STAFF REPORT

CITY OF BEVERLY HILLS

For the Planning Commission
Meeting of September 18, 2008

TO: Planning Commission

FROM: Ryan Gohlich,
Assistant Planner

THROUGH: Jonathan Lait, AICP,
City Planner

SUBJECT: A request for a Development Plan Review Permit to allow the construction of a new 3-story commercial building, and a request to allow participation in the City's In-Lieu Parking District with the purchase of 26 parking spaces for the property located at **267 North Canon Drive**.

RECOMMENDATION

It is recommended that the Planning Commission adopt the attached resolution approving the proposed project and its associated Development Plan Review Permit and in-lieu parking request.

EXECUTIVE SUMMARY

A Development Plan Review (DPR) application and request to participate in the City's in-lieu parking district has been submitted for the construction of an approximately 13,000 square foot, 3-story commercial building on the property located at 267 North Canon Drive. The first two levels of the proposed building would contain retail uses, while the third floor would be used for general office space.

GENERAL INFORMATION	
Applicant	Gabbay Architects
Project Owner	267 North Canon, LLC
Zoning District	Commercial (C-3)

Permit Streamlining Act Deadline	October 7, 2008

PROJECT DESCRIPTION AND AREA CHARACTERISTICS

Site Background. The subject site is located on the west side of North Canon Drive, and is surrounded by commercial buildings that vary between one and three stories. The surrounding commercial development consists of both retail and general office space. The property immediately north of the subject site is developed with a two-story commercial building, while the property immediately south of the subject site is currently used as a surface parking lot, but has been proposed to be replaced by a four-story, 64-foot tall commercial building. Access to the subject site is provided via a rear alley.

Project Description. The applicant proposes to construct a new 3-story commercial building with one level of subterranean parking in place of the existing one-story commercial building. The proposed commercial building would have two levels of retail space and one level of general office space. Each of the first two levels of the proposed building would consist of approximately 5,000 square feet of development made available to retail tenants, and the third floor would consist of approximately 3,000 square feet of development, which would be made available to general office tenants.

The total square footage of the proposed building requires 37 parking spaces; however, the applicant proposes 11 full-size (9'x19') parking spaces on-site, and has requested that the additional 26 spaces be provided through the City's in-lieu parking program. The on-site parking would be located in a subterranean parking garage accessed via the rear alley, and would provide the necessary parking for the third-floor office space, as the Beverly Hills Municipal Code does not permit in-lieu parking for office uses. The proposed in-lieu parking is being requested for the retail uses only, the 10 required parking spaces for the office use will be provided on-site[1].

PUBLIC NOTICE AND COMMENTS

Notice of the proposed project and public hearing was mailed on August 28, 2008 to all property owners and residential tenants within a 300-foot radius of the property, and all single-family zoned properties within a 500-foot radius of the exterior boundaries of the subject property. The project was to be heard at the September 11, 2008 Planning

[1] BHMC 10-3-3303 limits eligibility to participate in the in-lieu parking district to the following uses: General Retail Sales; Convenience Sales And Service Commercial Activities; Food Sales And Service Commercial Activities; Equipment Rental And Leasing Services; Museum Uses; and Historic Places.

Commission hearing, but was continued to a date certain, September 18, 2008. As of the date of preparation of this staff report, one letter of concern has been received in regard to the proposed project.

ENVIRONMENTAL DETERMINATION

This proposed project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City, and has been found to be exempt pursuant to Section 15332 of the CEQA Guidelines. Please see Attachment 2 for additional information regarding the Categorical Exemption.

ANALYSIS

Development Plan Review Permit

Pursuant to Section 10-3-3104 "Standard of Review of Development Plan Review Applications", the Planning Commission shall approve a development plan review application only if it makes all of the following findings:

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

The proposed project meets all zoning requirements and has been determined to be consistent with the requirements and guidance of the General Plan for commercial uses located within the Business Triangle. The subject site is surrounded by commercial development, and the proposed project would therefore be a harmonious addition to the area. Additionally, the proposed project is consistent with any specific plans adopted for the area.

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

As discussed in Finding 1 above, the proposed project is consistent with the development standards established in the City's Municipal Code and General Plan. Existing uses along North Canon Drive consist of commercial buildings between one and three stories in height, which contain uses such as retail, restaurant, and office space. Construction of the proposed project is not anticipated to adversely affect existing and anticipated development on the adjacent, commercially-zoned properties, as the project would be consistent with the existing commercial uses and would help to further enliven North Canon Drive.

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

As proposed, the project meets all zoning requirements, including use, configuration, location, density, and height. Additionally, the subject site is located a minimum of 500 feet from the nearest properties zoned for multi-family residential uses. Based on the proposed project's location and adherence to the BHMC, the project is not expected to significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property.

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

As part of the application for Development Plan Review the applicant prepared a traffic study to analyze any potential impacts that might be generated by vehicles associated with the proposed project. The traffic study reviewed the number of hourly and daily vehicle trips expected to be generated by the project, and found that, based on existing traffic volumes and infrastructure capacities, the project would not generate any significant impacts related to traffic. The information contained in the traffic analysis was reviewed and confirmed by the City's traffic engineers, and the project is therefore not expected to generate any significantly adverse traffic impacts or traffic safety hazards. Additionally, access to the project's subterranean parking garage will be provided via the rear alley, thereby limiting the possibility of any pedestrian-vehicle conflicts or pedestrian safety hazards.

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

The project has been designed to be consistent with surrounding development, and compatible with the existing retail and office uses along North Canon Drive. Because the project has been designed in conformance with the BHMC, and based on the discussions and analysis in Findings 1-4 above, the proposed project is not anticipated to be detrimental to the public health, safety, or general welfare, and staff feels that the finding could be made to support the project.

<u>In-Lieu Parking</u>

Pursuant to Section 10-3-3308 "Standard of Review", the Planning Commission shall approve an application for participation in the in-lieu parking district only if the Commission makes the following findings:

A) Participation in the in-lieu parking district, as approved, will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area.

The proposed project is consistent with the General Plan and Municipal Code. Although approval of the in-lieu parking request would generate additional demand on the existing parking facilities, the parking study prepared by the applicant suggests that a sufficient number of parking spaces are available both on-street and in existing public parking structures to accommodate the requested 26 in-lieu parking spaces. The City's Parking Operations Division has reviewed the study and verified that sufficient space is available within the public parking structures to accommodate a minimum of 26 additional vehicles throughout the day.

The parking study prepared by the applicant reviewed three public parking structures located at 9361 Dayton Way 333 North Crescent Drive, and 221 North Crescent Drive, all of which are located within walking distance of the project site. The peak parking demand occurs between the hours of 12:00 p.m. and 2:00 p.m., but that a minimum of 74 parking spaces remain available at all times, an amount sufficient to accommodate the proposed project. Because the project is in compliance with the General Plan and Municipal Code, and has been found to not generate an adverse impact on existing parking facilities, it is anticipated that participation in the in-lieu parking district would not adversely affect existing and anticipated development in the vicinity of the project site, and will promote harmonious development of the area.

B) Participation in the in-lieu parking district, as approved, will not create any significantly adverse traffic safety impacts, pedestrian-vehicle conflicts, or parking impacts.

Per City review and as discussed in the parking and traffic study prepared by the applicant, and in Finding A above, sufficient information is available to demonstrate that participation in the in-lieu parking district would not generate significantly adverse impacts related to traffic safety, pedestrian-vehicle conflicts, or parking.

