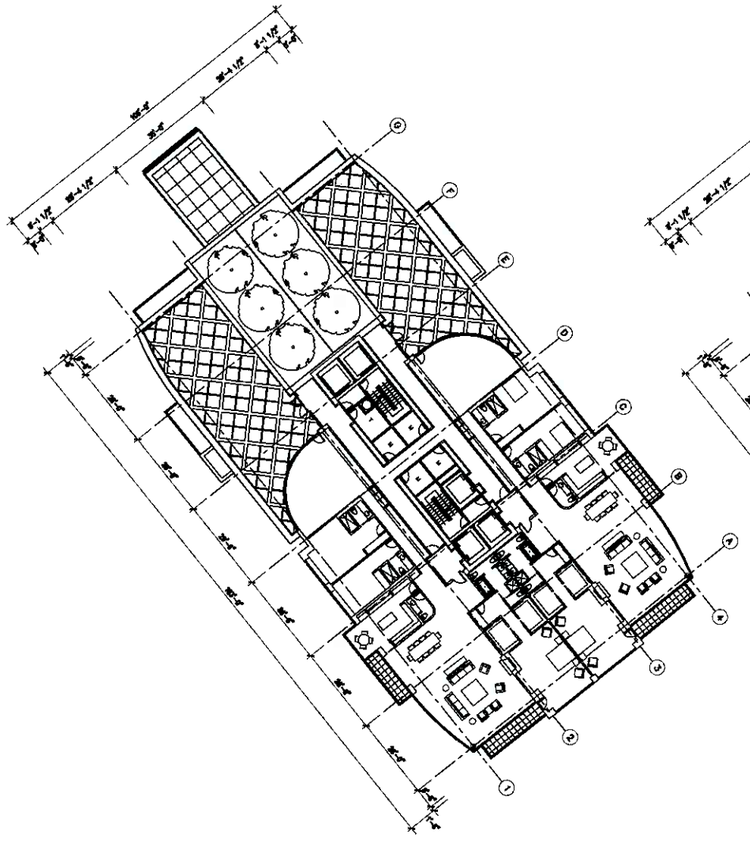
4 UPPER LEVEL PLAN



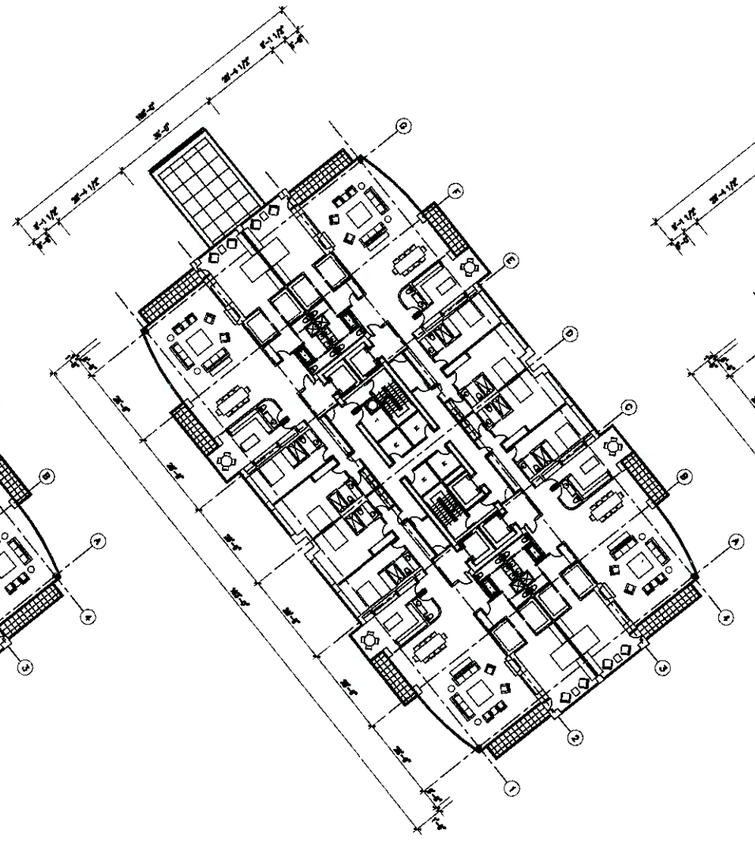
5 POOL TERRACE PLAN



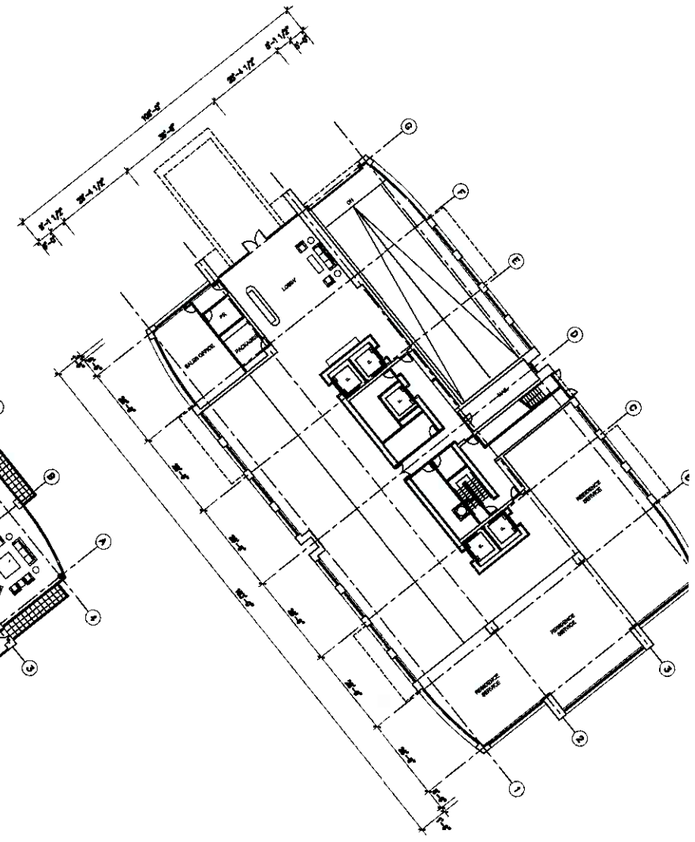
3 LOW ROOF PLAN



3 POOL TERRACE



