

Attachment 3

**Planning Commission Specific
Plan Resolution with
Attachments (Conditions of
Approval and Beverly Hilton
Specific Plan)**

RESOLUTION NO. 1504

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS RECOMMENDING THAT THE CITY COUNCIL ADOPT THE BEVERLY HILTON SPECIFIC PLAN FOR REVITALIZATION OF THE EXISTING BEVERLY HILTON HOTEL TO ALLOW A NEW LUXURY HOTEL, A NEW LUXURY CONDOMINIUM BUILDING, GARDENS, AND MODIFICATIONS TO THE EXISTING BEVERLY HILTON HOTEL WHICH RESULT IN A DECREASE IN THE TOTAL NUMBER OF HOTEL ROOMS

The Planning Commission of the City of Beverly Hills hereby resolves as follows:

Section 1. The City of Beverly Hills has adopted a General Plan for the City, and is considering adoption of a Specific Plan for the systematic implementation of the General Plan for that property in the City known as 9876 Wilshire Boulevard, described in the legal description attached hereto as Exhibit A, and incorporated herein by reference. The project site is also known as the Beverly Hilton Hotel site.

Section 2. The Planning Commission considered a proposed Specific Plan from Oasis West Realty, LLC, ("Developer") for the project site. After several public hearings and in response to comments from the public and the Planning Commission, the Developer's proposed project consists of a 9-story condominium building with 32 units (Residence A building), an 18-story condominium building with 68 units (Residence B), a 14-story luxury hotel building with 140 hotel rooms and 8 condominium units with a 2-story element including a restaurant, a 2-story conference center and a 3-story poolside room building with 30 hotel rooms (collectively "Developer Proposal"). The Planning Commission considered but rejected the Developer Proposal in favor of the Revised Project as described more fully in the Specific Plan attached hereto as Exhibit B.

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

3.1 The Beverly Hilton Specific Plan is consistent with Section 2.2 of the Land Use Element of the General Plan in that the development contemplated by the Specific Plan is appropriate for the anchor location of the project site, which is located at the western gateway to the City at the intersection of Wilshire Boulevard and Santa Monica Boulevard. The Specific Plan contains a variety of land uses, including hotels, residential condominiums, restaurant, ancillary commercial, and open space. The mix of proposed uses and the project design provides an adequate transition from the single family residential neighborhood to the north as well as the El Rodeo School to the northwest. The design of the buildings and open spaces in the Specific Plan incorporate enhanced setbacks from Wilshire Boulevard, and the building heights step up from north to south. Further, the area is readily accessible from the City's major shopping area and is bounded by Wilshire and Santa Monica Boulevards which are major streets.

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

3.3 The Specific Plan would enable development of housing stock of exceptional quality that offers a variety of housing and neighborhoods rarely found elsewhere (Land Use Element Section 1.1.).

3.4 The Specific Plan, and related Development Agreement, help to implement Housing Element Objective 2.2, in that a significant amount of funding will be provided for use in expanding the City's supply of affordable housing (Housing Element Objective 2.2, and Program 2.6.)

3.5 The Specific Plan is consistent with Housing Element Goal 4, which calls for expanding the variety of housing products, because the type of condominiums contemplated are different from other condominiums in the City due to the luxury elements of the project, its location, and the relationship to the proposed luxury hotel from which luxury services will be available.

3.6 The Specific Plan, with open space at the southeast corner of the intersection of Wilshire Boulevard and Merv Griffin Way, is consistent with Section 3.4 of the Open Space Element of the General Plan in that it provides landscape and public open space that furthers the City's distinctive atmosphere for commercial and residential areas.

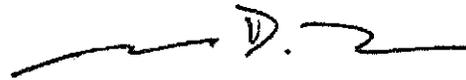
Section 4. The proposed Project, including the Specific Plan, has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq. ("CEQA")), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.) and City's Local CEQA Guidelines. An Environmental Impact Report was prepared and the Planning Commission, by separate resolution, recommended that the City Council certify the Final Environmental Impact Report ("FEIR") and make environmental findings in connection with the adoption of the Project, including adopting a Statement of Overriding Considerations and a Mitigation

Monitoring Program. That Planning Commission Resolution No. 1502 is incorporated herein by this reference.

Section 5. The Planning Commission hereby recommends that the City Council adopt the Beverly Hilton Specific Plan, attached hereto as Exhibit B, subject to the conditions set forth in Exhibit C and attached hereto.

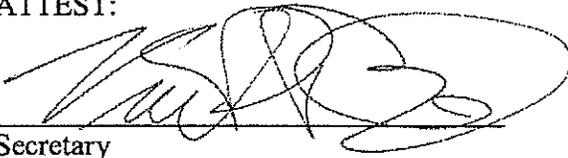
Section 6. The Secretary shall certify to the adoption of this resolution and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission.

Adopted:



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

ATTEST:



Secretary

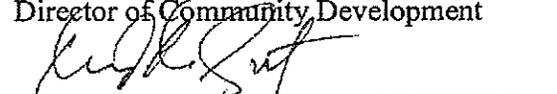
Approved as to form:



David M. Snow
Assistant City Attorney

Approved as to content:



Vincent P. Bertoni, AICP
Director of Community Development


David D. Gustavson
Director of Public Works & Transportation

EXHIBIT A
LEGAL DESCRIPTION

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

PARCEL 1:

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

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

PARCEL 2:

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

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

EXCEPT those portions lying within Parcel 1 above described.

PARCEL 3:

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

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

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

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

EXHIBIT B
SPECIFIC PLAN

DRAFT
February 28, 2008

Final Planning Commission Draft
BEVERLY HILTON
SPECIFIC PLAN

February 28, 2008

NOTE: This is a draft document that is subject to revision prior to the completion of the CEQA process and the administrative proceedings for The Beverly Hilton Revitalization Plan.

TABLE OF CONTENTS

CHAPTER 1.0 INTRODUCTION4

 1.1 PURPOSE AND INTENT4

 1.2 SPECIFIC PLAN AREA4

 1.3 GOALS AND OBJECTIVES5

 1.4 CONTENTS.....6

CHAPTER 2.0 PLANNING CONTEXT8

 2.1 INTRODUCTION8

 2.2 AUTHORITY8

 2.3 GENERAL PLAN AND ZONING DESIGNATIONS8

 2.4 RELATIONSHIP TO THE MUNICIPAL CODE.....8

 2.5 PUBLIC PARTICIPATION8

 2.6 CEQA COMPLIANCE.....9

CHAPTER 3.0 PLAN COMPONENTS10

 3.1 INTRODUCTION10

 3.2 LAND USES.....10

 3.3 SITE PLANNING.....10

 3.4 UTILITIES.....13

CHAPTER 4.0 DEVELOPMENT STANDARDS AND GUIDELINES15

 4.1 GENERAL PROVISIONS15

 4.2 PERMITTED USES15

 4.3 PARKING.....17

 4.4 STREET IMPROVEMENTS18

 4.5 FLOOR AREA RATIO19

 4.6 BUILDING HEIGHT19

 4.7 SIGN STANDARDS20

 4.8 OUTDOOR LIGHTING.....20

 4.9 ARCHITECTURE AND DESIGN.....22

 4.10 GREEN BUILDING STANDARDS.....24

CHAPTER 5.0 IMPLEMENTATION AND ADMINISTRATION26

 5.1 PURPOSE.....26

 5.2 RELATIONSHIP TO THE GENERAL PLAN.....26

 5.3 ADMINISTRATION29

 5.4 AMENDMENTS TO THE SPECIFIC PLAN.....29

 5.5 CONSISTENCY REVIEW30

 5.6 FINANCING.....30

CHAPTER 6.0 OPERATIONAL STANDARDS31

6.1	HOTELS	31
6.2	RESIDENTIAL.....	32
6.3	CONSTRUCTION WITHIN THE SPECIFIC PLAN AREA.....	32
7.0	MITIGATION MEASURES	33
CHAPTER 8.0 FIGURES.....		33

**CHAPTER 1.0
INTRODUCTION**

1.1 PURPOSE AND INTENT

This Beverly Hilton Specific Plan (the “Specific Plan”) was initiated to provide a framework for the redevelopment of an 8.97-acre site at the western gateway to the City of Beverly Hills (the “City”) between Wilshire and Santa Monica Boulevards (the “Specific Plan Area” or “Site”). The existing improvements on the Site include the existing Beverly Hilton hotel buildings and related below and above-ground parking structure. The development of the Site contemplated under the Specific Plan includes 1) the demolition of portions of the existing Beverly Hilton buildings, 2) the demolition of the above-ground and below-ground parking structure, 3) construction of a new luxury hotel at the eastern portion of the Site with up to 140 hotel rooms (“East Luxury Hotel Building”), 4) construction of up to 30 new hotel rooms for the Beverly Hilton Hotel adjacent to the existing pool area (“Poolside Guestrooms”), 5) construction of a 2 story building with up to 22,000 square feet of conference center uses (“Conference Center”), 6) construction of a 16 story residential building with up to 60 units (“Residences Building”), 7) construction of a four level subterranean parking structure with 1,733 marked spaces and the capacity to accommodate 2,183 parking utilizing valet parking, and 8) construction of 120,700 square feet of landscaped gardens, excluding rooftops, with public art in certain locations. The Specific Plan is a comprehensive policy and regulatory plan that shall be applied to the Site.

1.2 SPECIFIC PLAN AREA

A. Project Location

The Specific Plan Area is comprised of a parcel bounded by Wilshire Boulevard to the north, Santa Monica Boulevard to the east and south, and the centerline of Merv Griffin Way to the west. The net area of the Specific Plan Area is approximately 8.97 acres and has a slight grade running from the northwest to the south of the Specific Plan Area, resulting in a grade differential of approximately 10 feet across the site. Figure 1 illustrates the location of the Site and Figure 2 illustrates the Specific Plan Area.

B. Existing Setting

1. Specific Plan Area

The existing development in the Specific Plan Area consists of the original Beverly Hilton hotel, known as the “Wilshire Tower,” the 181-room Oasis/Palm Court building located in the northwest area of the Site, the 36-room Lanai Rooms adjoining the swimming pool, and a below and above-ground parking garage. The hotel buildings include guest rooms, meeting spaces, office space, commercial space, and restaurant uses. Figure 3 illustrates the existing Site conditions. The implementation of the Specific Plan permits demolition of some of the existing buildings in the Specific Plan Area, including the parking garages, the Oasis/Palm Court portion of The Beverly Hilton, the Lanai Rooms and the adjoining swimming pool, and the meeting, retail, restaurant and office spaces fronting Wilshire Boulevard. Figure 4 illustrates the buildings on the Site that may be demolished.

2. Surrounding Land Uses

The Site is surrounded by a mix of land uses:

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

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

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

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

Figure 5 illustrates the surrounding land uses.

1.3 GOALS AND OBJECTIVES

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

- A. To allow The Beverly Hilton to remain competitive in the hotel industry and local and regional marketplaces.
- B. To create a new luxury hotel for the site with facilities, services and amenities on par with a five star/five diamond hotel.
- C. To develop an environmentally sensitive and sustainable project.
- D. To maintain the integrity of the existing Welton Becket-designed Wilshire Tower.
- E. To enhance the City's western gateway and views from Wilshire Boulevard and Santa Monica Boulevard.
- F. To develop the Site in a manner that capitalizes on its physical, social, and economic potential without adversely impacting neighboring residential and institutional uses.

- G. To expand the variety of high-quality housing options available in close proximity to office and commercial centers, without displacing existing housing or residents.
- H. To provide high-quality housing for local and area residents to meet market demand and provide a variety of housing options.
- I. To maximize open space and accommodate on-site gardens and landscaped common space that complements the garden character of the Site and City.
- J. To promote pedestrian activity in and around the Specific Plan Area.
- K. To place parking and ancillary uses below grade to accommodate at-grade gardens and landscaped common space and create a more pleasant visual environment.
- L. To improve vehicular circulation on the Site and in vicinity by providing multiple points of access to the Site, increasing on-site accommodations for event parking, and implementing off-site roadway improvements.
- M. To maintain and enhance the sources and amount of transient occupancy tax for the City.
- N. To provide affordable housing consistent with the objectives of the City's adopted or amended Housing Element by providing a contribution to the City's affordable housing trust fund.
- O. To create a landmark luxury hotel in Beverly Hills that continues the Beverly Hills tradition of such uses.

1.4 CONTENTS

The Specific Plan consists of the following components:

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

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

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

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

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

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

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

Chapter 8.0 (Figures): Chapter 8.0 contains the Figures referenced throughout the remainder of the Specific Plan Area.

CHAPTER 2.0
PLANNING CONTEXT

2.1 INTRODUCTION

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

2.2 AUTHORITY

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

2.3 GENERAL PLAN AND ZONING DESIGNATIONS

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

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

2.4 RELATIONSHIP TO THE MUNICIPAL CODE

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

2.5 PUBLIC PARTICIPATION

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

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

2.6 CEQA COMPLIANCE

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

CHAPTER 3.0

PLAN COMPONENTS

3.1 INTRODUCTION

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

3.2 LAND USES

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

3.3 SITE PLANNING

A. Building Placement

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

The number of hotel rooms within the Specific Plan Area shall not exceed five hundred and twenty-two (522) and a maximum of sixty (60) residential units shall be permitted within the Specific Plan Area. No more than 20,523 square feet of restaurant uses shall be developed in the Specific Plan Area.

Development authorized by the Specific Plan includes the following:

1. Wilshire Tower

The original Wilshire Tower shall remain as a hotel use, including ancillary uses, and shall not exceed its current three hundred and fifty-two (352) rooms. In addition, the Wilshire Tower may include replacement conference rooms and offices within a new building connected on the east side of the Wilshire Tower and fronting Wilshire Boulevard. The Specific Plan area would include replacement rooms in the area adjacent to the existing pool area. No condominium units shall be located in the Wilshire Tower without an amendment to the Specific Plan and approval of a subsequent tract map.

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

2. Residences Building

The residential component on the southwest side of the Specific Plan Area at the corner of Santa Monica Boulevard and Merv Griffin Way shall be limited to a maximum of sixty (60) residential units.

3. New East Luxury Hotel Building

The new East Luxury Hotel Building shall be located at the easternmost area of the Site near the intersection of Wilshire and Santa Monica Boulevards as shown on Figure 6. This building shall contain not more than one hundred and forty (140) hotel rooms.

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

4. Conference Center Building

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

5. Poolside Guestrooms

New Beverly Hilton Guestrooms shall be located near the existing and future pool area for The Beverly Hilton. This building or series of buildings shall contain a maximum of thirty (30) hotel rooms.

B. Circulation

1. Local Circulation

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

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

Metropolitan Transportation Authority (“Metro”), and a bus stop is located adjacent to the Specific Plan Area just west of Santa Monica Boulevard.

Santa Monica Boulevard has been designated by the City as a Major Class 1 Highway and a state highway (SR 2). It is an east-west arterial roadway that runs between the City of Santa Monica to the west and Sunset Boulevard in Silver Lake to the east. The Santa Monica Boulevard Transit Parkway Project which was completed in 2007 consisted of the reconstruction and reconfiguration of 2.5 miles of Santa Monica Boulevard between I-405 on the west and Beverly Hills city limit on the east (Moreno Drive). This segment of the boulevard has three eastbound and three westbound travel lanes. The project includes a new street lighting and traffic signal system, a landscaped median, bicycle lanes and bus priority features. Santa Monica Boulevard is on the CMP road system as part of the CMP roadway network. Santa Monica Boulevard includes many major busways operated by Metro, and a bus stop is located adjacent to the Specific Plan Area just south of Wilshire Boulevard.

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

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

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

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

2. Traffic Impacts

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

3. Pedestrian Circulation

The pedestrian character of the portion of Wilshire Boulevard and Santa Monica Boulevard adjoining the Site shall be created with landscaping and lighting improvements with the implementation of the entirety of The Beverly Hilton Revitalization Plan. The Merv Griffin Way frontage shall be improved with attention to pedestrian scale and details. See Figure 21.

4. Parking Facilities

The subterranean parking structure shall provide not less than 1,733 marked parking spaces in four levels for all on-site uses proposed, substantially as shown in Figures 9A through 9D, including separate residential and hotel parking areas. The subterranean parking structure shall provide capacity for no less than 2,183 vehicles, utilizing valet parking operations, substantially as shown in Figure 10. These spaces shall provide parking for all land uses within the Specific Plan Area.

3.4 UTILITIES

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

A. Water

The City provides water to the Specific Plan Area. Figure 11 shows the location and size of the water distribution system that serves the Specific Plan Area. The existing supply and distribution of water can accommodate the level of water demand from the hotel, commercial and residential uses proposed in the Specific Plan Area.

B. Sewer

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

C. Solid Waste Disposal

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

significant solid waste disposal impacts and existing solid waste disposal facilities and landfill capacities are sufficient to accommodate the Specific Plan's projected solid waste.

D. Storm Drain

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

E. Energy

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

F. Graywater System

The project shall include a graywater system to reduce overall water demands, and specifically, limit the demand for irrigation water. The graywater system may include: (1) dual piping to maintain graywater separate from potable water; (2) tanks to hold the graywater before and after treatment; (3) graywater treatment system including filtering and disinfecting systems; and (4) booster pumps to ensure water is delivered at pressures adequate for their intended uses. The graywater system shall collect drainage discharged from sinks, service sinks, bathtubs, showers, and clothes washers. The "gray" wastewater shall then be filtered and treated until it reaches a level of quality consistent with its intended re-use. For example, graywater may be used for flushing water in toilets and urinals in the Project's residences and hotel rooms, as well as public restrooms in the common areas. The remaining graywater shall be used for irrigation and other non-potable water using systems, thus reducing the Project's overall water demands and, in particular, demand for water which would otherwise be used for irrigation. The Residence Building, new East Luxury Hotel Building, Conference Center Building, Poolside Guestrooms, gardens and project landscaping shall be served by and incorporated into the design of the graywater system. The portions of the existing Beverly Hilton Hotel buildings that will be retained as part of the Specific Plan are not required to be served by or incorporated into the design of the graywater system, but incorporation of such retained buildings into the graywater system is encouraged whenever feasible.

CHAPTER 4.0
DEVELOPMENT STANDARDS AND GUIDELINES

4.1 GENERAL PROVISIONS

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

4.2 PERMITTED USES

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

The uses set forth below are permitted uses within the Specific Plan Area. If a use is not listed below or is not a similar use that the Director of Community Development determines is consistent with the goals and objectives of the Specific Plan, then such use is presumed to be prohibited unless a Conditional Use Permit is approved by the Planning Commission pursuant to the procedures set forth in Section 10-03-3800 of the Municipal Code. The Planning Commission may approve otherwise prohibited uses if the Commission determines, in addition to the required conditional use permit findings, that such uses do not materially alter the distribution, location and extent of the uses of land as set forth in the Specific Plan and the uses fulfill the intent of the Specific Plan as described in Section 1.3 (Goals and Objectives) of the Specific Plan.

A. Hotel Area

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

- Airline ticket office.
- Alcohol sales (on-site and off-site) and consumption in conjunction with the uses listed under food and beverage establishments or in conjunction with open-air dining in the public right-

of-way pursuant to Section 10-03-3505 of the Municipal Code, subject only to issuance of a Department of Alcoholic Beverage Control license.

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

B. Residential Area

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

otherwise described in Section 4.2 of Chapter 4.0, and similar uses approved by the Planning Commission.

4.3 PARKING

A. Parking Requirements

Not less than 1,733 marked parking spaces shall be provided for all on-site uses existing and proposed at the time of the implementation of the Specific Plan, substantially as shown in Figures 9A through 9D. Capacity for no less than 2,183 vehicles utilizing valet parking shall be provided on-site using marked and unmarked spaces, substantially as shown in Figure 10. These spaces shall provide parking for all land uses within the Specific Plan Area.

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

B. General Parking Provisions

All hotel, restaurant, retail, and other commercial parking shall be separated from the parking for the residents and their guests. Entry into the residential parking area shall be restricted by key-card or similarly secured access. The guest parking and valet parking for the residential component shall be located within the separately designated residential parking area. Valet parking, in addition to self parking, shall be available for residents and their guests. Valet and self parking shall be provided for hotel and restaurant patrons. A total of 1,733 marked spaces in four subterranean levels shall be provided. Of these 1,733 parking spaces, a total of 156 shall be reserved for use exclusively by owners and guests of the residential condominiums.

1. Parking Stall Dimensions and Aisle Width

- a. Standard Space: 8'-6" x 19'-0" (minimum).
- b. Compact Space: 8'-0" x 16'-0" (minimum). Not more than 25% of the total required parking stalls for all uses may be designed as compact stalls. Such restriction shall not apply to parking stalls in excess of the number of required stalls.
- c. Minimum Aisle Width: 24'-0" where the parking is provided at a 90° angle to a drive aisle. The Director of Transportation and Engineering shall determine the appropriate aisle width where parking spaces are provided at less than a 90° angle to a drive aisle.

2. Tandem Spaces

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

- a. In a public parking area providing attendants to park vehicles at all times said garage or parking area is open for use.
- b. In a parking area serving the residential units where the tandem parking is not more than two cars in depth, and provided that at least one parking stall per dwelling unit is individually and easily accessible. Residentially-assigned tandem spaces shall be assigned to the same residential unit.

