

ATTACHMENT G

ADDENDUM TO MITIGATED NEGATIVE DECLARATION

**ADDENDUM TO MITIGATED NEGATIVE DECLARATION
AS ADOPTED BY THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS
FOR THE 8767 WILSHIRE BOULEVARD COMMERCIAL BUILDING PROJECT**

**Prepared by the City of Beverly Hills
in its capacity as a Lead Agency**

SITE: 8767 Wilshire Boulevard, Beverly Hills, CA 90211
PROJECT TITLE: 8767 Wilshire Boulevard Commercial Building
PROJECT APPLICANT: 8767 Wilshire Boulevard, L.P.
Attachments: A. City Council Resolution No. 07-R-12273

PROJECT DESCRIPTION: The Project is a proposal to make modifications to the uses permitted in an existing four-story commercial building approved in conjunction with a Mitigated Negative Declaration (MND). The originally approved project consists of a 75,116 square foot commercial building containing general office, retail, and restaurant uses. The building has been fully constructed but is not yet occupied by tenants. The proposed modifications (the “Project”) include the following changes in permitted uses:

- Allow up to 33,802 square feet of the building to be occupied by medical uses
- Allow pharmacy uses except for on the ground floor
- Allow up to the entire 15,520 square foot ground floor to be occupied by an automotive sales showroom
- Allow up to a 7,010 square foot restaurant to occupy the building
- Amend certain conditions of approval
- Provide reduced rate parking for the public during evening hours and on weekend days

PURPOSE: This Addendum to the MND is being prepared pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines which allows a lead agency to prepare an addendum to a previously adopted MND if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent MND have occurred. Pursuant to CEQA Guidelines Section 15162, no subsequent MND shall be prepared for the project unless, on the basis of substantial evidence in the light of the whole record, one or more of the following is determined:

- (1) Substantial changes are proposed in the project that will require major revisions of the previous MND or EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND or EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance identifies one or more significant effects not discussed in the previous MND or EIR, significant effects previously examined will be substantially more severe than shown in the previous MND or EIR, mitigation measures or alternatives previously found not to be feasible or not analyzed in the MND or EIR would be feasible and would substantially reduce one or more significant effects but the project proponents decline to adopt of the measure or alternative.

FINDINGS CONCERNING ENVIRONMENTAL IMPACTS OF REVISIONS TO THE PROJECT:

1. The originally approved project consisting of the construction of a commercial building with a total floor area of 75,116 square feet, and hereafter referred to as the "Original Project", was environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, et seq. ("CEQA"), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.). The City of Beverly Hills prepared a Mitigated Negative Declaration, (hereafter referred to as the "MND") and, based on the information contained in the MND, determined that the Project would result in significant, but mitigable impacts with regard to the following:
 - Air Quality (short-term construction related impacts)
 - Noise (short-term construction related impacts)
 - Transportation/Traffic (intersection level of service at Wilshire/Robertson intersection)
2. On January 30, 2007, the City of Beverly Hills City Council adopted the MND and approved the Original Project to allow construction of the commercial building. In addition, the MND identified certain mitigation measures (set forth in City Council Resolution No. 07-R-12273 and provided as Attachment A) that were necessary to mitigate potential impacts of the Original Project to less than significant levels. The mitigation measures were adopted by the City Council and made binding on the Project. The findings of fact made in the MND and associated mitigation measures are provided for reference as Attachment A (City Council Resolution No. 08-R-12497).
3. Thereafter, an application for the Project was submitted to the City of Beverly Hills on November 4, 2013 to allow the modifications outlined in the Project Description, above.

4. Staff analyzed the Project to determine if any new impacts, or substantial increase in the severity of previously identified impacts, would result from the proposed modifications. Pursuant to CEQA Guidelines Section 15162, neither a subsequent EIR, supplemental EIR, nor mitigated negative declaration is required for the modifications contemplated by the Project because:

- (1) The Original Project consists of the development of 75,116 square feet of commercial uses contained within a single development. The modifications contemplated under the Project do not result in an increase to the total square footage dedicated to commercial uses, or the total floor area of the Original Project. Additional analysis of the Project modifications and impact study areas discussed in the MND are set forth as follows:

Air Quality. The modifications contemplated under the Project result in changes to allowed uses within the existing building. Because the building is already constructed, the changes in allowed uses do not have the potential to result in new or more intense construction related air quality impacts. Accordingly, the only potential change to air quality that would result from the Project is the addition of new vehicle trips on surrounding roadways that could add to operational emissions. Based on an updated traffic analysis prepared for the Project, the Project would result in a daily average of 2,944 weekday vehicle trips, which is a net increase of 1,280 daily trips compared to the Original Project. In order to assess whether the additional vehicle trips would have the potential to result in an air quality impact, staff relied on an air quality impact report that was prepared by Terry A. Hayes Associates (TAHA) in 2009 for proposed medical uses at the project site, and which assessed air quality impacts associated with a total of 3,017 daily vehicle trips. The impact thresholds used in the TAHA study are the same thresholds that would currently apply to the Project. The additional 3,017 vehicle trips studied in the TAHA report are greater than the 2,944 vehicle trips that would result from the Project, and the TAHA report documents that the addition of 3,017 vehicle trips falls well below established air quality impact thresholds. Because the addition of 3,017 vehicle trips would not result in a significant impact, it can be concluded that operation of the Project, which produces fewer vehicle trips than those studied in the TAHA report, would not result in a significant air quality impact.

