STAFF REPORT

Meeting Date: April 5, 2016

To: Honorable Mayor & City Council

From: Ryan Gohlich, AICP, Assistant Director of Community Development

Subject: Request by Mayor Mirisch for City Council Review of the Planning Commission's decision approving a Vesting Tentative Tract Map, Development Plan Review, and Density Bonus Permit to allow the construction of a 4-story, 8-unit condominium building on the property located at 250 North Crescent Drive.

Attachments:
1. Municipal Code Excerpts BHMC Section 1-4-201, et seq.
2. Planning Commission Staff Report (Without Attachments)
3. Planning Commission Resolution

BACKGROUND

Mayor Mirisch has requested this item be placed on the City Council's agenda to determine if there is Council support to call the subject Planning Commission decision up for review. If the City Council orders the review, this matter would be scheduled for consideration at a future public hearing.

DISCUSSION

On March 10, 2016 the Planning Commission approved an application for a Vesting Tentative Tract Map, Development Plan Review, and Density Bonus Permit to allow the construction of a new 4-story, 8-unit multi-family building proposed under the State Density Bonus provisions for projects with an affordable housing component on the property located at 250 North Crescent Drive. The State Density Bonus statute provides developers with incentives and code waivers associated with the construction of affordable housing, including increased density and relief from certain development standards that might otherwise preclude the development of affordable housing. The City's General Plan and Municipal Code further support the State's goals by including provisions intended to promote affordable housing in Beverly Hills.

The application included the following requests: 1) a code waiver request to allow one story of additional height (4 stories in a 3-story zone) in order to physically accommodate the number of units allowed under the Density Bonus statute; 2) a request for two development incentives (reduced cumulative side setback and reduced building modulation), and 3) application of the parking requirements set forth in the Density Bonus statute. The project includes one unit designated for a very low-income

household, which qualifies the project for the requested height waiver, development incentives, and parking standards.

As noted on pages 7 and 8 of the March 10, 2016 Planning Commission staff report (Attachment 2), based on the percentage of very low income units provided, State Density Bonus standards (California Government Code Section 65915) would allow for a maximum density of 10 units at the project site, however, 8 units were requested.

Additionally, pursuant to the State Density Bonus statute, development projects where at least 10% of the base units are designated for very low income households are eligible to request two development incentives. Pursuant to California Government Code Section 65915(e), in addition to the number of incentives that the applicant is entitled to, the applicant may also request a code waiver when the existing development standards (height, setbacks, etc.) physically preclude the allowed number of units from being constructed on the site. The applicant is unable to fit 8 units within a three-story building envelope, as each of the 8 units[1] ranges from either being right at the code-required minimum unit size[2], or no greater than 140 square feet above the minimum unit size, meaning the unit sizes could not be reduced to the point of fitting within a 3-story building. Accordingly, the applicant requested authorization of a fourth story to physically accommodate the allowed units.

While the application initially envisioned the 8 units—including the affordable unit—as for-sale units, at the request of the Planning Commission, the applicant agreed to operate the affordable unit as a rental apartment as opposed to a for-sale condominium.

The Resolution adopted by the Planning Commission is attached hereto to provide a more detailed explanation of the Commission's determination as to the Vesting Tentative Tract Map, Development Plan Review, and Density Bonus Permit.

Pursuant to Beverly Hills Municipal Code Section 1-4-201, et seq., the City Council may order a review of any decision made by any commission, board, or official of the city. The process to initiate this review and set a hearing is specifically set forth in the municipal code, and those provisions are attached for reference.

The City Council must order any review within 30 days of the Planning Commission's approval, which was on March 10, 2016. If a review is ordered, the Planning Commission's action will be stayed until the Council review is final.

The decision to order a review at the April 5th City Council Meeting shall be limited to the question of whether to call the item up for a hearing before the City Council at a future formal meeting, and shall not include any evaluation or assessment of the merits or circumstances of the case or the Planning Commission's action. That discussion would take place at a noticed public hearing at an upcoming Council meeting.

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[1] The 7 market-rate units each have two bedrooms, and the affordable unit has one bedroom.

[2] Two-bedroom units must be a minimum of 1,300 square feet, and one-bedroom units must be a minimum of 1,000 square feet.

FISCAL IMPACT

The recommendation in this report does not have significant budget or fiscal impacts for the City. It is noted that a City Council public hearing will result in cost to the City associated with public notices. The public notice cost would total approximately $2,500.00 and would be appropriated from the City Clerk's budget.

RECOMMENDATION

It is recommended that the City Council make a determination as to whether or not the subject Planning Commission action will be called up for review.

Susan Healy Keene, AICP
Approved By

Attachment 1

Municipal Code Excerpts BHMC
Section 1-4-201, et seq.

Article 2. Council Ordered Review of Administrative Decisions

1-4-201: RIGHT TO REVIEW:

The council may order a review of any decision made by any commission, board, or official of the city, except as otherwise provided in this code. Such review may be ordered by motion of the council duly adopted within thirty (30) calendar days after the issuance of the decision. If the council orders a review of a decision, the effectiveness of such decision shall be stayed until council review is final. (1962 Code § 1-6.201; amd. Ord. 94-O-2211, eff. 9-2-1994)

1-4-202: SETTING HEARINGS:

Upon the adoption of an order for a review of a decision, the mayor shall fix a time and place for the hearing. At least ten (10) days prior to the hearing, written notice shall be mailed to the applicant and such other persons who appeared and addressed the board, commission, or official at the previous hearing on the matter, and such other notice as required by law for the previous hearing shall also be given. (1962 Code § 1-6.202)

1-4-203: HEARINGS BY THE COUNCIL:

