



AGENDA REPORT

Meeting Date: January 13, 2015

Item Number: D-4

To: Honorable Mayor & City Council

From: Mark Cuneo, City Engineer
Tristan Malabanan, Civil Engineer

Subject: **RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE FINAL MAP FOR PARCEL MAP NO. 68061 (208 SOUTH LASKY DRIVE) AND ACCEPTING, SUBJECT TO IMPROVEMENT, A RIGHT-OF-WAY DEDICATION**

Attachment:

- 1) Resolution
- 2) Final Map
- 3) Planning Commission Resolution No. 1464 Conditionally Approving the Tentative Parcel Map on April 25, 2007
- 4) Community Development Memorandum Regarding compliance with Conditions of Approval
- 5) Location Map

RECOMMENDATION

It is recommended that the City Council find that the final map conforms to the tentative map, all applicable requirements of the State Subdivision Map Act and the City's subdivision ordinances, and adopt the resolution approving the final map for Parcel Map No. 68061, and accepting, subject to improvement, an alley dedication.

INTRODUCTION

This report is a request for City Council adoption of the findings that Parcel Map No. 68061 located at 208 South Lasky Drive is consistent with the previously approved tentative parcel map and that the tentative map conditions have been met. It also provides for City Council adoption of a resolution approving the final map for Parcel Map No. 68061, and accepting a 2.5 foot dedication of right-of-

way for the alley along the eastern edge of the project, as shown on the final map.

DISCUSSION

The applicant, Alex and Roya Ashtiani Family Trust, has prepared the final map to construct a new 4-unit residential condominium structure located at 208 South Lasky Drive. The applicant has completed construction of the building in accordance with approved plans.

At its meeting of April 25, 2007, the Planning Commission approved Tentative Parcel Map No. 68061, and adopted Resolution No. 1464, a copy of which is attached. Approval of the Final Map will allow the applicant to sell the individual units.

The applicant submitted a final parcel map for approval by the City Council that is substantially the same as the approved tentative parcel map. The final map meets all the conditions imposed by the Planning Resolution No. 1464 (as explained in the attached memo from the Community Development Department) and was approved by the City Engineer. Staff has now reviewed the Final Map and is recommending its approval by the Council.

Pursuant to the State Subdivision Map Act, the City must approve the final map if it substantially conforms to the tentative map and "it conforms with all requirements of [the Map Act], and any local subdivision ordinance applicable at the time of approval or conditional approval of the tentative map".

FISCAL IMPACT

There are no known financial impacts associated with this action.

David Lightner 
Approved By

Attachment 1

RESOLUTION NO. 15-R-_____

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPROVING THE FINAL MAP FOR PARCEL MAP NO. 68061 (208 SOUTH
LASKY DRIVE) AND ACCEPTING, SUBJECT TO IMPROVEMENT, A
RIGHT-OF-WAY DEDICATION

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

Section 1. Tentative Parcel Map No. 68061 was submitted for approval of a condominium structure consisting of four (4) condominium units at 208 South Lasky Drive. Beverly Hills.

Section 2. The Planning Commission conditionally approved said Tentative Parcel Map, and the final map has been filed in a timely manner.

Section 3. The Council of the City of Beverly Hills finds as follows:

(a) The final map filed herein is in substantial compliance with the tentative parcel map and complies with all of the requirements of the California Subdivision Map Act and the City's subdivision ordinance.

(b) The applicant has performed all conditions precedent to final map approval as required by the tentative map approval.

(c) For the reasons set forth in the resolution approving the tentative map, the design of the subdivision and proposed improvements will not cause substantial environmental damage or any health problems and will not conflict with any public easements.

(d) For the reasons set forth in the resolution approving the tentative map, the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the California Regional Water Quality Board.

Section 4. The Council of the City of Beverly Hills does hereby resolve as follows:

- (a) The final map for Parcel Map No. 68061 is approved.
- (b) The streets, highways, and other public ways shown on the map are accepted, subject to improvements, on behalf of the public.

Section 5. The City Engineer is directed to record the Final Map.

Section 6. The approval of the Final Parcel Map shall be construed as approval of only those matters expressly shown or stated in the map, and shall not be construed as an approval of any other matters submitted to or considered by the Planning Commission or the Council and not expressly shown or stated on the Final Map or in this resolution.