C. Loading Areas

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

D. Hotel Access Areas

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

4.4 STREET IMPROVEMENTS

A. Wilshire Boulevard Improvements

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

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

B. Santa Monica Boulevard Improvements

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

C. Merv Griffin Way/Whittier Drive Improvements

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

4.5 FLOOR AREA RATIO

The Floor to Area Ratio (“FAR”) of the Specific Plan Area in its entirety shall not exceed 2.16:1, notwithstanding the specific lot configurations of the Site. Individual parcels or lots may exceed the permitted FAR, provided the FAR for the Specific Plan Area when calculated as a whole shall not exceed the maximum permitted FAR of 2.16:1.

4.6 BUILDING HEIGHT

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

¹ “Height of Building” for nonresidential uses is defined in section 10-3-100 of the Beverly Hills Municipal Code, in part, as follows: “‘height’ shall mean the distance from the highest point of the natural ground level at the perimeter of a building or structure or from the highest point of the public sidewalk adjoining the lot or parcel upon which the building or structure is to be erected, whichever is higher, to the highest element of the building or structure.” This height shall be expressed as height from the “datum point.”

The height of the Conference Center on Wilshire Boulevard shall not exceed 38 feet from the adjacent grade² and two stories. The height of Residences at the corner of Merv Griffin Way and Santa Monica Boulevard shall not exceed 207 feet from the adjacent grade³ and 16 stories. The height of the East Luxury Hotel Building shall not exceed 150 feet from the adjacent grade⁴ and 12 stories. The heights of buildings shall be in substantial compliance with Figures 16A through 16F.

4.7 SIGN STANDARDS

The City's Architectural Commission shall review and approve, subject to any required conditions, a unified sign plan for the Specific Plan Area (the "Unified Sign Plan") that encompasses all exterior signage, including both permanent and temporary signs, and includes locations of all new signage. Thereafter, all signs that, in the determination of the Director, are consistent with the adopted Unified Sign Plan shall be issued a building permit without further discretionary review. The Director may consult with the Planning Commission, if desired, to review the unified sign plan. All other signs shall be subject to architectural review pursuant to the procedures set forth in Chapter 4 of Title 10 of the Municipal Code. Signage for the Specific Plan Area shall be designed to identify entry locations and other key locations in the Specific Plan Area. Nothing in this Section shall modify the display of any existing sign, including the existing signs reading "the BEVERLY HILTON."

4.8 OUTDOOR LIGHTING

A. Outdoor Lighting Plan

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

B. Perimeter Street and Landscape Lighting

Light fixtures for the perimeter streets shall provide safe roadway and sidewalk lighting from well shielded fixtures, with light directed down to the pavement to prevent light spillover onto adjacent properties. Light fixtures shall be of a medium height (20 to 25 feet tall) to meet the roadway illumination requirements, the City of Beverly Hills street lighting standards, and coordinate with the street width. Lighting for the pedestrian walkways at Wilshire Boulevard, Merv Griffin Way, and Santa Monica Boulevard frontage sidewalk and landscape setback shall be a uniform brightness to provide the required safety and security lighting along the street. The

² 29 feet from the datum point.

³ 189 feet from the datum point.

⁴ 136 feet from the datum point.

type and design of the light fixtures shall reflect the unique, contemporary character of the project's architectural design. Landscape lighting shall highlight the plant forms and patterns from concealed light sources, directed from the street side back to the interior of the Site to minimize any off-site glare or brightness.

C. On-Site Street, Sidewalk and Landscape Lighting

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

D. Motor Court Entry and Landscape

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

E. Pool Deck Level and Guest Amenities

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

F. Building Façades

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

G. Service Yard

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

H. Art Installation Lighting.

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

I. Historic Streetlamps.

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

4.9 ARCHITECTURE AND DESIGN

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

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

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

B. Poolside Guestrooms

The Poolside Guestrooms shall be located along Santa Monica Boulevard facing The Beverly Hilton pool area. The building/s shall reflect modern architecture design principles that honor the original Welton Becket architecture of The Beverly Hilton Wilshire Tower. The architectural design shall reflect the California climate and indoor/outdoor living through extensive transparency, open balconies and high degree of connectivity between the interior and exterior landscaped spaces.

The Poolside Guestrooms shall be constructed substantially as shown on Figure 17.

C. Residences Building

The Residences Building shall be located near the intersection of Merv Griffin Way and Santa Monica Boulevard. The building shall be set back from Santa Monica Boulevard approximately 19 feet. The building shall reflect modern architecture design principles that honor the original Welton Becket architecture of The Beverly Hilton Wilshire Tower. The architectural design shall reflect the California climate and indoor/outdoor living through extensive transparency, open balconies and high degree of connectivity between the interior and exterior landscaped spaces.

The Residences Building shall be constructed substantially as shown on Figure 18.

D. Conference Center

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

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

E. East Luxury Hotel Building

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

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

F. Open Space / Landscaping

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

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

G. Ancillary Services and Parking

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

H. Architectural Review

The architectural aspects of the development contemplated in the Specific Plan shall be reviewed by the City's Architectural Commission as part of the City's overall review of the Specific Plan. All development that, in the determination of the Director, is in substantial conformance with the Specific Plan shall be issued a building permit without further discretionary architectural review after final review by the Architectural Commission. All future construction and modifications to the exterior of the structures within the Specific Plan Area that is not in substantial conformance with the Specific Plan shall be subject to architectural review pursuant to the procedures set forth in Article 30 of Chapter 3 of Title 10 of the Municipal Code.

4.10 GREEN BUILDING STANDARDS

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

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

Key strategies for new construction shall include:

- Energy efficiency in excess of that required by the California Energy Performance Standard (Title 24) through strategies such as efficient heating and cooling equipment, glazing selection, and window shading from balconies and other overhangs to minimize heat gain while allowing the penetration of natural light;
- Water efficiency through the installation of low water use bathroom fixtures and faucets, and water efficient landscape systems;
- Low-emitting materials, green housekeeping products and other strategies to provide high quality interior air;
- Recycling a minimum of 75% of all construction and demolition debris;
- Subterranean parking to minimize "urban heat island;"
- An urban site close to transit and local services;

DRAFT
February 28, 2008

- An education program featuring the project's green strategies to educate project residents, visitors and the local community; and
- The involvement during design and construction of a LEED Accredited Professional.
- A grey water system as set forth in Section 3.4F of this Specific Plan.

CHAPTER 5.0 IMPLEMENTATION AND ADMINISTRATION

5.1 PURPOSE

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

5.2 RELATIONSHIP TO THE GENERAL PLAN

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

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

A. Land Use Element

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

Section 1.1: "Beverly Hills is fortunate in that it is able to serve a variety of residential and commercial demands in a manner and combination which is difficult to duplicate elsewhere in the Los Angeles area... The characteristics which contribute to the special opportunities available in Beverly Hills include:

- The quality of the physical environment, such as its extensive network of trees and landscaping. ...
- The pride of its residents and businesses, as reflected in many ways, such as the architecture, landscaping and overall concern for the welfare of the community, as evidenced in the wide-ranging commitments to participation in community affairs.
- The exceptional quality of its housing stock which offers a variety of housing and neighborhoods rarely found elsewhere."

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

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

B. Open Space Element

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

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

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

C. Circulation Element

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

Section 2.1: “Through traffic (traffic neither destined for nor originating within Beverly Hills) should be encouraged to traverse Beverly Hills as efficiently as possible on selected streets only. These include Santa Monica, San Vicente, La Cienega, and Robertson Boulevards and Burton Way.”

“Access traffic (traffic destined for and/or originating in Beverly Hills) should be restricted to the extent possible to “through traffic” streets as well as certain north-south streets.”

Section 2.2: “Accessible parking in adequate quantities is not merely a convenience; it is a utility.”

“Centrally located parking facilities which can provide common parking for commercial establishments should be encouraged.”

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

D. Housing Element

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

Program 4.3: “Develop standards for mixed residential-commercial developments, with and without low income housing components, including additional height, in areas currently zoned for commercial use and consider appropriateness of various areas, such as:

-South side of Wilshire Boulevard, east of Beverly Drive (Between Stanley Drive and LeDoux Road, extend to the north side of Charleville Boulevard).

-Eastern area of the Business Triangle.

-South side of Burton Way (commercially zoned parcels).

-Olympic Boulevard (commercially zoned parcels).

- La Cienega Boulevard north of Wilshire Boulevard.
- City-owned property where some or all of the residential units would be for lower-income housing.
- East side of Beverly Drive.
- 9876 Wilshire Boulevard (“The Beverly Hilton site”).”

5.3 ADMINISTRATION

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

5.4 AMENDMENTS TO THE SPECIFIC PLAN

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

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

Notwithstanding anything to the contrary in this Section, the following modifications to the Specific Plan shall not require a formal amendment to the Specific Plan or an Administrative Modification: (a) the relocation or alteration of ancillary uses provided the Director determines that the relocation or alteration does not increase parking demand, (b) variations between the

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

5.5 CONSISTENCY REVIEW

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

FINANCING

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

CHAPTER 6.0
OPERATIONAL STANDARDS

6.1 HOTELS

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

- A. Recreational Facilities. Except as provided in Subsection B below for the Spa and Fitness Center, all indoor and outdoor recreational facilities shall be limited to guests who are renting hotel guest rooms in the Specific Plan Area and residents of the Specific Plan Area.
- B. Spa and Fitness Center. Any spa, fitness center and treatment rooms shall primarily serve guests who are renting hotel guest rooms in the Specific Plan Area and residents of the Specific Plan Area.
- C. Open Air Dining Facilities. All open air dining areas located within the Specific Plan Area shall comply with the following standards:
 - 1. The design and colors used for chairs, tables, lighting and other fixtures shall generally be consistent with the architectural style and colors used on the related building façade.
 - 2. No advertising, other than advertising for the related restaurant, is permitted on any umbrellas.
 - 3. Lights may only illuminate the open air dining area; they cannot emit spillover light on any adjacent public sidewalk.
 - 4. No alcoholic beverages shall be served or consumed in the open air dining area without the required license and approval from the State Department of Alcoholic Beverages Control.
 - 5. No umbrellas or other overhead furniture or fixtures shall have a clearance of less than seven feet and no such articles shall extend beyond the seating area.
 - 6. Portable heaters shall be located a minimum of three feet from any combustible material and shall be located entirely within the seating area.
 - 7. The seating area and any adjacent pedestrian travel aisle shall be maintained in a clean and orderly state at all times.
 - 8. The open air dining area shall comply with all applicable provisions of the Beverly Hills Building Code, including, but not limited to, maintaining

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

6.2 RESIDENTIAL

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

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

6.3 CONSTRUCTION WITHIN THE SPECIFIC PLAN AREA

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

CHAPTER 7.0 - MITIGATION MEASURES

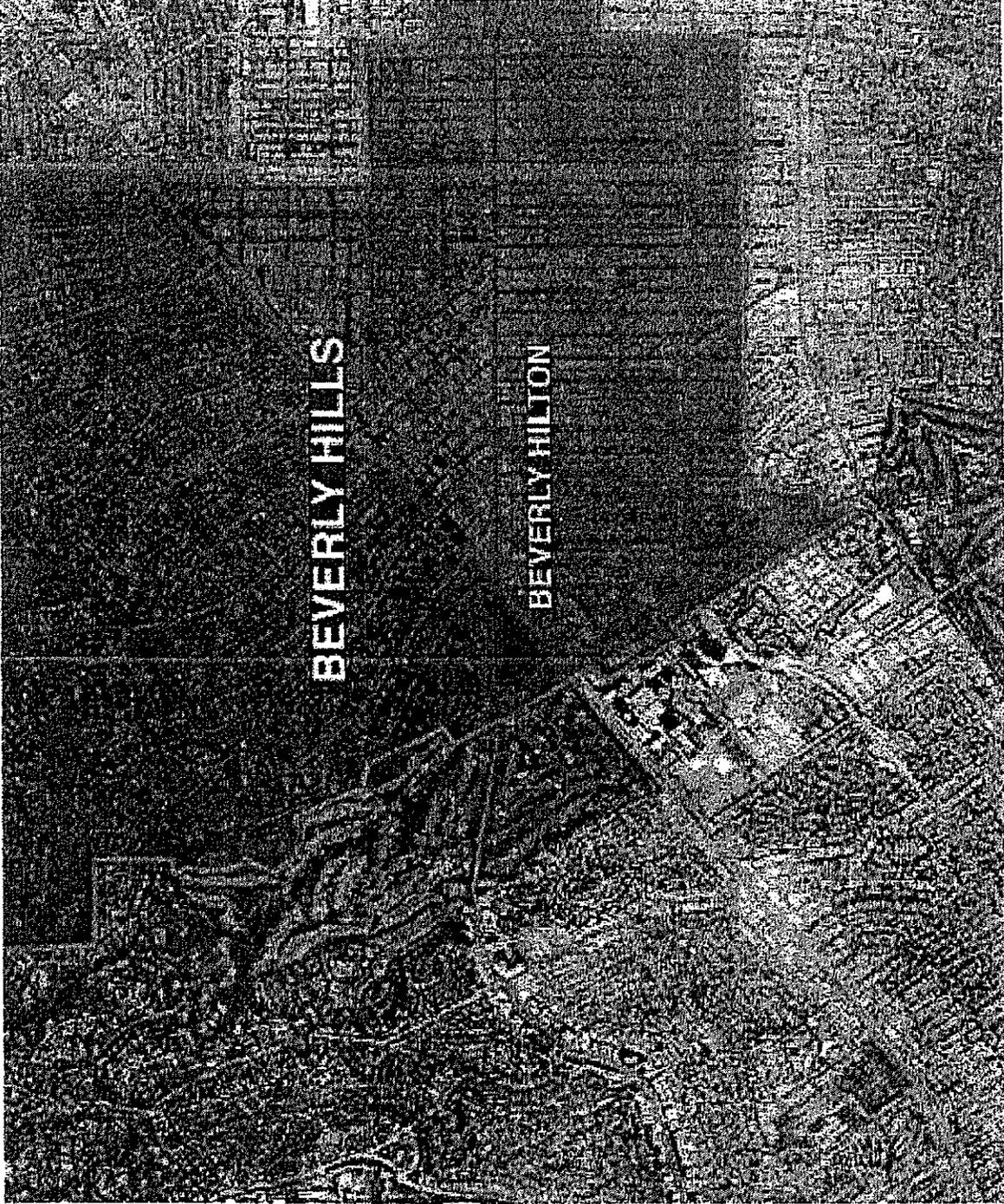
This Section 7.0 shall consist of the Mitigation Monitoring and Reporting Program adopted for the Specific Plan.

CHAPTER 7.0
FIGURES

LIST OF FIGURES

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

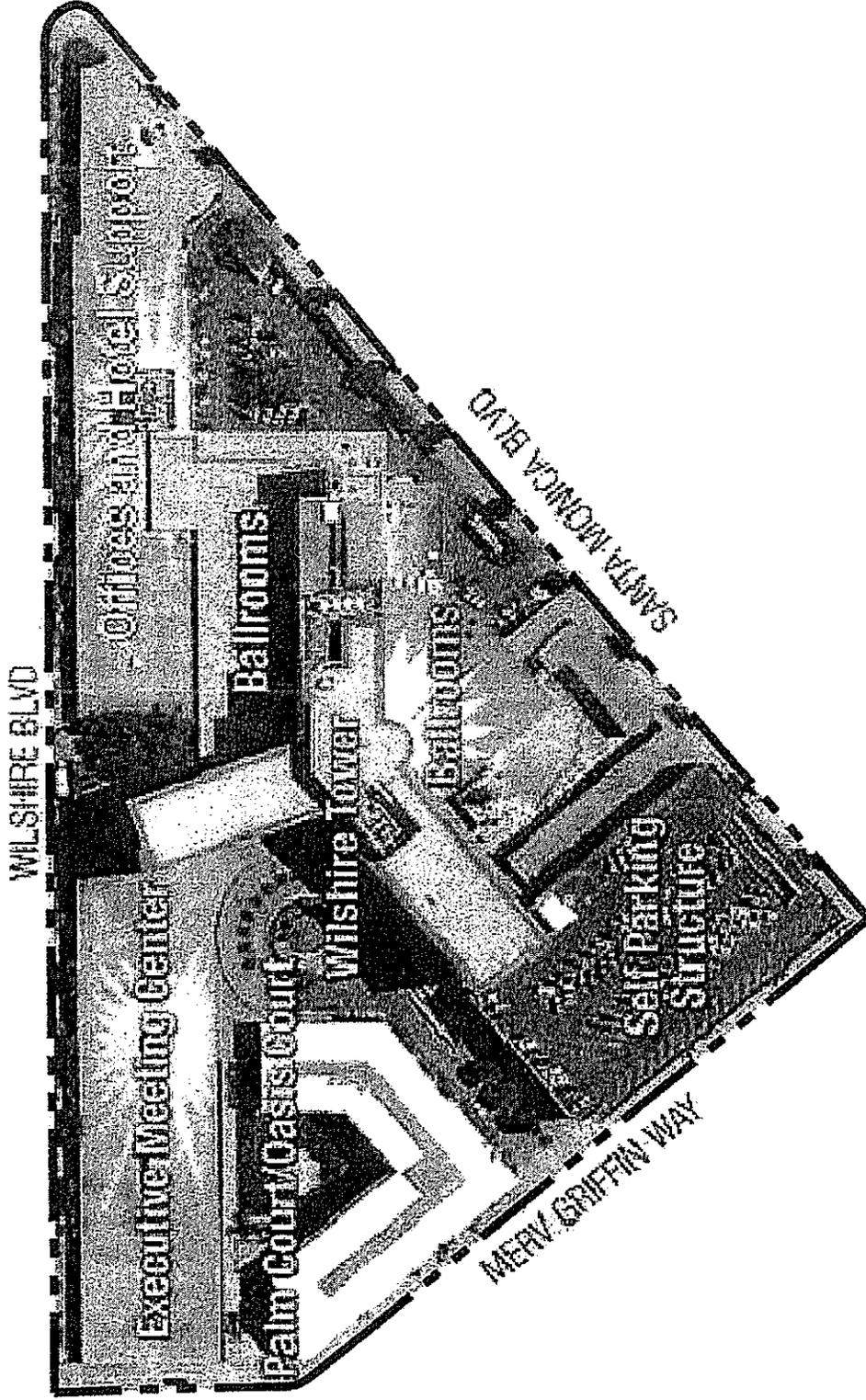
The Beverly Hilton Revitalization Plan
Specific Plan Figures
March 14, 2008