Unless otherwise ordered and noticed, hearings shall be held as a part of the regular meetings of the council. The hearings shall be do novo in that an independent reexamination of the matter shall be made. The council may decide the matter upon the record or may take additional evidence. Any oral or documentary evidence may be received, but the mayor shall exclude irrelevant, immaterial, or unduly repetitious evidence. It shall not be a ground for objection that the evidence is hearsay or secondary, but the council's decision shall be made upon substantial evidence. (1962 Code § 1-6.203)

1-4-204: DECISIONS AND FINDINGS:

The provisions of sections 1-4-107 and 1-4-108 of this chapter shall be applicable to the decisions of the council. (1962 Code § 1-6.204)

Attachment 2

Planning Commission
Staff Report

City of Beverly Hills
Planning Division
455 N. Rexford Drive Beverly Hills, CA 90210
TEL. (310) 285-1141 FAX. (310) 858-5966

Planning Commission Report

Meeting Date: March 10, 2016

Subject: **250 North Crescent Drive**
8-Unit Condominium Project
Request for a Vesting Tentative Tract Map, Development Plan Review, and Density Bonus Permit to allow the construction of a 4-story, 8-unit condominium building on the property located at 250 N. Crescent Drive.

Project Applicant: BH Premier Investments, LP
Representative: Truman & Elliott LLP

Recommendation: That the Planning Commission:
1. Conduct a public hearing and receive testimony on the project; and
2. Adopt the attached resolution conditionally approving the requests.

REPORT SUMMARY

The proposed project involves the construction of a new 4-story, 8-unit condominium building proposed under the state Density Bonus provisions for affordable housing. The application includes the following requests: 1) a density increase; 2) a code waiver request to allow one story of additional height; and 3) a request for two development incentives (reduced side setback and building modulation). These requests are being made in accordance with the City's Density Bonus Regulations identified in Article 15.2 of the City's Zoning Code and California Government Code §65915. The proposed project includes one unit designated for a very low-income household which qualifies the project for the requested density bonus, code waiver, and development incentives.

This report analyzes key project components including the density bonus and requested incentives, scale and massing, rooftop uses, parking, and traffic. Based on the analysis contained in this report, the proposed project is not expected to result in any significantly adverse impacts, is consistent with state and local Density Bonus provisions, and will contribute to the City's supply of affordable housing. Accordingly, the recommendation in this report is for project approval.

Attachment(s):
A. Required Findings
B. Draft Approval Resolution
C. Public Notice
D. Public Comment Letters (3)
E. Class 32 Categorical Exemption Report
F. Architectural Plans

Report Author and Contact Information:
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(310) 285-1195
cdelatorre@beverlyhills.org

BACKGROUND

File Date	4/14/2015
Application Complete	6/5/2015
CEQA Determination	Class 32 Categorical Exemption for infill development
CEQA Deadline	60 Days from CEQA Determination
Permit Streamlining	Take action on project within 60 days of CEQA determination
Applicant(s)	BH Premier Investments, LP
Owner(s)	BH Premier Investments, LP
Representative(s)	Todd Elliott of Truman & Elliott LLP
Prior PC Action	None
Prior Council Action	None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	250 N. Crescent Drive
Legal Description and APN	Beverly Lot 4 Block 15; 4343-003-004
Zoning District	R-4
General Plan	Multi-Family Residential Low-Medium Density
Existing Land Use(s)	Vacant site
Lot Dimensions & Area	50.04' (width) x 151.01'(depth) = 7,556 square feet
Year Built	N/A, the site is currently vacant.
Historic Resource	N/A, the site is currently vacant.
Protected Trees/Grove	None

Adjacent Zoning and Land Uses

North	R-4 – Multi-Family condominiums
East (across alley)	R-1.8X – Single-Family Residential
South	R-4 – Multi-Family apartment
West (across Crescent Drive)	RMCP (Multi-Family Residential-Commercial Parking Zone) – Whole Foods and Senior Housing

Circulation and Parking

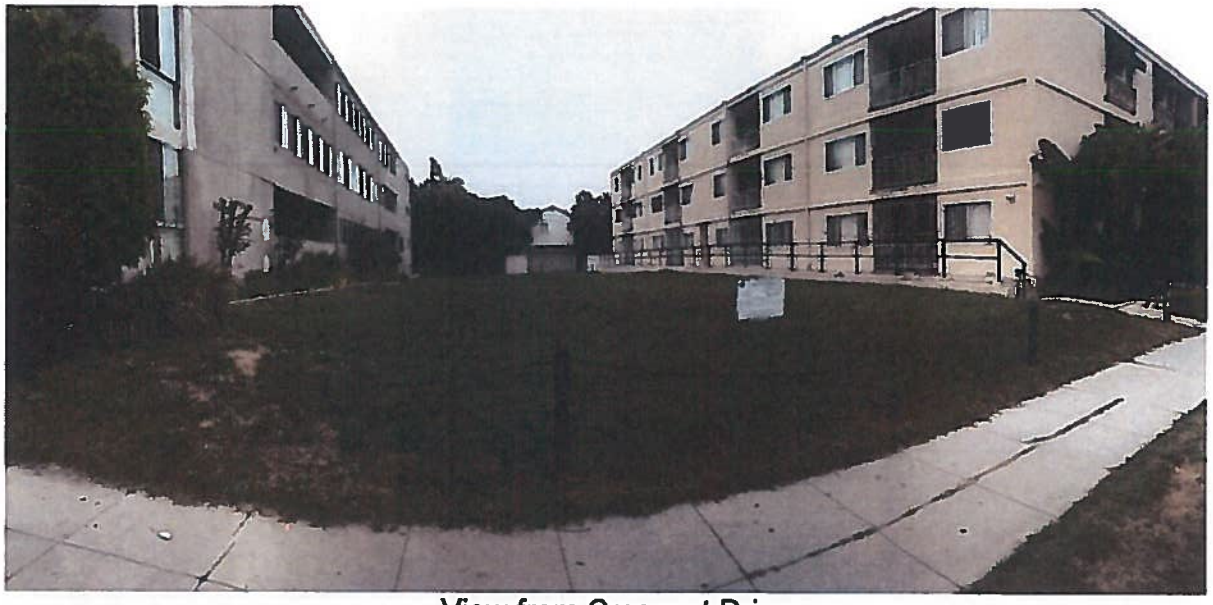
Adjacent Street(s)	North Crescent Drive, Dayton and Clifton Ways
Traffic Volume	Average Daily Trips on North Crescent Drive: 9,300; Average Daily Trips on Dayton Way: 6,548; Average Daily Trips on Clifton Way: 4,400
Adjacent Alleys	20', Two-way, north-south alley at rear of property
Parkways & Sidewalks	Crescent Drive sidewalk/parkway – 12.5' from face of curb to property line
Parking Restrictions	Free 2-hour parking (8AM – 6PM except Sunday) on the east side of