Section 7. 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.

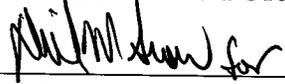
Adopted:

LILI BOSSE
Mayor of the City of Beverly Hills,
California

ATTEST:

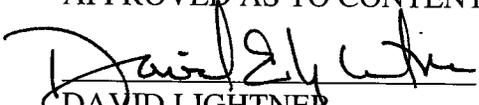
_____ (SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:



DAVID LIGHTNER
Director of Capital Assets

Attachment 2

1 LOT
6,602 SQ. FT.

PARCEL MAP NO. 68061

SHEET 1 OF 2 SHEETS

IN THE CITY OF BEVERLY HILLS
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

LOT 703 OF TRACT NO. 7710, IN THE CITY OF BEVERLY HILLS, COUNTY OF
LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 83 PAGE(S)
94 AND 95 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

FOR CONDOMINIUM PURPOSES

REYNALDO T. DE RAMA, R.C.E. NO. 29108

MAP DATE: 12/13/13

OWNER'S STATEMENT:

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION. WE HEREBY DEDICATE TO THE PUBLIC USE ALL STREETS, HIGHWAYS AND OTHER PUBLIC WAYS SHOWN ON SAID MAP.

PAYMAN ESKANDARI; ARIAN ESKANDARI; AND ALEX ASHTIANI; AND ROYA ASHTIANI,
TRUSTEES OF THE ALEX AND ROYA ASHTIANI FAMILY TRUST, OWNERS

BY: [Signature] PAYMAN ESKANDARI, OWNER
BY: [Signature] ARIAN ESKANDARI, OWNER

BY: [Signature] ALEX ASHTIANI,
TRUSTEE OF THE ALEX AND ROYA ASHTIANI FAMILY TRUST
BY: [Signature] ROYA ASHTIANI,
TRUSTEE OF THE ALEX AND ROYA ASHTIANI FAMILY TRUST

NOTARY ACKNOWLEDGEMENTS:

STATE OF CALIFORNIA
COUNTY OF Los Angeles

ON July 16, 2014 BEFORE ME, [Signature] PERSONALLY APPEARED [Signature] WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE [Signature] MY PRINCIPAL BASE OF BUSINESS IS
NOTARY PUBLIC [Signature] IN Los Angeles COUNTY
(PRINT NAME) MY COMMISSION EXPIRES 01/30/2017
COMMISSION NO. 2008133

NOTARY ACKNOWLEDGEMENTS:

STATE OF CALIFORNIA
COUNTY OF Los Angeles

ON July 16, 2014 BEFORE ME, [Signature] PERSONALLY APPEARED [Signature] WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE [Signature] MY PRINCIPAL BASE OF BUSINESS IS
NOTARY PUBLIC [Signature] IN Los Angeles COUNTY
(PRINT NAME) MY COMMISSION EXPIRES 01/30/2017
COMMISSION NO. 2008133

SIGNATURE OMISSION NOTE

THE SIGNATURE OF CHEVRON CORPORATION, A CORPORATION, SUCCESSOR IN INTEREST TO STANDARD OIL COMPANY OF CALIFORNIA, A CORPORATION, SUCCESSOR OR ASSIGNEE, THE OWNERS OF THE LEASEHOLD ESTATE UNDER AN OIL AND GAS LEASE RECORDED JANUARY 28, 1965 AS INSTRUMENT NO. 3014, OF OFFICIAL RECORDS, MAY BE OMITTED UNDER THE PROVISIONS OF SECTION 66436, (a)3C OF THE SUBDIVISION MAP ACT.

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF PAYMAN ESKANDARI ON 12/13/13. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE 12/22/14 AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THE TIE NOTES TO ALL CENTERLINE MONUMENTS SHOWN AS "TO BE SET" WILL BE ON FILE OF THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS BEFORE 12/22/14 AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. I HEREBY STATE THAT THE SAID SURVEY IS TRUE AND COMPLETE AS SHOWN.