2 TYPICAL FLOOR PLAN



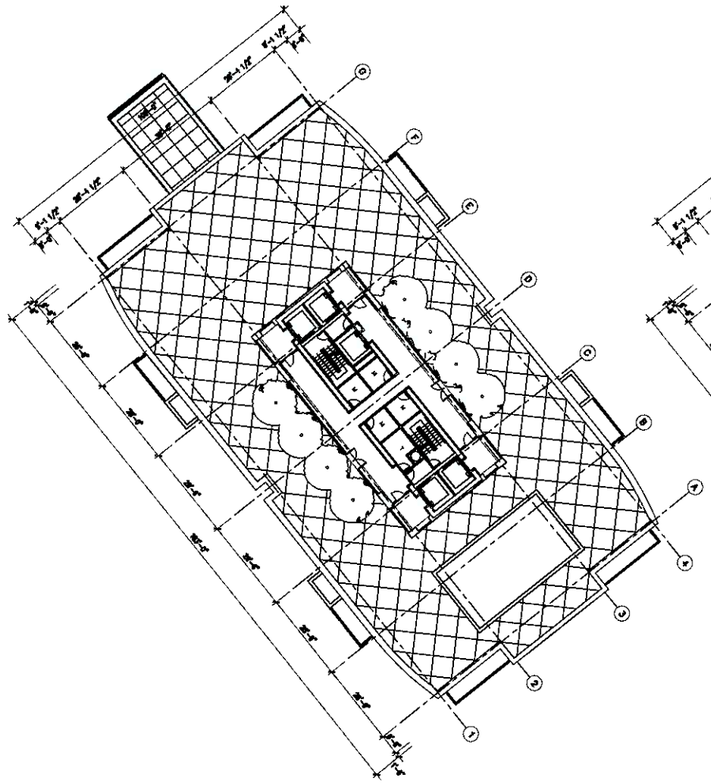
1 LOBBY PLAN

The Beverly Hilton Specific Plan

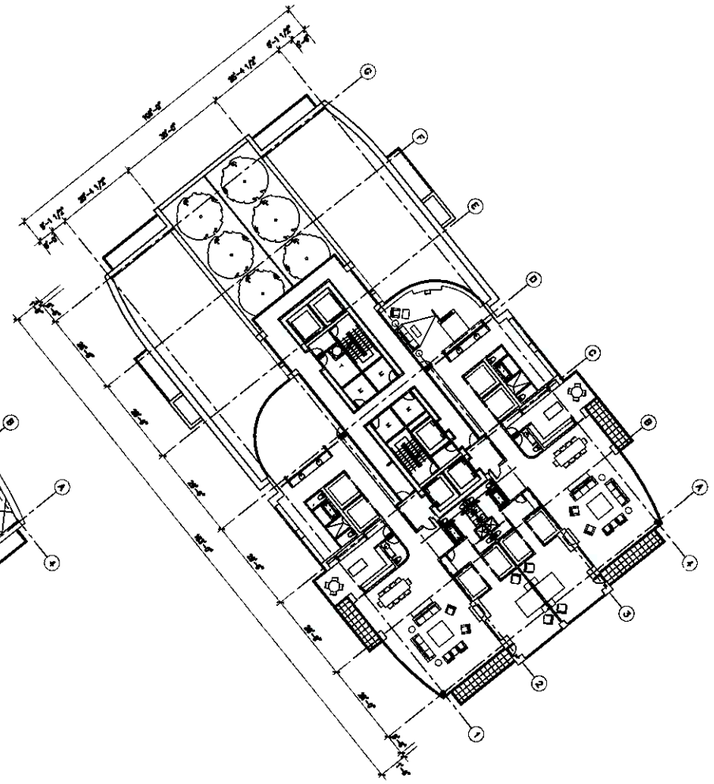
Figure 18A - New Luxury Residences B Building Design

Scale: 1" = 60'-0"

