



## AGENDA REPORT

**Meeting Date:** January 22, 2009

**Item Number:** D-1

**To:** Honorable Mayor & City Council

**From:** Jonathan Lait, AICP, City Planner  
David Reyes, Principal Planner  
Georgana Millican, Associate Planner

**Subject:** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
AMENDING THE BEVERLY HILLS HOTEL SPECIFIC PLAN

**Attachments:**

1. Resolution Approving the Amendment to the Beverly Hills Hotel Specific Plan
2. Redline of Amended Beverly Hills Hotel Specific Plan
3. Planning Commission Resolution
4. Project Plans (Bound Separately)

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### **RECOMMENDATION**

Staff recommends that the City Council adopt the attached resolution approving an amendment to the Beverly Hills Hotel Specific Plan.

### **EXECUTIVE SUMMARY**

The proposed project is a request for an Amendment to the Beverly Hills Hotel Specific Plan (attached) to allow the construction of two new bungalow buildings, each with three separately rentable rooms, for a total of six new hotel rooms. As proposed, each of the two bungalows would be one-story, with a height of twenty feet (20'), and approximately 3,200 square feet. The bungalows are proposed to replace two existing tennis courts located at the west corner of the main hotel building along Glen Way, one court above the loading dock and the other court is above the central plant. The design of the proposed bungalows is consistent with the design of the historic character defining features of the Beverly Hills Hotel including pink stucco clad walls, hipped roofs with clay

tiles, and is compatible with the materials and features of the main hotel building and the existing bungalows.

The project also includes replacement of the existing tennis court fences and screening along Glen Way with a new 8 ½ foot wall with landscaped planters with projecting pilasters every twenty feet (20') to obscure the visibility of the new buildings from Glen Way and adjacent properties, a new twelve foot trellis and low raised planters to soften the distance between the main hotel building and the new bungalows. The Planning Commission asked for additional landscaping to be added along Glen Way to provide additional screening along the area of the existing transformer. The plans have been revised to reflect this request. A landscape design for the new elements is consistent with the existing landscaping design, hardscape and plant materials of the hotel.

The Planning Commission held a public hearing on December 11, 2008 and reviewed the proposed Specific Plan Amendment and found it to be consistent with the adopted Beverly Hills Hotel Specific Plan and provided a written recommendation to the City Council. If the City Council determines that the proposed amendment is in the public interest, then the Council may amend the Specific Plan.

## **BACKGROUND**

The Beverly Hills Hotel was designed in the Mission Revival Style and was built in 1912 prior to the incorporation of the City of Beverly Hills. The hotel is considered to be an important structure to the history of the City and was developed by the Rodeo Land and Water Company and has been a Southern California landmark ever since. It played a significant role in attracting tourists and residents to the area and originally catered to wealthy Easterners who typically stayed for several months to escape the winter cold of their native states and celebrities who stayed in the private bungalows. In addition, the hotel served as the social center of Beverly Hills.

Prior to 1992, the City did not have a specific set of regulations governing the Beverly Hills Hotel site. On August 11, 1992, the City adopted Resolution No. 92-R-8617, establishing the Beverly Hills Hotel Specific Plan which is intended to guide any further development of the hotel site and implement the City's General Plan which designates the area for luxury hotel and ancillary uses. If at any time in the future, the Beverly Hills Specific Plan Area is not used for hotel uses, then the area is to be used for single family residential purposes consistent with all requirements of the R-1.X zone. However, residential uses are not permitted within the Specific Plan Area unless all hotel uses within the Specific Plan Area are terminated and cease to exist.

On October 5, 1994, the City Council adopted Resolution No. 94-R-9035, amending various sections of the Specific Plan related to construction management, bonding and mitigation measures.

The Beverly Hills Hotel Specific Plan details development standards for the hotel including the number of rentable rooms, total square footage of function spaces and dining and bar area, number of parking spaces, location of parking, hotel character preservation requirements, and bungalow heights and square footages. The Specific Plan provides for minor modifications to the Beverly Hills Hotel to be reviewed by the Director of Community Development for compliance with the Specific Plan. However, all of the buildings, walls, fences, landscaping and open space are shown on diagrams that are referenced to and included as a part of the Specific Plan which also states that

"Unless consistent with Diagrams 1 through 8 of this Specific Plan, no buildings, walls, fences or other structures shall be erected, expanded or altered." As proposed, the bungalows would replace the two tennis courts on the property and the design includes a new 8 ½ foot high wall and landscape planters in place of the existing tennis court fences. Therefore, the Specific Plan and its associated Diagrams and Exhibits must be amended to show the removal of the existing tennis courts and associated structures and the new bungalow buildings.

## **DISCUSSION**

### **Beverly Hills Hotel Specific Plan Consistency**

The applicant proposes an amendment to the existing Specific Plan to ensure internal consistencies with Specific Plan and the project.

#### *Number of Rooms*

The approved Specific Plan calls for a maximum of 210 separately rentable rooms while currently the hotel has 204 separately rentable rooms. With the proposed addition of the two bungalows, each with three separately rentable rooms, the number of hotel rooms will be consistent with the 210 rooms analyzed and accounted for in the Specific Plan. The total number of rooms therefore does not require a Specific Plan amendment.

#### *Parking*

The adopted Beverly Hills Hotel Specific Plan required a total of 692 parking spaces for the hotel. The parking required took into account a total build out of 210 guest rooms. The current proposal does not modify the number of parking spaces provided or required and with the proposed additional six guest rooms, the number of guest rooms at the hotel will be 210.

#### *Total Square Footage of Bungalows*

The Specific Plan states that the maximum cumulative square footage for all bungalows on the site shall remain substantially as it existed on July 1, 1992 and shall not exceed 40,617 square feet. Additionally, minor additions of up to 350 square feet per bungalow for a total cumulative square footage of additions of 4,500 square feet was permitted within the Specific Plan along with the conversion of the Octagon building to a bungalow with a maximum square footage of 2,500 square feet (this building was converted and is referred to on the plans as bungalow #22). The total square footage of bungalows accounted for in the Specific Plan is 47,617 square feet.

The current proposal would add 6,400 square feet (3,200 square feet per bungalow) to the total cumulative bungalow square footage. This requires that the Specific Plan be amended to allow for a cumulative maximum square footage of 54,017 for the bungalows.

### *Height of Walls*

The Specific Plan also limits the height of walls and fences within the Specific Plan Area to six feet. The current proposal calls for the replacement of the existing tennis court fence and screening with a new 8 ½ foot high stucco clad wall with landscaped planters. The landscape planters would be interrupted every 20 feet with pilasters that are reflective of the historic architecture of the hotel. The Applicant is requesting that the six foot maximum wall and fence heights in the Specific Plan be amended to allow the proposed new wall which is intended to provide screening and obscure the visibility of the new bungalows from Glen Way and adjacent properties. The proposed walls largely obscure the visibility of the bungalows from Glen Way and additionally the design of the walls and landscaping soften the appearance of the walls and bungalows as viewed by adjacent properties and from Glen Way and are consistent with the residential character of the area.

### *Hotel Character Preservation*

The Specific Plan requires that all renovations and construction within the Specific Plan Area be designed to preserve and enhance the mission revival heritage and other design styles of the hotel and integrate the traditional design concepts of the Beverly Hills Hotel. In addition, all renovations shall meet the Secretary of the Interior's Standards for Rehabilitation as they existed on January 1, 1992.

Robert Chattel of Chattel Architecture Planning and Preservation, Inc., reviewed the proposed project to evaluate any potential historic resource impacts and for compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings "Secretary's Standards" (report attached). The report states that it was determined that the existing tennis courts are neither old nor historic or character defining features of the hotel. The report also concludes that the proposal to construct the new bungalows with associated landscaping and walls conforms to the Secretary's Standards and the provisions of the Specific Plan and will not cause a substantial adverse change in the significance of the historic resource or significant effect on the environment.

As proposed, the modifications to the Beverly Hills Hotel Specific Plan Area are not anticipated to materially alter the distribution, location or extent of the land uses set forth in the Specific Plan. The proposed removal of the tennis courts and replacement with the two new bungalows fulfills the intent of the Specific Plan to preserve the unique character of the Beverly Hills Hotel Specific Plan Area. Additionally the new bungalows and associated wall and landscaping is consistent with the residential character of the area and are designed to blend into the area. Therefore the proposed project and Specific Plan Amendment is not anticipated to adversely impact the surrounding neighborhoods.

### *Construction Management Plan*

The Beverly Hills Specific Plan currently contains regulations related to construction that is long since completed and no longer applicable. This language has been replaced with language requiring construction within the Specific Plan Area to be subject to a construction management plan subject to review and approval by the Building Official prior to the issuance of any building permits. In addition, any such construction would be

subject to the submittal of a bond or other security to ensure that such construction is completed in accordance with the Specific Plan and any building permits issued.

### *Residential Compatibility*

The proposal would add two bungalow buildings to the existing hotel operations, for a total of six new rentable rooms. Although the roofs of the bungalows would be visible from the adjacent street (Glen Way), they are proposed to be screened with residential style landscaping and fencing to minimize any visual impacts. In addition, the visible portions of the roof would be compatible with and complimentary to the existing built environment.

Parking for the hotel is consistent with Specific Plan requirements and the proposed addition of two bungalows would not impact traffic or circulation in the area. The Specific Plan contains regulations for neighborhood protection during special events and prohibits hotel-related parking in residential areas. No changes to these requirements are proposed in conjunction with the proposed amendment. Should the amendment be approved, staff has proposed language to the Specific Plan to ensure that a construction management plan is submitted for review and approval to the City prior to the issuance of any building permits to ensure that short term construction impacts to the residential neighborhood are minimized

There are no active or recent code enforcement cases involving the Beverly Hills Hotel and the proposed addition of the two bungalows is not expected to impact the neighboring residential properties in any way.