REYNALDO T. DE RAMA
R.C.E. NO. 29108
EXPIRES: 03/31/15



12-21-14
DATE

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND OF ANY LOCAL SUBDIVISION ORDINANCES OF THE CITY OF BEVERLY HILLS APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DOMINIC C. MILANO, CITY ENGINEER
R.C.E. NO. 27172
EXPIRES: 3/31/2015



11/17/14
DATE

CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS BY RESOLUTION NO. _____ ADOPTED ON THE _____ DAY OF _____, 2015 APPROVED THE ATTACHED MAP AND ACCEPTED SUBJECT TO IMPROVEMENT ON BEHALF OF THE PUBLIC WAYS AS SHOWN ON THE ATTACHED MAP.

CITY CLERK, CITY OF BEVERLY HILLS _____ DATE _____

SPECIAL ASSESSMENT STATEMENT:

I HEREBY STATE THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF BEVERLY HILLS, TO WHICH THE LAND INCLUDED IN THE WITHIN SUBDIVISION OR ANY PART THEREOF IS SUBJECT AND WHICH MAY BE PAID IN FULL, HAVE BEEN PAID IN FULL.

CITY TREASURER, CITY OF BEVERLY HILLS _____ DATE _____

CONDOMINIUM NOTE

THIS TRACT IS APPROVED AS A CONDOMINIUM PROJECT FOR 4 UNITS, WHEREBY THE OWNERS OF THE UNITS OF AIR SPACE WILL HOLD AN UNDIVIDED INTEREST IN THE COMMON AREAS WHICH WILL, IN TURN, PROVIDE THE NECESSARY ACCESS AND UTILITY EASEMENTS FOR THE UNITS.

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING N 00°05'49" E. OF THE CENTERLINE OF LASKY DRIVE AS SHOWN ON MAP OF TRACT NO. 7710, AS RECORDED IN BOOK 83 PAGES 94 AND 95 OF MAPS RECORDS OF LOS ANGELES COUNTY.

PARKS AND RECREATION FACILITIES CONSTRUCTION TAX NOTE

THE PARK AND RECREATION FACILITIES CONSTRUCTION TAXES SET FORTH IN CHAPTER 9 OF TITLE 8 OF THE BEVERLY HILLS MUNICIPAL CODE MAY BE REQUIRED TO BE PAID UPON THE ISSUANCE OF ANY BUILDING PERMIT FOR THE CONSTRUCTION TO BE PAID UPON THE ISSUANCE OF ANY BUILDING PERMIT FOR THE CONSTRUCTION OF ANY BUILDING OR STRUCTURE, OR ANY ADDITION THERETO, ON ANY PROPERTY OR IN ANY BUILDING LOCATED IN THIS SUBDIVISION.

BOARD OF SUPERVISORS CERTIFICATES

I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTION 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____ DEPUTY _____ DATE: _____

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ _____ HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF PARCEL MAP NO. 68061 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____ DEPUTY _____ DATE: _____

Attachment 3

RESOLUTION NO. 1464

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 68061 AND A DEVELOPMENT PLAN REVIEW PERMIT TO ALLOW CONSTRUCTION OF A FOUR UNIT RESIDENTIAL CONDOMINIUM STRUCTURE AT PROPERTY LOCATED AT 208 LASKY DRIVE

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

Section 1. Bahram Raean of Raean Construction, on behalf of Alex Ashtiani, property owner (hereinafter referred to as the "Applicant"), has submitted an application for approval of Tentative Parcel Map No. 68061 and a Development Plan Review to allow construction of a new four-unit, 8,557 square foot, three-story, 33 foot high condominium structure on a single-lot site for property located at 208 Lasky Drive (the "Project"). The Project will provide 12 parking spaces in a single-level subterranean garage accessed from the rear alley.

Section 2. The proposal has been reviewed pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.) (hereafter the "Guidelines"), and the City's environmental guidelines. The project consists of the construction of a multi-family residential structure totaling no more than four (4) dwelling units in an urbanized area, and thus is exempt from CEQA pursuant to Guidelines Section 15303(b).

Section 3. On January 25, 2007 and March 29, 2007, the Planning Commission held duly noticed public hearings to consider the Project. Evidence, both written and oral, was presented at said hearings.