April 29, 2008

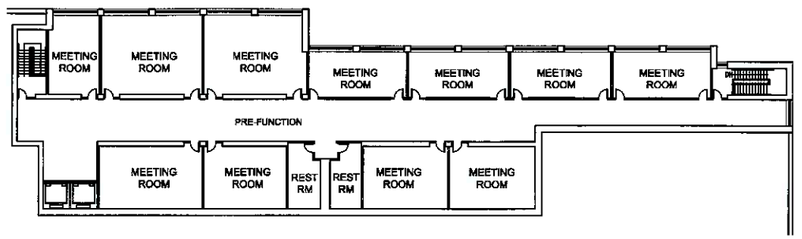


4 POOL TERRACE PLAN

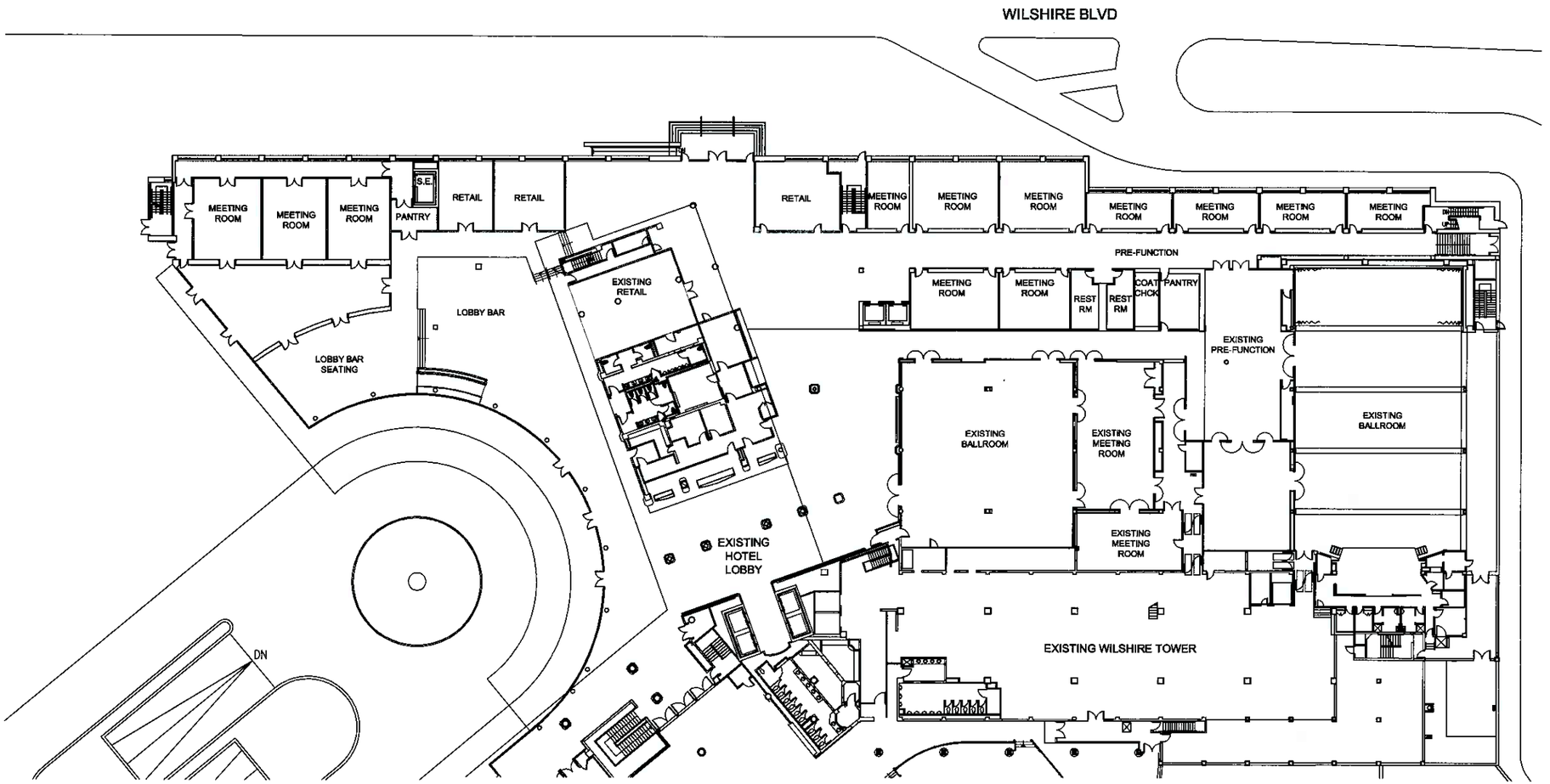


3 UPPER LEVEL PLAN

3 NEW CONFERENCE CENTER ROOF PLAN

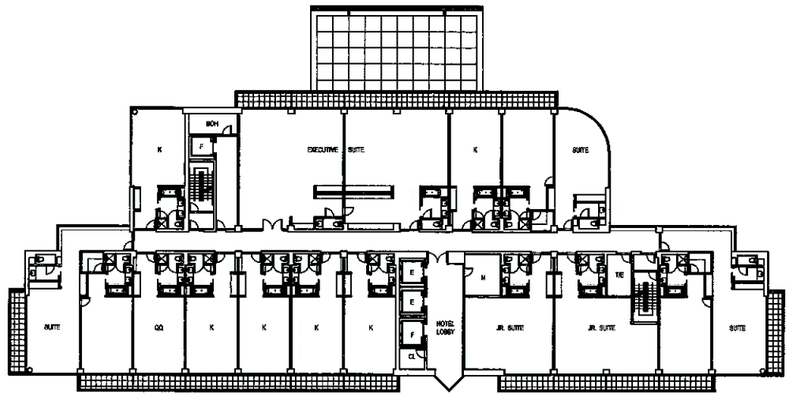


2 NEW CONFERENCE CENTER 2ND FLOOR