### **PLANNING COMMISSION ANALYSIS**

The Planning Commission reviewed the project and found that the project was consistent with the adopted Beverly Hills Hotel Specific Plan and would enhance the neighborhood. In addition, in order to further ensure compatibility between the project and the surrounding residential neighborhood, the Planning Commission recommended the following conditions to the project which have been incorporated into the attached amended Beverly Hills Hotel Specific Plan.

#### **Guest Access**

No guest of bungalows #23 or #24 shall be permitted to access (enter or exit) the bungalows through any other access point, including the loading dock area, other than through the primary guest entrances of the hotel.

#### **Construction Management Plan Language**

The Applicant shall comply with a Construction Management Plan that has been approved by the Director of Community Development prior to the issuance of a building permit. The Construction Management Plan shall include, at a minimum, the following requirements:

1. Off-site parking for construction workers at a location approved by the City, together with shuttle service to and from the construction site for construction workers, which shall provided without any cost to construction workers.

2. A map identifying shuttle service routes and off-site parking lots for construction workers to be utilized 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.

3. 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 routes are subject to change if the haul route creates unanticipated traffic congestion or noise impacts.

### **General Plan Consistency**

The adopted General Plan of the City designates the area as a Specific Plan Area for a luxury hotel. Inasmuch as the project includes the addition of two new luxury bungalows, with a total of six new separately rentable rooms and associated walls and landscaping, it is consistent with the General Plan of the City of Beverly Hills.

### **ENVIRONMENTAL DETERMINATION**

This project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Staff has determined that the proposed project qualifies for a Categorical Exemption (Sec. 15303 (c)), Class 3 "new construction or conversion of small structure" because the project is less than 10,000 square feet in size on a site zoned for this use and which is served by all necessary public services. Further, the areas surrounding the site are not environmentally sensitive, and the use will not use significant amounts of hazardous substances. Therefore, under the authority provided by the CEQA Guidelines, no significant environmental impacts are anticipated.

### **PUBLIC NOTICE**

Prior to the Planning Commission public hearing, the Project was noticed to all property owners and residential tenants within a 300-foot radius of the property, and all owners of single-family zoned properties within 500 feet of the property. The notice of proposed project and public hearing was mailed on November 25, 2008, published in the Beverly Hills Courier on Friday, November 29, 2008 and published in the Beverly Hills Weekly on Thursday, December 4, 2008. The City Council public hearing was mailed to the same mailing as the Planning Commission hearing and published in the Beverly Hills Courier on Friday, January 9, 2009 and the Beverly Hills Weekly on Thursday, January 15, 2009.

### **RECOMMENDATION**

Staff recommends that the City Council take the following actions:

- 1) Adopt the attached Beverly Hills Hotel Specific Plan Amendment Resolution

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2) Adopt the attached Amended Beverly Hills Hotel Specific Plan

Alternative Action:

- 1) Adopt a Resolution with additional conditions
- 2) Direct staff to prepare a resolution denying the request.

Jonathan Lait, AICP  
City Planner

A handwritten signature in blue ink, appearing to read "Jonathan Lait", is written over a horizontal line.

Approved By



# ATTACHMENT 1

Resolution Approving the Amendment to  
the Beverly Hills Hotel Specific Plan

RESOLUTION NO.

RESOLUTION OF THE COUNCIL OF THE CITY OF  
BEVERLY HILLS AMENDING THE BEVERLY HILLS  
HOTEL SPECIFIC PLAN

The City Council of the City of Beverly Hills does resolve as follows:

Section 1. In order to more comprehensively regulate the rehabilitation of the Beverly Hills Hotel, bungalows and grounds, and to allow for the construction of two new bungalow buildings, and in order to systematically implement the City of Beverly Hills General Plan, the City adopted the Beverly Hills Hotel Specific Plan on August 11, 1992 by Resolution No. 92-R-8617. The City Council subsequently approved an amendment to the Specific Plan on October 5, 1994, by Resolution No. 94-R-9035. In order to allow the construction of the two new bungalow buildings and associated walls, the City of Beverly Hills desires to adopt an amendment to the Beverly Hills Hotel Specific Plan governing the site of the Beverly Hills Hotel.

Section 2. Sajahtera, Inc., dba Beverly Hills Hotel, has applied for an Amendment to the Beverly Hills Hotel Specific Plan to allow for the construction of two new bungalow buildings, each with three separately rentable rooms, for a total of six new hotel rooms. Each of the two bungalows is one-story, with a maximum height of twenty feet (20'), and contains approximately 3,200 square feet. The proposed bungalow buildings would replace the existing tennis courts, and fences and screening along Glen Way would be provided with a new 8 ½ foot wall with landscaped planters.

Section 3. This project has been assessed in accordance with the authority and criteria contained in 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 environmental regulations of the City. The proposed project

qualifies for a Categorical Exemption (Sec. 15303 (c)), Class 3 “new construction or conversion of small structure” because the project is less than 10,000 square feet in size on a site zoned for this use and which is served by all necessary public services. Further, the areas surrounding the site are not environmentally sensitive, and the use will not use significant amounts of hazardous substances. Therefore, under the authority provided by CEQA, no significant environmental impacts are anticipated and the project is exempt from further review. The City Council determined that the project is exempt from CEQA for the foregoing reasons.

Section 4. The General Plan Land Use Plan of the City of Beverly Hills designates the property as a Specific Plan for a luxury hotel. Inasmuch as the project includes the addition of two new luxury bungalows, with a total of six new separately rentable rooms and associated walls and landscaping, it is consistent with the General Plan of the City of Beverly Hills.

Section 5. The Beverly Hills Hotel Specific Plan of the City of Beverly Hills, is hereby amended to read as shown in Exhibit “A” and is hereby adopted.

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 Council of this City.

Adopted:

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BARRY BRUCKER  
Mayor of the City of  
Beverly Hills, California

ATTEST:

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BYRON POPE  
City Clerk

Approved as to form:

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LAWRENCE WEINER  
City Attorney

Approved as to content:

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RODERICK WOOD, CCM  
City Manager

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ANNE BROWNING MCINTOSH, AICP  
Director of Community Development

## ATTACHMENT 2

Redline of Amended Beverly Hills Hotel Specific Plan

## **Beverly Hills Hotel Specific Plan**

As amended January 22, 2009

### **INTRODUCTION**

Since 1912, before the incorporation of the City of Beverly Hills, the Beverly Hills Hotel and its grounds have occupied their current location. Commissioned by Burton Green and Margaret J. Anderson, the Beverly Hills Hotel and the Hotel Specific Plan Area have grown with the City and function as symbols of the City and its beginnings. In addition, the Hotel and the Specific Plan Area are located in a unique portion of the City. Unlike any other hotel area of the City, the Beverly Hills Hotel Specific Plan Area is surrounded by residential uses and was built to attract those uses. However, before the adoption of this Specific Plan, the City has never enacted a set of comprehensive regulations to address this unique area of the City.

This Specific Plan was adopted by resolution of the City Council on August 11, 1992 will to guide the further development of the Specific Plan Area and will systematically implement the City's General Plan. In order to systematically implement the General Plan, the Specific Plan will authorize the development and use of the Specific Plan Area in substantial compliance with the requirements of the Plan, including the diagrams and exhibits contained in the Plan.

The Specific Plan was amended on October 5, 1994 by City Council Resolution No. 94-R-9035 to revise certain construction management and bonding issues.

The Specific Plan was amended a second time in 2009, to allow for two new bungalows, identified as Bungalow 23 and Bungalow 24 in the location of the former tennis courts, which were removed as part of the project. Where-ever diagrams, exhibits and footnotes are referred to in this document, the references shall be inclusive of Figures 1-11, associated with Bungalows 23 and 24 and where any references are made to tennis courts in this Specific Plan, those references shall be construed to mean where modified in the tennis court areas by the new Figures 1-11. In the event that Bungalows 23 and/or 24 are removed, the regulations pertaining to the tennis courts remain. The second amendment also removed construction management language that related to specific construction already completed (referred to in this document as "Initial Specific Plan Construction") and replaced it with language requiring a construction management plan and bonding for prior to the issuance of any building permits within the Specific Plan Area.

### **RELATIONSHIP TO GENERAL PLAN**

The location of the Specific Plan Area is shown on the map set forth as Exhibit A to this Specific Plan.

The General Plan provides that the Beverly Hills Hotel Specific Plan Area may be governed by this Specific Plan and used for hotel purposes. This Specific Plan is designed to ensure that the Beverly Hills Hotel Specific Plan Area is developed with the hotel uses designated in the General Plan and that such development will fulfill the General Plan development goals, objectives and policies.

Consistent with the goals, objectives and policies of the City of Beverly Hills General Plan, if the Beverly Hills Hotel Specific Plan Area is not used for hotel purposes, then the Specific Plan Area shall be used only for single family residential purposes. All residential development shall be consistent with the requirements of the R-1.X Zone.

Development of the Specific Plan Area, as specifically conditioned by this Specific Plan and in substantial accordance with the plans set forth in the diagrams and exhibits incorporated as part of this Specific Plan, would be consistent with the General Plan and would meet all of the policy goals and requirements set forth in both the General Plan and this Specific Plan.

### **DISTRIBUTION, LOCATION, AND EXTENT OF USES OF LAND**

The uses allowed in the Specific Plan Area shall be limited to a luxury hotel and ancillary uses, or single family uses as provided below. Ancillary luxury hotel uses may include without limitation, lobbies, function and pre-function spaces, restaurants, bars, fitness centers, pools and spas, game courts, parking, and central power, heating facilities and air conditioning facilities.

The location and distribution of buildings, walls, fences and open space, including building levels located below grade, shall be substantially as shown on Diagrams 1 through 8 of this Specific Plan. Within the open space, the location, distribution and type of landscaping shall be substantially as shown on Diagram 9 of this Specific Plan, as further defined by Exhibit B of this Specific Plan, the Landscaping Conservation Study. Unless consistent with Diagrams 1 through 8 of this Specific Plan, no buildings, walls, fences or other structures shall be erected, expanded or altered.