On January 25, 2007, the Planning Commission directed the Applicant to provide the required additional modulation in the front of the building and to restudy the internal layout of the parking garage. The Applicant submitted revised plans for consideration at the March 29, 2007 meeting, which revised plans incorporated changes in response to the recommendations of the Commission, as follows:

- The Applicant has incorporated the required 10-foot modulation along the front of the building. Compliance with the required modulation eliminates the need for a R-4 Permit that was previously part of the application. As proposed, the required modulation is located along the northwest corner of the building facing the street and is in compliance with the modulation requirements.
- The Applicant has eliminated the southerly walkway. Only one walkway shall be permitted for every 50 feet of lot width.
- The Applicant revised the layout of the proposed basement garage to improve access to parking spaces. The revised garage layout was reviewed and approved by the City's Traffic Engineer as an improvement to the original design.

Section 4. The Project site is located on the east side of the 200 block of Lasky Drive, south of Charleville Boulevard, in a medium to high density, multi-family residential (R-4) zone. This block of Lasky Drive contains a variety of densities, heights, building ages and

architectural styles. The buildings are predominantly two stories in height with parking provided along the rear. The existing buildings date from the 1920s to the 1940s.

The Project site consists of a single-lot development developed with a two-story apartment building built in 1926. It includes four on-grade parking spaces along the rear yard. The existing structures on the site will be demolished to accommodate the new condominium structure.

The proposed residential condominium structure will be comprised of four units, 8,557 square feet in area and three stories (33 feet) in height. The four units will range in size from 1,340 square feet to 2,936 square feet. Three units will contain two bedrooms, and one unit will contain three bedrooms. The Project includes a one-level basement garage with space for 12 vehicles.

Parking. The one-level garage will be accessed from the alley via a 12-foot wide driveway. The garage will contain 12 parking spaces and will be a total area of 5,761 square feet. The garage will also include a trash area, an electrical room elevator, a mechanical room and a staircase. As discussed under Section 3, the Applicant revised the layout of the garage to improve access to parking spaces. The revised garage layout was reviewed and approved by the City's Traffic Engineer as an improvement to the original design.

Walkway. The walkway along the north side will be eight feet wide. As discussed under Section 3, the Applicant has eliminated the southerly walkway.

Modulation. The required modulation is located along the northwest corner of the building, facing the street and is in compliance with modulation requirements. As discussed under Section 3, compliance with modulation requirements eliminated the need for a R-4 Permit which was previously part of the application.

Outdoor Living Area. The Project complies with outdoor living area requirements by providing 308 square feet of outdoor living area, as required by Code.

Landscape Plan. A landscape plan has been submitted by the Applicant and preliminarily approved by the Architectural Commission. Both the architectural and the landscaping plans will be subject to review and approval by the Architectural Commission.

Section 5. Pursuant to the requirements set forth in Section 66474 of the California Government Code, in reviewing the application for Tentative Parcel Map No. 68061, the Planning Commission considered the following issues:

- 1) Whether the proposed tentative tract map and the design or improvement of the proposed subdivision are consistent with the General Plan of the City;
- 2) Whether the site is physically suitable for the type of development and the proposed density;
- 3) Whether the design of the subdivision and the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- 4) Whether the design of the subdivision or type of improvements is likely to cause serious public health problems and whether the design of the subdivision or the type of improvements will conflict with any public easements; and
- 5) Whether the discharge of waste water from the proposed subdivision into the existing sewer systems will result in a violation of existing requirements prescribed by the California Water Quality Control Board.

Section 6. Based upon the evidence presented in the record on this matter, including the staff report and oral and written testimony, the Planning Commission hereby finds as follows with respect to Tentative Parcel Map No. 68061:

6.1 As conditioned, the proposed Project and its design and improvements are consistent with the General Plan of the City. The proposed Project is compatible with the objectives, policies, general land uses, and programs specified in the General Plan. The General Plan designation for the proposed site is "multi-family residential." The proposed Project will consist of a four-unit residential condominium structure, which is permitted under the General Plan land-use designation for the Project site. Thus the proposed Project is found to be consistent with the City's General Plan.