Noise. The Original Project resulted in significant but mitigable impacts related to construction noise. Construction of the Original Project has been completed, and the proposed Project would not result in any new construction at the subject property beyond tenant improvements. Consequently, the Project will not result in new, significant environmental effects with regard to noise.

Transportation/Traffic. The Original Project resulted in a significant but mitigable impact related to the Level of Service at the signalized intersection of Wilshire and Robertson Boulevards. In order to mitigate the impact, a dedicated right turn lane was added to westbound Wilshire Boulevard to facilitate turning movements onto northbound Robertson Boulevard. The mitigation measure has been constructed and is operational. In order to assess whether the Project would result in any new significant impacts related to transportation/traffic, a focused traffic study was prepared to analyze the street segments and intersections in the immediate vicinity of the subject property. The traffic study analyzed a worst-case scenario of land uses anticipated to generate the highest volumes of traffic. The study concluded that the Project would result in a net increase of 1,280 average daily trips when compared to the Original Project, but would not exceed any of the City's current significance thresholds (which are more restrictive than the thresholds that existed at the time the Original Project was approved) for identifying a significant environmental impact. Consequently, it can be concluded that the Project will not result in a new significant traffic impact, nor will the Project require additional or modified mitigation measures.

Other Impact Categories. A review of the remaining environmental categories in which the Original Project was found not to have any significant environmental impacts reveals that the modifications in use proposed by the Project would not result in any new operational impacts in those categories. Further, as noted above, construction of the building is completed, so there is no potential for construction related impacts as a result of the proposed changes in building use.

Therefore, the changes in the Project do not require major revisions to the previous MND, and there are no new significant environmental effects or an increase in the severity of previously identified significant effects.

- (2) There are no changes with respect to the circumstances under which the project is undertaken that will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified impact. The circumstances under which the Project would be undertaken have not changed when compared to the circumstances in place during approval of the Original Project.
- (3) Staff has identified no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the MND was adopted, identifying: (a) a new or substantially more severe significant effect, or (b) new or previously infeasible mitigation measures or alternatives that would substantially reduce one or more significant impacts of the project. All mitigation measures adopted in conjunction with the Original Project continue to be imposed on the Project and are provided for reference in Attachment A to this Addendum.

Therefore, pursuant to CEQA Guidelines Section 15164, the City has prepared this Addendum to the MND, which documents changes to the Project Description that would not result in new, significant environmental effects or a substantial increase in the severity of previously identified significant effects:

Addendum. The Project Description, as set forth in the MND is hereby amended to incorporate the following project components:

- Allow up to 33,802 square feet of the building to be occupied by medical uses
- Allow pharmacy uses except for on the ground floor
- Allow up to the entire 15,520 square foot ground floor to be occupied by an automotive sales showroom
- Allow up to a 7,010 square foot restaurant to occupy the building
- Amend certain conditions of approval
- Provide reduced rate parking for the public during evening hours and on weekend days

For any questions regarding this matter, please contact Ryan Gohlich, Senior Planner in the Beverly Hills Community Development Department at 310.285.1194.

By: 

Ryan Gohlich, Senior Planner

DATE: November 14, 2013

RESOLUTION NO. 07-R-12273

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS DENYING AN APPEAL AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION CONDITIONALLY ISSUING A DEVELOPMENT PLAN REVIEW PERMIT FOR CONSTRUCTION OF A COMMERCIAL BUILDING; CONDITIONALLY GRANTING A HEIGHT VARIANCE TO ALLOW A BUILDING HEIGHT OF FOUR STORIES WITH A ROOFLINE OF 56 FEET AND AN ARCHITECTURAL FEATURE OF 68 FEET IN HEIGHT; AND ADOPTING A MITIGATED NEGATIVE DECLARATION, FOR PROPERTY LOCATED AT 8767 WILSHIRE BOULEVARD

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

Section 1. An appeal was filed by Bob Noparvar (hereinafter referred to as the "Appellant") from the Planning Commission's September 14, 2006 decision to adopt a Mitigated Negative Declaration and conditionally approve requests for a development plan review permit and a variance to construct a four-story office /retail commercial building with subterranean parking at 8767 Wilshire Boulevard.

Section 2. The Kobar Family Trust (hereinafter referred to as the "Applicant") submitted an application for a Development Plan Review Permit ("D.P.R.") and a variance to permit construction of a 75,116 square foot, 68-foot tall, four-story office/retail commercial building with subterranean parking for 358 cars at property located at 8767 Wilshire Boulevard ("Project").

The Project site is located in the commercial (C-3) zone. Beverly Hills Municipal Code (the "Municipal Code") Section 10-3-2726¹ permits a maximum building height of three

¹ All further Section references are to the Beverly Hills Municipal Code unless otherwise noted

stories and 45 feet. The proposed Project will exceed the permitted height and number of stories. Accordingly, the Applicant concurrently filed an application seeking a variance from the height limitations.

The Municipal Code establishes development standards for all projects in the C-3 Zone. Section 10-3-2730 requires one parking space for every 350 square feet of floor area. Section 10-3-2741 requires this Project to provide three truck loading spaces on-site. Section 10-3-2745 allows a maximum floor area ratio (FAR) of 2:0. In addition, the Project site is located within 170 feet of a residential zone to the east, and, therefore, is within a commercial-residential transition area. As such, the Project must comply with the City's commercial-residential transition ordinance (the "transition ordinance" codified in Sections 10-3-1951 thru 1960, inclusive, of the Municipal Code), which addresses special issues of interface between the different uses. The Project complies with the design standards of the transition ordinance. However, it must also comply with operational standards that protect the adjacent residential uses during nights and weekends.