In order to preserve the character of the Beverly Hills Hotel Specific Plan Area in a manner that is consistent with its history as a luxury hotel and grounds rather than a convention or retail center, the function spaces shall not exceed a total floor area of 15,800 square feet distributed over 3 function rooms. In addition, the total floor area devoted to retail uses within the Specific Plan Area shall not exceed 5,408 square feet and the total dining and bar area devoted to restaurant and bar uses shall not exceed 10,140 square feet. Finally, the total number of separately rentable rooms within the Specific Plan Area shall not exceed 210.

Also in order to preserve the character of the Beverly Hills Hotel Specific Plan Area in a manner that is consistent with its history as a luxury hotel and grounds, and to ensure that all subsequent owners are made aware of the requirements of this Specific Plan, the owner of the Beverly Hills Hotel ~~shall enter~~ entered into a covenant and agreement with the City, in form and content satisfactory to the Beverly Hills City Attorney, accepting the provisions of this Specific Plan and notifying subsequent property owners of its existence. The owner of the

Beverly Hills Hotel shall also entered into a lot tie agreement with the City of Beverly Hills, in form and content satisfactory to the Beverly Hills City Attorney, to hold all of the lots located in the Specific Plan Area together as a single parcel. Both the agreement accepting the Specific Plan provisions and the lot tie agreement shall be were recorded with the Los Angeles County Recorder before issuance of any building permit or other permit to engage in construction operations that would bring the Specific Plan Area, as it existed on January 1, 1992, into conformity with this Specific Plan. Furthermore, although the lot tie agreement will requires that the owner of the property in the Specific Plan Area must hold all of the lots as a single parcel, that agreement shall also provide that during the term of the agreement the owner of the property shall not be prohibited from resubdividing the lots in accordance with the ordinances, procedures and policies in effect at the time of subdivision. In addition, if at any time after recordation of the lot tie agreement the City approves a final map of such resubdivision or if this Specific Plan is no longer in effect, then the lot tie agreement shall automatically terminate and the City shall record a document certifying such termination. Except as stated above, the lot tie agreement shall not be terminated or modified except upon written agreement between the property owner or owners and the City.

Notwithstanding any other provision of this Specific Plan, if the Beverly Hills Hotel Specific Plan Area is no longer used for hotel purposes, then the Specific Plan Area shall be used only for single family residential purposes. Residential uses shall not be permitted within the Specific Plan Area unless all hotel uses within the Specific Plan Area are terminated and cease to exist. All residential development shall be consistent with the requirements of the R-1.X Zone.

### **DISTRIBUTION LOCATION AND EXTENT OF ESSENTIAL FACILITIES**

Due to the long history of hotel uses within the Beverly Hills Hotel Specific Plan Area, the land uses within the Specific Plan Area are currently supported with adequate sewage, water, drainage, solid waste disposal, energy and other essential facilities. As limited in size and intensity of use by this Specific Plan, the land uses within the Specific Plan Area will not require new or additional sewage, water, solid waste disposal, energy, or other essential facilities within the Specific Plan Area. However, all utility construction, connections and maintenance shall conform to the provisions of the Beverly Hills Municipal Code.

Additional drainage facilities for the Specific Plan Area shall be provided only to the extent necessary to channel surface water into the existing storm drainage system. The drainage for the Beverly Hills Hotel Specific Plan Area shall be constructed substantially as shown on Diagram 10 of this Specific Plan. No additional drainage facilities shall be required to be constructed within the Specific Plan Area to support the Specific Plan Area.

Private transportation facilities including, but not limited to, driveways and parking facilities shall be constructed to support the land uses within the Specific Plan Area and to minimize the parking and traffic impacts on surrounding neighborhoods. In order to implement these goals, the requirements of this Specific Plan, including the specific measures set forth in the following five paragraphs, will ensure that the land uses described in the Plan are adequately supported by private transportation facilities.

The primary vehicle entrance to the specific Plan Area shall be from Crescent Drive. The primary vehicle exit from the Specific Plan Area shall be onto Hartford Way. All vehicle entrances and exits shall be constructed substantially as shown on Diagram 1 of this Specific Plan and as shown in more detail on Diagrams 11, 12, 15, 16, and 17 of this Specific Plan. Furthermore, in order to better integrate traffic exiting the Hotel with traffic along Hartford Way, the Beverly Hills Director of Transportation may require additional modifications to the primary vehicle exit which are not inconsistent with these diagrams. For example, the Director may require, but shall not be limited to requiring, specific striping of the exit driveway or specific signage restricting vehicle turns. If the Director requires additional modifications, the modifications shall be implemented at the expense of the owner of the Beverly Hills Hotel.

All parking required to support the land uses within the Specific Plan Area shall be provided within the Specific Plan Area. Nineteen (19) self parking spaces shall be dedicated to patrons of the Hotel and Bungalows along the primary exit driveway, substantially as shown on Diagram 1 of the Specific Plan. The remaining twenty-four (24) parking spaces along the entrance and exit driveway, substantially as shown on Diagram 1, shall be dedicated to patron parking and shall not be available to commercial car rental businesses or other uses.

No valet parking for uses within the Specific Plan Area shall be permitted outside of the Specific Plan Area. All persons who work within the Specific Plan Area shall be provided free parking within the Specific Plan Area. However, if parking demand for uses in the Specific Plan Area is anticipated to exceed the parking capacity within the Specific Plan Area at any time or times, then the owner of the Beverly Hills Hotel shall provide free parking for Beverly Hills Hotel employees in Beverly Hills city-owned parking lots, or if the employees cannot be accommodated in such lots, then free parking shall be provided in a different lot, satisfactory to the Beverly Hills Director of Transportation, sufficient to permit all patrons of the Hotel to park, or be parked, within the Specific Plan Area. The owner of the Hotel shall also provide free transportation for employees between such employee parking lots and the Specific Plan Area.

The Owner of the Hotel shall direct employees to refrain from using street parking while working at the Hotel. Furthermore, upon request of the Director of Transportation, and in order to assist the City in monitoring employee street parking, the Owner shall provide the City with the license plate numbers of all vehicles regularly used by employees of the Hotel.

Buses which load or unload persons in the Specific Plan Area shall be directed by the owner of the Hotel to park, and shall park, in the areas specifically designated for the buses on Diagram No. 7 of this Specific Plan.

As limited in size and intensity by this Specific Plan, and provided that employee parking is provided as described above in this Plan, the Specific Plan Area land uses shall be adequately supported by 692 parking spaces that shall be constructed substantially as shown on Diagrams 11 through 17 of this Specific Plan.

As limited in size and intensity by this Specific Plan, the land uses described in the Specific Plan will not need to be supported by new or additional major components of public transportation facilities located within the Specific Plan Area. With regard to existing public

transportation facilities, the owner of the Beverly Hills Hotel shall maintain the public transportation shelter located on Sunset Boulevard adjacent to the Specific Plan Area in good and clean condition and repair, satisfactory to the Director of Planning and Community Development. In addition, the owner of the hotel shall provide and maintain adequate lighting for that shelter, satisfactory to the Director of Planning and Community Development. However, this duty to maintain the transportation shelter and lighting shall continue only as long as that shelter is served by public transportation vehicles.

## **DEVELOPMENT STANDARDS, CRITERIA, AND REGULATIONS**

The development standards and criteria described in this Specific Plan have been designed to preserve the unique hotel character of the Beverly Hills Hotel Specific Plan Area along with the residential character of the surrounding neighborhoods.

### **A. Hotel Character Preservation.**

The design of all renovations to the Beverly Hills Hotel will identify, preserve and retain the form and detailing of those architectural materials and features that are important in defining the character of the Hotel and the Specific Plan Area. All renovations shall meet the Secretary of the Interior's Standards for Rehabilitation as they existed on January 1, 1992. In addition, all renovations and construction shall be designed to preserve and enhance the mission revival heritage and other design styles of the original hotel. Renovation and construction will integrate the traditional design concepts of the Beverly Hills Hotel and preserve those design concepts.

All renovations shall also preserve and enhance the garden-resort atmosphere of the Beverly Hills Hotel.

In order to achieve these goals, all renovations shall comply with the development requirements set forth in the following paragraphs.

As shown in Diagram 18, all renovations shall retain and preserve the bell towers at the main entry and the basic forms of the southern and eastern elevations of the main building substantially as those elements are shown in Diagram 20. The basic forms of the northern elevation of the main building shall also be retained as shown on Diagram 18. In addition, all renovations shall retain and preserve the appearance of the entry drive from Crescent Drive as shown in Exhibit C, and the Beverly Hills Hotel sign as shown in Exhibit D.

All renovations shall retain and repair, or, where required, replace with compatible or like kind material, the Hotel's pink stucco and its tile roofs, as shown in Exhibit E.

Construction of any new portions of the Hotel shall use the same character defining finishes that have been traditionally used in the Hotel, as shown in Exhibit E.

The appearances of the character defining elements of the Polo Lounge and the coffee shop shall be retained in substantially the same form as they appeared in 1991 and as documented in Exhibit F.

The facade of the Beverly Hills Hotel shall be preserved to the extent feasible.

The unobstructed line of sight between Crescent Drive and the Beverly Hills Hotel Bungalows shall be preserved in substantially the same form as it existed on July 1, 1992 as documented in Exhibit G.

B. Height, ~~and~~ Bungalow Area ~~and~~ Access.

The height of the major elements of the primary Beverly Hills Hotel building shall be no higher than shown on Diagram 18.

Hotel Bungalows shall be limited to substantially those locations shown on Diagram 1 of this Specific Plan. In addition, the maximum height of each bungalow shall be limited to the height at the time of the adoption of this Specific Plan, and the profiles of the bungalows shall be generally as shown on Diagram 19 of this Specific Plan. The maximum height of each bungalow at the time of adoption of this Specific Plan is listed below.