6.2 As conditioned, the site is physically suitable for the type of development and the proposed density. The site is currently developed with a two-unit, two-story apartment building. Under the current zoning designation, the Project site can be developed with a maximum density of five units, and the infrastructure to serve the proposed four-unit residential condominium structure is adequate. The site has no unusual seismic or other hazards. Therefore, the site is physically suitable for the type of development and the proposed density.

6.3 As conditioned, the proposed Project will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife because there are no significant fish or wildlife resources or public health issues on the Project site, and utilities exist that will adequately serve the demands of the Project. A Categorical Exemption was prepared on the Project pursuant to Section 15303(b) of the California Environmental Quality Act, which is hereby incorporated by reference.

6.4 The design of the subdivision and the type of improvements will not cause serious public health problems, and will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The Project design has been preliminarily reviewed by the Public Works Department and the Building and Safety Division for Code compliance. In addition, the Project will not encroach into any public easement areas. Therefore, the design of the subdivision or type of improvements is not likely to cause serious public health problems and that the design of the subdivision or the type of improvements will not conflict with any public easement.

6.5 The discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the California Regional Water Quality Board. The Project will be required to comply with all applicable requirements of the City's Storm Water and Urban Runoff Pollution Control Ordinance and the City's current National Pollutant Discharge Elimination System ("NPDES") permit and, therefore, implementation of the Project will not result in a violation of existing requirements prescribed by the California Regional Water Quality Board. Implementation of the Project will not significantly increase the amount of impermeable land or result in substantial changes in absorption rates that would increase the amount of stormwater runoff from the Project site. Accordingly, approval of the Project will not result in a violation of existing requirements prescribed by the California Regional Water Quality Board.

Section 7. In accordance with the provisions of Beverly Hills Municipal Code Section 10-3-3104, in reviewing the application for a Development Plan Review, the Planning Commission considered the following issues:

- 1) Whether the proposed plan is consistent with the General Plan and any specific plans adopted for the area;
- 2) Whether the proposed plan will adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;
- 3) Whether the nature, configuration, location, density, height and manner of operation of the Project will significantly and adversely interfere with the use and enjoyment of other residential properties in the vicinity of the subject property.
- 4) Whether the proposed plan will create any significantly adverse traffic impact, 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 in the record on this matter, including the staff report and oral and written testimony, the Planning Commission hereby finds as follows with respect to the Development Plan Review:

8.1 As conditioned, the proposed Project design and improvements are consistent with the General Plan of the City. The proposed Project is compatible with the objectives, policies, general land uses, and programs specified in the General Plan. The General Plan designation for the proposed site is "multi-family residential." The proposed Project meets Code requirements, particularly regarding use, height, density and parking and is consistent with the adopted General Plan of the City which designates this as a high-density, multiple-family residential area.

8.2 As conditioned, the proposed Project will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area.

The site currently is developed with a two-story, two-unit apartment building. As proposed, the building meets all the development standards pursuant to Section 10-3.2800 of the Beverly Hills Municipal Code. The proposed building exceeds the required modulation facing on Lasky Drive. In addition, the design of the building is subject to review and approval by the Architectural Commission which will require that the Project's design be harmonious with the development in the area. Therefore, because the Project adheres to the multi-family residential development standards established by the City, it is found to be consistent with the current Code and will promote harmonious development in the area.

8.3 As conditioned, the proposed Project will not significantly and adversely interfere with the use and enjoyment of other residential properties in the vicinity of the subject property. As noted above, the Project complies with the current Code requirements regarding density, height and parking. The proposed scale and massing are consistent with the scale and massing of the development in this area and the standards applicable to future developments. The proposed 33 foot tall structure will cast shadows to the west and north to a greater degree than does the existing 23-foot structure; however, these incrementally greater impacts are not found to be significant in light of the shadows from the existing structure, and because the potential impacts from these shadows will not occur year round.