The project is not expected to impact traffic safety due to the fact that sufficient parking is available to accommodate the proposed project. Additionally, existing signage and roadways are in place to direct traffic and accommodate customers, while limiting the possibility of traffic safety impacts.

The Commission should also note that the in-lieu parking is being requested for the proposed retail uses only, and would not be available to the office use located on the third floor of the proposed building. It is expected that customers of the proposed retail uses would be frequenting other buildings within the Business Triangle, in addition to the project site, and that the amount of parking demand generated specifically by the proposed project would be minimal, and therefore would not generate any significantly adverse parking impacts.

C) Participation in the in-lieu parking district will not be detrimental to the public health, safety and welfare.

As discussed in Findings A and B above, participation in the in-lieu parking district is not expected to create any significant adverse traffic safety impacts, pedestrian-vehicle conflicts, or parking impacts. Additionally, participation in the in-lieu parking district is not anticipated to adversely impact existing or future development, and therefore would not be detrimental to the public health, safety and welfare.

RECOMMENDATION

Based on the foregoing analysis and pending the information and conclusions that may result from testimony received at the public hearing and Planning Commission deliberations, staff recommends that the Planning Commission approve the project, subject to the following conditions:

1. A total of 26 in-lieu parking spaces shall be purchased by the applicant.

2. Parking for the office space located on the proposed project's third floor shall be provided on-site only.
3. Any use occurring on the first or second floors of the proposed project shall comply with §10-3-3303 (Eligible Uses) of the BHMC, as the in-lieu parking is only available to uses specified in the BHMC.

Ryan Gohlich
Assistant Planner

Attachments:
1. Draft Planning Commission Resolution
2. Categorical Exemption Supporting Documentation
3. Traffic and Parking Study
4. Noise, Air Quality, and Water Quality Study
5. Letter of Concern Regarding the Proposed Project

ATTACHMENT 1

Draft Planning Commission Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A DEVELOPMENT PLAN REVIEW PERMIT AND PARTICIPATION IN THE CITY'S IN-LIEU PARKING DISTRICT FOR THE PROPERTY LOCATED AT 267 NORTH CANON DRIVE.

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

Section 1. Gabbay Architects, Applicant, on behalf of 267 N Canon , LLC, (collectively the "Applicant") has submitted an application for a Development Plan Review Permit and a request to participate in the City's in-lieu parking district to allow the construction of a new 3-story commercial building with one level of subterranean parking on the property located at 267 North Canon Drive (the "Project").

The Project site is located on the west side of North Canon Drive and consists of an existing 6,000 square foot retail building with surface parking located at the rear of the property. The Project Site is located within the Business Triangle and is immediately adjacent to existing and future commercial developments. The Project consists of a new 3-story commercial building with one level of subterranean parking in place of the existing one-story commercial building. The proposed commercial building would have two levels of retail space and one level of general office space. Each of the first two levels of the proposed building would consist of approximately 5,000 square feet of development made available to retail tenants, and the third floor would consist of approximately 3,000 square feet of development, which would be made available to general office tenants.

The total square footage of the Project requires 37 parking spaces; however, the Applicant has provided 11 full-size (9'x19') parking spaces on-site, and requested that the additional 26 spaces be provided through the City's in-lieu parking program. The on-site parking would be located in a subterranean parking garage accessed via the rear alley, and provides the necessary parking for the third-floor office space, as the BHMC does not permit in-lieu parking for office uses. The in-lieu parking is being requested for the retail uses only, which is permitted by the BHMC.

Section 2. The Project has been environmentally reviewed pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000, et seq. ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*), and the City's environmental guidelines. A Class 32 Categorical Exemption has been issued pursuant to CEQA Guidelines Section 15332 (infill development) because the Project meets the following environmental criteria:

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

(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses;

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

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

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

The Project complies with the above-referenced conditions, based on the following information:

(a) The Project has been found to be consistent with the applicable general plan land use designation and all applicable general plan policies. Additionally, the Project has been reviewed for conformance with the applicable zoning designation and all zoning regulations and development standards.

(b) The Project is located at 267 North Canon Drive, which is located within the City of Beverly Hills city limits. Additionally, the Project site is substantially surrounded by urban uses on all sides, and the project site is approximately 0.17 acres in size, which is well within the required 5-acre limit.

(c) The Project site was previously developed with a one-story commercial building, and has remained as such until present day. Because the Project site is already developed with a commercial building, the site does not hold any value as habitat for endangered, rare, or threatened species.

(d) A traffic study was prepared in conjunction with the Project, which found that based on the anticipated trip generation of the retail and office uses,

the Project will not generate any significant impacts related to traffic. Additionally, a study was prepared to analyze potential impacts related to noise, air quality, and water quality. The study found that minor, short-term impacts may be generated during construction of the Project, but that once complete, the Project would not generate any significant impacts related to noise, air quality, or water quality.

(e) Because the Project site has been previously developed, and is consistent with the requirements of the general plan, it can be adequately served by all required utilities and public services.

Section 3. Notice of the Project and public hearing was mailed on August 28, 2008 to all property owners and residential tenants within a 300-foot radius of the property, and all single-family zoned properties within a 500-foot radius of the exterior boundaries of the Project site. On September 18, 2008, the Planning Commission considered the application at a duly noticed public meeting. Evidence, both written and oral, was presented at said meeting.

Section 4. In considering the application for Development Plan Review Permit, the Planning Commission considered the following criteria:

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

2. Whether the Project will adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;

3. Whether the nature, configuration, location, density, height and manner of operation of any commercial development proposed by the Project will significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property;

4. Whether the Project will create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and

5. Whether the Project will be detrimental to the public health, safety or general welfare.

Section 5. Based on the foregoing, the Planning Commission hereby finds and determines as follows:

1. The Project meets all zoning requirements and is consistent with the requirements and guidance of the General Plan for commercial uses located within the Business Triangle. The Project site is surrounded by commercial development, and the Project would therefore be a harmonious addition to the area. Additionally, the Project is consistent with any specific plans adopted for the area.

2. As discussed in Finding 1 above, the Project is consistent with the development standards established in the City's Municipal Code and General Plan. Existing uses along North Canon Drive consist of commercial buildings between one and three stories in height, which contain uses such as retail, restaurant, and office space. Construction of the Project will not adversely affect existing and anticipated development on the adjacent, commercially-zoned properties, as the Project is

consistent with the existing commercial uses and would help to further enliven North Canon Drive.

3. The Project meets all zoning requirements, including use, configuration, location, density, and height. Additionally, the Project site is located a minimum of 500 feet from the nearest properties zoned for multi-family residential uses. Based on the Project's location and adherence to the BHMC, the Project will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property.

4. As part of the application for Development Plan Review the Applicant prepared a traffic study to analyze any potential impacts that might be generated by vehicles associated with the Project. The traffic study reviewed the number of hourly and daily vehicle trips expected to be generated by the Project, and found that, based on existing traffic volumes and infrastructure capacities, the Project would not generate any significant impacts related to traffic. The information contained in the traffic analysis was reviewed and confirmed by the City's traffic engineers, and the Project is therefore not expected to generate any significantly adverse traffic impacts or traffic safety hazards. Additionally, access to the Project's subterranean parking garage is provided via the rear alley, thereby limiting the possibility of any pedestrian-vehicle conflicts or pedestrian safety hazards.