The Beverly Hilton Specific Plan

Figure 1 - Specific Plan Location Map

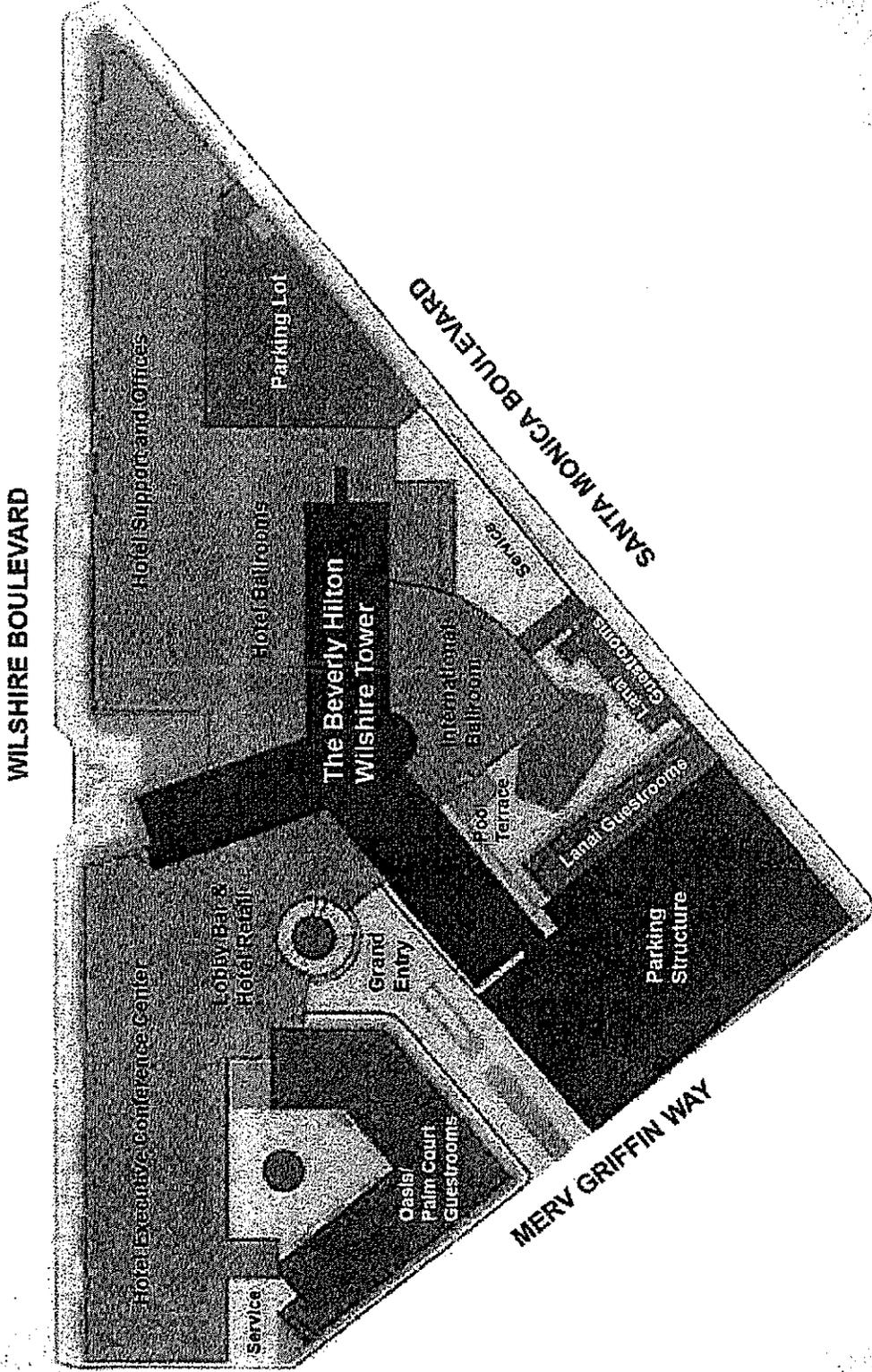
March 14, 2008



The Beverly Hilton Specific Plan

Figure 2 - Specific Plan Area

March 14, 2008

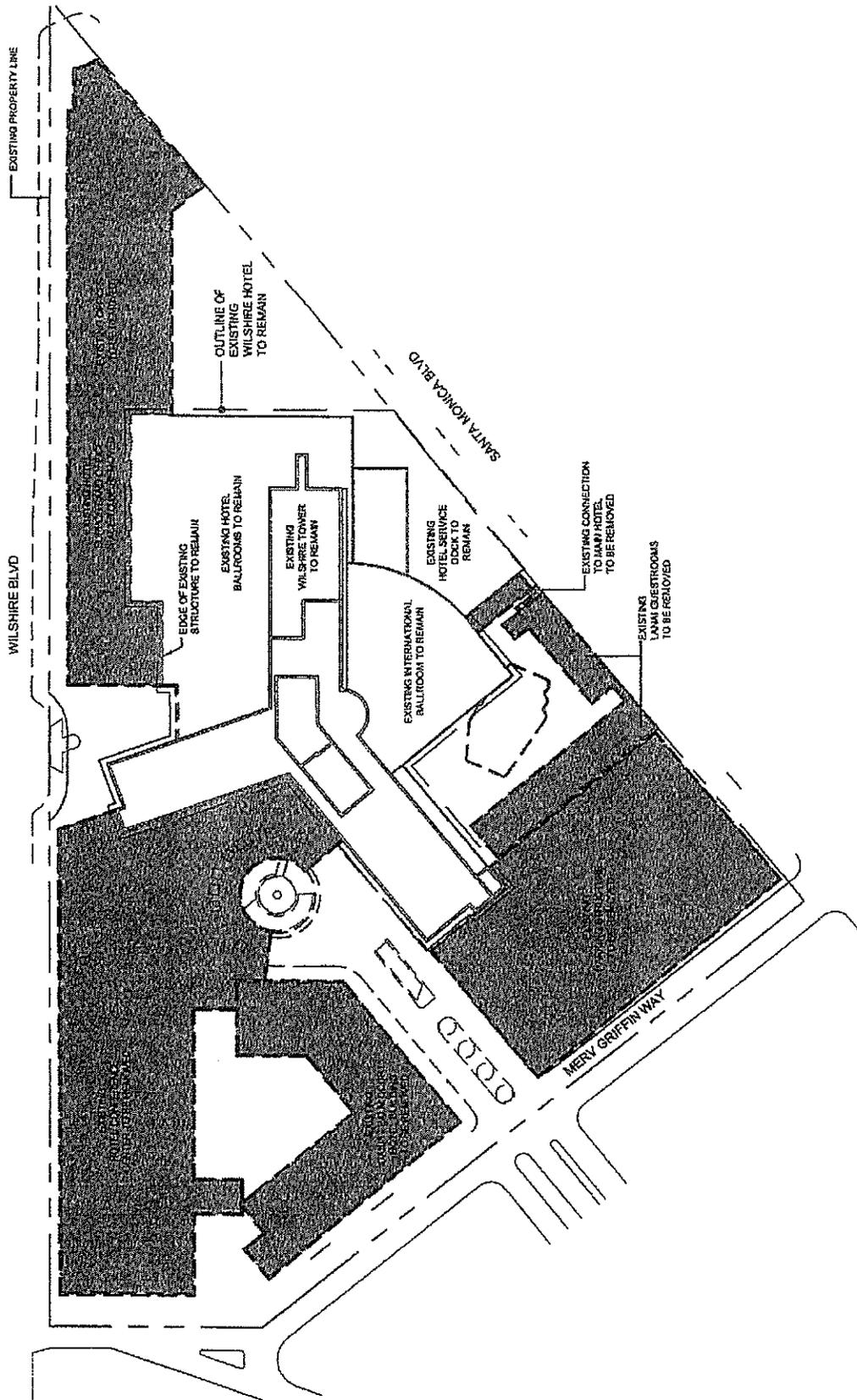


The Beverly Hilton Specific Plan

Figure 3 - Existing Site Conditions

March 14, 2008





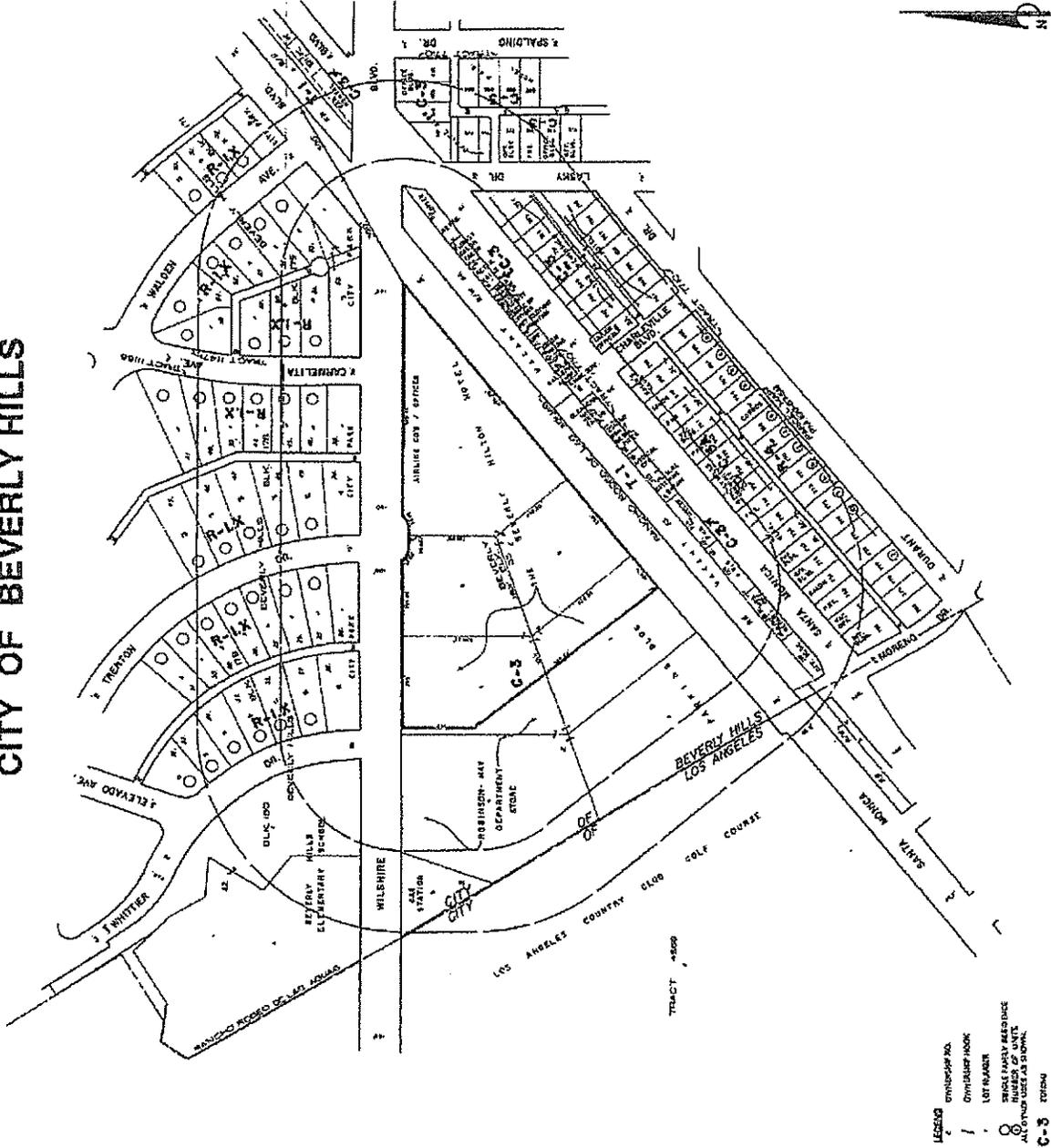
The Beverly Hilton Specific Plan

Figure 4 - Existing Above Grade Buildings to be Demolished

Scale: 1" = 120'-0"

March 14, 2008

CITY OF BEVERLY HILLS

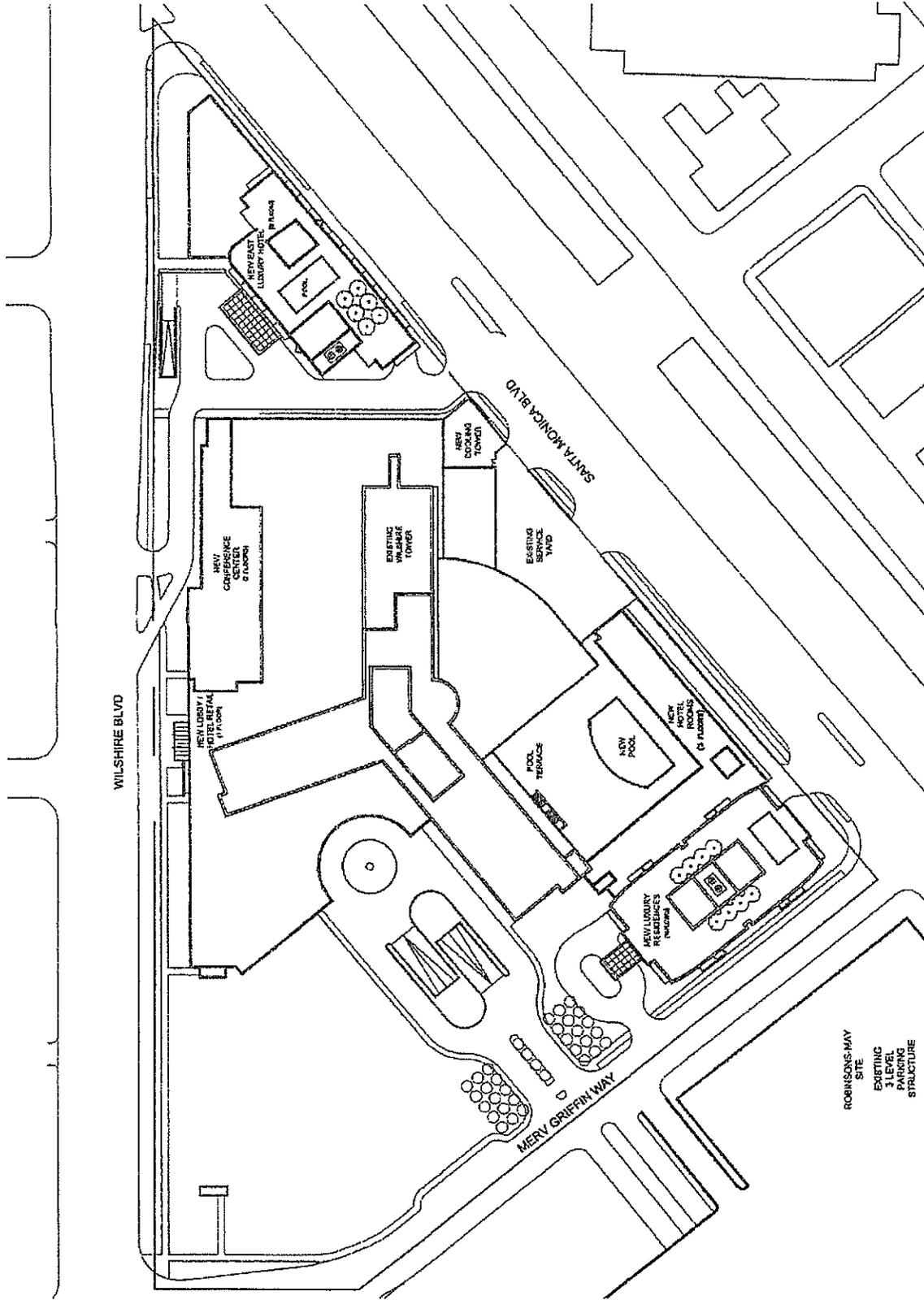


The Beverly Hilton Specific Plan

Figure 5 - Surrounding Land Uses

March 14, 2008



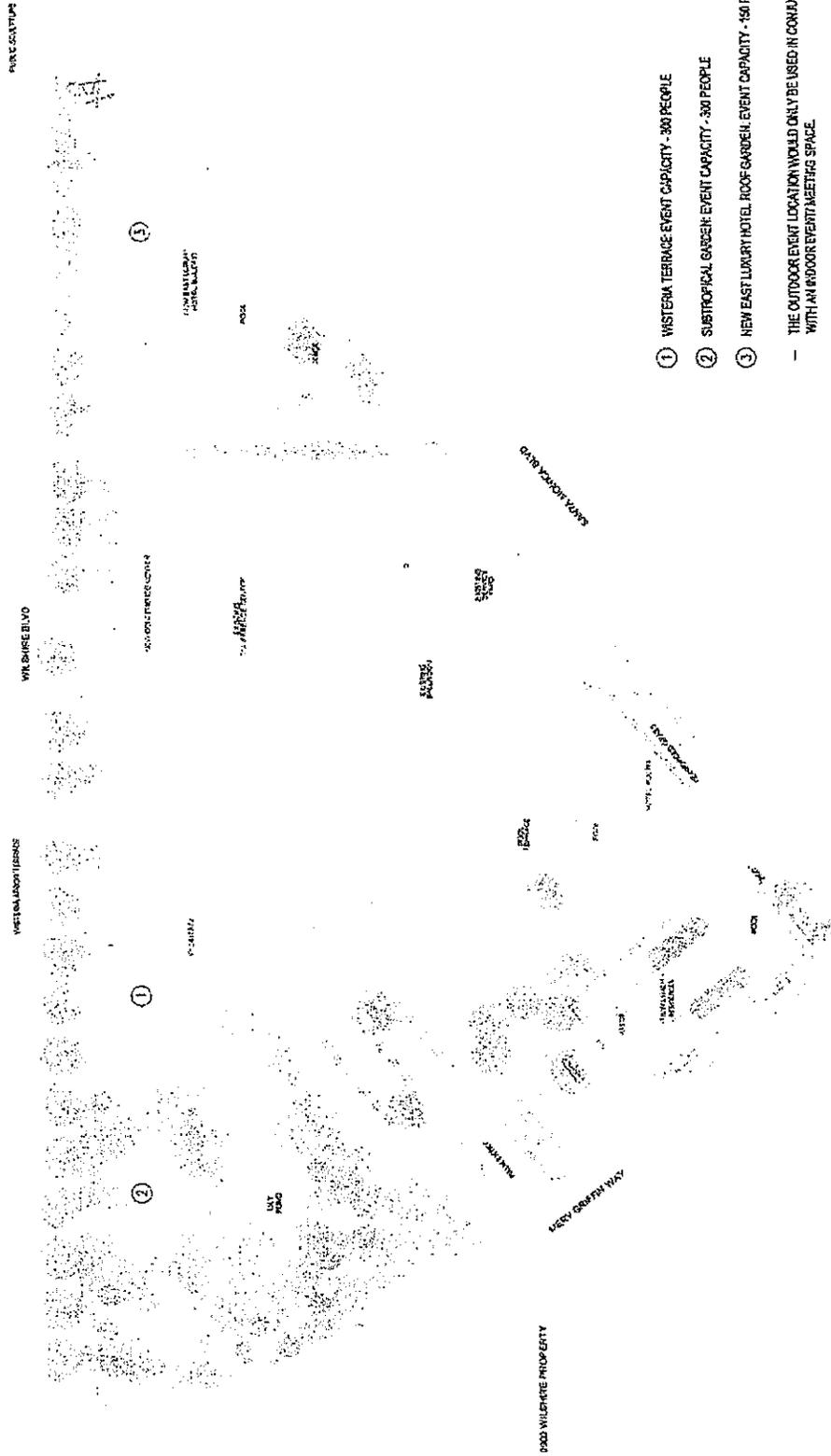


The Beverly Hilton Specific Plan

Figure 6 - Specific Plan Site Plan / Building Placement Plan

Scale: 1" = 120'-0"

March 14, 2008



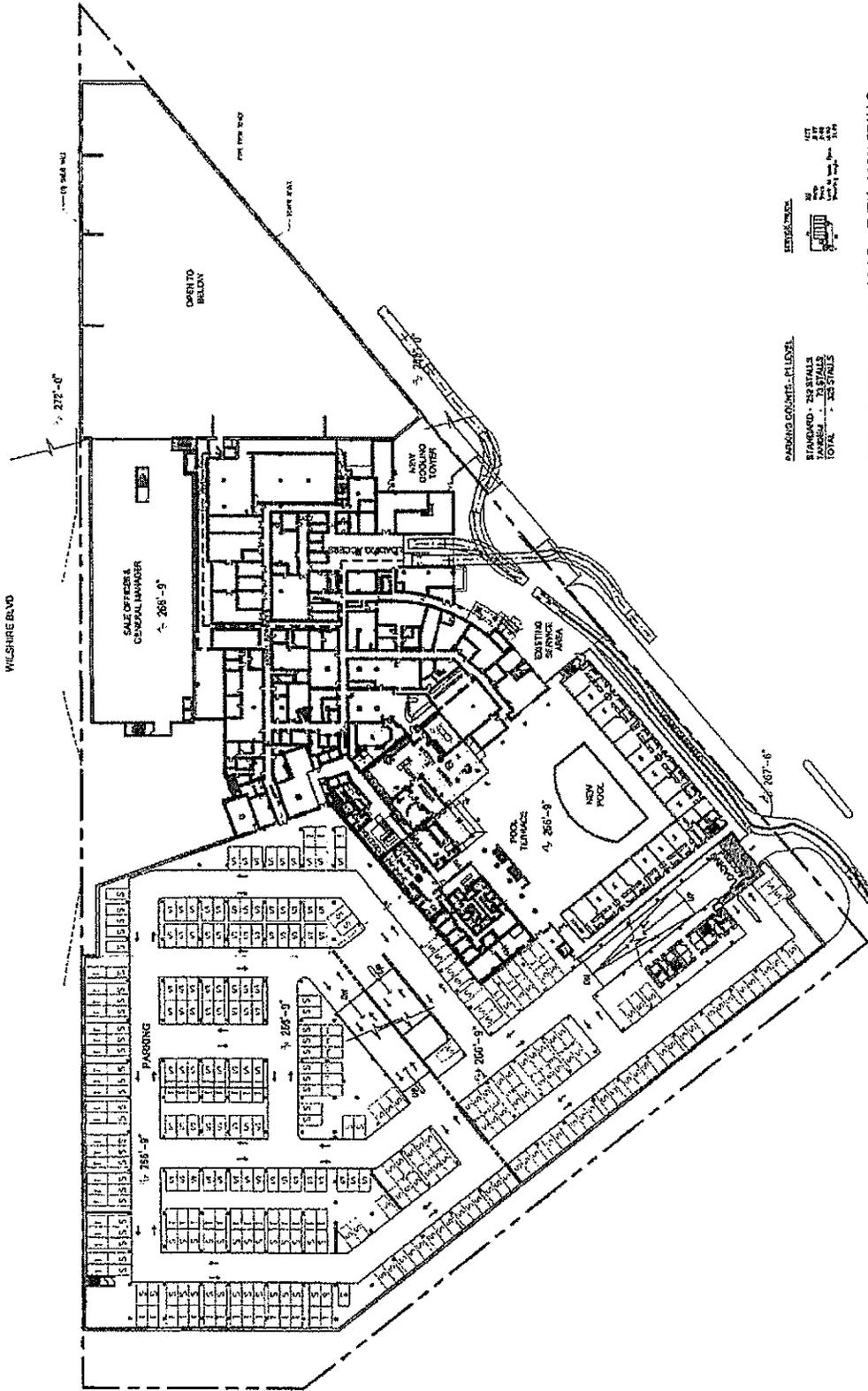
- ① WESTERNA TERRACE EVENT CAPACITY - 300 PEOPLE
- ② SUBTROPICAL GARDEN EVENT CAPACITY - 300 PEOPLE
- ③ NEW EAST LUXURY HOTEL ROOF GARDEN EVENT CAPACITY - 150 PEOPLE
- THE OUTDOOR EVENT LOCATION WOULD ONLY BE USED IN CONJUNCTION WITH AN INDOOR EVENT MEETING SPACE
- THE TOTAL COMBINED OCCUPANCY OF THE WESTERNA TERRACE AND SUBTROPICAL GARDEN WOULD NOT EXCEED 300 PEOPLE.