8.4 As conditioned, the proposed Project will not create any significant adverse traffic impacts nor vehicular or pedestrian safety or circulation problems. Although the project is categorically exempt from the provisions of CEQA for the reasons set forth in Section 2 above, a

traffic report was nonetheless prepared for the Project. That study demonstrates that the Project will have a negligible traffic impact on nearby intersections and residential streets; In addition, the Applicant has revised the layout of the garage to improve accessibility to parking spaces. Furthermore, in order to ensure that local traffic and parking are not impacted during construction, the Applicant will be required to prepare and implement a construction management plan that includes a construction parking and hauling plan. Said plan will be reviewed and approved by the Director of Community Development or his designee to determine the amount, appropriate routes, and time of day of heavy hauling truck traffic necessary for demolition and deliveries to the subject site. Therefore, the Project will have no adverse traffic or parking related impacts on the neighborhood.

8.5 As conditioned, the proposed Project will not be detrimental to the public health, safety, or general welfare. The Project, as conditioned, will be constructed in accordance with the City's Building Code standards, and adequate open space living area has been required. As conditioned by this Resolution and for the reasons discussed in the foregoing paragraphs, the proposed Project will not be detrimental to the public health, safety, or general welfare.

Section 9. Based upon the foregoing, the Planning Commission hereby approves Tentative Parcel Map No. 68061 and a Development Plan Review for the Project, subject to the following conditions:

1. Except as modified by the conditions set forth hereafter, the Project shall be developed in substantial compliance with the plans submitted to and reviewed by the Planning Commission at its meeting on March 29, 2007.

2. The Applicant shall protect and maintain all existing street trees adjacent to the subject site during construction of the proposed subdivision. No street trees shall be removed or relocated unless approval from the Department of Recreation and Parks is obtained.
3. The Applicant shall comply with the applicable conditions and permits from the Public Works/Engineering Department/Recreation and Parks Department. (The list of standard conditions is attached hereto as Exhibit A, and is incorporated herein by reference.)
4. The Project shall comply with the Fire Department applicable conditions.

Standard Conditions:

5. The Applicant shall submit a Construction Management Plan to the Department of Community Development for review and approval prior to issuance of a building permit.

The Construction Management Plan shall include, at a minimum, the following:

- a. Written information about the construction parking arrangements and hauling activities at different stages of construction to be reviewed and approved by the Engineering Division of Public Works and the Building and Safety Department. On-street parking shall be prohibited at all times. The plan shall indicate arrangements for construction parking at a nearby site where the workers can be transported to and from the Project site.
- b. Information regarding the anticipated number of workers, the location of parking with respect to schedules during the construction period, the arrangements of deliveries, hauling activities, the length of time of operation, designation of construction staging area and other pertaining information regarding construction related traffic.

- c. 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.
6. Construction vehicular movements in and out of the construction site shall be controlled by flagmen located on Lasky Drive and the adjacent alley, to the extent necessary to ensure traffic safety.
7. In addition to the conditions set forth in this Resolution, the Tentative Parcel Map shall comply with all conditions required by the City's various departments, including but not limited to the conditions, if any, imposed by the Departments of Public Works, Engineering, Building and Safety, Fire and Police. A copy of the standard conditions from the Public Works/Engineering Department is attached hereto as Exhibit A and incorporated herein by this reference.
8. During construction, the Applicant shall install a minimum twelve-foot (12') construction fence to reduce noise and dust impacts on neighboring properties.
9. In accordance with the provisions of Section 10-2-704 of the Beverly Hills Municipal Code, prior to approval of the Final Map, the Applicant shall submit a copy of the proposed covenants, conditions and restrictions (CC&Rs) for the Project to the City Attorney for review and approval, which CC&Rs shall be recorded before or at the same time as recordation of the final map.
10. The Applicant shall maintain the site in an orderly condition prior to commencement of and during construction, including but not limited to, maintenance of the orderly appearance of existing structures and landscaping on the site, dust suppression for areas cleared by

demolition, maintenance of safety barriers and adjacent public sidewalks, and provision of a contact person directly accessible to the public by telephone in the event that the public has any concerns regarding the maintenance of the site. The name and telephone number of the contact person shall be transmitted to the Director of Community Development and the Building Official. In addition, the Applicant shall post the name and telephone number of the contact person on the site in a location readily visible to the general public and approved by the Director of Community Development. Said signs shall also include the name and number for a City contact from the Community Development Department. The Applicant representatives' telephone number provided shall be manned during construction hours.