5. The Project is designed to be consistent with surrounding development, and compatible with the existing retail and office uses along North Canon Drive. Because the Project has been designed in conformance with the

BHMC, and based on the discussions and analysis in Findings 1-4 above, the Project will not be detrimental to the public health, safety, or general welfare.

Section 6. In considering the application for In-Lieu Parking, the Planning Commission considered the following criteria:

1. Whether participation in the in-lieu parking district, as approved, will adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;

2. Whether participation in the in-lieu parking district, as approved, will create any significantly adverse traffic safety impacts, pedestrian-vehicle conflicts, or parking impacts; and

3. Whether participation in the in-lieu parking district will be detrimental to the public health, safety and welfare.

Section 7. Based on the foregoing, the Planning Commission hereby finds and determines as follows:

1. The Project is consistent with the General Plan and Municipal Code. Although the in-lieu parking request will generate additional demand on the existing parking facilities, the parking study prepared by the Applicant suggests that a sufficient number of parking spaces are available in existing public parking structures to accommodate the 26 in-lieu parking spaces. Although the number of available parking spaces discussed in the parking study was not independently verified by staff, the City's Parking Operations Division reviewed the study and verified that sufficient

space is available within the public parking structures to accommodate a minimum of 26 additional vehicles throughout the day.

The parking study prepared by the Applicant reviewed three public parking structures located at 9361 Dayton Way 333 North Crescent Drive, and 221 North Crescent Drive, all of which are located within walking distance of the Project site. The study suggests that peak parking demand occurs between the hours of 12:00 p.m. and 2:00 p.m., but that a minimum of 74 parking spaces remain available at all times, an amount sufficient to accommodate the Project. Because the Project is in compliance with the General Plan and Municipal Code, and has been found to not generate an adverse impact on existing parking facilities, participation in the in-lieu parking district will not adversely affect existing and anticipated development in the vicinity of the Project, and will promote harmonious development of the area.

2. Per City review and as discussed in the parking and traffic study prepared by the Applicant, and in Finding 1 above, sufficient information is available to demonstrate that participation in the in-lieu parking district will not generate significantly adverse impacts related to traffic safety, pedestrian-vehicle conflicts, or parking.

The Project will not impact traffic safety due to the fact that sufficient parking is available to accommodate the requested in-lieu parking spaces. Additionally, existing signage and roadways are in place to direct traffic and accommodate customers, while limiting the possibility of traffic safety impacts.

The Commission noted that the in-lieu parking was requested for the proposed retail uses only, and would not be available to the office use located on the

third floor of the Project. Further, it is expected that customers of the retail uses will be frequenting other buildings within the Business Triangle, in addition to the Project site, and that the amount of parking demand generated specifically by the Project would be minimal, and therefore will not generate any significantly adverse parking impacts.

3. As discussed in Findings 1 and 2 above, participation in the in-lieu parking district will not create any significant adverse traffic safety impacts, pedestrian-vehicle conflicts, or parking impacts. Additionally, participation in the in-lieu parking district will not adversely impact existing or future development, and therefore will not be detrimental to the public health, safety and welfare.

Section 8. Based on the foregoing, the Planning Commission hereby approves the Development Plan Review Permit and request to participate in the City's in-lieu parking district, subject to the following conditions:

1. A total of 26 in-lieu parking spaces shall be purchased by the Applicant.

2. Parking for the office space located on the Project's third floor shall be provided on-site only.

3. Any use occurring on the first or second floors of the Project shall comply with §10-3-3303 (Eligible Uses) of the BHMC, as the in-lieu parking is only available to uses specified in the BHMC.

4. The City expressly reserves jurisdiction relative to traffic and parking issues. In the event the Director determines that operation of the use at this

site is having unanticipated traffic and parking impacts, the Director shall require the Applicant to pay for a parking demand analysis. After reviewing the parking demand analysis, if, in the opinion of the Director, the parking and traffic issues merit review by the Planning Commission, the Director shall schedule a hearing in front of the Planning Commission in accordance with the provisions of Article 19.5 of Chapter 3 or Title 10 of the Beverly Hills Municipal Code. The Planning Commission shall conduct a noticed public hearing regarding the parking and traffic issues and may impose additional conditions as necessary to mitigate any unanticipated traffic and parking impacts caused by the proposed Project, and the Applicant shall forthwith comply with any additional conditions at its sole expense.

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

6. This resolution approving the Development Plan Review Permit and Conditional Use Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of this resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Planning & Community Development **within 60 days** of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project **shall be null and void and of no further effect**.

Notwithstanding the foregoing, the Director of Planning & Community Development may, upon a request by the Applicant, grant a waiver from the 60 day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the Project.

Section 9. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his/her Certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted:

_____
Noah Furie
Chairman of the Planning Commission of the City of Beverly Hills, California

Attest:

_____
Secretary

Approved as to form:

_____
David M. Snow
Assistant City Attorney

Approved as to content:

_____
Jonathan Lait, AICP
City Planner R.G.

ATTACHMENT 2

Categorical Exemption Supporting Documentation

CITY OF BEVERLY HILLS

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

SEPTEMBER 18, 2008

TO: Honorable Planning Commissioners

FROM: Ryan Gohlich, Assistant Planner

SUBJECT: **267 North Canon Drive - Categorical Exemption.**

In reference to the proposed 3-story commercial building located at 267 North Canon Drive, a Categorical Exemption has been issued, exempting the proposed project from further environmental review. The proposed project was found to be exempt under Section 15332 (Class 32) of the CEQA guidelines. A Class 32 Categorical Exemption may be issued when a project is characterized as in-fill development and meets all of the following conditions:

1. **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;**

    - *The proposed project has been found to be consistent with the applicable general plan land use designation and all applicable general plan policies. Additionally, the project has been reviewed for conformance with the applicable zoning designation and all zoning regulations and development standards.*

2. **The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses;**

    - *The proposed project is located at 267 North Canon Drive, which is located within the City of Beverly Hills city limits. Additionally, the project site is substantially surrounded by urban uses on all sides, and the project site is approximately 0.17 acres in size, which is well within the required 5-acre limit.*

3. **The project site has no value as habitat for endangered , rare or threatened species;**

    - *The project site was previously developed with a one-story commercial building, and has remained as such until present day. Because the project site is already developed with a commercial building, the site does not hold any value as habitat for endangered, rare, or threatened species.*

4. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and**

    - *A traffic study (Attachment 3) was prepared in conjunction with the proposed project, which found that based on the anticipated trip generation of the retail and office uses, the project will not generate any significant impacts related to traffic. Additionally, a study was prepared to analyze potential impacts related to noise, air quality, and water quality (Attachment 4). The study found that minor, short-term impacts may be generated during construction of the project, but that once complete, the project would not generate any significant impacts related to noise, air quality, or water quality. Both reports are attached for the Commission's reference.*

5. **The site can be adequately served by all required utilities and public services.**

    - *Because the project site has been previously developed, and is consistent with the requirements of the general plan, it can be adequately served by all required utilities and public services.*

Ryan Gohlich, Assistant Planner

ATTACHMENT 3

Traffic and Parking Study

267 NORTH CANON DRIVE COMMERCIAL BUILDING IN-LIEU PARKING STUDY BEVERLY HILLS - CALIFORNIA

Prepared for:

GABBAY ARCHITECTS
Beverly Hills, California

Prepared on:

November 9, 2007

COCO TRAFFIC PLANNERS, INC.