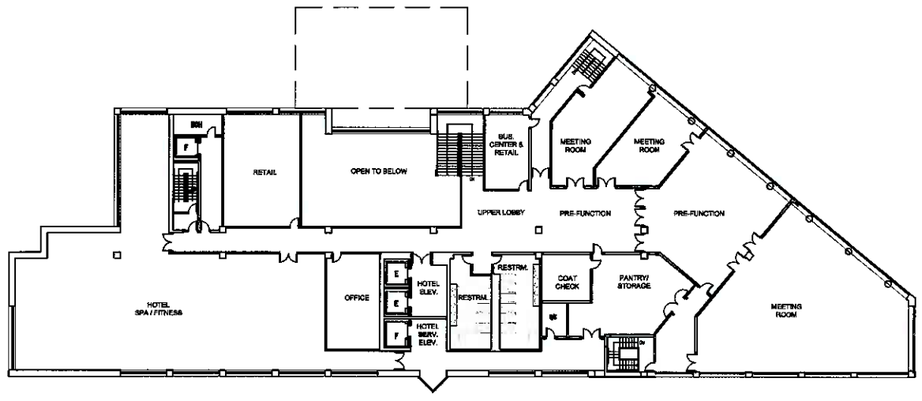


1 NEW WILSHIRE LOBBY ENTRY – LOBBY LEVEL PLAN

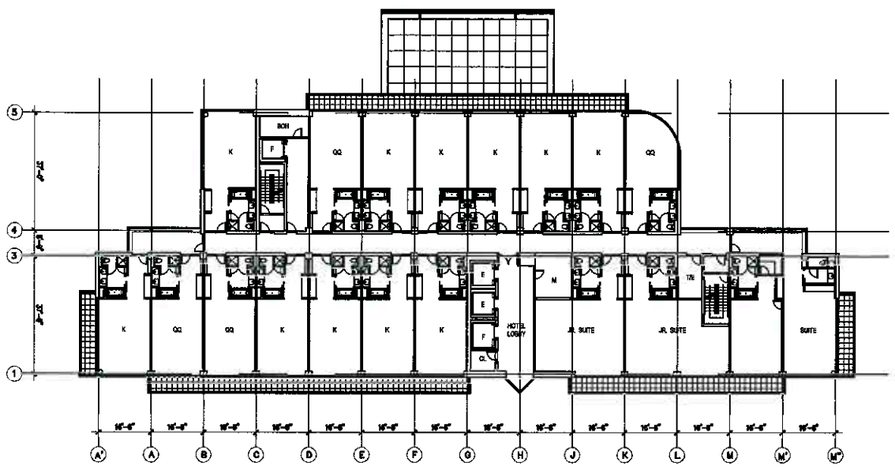
Figure 19 - New Conference Center Design - (New Conference Center & New Lobby/ Retail Design) *Scale: 1" = 60'-0"* *April 29, 2008*