Bungalow	1 - 20 feet, 0 inches
Bungalow	2 - 14 feet, 6 inches
Bungalow	3 - 22 feet, 6 inches
Bungalow	4 - 17 feet, 0 inches
Bungalow	5 - 17 feet, 0 inches
Bungalow	6 - 19 feet, 6 inches
Bungalow	7 - 16 feet, 6 inches
Bungalow	8 - 16 feet, 0 inches
Bungalow	9 - 24 feet, 0 inches
Bungalow	10 - 22 feet, 0 inches
Bungalow	11/12 - 43 feet, 7 inches
Bungalow	14/17 - 35 feet, 4 inches
Bungalow	18/21 - 35 feet, 3 inches

Bungalow 22 – 21 feet, 6 inches

In addition, after the adoption of this Specific Plan, the Octagon building was converted to a bungalow (#22) in 1994.

Further two additional bungalows (individually, “Bungalow 23” and “Bungalow 24”, and collectively, the “Additional Bungalows”) may be constructed in the location occupied by the two (2) tennis courts located within the Specific Plan Area. The location of Bungalow 23 and Bungalow 24 shall be substantially as shown on Figure 1 attached hereto.

Each of the Additional Bungalows shall contain (1) a maximum of 3,200 square feet, and (2) not more than three separately rentable rooms. The total number of separately rentable rooms within the Specific Plan Area shall in no event exceed the 210 separately rentable rooms permitted under the Specific Plan. Parking for the Additional Bungalows is provided by the 692 parking spaces required by the Specific Plan, the location of which is shown on Figure 2 attached hereto.

Bungalow 23 shall be constructed substantially as shown in Figures 3 and 5 attached hereto, and Bungalow 24 shall be constructed substantially as shown on Figures 4 and 5 attached hereto. Each of the additional bungalows shall be one-story. Figure 5 attached hereto illustrate the height of Bungalow 23 and Bungalow 24. As shown on Figure 5, the height of each of the Additional Bungalows, as measured from the concrete deck of the existing tennis court, shall be 20 feet. Subject to review and approval by the Director of Community Development, the height may be increased to not more than 22 feet to accommodate unforeseen construction related issues.

No guest of bungalows #23 or #24 shall be permitted to access (enter or exit) the bungalows through any other access point, including the loading dock area, other than through the primary guest entrances of the hotel.

The location, distribution, and type of landscaping, plant material and hardscape installed in connection with the construction of the Additional Bungalows shall be substantially as shown on Figures 6, 7, and 8 attached hereto, and shall include replacement of the existing fence and tennis court screening on Glen Way with an 8 ½ foot wall with landscaped planters and other features, substantially as shown on Figures 9, 10 and 11 attached hereto.

The maximum cumulative square footage for all bungalows ~~shall remain substantially as it existed on July 1, 1992 and therefore~~ shall not substantially exceed ~~40,617~~ 49,517 square feet except that the Director of ~~Planning and~~ Community Development may approve additions of not more than 350 square feet to each existing bungalow if such additions

meet the requirements of this Specific Plan and the cumulative square footage of all additions does not exceed 4,500 square feet. ~~In addition, the Director of Planning and Community Development may approve conversion of the Octagon building to a bungalow that does not substantially exceed 2,500 square feet in area.~~

Wall and fence heights in the Specific Plan Area shall be limited to six feet ~~except for areas where the wall height is identified as 8.5 feet in the Specific Plan.~~ However, this wall height restriction shall not prohibit the erection of temporary construction barricades which do not comply with these restrictions.

#### C. Architectural Review

Construction within the Beverly Hills Hotel Specific Plan Area shall be subject to architectural review pursuant to the procedure set forth in Article 30 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code.

#### D. Construction Regulations

Prior to the issuance of any building or construction permits within the Specific Plan Area, a construction management plan shall be submitted for review and approval by the Building Official and the Director of the Public Works Department as appropriate. The Construction Management Plan shall include, at a minimum, the following requirements:

1. Off-site parking for construction workers at a location approved by the City, together with shuttle service to and from the construction site for construction workers, which shall provided without any cost to construction workers.
2. A map identifying shuttle service routes and off-site parking lots for construction workers to be utilized 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.
3. 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 routes are subject to change if the haul route creates unanticipated traffic congestion or noise impacts.

~~Construction and landscaping operations for the reconstruction and landscaping of the Beverly Hills Hotel and grounds, which are necessary to bring the Specific Plan Area, as it existed on January 1, 1992, into conformity with this Specific Plan, (such construction and landscaping operations are hereafter referred to as the "Initial Specific Plan Construction"), shall substantially conform to the schedule contained in the Construction Phasing Plan set forth as Exhibit H, subject to delays beyond the control of the owner of the Beverly Hills Hotel. The~~

~~Initial Specific Plan Construction shall also conform to the measures contained in the document entitled "Mitigation Measures for Renovation of The Beverly Hills Hotel & Bungalows," set forth as Exhibit I. Furthermore, no Initial Specific Plan Construction on the Hotel bungalows shall occur concurrently with the remainder of the Initial Specific Plan Construction and no more than two Hotel bungalows shall be under construction or renovation at any one time.~~

~~Prior to or contemporaneously with the issuance of any building permits within the Specific Plan Area, undertaking any Initial Specific Plan Construction, the owner of the Beverly Hills Hotel shall provide the City with a bond, letter of credit or other security, in form and content satisfactory to the City Attorney and in an amount satisfactory to the Director of Building and Safety, to ensure that the exterior improvements to the Beverly Hills Hotel and the structural improvements necessary to support those exterior improvements, as well as all landscaping for the Specific Plan Area, shall be completed in accordance with the Specific Plan and any proposed building permits, issued for the Initial Specific Plan Construction. Additionally, before completion of the landscaping required as part of the Initial Specific Plan Construction and before any temporary or permanent occupancy of the Hotel following any Initial Specific Plan Construction, the owner of the Beverly Hills Hotel shall provide the City with a maintenance bond or other security in form and content satisfactory to the City Attorney and in an amount satisfactory to the Director of Public Works, to ensure maintenance of the exterior improvements and landscaping within the Specific Plan Area, as provided in this Specific Plan, for a period of three years after completion of the Initial Specific Plan Construction. The owner of the Beverly Hills Hotel shall provide sufficient evidence to the City prior to the issuance of any building permits for the project that the owner has the financial capability to satisfactorily complete the Initial Specific Plan Construction.~~

E. Operational Standards.

1. Recreational Facilities.

All fitness centers, game courts other than tennis courts, and other recreational facilities shall be limited to guests who are renting hotel guest rooms in the Specific Plan Area. The area of all fitness centers shall not substantially exceed 1,168 square feet. The tennis courts shall be used only between the hours of 7 a.m. and 10 p.m.

2. Resource Conservation, Development and Utilization.

Development within the Specific Plan Area shall be designed and operated to conserve energy as required by local utility and other agencies with jurisdiction over the Beverly Hills Hotel Specific Plan Area. All development within the Specific Plan Area shall comply with Title 24 of the California Code of Regulations concerning energy conservation standards.

Air conditioning systems will include an outdoor air economizer cycle to obtain free cooling during cold outdoor climactic periods.

Automatic irrigation systems shall be set to irrigate during appropriate hours to minimize water loss due to evaporation or misdirected water flow.

To the extent authorized by law and the City of Beverly Hills, all development within the Beverly Hills Hotel Specific Plan Area shall include commercial sized compactors to reduce the volume of solid waste generated by the development.

Development within the Beverly Hills Hotel Specific Plan Area shall participate in applicable City programs designed to reduce solid waste and solid waste disposal. To the extent that it would be consistent with City solid waste reduction and recycling programs, all development within the Specific Plan Area shall employ trash removal services which recycle solid waste.

Access to existing and future public transportation systems, transit stops and pedestrian walkway systems which serve the Beverly Hills Hotel Specific Plan Area shall be incorporated into all development within the Specific Plan Area.

The owners and operators of development within the Specific Plan Area shall implement a Transportation Demand Management Program that conforms to South Coast Air Quality Management District Regulation XV or its successor.

Air filtration systems shall be designed into all development within the Beverly Hills Hotel Specific Plan Area to reduce any adverse air quality impacts on hotel employees and guests.

The design of development within the Specific Plan Area shall preserve the garden quality of the Specific Plan Area and its surroundings. In order to augment the limited landscaping buffer within the Specific Plan Area along Sunset Boulevard, the owner of the Beverly Hills Hotel shall, at the option of the City of Beverly Hills, plant and maintain, or finance the planting and maintenance of, landscaping, including seasonal flowers, in the median and parkway along Sunset Boulevard adjacent to the Specific Plan Area. Such landscaping shall complement the landscaping within the Specific Plan Area along Sunset Boulevard. If the City chooses to require the owner of the Hotel to provide, or finance the provision of, the landscaping, then before commencement of the Initial Specific Plan Construction, the owner of the Beverly Hills Hotel shall enter into a covenant and agreement with the City of Beverly Hills, in form and content satisfactory to the City, which will obligate the owner to design, plant and maintain or, at the City's discretion, provide funds for the design, planting and maintenance of the median and parkway landscaping, to the satisfaction of the City.

The owner of the Beverly Hills Hotel shall protect all existing street trees adjacent to the Specific Plan Area during the Initial Specific Plan Construction. No street trees, including those trees designated on any Diagrams or other preliminary plans, shall be removed and/or relocated except in compliance with all ordinances and regulations of the City of Beverly Hills and with approval from the Director of Recreation and Parks and the Director of Public Works. 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 regrowth of any relocated or replaced street trees. The security amount will be determined by the Director of Public Works, and shall be in a form approved by the City Attorney.

Operation of the development within the Specific Plan Area shall comply with the "Operation" section of the document entitled "Mitigation Measures for Renovation of the Beverly Hills Hotel and Bungalows" set forth as Exhibit I.

3. Light and Glare.

With the exception of Hotel identification signage approved by the City of Beverly Hills Architectural Commission, all outdoor lighting shall be appropriately shielded so that no significant direct lighting may be viewed from any location outside of the Beverly Hills Hotel Specific Plan Area.