	Crescent Drive with overnight parking (2:30 AM – 5 AM) by permit only; One-hour (Mon – Sat: 8AM – 6PM (1 hour) metered parking as well as 20-minute metered parking on the west side of Crescent Drive
Nearest Intersection	Crescent Drive and Dayton Way
Circulation Element	Crescent Drive is a local street

Neighborhood Character

The project site is located on the east side of North Crescent Drive between Dayton and Clifton Ways in the Central Area of the City. The project site is immediately bordered by a four-story condominium building to the north, a three-story apartment building to the south, single-family uses across a 20'-alley to the east, and mixed use to the west, across Crescent Drive. Development on Crescent Drive is characterized by apartment and condominium buildings with heights that range between two to four stories.

Project Site Looking North



View from Crescent Drive

PROJECT DESCRIPTION

The proposed project involves construction of a new 4-story, 45-foot tall condominium building containing 8 residential units, 14 subterranean parking spaces, and one ground floor parking space. The project is proposed to be constructed in accordance with City and State Density Bonus regulations. The Density Bonus requests are discussed in more detail later in this report.

The proposed building contains approximately 12,400-square-feet of floor area on a 7,556 square-foot parcel. The project includes one level of subterranean parking, four levels of residential units, and a rooftop open space common area. The project includes seven two-bedroom units and a single one-bedroom unit designated for "very low income" housing. A new driveway connecting to the existing alley at the rear of the site will provide access to on-site underground parking. A second driveway, also connecting to the existing alley at the rear of the site, will provide access to a single ground floor parking space enclosed at the rear of the building. Pedestrians will have direct access to the building from Crescent Drive though entrances located on the sides of the new building.

Required Entitlements. As proposed, the project requires the following entitlements:

- **Vesting Tentative Tract Map:** Required to allow the subdivision of air space, which enables the creation of individual condominium units that can be sold separately.

- **Development Plan Review:** Required for general discretionary review of the proposed condominium and for a project constructed pursuant to a density bonus permit.

- **Density Bonus Permit:** Required in order to construct a project pursuant to the State Density Bonus program, which allows for increased density and development incentives when affordable housing units are contained within a development project.

GENERAL PLAN[1] POLICIES

The General Plan includes numerous goals and policies intended to help guide development in the City. Some policies relevant to the Planning Commission's review of the project include:

- **Policy LU 2.1 City Places: Neighborhoods, Districts, and Corridors.** Maintain and enhance the character, distribution, built form, scale, and aesthetic qualities of the City's distinctive residential neighborhoods, business districts, corridors, and open spaces.

- **Policy LU 2.4 Architectural and Site Design.** Require that new construction and renovation of existing buildings and properties exhibit a high level of excellence in site planning, architectural design, building materials, use of sustainable design and construction practices, landscaping, and amenities that contribute to the City's distinctive image and complement existing development.

- **Policy LU 5.2 Infill and Replacement Housing.** Accommodate new and renovated housing within existing neighborhoods that is consistent with contextual parcel sizes, densities, built form and scale.

- **Policy LU 16.10 Affordable Housing.** Support the development of affordable housing as required by State law.

- **Policy H 2.1 Affordable Housing Incentives.** Offer incentives, including density bonuses, where feasible to offset or reduce the costs of developing affordable housing. Proactively seek out new approaches in the provision of affordable housing.

ENVIRONMENTAL ASSESSMENT

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Projects characterized as in-fill development that meet certain criteria are categorically exempt from CEQA pursuant to Section 15332 of the State CEQA Guidelines. The project meets all five of the following criteria set forth in Section 15332 of the State CEQA Guidelines for in-fill development projects:

a) The project is consistent with the applicable general plan designation and all
b) applicable general plan policies as well as with applicable zoning designation and regulations.
c) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

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[1] Available online at http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp

d) The project site has no value as habitat for endangered, rare, or threatened species.
e) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
f) The site can be adequately served by all required utilities and public services.

Therefore, this project has been determined to be exempt from further environmental review under CEQA. The Class 32 Categorical Exemption Report is included as Attachment E for reference.

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	N/A	N/A	3/3/2016	7 Days
Newspaper Notice	10 Days	2/29/2016	2/25/2016 (The Weekly)	14 Days
Mailed Notice (Owners & Residential Occupants - 500' Radius + block-face)	10 Days	2/29/2016	2/29/2016	10 Days
Property Posting	10 Days	2/29/2016	2/26/2016	13 Days
Website	N/A	N/A	3/3/2016	7 Days

Public Comment
Two letters in support of the project were received prior to the public comment period and one letter in support of the project was received during the public comment period. A call was also received on February 23, 2016 from a potential buyer of a condominium unit in an adjacent building. The caller requested project information to evaluate potential shadow impacts on the unit he is considering purchasing. Please see Attachment D for the public comment letters.