267 NORTH CANON DRIVE
COMMERCIAL BUILDING
IN-LIEU PARKING STUDY
BEVERLY HILLS - CALIFORNIA

Prepared for:

GABBAY ARCHITECTS

Prepared on:

November 9, 2007

Prepared by:

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COCO TRAFFIC PLANNERS, INC.

TRAFFIC • DESIGN • PARKING • MODELING • URBAN PLANNING

10835 Santa Monica Blvd., Suite 202 • Los Angeles, California 90025 • Ph: (310) 470-4870 • Fax: (310) 470-0399 • E-mail: ASCOCOENG@AOL.COM

November 9, 2007

Mr. Hamid Gabbay, Architect
GABBAY ARCHITECTS
9107 Wilshire Blvd., Suite 715
Beverly Hills, California 90210

Subject: **267 NORTH CANON DRIVE COMMERCIAL BUILDING IN-LIEU PARKING STUDY - BEVERLY HILLS, CALIFORNIA**

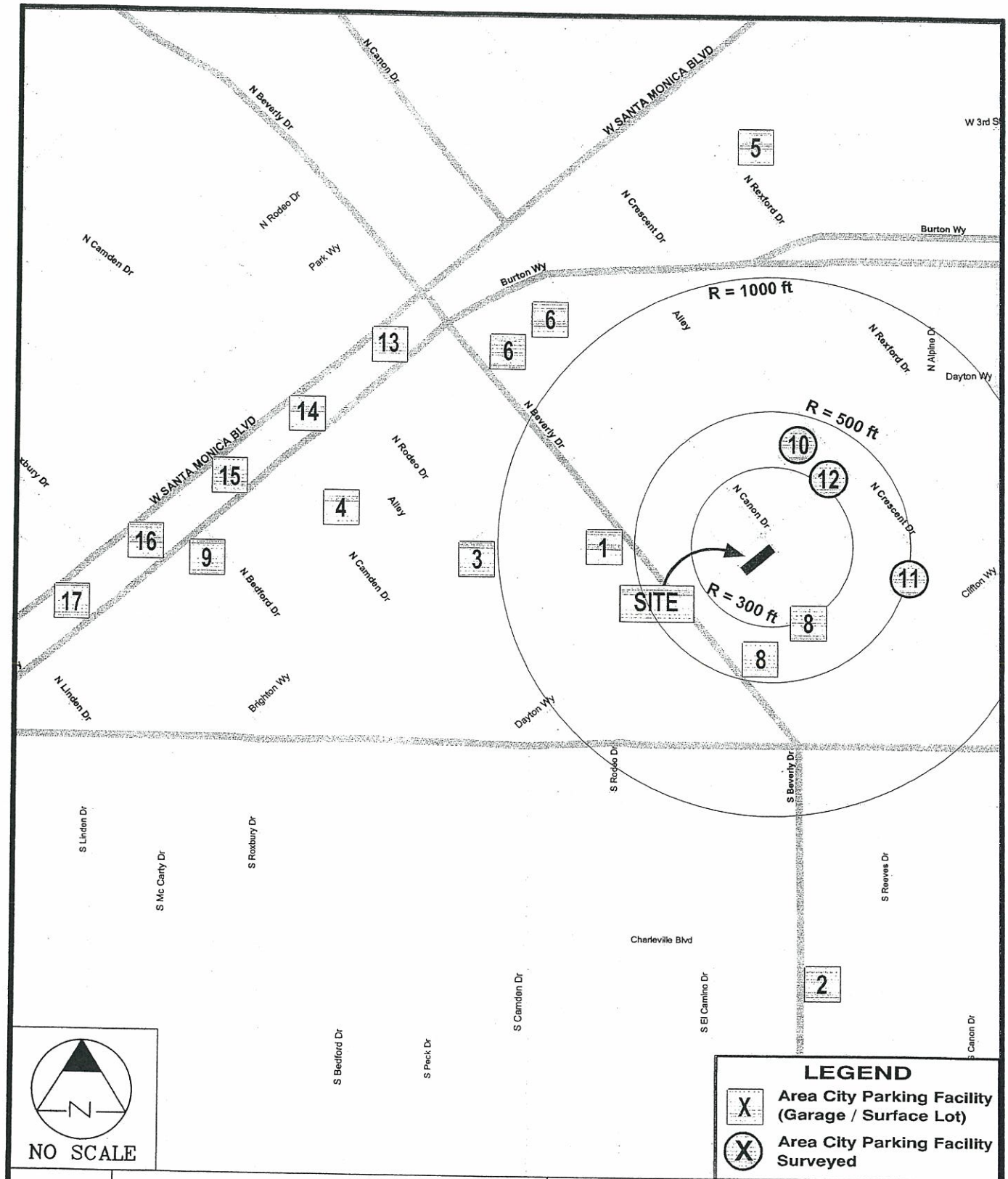
Dear Mr. Gabbay,

As authorized, we have conducted a comprehensive parking analysis associated with your proposed commercial development located at 267 North Canon Drive, in the City of Beverly Hills, California. Specifically, we evaluated the level of occupancy, during three days of the week, of public parking facilities existing in the vicinity of your development. The purpose of the analysis was to determine the adequacy of those facilities to support your proposed project's parking demand, "in lieu" of on site parking.

The general scope of work was determined through discussions with staff from the Engineering and Planning Departments of the City of Beverly Hills. For the purpose of this study it was determined that three of the area parking structures closest to your project site should be surveyed during one weekday within the Tuesdays through Thursdays period of the week, and a consecutive Friday and Saturday. This report contains the findings and conclusions of our study with necessary supporting data.

PROJECT DESCRIPTION

The proposed project's site consists of a 7,500 square foot (sf) lot, located at 267 North Canon Drive. It has a 50 foot wide frontage along the west side of Canon Drive, and a depth of about 150 feet, extending to the alley adjacent to the west side of the lot. Figure 1 shows the location of the subject site on a local basis, its relationship to the adjacent street system, as well as the location of area public parking facilities. The site currently is occupied by a 6,000 sf one-story retail development. The existing development is supported by an on-site surface parking area located behind the building, at the western end of the lot, providing six substandard compact parking stalls. No loading dock currently exists on site. Access to the parking area is provided by the above mentioned alley, which has a standard 20 foot width.



COCO TRAFFIC PLANNERS, INC.
TRAFFIC AND TRANSPORTATION ENGINEERING AND CONSULTING
10835 SANTA MONICA BLVD., STE 202, LOS ANGELES CA 90025

SITE LOCATION MAP

Project Name / No: 267 N. Canon Drive Commercial Building In-Lieu Parking Study / 2K7080PK | Figure 1

The proposed project consists of the demolition of the existing retail building, and the development of a three-story building, with a total of 14,135 sf of commercial space. The project will determine the loss of the existing at grade parking stalls, which will be substituted by a subterranean parking garage, located beneath the building. The subject garage will provide eleven standard, and three tandem parking stalls, for a total of 14 stalls. In addition, two loading docks will be provided in the back of the building. The alley abutting the building will provide direct vehicular access to the loading docks. The parking garage will be accessible via a driveway adjacent to the loading docks. Based upon the City of Beverly Hills' Parking Code, which requires one stall per 350 sf of commercial space, the proposed project will need to provide 40 parking stalls.