Development Plan Review is required for all new commercial buildings. In addition, the City's Architectural Commission must review the Project.

The proposed Project entails the construction of a 75,116 square-foot, four-story office/retail commercial building – 56 feet high to the roofline with a 68-foot high architectural feature at the center – located on the northeast corner of Wilshire Boulevard and Robertson Boulevard at 8767 Wilshire Boulevard. The Project will provide 358 parking spaces in a four-level subterranean garage with ingress and egress from Robertson Boulevard and an egress-only driveway on Wilshire Boulevard. All loading activity will be conducted from three enclosed truck loading areas located along the northeast wall of the building. Delivery vehicles will access the loading areas

from the Robertson Boulevard entrance and will exit onto Wilshire Boulevard. While the proposed Project would exceed the three-story/45-foot height limit, it would conform to the maximum allowable 2.0 floor to area ratio ("FAR"), which limits the building to the same amount of floor area as a three-story building.

The subject property consists of six lots. A BMW automobile dealership storage facility and a small commercial building (located in the southeastern portion of the site) currently occupy the site. Adjacent to the property to the north are a variety of commercial developments including retail stores and offices. Across Wilshire Boulevard to the south is a three-story office/medical building. Across Robertson Boulevard to the west is a two-story commercial building. Adjacent to the property to the east is a two story commercial building; and two and three story multi-family residential properties facing Arnaz Drive. There are no alleys separating the Project site from the adjacent properties to the east and north. Street trees on Wilshire Boulevard are Mexican Fan Palm trees and street trees on Robertson Boulevard are Ficus trees. Implementation of the Project will require the removal and replacement of four (4) palm trees on Wilshire Boulevard.

Section 3 The Applicant initially presented a design which consisted of a three-story plus mezzanine, 45-foot tall office building. The Planning Commission reviewed that design at its meeting of November 15, 2005, and continued the public hearing to January 25, 2006, at which time the Commission directed the Applicant to substantially revise the project to address the following issues: (1) the proposed mix of uses on the Project site; (2) parking issues; (3) project access; (4) loading design; (5) street setback; (6) construction impacts; (7) design issues; and (8) neighbors' privacy. In light of the number of design changes requested by the Planning Commission,

the Applicant withdrew its initial application on January 25, 2006. The Applicant submitted the current Project, designed by Richard Spina of CSA Architects, to the Planning Commission for review on June 5, 2006. The current Project reflects the comments received from staff and the Planning Commission at the January 25, 2006 Planning Commission meeting. On September 14, 2006, the Planning Commission adopted Planning Commission Resolution No. 1442 adopting the mitigated negative declaration and monitoring plan and conditionally issuing a development plan review permit to allow construction of the Project; and, sitting as a board of zoning adjustments, conditionally granting a height variance to allow the Project to exceed the building height limitations imposed by the Municipal Code.

Section 4. The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq* ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq*), and the City's Local CEQA Guidelines. The City prepared an initial study and, based on the information contained in the initial study, with the proposed mitigation measures, determined that there was no substantial evidence that approval of the Project may have significant environmental impacts. Accordingly, the City prepared a mitigated negative declaration in accordance with Section 15070 of the State CEQA Guidelines. Pursuant to Section 15074(b) of said Guidelines, the City Council independently reviewed and considered the contents of the initial study and the mitigated negative declaration prior to deciding whether to approve the Project. Based on the initial study, the mitigated negative declaration, the comments received thereon, and the record before the City Council, the City Council hereby finds that the mitigated negative declaration

prepared for the Project represents the independent judgment of the City and that, with the proposed mitigation measures, there is no substantial evidence that the approval of the Project may have any significant environmental impact. The documents and other material which constitute the record on which this decision is based are located in the Department of Community Development and are in the custody of the Director of Community Development.

Section 5. On December 12, 2006, the City Council conducted a duly noticed public hearing to consider the appeal. Evidence, both oral and written, was presented at the City Council's *de novo* hearing.

Section 6. The Appellant timely filed its appeal alleging that:

- (1) The Applicant falsely represented the basis for the variance request based on location, shape of land and hardship,
- (2) The shape of the Project site does not preclude development of a conventional 3-story, 45-foot Code-conforming structure;
- (3) The need to facilitate traffic on Wilshire Boulevard does not justify the proposed 4-story building which moves back the building on Wilshire Boulevard to create a right turn lane;
- (4) Municipal Code Section 10-3-3700(b) further illustrates that the Applicant's justification for the variance request is false and inconsistent with the law;
- (5) A Full Environmental Impact Report should be provided, not a simple traffic count to assess the project impact located at the intersection of two major arterials; and

(6) The Project provides additional public parking on Robertson Boulevard for car storage which would deprive adjacent residents of privacy, comfort and quiet enjoyment of their property.

Section 7. In considering the application for the development plan review, the City Council evaluated the following criteria:

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

Section 8. Based upon the evidence presented at the hearing, including the staff report and written and oral testimony, the City Council hereby finds as follows with respect to the development plan review:

8.1. The proposal is consistent with the General Plan and any specific plans adopted for the area. The proposed Project design and improvements are consistent with the General Plan of the City. The proposed Project is compatible with objectives, policies, general land uses, and programs specified in the General Plan. The General Plan designation for the proposed site is Low Density Commercial. The proposed Project consists of 75,116 square feet of office/retail uses within the permitted 2.0 FAR. The proposed Project will also be within the general intensity of use set forth on the Land Use Element Map. As noted above, the Project will not exceed 2.0 FAR. Although a small portion of the Project will have a height exceeding 45 feet, this is located at the center of the Project at the intersection of Robertson Boulevard and Wilshire Boulevard and is offset by increased setbacks to protect adjacent residential uses. The Project also is an anchor location as it is on the corner of two of the City's major streets and through its use of height along Wilshire Boulevard and Robertson Boulevard and setbacks from adjacent residential areas, the Project orients development towards and along Wilshire Boulevard and Robertson Boulevard in order to complement the scale and character of adjacent residential areas

8.2. The proposed Project will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area. The site is currently used as a surface parking lot and does not presently contribute to the aesthetic character of the area.