All lighting shall be shielded so that there is no spillage onto properties outside of the Beverly Hills Hotel Specific Plan Area.

4. Loading Areas.

The hours of operation of the loading area shall be restricted to the hours between 7:00 a.m. and 5:00 p.m. except as otherwise necessary in order to comply with the requirements of the South Coast Air Quality Management District or other governmental agency.

The doors enclosing the loading areas shall be opaque, decorative in nature, and compatible in design with the surrounding residential neighborhood, to the satisfaction of the Beverly Hills Architectural Commission. The operation of the doors in combination with the operation of the Hotel shall not cause the ambient noise level at the boundary of the Specific Plan Area to increase more than five decibels.

F. Fire Safety.

At the time that any renovation is performed on any building within the Specific Plan Area, an automatic fire extinguishing system, satisfactory to the Fire Chief, shall be installed in that building. In addition, a fire department phone system shall be provided in the underground parking garage located within the Specific Plan Area.

**IMPLEMENTATION PROGRAM**

A. Financing.

Development of the Beverly Hills Hotel Specific Plan Area will be financed by private initiative and will not require public assistance.

B. Programs and Regulations.

In order to ensure that this Specific Plan will be implemented and that development will be consistent with the regulations set forth in this Specific Plan, the Initial Specific Plan Construction will be monitored pursuant to the mitigation monitoring program for renovation of The Beverly Hills Hotel and Bungalows set forth as Exhibit J to this Specific Plan. This monitoring program includes the creation of a hotel/neighborhood construction liaison committee, the establishment, at the expense of the owner of the Beverly Hills Hotel, of a 24-

hour telephone line for complaints regarding violations of this Specific Plan, and the creation of a city staff monitor who, at the expense of the owner of the Beverly Hills Hotel, will be responsible for ensuring the implementation of this plan.

In addition, in connection with the Initial Specific Plan Construction, the City shall also engage, at the Hotel owner's expense, a professional historic preservation consultant to monitor compliance with the character preservation measures required by this Specific Plan.

Before any permits are issued for the Initial Specific Plan Construction, a historic preservation consultant, under the direction of the City, but at the Hotel owner's expense, shall fully document the state of the Hotel as required in the "Preservation" section of the "Mitigation Measures for Renovation of the Beverly Hills Hotel & Bungalows," set forth as Exhibit I.

Finally, the developer of the Initial Specific Plan Construction shall be advised by a preservation consulting group consisting of representatives from the local and regional preservation and architectural communities, including at least one resident of the City of Beverly Hills appointed by the City Council who has professional training or experience in the area of architecture, historic preservation, planning or design. This group shall be advisory only and shall aid the developer with decisions regarding the preferred methods of preserving the character of the Beverly Hills Hotel consistent with the requirements of this Specific Plan.

~~Any reconstruction or development within the Specific Plan Area which occurs after the Initial Specific Plan Construction shall be monitored pursuant to a written monitoring plan satisfactory to the Director of Planning and Community Development. The monitoring plan shall ensure that such reconstruction or development will be completed in accordance with the requirements of this Specific Plan.~~

#### ~~C.~~ Public Works Projects.

The following small public works projects will be implemented before occupancy of the Initial Specific Plan Construction, and shall be constructed at the expense of the developer of the Initial Specific Plan Construction.

Defective or damaged sidewalks, curbs, gutters, streets and alleys surrounding the Specific Plan Area shall be removed and reconstructed to the satisfaction of the City Engineer.

Curb ramps to aid physically challenged pedestrians shall be constructed at roadway crossings in compliance with California and Beverly Hills specifications.

At the intersections of Sunset Boulevard with Crescent Drive and Sunset Boulevard with Hartford Way, traffic signals shall be upgraded to demand activated controllers as required to meet the demands of the Specific Plan Area, as developed or reconstructed, to the satisfaction of the City's Director of Transportation.

In addition to the above-listed public works projects, if the City restripes Hartford Way in anticipation of, or in response to, occupancy of the Initial Specific Plan Construction, then the owners of the Beverly Hills Hotel shall reimburse the City for the cost of such restriping.

Before occupancy of the Initial Specific Plan Construction, those traffic and parking measures contained in the "Traffic and Parking" section of the "Mitigation Measures for Renovation of the Beverly Hills Hotel & Bungalows," set forth as Exhibit I, shall be implemented.

D.C. Architectural, Landscaping and Other Modifications to Drawings.

Modifications to the architectural designs, landscaping designs and materials, and auxiliary uses shown on the diagrams contained in this Specific Plan may be approved by the Planning Commission pursuant to the procedure set forth in the Beverly Hills Municipal Code for issuing a conditional use permit. The Planning Commission may approve such modifications if the Commission determines that the modifications do not materially alter the distribution, location and extent of the uses of land as set forth in this Specific Plan and the modifications fulfill the intent of the Specific Plan to preserve the unique character of the Beverly Hills Hotel Specific Plan Area while not adversely impacting the residential character of the surrounding neighborhoods.

In addition to modifications approved by the Planning Commission as described above, insubstantial modifications to the diagrams, plans, construction schedules and landscaping set forth in this Specific Plan may be approved by the Director of Planning and Community Development. Such insubstantial modifications may include, without limitation, small changes to building footprints, the substitution of like types of plant species in the landscaping plan, or minor changes to building elevations.

E.D. Development Authorization Process.

Development within the Specific Plan Area shall be governed by the zoning requirements set forth in Title 10, Chapter 3, Article 15.5 of the Beverly Hills Municipal Code. That Article requires that all development within the Beverly Hills Hotel Specific Plan Area be consistent with the Beverly Hills Hotel Specific Plan.

Pursuant to Article 15.5, all development within the Specific Plan Area shall be reviewed by the Director of Planning and Community Development for compliance with this Specific Plan. The Director shall have the authority to impose any conditions on such development that are not inconsistent with the Beverly Hills Hotel Specific Plan and that are necessary to ensure compliance with the Beverly Hills Hotel Specific Plan.

# ATTACHMENT 3

Planning Commission Resolution

RESOLUTION NO. 1539

RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF BEVERLY HILLS RECOMMENDING THAT THE  
COUNCIL OF THE CITY OF BEVERLY HILLS APPROVE AN  
AMENDMENT TO THE BEVERLY HILLS HOTEL SPECIFIC  
PLAN

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

Section 1. In order to more comprehensively regulate the rehabilitation of the Beverly Hills Hotel, bungalows and grounds, and to allow for the construction of two new bungalow buildings, and in order to systematically implement the City of Beverly Hills General Plan, the City adopted the Beverly Hills Hotel Specific Plan on August 11, 1992 by Resolution No. 92-R-8617. The City Council subsequently approved an amendment to the Specific Plan on October 5, 1994, by Resolution No. 94-R-9035.

Section 2. Sajahtera, Inc., dba Beverly Hills Hotel, has applied for an Amendment to the Beverly Hills Hotel Specific Plan to allow for the construction of two new bungalow buildings, each with three separately rentable rooms, for a total of six new hotel rooms. Each of the two bungalows is one-story, with a maximum height of twenty feet (20'), and contains approximately 3,200 square feet. The proposed bungalow buildings would replace the existing tennis courts, and fences and screening along Glen Way would be provided with a new 8 ½ foot wall with landscaped planters.

Section 3. On December 11, 2008, the Planning Commission held a duly notice public hearing to consider the requested Specific Plan Amendment. The Planning Commission

took testimony, and considered the staff report, public testimony during its deliberation of the proposal.

Section 4. This project has been assessed in accordance with the authority and criteria contained in 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 environmental regulations of the City. The proposed project qualifies for a Categorical Exemption (Sec. 15303 (c)), Class 3 “new construction or conversion of small structure” because the project is less than 10,000 square feet in size on a site zoned for this use and which is served by all necessary public services. Further, the areas surrounding the site are not environmentally sensitive, and the use will not use significant amounts of hazardous substances. Therefore, under the authority provided by CEQA, no significant environmental impacts are anticipated and the project is exempt from further review. The Planning Commission therefore recommends that the City Council determine that the project is exempt from CEQA for the foregoing reasons.

Section 5. The General Plan Land Use Plan of the City of Beverly Hills designates the property as a Specific Plan for a luxury hotel. Inasmuch as the project includes the addition of two new luxury bungalows, with a total of six new separately rentable rooms and associated walls and landscaping, it is consistent with the General Plan of the City of Beverly Hills.

Section 6. The Planning Commission recommends that the City Council adopt a resolution amending the Beverly Hills Hotel Specific Plan with revisions as shown in the redlined Specific Plan attached hereto as Exhibit “A,” and incorporated herein by reference.

Section 7. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted: **DECEMBER 11, 2008**

  
\_\_\_\_\_  
Kathy Reims,  
Chair of the Planning Commission  
of the City of Beverly Hills, California

Attest:

  
\_\_\_\_\_  
Secretary

Approved as to form:

  
\_\_\_\_\_  
David M. Snow  
Assistant City Attorney

Approved as to content:

  
\_\_\_\_\_  
Jonathan Lait, AICP 67<sup>th</sup>  
City Planner

## EXHIBIT A

### Beverly Hills Hotel Specific Plan

As amended January 22, 2009

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### INTRODUCTION

Since 1912, before the incorporation of the City of Beverly Hills, the Beverly Hills Hotel and its grounds have occupied their current location. Commissioned by Burton Green and Margaret J. Anderson, the Beverly Hills Hotel and the Hotel Specific Plan Area have grown with the City and function as symbols of the City and its beginnings. In addition, the Hotel and the Specific Plan Area are located in a unique portion of the City. Unlike any other hotel area of the City, the Beverly Hills Hotel Specific Plan Area is surrounded by residential uses and was built to attract those uses. However, before the adoption of this Specific Plan, the City has never enacted a set of comprehensive regulations to address this unique area of the City.