The Beverly Hilton Specific Plan

Figure 7 - Outdoor Event Location

March 14, 2008





EXISTING

STANDARD	248 STALLS
BARRETT	73 STALLS
TOTAL	321 STALLS

NEW

STANDARD	1,738 STALLS
BARRETT	1,738 STALLS
TOTAL	3,476 STALLS

TOTAL PARKING (P1, P2, P3 & P4 LEVEL): 1,738 STALLS

A 30% REDUCTION FOR VENTILATION SHAFTS AND ACCESSIBLE STALLS WILL REDUCE THE NUMBER OF PARKING SPACES FROM 1,738 TO 1,214

HANDICAPPED VALET OPERATION WILL INCREASE PARKING CAPACITY FROM 1,214 TO 1,180 SPACES

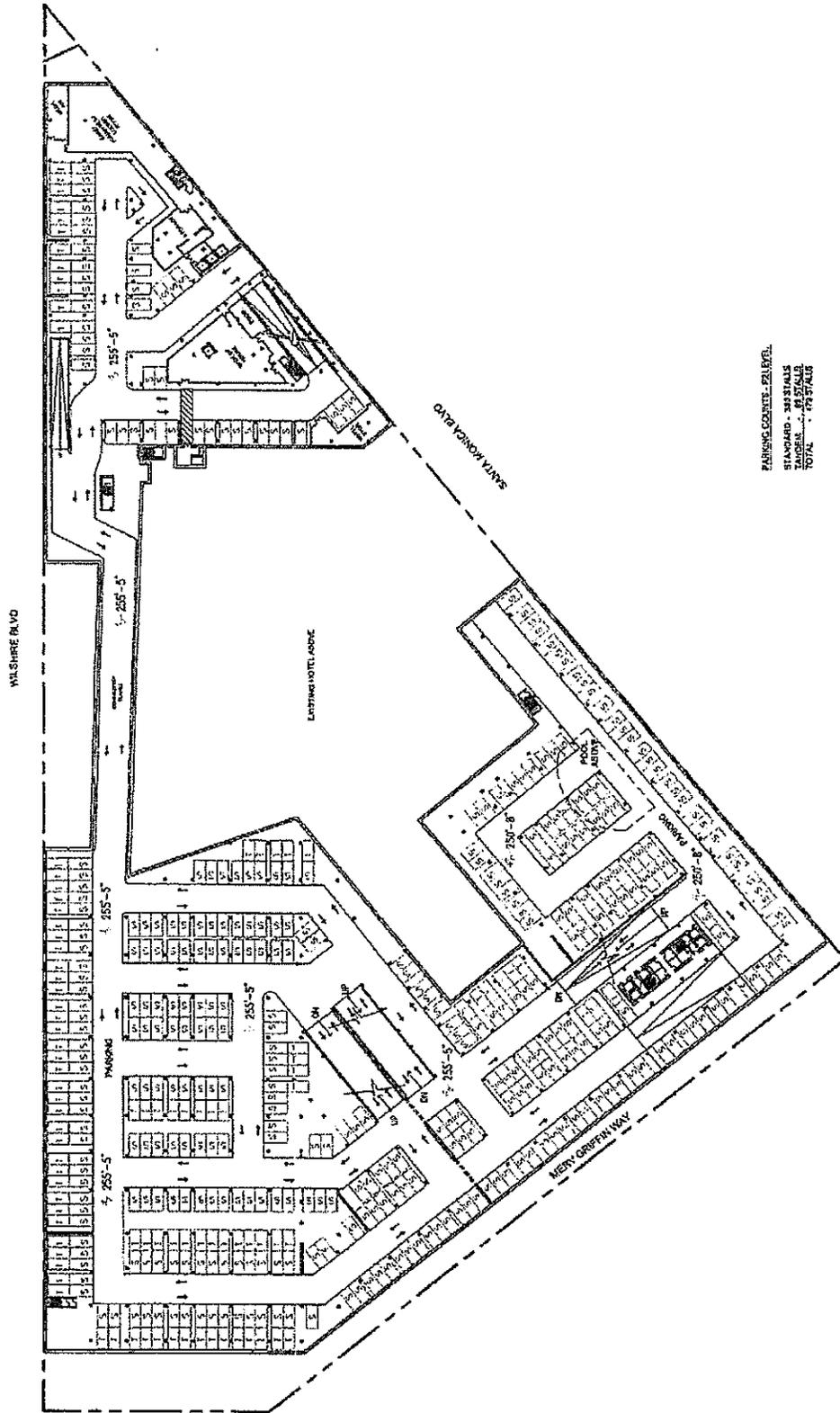
The Beverly Hilton Specific Plan

Figure 9A - Parking Level P1 Plan

Scale: 1" = 120'-0"

March 14, 2008





PARKING COVERAGE - P2 LEVEL
 STANDARD - 343 STALLS
 ADA/ACCESSIBLE - 83 STALLS
 TOTAL - 426 STALLS

TOTAL PARKING (P1, P2, P3 & P4 LEVEL): 1,798* STALLS.

*43.6% REDUCTION FOR VENTILATION SHIFTS AND ACCESSIBLE STALLS WILL REDUCE THE NUMBER OF PARKING SPACES FROM 1,798 TO 1,732**

**ADDED TO NET UPON REVIEW. INCREASE PARKING CAPACITY FROM 1,335 TO 1,813 SPACES.

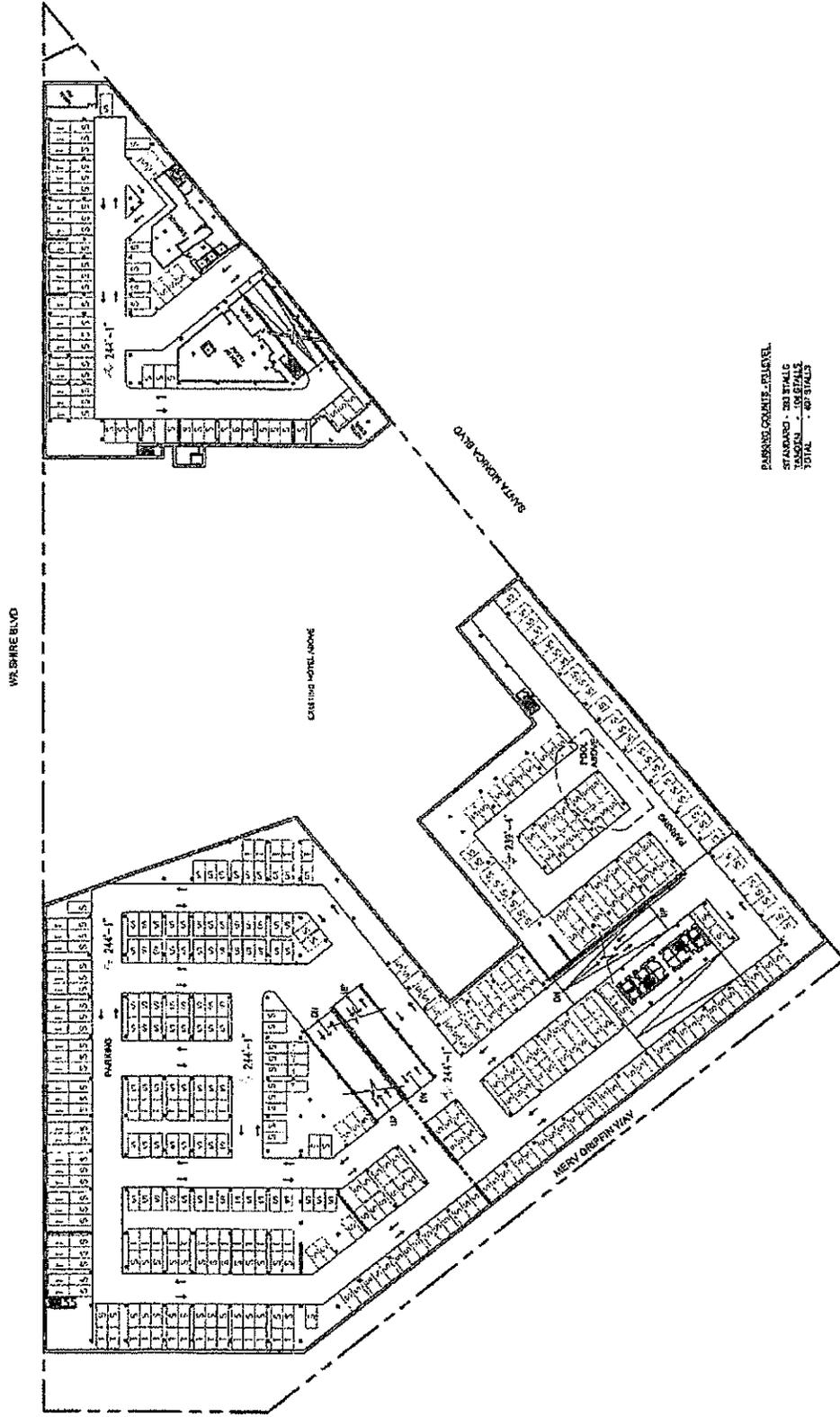
The Beverly Hilton Specific Plan

Figure 9B - Parking Level P2 Plan

Scale: 1" = 120'-0"

March 14, 2008





PARKING GARAGE... P4 LEVEL
 STAIRWELL - 203 STALLS
 TANGENT - 104 STALLS
 TOTAL - 407 STALLS

TOTAL PARKING (P1, P2, P3 & P4 LEVELS): 1,798* STALLS.

*A 3.3% REDUCTION FOR VENTILATION CHANGES AND ACCESSIBLE STALLS WILL INCREASE THE NUMBER OF PARKING SPACES FROM 1,798 TO 1,723.**

**MAXIMIZED VALET OPERATION WILL INCREASE PARKING CAPACITY FROM 1,723 TO 2,143 SPACES.

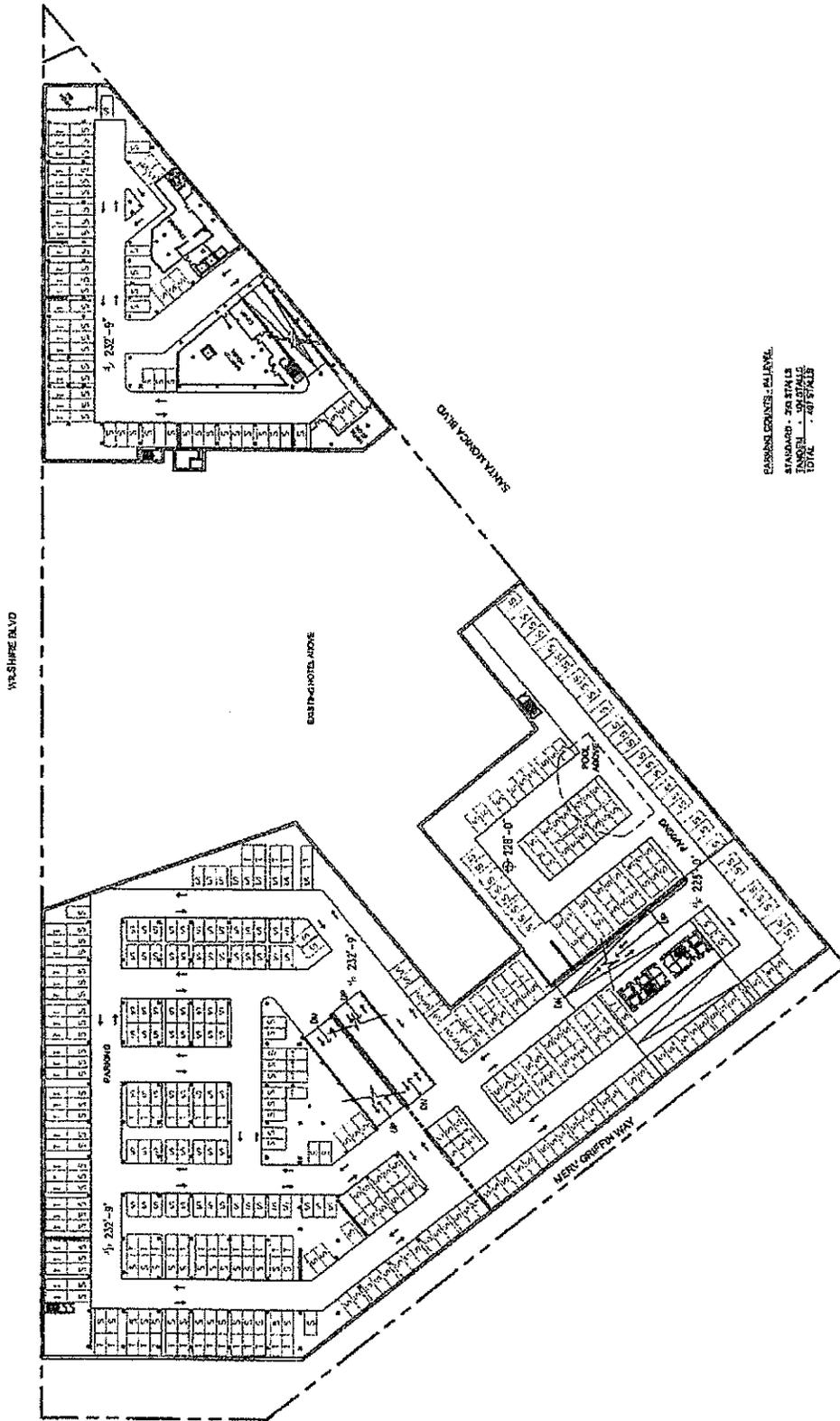
The Beverly Hilton Specific Plan

Figure 9C - Parking Level P3 Plan

Scale: 1" = 120'-0"

March 14, 2008





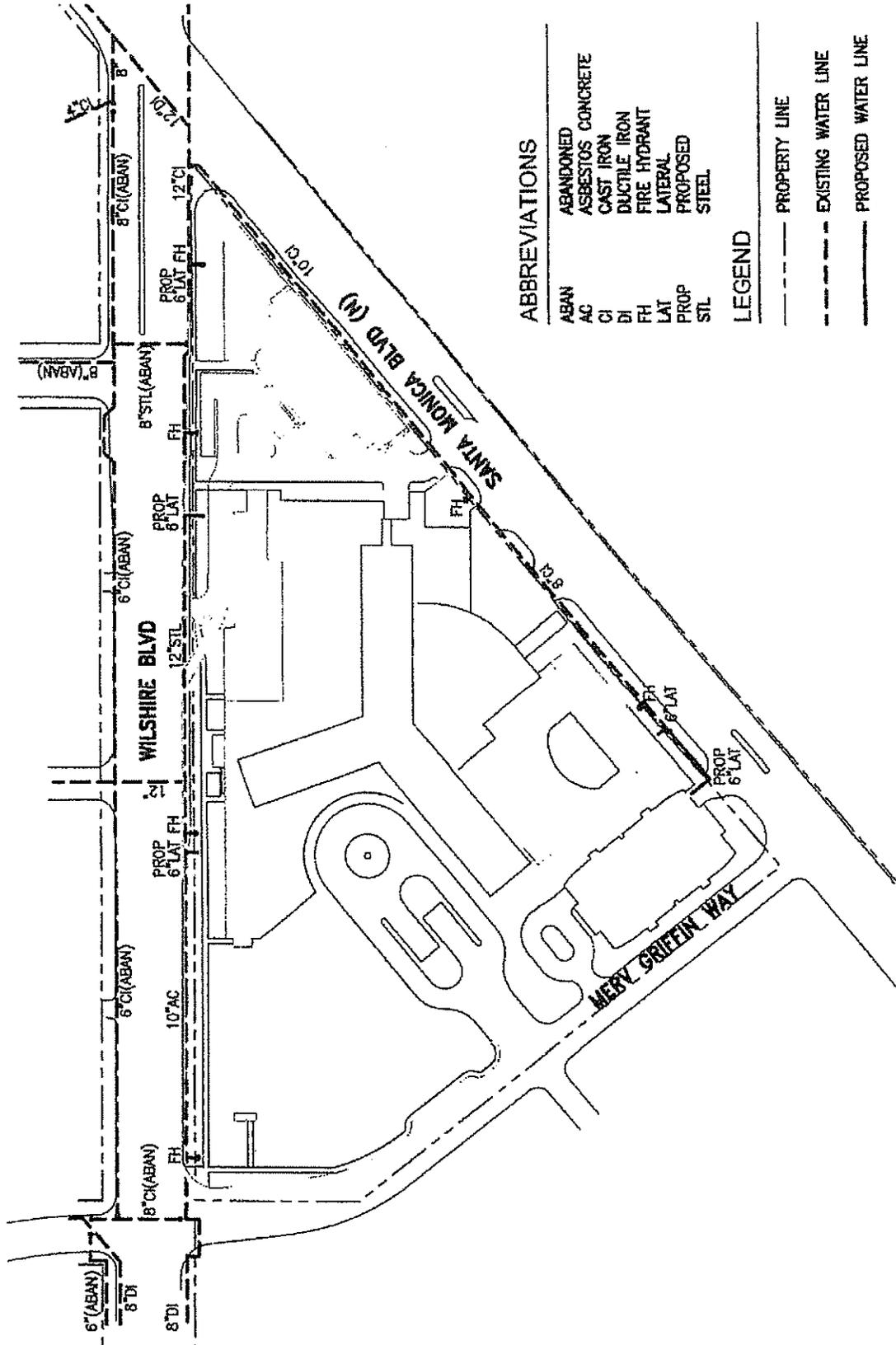
The Beverly Hilton Specific Plan

Figure 9D - Parking Level P4 Plan

Scale: 1" = 120'-0"