The proposed Project is of a contemporary design, using glazing and granite veneer as the predominant exterior finish for the building elevations facing Wilshire Boulevard and Robertson Boulevard. The pedestrian entrance to the building will be located towards the center of the building at the corner of Wilshire Boulevard and Robertson Boulevard. The building as

proposed will have modulation and setbacks throughout the building facades, including those facing adjacent residential uses.

Although the proposed Project will increase the building height and number of stories, the maximum density (FAR) on the site will be consistent with that allowed by the General Plan. The height of the building is concentrated at its center at the intersection of Wilshire Boulevard and Robertson Boulevard. The Project is set back from residential uses a minimum of 10 feet on the ground floor and 20 feet on the upper floors with landscaping to maintain adequate privacy for multi-family residences at the rear of the property. Implementation of the Project will improve the appearance of the site and area and is consistent and harmonious with the nature and type of developments designated for the area in the General Plan.

8.3. The nature, configuration, location, density, height and manner of operation of the Project will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property. The density of the Project will be as provided in the General Plan. Although the height of the Project exceeds the zoning limitations, the building is concentrated in the center of the building and ample setbacks are provided at the rear to provide privacy and light for neighboring structures. The Project also proposes surplus parking for public use that could be beneficial for small developments in the area needing parking for their customers. As a result, the Project will potentially reduce the intrusion of commercial parking demand into the nearby residential areas. Additionally, all tenants will be required to provide validated parking. Therefore, the proposed Project will not significantly and adversely interfere with the enjoyment of residential properties in the vicinity of the subject property.

8.4. The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards. As a result of recommendations in the traffic analysis, the Project proposes the addition of a right-turn lane along Wilshire Boulevard in front of the Project to facilitate right turns at Robertson Boulevard to mitigate the Project-related impact at the intersection of Wilshire Boulevard and Robertson Boulevard. In order to add the new right-turn lane, the width of the sidewalk will be decreased from 15 feet to 10 feet.

The Project also provides three loading spaces, two of which are located near the driveway entrance. Since the loading area location could impact garage circulation and access from the Robertson Boulevard Driveway entrance, the Project will provide a loading management plan prior to building occupancy to ensure that loading and delivery activities do not impede the garage access.

8.5. The Project will not be detrimental to the public health, safety or general welfare. The Project will be constructed in accordance with the City's Building Code standards. Prior to the issuance of building permits, a construction management plan is required for review and approval by the Engineering Division and Building and Safety Division. Public safety issues such as construction staging, hauling, off-site parking, and construction hours are addressed. Therefore, the Project will not be detrimental to the public health, safety or general welfare.

Section 9. Pursuant to Municipal Code Section 10-3-2801, the City Council may grant a variance if, on the basis of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the provisions of the

Zoning Code is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. Moreover, any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges in the vicinity and zone in which the subject property is situated.

Section 10 Based upon the evidence presented at the hearing, including the staff report and oral testimony, the City Council hereby finds as follows with respect to the requested variance:

The maximum building height permitted in the C-3 zone is 45 feet and three (3) stories. The Applicant seeks a variance to construct a building with an overall height of 68 feet (the building height to the roof line is 56 feet except for the architectural feature at the building center facing the intersection of Wilshire and Robertson Boulevards). Properties in this segment of Wilshire Boulevard have varying characteristics relative to lot configuration. However, no other property has the subject property's unusual combination of shape and location. The subject property is on an "L" shaped lot that is more difficult to utilize effectively than the conventional rectangular shaped lots in the vicinity and zone. In addition, the subject property is located at a major intersection (Wilshire Boulevard and Robertson Boulevard), which makes it difficult to provide access without impacting circulation. The Project is required to dedicate property for a dedicated turn lane to minimize its impact on traffic. Further, unlike similarly zoned properties, there is no alley between this commercial property and neighboring residentially zoned properties that would otherwise serve as a buffer between the different land uses, and which necessitated incorporation of

the loading areas within the building interior to address noise, traffic, and land use compatibility issues. Each and all of these factors present unique constraints on the property.

Therefore, the City Council concurs with the Planning Commission's determination that the findings for a variance to allow construction of the proposed structure can be made based on the unique shape and location characteristics of the subject property. The strict application of the Code would deprive the Applicant of the use of the commercial property to the same extent as other properties in the same zone, which is a privilege enjoyed by other properties in the vicinity and under an identical zone classification, because of the property shape and location.

Section 11. Based upon the foregoing, the City Council hereby denies the appeal and adopts the mitigated negative declaration, and issues a Development Plan Review Permit and a Variance for the Project, subject to the following mitigation measures and conditions:

Mitigation Measures

Measure 1. Water or a stabilizing agent shall be applied to exposed surfaces in sufficient quantity to prevent generation of dust plumes.

Measure 2. Track-out shall not extend 25 feet or more from an active operation, and track-out shall be removed at the conclusion of each workday.