This Specific Plan ~~was adopted by resolution of the City Council on August 11, 1992 will to~~ guide the further development of the Specific Plan Area and will systematically implement the City's General Plan. In order to systematically implement the General Plan, the Specific Plan will authorize the development and use of the Specific Plan Area in substantial compliance with the requirements of the Plan, including the diagrams and exhibits contained in the Plan.

~~The Specific Plan was amended on October 5, 1994 by City Council Resolution No. 94-R-9035 to revise certain construction management and bonding issues.~~

~~The Specific Plan was amended a second time in 2009, to allow for two new bungalows, identified as Bungalow 23 and Bungalow 24 in the location of the former tennis courts, which were removed as part of the project. Where ever diagrams, exhibits and footnotes are referred to in this document, the references shall be inclusive of Figures 1-11, associated with Bungalows 23 and 24 and where any references are made to tennis courts in this Specific Plan, those references shall be construed to mean where modified in the tennis court areas by the new Figures 1-11. In the event that Bungalows 23 and/or 24 are removed, the regulations pertaining to the tennis courts remain. The second amendment also removed construction management language that related to specific construction already completed (referred to in this document as "Initial Specific Plan Construction") and replaced it with language requiring a construction management plan and bonding for prior to the issuance of any building permits within the Specific Plan Area.~~

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### RELATIONSHIP TO GENERAL PLAN

The location of the Specific Plan Area is shown on the map set forth as Exhibit A to this Specific Plan.

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The General Plan provides that the Beverly Hills Hotel Specific Plan Area may be governed by this Specific Plan and used for hotel purposes. This Specific Plan is designed to ensure that the Beverly Hills Hotel Specific Plan Area is developed with the hotel uses designated in the General Plan and that such development will fulfill the General Plan development goals, objectives and policies.

Consistent with the goals, objectives and policies of the City of Beverly Hills General Plan, if the Beverly Hills Hotel Specific Plan Area is not used for hotel purposes, then the Specific Plan Area shall be used only for single family residential purposes. All residential development shall be consistent with the requirements of the R-1 .X Zone.

Development of the Specific Plan Area, as specifically conditioned by this Specific Plan and in substantial accordance with the plans set forth in the diagrams and exhibits incorporated as part of this Specific Plan, would be consistent with the General Plan and would meet all of the policy goals and requirements set forth in both the General Plan and this Specific Plan.

#### **DISTRIBUTION, LOCATION, AND EXTENT OF USES OF LAND**

The uses allowed in the Specific Plan Area shall be limited to a luxury hotel and ancillary uses, or single family uses as provided below. Ancillary luxury hotel uses may include without limitation, lobbies, function and pre-function spaces, restaurants, bars, fitness centers, pools and spas, game courts, parking, and central power, heating facilities and air conditioning facilities.

The location and distribution of buildings, walls, fences and open space, including building levels located below grade, shall be substantially as shown on Diagrams 1 through 8 of this Specific Plan. Within the open space, the location, distribution and type of landscaping shall be substantially as shown on Diagram 9 of this Specific Plan, as further defined by Exhibit B of this Specific Plan, the Landscaping Conservation Study. Unless consistent with Diagrams 1 through 8 of this Specific Plan, no buildings, walls, fences or other structures shall be erected, expanded or altered.

In order to preserve the character of the Beverly Hills Hotel Specific Plan Area in a manner that is consistent with its history as a luxury hotel and grounds rather than a convention or retail center, the function spaces shall not exceed a total floor area of 15,800 square feet distributed over 3 function rooms. In addition, the total floor area devoted to retail uses within the Specific Plan Area shall not exceed 5,408 square feet and the total dining and bar area devoted to restaurant and bar uses shall not exceed 10,140 square feet. Finally, the total number of separately rentable rooms within the Specific Plan Area shall not exceed 210.

Also in order to preserve the character of the Beverly Hills Hotel Specific Plan Area in a manner that is consistent with its history as a luxury hotel and grounds, and to ensure that all subsequent owners are made aware of the requirements of this Specific Plan, the owner of the Beverly Hills Hotel shall enter ~~entered~~ into a covenant and agreement with the City, in form and content satisfactory to the Beverly Hills City Attorney, accepting the provisions of this Specific Plan and notifying subsequent property owners of its existence. The owner of the

Beverly Hills Hotel shall also entered into a lot tie agreement with the City of Beverly Hills, in form and content satisfactory to the Beverly Hills City Attorney, to hold all of the lots located in the Specific Plan Area together as a single parcel. Both the agreement accepting the Specific Plan provisions and the lot tie agreement shall be were recorded with the Los Angeles County Recorder before issuance of any building permit or other permit to engage in construction operations that would bring the Specific Plan Area, as it existed on January 1, 1992, into conformity with this Specific Plan. Furthermore, although the lot tie agreement will requires that the owner of the property in the Specific Plan Area must hold all of the lots as a single parcel, that agreement shall also provide that during the term of the agreement the owner of the property shall not be prohibited from resubdividing the lots in accordance with the ordinances, procedures and policies in effect at the time of subdivision. In addition, if at any time after recordation of the lot tie agreement the City approves a final map of such resubdivision or if this Specific Plan is no longer in effect, then the lot tie agreement shall automatically terminate and the City shall record a document certifying such termination. Except as stated above, the lot tie agreement shall not be terminated or modified except upon written agreement between the property owner or owners and the City.

Notwithstanding any other provision of this Specific Plan, if the Beverly Hills Hotel Specific Plan Area is no longer used for hotel purposes, then the Specific Plan Area shall be used only for single family residential purposes. Residential uses shall not be permitted within the Specific Plan Area unless all hotel uses within the Specific Plan Area are terminated and cease to exist. All residential development shall be consistent with the requirements of the R-1.X Zone.

#### **DISTRIBUTION LOCATION AND EXTENT OF ESSENTIAL FACILITIES**

Due to the long history of hotel uses within the Beverly Hills Hotel Specific Plan Area, the land uses within the Specific Plan Area are currently supported with adequate sewage, water, drainage, solid waste disposal, energy and other essential facilities. As limited in size and intensity of use by this Specific Plan, the land uses within the Specific Plan Area will not require new or additional sewage, water, solid waste disposal, energy, or other essential facilities within the Specific Plan Area. However, all utility construction, connections and maintenance shall conform to the provisions of the Beverly Hills Municipal Code.

Additional drainage facilities for the Specific Plan Area shall be provided only to the extent necessary to channel surface water into the existing storm drainage system. The drainage for the Beverly Hills Hotel Specific Plan Area shall be constructed substantially as shown on Diagram 10 of this Specific Plan. No additional drainage facilities shall be required to be constructed within the Specific Plan Area to support the Specific Plan Area.

Private transportation facilities including, but not limited to, driveways and parking facilities shall be constructed to support the land uses within the Specific Plan Area and to minimize the parking and traffic impacts on surrounding neighborhoods. In order to implement these goals, the requirements of this Specific Plan, including the specific measures set forth in the following five paragraphs, will ensure that the land uses described in the Plan are adequately supported by private transportation facilities.

The primary vehicle entrance to the specific Plan Area shall be from Crescent Drive. The primary vehicle exit from the Specific Plan Area shall be onto Hartford Way. All vehicle entrances and exits shall be constructed substantially as shown on Diagram 1 of this Specific Plan and as shown in more detail on Diagrams 11, 12, 15, 16, and 17 of this Specific Plan. Furthermore, in order to better integrate traffic exiting the Hotel with traffic along Hartford Way, the Beverly Hills Director of Transportation may require additional modifications to the primary vehicle exit which are not inconsistent with these diagrams. For example, the Director may require, but shall not be limited to requiring, specific striping of the exit driveway or specific signage restricting vehicle turns. If the Director requires additional modifications, the modifications shall be implemented at the expense of the owner of the Beverly Hills Hotel.

All parking required to support the land uses within the Specific Plan Area shall be provided within the Specific Plan Area. Nineteen (19) self parking spaces shall be dedicated to patrons of the Hotel and Bungalows along the primary exit driveway, substantially as shown on Diagram 1 of the Specific Plan. The remaining twenty-four (24) parking spaces along the entrance and exit driveway, substantially as shown on Diagram 1, shall be dedicated to patron parking and shall not be available to commercial car rental businesses or other uses.

No valet parking for uses within the Specific Plan Area shall be permitted outside of the Specific Plan Area. All persons who work within the Specific Plan Area shall be provided free parking within the Specific Plan Area. However, if parking demand for uses in the Specific Plan Area is anticipated to exceed the parking capacity within the Specific Plan Area at any time or times, then the owner of the Beverly Hills Hotel shall provide free parking for Beverly Hills Hotel employees in Beverly Hills city-owned parking lots, or if the employees cannot be accommodated in such lots, then free parking shall be provided in a different lot, satisfactory to the Beverly Hills Director of Transportation, sufficient to permit all patrons of the Hotel to park, or be parked, within the Specific Plan Area. The owner of the Hotel shall also provide free transportation for employees between such employee parking lots and the Specific Plan Area.

The Owner of the Hotel shall direct employees to refrain from using street parking while working at the Hotel. Furthermore, upon request of the Director of Transportation, and in order to assist the City in monitoring employee street parking, the Owner shall provide the City with the license plate numbers of all vehicles regularly used by employees of the Hotel.

Buses which load or unload persons in the Specific Plan Area shall be directed by the owner of the Hotel to park, and shall park, in the areas specifically designated for the buses on Diagram No. 7 of this Specific Plan.

As limited in size and intensity by this Specific Plan, and provided that employee parking is provided as described above in this Plan, the Specific Plan Area land uses shall be adequately supported by 692 parking spaces that shall be constructed substantially as shown on Diagrams 11 through 17 of this Specific Plan.