It should be noted that the City Code doesn't allow tandem stalls to be considered as part of the required parking supply. Consequently, the proposed project will have to provide 29 parking stalls in addition to the above mentioned 11 on site stalls. It is expected that project's shortage of parking will be accommodated by the existing public parking supply located within walking distance of the subject site.

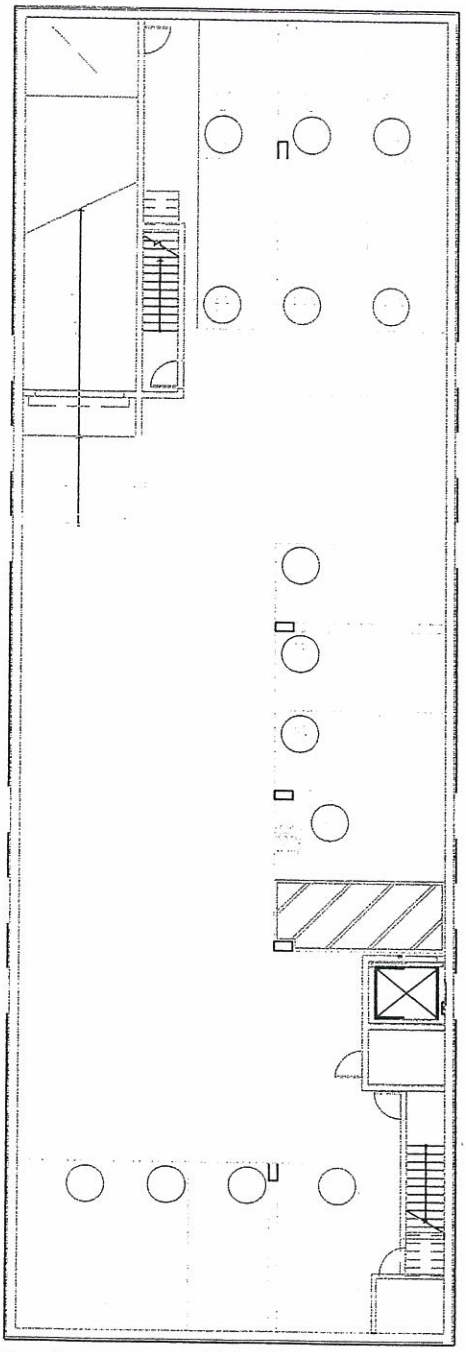
The layout of the proposed development is shown in Figure 2. Site plans and other pertinent information concerning the proposed project were provided by the project's architect Mr. Hamid Gabbay, Principal of Gabbay Architects.

DATA SOURCES

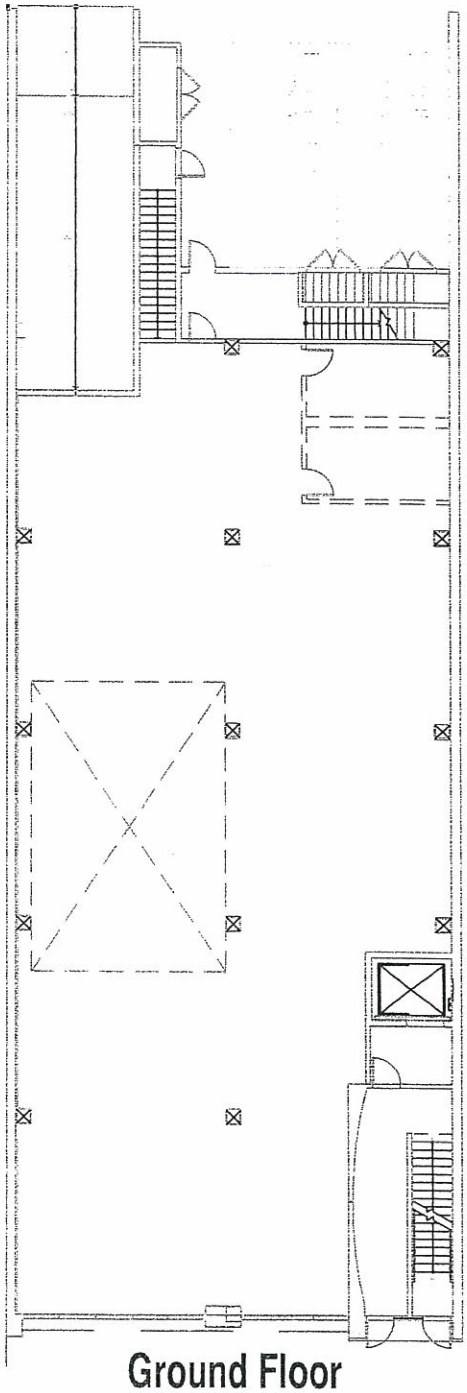
As indicated in Figure 2, several public parking facilities exist within walking distance from the proposed project's site. Parking accumulation surveys were conducted at three of those facilities, closest to the project's site. The assumption behind this choice is that the proposed project's patrons will be willing to walk a few blocks in order to reach the site. This is a conservative assumption, as the site is located in a prime shopping area of the City of Beverly Hills, known as "the golden triangle", with a shopping center type of operations, and a high level of pedestrian traffic.

Field investigations were made by our personnel to ascertain the existing parking supply at the above mentioned three parking structures, indicated in Figure 2 with a round marker. The specific location of the parking facilities surveyed is: **1)** 9631 Dayton Way, **2)** 333 North Canon Drive, and **3)** 221 North Crescent Drive. Surveys of available parking stalls were conducted at our direction at the three parking structures, between 10:00 AM and 7:00 PM on: Friday, October 19, Saturday, October 20, and Tuesday, October 23, 2007. Observations of the facilities' parking occupancies were conducted every 30 minutes.

It should be noted that additional surface public parking lots exist within walking distance from the proposed site. In addition, an extensive supply of curb parking exists



Underground Parking Garage



Ground Floor

NO SCALE

COCO TRAFFIC PLANNERS, INC.

TRAFFIC AND TRANSPORTATION ENGINEERING AND CONSULTING

10835 SANTA MONICA BLVD., STE 202, LOS ANGELES CA 90025

PROJECT SITE AND PARKING LAYOUT

Project Name / No: 267 N. Canon Drive Commercial Building In-Lieu Parking Study / 2K7080PK

Figure **2**

within the Golden Triangle. This means that additional parking supply is available beyond that found within the area public parking facilities. However, since no survey of the additional parking supply was required by the City, our analysis will evaluate a worst case scenario, evaluating only the capacity of the nearby parking structures.

SITE TRAFFIC GENERATION

Studies by the Institute of Transportation Engineers (ITE), Caltrans, ourselves and others have identified generalized factors which relate traffic characteristics with quantity and type of development. These traffic generation factors are useful in estimating the total future characteristics of a project yet to be constructed and occupied. Judgment is required on the part of the analyst to select the appropriate factors which best match the type of developments contemplated.

The quantity of floor area, number of employees, density of development, availability of public transportation, and regional location of the project all affect the traffic generation rate. While there are many different types of uses and many parameters upon which to estimate traffic (acreage, floor area square footage, employment, etc.) the best factors for the kind of development contemplated relate to the square footage of the commercial uses.