Measure 3. A wheel washing system shall be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project site.

Measure 4. All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

Measure 5. All trucks hauling soil, sand, and loose materials shall maintain at least six inches of freeboard in accordance with California Vehicle code Section 23114.

Measure 6. Traffic speeds on unpaved surfaces shall be limited to 15 miles per hour.

Measure 7. Operations on unpaved surfaces shall be suspended when winds exceed 25 miles per hour.

Measure 8. Heavy-equipment operations shall be suspended during first and second stage smog alerts

Measure 9. On-site stock piles of debris, dirt, or rusty materials shall be covered or watered at least twice per hour.

Measure 10. All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.

Measure 11. Grading and construction contractors shall use quieter equipment as opposed to noisier equipment (such as rubber tired equipment rather than track equipment).

Measure 12. Equipment staging areas shall be located on the western portion of the Project site, as far as possible from 141 and 143 N. Arnaz Drive residential developments

Measure 13. During construction, sound attenuation blankets with a Sound Transmission Class rating of 20 or more shall be used on the second, third, and fourth floors that face 141 and 143 N. Arnaz Drive development. The sound attenuation blankets shall break the line of sight between the construction activities and 141 and 143 N. Arnaz Drive.

Measure 14. All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed Project. A sign, legible

at a distance of 50 feet shall also be posted at the construction site. All notices and the signs shall indicated the dates and duration of construction activities, as well as provided a telephone number where residents can inquire about the construction process and register complaints.

Measure 15. A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause, if any, of the noise complaint (e.g. starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.

Measure 16. A right-turn lane shall be added to the westbound approach to the intersection of Wilshire Boulevard and Robertson Boulevard

Further, the City Council hereby adopts the attached Mitigation Monitoring Program attached hereto as Exhibit A.

Conditions of Approval

- 1 The Project shall be subject to the review and approval by the Architectural Commission.
- 2 A detailed parking management plan, satisfactory to the Director of Community Development shall be provided to indicate the operation of the parking garage including public parking operation
- 3 The Applicant shall provide free of charge parking for all employees working in the building.
- 4 Two-hour free, validated on-site parking shall be provided for patrons of all tenants, including retail, offices, restaurants and other uses that may occupy all or part of the building,

and the Applicant shall provide appropriate signage at entrances to the parking area informing patrons of the validated parking availability. The informational signage shall be subject to approval by the Director of Community Development and shall be installed prior to issuance of a certificate of occupancy.

- 5 Parking spaces, as noted on the staff report, with obscured visibility and potential backing out conflict shall be used as reserved or employee parking spaces.
- 6 Not more than 80 haul truck trips per day (40 arrivals, 40 departures) shall be permitted per day during construction
- 7 No more than five pieces of diesel equipment shall be permitted to operate on the Project site per day.
- 8 Staging of construction-related vehicles on the City's streets is prohibited
- 9 A detailed construction management plan, satisfactory to the Director of Public Works, shall be provided prior to issuance of a building permit.
- 10 Prior to the issuance of a certificate of occupancy, a loading management plan, satisfactory to the Director of Community Development, shall be provided and shall include delivery hours and a delivery monitor with responsibility for controlling the circulation of trucks. The delivery monitor shall be responsible for directing the incoming/out going cars while one or more delivery trucks are present.
- 11 "Right Turn Only" signs and arrow marking on the pavement shall be installed at Wilshire Boulevard and Robertson Boulevard driveways.
- 12 Exit onto Robertson Boulevard shall be designed with raised barriers to force right-only turn movement when exiting the property.

- 13 A silent warning device shall be installed at each exit from the garage that would light up whenever a vehicle is leaving the garage, warning the on-coming vehicular and pedestrian traffic.
- 14 Security gates shall be constructed at each garage entrance and exit.
- 15 The proposal requires the removal of three metered parking spaces. Prior to removal of the metered parking spaces, the Applicant shall compensate the City for the lost revenues of the removed spaces in an amount designated by the City's Chief Financial Officer.
- 16 The proposal requires removal and relocation of street lights, a traffic signal pole, pull boxes, under ground wiring, striping, marking, and sign installations. The Applicant shall hire a registered civil engineer to prepare plans and specifications for review and approval by the City. All works shall be performed by the Project contractor/sub-contractors.
- 17 The following uses shall be prohibited on the Project site: medical uses; vehicle dealership-related automotive uses, except that a maximum of 92 parking spaces may be used as car storage for nearby car dealerships, adult entertainment businesses; massage parlors; bars or taverns; liquor stores; markets; exercise facilities; hair or nail salons; pharmacies; and uses that, in the sole opinion of the Director of Community Development, would create potential traffic impacts on the Wilshire Boulevard/ Robertson Boulevard intersection.
- 18 No more than 3,000 square feet of building floor area shall be used for restaurant purposes, and no more than 1,500 square feet of building area shall be dedicated to dining and bar area. Non-destination food service establishments such as coffee shops, fast food establishments, or similar establishments designed to primarily serve building tenants shall not be permitted.