As limited in size and intensity by this Specific Plan, the land uses described in the Specific Plan will not need to be supported by new or additional major components of public transportation facilities located within the Specific Plan Area. With regard to existing public

transportation facilities, the owner of the Beverly Hills Hotel shall maintain the public transportation shelter located on Sunset Boulevard adjacent to the Specific Plan Area in good and clean condition and repair, satisfactory to the Director of Planning and Community Development. In addition, the owner of the hotel shall provide and maintain adequate lighting for that shelter, satisfactory to the Director of Planning and Community Development. However, this duty to maintain the transportation shelter and lighting shall continue only as long as that shelter is served by public transportation vehicles.

### **DEVELOPMENT STANDARDS, CRITERIA, AND REGULATIONS**

The development standards and criteria described in this Specific Plan have been designed to preserve the unique hotel character of the Beverly Hills Hotel Specific Plan Area along with the residential character of the surrounding neighborhoods.

#### **A. Hotel Character Preservation.**

The design of all renovations to the Beverly Hills Hotel will identify, preserve and retain the form and detailing of those architectural materials and features that are important in defining the character of the Hotel and the Specific Plan Area. All renovations shall meet the Secretary of the Interior's Standards for Rehabilitation as they existed on January 1, 1992. In addition, all renovations and construction shall be designed to preserve and enhance the mission revival heritage and other design styles of the original hotel. Renovation and construction will integrate the traditional design concepts of the Beverly Hills Hotel and preserve those design concepts.

All renovations shall also preserve and enhance the garden-resort atmosphere of the Beverly Hills Hotel.

In order to achieve these goals, all renovations shall comply with the development requirements set forth in the following paragraphs.

As shown in Diagram 18, all renovations shall retain and preserve the bell towers at the main entry and the basic forms of the southern and eastern elevations of the main building substantially as those elements are shown in Diagram 20. The basic forms of the northern elevation of the main building shall also be retained as shown on Diagram 18. In addition, all renovations shall retain and preserve the appearance of the entry drive from Crescent Drive as shown in Exhibit C, and the Beverly Hills Hotel sign as shown in Exhibit D.

All renovations shall retain and repair, or, where required, replace with compatible or like kind material, the Hotel's pink stucco and its tile roofs, as shown in Exhibit E.

Construction of any new portions of the Hotel shall use the same character defining finishes that have been traditionally used in the Hotel, as shown in Exhibit E.

The appearances of the character defining elements of the Polo Lounge and the coffee shop shall be retained in substantially the same form as they appeared in 1991 and as documented in Exhibit F.

The facade of the Beverly Hills Hotel shall be preserved to the extent feasible.

The unobstructed line of sight between Crescent Drive and the Beverly Hills Hotel Bungalows shall be preserved in substantially the same form as it existed on July 1, 1992 as documented in Exhibit G.

**B. Height and Bungalow Area and Access.**

The height of the major elements of the primary Beverly Hills Hotel building shall be no higher than shown on Diagram 18.

Hotel Bungalows shall be limited to substantially those locations shown on Diagram 1 of this Specific Plan. In addition, the maximum height of each bungalow shall be limited to the height at the time of the adoption of this Specific Plan, and the profiles of the bungalows shall be generally as shown on Diagram 19 of this Specific Plan. The maximum height of each bungalow at the time of adoption of this Specific Plan is listed below.

- Bungalow 1 - 20 feet, 0 inches
- Bungalow 2 - 14 feet, 6 inches
- Bungalow 3 - 22 feet, 6 inches
- Bungalow 4 - 17 feet, 0 inches
- Bungalow 5 - 17 feet, 0 inches
- Bungalow 6 - 19 feet, 6 inches
- Bungalow 7 - 16 feet, 6 inches
- Bungalow 8 - 16 feet, 0 inches
- Bungalow 9 - 24 feet, 0 inches
- Bungalow 10 - 22 feet, 0 inches
- Bungalow 11/12 - 43 feet, 7 inches
- Bungalow 14/17 - 35 feet, 4 inches
- Bungalow 18/21 - 35 feet, 3 inches

Bungalow 22 – 21 feet, 6 inches

In addition, after the adoption of this Specific Plan, the Octagon building was converted to a bungalow (#22) in 1994.

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Further two additional bungalows (individually, "Bungalow 23" and "Bungalow 24", and collectively, the "Additional Bungalows") may be constructed in the location occupied by the two (2) tennis courts located within the Specific Plan Area. The location of Bungalow 23 and Bungalow 24 shall be substantially as shown on Figure 1 attached hereto.

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Each of the Additional Bungalows shall contain (1) a maximum of 3,200 square feet, and (2) not more than three separately rentable rooms. The total number of separately rentable rooms within the Specific Plan Area shall in no event exceed the 210 separately rentable rooms permitted under the Specific Plan. Parking for the Additional Bungalows is provided by the 692 parking spaces required by the Specific Plan, the location of which is shown on Figure 2 attached hereto.

Bungalow 23 shall be constructed substantially as shown in Figures 3 and 5 attached hereto, and Bungalow 24 shall be constructed substantially as shown on Figures 4 and 5 attached hereto. Each of the additional bungalows shall be one-story. Figure 5 attached hereto illustrate the height of Bungalow 23 and Bungalow 24. As shown on Figure 5, the height of each of the Additional Bungalows, as measured from the concrete deck of the existing tennis court, shall be 20 feet. Subject to review and approval by the Director of Community Development, the height may be increased to not more than 22 feet to accommodate unforeseen construction related issues.

No guest of bungalows #23 or #24 shall be permitted to access (enter or exit) the bungalows through any other access point, including the loading dock area, other than through the primary guest entrances of the hotel.

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The location, distribution, and type of landscaping, plant material and hardscape installed in connection with the construction of the Additional Bungalows shall be substantially as shown on Figures 6, 7, and 8 attached hereto, and shall include replacement of the existing fence and tennis court screening on Glen Way with an 8 ½ foot wall with landscaped planters and other features, substantially as shown on Figures 9, 10 and 11 attached hereto.

The maximum cumulative square footage for all bungalows shall remain substantially as it existed on July 1, 1992 and therefore shall not substantially exceed 40,617 49,517 square feet except that the Director of Planning and Community Development may approve additions of not more than 350 square feet to each existing bungalow if such additions

meet the requirements of this Specific Plan and the cumulative square footage of all additions does not exceed 4,500 square feet. ~~In addition, the Director of Planning and Community Development may approve conversion of the Octagon building to a bungalow that does not substantially exceed 2,500 square feet in area.~~

Wall and fence heights in the Specific Plan Area shall be limited to six feet ~~except for areas where the wall height is identified as 8.5 feet in the Specific Plan.~~ However, this wall height restriction shall not prohibit the erection of temporary construction barricades which do not comply with these restrictions.

#### C. Architectural Review

Construction within the Beverly Hills Hotel Specific Plan Area shall be subject to architectural review pursuant to the procedure set forth in Article 30 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code.

#### D. Construction Regulations

~~Prior to the issuance of any building or construction permits within the Specific Plan Area, a construction management plan shall be submitted for review and approval by the Building Official and the Director of the Public Works Department as appropriate. The Construction Management Plan shall include, at a minimum, the following requirements:~~

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- ~~1. Off-site parking for construction workers at a location approved by the City, together with shuttle service to and from the construction site for construction workers, which shall provided without any cost to construction workers.~~
- ~~2. A map identifying shuttle service routes and off-site parking lots for construction workers to be utilized 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.~~
- ~~3. 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 routes are subject to change if the haul route creates unanticipated traffic congestion or noise impacts.~~

~~Construction and landscaping operations for the reconstruction and landscaping of the Beverly Hills Hotel and grounds, which are necessary to bring the Specific Plan Area, as it existed on January 1, 1992, into conformity with this Specific Plan, (such construction and landscaping operations are hereafter referred to as the "Initial Specific Plan Construction"), shall substantially conform to the schedule contained in the Construction Phasing Plan set forth as Exhibit H, subject to delays beyond the control of the owner of the Beverly Hills Hotel. The~~

~~Initial Specific Plan Construction shall also conform to the measures contained in the document entitled "Mitigation Measures for Renovation of The Beverly Hills Hotel & Bungalows," set forth as Exhibit I. Furthermore, no Initial Specific Plan Construction on the Hotel bungalows shall occur concurrently with the remainder of the Initial Specific Plan Construction and no more than two Hotel bungalows shall be under construction or renovation at any one time.~~

~~Prior to or contemporaneously with the issuance of any building permits within the Specific Plan Area, undertaking any Initial Specific Plan Construction, the owner of the Beverly Hills Hotel shall provide the City with a bond, letter of credit or other security, in form and content satisfactory to the City Attorney and in an amount satisfactory to the Director of Building and Safety, to ensure that the exterior improvements to the Beverly Hills Hotel and the structural improvements necessary to support those exterior improvements, as well as all landscaping for the Specific Plan Area, shall be completed in accordance with the Specific Plan and any proposed building permits issued for the Initial Specific Plan Construction. Additionally, before completion of the landscaping required as part of the Initial Specific Plan Construction and before any temporary or permanent occupancy of the Hotel following any Initial Specific Plan Construction, the owner of the Beverly Hills Hotel shall provide the City with a maintenance bond or other security in form and content satisfactory to the City Attorney and in an amount satisfactory to the Director of Public Works, to ensure maintenance of the exterior improvements and landscaping within the Specific Plan Area, as provided in this Specific Plan, for a period of three years after completion of the Initial Specific Plan Construction. The owner of the Beverly Hills Hotel shall provide sufficient evidence to the City prior to the issuance of any building permits for the project that the owner has the financial capability to satisfactorily complete the Initial Specific Plan Construction.~~

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E. Operational Standards.

1. Recreational Facilities.

All fitness centers, game courts other than tennis courts, and other recreational facilities shall be limited to guests who are renting hotel guest rooms in the Specific Plan Area. The area of all fitness centers shall not substantially exceed 1,168 square feet. The tennis courts shall be used only between the hours of 7 a.m. and 10 p.m.