In order to evaluate the quantity of traffic generated by the site, ITE traffic generation factors from the 7th Edition of the Traffic Generation Manual were applied to the two land uses included in the proposed project, i.e. retail and office space, for the daily and the morning and evening peak periods. The AM and PM peak hours relate to a one-hour period within the 7:00 to 9:00 AM and the 4:00 to 6:00 PM periods respectively.

It should be noted that traffic generation surveys, conducted by our firm of other retail stores within the Golden Triangle, have shown that retail spaces in this area tend to generate traffic at rates that are significantly lower than those calculated through the factors provided by ITE equations. This is indicative of the fact that stores located within the Golden Triangle, operate like in a shopping center environment. Hence, the ITE equations tend to overstate the traffic generation potential of smaller stores, considered individually. Our studies showed that, the traffic generation characteristics of small stores in the area are similar to those found with the ITE factors associated with larger shopping centers, which is consistent with the above mentioned considerations about the Golden Triangle traffic generation patterns. For this reason the ITE factors used in our analysis relate to the land use's "Average Vehicle Trips Ends", and are not based upon the above mentioned equations.

Table 1 shows in detail the generation factors used for analysis purposes along with the related volumes. The proposed project is expected to generate about 480 vehicle trips

TABLE 1

PROJECT TRAFFIC GENERATION
267 North Canon Drive Commercial Building In-Lieu Parking Study - Beverly Hills

LAND USE	SIZE	UNIT	LAND USE CODE	AVERAGE DAILY TRAFFIC (1) TE Rate	AVERAGE DAILY TRAFFIC (2) Trip Ends	AM PEAK HOUR TE Rate (1) In	AM PEAK HOUR TE Rate (1) Out	AM PEAK HOUR Trip Ends (2) In	AM PEAK HOUR Trip Ends (2) Out	PM PEAK HOUR TE Rate (1) In	PM PEAK HOUR TE Rate (1) Out	PM PEAK HOUR Trip Ends (2) In	PM PEAK HOUR Trip Ends (2) Out
Proposed Project													
Retail	10.155	KGLA	820	42.94	436	0.59	0.39	6	4	1.77	1.97	18	20
General Office	3.980	KGSF	710	11.01	44	1.26	0.25	5	1	0.25	1.26	1	5
Total Site Traffic Generation					480	*AM Total = 16*		11	5	*PM Total = 44*		19	25
Existing Project													
Retail	6.000	KGLA	820	42.94	258	0.67	0.33	4	2	1.83	2.00	11	12
Existing Site Traffic Generation					258	*AM Total = 6*		4	2	*PM Total = 23*		11	12
Proposed Project Net Traffic Addition					222	*AM Total = 10*		7	3	*PM Total = 21*		8	13

1) TE Rate is the average number of Trip Ends generated per "SIZE" Unit (i.e. KGLA) per ITE Trip Generation Manual - 7th Edition.
2) Trip End is a one-way vehicle movement entering or leaving the traffic generator.

per day (240 inbound and 240 outbound). The AM peak was estimated at 16 vehicle trips (11 inbound and 5 outbound). The PM peak was estimated at 44 vehicle trips (19 inbound and 25 outbound).

As indicated, these are the numbers of vehicle trips generated by the proposed project. In order to estimate the quantity of traffic that the proposed project will actually add to the surrounding street system, the above volumes must be reduced by the trips associated with the site's existing development, which also are reported in Table 1. The site's existing retail was estimated to generate about 260 daily vehicle trips, (130 inbound and 130 outbound). The AM peak was estimated at 6 vehicle trips (4 inbound and 2 outbound). The PM peak was estimated at 23 vehicle trips (11 inbound and 12 outbound).

With the reductions described above, and based upon ITE traffic generation factors, the proposed project is expected to increase area traffic by about 220 vehicle trips on a daily basis (110 inbound and 110 outbound). During the AM peak the project will add 10 new vehicle trips (7 inbound and 3 outbound). The PM peak shows a total of 21 new vehicle trips (8 inbound and 13 outbound).

The street system serving the subject site consists of four-lane roadways, and intersections with two lanes, plus one left turn pocket lane per approach. These approaches have capacities well in excess of the assumed theoretical value of 4,800 vehicles per hour. Consequently, the proposed project's net traffic increase cannot reach the level of significant impact (1% of capacity at LOS E) at any location. Consequently, we can safely maintain that no significant traffic impacts will results from the development of the proposed project.

SITE PARKING DEMAND

Studies by the Institute of Transportation Engineers (ITE), ourselves and others have identified generalized factors which relate parking characteristics with the quantity and type of development. These parking generation factors are useful in estimating the total future parking characteristics of a project yet to be constructed and occupied. Judgment is required on the part of the analyst to select the appropriate factors which best match the type of developments contemplated.

Table 2 shows the parking generation factors used in the analysis and the resulting number of parking stalls needed to satisfy the project's parking demand. As reported in Table 2, the proposed project will have a peak parking demand of 36 stalls. This represents the estimated project's peak number of parking stalls occupied. Table 2 also reports the proposed project's parking needs based upon the City of Beverly Hills Parking Code, along with the actual parking supply, reported for comparison purposes.

TABLE 2

PROJECT PARKING GENERATION
267 North Canon Drive Commercial Building In-Lieu Parking Study - Beverly Hills

LAND USE	SIZE	UNIT	LAND USE CODE	MAXIMUM # OF STALLS OCCUPIED (1) Pkg Rate	MAXIMUM # OF STALLS OCCUPIED (2) Stalls	CODE REQUIREMENT (1) Pkg Rate	CODE REQUIREMENT (2) Stalls	ACTUAL PARKING SUPPLY (1) Pkg Rate	ACTUAL PARKING SUPPLY (2) Stalls
Proposed Project									
Retail	10.155	KGLA	701	2.65	26.91	2.86	29.02	0.79	8.00
General Office	3.980	KGSF	820	2.40	9.55	2.86	11.38	0.75	3.00
Parking Totals (3)				2.55	**36**	2.83	**40**	0.78	**11**
Existing Project									
Retail	6.000	KGLA	701	2.65	15.90	2.86	17.15	1.00	6.00
Parking Totals				2.65	**16**	2.86	**17**	1.00	**6**
Proposed Project Parking Totals (3)					**36**		**40**		**11**
Proposed Project In-Lieu Parking					**N/A**		**N/A**		**29**
Proposed Project Parking Grand Totals (3)				*(100%)*	**36**	*(111%)*	**40**	*(111%)*	**40**

Note: Parking generation factors per ITE Parking Generation - 3rd Edition.

1) Pkg Rate is the average number of parking stalls occupied per "SIZE" Unit (i.e. KGLA).

2) Stalls is the maximum number of occupied parking spaces associated with the generator.

3) Three tandem parking stalls not included in the supply, per BH Parking Code.

The City Code requires the proposed development to provide 40 stalls. The proposed project currently is planned to provide 11 standard parking stalls in a subterranean parking garage located beneath the building. This constitutes a shortage of 29 parking stalls. In order to comply with the City Parking Code requirements therefore, the development will need to provide 29 additional parking stalls. As indicated earlier, it is expected that the parking shortage will be addressed through the City of Beverly Hills "in-lieu parking" program, using available parking stalls at existing public parking facilities, located within walking distance of the subject site.