- 19 The Applicant shall comply with the applicable conditions and permits from the Public Works/Engineering Department/ Recreation, Transportation Department and Parks Department. (Attached hereto as Exhibit B is the list of conditions).
- 20 The Applicant shall comply with the applicable City ordinances related to use of groundwater and dewatering, including but not limited to Section 9-4-610 of the Beverly Hills Municipal Code, and shall provide for future connection to reclaimed water lines if deemed appropriate and feasible by City's Department of Public Works
- 21 The Applicant shall obtain the necessary NPDES permit from the State Regional Water Quality Control Board for the permanent dewatering prior to the issuance of grading permits.
- 22 The Project shall comply with the applicable Fire Department conditions as identified through the building permit plan check process..
- 23 As provided in the Beverly Hills Municipal Code, an extended hours permit is required for any commercial uses that receive patrons between the hours of 10:00 p.m. and 7:00 a.m.
- 24 An off-site improvement plan prepared by a registered civil engineer must be submitted to the Engineering and Transportation Department for review and approval prior to the issuance of grading permits. This plan must show all improvements in the public-right-of-way adjacent to the Project site. All facilities to be constructed or relocated within the public right-of-way must be clearly shown.
- 25 The Applicant shall file a formal written request for approval of any type of temporary construction encroachment within the public right-of-way.
- 26 An encroachment permit is required for the subterranean garage encroachment into the public right-of-way.

- 27 Pedestrian access on Robertson Boulevard shall be maintained during construction. A pedestrian canopy shall be constructed along Robertson Boulevard.
- 28 The Applicant shall provide all necessary supporting documentation to the City for the City Council to take action concerning right-of-way dedications offered by the Applicant, including all legal descriptions and drawings signed and stamped by a land surveyor licensed to practice in California.
- 29 The Applicant shall submit the appropriate fees for processing of the right-of-way issues through the City Council, and shall comply with the applicable city ordinances.
- 30 The Applicant shall replace the sidewalk adjacent to the Project and sidewalk paving material shall be subject to review by the City Council.
- 31 A maximum of 92 of the 358 parking spaces may be used as overflow storage of vehicles for nearby auto dealerships, and a minimum of 51 of the 358 parking spaces shall be made available for use by the general public. The 51 spaces to be available for use by the general public shall be located on the first and second levels of parking.
- 32 The Property Owner shall not enter into any covenant dedicating use of the excess parking provided by the Project for off-site projects or uses, unless the Planning Commission first approves the use of the excess parking for off-site projects or uses and allows such a covenant.
- 33 Roof-top uses shall not be permitted.
- 34 The Applicant shall develop the Project in an environmentally sensitive and sustainable manner to the satisfaction of the Director of Community Development. The Director of

Community Development shall consider techniques and measures such as those used in seeking LEED certification from the U.S. Greenbuilding Counsel.

Standard Conditions

- 35 The Project shall be constructed in substantial compliance with the plans submitted to and approved by the Planning Commission at its meeting of August 10, 2006.
- 36 The Applicant shall comply with the requirements of the street tree mitigation plan of the Recreation and Parks Department attached hereto as Exhibit C and incorporated herein by this reference.
- 37 The City shall monitor the operation of the Project at the site. The City expressly reserves jurisdiction with respect to traffic and parking issues. Should the business or activity conducted at the Project site change so that, in the opinion of the Director of Community Development, additional parking or other mitigation is required for the Project site in order to avoid significantly adverse traffic safety impacts, pedestrian vehicle conflicts, or parking impacts, then, regardless of the use at the site, additional conditions, including the requirement of providing parking spaces, may be imposed upon the Project site by the Planning Commission pursuant to a public hearing noticed in accordance with the procedures set forth in Section 10-3-3307 of the Beverly Hills Municipal Code. Any decision of the Planning Commission in this regard may be appealed in the manner provided by Title 1, Chapter 4, of the Beverly Hills Municipal Code.
- 38 Construction related parking, staging and hauling shall conform to a construction parking, staging and hauling plan submitted by the Applicant and approved by the City Engineer and

the Director of Community Development. The Applicant shall provide to the City Engineer the proposed staging for demolition and construction of the Project so that the City Engineer may determine the amount, appropriate routes, and time of day that heavy hauling truck traffic will need to travel to the subject site.

- 39 A cash deposit of \$5,000 shall be deposited with the City to ensure compliance with the conditions of this Resolution regarding construction activities. Such deposit shall be returned to Applicant upon completion of all construction activities and in the event that no more than two violations of such conditions or the Beverly Hills Municipal Code occur. In the event that three or more such violations occur, the City may: (a) retain the deposit to cover costs of enforcement; (b) notify the Applicant that the Applicant may request a hearing before the City within ten days of the notice and (c) issue a stop work notice until such time that an additional deposit of \$10,000 is deposited with the City to cover the costs associated with subsequent violations. Work shall not resume for a minimum of two days after the day that an additional deposit is received by the City. If the Applicant timely requests a hearing, said deposit will not be forfeited until after such time that the Applicant has been provided an opportunity to appear and offer evidence to the City, and the City determines that substantial evidence supports forfeiture. Any subsequent violation will trigger forfeiture of the additional deposit, the issuance of a stop work notice, and the deposit of an additional \$10,000, pursuant to the procedures set forth herein above. All amounts deposited with the City shall be deposited in an interest bearing account. The Applicant shall be reimbursed all interest accruing on monies deposited. The requirements of this condition are in addition to any other remedy that the City may have in law or equity and shall not be the sole remedy

of the City in the event of a violation of the conditions of this Resolution or the Beverly Hills Municipal Code.

- 40 The City reserves the right to make modifications and/or impose additional conditions which may become necessary to enable implementation of the specific conditions set forth in this resolution and the Applicant, the owner and their heirs, representatives, successors and assigns shall comply with all such modified or additional conditions.
- 41 This Resolution approving a Development Plan Review and a Variance shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of this resolution as an exhibit.

The Applicant shall deliver the executed covenant to the Department of Community Development within 60 days of the Planning Commission's decision memorialized in this Resolution. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving a Development Plan Review and a Variance shall be null and void and of no further effect. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60-day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the Development Plan Review and the Variance.