March 14, 2008





ABBREVIATIONS

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

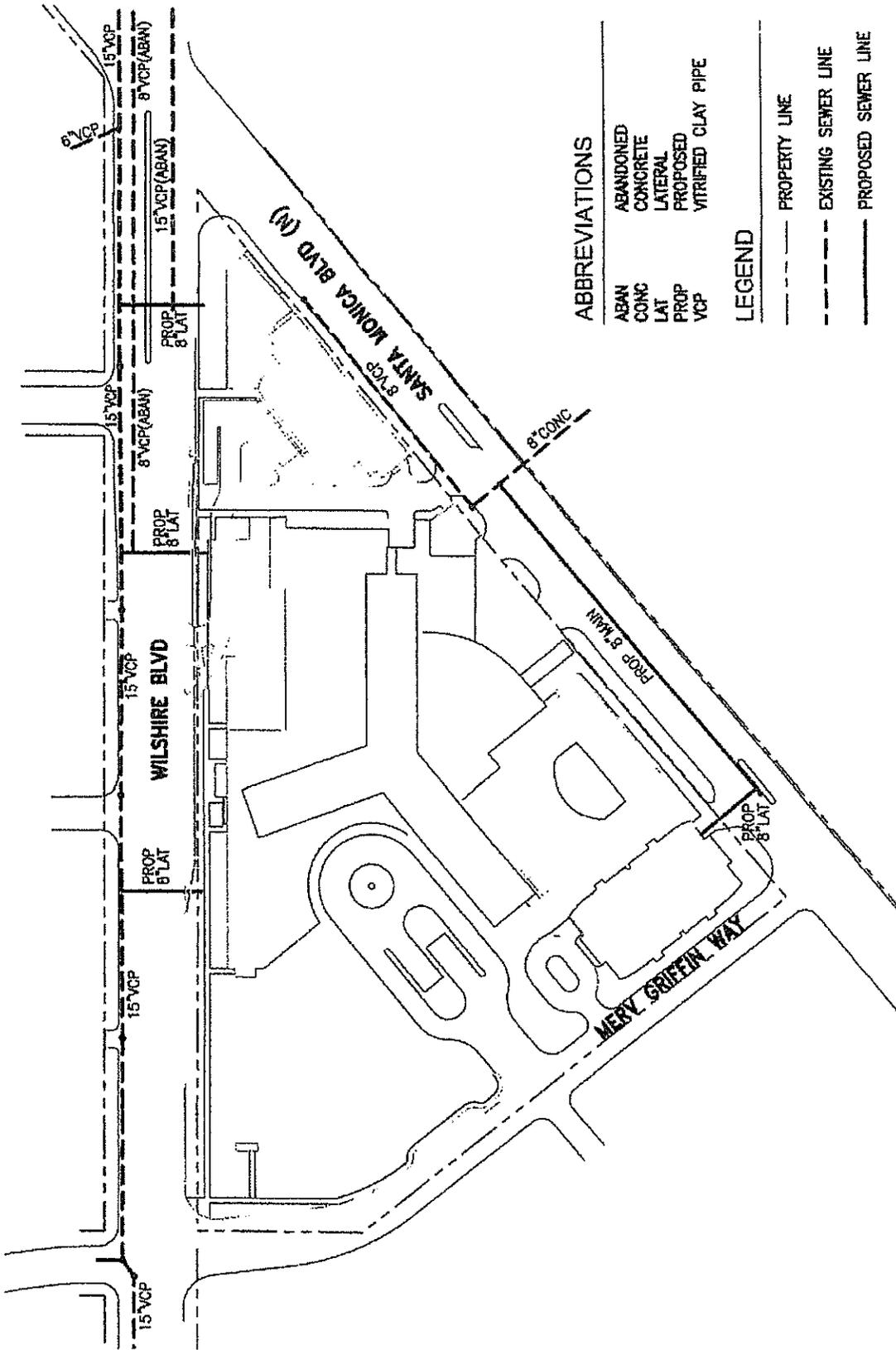
LEGEND

---	PROPERTY LINE
- - -	EXISTING WATER LINE
---	PROPOSED WATER LINE

The Beverly Hilton Specific Plan

Figure 11 - Water System Plan

March 14, 2008



ABBREVIATIONS

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

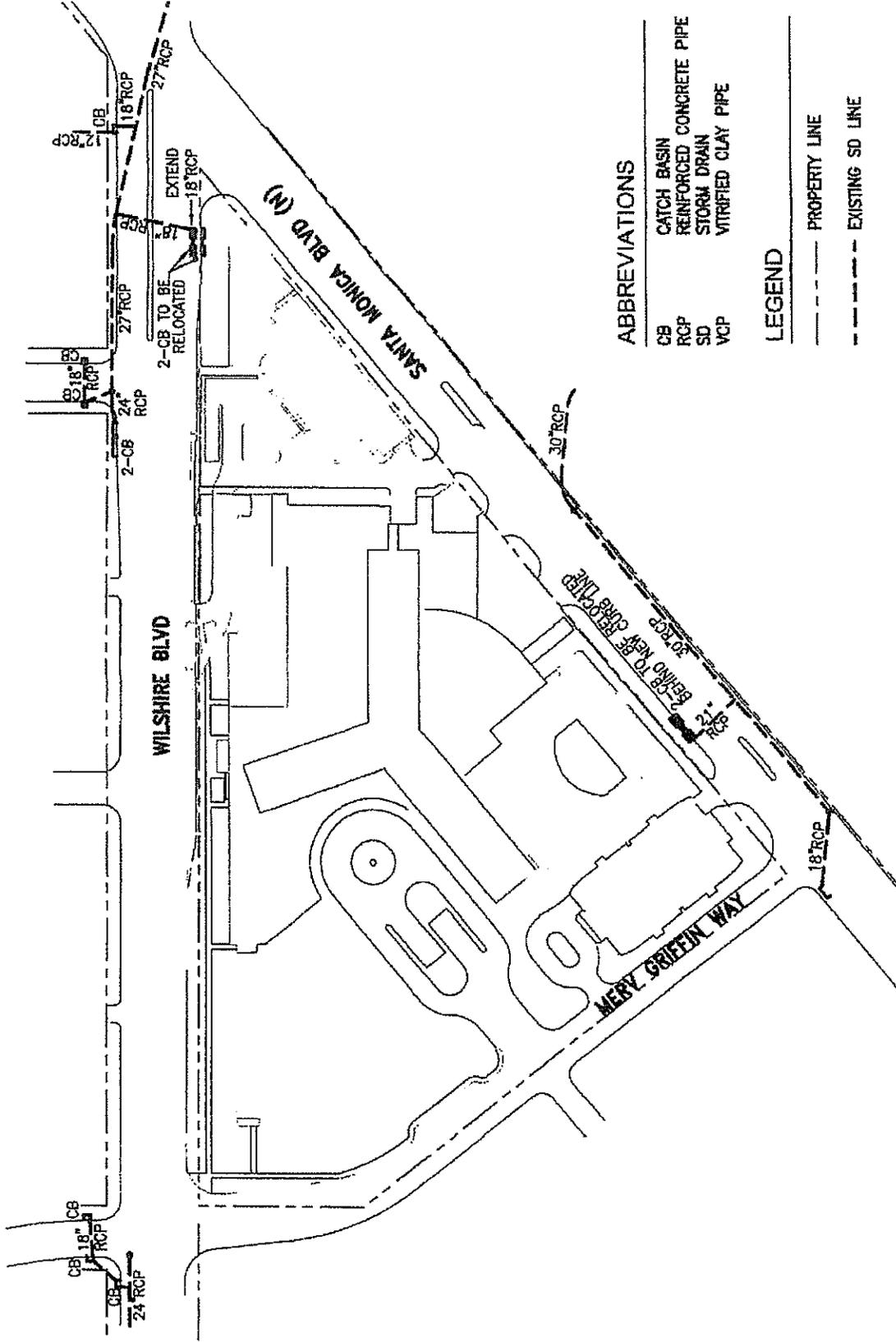
LEGEND

- PROPERTY LINE
- - - EXISTING SEWER LINE
- PROPOSED SEWER LINE

The Beverly Hilton Specific Plan

Figure 12 - Sewer System Plan

March 14, 2008



ABBREVIATIONS

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

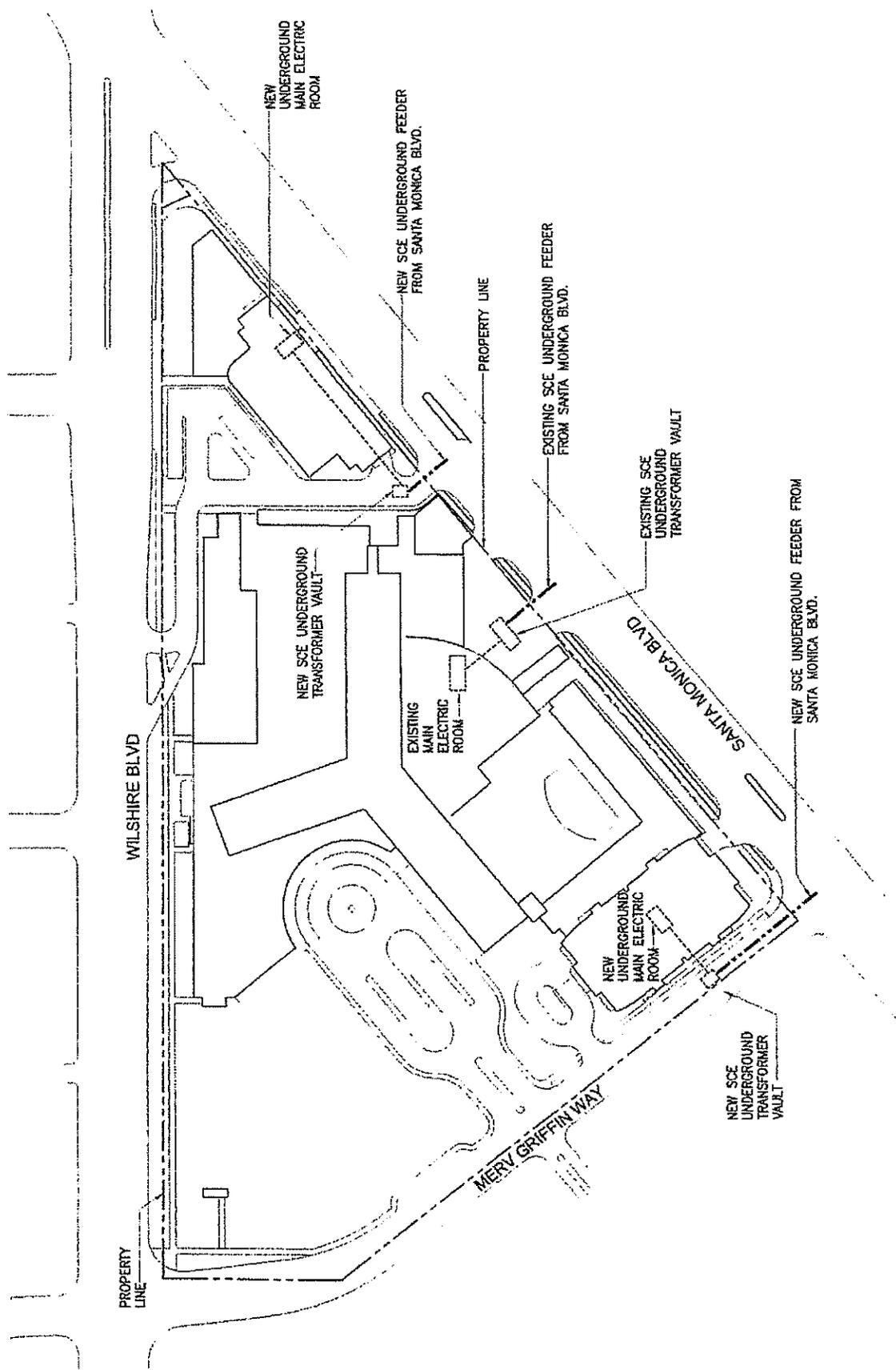
LEGEND

- PROPERTY LINE
- - - EXISTING SD LINE

The Beverly Hilton Specific Plan

Figure 13 - Storm Drain System Plan

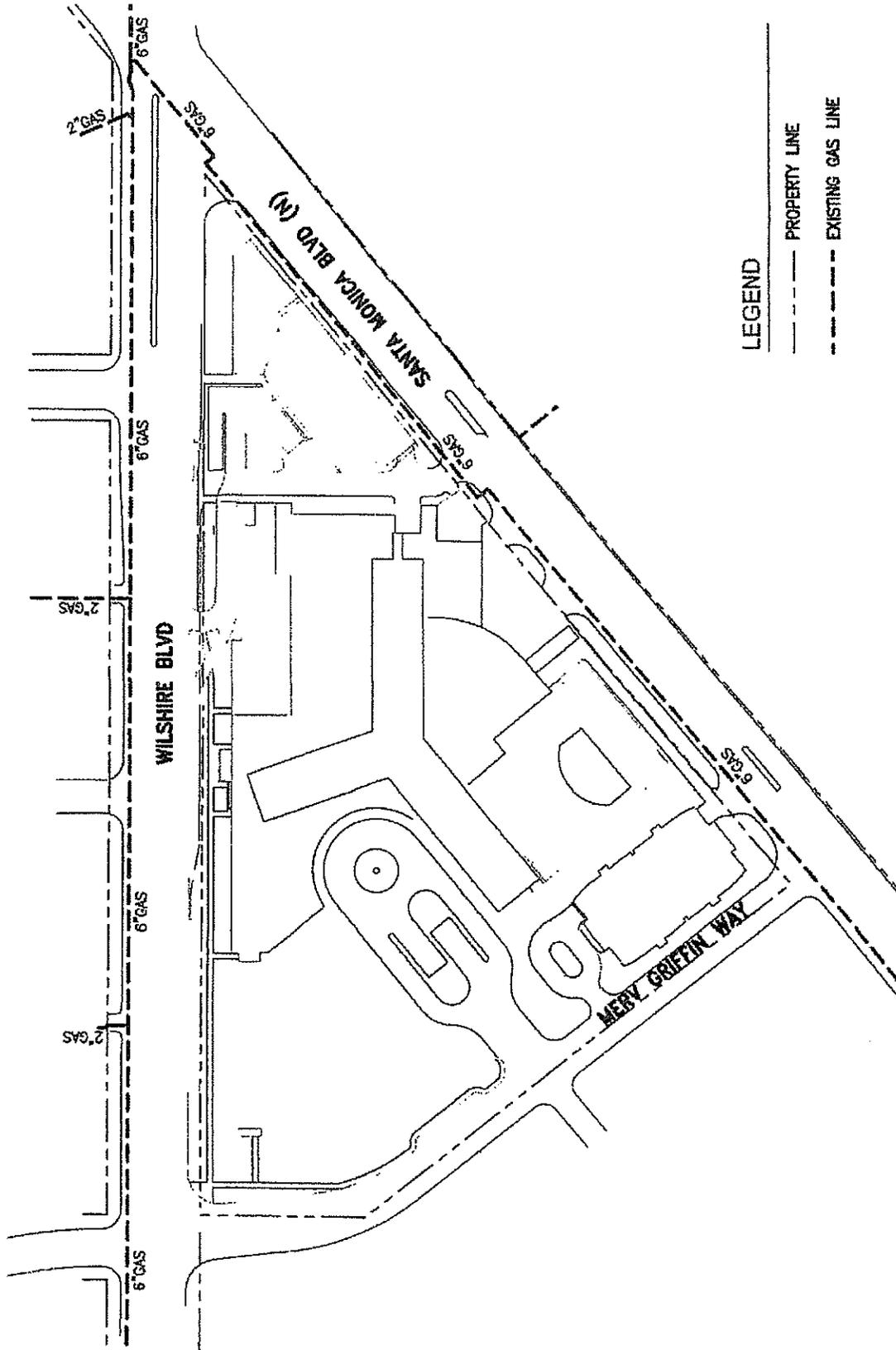
March 14, 2008



The Beverly Hilton Specific Plan

Figure 14 - Electric Facilities Plan

March 14, 2008



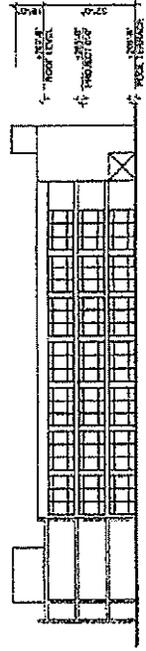
LEGEND

- PROPERTY LINE
- - - EXISTING GAS LINE

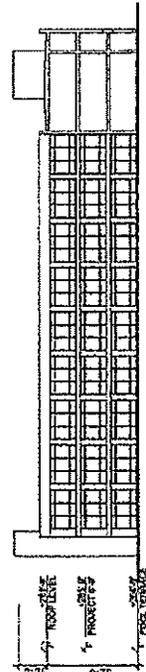
The Beverly Hilton Specific Plan

Figure 15 - Natural Gas Plan

March 14, 2008



1 NORTH ELEVATION



2 EAST ELEVATION

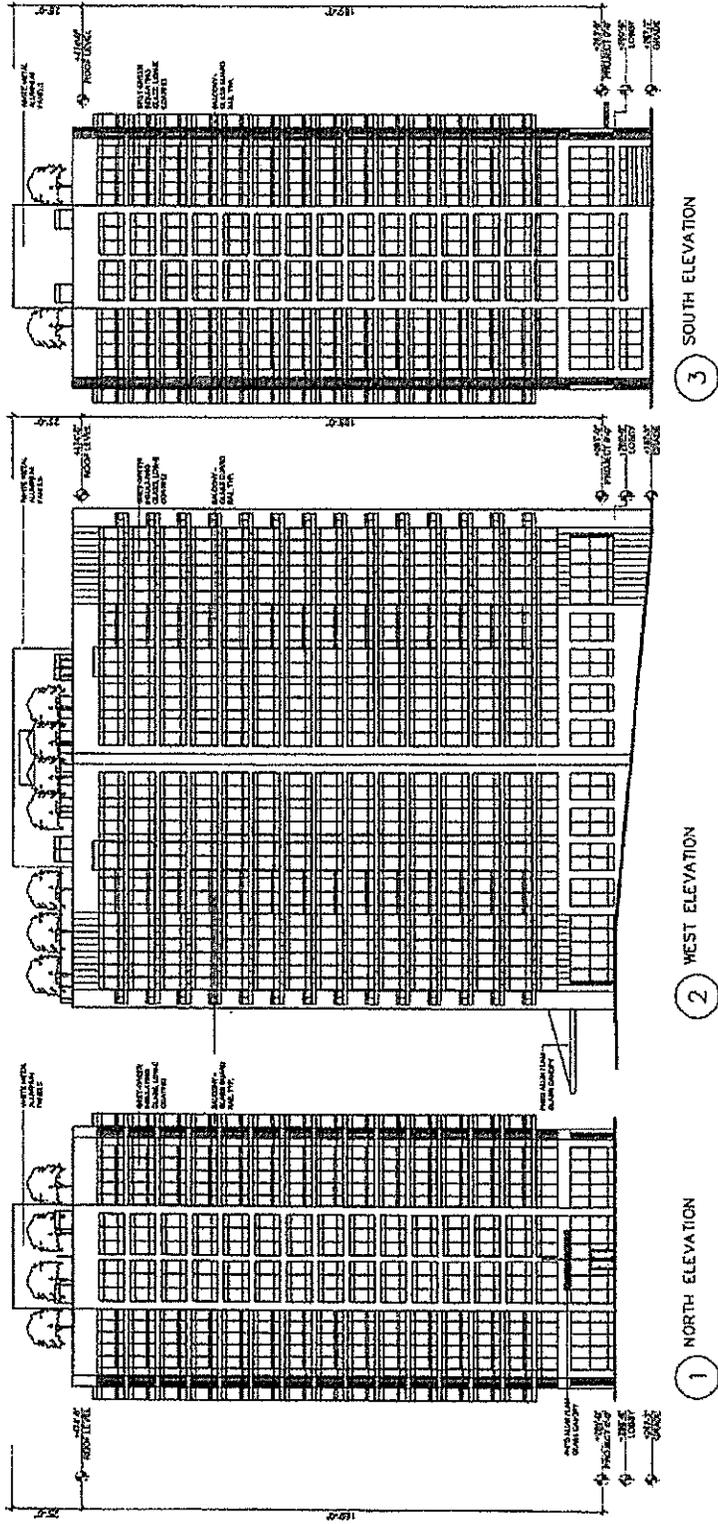
The Beverly Hilton Specific Plan

Figure 16B - Building Heights (New Hotel Rooms Elevations)

Scale: 1" = 60'-0"

March 14, 2008



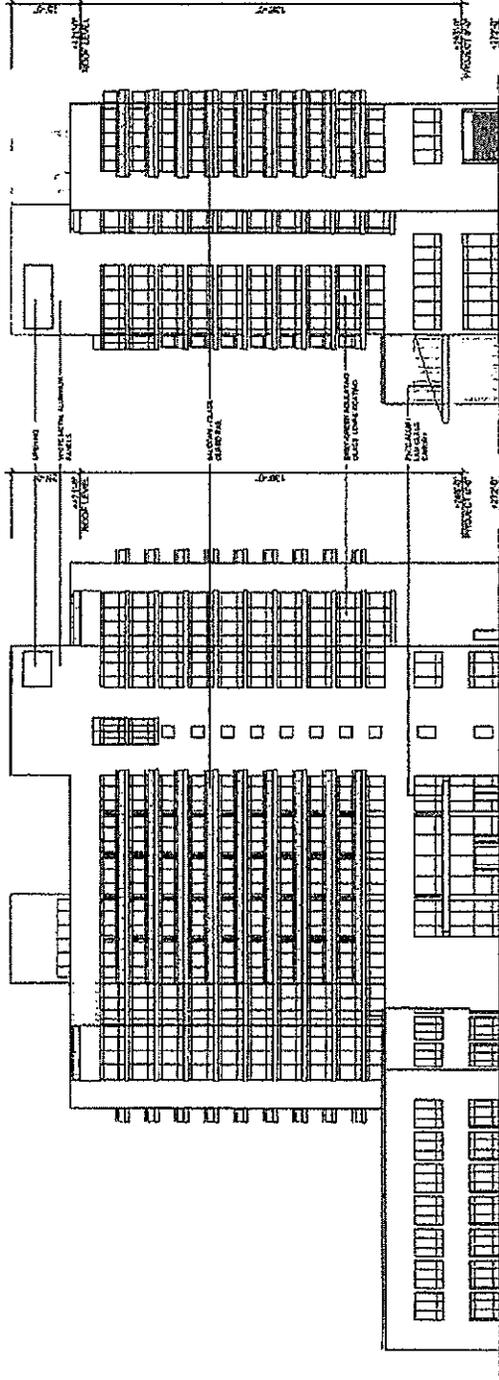


The Beverly Hilton Specific Plan

Figure 16C - Building Heights (New Luxury Residences Elevations)

Scale: 1" = 60'-0"

March 14, 2008



1 NORTH ELEVATION

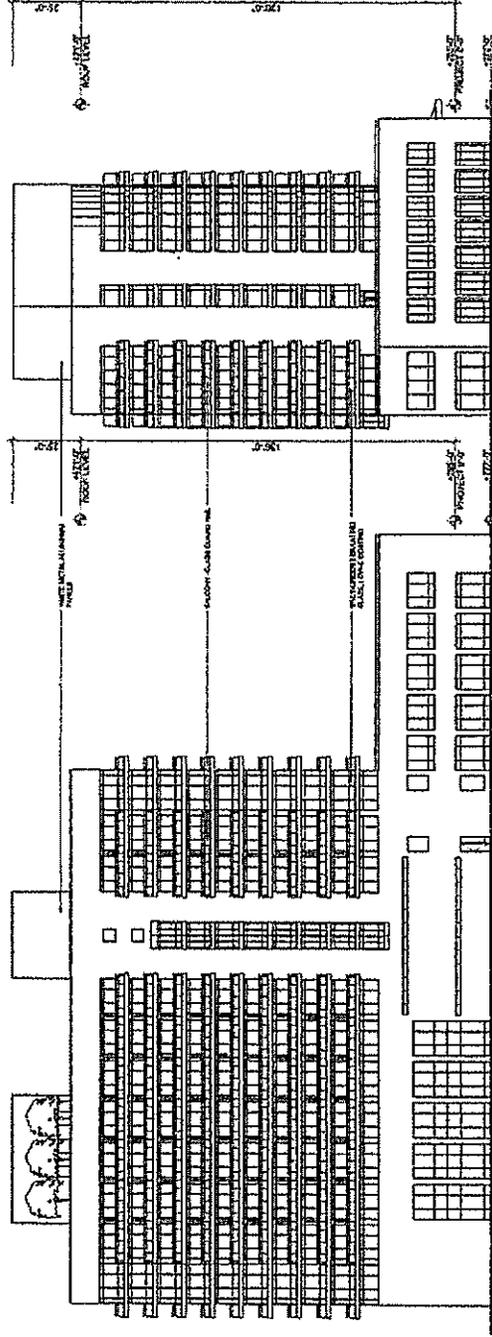
2 WEST ELEVATION

The Beverly Hilton Specific Plan

Figure 16D - Building Heights (New East Luxury Hotel Elevations)

Scale: 1" = 60'-0"