It should be noted that, like most parking codes, the City of Beverly Hills' Parking Code does not distinguish between employees and patrons parking. The code mandated supply of parking stalls is designed to accommodate a development's parking needs both for employees and patrons. The requirements set forth in the code are based upon surveys, conducted by various entities, of actual parking stalls occupied. No distinction is made between employees and patrons' parking demand.

PARKING SURVEYS DATA AND ANALYSIS

The 9361 Dayton Way structure provides a total of 221 parking stalls. The 333 North Crescent Drive structure provides 515 parking stalls, while the 221 North Crescent Drive structure provides 718 parking stalls. Additional parking is available at the 221 North Crescent Drive to total 733 stalls. However the subject 15 stalls are not striped, and were not included in our analysis. All parking structures are arm gate controlled with ticket dispensers. All locations analyzed provide parking at no charge for the first two hours of parking.

Table 3 shows the results of the parking accumulation surveys conducted at the parking structures on Friday, October 19, 2007. As reported in Table 3, the combined peak parking occupancy at those facilities occurred at 1:00 PM with 1,380 stalls occupied, out of a total supply of 1,454 stalls. That is about 95 percent of supply. At that time 74 stalls, or 5 percent of supply were available. Table 3 also shows the individual parking structures peak occupancies, which occurred at different times of the day, but within the 12:30 to 2:00 PM period, which coincides with the lunch period. A graphic rendering of the surveys' results, is shown in the graph following Table 3.

Table 4 shows the results of the parking accumulation surveys of the parking structures, conducted on Saturday, October 20, 2007. As reported in Table 4, the Saturday combined peak parking occupancy at the subject facilities occurred at 2:00 PM with 840 stalls occupied. That constitutes an occupancy of about 95 percent of capacity. At that time 614 stalls, or 42 percent of capacity were available. As indicated in Table 4, the individual parking structures peak occupancies occurred between 1:30 and 2:00 PM, again around lunch time. A graphic rendering of the surveys' results, is shown in the graph following Table 4.

TABLE 3

PARKING STRUCTURES ACCUMULATION SURVEY

Friday, October 19, 2007

267 North Canon Drive Commercial Building In-Lieu Parking Study - Beverly Hills

SITE	9361 Dayton Way				333 North Crescent Drive				221 North Crescent Drive				Structures Grand Total			
SUPPLY	221 Stalls				515 Stalls (1)				718 Stalls				1454 Stalls			
TIME	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	127	57%	94	43%	392	76%	123	24%	607	85%	111	15%	1126	77%	328	23%
30	149	67%	72	33%	428	83%	87	17%	621	86%	97	14%	1198	82%	256	18%
11:00	161	73%	60	27%	456	89%	59	11%	639	89%	79	11%	1256	86%	198	14%
30	169	76%	52	24%	486	94%	29	6%	660	92%	58	8%	1315	90%	139	10%
12:00 Nn	173	78%	48	22%	488	95%	27	5%	693	97%	25	3%	1354	93%	100	7%
30	178	81%	43	19%	496	96%	19	4%	702 *	98%	16	2%	1376	95%	78	5%
1:00	184	83%	37	17%	499 *	97%	16	3%	697	97%	21	3%	1380 *	95%	74	5%
30	186	84%	35	16%	485	94%	30	6%	692	96%	26	4%	1363	94%	91	6%
2:00	190 *	86%	31	14%	476	92%	39	8%	680	95%	38	5%	1346	93%	108	7%
30	177	80%	44	20%	473	92%	42	8%	638	89%	80	11%	1288	89%	166	11%
3:00	158	71%	63	29%	469	91%	46	9%	602	84%	116	16%	1229	85%	225	15%
30	155	70%	66	30%	462	90%	53	10%	568	79%	150	21%	1185	81%	269	19%
4:00	147	67%	74	33%	431	84%	84	16%	534	74%	184	26%	1112	76%	342	24%
)	136	62%	85	38%	402	78%	113	22%	473	66%	245	34%	1011	70%	443	30%
5:00	121	55%	100	45%	382	74%	133	26%	426	59%	292	41%	929	64%	525	36%
30	103	47%	118	53%	316	61%	199	39%	396	55%	322	45%	815	56%	639	44%
6:00	78	35%	143	65%	250	49%	265	51%	315	44%	403	56%	643	44%	811	56%
30	55	25%	166	75%	184	36%	331	64%	235	33%	483	67%	474	33%	980	67%
7:00	39	18%	182 *	82%	117	23%	398 *	77%	196	27%	522 *	73%	352	24%	1102 *	76%
PEAK	**190**	86%	**182**	82%	**499**	97%	**398**	77%	**702**	98%	**522**	73%	**1380**	95%	**1102**	76%

Note: The asterisk (*) indicates the occurrance of a parking peak.

1) The 333 N Crescent Dr. parking structure closed at 5:00 PM. Occupancy reported after 5:00 PM follows a linear decrease to 23% occupancy, average of the other two structures.

TABLE 4

PARKING STRUCTURES ACCUMULATION SURVEY
Saturday, October 20, 2007
267 North Canon Drive Commercial Building In-Lieu Parking Study - Beverly Hills

SITE	9361 Dayton Way				333 North Crescent Drive				221 North Crescent Drive				Structures Grand Total			
SUPPLY	221 Stalls				515 Stalls (1)				718 Stalls				1454 Stalls			
TIME	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	78	35%	143	65%	293	57%	222	43%	273	38%	445	62%	644	44%	810	56%
30	91	41%	130	59%	344	67%	171	33%	284	40%	434	60%	719	49%	735	51%
11:00	97	44%	124	56%	349	68%	166	32%	295	41%	423	59%	741	51%	713	49%
30	107	48%	114	52%	360	70%	155	30%	300	42%	418	58%	767	53%	687	47%
12:00 Nn	105	48%	116	52%	375	73%	140	27%	308	43%	410	57%	788	54%	666	46%
30	118	53%	103	47%	375	73%	140	27%	310	43%	408	57%	803	55%	651	45%
1:00	123	56%	98	44%	377	73%	138	27%	316	44%	402	56%	816	56%	638	44%
30	126 *	57%	95	43%	381 *	74%	134	26%	325	45%	393	55%	832	57%	622	43%
2:00	125	57%	96	43%	375	73%	140	27%	340 *	47%	378	53%	840 *	58%	614	42%
30	115	52%	106	48%	369	72%	146	28%	326	45%	392	55%	810	56%	644	44%
3:00	96	43%	125	57%	355	69%	160	31%	286	40%	432	60%	737	51%	717	49%
30	84	38%	137	62%	347	67%	168	33%	279	39%	439	61%	710	49%	744	51%
4:00	80	36%	141	64%	329	64%	186	36%	260	36%	458	64%	669	46%	785	54%
30	82	37%	139	63%	305	59%	210	41%	246	34%	472	66%	633	44%	821	56%
5:00	72	33%	149	67%	269	52%	246	48%	221	31%	497	69%	562	39%	892	61%
30	65	29%	156	71%	215	42%	300	58%	210	29%	508	71%	490	34%	964	66%
6:00	60	27%	161	73%	181	35%	334	65%	198	28%	520	72%	439	30%	1015	70%
30	37	17%	184	83%	125	24%	390	76%	161	22%	557	78%	323	22%	1131	78%
7:00	19	9%	202 *	91%	62	12%	453 *	88%	117	16%	601 *	84%	198	14%	1256 *	86%
PEAK	126	57%	202	91%	381	74%	453	88%	340	47%	601	84%	840	58%	1256	86%

Note: The asterisk (*) indicates the occurrance of a parking peak.