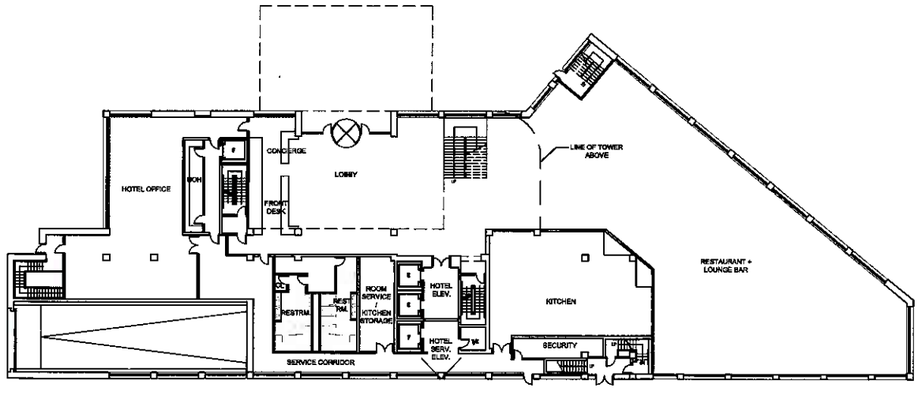
4 NEW EAST LUXURY HOTEL CLUB FLOOR 11TH



2 SECOND LEVEL PLAN



3 NEW EAST LUXURY HOTEL FLOORS 3RD–10TH



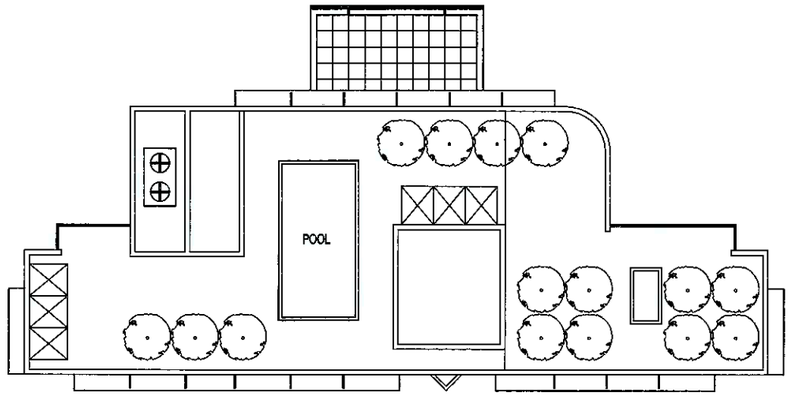
1 GROUND LEVEL PLAN

The Beverly Hilton Specific Plan

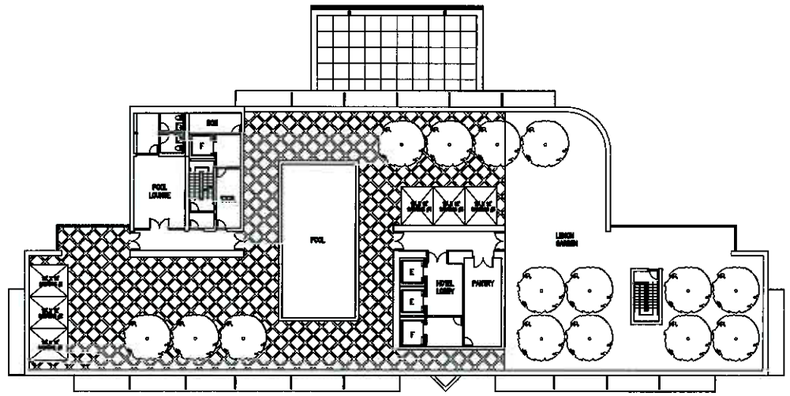
Figure 20A - New East Luxury Hotel Building Design

Scale: 1" = 60'-0"