March 14, 2008



1 SOUTH ELEVATION

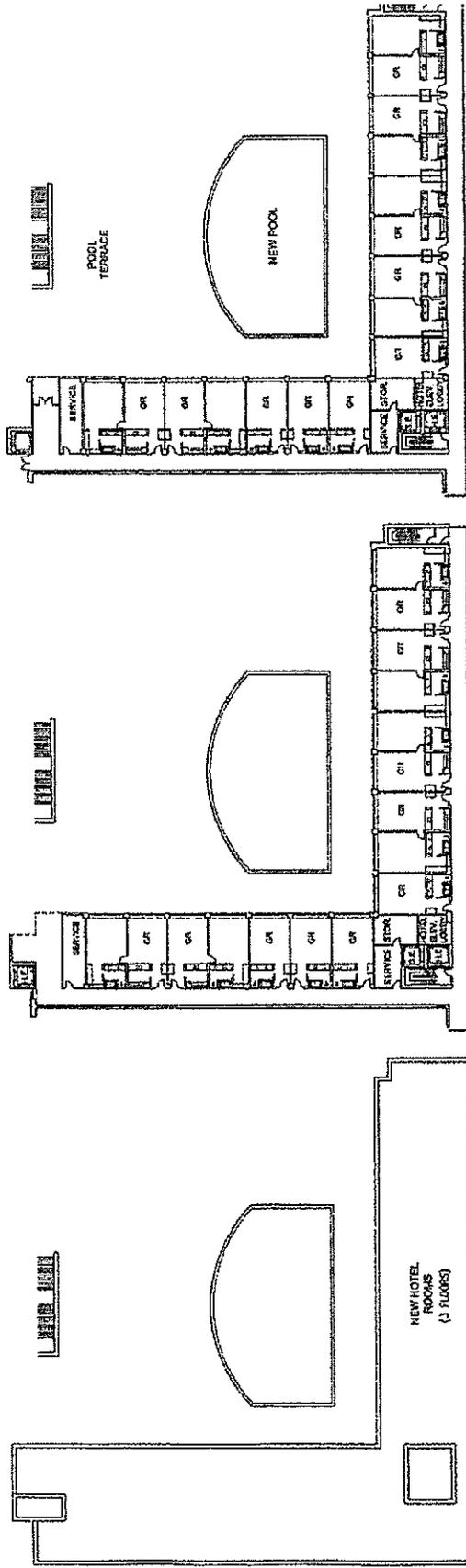
2 EAST ELEVATION

The Beverly Hilton Specific Plan

Figure 16E - Building Heights (New East Luxury Hotel Elevations)

March 14, 2008

Scale: 1" = 60'-0"



1 P1 LEVEL FLOOR PLAN

2 GROUND & SECOND FLOOR PLAN

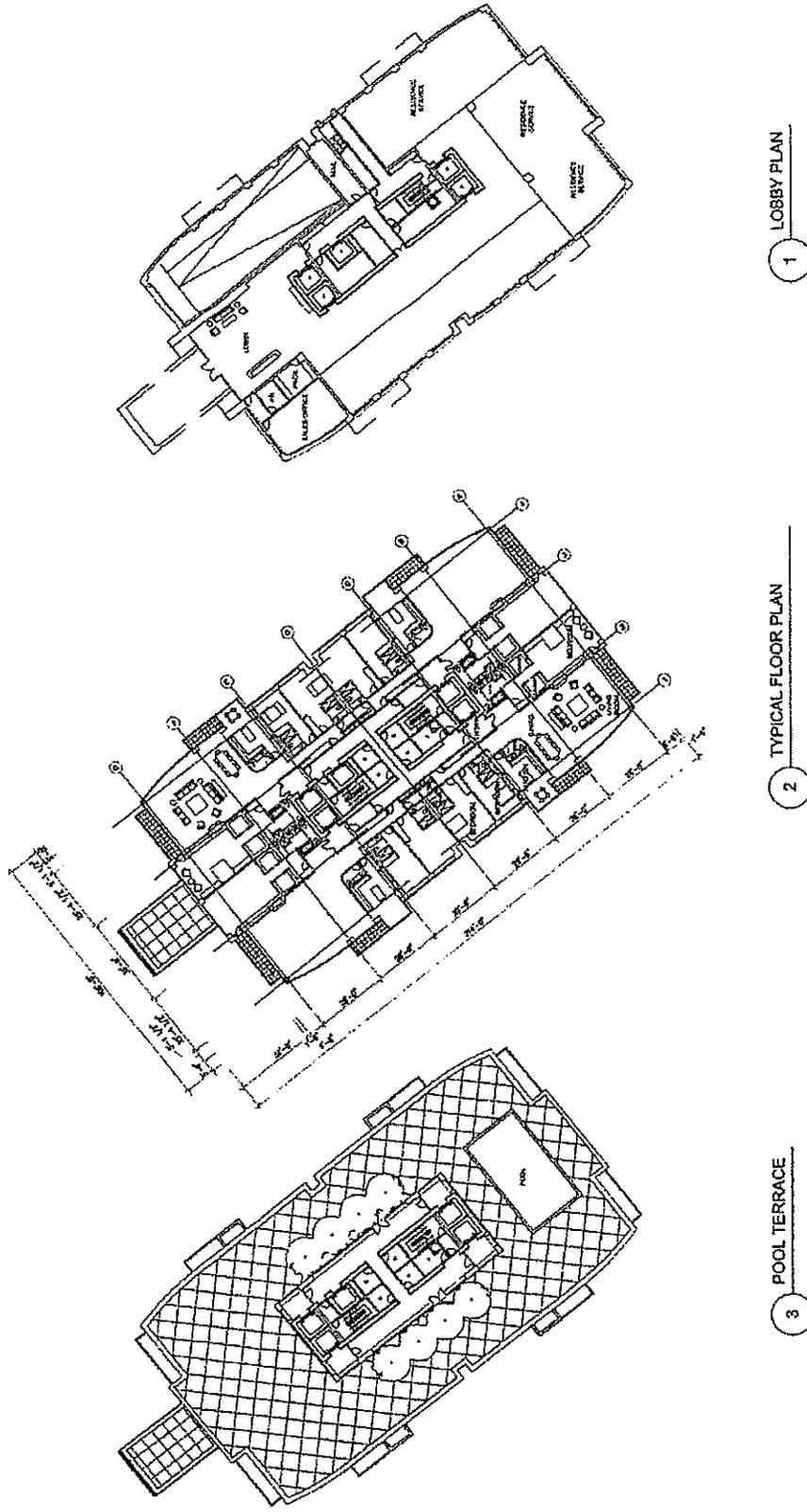
3 ROOF PLAN

The Beverly Hilton Specific Plan

Figure 17 - New Hotel Rooms Building Design

March 14, 2008

Scale: 1" = 60'-0"

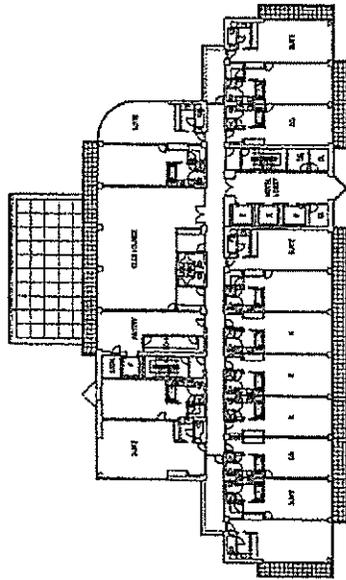


The Beverly Hilton Specific Plan

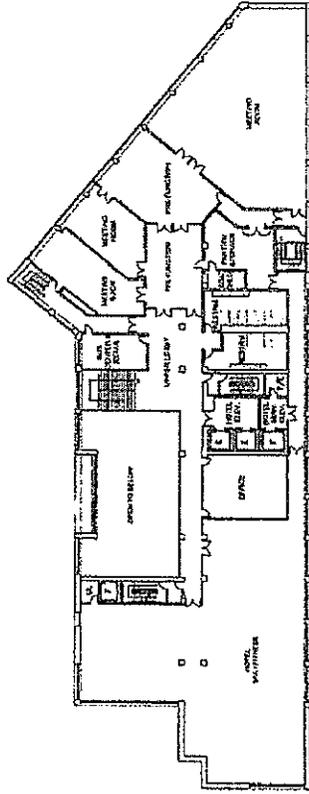
Figure 18 - New Luxury Residences Building Design

Scale: 1" = 60'-0"

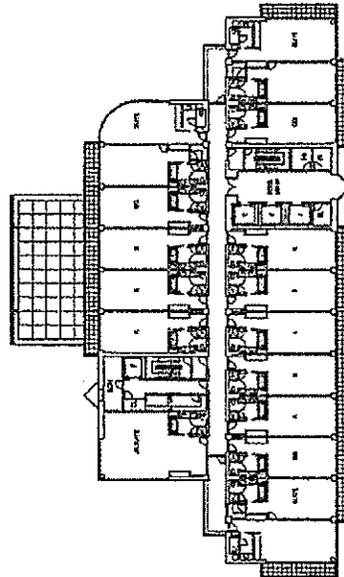
March 14, 2008



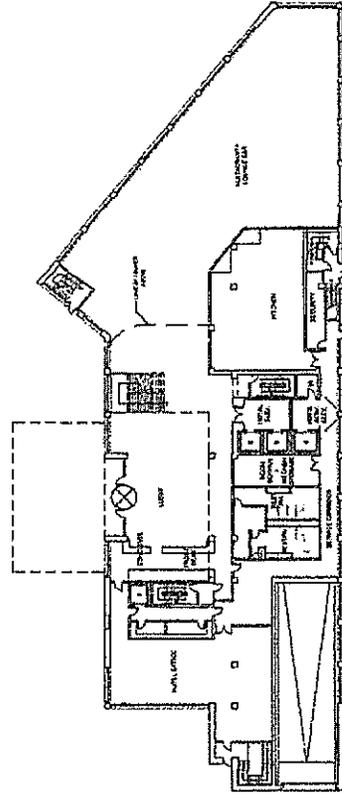
4 NEW EAST LUXURY HOTEL CLUB FLOOR 11TH



2 SECOND LEVEL PLAN



3 NEW EAST LUXURY HOTEL FLOORS 3RD-10TH



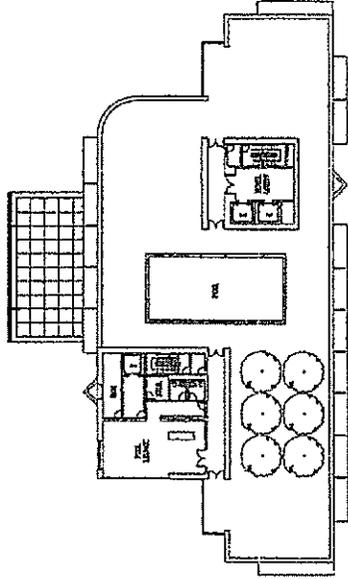
1 GROUND LEVEL PLAN

The Beverly Hilton Specific Plan

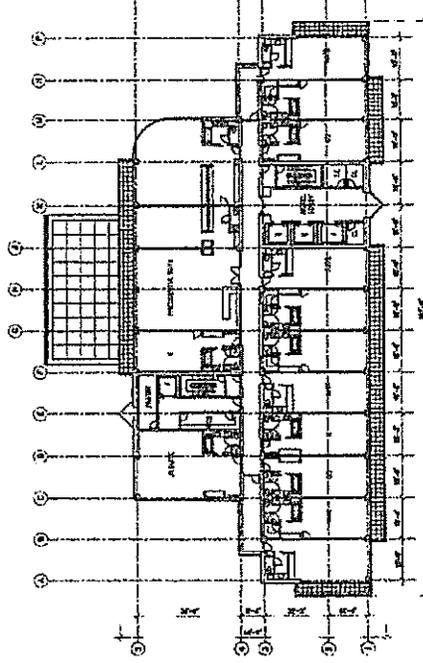
Figure 20A - New East Luxury Hotel Building Design

Scale: 1" = 60'-0"

March 14, 2008



2 POOL TERRACE PLAN



1 NEW EAST LUXURY HOTEL PRESIDENTIAL FLOOR 12TH

The Beverly Hilton Specific Plan

Figure 20B - New East Luxury Hotel Building Design

March 14, 2008



LEGEND

- A BOUTAINVILIA GARDEN
- B CHECKER BOARD GARDEN
- C WISERIA ARBOR GARDEN
- D SUBTROPICAL GARDEN
- E POOL DECK AND DINING TERRACE
- F ENTRY PAVING
- WATER
- HEDGE
- TALL PALM TREES
- LARGE FLOWERING TREES
- CYPRESS
- MIXED SPECIMEN PALMS

The Beverly Hilton Revitalization Plan
 Restorative Landscape Plan

Gwathmey Siegel & Associates Architects
 Peter Walker and Partners Landscape Architects

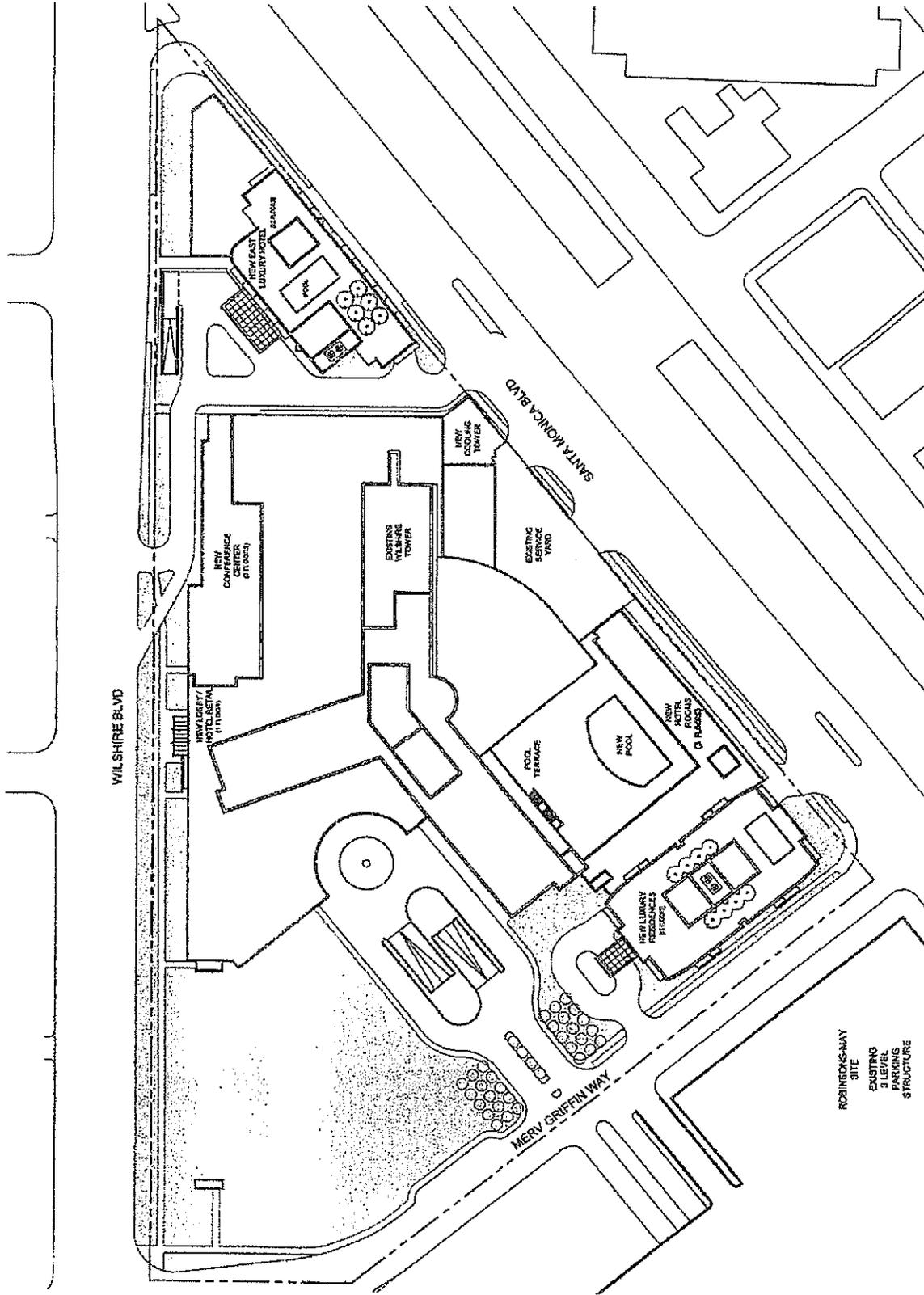
20 50 100
 N ↑

The Beverly Hilton Specific Plan

Figure 21 - Open Space / Landscape Design

March 14, 2008





The Beverly Hilton Specific Plan

Figure 22 - Ground Level Open Space (Shaded Area)

Scale: 1" = 120'-0"

March 14, 2008



EXHIBIT C
CONDITIONS OF APPROVAL

Community Development/Planning Project Conditions

1. **Compliance with Plans.** The Project shall be built in substantial compliance with the plans bearing a revision date of March 14, 2008 and submitted for review to the City Council along with the Planning Commission's recommendations on the project. These plans shall be kept on file with the City Clerk's office and the Department of Community Development/ Planning, inclusive of Exhibit 1, "Standard Conditions List," and Exhibit 3, "Mitigation Monitoring Program," which are incorporated herein by reference and made conditions to the approval of the Project. The Project shall be subject to additional conditions as may be imposed by the Architectural Commission.
2. **Minor Amendments.** Minor amendments to the Conditions of Approval may be approved by the Director of Community Development and shall not require an amendment to the Beverly Hilton Specific Plan.
3. **Number of Residential Units.** In no case shall the Project include more than 60 residential units in accordance with the approved plans and details contained in approved Beverly Hilton Specific Plan.
4. **Number of Hotel Units.** In no case shall the Project include more than 522 hotel rooms in accordance with the approved plans and details contained in the approved Beverly Hilton Specific Plan.
5. **Square Footage.** In no case shall the site include more than 842,625 square feet in the locations shown on in the Specific Plan.

6. General Parking Requirements. The Project shall provide not less than 1,733 marked parking spaces for all on-site uses existing and proposed at the time of the implementation of the Specific Plan, substantially as shown in Figure 9. Further, the Project shall provide capacity for not less than 2,183 vehicles utilizing valet parking shall be provided on-site using marked and unmarked spaces, substantially as shown in Figure 10. These spaces shall provide parking for all land uses within the Specific Plan Area.

7. Residential Parking. A total of not less than 195 standard size parking spaces, as defined by Section 4.2 B.1. of the Specific Plan, shall be provided for the Residence Building. Of these, not more than 380 spaces may be tandem. Tandem spaces may not be used for guest parking. Parking spaces for residential units shall be used solely for the parking of the personal vehicles of residents, their guests, and employees associated with the condominium units. Parking spaces for residential units may not be leased, subleased, sold, transferred, or otherwise separated from the unit for which the parking spaces are required and shall not be dedicated to or used to provide parking for any off-site use. Parking spaces for the residential units shall be permanently assigned to each unit and shall be labeled as such. Residential parking spaces for resident guests and employees shall not be leased, sold, transferred, or otherwise separated from the Residences Building and shall not be dedicated to or used to provide parking for any off-site use. The required Codes, Covenants and Restrictions for the Residences Building shall incorporate the restrictions set forth in this condition.

8. Parking Accessibility. The final parking plan approved by the Building and Safety Division shall meet the minimum number and dimensions for residential and hotel parking

stalls in accordance with the requirements of the Americans with Disabilities Act (“ADA”) for an accessible parking space.

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

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

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

12. Signage. Prior to the issuance of a building permit, the Applicant shall submit the unified sign plan required by Section 4.6 of the Specific Plan for review and approval. Said unified sign plan shall include, but not be limited to, provision of appropriate signage

and precautionary devices inside the parking garage. Thereafter, all project signage shall conform to the approved unified sign plan.

13. Parking Valet/Operations Plan. Prior to the issuance of any occupancy permit, the applicant shall prepare and shall have received approval from the City's Planning Division and Transportation Division of a Parking Valet/Operations Plan for both hotel and restaurant tandem parking operations and residential parking operations. The residential parking operations plan shall include plans to meet the parking needs generated by large on-site events and parties (i.e. to include the aggregate number of people generated for multiple, simultaneous small events occurring at the Residences Building). Thereafter, the applicant and subsequent homeowners association shall implement said plan for any large on-site events and parties. The requirement for this residential operations plan shall be incorporated into the Covenants, Codes and Restrictions for the condominiums.

14. Parking Garage Safety/Technology. The Applicant shall install state-of-the-art devices or equipment as approved by the City's Police and Fire Departments to ensure that wireless telecommunication reception in the parking garage is adequate for police, fire and other emergency responders and the health and safety of residents and visitors in the parking structure.

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

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

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

17. Rooftop Uses. Rooftop uses at the Waldorf=Astoria Hotel and residential building are limited to uses as shown on the approved plans.

18. Green Building Design. The Project shall be constructed to meet the "Certified" rating pursuant to the City's green building rating system, which means achieving not less than 26 points out of a possible 69 points as set forth in the City's Green Building/Sustainability Checklist ("Checklist") attached hereto and incorporated herein as Exhibit 4. A green building plan shall be submitted as part of the application for a building permit. The green building plan shall indicate which points in the Checklist that the project will utilize, and indicate where compliance with each selected point is shown on the plans. The Applicant shall be required to implement all points shown in the final green building

plan. The Building Official or his designee shall verify compliance with each selected point prior to issuance of a final certificate of occupancy. The Building Official may conduct other inspections as needed to ensure compliance with this condition. The Applicant may request amendment of the green building plan and such amendment may be approved by the Building Official as long as the cumulative point total is at least 26. If the City Council adopts a green building ordinance prior to the submittal of an application for a building permit, the Applicant shall comply with said Ordinance. As outlined in Section 4.8 of the Beverly Hilton Specific Plan, the applicant will also seek certification under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. If a conflict occurs between the City's Green Building standards and the LEED standards, the strictest standard shall apply.

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

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

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

22. Traffic/Crossing Guard. During Project construction, the Applicant shall hire a crossing guard to assist children in crossing Wilshire Boulevard, Santa Monica Boulevard and Little Santa Monica Boulevard at the beginning and end of each school day. In addition, if deemed necessary by the Environmental Compliance Monitor, an additional guard shall be hired during construction on an as-needed basis to ensure the safety of children walking the length of Merv Griffin Way to and from school.