42 The conditions set forth in this resolution shall run with the land and shall remain in force for the duration of the life of the permit.

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

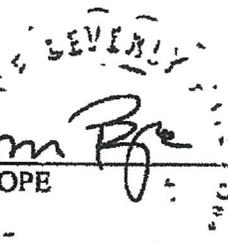
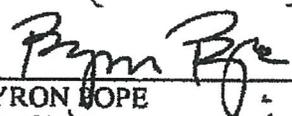
Section 11. The City Clerk shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted: January 30, 2007



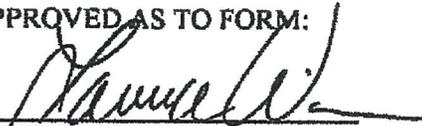
STEPHEN P. WEBB
Mayor of the City of
Beverly Hills, California

ATTEST:

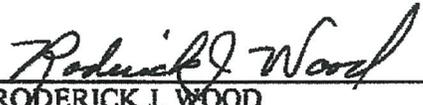


BYRON BOPE
City Clerk

(SEAL)

APPROVED AS TO FORM:


LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:


RODERICK J. WOOD
City Manager


VINCENT P. BERTONI, AICP
Acting Director of Community Development

EXHIBIT A
MITIGATION MONITORING PROGRAM

Completed

**Robertson Wilshire Office Building
Mitigation Monitoring Program**

Mitigation Measures	Responsible Agency	Monitoring Procedure and Reporting Mechanism	Implementation Schedule
<input type="checkbox"/> Transportation/Circulation. A right-turn lane shall be added to the westbound approach to the intersection of Wilshire Boulevard and Robertson Boulevard.	Department of Engineering/ Transportation and Department of Community Development	The applicant shall hire a civil engineering consultant to prepare plans for the City's review. Upon approval, the applicant shall hire a sub-contractor to implement the measure.	This measure shall be implemented prior to issuance of certificate of occupancy.
<input type="checkbox"/> Air Quality. Water or a stabilizing agent shall be applied to exposed surfaces in sufficient quantity to prevent generation of dust plumes.	Community Development Department	The applicant shall submit a construction management plan to the Director of Community Development prior to issuance of any grading or construction permits. The Construction Management Plan shall be reviewed by the department and filed with the Building & Safety Division prior to issuance of grading permits. The plan check engineer will review the plan to ensure that the plan complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Management Plan. Any cleaning of the public right-of-way shall be to the specifications of the City Engineer.	The affidavit shall be submitted prior to the commencement of any work on the project site. This measure shall be in effect until the issuance of the certificate of occupancy.

Completed

Robertson Wilshire Office Building Mitigation Monitoring Program			
Mitigation Measures	Responsible Agency	Monitoring Procedure and Reporting Mechanism	Implementation Schedule
Track-out shall not extend 25 feet or more from an active operation and track-out shall be removed at the conclusion of each workday.	Community Development Department	See above	See above
A wheel washing system shall be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site.	Community Development Department	See above	See above
All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).	Community Development Department	See above	See above
All trucks hauling soil, sand, and loose materials shall maintain at least six inches of freeboard in accordance with California Vehicle Code Section 23114.	Community Development Department	See above	See above
Traffic speeds on unpaved roads shall be limited to 15 miles per hour.	Community Development Department	See above	See above
Operations on unpaved surfaces shall be suspended when winds exceed 25 miles per hour.	Community Development Department	See above	See above
Heavy-equipment operations shall be suspended during first and second stage smog alerts.	Community Development Department	See above	See above

Completed

Robertson Wilshire Office Building Mitigation Monitoring Program			
Mitigation Measures	Responsible Agency	Monitoring Procedure and Reporting Mechanism	Implementation Schedule
On-site stock piles of debris, dirt, or rusty materials shall be covered or watered at least twice per hour.	Community Development Department	See above	See above
Noise.			
<input type="checkbox"/> All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.	Community Development Department	The primary contractor shall submit to the department a program and an affidavit attesting to the compliance with this measure as part of the Construction Management Plan.	The program and affidavit shall be submitted prior to the commencement of any work on the project site. This measure shall be in effect until the issuance of the certificate of occupancy.
Grading and construction contractors shall use quieter equipment as opposed to noisier equipment (such as rubber tired equipment rather than track equipment).	Community Development Department	See above	See above.
Equipment staging areas shall be located on the western portion of the project site, as far as possible from 141 and 143 N. Amaz Drive residential developments.	Community Development Department	See above	See above
During construction, sound attenuation blankets with a Sound Transmission Class rating of 20 or more shall be used on the second, third, and fourth floors that face 141 and 143 N. Amaz Drive Development. The sound attenuation blankets shall break the line of sight between the construction activities and 141 and 143 N. Amaz Drive.	Community Development Department	See above	See above

Completed

Robertson Wilshire Office Building Mitigation Monitoring Program			
Mitigation Measures	Responsible Agency	Monitoring Procedure and Reporting Mechanism	Implementation Schedule
All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted at the construction site. All notices and the signs shall indicated the dates and duration of construction activities, as well as provided a telephone number where residents can in quire about the construction process and register complaints.	Community Development Department	See above	See above
A "noise disturbance-coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g. starting too early, bad muffler, etc.) and would be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.	Community Development Department	The primary contractor shall submit to the department a program and an affidavit attesting to the compliance with this measure as part of the Construction Management Plan. A noise disturbance coordinator shall be required to maintain a log of complaints for the City's inspection.	See above