ANALYSIS[2]

Project approval, conditional approval or denial is based upon specific findings for each discretionary application requested by the applicant. The specific findings that must be made in order to approve the project are provided as Attachment A to this report, and may be used to guide the Planning Commission's deliberation of the subject project.

In reviewing the requested entitlements, the Commission may wish to consider the following information as it relates to the project and required findings.

[2] The information provided in this section is based on analysis prepared by the report author prior to the public hearing. The Planning Commission in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to make alternate findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

Density Bonus and Incentives. The State of California has identified a regional need for affordable housing. In order to address this need for affordable housing, the State has adopted a statute to encourage the development of affordable housing units. The State Density Bonus statute provides developers with incentives to construct affordable housing, including increased density and relief from certain development standards that might otherwise discourage the development of affordable housing. The City's General Plan and Municipal Code further support the State's goals by including provisions intended to promote affordable housing in Beverly Hills.

The proposed project includes one unit designated for a very low-income household (a household that earns 50% or less of the area median income)[3], and is therefore proposed to be constructed in accordance with State Density Bonus standards (California Government Code Section 65915). Based on the very low income units proposed as part of the project, the applicant seeks the following density bonus and development incentives:

- **Density Increase:** Density Bonus standards allow for a certain percentage increase in density, which is based on the percentage of "total units" (the maximum number of units allowed under General Plan density standards, without the inclusion of bonus units) that are designated for very low income households. In this case, the number of base units that could be built under the City's General Plan is seven units, and the number of very low income units proposed is one. Therefore, 14.3% (one divided by seven) of the base units would be very low income. The Density Bonus standards state that whenever 11% or more of the "total units" are designated for very low income, a 35% increase in density shall be provided. Further, all density calculations are required to be rounded up to the next whole number. Therefore, approval of the Density Bonus Permit, with the inclusion of one very low income unit, would allow for a maximum density of 10 units. This calculation is further explained below.

[3] Per http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/reports/state/incnote.html. 2015 income limits for very low income households in Los Angeles County are set forth as follows:

Number of Persons in Household	1	2	3	4	5	6	7
Maximum Household Income to Qualify as Very Low Income	$29,900	$34,200	$38,450	$42,700	$46,150	$49,550	$52,950

Density Calculations

Total Units. This is the number of units allowed under General Plan density standards[4]. The General Plan allows 40 dwelling units per acre on the project site, or 1 unit per 0.17 square feet of site area. The site area is 7,556 square feet, and an acre is 43,560 square feet.	40 x (7,556 SF/43,560 SF) =6.9 (rounds to 7) =7 total units
Percentage of Very Low Income Units. The percentage of very low income units is achieved by dividing the number of very low income units by the "total units." In this case, one very low income unit is provided.	1 ÷ 7 =14.3%
Density Bonus. The State Density Bonus provides for a 35% density bonus whenever 11% or more of the "total units" are very low income. In this case 14.3% of the "total units" are very low income, so the project is eligible for the 35% bonus.	7 x 35% =2.45 (rounds to 3) =3 bonus units
Maximum Density. This is the total number of units that can be built pursuant to State Density Bonus standards.	7 + 3 =10 units

- **Development Incentives:** Pursuant to the State Density Bonus statute, development projects where at least 10% of the base units are designated for very low income households are eligible to request two development incentives. An applicant may also request a density waiver[5] in addition to the number of incentives that the applicant is entitled to. In the case of the proposed project, 14.3% of the base units are designated for a very low income household, so the project is eligible to receive two development incentives. The incentives and the density waiver requested by the applicant are as follows:

    - **Additional Height (density waiver):** The City's zoning code requires a maximum height of 3 stories or 33 feet for sites located within the Multi-Family Residential Height District A. The applicant requests a density waiver to allow the proposed project to be built at 4 stories and 45 feet in height.

    - **Reduced Modulation (incentive):** The City's zoning code requires 525 square-feet of façade modulation. The applicant is requesting a density bonus incentive to reduce the required modulation by 259-square-feet, which would result in a building with 266 square feet of modulation.

    - **Reduced Side Setback Sum (incentive):** The City's zoning code requires the sum for the side setbacks to be at least 19' and each setback to be at least 8'.

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[4] State Density Bonus standards require that whenever there is a conflict between the densities set by the zoning code and General Plan, General Plan densities shall prevail. The zoning code would allow for the construction of 4 units, while the General Plan would allow for the construction of 7 units.

[5] A waiver may be requested by an applicant when the existing development standards (height, setbacks, etc.) physically preclude the allowed number of units from being constructed. The applicant is unable to fit 8 units within a three-story building envelope, and is requesting authorization of a fourth story to accommodate the allowed units.

The applicant requests a density bonus incentive to allow a 3-foot reduction in the sum setback requirement, resulting in 8-foot side setbacks on the north and south of the site, with a side setback sum of 16'.

- **Parking:** Standard parking requirements set forth in the Municipal Code are based on the number of bedrooms in each unit; however, State law provides that parking requirements set forth in the Density Bonus statute prevail over local requirements. The State parking requirements applicable to this project are less stringent than those set forth in the Beverly Hills Municipal Code. The applicant requests that the project be subject to the State Density Bonus parking requirements, which require a maximum of one onsite space for studio and one-bedroom units, and a maximum of two onsite spaces for two- and three-bedroom units (inclusive of handicapped and guest parking). State Density Bonus parking requirements also allow a development to provide onsite parking through tandem or uncovered parking. Eight of the 14 spaces located in the subterranean garage are proposed as tandem spaces. A comparison of standard parking required for the project versus State Density Bonus standards is set forth below.