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

24. Traffic Signal at Merv Griffin Way/Santa Monica Boulevard. The Applicant shall install a traffic light at the Merv Griffin Way/Santa Monica Boulevard intersection. Installation and plans for the traffic light are subject to review and approval by the City's Traffic Engineer and Building and Safety Division. The Applicant may be entitled to a fair

share reimbursement from other projects that impact this intersection and necessitate the traffic light. The traffic light shall be installed prior to the certificate of occupancy of the first building or the Applicant shall have deposited on file with the City an amount equal to their share of the traffic light materials and installation prior to the occupancy of any new building on the site. New buildings include the East Luxury Hotel, the Residences Building, Poolside Guestrooms and Conference Center Building.

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

Landscaping and Irrigation

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

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

28. The property owners and successors in interest, including but not limited to any homeowners association, shall be responsible for the maintenance of the site drainage the maintenance of the common areas and facilities, the exterior of the building, sidewalks,

parkways, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way and all public and private open areas on the site including the eastern half of Merv Griffin Way.

Other City Departments' Requirements

29. The Applicant shall comply with all applicable conditions and permits required from the Public Works and Transportation Department and Community Services-Recreation and Parks Department attached as Exhibit 1. The Applicant shall secure all necessary permits from the Engineering Division of Public Works prior to commencement of any demolition or Project related work.

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

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

Construction Management

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

- a. Costs of parking and transportation to and from the construction parking area for construction workers shall be paid by the Project Applicant.
 - b. A map identifying routes and parking lots to be utilized and shall be provided to the City and include written certification from the owner(s) of the parking lots proposed to be used that such parking will be available to the Applicant throughout the construction period.
 - c. A plan for the proposed demolition/construction staging for the Project to determine the amount, appropriate routes and time of day of heavy hauling truck traffic necessary for demolition, deliveries etc., to the subject site shall be included in the Construction Management Plan. The construction haul route shall be reviewed and approved by the City Traffic Engineer and the Director of Community Development. The approved haul route is subject to change if the haul route creates unanticipated traffic congestion or noise impacts.
33. Requests for after hours construction permits shall be reviewed by the City's Building Official in accordance with BHMC Section 5-1-206. The Building Official shall confer with the Environmental Compliance Monitor and revise any after hours permits as necessary to mitigate noise to residential neighbors to the project.
34. The Applicant shall maintain a current construction schedule on the project's web page and provide the web page address on construction signage placed on the boundary of the property or in a location visible to the public as determined by the Environmental Compliance Monitor.
35. A cash deposit of \$25,000 shall be deposited with the City to ensure compliance with the conditions of this Resolution regarding construction activities. The \$25,000

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

36. During construction, the Applicant shall install a minimum twelve-foot (12') construction fence to reduce noise and dust impacts on neighboring properties. The final height of the fence shall be approved by the Director of Community Development in

consultation with design professionals knowledgeable in the fields of noise and dust mitigation. The design of the construction fence shall be subject to Architectural Commission review and approval. The Applicant shall, as feasible, provide temporary landscape improvements to improve the appearance of the site around the fence during the construction period.

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

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

addition to the Department of Fish and Game filing fee imposed pursuant to Fish and Game Code Section 711.4.

Property Maintenance

39. The property owners association and the hotels shall be responsible for the operation and maintenance of the private sewer connection(s) to the public sewer in the public right-of-way, the site drainage system, the maintenance of the common areas and facilities, the exterior of the building, sidewalks, parkways, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way and all public and private open areas on the site including the eastern half of Merv Griffin Way and any costs or corrections due to building or property maintenance code enforcement actions. The covenants, codes, conditions and restrictions for this Project, or other enforceable restriction of the site, including the hotels, shall specifically reflect this obligation.

General Conditions.

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

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

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

43. The Project shall comply with the applicable standard conditions and shall obtain all necessary permits from the Public Works/Engineering Department. The Standard Conditions List is attached hereto as Exhibit 1 and incorporated herein by this reference.

44. The Applicant shall comply with the requirements of the Street Tree Mitigation Plan of the Recreation and Parks Department, attached hereto as Exhibit 2 and incorporated herein by this reference.

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

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

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

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

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

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

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

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

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

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

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

56. The existing setback for the building overhang adjacent to The Beverly Hilton's lobby/retail section just west of the existing Wilshire Tower shall be increased 6.4 feet, for a total setback of 13.9 feet from the property line as shown on Exhibit 5 attached hereto.

Exhibit 1 to Conditions of Approval

Standard Conditions of Approval

CITY OF BEVERLY HILLS
STANDARD CONDITIONS LIST
FOR THE PLANNING COMMISSION

ENGINEERING, UTILITIES AND RECREATION & PARKS:

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

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

Standard Conditions List
for the Planning Commission

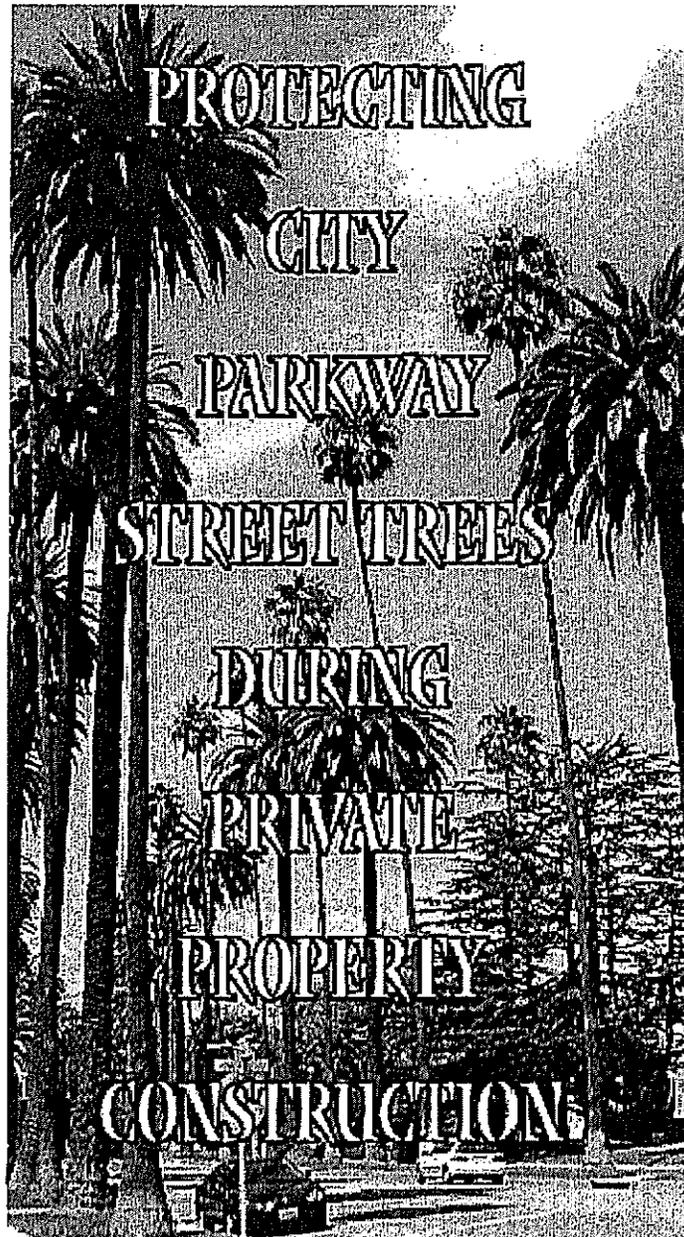
6. The applicant shall provide that all roof and/or surface drains discharge to the street. All curb drains installed shall be angled at 45 degrees to the curb face in the direction of the normal street drainage flow. The applicant shall provide that all groundwater discharges to a storm drain. All ground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

Standard Conditions List
for the Planning Commission

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

Exhibit 2 to Conditions of Approval

Tree Mitigation Conditions





PROTECTING CITY PARKWAY STREET TREES DURING PRIVATE PROPERTY CONSTRUCTION

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

It is a violation of this City code to affix a sign, residence number plaque, mirror, light fixture, etc. to a City tree.

The maintenance and protection of street trees is a shared responsibility between property owners and the City of Beverly Hills. If you feel that a street tree is unhealthy, damaged or in need of pruning, please contact the Department of



Recreation and Parks Urban Forestry Division at 310.550.4638.

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

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

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

PROJECT PLANNING

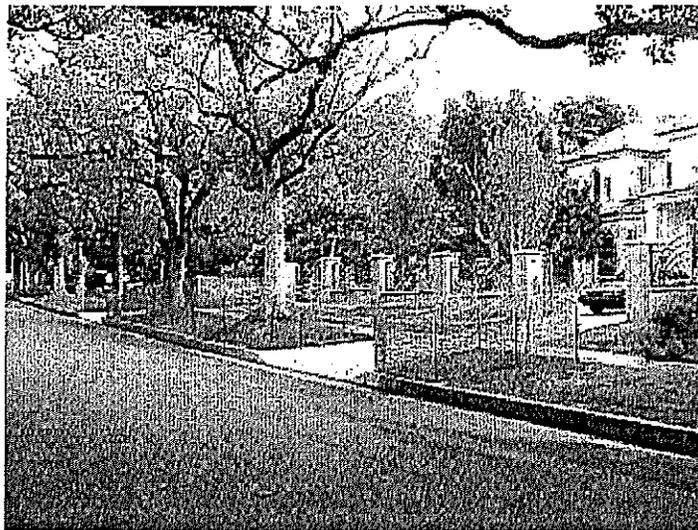
- During the design process, please consider the long term effects that construction may have on City trees. Plan activities carefully, as the City of Beverly Hills will seek compensation for any damage to the trees caused by your construction activities.
- For any projects that include construction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



*Do not design projects at
the expense of trees.*

PROJECT APPROVAL

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



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

SPECIFICATIONS

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

DURING THE PROJECT

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



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

CONTACT/RESOURCE INFORMATION

City of Beverly Hills contact information

- Recreation and Parks Department-
Urban Forest Division Office: (310) 550-4638
recreationandparks@beverlyhills.org
- Civil Engineering Department-
Administration Office: (310) 285-2506
civilengineering@beverlyhills.org
- Building and Safety Department-
Permit Desk: (310) 285-1141
buildingandsafety@beverlyhills.org

Determining the value of trees

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

A library use only copy of this publication is
available in the reference section of:

The Beverly Hills Public Library
444 North Rexford Drive
Beverly Hills, CA 90210
(310) 288-2244

Find an International Society of Arboriculture (ISA) Certified Arborist

- Western Chapter ISA: (530) 892-1006
- ISA, find an Arborist by phone: (217) 355-9411
- ISA, find an Arborist online: <http://www.isa-arbor.com/arborists/arbsearch.html>

Exhibit 3 to Conditions of Approval

Mitigation Monitoring and

Reporting Program

MITIGATION MONITORING PLAN

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

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

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

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

Mitigation Monitoring Plan

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

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report					
Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	Date
Air Quality					
AQ-1	The Developer shall prepare a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.	Community Development Department	The project applicant shall submit a Construction Traffic Emission Management Plan to the Director of Community Development prior to issuance of any grading or construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Traffic Emission Management Plan.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.	
AQ-2	The Contractor shall ensure that the use of all construction equipment is suspended during first-stage smog alerts.	See above.	See above.	See above.	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report						
Mitigation Monitoring and Reporting Plan						
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion (Check Box)	Completion Date	
AQ-3 The Contractor shall promote the use of electricity or alternate fuels for on-site mobile equipment instead of diesel equipment to the extent feasible.	See above.	See above.	See above.			
AQ-4 The Contractor shall maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.	See above.	See above.	See above.			
AQ-5 The Contractor shall promote the use of electric welders to avoid emissions from gas or diesel welders, to the extent feasible.	See above.	See above.	See above.			
AQ-6 The Contractor shall promote the use of on-site electricity or alternative fuels rather than diesel-powered or gasoline-powered generators to the extent feasible.	See above.	See above.	See above.			
AQ-7 Prior to use in construction, the project applicant and contractor will evaluate the feasibility of retrofitting the large off-road construction equipment that will be operating for significant periods. Retrofit technologies, such as particulate traps, selective catalytic reduction, oxidation catalysts, and air enhancement technologies, shall be evaluated. These technologies will be required if they are verified by CARB and/or the U.S. EPA and are commercially available and can feasibly be retrofitted onto construction equipment.	See above.	See above.	See above.			

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Completion Date
AQ-8 The Contractor shall ensure that traffic speeds on all unpaved roads are reduced to 15 mph or less.	See above.	See above.	See above.		
AQ-9 The Contractor shall ensure that the project site is watered at least three times daily during dry weather.	See above.	See above.	See above.		
AQ-10 The Contractor shall install wind monitoring equipment on site, to the extent feasible, and suspend grading activities when wind speeds exceed 25 mph per Southern California Air Quality Management District (SCAQMD) guidelines.	See above.	See above.	See above.		
AQ-11 The Contractor shall water storage piles by hand or apply cover when wind events are declared (wind speeds in excess of 25 miles per hour).	See above.	See above.	See above.		
AQ-12 The Contractor shall apply nontoxic chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).	See above.	See above.	See above.		
AQ-13 The Contractor shall replace ground cover in disturbed areas as quickly as possible.	See above.	See above.	See above.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check-Box Date
<p>AQ-14</p> <p>The project applicant shall retain a third-party air quality consultant to conduct continuous monitoring of the PM10 (dust) concentrations during the project demolition, excavation and grading phases of project construction (approximately 92 work days) to determine compliance with applicable air quality standards and regulations. Monitoring shall be accomplished using DustTrak™ aerosol monitors or other similar monitoring networks and shall meet the following requirements:</p> <ul style="list-style-type: none"> • The third-party consultant shall be approved by the City of Beverly Hills Planning Department. • Costs for the monitoring network and tests by the third-party consultant shall be borne by the project applicant. 	Community Development Department	The Community Development Department shall hire a third-party air quality consultant. Weekly monitoring reports shall be submitted to the Community Development Department for review. The project proponent shall submit a corrective action plan, if necessary.	During demolition and grading.	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<ul style="list-style-type: none"> Monitors shall be located in such a manner that appropriate upwind (background) and two downwind locations from the project are selected. The locations shall be selected in order to monitor the project's contribution to ambient PM₁₀ concentrations and to minimize the influence of dust contributions from outside sources. One downwind monitoring station shall be located at or near the El Rodeo School's southern perimeter. The other downwind monitor shall be located in an area beyond the project boundary where the general public could be present for a period of more than one hour. The upwind and downwind directions shall be based on the prevailing daytime wind direction in the vicinity of the project site. All locations shall be approved by the third-party air quality consultant and the Community Development Director. 					

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report				
Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box
<ul style="list-style-type: none"> The monitoring network shall include at least one anemometer to measure wind speeds and directions. Each monitoring station shall be secured in such a manner to prevent access and tampering by unauthorized persons and to prevent damage to the equipment. Each monitoring station shall be sited in a location with access to necessary infrastructure (e.g., electricity needs, foundation requirements, internet connectivity). Monitors shall be calibrated using collocated filter-based samplers (Mini-Vol or other similar equipment). The third-party consultant shall calibrate the DustTrak™ monitors as needed to ensure that data is within acceptable margins of error as determined by manufacturer's specifications. 				

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check-Box Date
<ul style="list-style-type: none"> The 5-hour rolling average dust concentration threshold is equal to the threshold specified in SCAQMD Rule 403 (50 micrograms per cubic meter) as determined by the difference between the upwind and downwind stations. The 1-hour average dust concentration threshold shall be set at a level of 150 micrograms per cubic meter to provide sufficient warning for on-site construction managers or supervisors to implement corrective measures. An exceedance of the 1-hour threshold shall not be deemed as a violation of any air quality standard or regulation. 				
<ul style="list-style-type: none"> Monitoring shall be continuous and provide data at 5-minute intervals. The data shall report rolling 5-hour and rolling 1-hour average PM₁₀ concentrations. Monitoring shall be active on any day that construction activity occurs during the demolition, excavation, and grading phases of project construction. Data shall be made available to the third-party consultant, the City of Beverly Hills, the project applicant, and the on-site contractor on a secured internet website. The general public shall have access to 5-hour rolling average PM₁₀ concentrations on a publicly accessible website. 				

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Completion Date
<ul style="list-style-type: none"> Monitors shall be equipped with a visual alarm (strobe light or similar) that shall notify appropriate on-site construction managers or supervisors if established thresholds are exceeded. Additionally, an email shall be sent to appropriate on-site construction managers or supervisors if specified PM₁₀ thresholds are exceeded. Corrective measures shall be implemented immediately provided that it is safe to do so. If immediate implementation of a corrective measure shall result in the creation of a hazardous situation, construction activity shall be allowed to continue for a reasonable period of time until such time that it is safe to implement corrective measures. Corrective measures shall be documented by the construction contractor in a log book accessible to the third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken. 					

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report				
Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<ul style="list-style-type: none"> The project applicant and contractor shall develop a corrective action plan. The plan shall be prepared and finalized prior to the commencement of project demolition. The plan shall indicate steps to safely and adequately reduce on-site dust emissions. The plan shall contain a list of possible corrective measures. The measures shall include, but at not limited to, application of water or other soil stabilizers, temporary reduction in on-site vehicle speed, temporary reduction in construction activity, suspension of construction activity and other appropriate measures. The plan shall also require notification of the Principal of El Rodeo School and the Beverly Hills Unified School District Superintendent in the event of an exceedance of any of the established thresholds. The project applicant and contractor shall obtain approval of the plan from the City of Beverly Hills prior to commencing demolition. 				

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<p>AQ-15</p> <p>The project applicant and/or contractor shall comply with SCAQMD Rule 403 by ensuring visible dust emissions from the project site do not go beyond the property line.</p> <ul style="list-style-type: none"> The project applicant and/or contractor shall designate a person located on-site who is trained and certified by the California Air Resources Board to conduct visible emissions evaluations (VEE). The designated person shall ensure compliance with SCAQMD Rule 403 by observing for visible dust emissions beyond the property line during daytime working hours. Observations shall be conducted in accordance with U.S. Environmental Protection Agency Method 9 (Title 40, Code of Federal Regulation, Part 60, Appendix A). 	See above.	See above.	See above.	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report				
Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<ul style="list-style-type: none"> The Beverly Hills Unified School District (BHUSD) shall provide the City of Beverly Hills with its schedule of outdoor activities and athletic events at El Rodeo School and Beverly Hills High School during the construction period as soon as the information becomes available. The City shall immediately provide this information to the project applicant and contractor. The project applicant and contractor shall require coordination of all construction activities so as minimize the occurrence of high-emitting fugitive dust construction activities during the scheduled outdoor events to the extent feasible. 				

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<ul style="list-style-type: none"> In the event visible dust emissions are observed beyond the property line, the designated person shall immediately inform a lead supervisor or other appropriate managing personnel. The supervisor shall immediately implement corrective measures. If visible dust emissions are anticipated to impact El Rodeo School, the supervisor shall notify the Principal of El Rodeo School and the Beverly Hills Unified School District Superintendent. If immediate implementation of a corrective measure shall result in the creation of a hazardous situation, construction activity shall be allowed to continue for a reasonable period of time until such time that is it safe to implement corrective measures. Corrective measures shall be documented by the construction contractor in a log book accessible to the third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken. 				

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Completion Date
Cultural Resources					
CR-1 Components of The Beverly Hilton to be demolished shall be photographed with large-format black and white photography, and a written report which follows to Historic American Buildings Survey (HABS) / Historic American Engineering Record (HAER) standards at a minimum Level 3 Recordation. This documentation shall be donated to a suitable repository, such as the City of Beverly Hills Public Library.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards. The project applicant shall provide applicable photographs and reports to the Community Development Department.	Prior to issuance of grading and building permits.		
CR-2 Potentially historic street lights adjacent to the project site shall be preserved and reinstalled along this section of Wilshire Boulevard and Santa Monica Boulevard, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards. Historic street lights will be relocated, as advised.	Prior to issuance of grading and building permits.		
CR-3 Potentially historic sign posts adjacent to the project site on Merv Griffin Way shall be preserved and reinstalled in approximately the same locations, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards. Historic sign posts will be relocated, as advised.	Prior to issuance of grading and building permits.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<p>CR-4</p> <p>If buried cultural resources are encountered during construction, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can assess the nature and significance of the archaeological discovery, per CEQA Section 15064.5 (f). Recovery of significant archaeological deposits, if necessary, shall include but not be limited to manual or mechanical excavations, monitoring, soils testing, photography, mapping, or drawing to adequately recover the scientifically consequential information from and about the archaeological resource. Further treatment may be required, including site recordation, excavation, site evaluation, and data recovery. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the archaeologist.</p>	Community Development Department	The project applicant shall provide proof that a certified archaeologist has investigated and has made appropriate recommendations.	During project construction.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Completion Date
<p>CR-5</p> <p>If human remains are discovered during construction, the coroner and designated Native American representatives shall be notified in accordance with Public Resources Code Section 5097.98, Health and Safety Code Section 7050.5, and Section 15064.5 (d) of the State CEQA Guidelines. State Health and Safety Code Section 7050.5 states that if human remains are unearthed during construction, no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. In accordance with applicable regulations, construction activities shall halt in the event of discovery of human remains, and consultation and treatment shall occur as prescribed by law. If human remains discovered are of Native American origin, it shall be necessary to comply with state laws relating to the disposition of Native American burials that fall within the jurisdiction of the California Native American Heritage Commission (Public Resources Code Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052).</p>	<p>Community Development Department</p>	<p>The project applicant shall provide proof that a certified archaeologist has investigated and has made appropriate recommendations.</p>	<p>During project construction.</p>	<input type="checkbox"/>	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<p>If the remains are determined to be Native American, the coroner shall contact the California Native American Heritage Commission to determine the most likely living descendant(s). The most likely living descendant shall determine the most appropriate means of treating the human remains and any associated grave artifacts and oversee disposition of the human remains and associated artifacts by the project archaeologists.</p>				
<p>CR-64 In the event a previously unknown fossil is uncovered during project construction, all work shall cease until a certified paleontologist can investigate the finds and make appropriate recommendations. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the monitor.</p>	Community Development Department	The project applicant shall provide proof that a certified paleontologist has investigated and has made appropriate recommendations.	During project construction.	