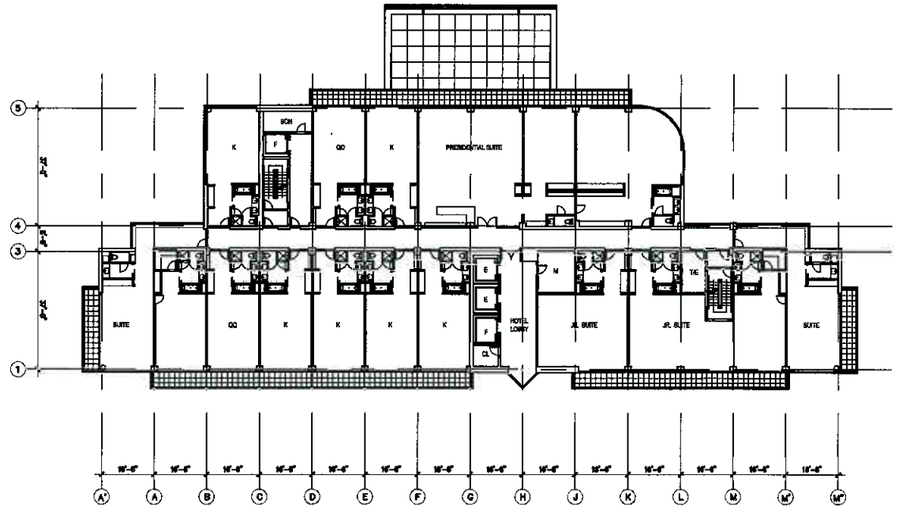
April 29, 2008



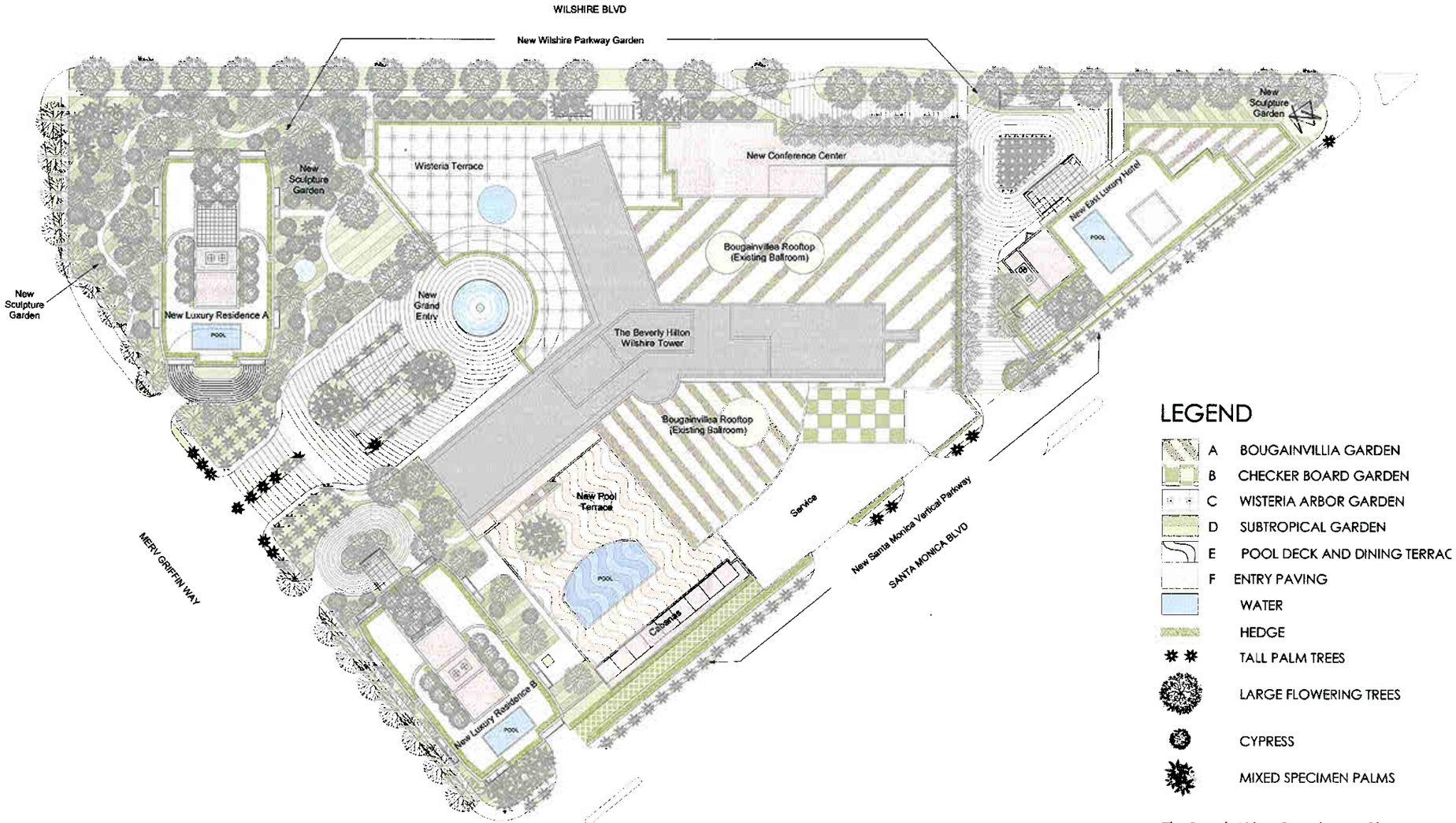
3 ROOF PLAN

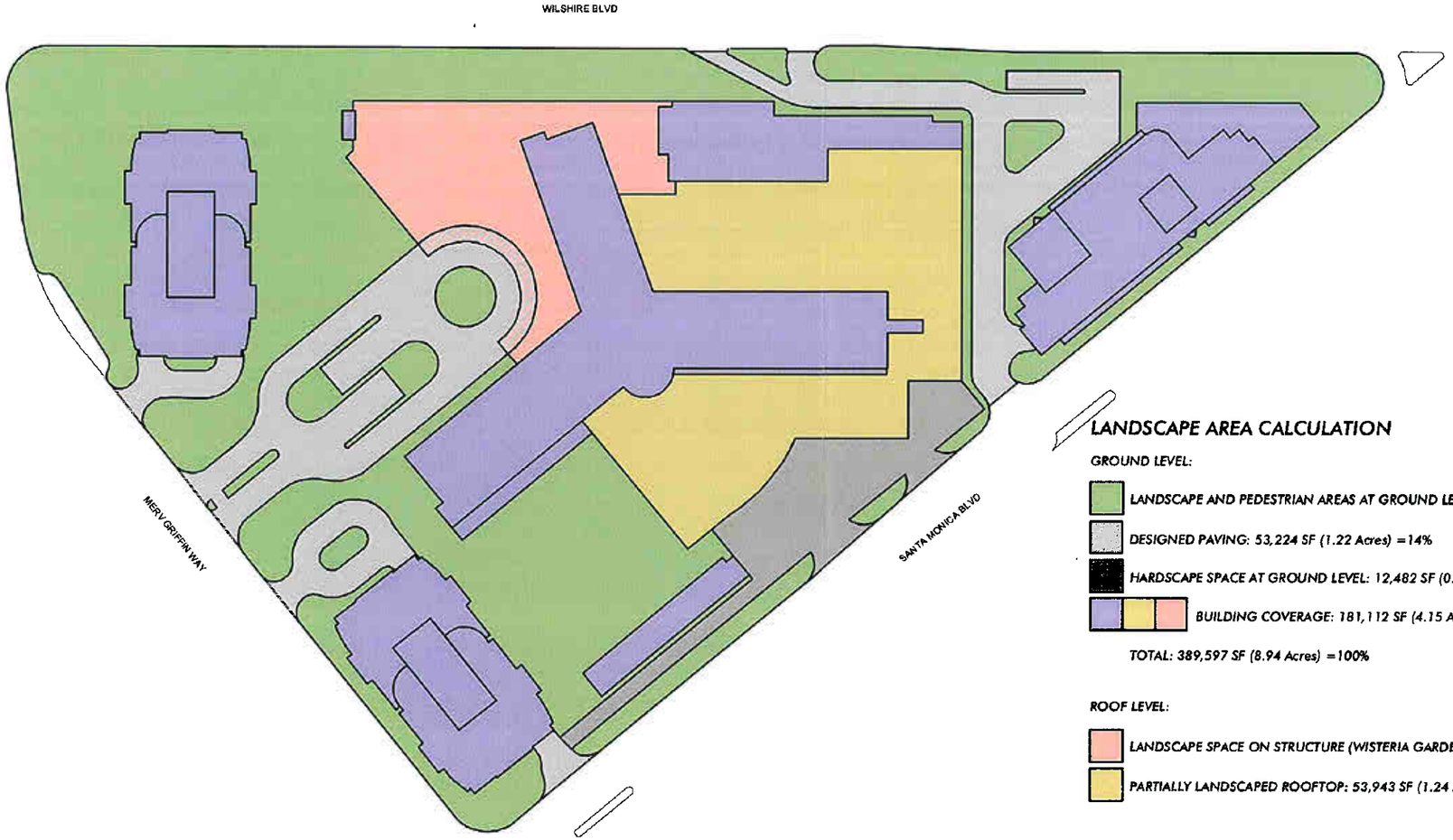


2 POOL TERRACE PLAN



1 NEW EAST LUXURY HOTEL PRESIDENTIAL FLOOR 12TH


WILSHIRE BLVD
New Wilshire Parkway Garden
New Sculpture Garden
New Sculpture Garden
New Luxury Residence A
POOL
Wisteria Terrace
New Conference Center
New Grand Entry
Bougainvillea Rooftop (Existing Ballroom)
The Beverly Hilton Wilshire Tower
New East Luxury Hotel
POOL
New Sculpture Garden
Bougainvillea Rooftop (Existing Ballroom)
New Pool Terrace
Service
New Santa Monica Vertical Parkway