Parking Requirement Comparison

Unit Type	Number of Units	Standard Parking Requirement	State Density Bonus Parking Requirement
1 Bedroom	1	2 (2 per unit)	1 (1 per unit)
2 Bedroom	7	17.5 (2.5 per unit)	14 (2 per unit)
Guest Parking	N/A	2 (1 space per 4 units)	0
Totals	**8**	**22**	**15** (15 are proposed)

Scale and Massing. The project includes a density waiver request to allow a 45'-tall, four story building. The proposed project exceeds the height allowed in the Municipal Code for the subject property by one story and 12 feet (the allowed height is three stories or 33', whichever is less). Based on the proposed design, the four-story project would be slightly taller than the four-story, 42'-tall condominium building located immediately north of the project site, and taller than the three-story, 28'-tall apartment building located immediately south of the project site. Additionally, the proposed project would be located across from a mixed-use building containing a Whole Foods Market that is approximately 50'-tall. To the east of the project site, are one- and two-story single-family residences; however, the residences are buffered from the proposed project by a 20-foot alley to the rear of the site in addition to the project's 15'-1" rear setback. Based on the variations in height of surrounding development, the proposed project is consistent with multi-family properties on North Crescent Drive and acts as an appropriate transition from the mixed-use project located across North Crescent Drive to the single-family properties located to the east of the project, across the alley. Although the overall height is anticipated to be consistent with the character of the multi-story residential and mixed use neighborhood, the proposed project also includes requests for reduced modulation requirements and a reduced side setback sum requirement (consistent with State-authorized provisions for density bonus projects), which should be considered in analyzing the scale and mass of the project.

The required front setback along the subject portion of North Crescent Drive is 15'. The adjacent property to the north was constructed with an approximately 13' front setback and the property to the south was constructed with a 15' front setback. Although façade modulation reduction is requested, the proposed project includes front façade balconies that will still contribute to building modulation. The front balconies are proposed to be located 3' closer to North Crescent Drive than the adjacent building to the south because the balconies would encroach up to 3' into the 15' setback, causing portions of the building to be located as close as 12' to the adjacent sidewalk. Despite the reduction in the front setback, the 12' would be consistent with the front setback of the adjacent building to the north and staff notes that other multi-family developments on this block of North Crescent Drive have similar front setback distances. Therefore, the requested façade modulation reduction would not be inconsistent with the existing character of North Crescent Drive, and the project's scale and massing is expected to be compatible with the surrounding neighborhood. Furthermore, inclusion of appropriate landscaping within the front setback could improve the building's interface with the streetscape and help reduce the building's scale and mass impacts.

Rooftop Uses. The proposed project includes a rooftop deck that would serve as the building's common open space. The proposed rooftop amenities include a BBQ area, seating, a dog washing area, and an area for dogs. The Planning Division has observed that outdoor space has become more popular on residential buildings over the past few decades, and recently approved/constructed projects have typically contained rooftop amenities for residents. The rooftop amenities help to improve the quality of multi-family projects; however, rooftop amenities also have the possibility of impacting surrounding residential uses if not properly designed and regulated. In the case of the proposed project, the location of sloped skylights, stair and elevator enclosures, and mechanical equipment on the rooftop provide a 15-foot setback along the northern property line from proposed uses on the rooftop because this area is inaccessible. The dog washing area is proposed towards the rear of the roof, however, staff recommends against the placement of the dog wash at the rear of the rooftop, and instead has included a recommendation for a 10-foot setback at the rear of the rooftop so that a 45' buffer (inclusive of the site's 15' rear setback and the 20' alley) is provided to the single-family properties located to the rear of the project. Staff also recommends full screening in the form of landscaping to be located at the rear of the rooftop to ensure that privacy impacts to the single-family properties are mitigated. The location of proposed planters along the south side of the rooftop helps screen views to the adjacent apartment building; however, privacy impacts are not anticipated because views to the adjacent three-story building would be limited to the building's roof. While staff supports the general design of the rooftop amenities, staff has recommended additional conditions regarding rooftop hours, music, and use, similar to conditions imposed on other projects with residential rooftop amenities.

Parking. As proposed, the project does not meet the standard Municipal Code parking requirements, which would require the provision of 22 parking spaces for the subject property; however, the project does meet the State-mandated 15-space parking requirement for a density bonus project by providing 15 standard parking spaces, eight of which are tandem. Although the provided parking does not meet the Municipal Code parking

requirements, a number of City parking structures located near the site[6] provide ample parking that could offset any potential deficit. The following are the closest public parking structures to the project site:

- 221 N Crescent parking structure (located immediately across the street from the project site)
  - 720 spaces
  - Hours: Daily 6AM – 2AM
  - Rate: Daily Maximum: $12.00; monthly rate: $95.00
- 9385 Dayton Way – Dayton Way Garage
  - 221 spaces
  - Hours: Mon – Fri 6AM – 10 PM; Sat 6AM – 8 PM; Sun 9AM – 6PM
  - Rate: Daily Maximum: $16.00; monthly rate: $95.00
- 333 N Crescent Drive parking structure (on North Crescent, northwest of the project site)
  - 940 spaces
  - Hours: Mon – Fri 6AM – 10PM; Sat 6AM – 8PM; Closed Sunday
  - Rate: Daily Maximum: $12.00; monthly rate: $95.00

Furthermore, parking impacts to the nearby single-family residential zone are not anticipated due to preferential permit parking regulations. Parking on both sides of the 200 and 300 blocks of North Rexford Drive is restricted daily during all hours of the day except by permit. Therefore, because the project is surrounded by public parking and the parking in the nearby single-family residential zone is permit-restricted, the parking provided is considered to be sufficient and no parking impact is anticipated to result from the project.

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt the attached resolution approving the requested entitlements.

Alternatively, the Planning Commission may consider the following actions:

1. Deny the project, or portions of the project, based on specific findings.
2. Direct staff or applicant as appropriate and continue the hearing to a date (un)certain, consistent with permit processing timelines.