Beverly Hilton Revitalization Plan Environmental Impact Report					
Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	Date
Geology and Soils					
GEO-1 The proposed project shall be designed and constructed in accordance with recommendations contained in the Report of Geotechnical Investigation prepared by Mactec Engineering and Consulting, Inc. and in accordance with all applicable local, state, and federal regulations, such as the Uniform Building Code (UBC) and Title 9 of the Beverly Hills Municipal Code.	Community Development/ Building & Safety Division	The construction plans filled with the Department of Community Development/Building & Safety Division shall comply with this requirement. The plan check engineers will review the plans to ensure that they comply with this requirement.	This requirement shall be met prior to the issuance of relevant building permits.		
Hazards and Hazardous Materials					
HAZ-1 The sampling of all suspect asbestos-containing materials (ACMs) such as roofing, wall finishes and non-friable floor finishes, shall be conducted prior to demolition. If the suspect ACMs are confirmed to contain asbestos, their removal in accordance with applicable regulations shall be necessary prior to impact by renovation or demolition activities.	Community Development/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Completion Date
HAZ-2 Construction activities shall comply with SCAQMD Rule 1403 - Asbestos Emissions from Demolition/Renovation Activities. This rule is intended to limit asbestos emissions from demolition or renovation of structures and the associated disturbance of ACMs generated or handled during these activities. The rule requires that SCAQMD be notified before demolition or renovation activity occurs. This notification includes a description of structures and methods utilized to determine the presence or absence of asbestos. All ACMs found on the site shall be removed prior to demolition or renovation in accordance with the requirements of Rule 1403.	Community Development/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		
HAZ-3 Prior to demolition activities, the sampling of suspect materials for lead content shall be conducted. If these surfaces are determined to contain concentrations of lead at or above regulatory limits, their removal by a licensed abatement contractor in accordance with applicable regulations shall be necessary prior to demolition or renovation activities.	Community Development/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<p>HAZ-4</p> <p>During demolition or renovation activities, the airborne lead concentration shall not exceed the Permissible Exposure Level (PEL), as required by the California Occupational Health and Safety Administration (Cal/OSHA), Title 8, California Code of Regulations (CCR), Construction Safety Orders for Lead, Section 1532.1.</p>	<p>Community Development Department/ Building & Safety Division</p> <p>Department of Public Works</p>	<p>The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.</p>	<p>This measure shall be in effect until the issuance of the certificate of occupancy.</p>		
<p>HAZ-5</p> <p>The demolition debris waste stream shall be analyzed for lead content during materials separation to ensure compliance with U.S. Environmental Protection Agency (EPA) regulations related to transportation and disposal of hazardous materials.</p>	<p>Community Development Department/ Building & Safety Division</p> <p>Department of Public Works</p>	<p>The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.</p>	<p>This measure shall be in effect until the issuance of the certificate of occupancy.</p>		
<p>HAZ-6</p> <p>All personnel workers potentially exposed to lead-containing materials shall be trained and protected in accordance with federal OSHA regulations.</p>	<p>Community Development Department/ Building & Safety Division</p> <p>Department of Public Works</p>	<p>Proof of training and protection in accordance with federal OSHA regulations shall be provided to the Director of Community Development.</p>	<p>This measure shall be in effect until the issuance of the certificate of occupancy.</p>		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report					
Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
				Check Box	
				Date	
HAZ-7	Community Development/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<p>Hydrology and Water Quality</p> <p>HYDRO</p> <p>-1</p> <p>Prior to start of soil-disturbing activities at the site, a Notice of Intent (NOI) and Stormwater Pollution and Prevention (SWPPP) shall be prepared by the applicant in accordance with, and in order to partially fulfill, the California State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 (General Construction Permit). The SWPPP shall meet the applicable provisions of Sections 301 and 402 of the CWA and Title 9, Chapter 4, Article 5, Storm Water and Urban Runoff Pollution Control from the Beverly Hills Municipal Code by requiring controls of pollutant discharges that utilize best available technology (BAT) and best conventional pollutant control technology (BCT) to reduce pollutants. Examples of BAT/BCT that may be implemented during site grading and construction could include straw hay bales, straw bale inlet filters, filter barriers, and silt fences.</p>	Community Development Department	The project applicant will prepare a NOI and SWPPP.	Prior to the issuance of grading and building permits.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan: Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<p>HYDRO -2</p> <p>Prior to issuance of any grading or building permits, the project applicant shall prepare and submit to the City of Beverly Hills a SWPPP to be administered throughout all phases of grading and project construction. The SWPPP shall incorporate BMPs to ensure that potential water quality impacts during construction phases are minimized. Examples of practices that may be implemented during grading and construction could include straw hay bales, straw bale inlet filters, filter barriers, and silt fences.</p>	<p>Community Development Department</p>	<p>The project applicant will prepare a Storm Water Pollution Prevention Plan.</p>	<p>Prior to the issuance of grading and building permits.</p>	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check-Box Date
<p>Noise</p> <p>NOISE-1</p> <p>Prior to issuance of grading permits, the applicant shall submit a Construction Management Plan satisfactory to the Director of Community Development and the Building Official. The Building Official shall enforce noise attenuating construction requirements. The Construction Management Plan shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> Excavation, grading, and other construction activities related to the proposed project shall be restricted to the hours of operation allowed under Section 5-1-206, Restrictions on Construction Activity, of the City Municipal Code. Any deviations from these standards shall require the written approval of the Director of Community Development. 	<p>Community Development Department School District</p>	<p>The project applicant shall submit a Construction Management Plan to the Director of Community Development prior to issuance of any grading or construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Management Plan.</p>	<p>This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.</p>	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report				
Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion
				Check Box Date
<ul style="list-style-type: none"> During the initial stage of construction, including site demolition and site preparation/excavation, and when construction activities are within 200 feet of the northern boundary of the site, an 8-foot temporary sound barrier (e.g., wood fence), with at least one-half inch thickness, shall be erected at the project site, to the extent feasible. Sound blankets will also be used. All stationary construction equipment (e.g., air compressor, generators, etc.) shall be operated as far away from the single-family residences and elementary school located north of the project site as possible. If this is not possible, the equipment shall be shielded with temporary sound barriers, sound aprons, or sound skins to the satisfaction of the Director of Community Development. 		<p>The applicant shall work with the School District to ensure that no construction activity generating the highest noise levels is undertaken during any designated testing periods occurring at El Rodeo School. The exact dates and times shall be determined by the School District.</p>		

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<ul style="list-style-type: none"> Haul routes for construction materials shall be restricted to truck routes approved by the City. Hauling trucks shall be directed to use commercial streets and highways, and, to the extent feasible, shall minimize the use of residential streets. The haul routes and staging areas for the project shall be established to minimize the impact of construction traffic on nearby residential neighborhoods and schools. Generally, haul routes to the 405 Freeway shall utilize Santa Monica Boulevard to minimize impacts to City streets. All construction vehicles, such as bulldozers and haul trucks, shall be prohibited from idling in excess of ten minutes, both on site and off site. Construction vehicles will not be staged on streets located in the City of Beverly Hills. The General Contractor and its subcontractors shall inspect construction equipment to ensure that such equipment is in proper operating condition and fitted with standard factory silencing features. Construction equipment shall use available noise control devices, such as equipment mufflers, enclosures, and barriers. 					

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<ul style="list-style-type: none"> Prior to the start of every school year, the applicant shall obtain a schedule of testing periods at El Rodeo School. The applicant shall submit a construction schedule for review and approval by the Community Development Director and the Environmental Monitor that ensures that no construction activity generating the highest noise levels (e.g. demolition and grading) is undertaken during any designated testing periods at the school. Such testing periods typically occur for one week per semester; however, the exact dates and times will be determined by the <School District>. 					

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<p>NOISE- 2</p> <p>The applicant shall implement sound attenuation features to reduce noise levels at all private outdoor livable spaces (i.e., balconies) on residence and hotel building floors 1 through 6 fronting Wilshire and Santa Monica Boulevards and Merv Griffin Way. Such features may include berms made of sloping mounds of earth, walls and fences constructed of a variety of materials, thick plantings of trees and shrubs, or combinations of these materials, or the use of solid material for balcony construction such as double-paned or laminated glass, Plexiglas, or wood. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels at the exterior livable spaces do not exceed state land use standards for residences. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Beverly Hills for review and approval prior to the issuance of building permits.</p>	<p>Community Development/ Building & Safety Division</p>	<p>The project plans filed with the Department of Community Development/Building & Safety Division shall comply with this requirement. The plan check engineers will review the plans to ensure that they comply with this requirement.</p>	<p>This requirement shall be met prior to the issuance of relevant building permits.</p>	<input type="checkbox"/>	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check-Box	Completion Date
<p>NOISE- 3</p> <p>The applicant shall incorporate building materials and techniques that reduce sound transmission through walls, windows, doors, ceilings, and floors of on-site residences in order to achieve interior noise levels that are below the state land use guidelines standards for interior noise. Such building materials and techniques may include double-paned windows, staggered studs, or sound-absorbing blankets incorporated into building wall design, or outdoor noise barriers erected between noise sources and noise-sensitive areas, such as berms made of sloping mounds of earth, walls and fences constructed of a variety of materials, thick plantings of trees and shrubs, or combinations of these materials. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed state standards for residences. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Beverly Hills for review and approval prior to the issuance of building permits.</p>	See above.	See above.	See above.		

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check-Box Date
<p>NOISE-4</p> <p>The Beverly Hilton Revitalization Plan project applicant shall coordinate with the 9900 Wilshire project applicant regarding the following:</p> <ul style="list-style-type: none"> All temporary roadway closures shall be coordinated to limit overlap of roadway closures; All major deliveries for both projects shall be coordinated to limit the occurrence of simultaneous deliveries. The applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously; The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared; and Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking. 	Community Development Department	The collective team of the two projects shall submit a signed document explaining their collaborative plans to the Community Development Department for review to enforcement.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
Fire Protection and Emergency Services				
FIRE-1 The proposed signal at the intersection of Santa Monica Boulevard and Merv Griffin Way shall be outfitted with an Opticom device, a traffic signal pre-emption used to control signalized intersections to allow the Beverly Hills Fire Department (BHFD) to provide a safe response route and to decrease response times to emergencies.	Department of Public Works/Civil Engineering Division and Community Development Department Fire Department	The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure for the BHFD to review. The applicant will pay a fair share contribution to this measure.	This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check-Box	Date
<p>FIRE-2</p> <p>The 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard shall be replaced with a 12-inch main in order to achieve adequate fire flow for the project. The line shall be replaced from the intersection of Wilshire Boulevard and Santa Monica Boulevard to the western boundary of the project site. The project applicant shall pay its "Fair Share" towards the upgrade of the 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard prior to the issuance of building permits. Upgrade of the main shall be completed concurrently with project construction and prior to building occupancy. The project applicant shall coordinate with the City so that construction of the upgraded main shall not conflict with construction of the proposed project.</p>	<p>Department of Public Works/Civil Engineering Division and Community Development Department</p>	<p>The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair share contribution to this measure.</p>	<p>This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.</p>		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check-Box	Date
Transportation, Traffic, Parking, and Circulation					
<p>TRAF-1</p> <p>An Environmental Monitor shall be retained that will be responsible for monitoring compliance with the mitigation measures in the adopted Mitigation Monitoring Program. The name, phone number, and other contact information for the Environmental Monitor shall be posted on the construction trailer or other location visible to public view as determined by the Community Development Director. The developer shall deposit funds sufficient to pay for the Environmental Monitor who will be hired by and work for the City.</p>	Community Development Department	An independent Environmental Monitor shall be retained. The project applicant shall submit photographs of the posted contact information to the Community Development Department.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
<p>TRAF-2</p> <p>The Environmental Monitor shall proactively inform the public of the ongoing project progress and exceptions to the expected plans. This shall include sending a quarterly mailer to all property owners within 1,000 feet of the exterior boundaries of the property. The developer shall be responsible for the full cost of the mailer including postage. The Environmental Monitor shall also respond to requests for information and assistance from members of the public when impacts raise special concerns by members of the public.</p>	See above.	See above.	See above.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report					
Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Completion Date
TRAF-3 A contact person shall be assigned and a hotline number shall be published on construction signage placed along the boundary of the project site to address day-to-day issues.	Community Development Department	An independent Construction Relations Officer shall be retained. The project applicant shall submit photographs of the posted contact information to the Community Development Department.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
TRAF-4 The Developer and Environmental Monitor shall each provide monthly project updates to the City, unless otherwise warranted due to resident complaints.	Community Development Department	The Developer, Construction Relations Officer, and Environmental Monitor shall each provide monthly project updates to the CDD Director.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	
			Verification of Completion Check Box	
			Date	
<p>TRAF-5</p> <p>The Developer shall revise and finalize the Draft Construction Traffic Management Plan to minimize traffic flow interference from construction activities. The Final Construction Traffic Management Plan shall be submitted to the City and shall include plans to accomplish the following:</p> <ul style="list-style-type: none"> • Maintain existing access for land uses in the proximity of the project site during project construction. • Schedule deliveries and pick-ups of construction materials for non-peak travel periods. • Coordinate haul trucks, deliveries and pick-ups to reduce the potential for trucks waiting to load or unload for protracted periods of time. • Minimize obstruction of through-traffic lanes on Wilshire Boulevard and Santa Monica Boulevard. • Construction equipment traffic from the contractors shall be controlled by flagman. 	Community Development Department	<p>The project applicant shall submit a Construction Traffic Management Plan and a Construction Working Parking Management Plan to the Director of Community Development prior to issuance of any grading or construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Traffic Management Plan</p>	<p>This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.</p>	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report				
Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<ul style="list-style-type: none"> Identify designated transport routes for heavy trucks and haul trucks to be used over the duration of the proposed project. Schedule vehicle movements to ensure that there are no vehicles waiting off site and impeding public traffic flow on the surrounding streets. Establish requirements for loading/unloading and storage of materials on the project site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses. Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the project site and neighboring businesses. 		and the Construction Working Parking Management Plan.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<ul style="list-style-type: none"> Prohibit parking for construction workers except on the project site and any designated off-site parking locations. These off-site locations will require the approval of the City of Beverly Hills. These off-site parking locations cannot include any parking garage in the City of Beverly Hills or any residential streets including Whittier Drive and those streets which connect to Whittier Drive. The Final Construction Management Plan shall be submitted and approved by the City no later than 30 days prior to commencement of construction and shall include 1) a requirement for use of double belly trucks to the maximum extent feasible to reduce the number of truck trips, 2) provisions for the Environmental Monitor to oversee and coordinate concurrent construction activities at 9900 Wilshire and the Beverly Hilton project, 3) an Action Plan to avoid construction-related traffic congestion and how to respond to unforeseen congestion that may occur, and 4) requiring truck access and deliveries in non-peak traffic periods to the greatest extent feasible. 					

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<ul style="list-style-type: none"> Prior to submittal to the City of Beverly Hills, the Developer shall provide their Construction Traffic Management Plan and Construction Working Parking Management Plan to the Beverly Hills Unified School District and the Los Angeles County Metropolitan Transit Authority for their review and comment. The Developer shall notify the City of Beverly Hills of all comments received from these agencies related to the Construction Traffic Management Plan. 				

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box Date
<p>TRAF-6</p> <p>The Developer shall submit a Construction Workers Parking Plan identifying parking locations for construction workers. To the maximum extent feasible, all worker parking shall be accommodated on the project site. During demolition and construction activities when construction worker parking cannot be accommodated on the project site, the Plan shall identify alternate parking locations for construction workers and specify the method of transportation to and from the project site for approval by the City 30 days prior to commencement of construction. The Construction Workers Parking Plan must include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These include but are not limited to the following measures:</p>	<p>Community Development Department</p>	<p>The primary contractor shall submit to the department a program and affidavit attesting to the compliance with this measure as part of the Construction Workers Parking Plan, which will be reviewed by the Community Development Department/Building & Safety Department.</p>	<p>The program and affidavit shall be submitted prior to the commencement of any work on the project site. This measure shall be in effect until the issuance of the certificate of occupancy.</p>	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<ul style="list-style-type: none"> All construction contractors shall be provided with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on residential streets north of Wilshire or in public parking structures; No parking for construction workers shall be permitted except only within designated areas. The contractor shall be responsible for informing subcontractors and construction workers of this requirement, and if necessary as determined by the Community Development Director, for hiring a security guard to enforce these parking provisions. The contractor shall be responsible for all costs associated with parking and the enforcement of this mitigation measure; and 					

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report					
Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Completion Date
<ul style="list-style-type: none"> In lieu of the above, the project applicant/construction contractor has the option of phasing demolition and construction activities such that all construction worker parking can be accommodated on the project site throughout the entire duration of demolition, excavation and construction activities. 					
<p>TRAF-7</p> <p>The project applicant shall revise the project site plan to indicate on-site traffic control planned for the project. At a minimum, all traffic control devices should be placed at all project exits onto Wilshire Boulevard, Santa Monica Boulevard, and Merv Griffin Way prior to the occupancy of any of the new buildings proposed on the site.</p>	Department of Public Works/Civil Engineering Division and Community Development Department	The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair share contribution to this measure.	This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Completion Date
<p>TRAF-8</p> <p>The applicant for The Beverly Hilton Revitalization Plan shall coordinate with the applicant for the 9900 Wilshire project during all phases of construction regarding the following:</p> <ul style="list-style-type: none"> All temporary roadway closures shall be coordinated to limit overlap of roadway closures; All major deliveries for both projects shall be coordinated to limit the occurrence of simultaneous deliveries. The applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously; The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared; and Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking. 	Community Development Department	The collective team of the two projects shall submit a signed document explaining their collaborative plans to the Community Development Department for review to enforcement.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<p>Water</p> <p>WTR-1</p> <p>The 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard shall be replaced with a 12-inch main in order to achieve adequate fire flow for the project. The line shall be replaced from the intersection of Wilshire Boulevard and Santa Monica Boulevard to the western boundary of the project site. The project applicant shall pay its "Fair Share" towards the upgrade of the 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard prior to the issuance of building permits. Upgrade of the main shall be completed concurrently with project construction and prior to building occupancy. The project applicant shall coordinate with the City so that construction of the upgraded main shall not conflict with construction of the proposed project.</p>	<p>Department of Public Works/Civil Engineering Division and Community Development Department</p>	<p>The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair share contribution to this measure.</p>	<p>This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.</p>	<input type="checkbox"/>	

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation, Monitoring and Reporting Plan					
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	Date
Wastewater					
WW-1 The proposed restaurant shall install a Fat, Oil and Grease (FOG) Interceptor to remove these substances from its wastewater before entering the sanitary sewer system. This device helps prevent these substances from clogging the sanitary sewer system. The device shall be regularly inspected by the Los Angeles County Department of Public Works.	Los Angeles County Department of Public Works	Los Angeles County of Department of Public Works shall regularly inspect the FOG inceptor.	This measure shall be implemented prior to issuance of the proposed restaurant's business license and shall remain effective throughout the life of the project.		
Energy					
ENG-1 Prior to submittal of final plans, the applicant shall make necessary alterations to the generation or distribution system as required by Southern California Edison (SCE). The applicant shall then provide to the Beverly Hills Community Development Department a letter from SCE, which states that electricity will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.	Community Development Department	The applicant shall provide to the Community Development Department a letter from SCE.	This measure shall be implemented prior to submittal of final plans.		

Mitigation Monitoring Plan

Beverly Hilton Revitalization Plan Environmental Impact Report Mitigation Monitoring and Reporting Plan				
Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box
ENG-2	Community Development Department	The applicant shall provide to the Community Development Department a letter from the Gas Company.	This measure shall be met prior to submittal of final plans.	
				Date

Exhibit 4 to Conditions of Approval

Green Building Checklist

Attachment 3

City of Beverly Hills

Green Building/Sustainability Checklist

New Commercial, Multi-Family and Mixed-Use Development

Project Name:

Project Address:

Compliance Level

Buildings > 25,000 sq. ft. = Silver (33 - 38 points) or Certified (26 - 32 points) - if the lot is vacant

Buildings > 10,000 to 24,999 sq. ft. = Certified

Buildings < 10,000 sq. ft. = 10% above Title 24 and Solar Ready Construction

Sustainable Sites 14 Points Maximum

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

Water Efficiency 5 Points Maximum

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

Energy & Atmosphere 17 Points Maximum

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

Materials & Resources

13 Points Maximum

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

Indoor Environmental Quality

15 Points Maximum

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

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

Innovation & Design Process 5 Points Maximum

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

Project Totals (Pre-certification estimates) =

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

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

Exhibit 5 to Conditions of Approval

Building Overhang Exhibit