SANTA MONICA BLVD
MERV GRIFFIN WAY
POOL
Cabanas
New Luxury Residence B
POOL
LEGEND
A BOUGAINVILLIA GARDEN
B CHECKER BOARD GARDEN
C WISTERIA ARBOR GARDEN
D SUBTROPICAL GARDEN
E POOL DECK AND DINING TERRAC
F ENTRY PAVING
WATER
HEDGE
TALL PALM TREES
LARGE FLOWERING TREES
CYPRESS
MIXED SPECIMEN PALMS
The Beverly Hilton Revitalization Plan
Illustrative Landscape Plan
Gwathmey Siegel & Associates Architects
Peter Walker and Partners Landscape Architects
N
20'
50'
100'



LANDSCAPE AREA CALCULATION

GROUND LEVEL:

- LANDSCAPE AND PEDESTRIAN AREAS AT GROUND LEVEL: 142,779 SF (3.28 Acres) =37%
- DESIGNED PAVING: 53,224 SF (1.22 Acres) =14%
- HARDSCAPE SPACE AT GROUND LEVEL: 12,482 SF (0.29 Acres) =3%
- BUILDING COVERAGE: 181,112 SF (4.15 Acres) =46%

TOTAL: 389,597 SF (8.94 Acres) =100%

ROOF LEVEL:

- LANDSCAPE SPACE ON STRUCTURE (WISTERIA GARDEN): 22,131 SF (0.51 Acres =6%)
- PARTIALLY LANDSCAPED ROOFTOP: 53,943 SF (1.24 Acres =14%)

The Beverly Hilton Specific Plan

Figure 22 - Ground Level Open Space (Shaded Area)

Scale: 1" = 120'-0"

April 29, 2008

EXHIBIT D

FINAL EIR

A copy of the Final EIR will be provided under separate cover.

EXHIBIT E

RESOLUTION NO. 08-R-12600

A copy of the Resolution will be provided under separate cover.