Report Reviewed By:

Masa Alkire, AICP, Principal Planner

[6] http://www.beverlyhills.org/citygovernment/parkingservices/parkinglocationsmap/

Attachment 3

Planning Commission
Resolution

RESOLUTION NO. 1768

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A VESTING TENTATIVE TRACT MAP, DEVELOPMENT PLAN REVIEW, AND DENSITY BONUS PERMIT TO ALLOW THE CONSTRUCTION OF AN 8-UNIT CONDOMINIUM PROJECT ON THE PROPERTY LOCATED AT 250 NORTH CRESCENT DRIVE.

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

Section 1. BH Premier Investments, LP., applicant and property owner (the "Applicant"), has submitted an application for a Vesting Tentative Tract Map to allow the units to be sold individually as condominiums, a Development Plan Review to allow the general construction of the Project, and a Density Bonus Permit based on the inclusion of one very low income housing unit, all of which are associated with the construction of an 8-unit condominium project on the property located at 250 North Crescent Drive (the "Project"). The entitlements required to approve the Project may be approved by the Planning Commission if specific findings can be made in support of the Project.

Section 2. The Project site is located along North Crescent Drive, between Dayton and Clifton Ways in the Central Area of the City. The project site is immediately bordered by a four-story condominium building to the north, a three-story apartment building to the south, single-family uses across a 20'-alley to the east, and mixed use to the west, across Crescent Drive. Development on Crescent Drive is characterized by apartment and condominium buildings with heights that range between two to four stories.

The project involves construction of a new four-story, 45-foot tall condominium building containing eight residential units, 14 subterranean parking spaces, and one ground floor parking space. The project is proposed to be constructed in accordance with State Density Bonus standards. The project contains approximately 12,400-square-feet of floor area on a site area of 7,556 square feet. The project includes one level of subterranean parking, four levels of residential units, and a rooftop common area. The project provides seven two-bedroom units and one, one-bedroom unit designated for "very low income" housing. Access to on-site parking would be provided by one driveway from the existing alley at the rear of the site, which would lead from the alley to the underground parking level. Access to the one parking space on the ground floor would also be provided by a second driveway from the existing alley at the rear of the site. Pedestrians would have direct access to the building from Crescent Drive through entrances located on the sides of the new building. The Project includes the following components:

- Density Increase: Density Bonus standards allow for a certain percentage increase in density, which is based on the percentage of "total units" (the maximum number of units allowed under General Plan density standards, without the inclusion of bonus units) that are designated for very low income households. In this case, the number of base units that could be built under the City's General Plan is 7 units, and the number of very low income units proposed is one. Therefore, 14.3% (one divided by 7) of the base units would be very low income. The Density Bonus standards state that whenever 11% or more of the "total units" are designated for very low income, a 35% increase in density shall be provided. Further, all density calculations are required to be rounded up to the next whole number. Therefore, approval of the Density Bonus Permit,

with the inclusion of one very low income unit, would allow for a maximum density of 10 units.

- Development Incentives: Pursuant to the State Density Bonus statute, development projects where at least 10% of the base units are designated for very low income households are eligible to request two development incentives. An applicant may also request a density waiver in addition to the number of incentives that the applicant is entitled to. In the case of the proposed project, 14.3% of the base units are designated for a very low income household, so the project is eligible to receive two development incentives. The incentives requested by the applicant are as follows:

  - Additional Height (density waiver): The City's zoning code requires a maximum height of 3 stories or 33 feet for sites located within the Multi-Family Residential Height District A. The applicant requests a density waiver for the proposed project to be built at 4 stories and 45 feet in height.

  - Reduced Modulation (incentive): The City's zoning code requires 525 square feet of façade modulation. The applicant is requesting a density bonus incentive to reduce the required modulation by 259-square-feet, which would result in a building with 266 square feet of modulation.

  - Reduced Side Setback Sum (incentive): The City's zoning code requires the sum for the side setbacks to be at least 19' and each setback to be at least 8'. The applicant requests a density bonus incentive to allow a 3-foot reduction in the sum setback requirement, resulting in 8-foot side setbacks on the north and south of the site, with a side setback sum of 16'.

- Parking: Standard parking requirements set forth in the Municipal Code are based on the number of bedrooms in each unit; however, State law provides that parking requirements set forth in the Density Bonus Statute, which can be invoked at the Applicant's option, prevail over local requirements. The State parking requirements applicable to this project are less stringent than those set forth in the Beverly Hills Municipal Code. Therefore, the applicant requests that the project be subject to the State Density Bonus parking requirements, which require a maximum of one space for studio and one-bedroom units, and a maximum of two spaces for two- and three-bedroom units (inclusive of handicapped and guest parking). 15 parking spaces are required for the Project pursuant to the Density Bonus Statute, and the Applicant proposes to provide 15 standard parking spaces.

Section 3. The Project has been environmentally reviewed pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.* ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq.*), and the environmental regulations of the City. Projects characterized as in-fill development that meet certain criteria are categorically exempt from CEQA pursuant to Section 15332 of the State CEQA Guidelines. The project meets all five of the following criteria set forth in Section 15332 of the State CEQA Guidelines for in-fill development projects:

a.) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

b.) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

c.) The project site has no value as habitat for endangered, rare, or threatened species.

d.) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

e.) The site can be adequately served by all required utilities and public services.

Therefore, the Planning Commission hereby finds that the project is exempt from further environmental review under CEQA.

Section 4. Notice of the Project and public hearing was mailed on February 29, 2016 to all property owners and residential occupants within a 500-foot radius plus block-face of the property. Additionally, notices were also published in the City's two newspapers on February 26, 2016 and March 3, 2016. On March 10, 2016, the Planning Commission considered the application at duly noticed public hearings. Evidence, both written and oral, was presented at the meetings.