EXHIBIT B
PUBLIC WORKS/ENGINEERING
STANDARD CONDITIONS

CITY OF BEVERLY HILLS
STANDARD CONDITIONS LIST
FOR THE PLANNING COMMISSION

ENGINEERING, UTILITIES AND RECREATION & PARKS:

1. The applicant shall remove and replace all defective sidewalk surrounding the existing and proposed buildings.
2. The applicant shall remove and replace all defective curb and gutter surrounding the existing and proposed buildings.
3. The applicant shall comply with all applicable statutes, ordinances and regulations concerning the conversion of residential rental units into condominiums, including, but not limited to, the requirement that the applicant pay the City of Beverly Hills the condominium conversion tax of \$5,638.80*, if a certificate of occupancy is issued prior to approval of the final subdivision map by the City Council. (*The tax figure is adjusted annually.)
4. The applicant shall remove all unused landings and driveway approaches. These parkway areas, if any, shall be landscaped and maintained by the adjacent property owner. This landscape material cannot exceed six to eight inches in height and cannot be planted against the street trees. Care shall be taken to not damage or remove the tree existing tree roots within the parkway area. Remove and replace all defective alley and driveway approaches surrounding the existing and proposed buildings.
5. The applicant shall protect all existing street trees adjacent to the subject site during construction of the proposed project. Every effort shall be made to retain mature street trees. No street trees, including those street trees designated on the preliminary plans, shall be removed and/or relocated unless written approval from the Recreation and Parks Department and the City Engineer is obtained. (See attached Trees and Construction document.)

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

Standard Conditions List
for the Planning Commission

6. The applicant shall provide that all roof and/or surface drains discharge to the street. All curb drains installed shall be angled at 45 degrees to the curb face in the direction of the normal street drainage flow. The applicant shall provide that all groundwater discharges to a storm drain. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Connection to a storm drain shall be accomplished in the manner approved by the City Engineer and the Los Angeles County Department of Public Works. No concentrated discharges onto the alley surfaces will be permitted.
7. The applicant shall provide for all utility facilities, including electrical transformers required for service to the proposed structure(s), to be installed on the subject site. No such installations will be allowed in any City right-of-way.
8. The applicant shall underground, if necessary, the utilities in adjacent streets and alleys per requirements of the Utility Company and the City.
9. The applicant shall make connection to the City's sanitary sewer system through the existing connections available to the subject site unless otherwise approved by the City Engineer and shall pay the applicable sewer connection fee.
10. The applicant shall make connection to the City's water system through the existing water service connection unless otherwise approved by the City Engineer. The size, type and location of the water service meter installation will also require approval from the City Engineer.
11. The applicant shall provide to the Engineering Office the proposed demolition/construction staging for this project to determine the amount, appropriate routes and time of day of heavy hauling truck traffic necessary for demolition, deliveries, etc., to the subject site.
12. The applicant shall obtain the appropriate permits from the Civil Engineering Department for the placement of construction canopies, fences, etc., and construction of any improvements in the public right-of-way, and for use of the public right-of-way for staging and/or hauling certain equipment and materials related to the project.
13. The applicant shall remove and reconstruct any existing improvements in the public right-of-way damaged during construction operations performed under any permits issued by the City.

Standard Conditions List
for the Planning Commission

14. During construction all items in the Erosion, Sediment, Chemical and Waste Control section of the general construction notes shall be followed.
15. Condensate from HVAC and refrigeration equipment shall drain to the sanitary sewer, not curb drains.
16. Water discharged from a loading dock area must go through an interceptor/clarifier prior to discharging to the storm drain system. A loading dock is not to be confused with a loading zone or designated parking space for loading and unloading.
17. Organic residuals from daily operations and water used to wash trash rooms cannot be discharged to the alley. Examples are grocery stores, mini markets and food services.
18. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Examples of ground water discharges are; rising ground water and garage sumps.
19. Storm water runoff from automobiles going into a parking garage shall be discharged through a clarifier before discharging into the storm drain system. In-lieu of discharging runoff through a clarifier, parking lots can be cleaned every two weeks with emphasis on removing grease and oil residuals which drip from vehicles. Maintain records of cleaning activities for verification by a City inspector.
20. After completion of architectural review of a new or modified commercial structure, and prior to issuance of the certificate of occupancy, the applicant is required to comply with the Public Art Ordinance. An application is required to be submitted to the Fine Art Commission for review and approval of any proposed art piece or, as an alternative, the applicant may choose to pay an in-lieu art fee.

EXHIBIT C
STREET TREE MITIGATION PLAN OF THE
RECREATION AND PARKS DEPARTMENT



PROTECTING

CITY

PARKWAY

STREET TREES

DURING

PRIVATE

PROPERTY

CONSTRUCTION



PROTECTING CITY PARKWAY STREET TREES DURING PRIVATE PROPERTY CONSTRUCTION

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

It is a violation of this City code to affix a sign, residence number plaque, mirror, light fixture, etc. to a City tree. The maintenance and protection of street trees is a shared responsibility between property owners and the City of Beverly Hills. If you feel that a street tree is unhealthy, damaged or in need of pruning, please contact the Department of



Recreation and Parks Urban Forestry Division at 310 550 4638.

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

Planning and protecting the health of trees during construction is part of doing business in the City of Beverly Hills.

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

PROJECT PLANNING

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



*Do not design projects at
the expense of trees*

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PROJECT APPROVAL

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



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

SPECIFICATIONS

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

DURING THE PROJECT

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



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