2. Resource Conservation, Development and Utilization.

Development within the Specific Plan Area shall be designed and operated to conserve energy as required by local utility and other agencies with jurisdiction over the Beverly Hills Hotel Specific Plan Area. All development within the Specific Plan Area shall comply with Title 24 of the California Code of Regulations concerning energy conservation standards.

Air conditioning systems will include an outdoor air economizer cycle to obtain free cooling during cold outdoor climactic periods.

Automatic irrigation systems shall be set to irrigate during appropriate hours to minimize water loss due to evaporation or misdirected water flow.

To the extent authorized by law and the City of Beverly Hills, all development within the Beverly Hills Hotel Specific Plan Area shall include commercial sized compactors to reduce the volume of solid waste generated by the development.

Development within the Beverly Hills Hotel Specific Plan Area shall participate in applicable City programs designed to reduce solid waste and solid waste disposal. To the extent that it would be consistent with City solid waste reduction and recycling programs, all development within the Specific Plan Area shall employ trash removal services which recycle solid waste.

Access to existing and future public transportation systems, transit stops and pedestrian walkway systems which serve the Beverly Hills Hotel Specific Plan Area shall be incorporated into all development within the Specific Plan Area.

The owners and operators of development within the Specific Plan Area shall implement a Transportation Demand Management Program that conforms to South Coast Air Quality Management District Regulation XV or its successor.

Air filtration systems shall be designed into all development within the Beverly Hills Hotel Specific Plan Area to reduce any adverse air quality impacts on hotel employees and guests.

The design of development within the Specific Plan Area shall preserve the garden quality of the Specific Plan Area and its surroundings. In order to augment the limited landscaping buffer within the Specific Plan Area along Sunset Boulevard, the owner of the Beverly Hills Hotel shall, at the option of the City of Beverly Hills, plant and maintain, or finance the planting and maintenance of, landscaping, including seasonal flowers, in the median and parkway along Sunset Boulevard adjacent to the Specific Plan Area. Such landscaping shall complement the landscaping within the Specific Plan Area along Sunset Boulevard. If the City chooses to require the owner of the Hotel to provide, or finance the provision of, the landscaping, then before commencement of the Initial Specific Plan Construction, the owner of the Beverly Hills Hotel shall enter into a covenant and agreement with the City of Beverly Hills, in form and content satisfactory to the City, which will obligate the owner to design, plant and maintain or, at the City's discretion, provide funds for the design, planting and maintenance of the median and parkway landscaping, to the satisfaction of the City.

The owner of the Beverly Hills Hotel shall protect all existing street trees adjacent to the Specific Plan Area during the Initial Specific Plan Construction. No street trees, including those trees designated on any Diagrams or other preliminary plans, shall be removed and/or relocated except in compliance with all ordinances and regulations of the City of Beverly Hills and with approval from the Director of Recreation and Parks and the Director of Public Works. 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 regrowth of any relocated or replaced street trees. The security amount will be determined by the Director of Public Works, and shall be in a form approved by the City Attorney.

Operation of the development within the Specific Plan Area shall comply with the "Operation" section of the document entitled "Mitigation Measures for Renovation of the Beverly Hills Hotel and Bungalows" set forth as Exhibit I.

3. Light and Glare.

With the exception of Hotel identification signage approved by the City of Beverly Hills Architectural Commission, all outdoor lighting shall be appropriately shielded so that no significant direct lighting may be viewed from any location outside of the Beverly Hills Hotel Specific Plan Area.

All lighting shall be shielded so that there is no spillage onto properties outside of the Beverly Hills Hotel Specific Plan Area.

4. Loading Areas.

The hours of operation of the loading area shall be restricted to the hours between 7:00 a.m. and 5:00 p.m. except as otherwise necessary in order to comply with the requirements of the South Coast Air Quality Management District or other governmental agency.

The doors enclosing the loading areas shall be opaque, decorative in nature, and compatible in design with the surrounding residential neighborhood, to the satisfaction of the Beverly Hills Architectural Commission. The operation of the doors in combination with the operation of the Hotel shall not cause the ambient noise level at the boundary of the Specific Plan Area to increase more than five decibels.

F. Fire Safety.

At the time that any renovation is performed on any building within the Specific Plan Area, an automatic fire extinguishing system, satisfactory to the Fire Chief, shall be installed in that building. In addition, a fire department phone system shall be provided in the underground parking garage located within the Specific Plan Area.

**IMPLEMENTATION PROGRAM**

A. Financing.

Development of the Beverly Hills Hotel Specific Plan Area will be financed by private initiative and will not require public assistance.

B. Programs and Regulations.

In order to ensure that this Specific Plan will be implemented and that development will be consistent with the regulations set forth in this Specific Plan, the Initial Specific Plan Construction will be monitored pursuant to the mitigation monitoring program for renovation of The Beverly Hills Hotel and Bungalows set forth as Exhibit J to this Specific Plan. This monitoring program includes the creation of a hotel/neighborhood construction liaison committee, the establishment, at the expense of the owner of the Beverly Hills Hotel, of a 24-

hour telephone line for complaints regarding violations of this Specific Plan, and the creation of a city staff monitor who, at the expense of the owner of the Beverly Hills Hotel, will be responsible for ensuring the implementation of this plan.

In addition, in connection with the Initial Specific Plan Construction, the City shall also engage, at the Hotel owner's expense, a professional historic preservation consultant to monitor compliance with the character preservation measures required by this Specific Plan.

Before any permits are issued for the Initial Specific Plan Construction, a historic preservation consultant, under the direction of the City, but at the Hotel owner's expense, shall fully document the state of the Hotel as required in the "Preservation" section of the "Mitigation Measures for Renovation of the Beverly Hills Hotel & Bungalows," set forth as Exhibit I.

Finally, the developer of the Initial Specific Plan Construction shall be advised by a preservation consulting group consisting of representatives from the local and regional preservation and architectural communities, including at least one resident of the City of Beverly Hills appointed by the City Council who has professional training or experience in the area of architecture, historic preservation, planning or design. This group shall be advisory only and shall aid the developer with decisions regarding the preferred methods of preserving the character of the Beverly Hills Hotel consistent with the requirements of this Specific Plan.

~~Any reconstruction or development within the Specific Plan Area which occurs after the Initial Specific Plan Construction shall be monitored pursuant to a written monitoring plan satisfactory to the Director of Planning and Community Development. The monitoring plan shall ensure that such reconstruction or development will be completed in accordance with the requirements of this Specific Plan.~~

#### ~~€~~ Public Works Projects.

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The following small public works projects will be implemented before occupancy of the Initial Specific Plan Construction, and shall be constructed at the expense of the developer of the Initial Specific Plan Construction.

Defective or damaged sidewalks, curbs, gutters, streets and alleys surrounding the Specific Plan Area shall be removed and reconstructed to the satisfaction of the City Engineer.

Curb ramps to aid physically challenged pedestrians shall be constructed at roadway crossings in compliance with California and Beverly Hills specifications.

At the intersections of Sunset Boulevard with Crescent Drive and Sunset Boulevard with Hartford Way, traffic signals shall be upgraded to demand activated controllers as required to meet the demands of the Specific Plan Area, as developed or reconstructed, to the satisfaction of the City's Director of Transportation.

In addition to the above-listed public works projects, if the City restripes Hartford Way in anticipation of, or in response to, occupancy of the Initial Specific Plan Construction, then the owners of the Beverly Hills Hotel shall reimburse the City for the cost of such restriping.

Before occupancy of the Initial Specific Plan Construction, those traffic and parking measures contained in the "Traffic and Parking" section of the "Mitigation Measures for Renovation of the Beverly Hills Hotel & Bungalows," set forth as Exhibit I, shall be implemented.

D.C. Architectural, Landscaping and Other Modifications to Drawings.

Modifications to the architectural designs, landscaping designs and materials, and auxiliary uses shown on the diagrams contained in this Specific Plan may be approved by the Planning Commission pursuant to the procedure set forth in the Beverly Hills Municipal Code for issuing a conditional use permit. The Planning Commission may approve such modifications if the Commission determines that the modifications do not materially alter the distribution, location and extent of the uses of land as set forth in this Specific Plan and the modifications fulfill the intent of the Specific Plan to preserve the unique character of the Beverly Hills Hotel Specific Plan Area while not adversely impacting the residential character of the surrounding neighborhoods.

In addition to modifications approved by the Planning Commission as described above, insubstantial modifications to the diagrams, plans, construction schedules and landscaping set forth in this Specific Plan may be approved by the Director of Planning and Community Development. Such insubstantial modifications may include, without limitation, small changes to building footprints, the substitution of like types of plant species in the landscaping plan, or minor changes to building elevations.

E.D. Development Authorization Process.

Development within the Specific Plan Area shall be governed by the zoning requirements set forth in Title 10, Chapter 3, Article 15.5 of the Beverly Hills Municipal Code. That Article requires that all development within the Beverly Hills Hotel Specific Plan Area be consistent with the Beverly Hills Hotel Specific Plan.

Pursuant to Article 15.5, all development within the Specific Plan Area shall be reviewed by the Director of Planning and Community Development for compliance with this Specific Plan. The Director shall have the authority to impose any conditions on such development that are not inconsistent with the Beverly Hills Hotel Specific Plan and that are necessary to ensure compliance with the Beverly Hills Hotel Specific Plan.

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       )     SS.  
CITY OF BEVERLY HILLS         )

I, JONATHAN LAIT, Secretary of the Planning Commission and City Planner of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 1539 duly passed, approved and adopted by the Planning Commission of said City at a meeting of said Commission on December 11, 2008, and thereafter duly signed by the Secretary of the Planning Commission, as indicated; and that the Planning Commission of the City consists of five (5) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES:           Commissioners Bosse, Furie, Yukelson, Vice Chair Cole and  
                    Chair Reims.  
  
NOES:           None.  
  
ABSTAIN:       None.  
  
ABSENT:        None.



\_\_\_\_\_  
JONATHAN LAIT, AICP  
Secretary of the Planning Commission/  
City Planner  
City of Beverly Hills, California