Section 5. A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

1. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;

2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;

3. That the site is not physically suitable for the type of development;

4. That the site is not physically suitable for the proposed density or development;

5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

6. That the design of the subdivision or type of improvements is likely to cause serious public health problems;

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection will apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Section 6. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Vesting Tentative Tract Map:

1. As conditioned, the proposed map, project and its design 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 an eight-unit residential condominium structure, and condominium developments are permitted under the General Plan land-use designation for the project site.

2. As conditioned, the site is physically suitable for the type of development and the proposed density. The site is zoned R-4 and has been vacant since the 1960s. Under the State Density Bonus Statute, the project site can be developed with a maximum density of 10 units; therefore, the development of 8 units is within the permitted density for the subject property. Because of the project's consistency with development in the surrounding area, adequate public facilities exist to serve an 8- unit residential condominium structure.

3. As conditioned, the Project will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project will not significantly impact the area based upon the increase in the number of residential units at the site. Due to the urban location of the project and the vacant (without vegetation) state of the project site and development in the vicinity, there are no fish or wildlife, or their respective habitats, in the vicinity of the project site that could be potentially impacted by the proposed development.

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 site will meet City health code standards. Moreover, the project design respects existing easements and will not conflict with any existing easements maintained by the City.

Section 7. In reviewing the request for a Development Plan Review and Density Bonus Permit, the Planning Commission considered whether it could make the following findings in support of the Project:

1. The proposed plan is consistent with the general plan and any specific plans adopted for the area;

2. The proposed plan will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;

3. The nature, configuration, location, density, height and manner of operation of any commercial development proposed by the plan will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property;

4. The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and

5. The proposed plan will not be detrimental to the public health, safety or general welfare.

Section 8. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Development Plan Review and Density Bonus Permit:

1. The Project, as authorized by the State Density Bonus Statute, meets all zoning requirements and has been determined to be consistent with the requirements and guidance of the General Plan for residential uses located within the multi-family residential R-4 zone. The subject site is surrounded by residential and mixed-use development, and the proposed project would therefore be a harmonious addition to the area. Furthermore, the Project is not located within any specific plans adopted for the area and is consistent with the City's Municipal Code standards for development incentives associated with density bonus projects containing affordable housing units.

2. The Project, as authorized by the State Density Bonus Statute, is consistent with the development standards established in the City's Municipal Code and General Plan. Existing development along North Crescent Drive consists of a four-story condominium building to the north of the site, a three-story apartment building to the south, and apartment and condominium buildings that are typically between two and four stories in height. Construction of the Project, which is a multi-family residential use consistent with surrounding uses, is not anticipated to adversely affect existing and anticipated development on the adjacent, residentially-zoned properties or the RMCP (Multi-Family Residential-Commercial Parking)-zoned properties across Crescent Drive, and is therefore considered to be a harmonious

addition that would help to provide additional housing opportunities within the City, including the provision of one unit reserved for very low income households.

3. The Project is residential in nature and does not include any commercial uses.

4. While the Project would increase the floor area of the vacant site by approximately 12,400 square feet, the increase in daily trips to the site is not substantial. The traffic trip generation analysis, conducted as part of the Class 32 Categorical Exemption Report using the Institute of Transportation Engineers (ITE) trip rates, found that the Project would generate an increase of 46 daily trips, four AM peak hour trips, and four PM peak hour trips. The increase in daily vehicle trips represents an increase of approximately 0.7% over Dayton Way's existing volume if all trips occurred on Dayton Way, and an increase of approximately 0.1% over Clifton Way's existing volume if all trips occurred on Clifton Way (Dayton and Clifton Ways both provide access to the alley leading to the Project's subterranean parking). Based on existing traffic volumes and the projected trips, the Project would not generate any significant impacts related to traffic. Vehicular driveway access is provided via the alley at the rear of the Project site, thereby minimizing traffic safety hazards, pedestrian-vehicle conflicts, and pedestrian-safety hazards. Therefore, the Project is not anticipated to result in any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards.

5. The Project has been designed to be consistent with surrounding development while still being able to accommodate the additional residential units authorized by the State Density Bonus Statute, and is compatible with the existing

residential uses along North Crescent Drive. Because the Project has been designed as a harmonious addition to the neighborhood, and based on the discussions and analysis in Findings 1-4 above, the Project will not be detrimental to the public health, safety, or general welfare.

Section 11. Based on the foregoing, the Planning Commission hereby grants the requested Vesting Tentative Tract Map, Development Plan Review, and Density Bonus Permit, subject to the following conditions:

1. The Planning Commission hereby approves additional height (density waiver), reduced façade modulation (development incentive), and a reduced side setback sum requirement (development incentive) as a combination of density waivers and development incentives for the Project. The total height of the Project is approved at four stories and 45'. The cumulative reduction in the required side setback sum requirement shall be no more than 3' as requested by the Applicant. The required façade modulation is approved at 266 square feet of modulation. Pursuant to the State Density Bonus parking requirements, the parking is approved at 15 spaces, eight of which are tandem spaces.

2. Beverly Hills Municipal Code §10-3-2813 limits front yard paving to one walkway within the front yard setback. The area located on the southern end of the front setback shall be landscaped subject to the City's architectural review process.

3. Sidewalk, and curb and gutter fronting the site on Crescent Drive shall be removed and replaced (according to City standards), and shall be paid for by the applicant.

4. The pavement and center drainage gutter on the alley at the rear of the property shall be removed and replaced according to the City standards, and shall be paid for by the applicant.

5. A Sewer Area Study may be required based on final approved use and occupancy in order to analyze the existing sewer lines within the City of Beverly Hills which will convey the flow from the subject project. The applicant shall pay for the sewer system upgrades (if needed) due to the additional proposed sewage generated from this project.