11. The Applicant shall secure all necessary permits from the Public Works Department and the Engineering Division prior to commencement of any demolition or Project related work.
12. Approval of this Project is subject to any and all other discretionary approvals required by the City for the Project and for the approval of the Tentative Parcel Map.
13. Within three working days after approval of this Resolution, the Applicant shall remit to the City a cashier's check, payable to the County Clerk, in the amount of \$25.00 for a documentary handling fee in connection with Fish and Game Code requirements. If the Department of Fish and Game determines that this Project is not exempt from a filing fee imposed pursuant to Fish and Game Code Section 711.4, then the Applicant shall also pay to the Department such fee and any fine which the Department determines to be owed.
14. A cash deposit of \$10,000 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 the additional deposit is received by the City. If the Applicant timely requests a hearing, said deposit will not be forfeited until after such time that the Applicant has been provided an opportunity to appear and offer evidence to the City, and the City determines that substantial evidence supports forfeiture. Any subsequent violation will trigger forfeiture of the additional deposit, the issuance of a stop work notice, and the deposit of an additional \$10,000, pursuant to the procedure set forth herein above. All amounts deposited with the City shall be deposited in an interest bearing account. The Applicant shall be reimbursed all interest accruing on monies deposited.

The requirements of this condition are in addition to any other remedy that the City may have in law or equity and shall not be the sole remedy of the City in the event of a violation of the conditions of this Resolution or the Beverly Hills Municipal Code.

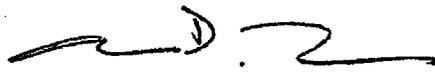
15. The conditions set forth in this Resolution shall run with the land and shall remain in force for the duration of the life of the Project.
16. This Resolution approving Tentative Parcel Map No. 68061 and issuing a Development Plan Review (collectively the "Approvals") shall not become effective until 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 decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this Resolution approving the Project **shall be null and void and of no further effect**. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60-day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the Project.

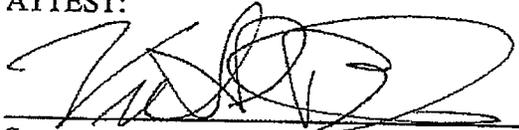
Section 10. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted: **April 25, 2007**



Noah D. Furie
Chair of the Planning Commission
of the City of Beverly Hills, California

ATTEST:



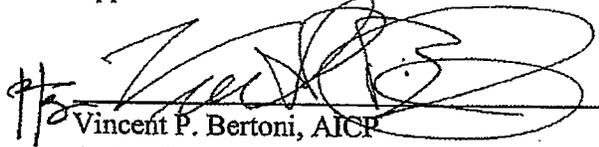
Secretary

Approved as to form:

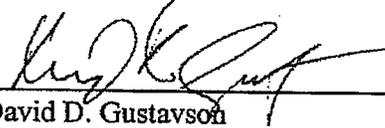


David M. Snow
Assistant City Attorney

Approved as to content:



Vincent P. Bertoni, AICP
Acting Director of Community Development



David D. Gustavson
Director of Public Works and Transportation

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

I, VINCENT P. BERTONI, Secretary of the Planning Commission and Director of Community Development (the "Director") of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 1464 duly passed, approved and adopted by the Planning Commission of said City at a meeting of said Commission on April 25, 2007, and thereafter duly signed by the Secretary of the Planning Commission, as indicated; and that the Planning Commission of the City consists of three (3) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES: Commissioners Reims, Marks, and Chair Furie

NOES: None.

ABSTAIN: None.



VINCENT P. BERTONI, AICP
Secretary of the Planning Commission /
Director of Community Development
City of Beverly Hills, California

Attachment 4



CITY OF BEVERLY HILLS
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM

To: Tristan Malabanan, PE, Civil Engineer
From: Ryan Gohlich, Senior Planner
Date: January 6, 2015
Subject: Approval of Final Tract Map No. 68061 (208 Lasky Drive)

Planning has completed its review of Resolution No. 1464, adopted by the Planning Commission on April 25, 2007, which approved the above cited Tentative Tract Map.

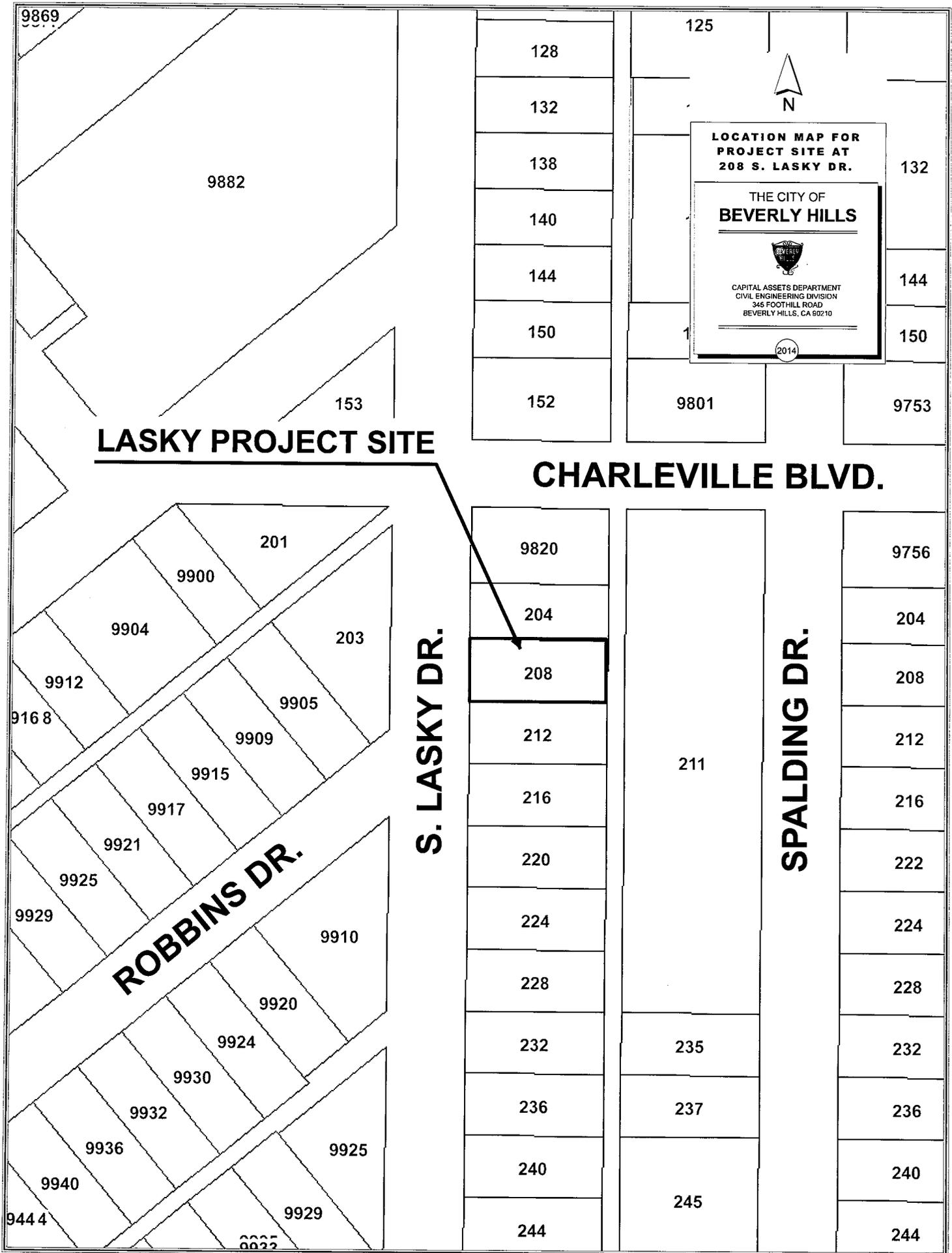
Planning Commission Resolution 1544 includes Conditions 1 through 16. This memo serves to confirm that all applicable conditions of approval pertaining to adoption of a Final Map for the project have been satisfied.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ryan Gohlich".

Ryan Gohlich, Senior Planner

Attachment 5



9869

9882

153

LASKY PROJECT SITE

CHARLEVILLE BLVD.

S. LASKY DR.

ROBBINS DR.

SPALDING DR.

125

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140

144

150

152

9801

132

144

150

9753



201

9900

9904

203

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9905

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ROBBINS DR.

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