6. In accordance with the requirements set forth in City Council Resolution 71-R-4269, the applicant shall file a formal written request with the Civil Engineering Division for approval of any type of temporary construction encroachment (steel tieback rods, etc.) within the public right-of-way. Shoring plans and elevations prepared by a registered civil engineer must be submitted for review by the Civil Engineering Division. Shoring elements shall not project in to the alleys. An indemnity bond must be submitted and approved by the City Attorney prior to excavation.

7. The driveway ramp slopes and transitions shall comply with the City's minimum standards, or any alternate standard approved by the City's Transportation Engineer.

8. The opening of the garage shall have enough setback to satisfy the minimum turning radius for a typical passenger vehicle (25.8 feet) to cover the path of the front overhang.

9. The garage gate shall be installed at a location to provide room for at least one vehicle to wait for opening the gate without blocking the traffic within the alley.

10. To ensure visibility for egress traffic, a visual alarm device shall be installed at the exit ramp by the alley. This device shall light up when a vehicle is leaving the garage, alerting the oncoming traffic in the alley.

11. The Project, whether operated as a rental property, as a for-sale condo project, or combination thereof shall contain a minimum of one, one-bedroom dwelling unit designated for occupancy by a very low income household. The finishing products used within the affordable unit shall be the same as the products that are used in the other units in the building. The applicant has offered, and the project is hereby conditioned, to require that the affordable unit shall be a rental unit that is rented in accordance with the City's Affordable Housing Guidelines and the provisions of California Government Code Section 65915 or its successor statute and shall be affordable to very low income households for a minimum of 55 years in accordance with California Government Code Section 65915 or its successor statute. Prior to or concurrently with the recordation of the final map, the Applicant shall record covenants and/or deed restrictions as determined by the City Attorney to ensure that the requirements of this condition are recorded against the subject property

12. The project shall be subject to the review and approval by the Architectural Commission.

13. To mitigate potential noise impacts to neighboring residents, use of the roof deck areas shall be limited to between the hours of 9:00 a.m. to 9:00 p.m., daily, and signage indicating such restrictions shall be installed on the rooftop.

14. Amplified music shall be prohibited on the rooftop.

15. A 10-foot setback and full screening in the form of landscaping shall be provided at the rear of the rooftop, facing the single-family properties across the alley. The dog washing/exercise area shall not be located within the ten-foot roof rear setback and shall be reviewed for substantial compliance with the plans that were submitted for review and approval by the Planning Commission. In addition, no umbrellas or other man-made structures shall be located within ten feet of the western edge of the roof.

16. 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.

17. The applicant shall submit a Construction Management Plan to the Departments of Building and Safety, Public Works, and Transportation 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 & Safety Department.

b. Information regarding the anticipated number of workers, the location of parking with respect to schedules of 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.

d. A sign shall be posted on the temporary construction fence with the name and contact information of the general contractor and the construction supervisor.

e. No parking shall be allowed in the alley during construction except pursuant to a permit issued by the City.

18. The Project shall be constructed in substantial compliance with the plans and specifications approved by the Planning Commission on March 10, 2016.

19. APPEAL. Decisions of the Planning Commission may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeal forms are available in

the City Clerk's office. Decisions involving subdivision maps must be appealed within ten (10) days of the Planning Commission Action. An appeal fee is required.

20. RECORDATION. The resolution approving a Vesting Tentative Tract Map, Development Plan Review, and Density Bonus Permit 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 the 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.

21. EXPIRATION. Vesting Tentative Tract Map: The exercise of rights granted in such approval shall be commenced within two (2) years after the adoption of such resolution unless otherwise extended.

22. EXPIRATION. Development Plan Review and Density Bonus Permit: The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution unless otherwise extended.

23. VIOLATION OF CONDITIONS: A violation of any of these conditions of approval may result in a termination of the entitlements granted herein.

24. This approval is for those plans submitted to the Planning Commission on March 10, 2016, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.

25. Minor amendments to the plans shall be subject to approval by the Director of Community Development. A significant change to the approved Project shall be subject to Planning Commission Review. Construction shall be in conformance with the plans approved herein or as modified by the Planning Commission or Director of Community Development.

26. Project Plans are subject to compliance with all applicable zoning regulations, except as may be expressly modified herein. Project plans shall be subject to a complete Code Compliance review when building plans are submitted for plan check. Compliance with all applicable Municipal Code and General Plan Policies is required prior to the issuance of a building permit.

27. APPROVAL RUNS WITH LAND. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

28. Prior to the issuance of a building permit, all applicable Park and Recreation Facilities Taxes required by the Municipal Code shall be paid.

29. The Project shall operate at all times in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking, or other actions.

30. The Project shall operate at all times in compliance with Municipal Code requirements for Noise Regulation.

31. The Applicant shall protect all existing street trees adjacent to the subject site during construction of the 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 first obtained.

32. 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.

33. 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.

34. 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.

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

36. 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.

37. 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.

38. The Applicant shall obtain the appropriate permits from Civil Engineering for the placement of construction canopies, fences, etc., for 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.

39. 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.

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

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Section 12. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his/her Certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted: March 10, 2016

Alan Robert Block
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:

Ryan Gohlich, AICP
City Planner / Assistant Community
Development Director

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) SS.

CITY OF BEVERLY HILLS)

I, RYAN GOHLICH, AICP, Secretary of the Planning Commission and City Planner of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 1768 duly passed, approved and adopted by the Planning Commission of said City at a meeting of said Commission on March 10, 2016, and thereafter duly signed by the Secretary of the Planning Commission, as indicated; and that the Planning Commission of the City consists of five (5) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES: Commissioners Fisher, Corman, Vice Chair Shooshani, Chair Block.

NOES: None.

ABSTAIN: Commissioner Gordon.

ABSENT: None.

for

RYAN GOHLICH, AICP
Secretary of the Planning Commission /
City Planner
City of Beverly Hills, California