1) The 333 N Crescent Dr. parking structure closed at 5:00 PM however, occupancy reported is actual.
as Engineering Technicians were allowed to access the site after hours.

TABLE 5

PARKING STRUCTURES ACCUMULATION SURVEY

Tuesday, October 23, 2007

267 North Canon Drive Commercial Building In-Lieu Parking Study - Beverly Hills

SITE	9361 Dayton Way				333 North Crescent Drive				221 North Crescent Drive				Structures Grand Total			
SUPPLY	221 Stalls				515 Stalls (1)				718 Stalls				1454 Stalls			
TIME	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	115	52%	106	48%	361	70%	154	30%	642	89%	76	11%	1118	77%	336	23%
30	129	58%	92	42%	383	74%	132	26%	645	90%	73	10%	1157	80%	297	20%
11:00	125	57%	96	43%	407	79%	108	21%	647	90%	71	10%	1179	81%	275	19%
30	126	57%	95	43%	416	81%	99	19%	664	92%	54	8%	1206	83%	248	17%
12:00 Nn	132	60%	89	40%	430	83%	85	17%	698	97%	20	3%	1260	87%	194	13%
30	135	61%	86	39%	428	83%	87	17%	686	96%	32	4%	1249	86%	205	14%
1:00	142	64%	79	36%	431 *	84%	84	16%	701	98%	17	2%	1274	88%	180	12%
30	149 *	67%	72	33%	427	83%	88	17%	716 *	100%	2	0%	1292 *	89%	162	11%
2:00	146	66%	75	34%	422	82%	93	18%	701	98%	17	2%	1269	87%	185	13%
30	141	64%	80	36%	420	82%	95	18%	644	90%	74	10%	1205	83%	249	17%
3:00	137	62%	84	38%	393	76%	122	24%	594	83%	124	17%	1124	77%	330	23%
30	121	55%	100	45%	385	75%	130	25%	548	76%	170	24%	1054	72%	400	28%
4:00	107	48%	114	52%	370	72%	145	28%	514	72%	204	28%	991	68%	463	32%
30	104	47%	117	53%	350	68%	165	32%	489	68%	229	32%	943	65%	511	35%
5:00	96	43%	125	57%	311	60%	204	40%	514	72%	204	28%	921	63%	533	37%
30	82	37%	139	63%	272	53%	243	47%	383	53%	335	47%	737	51%	717	49%
6:00	72	33%	149	67%	233	45%	282	55%	339	47%	379	53%	644	44%	810	56%
30	60	27%	161	73%	194	38%	321	62%	267	37%	451	63%	521	36%	933	64%
7:00	50	23%	171 *	77%	155	30%	360 *	70%	249	35%	469 *	65%	454	31%	1000 *	69%
PEAK	149	67%	171	77%	431	84%	360	70%	716	100%	469	65%	1292	89%	1000	69%

Note: The asterisk (*) indicates the occurrance of a parking peak.

1) The 333 N Crescent Dr. parking structure closed at 5:00 PM. Occupancy reported after 5:00 PM follows a linear decrease to 30% occupancy, average of the other two structures.

TABLE 6

TOTAL FUTURE PARKING FACILITIES FRIDAY ACCUMULATION - SUMMARY
267 North Canon Drive Commercial Building In-Lieu Parking Study - Beverly Hills

LOCATION	9361 Dayton	333 N Crescent	221 N Crescent	267 N Canon*	Total Parking Supply
SUPPLY	221	515	718	29	1454 Stalls

TIME START	Stalls Occupied			Site In-Lieu	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	127	392	607	29	1155	79%	299	21%
30	149	428	621	29	1227	84%	227	16%
11:00	161	456	639	29	1285	88%	169	12%
30	169	486	660	29	1344	92%	110	8%
12:00 Nn	173	488	693	29	1383	95%	71	5%
30	178	496	702 *	29	1405	97%	49	3%
1:00	184	499 *	697	29	1409 *	97%	45	3%
30	186	485	692	29	1392	96%	62	4%
2:00	190 *	476	680	29	1375	95%	79	5%
30	177	473	638	29	1317	91%	137	9%
3:00	158	469	602	29	1258	87%	196	13%
30	155	462	568	29	1214	83%	240	17%
4:00	147	431	534	29	1141	78%	313	22%
30	136	402	473	29	1040	72%	414	28%
5:00	121	382	426	29	958	66%	496	34%
30	103	316	396	29	844	58%	610	42%
6:00	78	250	315	29	672	46%	782	54%
30	55	184	235	29	503	35%	951	65%
7:00	39	117	196	29	381	26%	1073 *	74%
PEAK	190	499	702	29	1409	97%	1073	74%

Note: The asterisk (*) indicates the occurrance of a parking peak.

* Site In-Lieu parking needs per calculations reported in Table 2.

Table 5 shows the results of the Tuesday, October 23, 2007 parking accumulation surveys. Table 5 shows that the Tuesday combined peak parking occupancy occurred at 1:30 PM with 1,292 stalls occupied, which translates into an 89 percent occupancy. At that time the balance of 162 stalls or about 11 percent of capacity still was available. Table 4 indicates that the individual parking structures peak occupancies occurred between 1:00 and 1:30 PM, also around lunch time. A graphic rendering of the surveys' results, is shown in the graph following Table 5.

In order to account for the added parking needs associated with the proposed 267 North Canon Drive Commercial Building, the results of the surveys were increased by the 29 in-lieu parking stalls described above. The stalls were added for the entire day in order to evaluate a worst case scenario. Table 6 is a summary of the Friday parking occupancies for all the facilities surveyed, which along with the proposed project's subject 29 stalls in-lieu parking requirement, constitutes the structures' future peak parking occupancy. The table basically shows the surveyed facilities' combined peak parking occupancy for the Friday count, with the above mentioned in-lieu parking requirement superimposed to those occupancies. As indicated in Table 6, the proposed project's area public parking facilities will have a peak occupancy of 1,409 parking stalls, expected to occur around 1:00 PM. At that time the balance of 45 stalls or about three percent of supply still will be available. A graphic rendering of the table is shown in the graph following Table 6.

The results of the parking surveys reported above show that the proposed project's parking shortage of 29 stalls can readily be addressed by the parking supply available at the City of Beverly Hills' public parking facilities surveyed. These were found to have sufficient parking available even during peak parking periods. No significant parking impacts are expected as a result of the development of the proposed 267 North Canon Drive Commercial Building. Consequently, it is recommended that the project's "in-lieu" parking application be approved.

* * * * * *

SUMMARY AND CONCLUSIONS

A 14,135 square foot commercial building has been proposed for development on a 7,500 square foot lot, located at 267 North Canon Drive, in the City of Beverly Hills, California. The site currently is occupied by a 6,000 sf one-story retail development, which will be demolished. The proposed commercial building be supported by an underground parking garage, located beneath the building. The parking garage will be accessible via a driveway on the alley abutting the western side of the site. The garage will provide a total of 14 stalls, consisting of eleven standard, and three compact tandem parking stalls. In addition, two loading docks will be provided in the back of the building.

A preliminary traffic analysis was conducted to evaluate the impacts associated with the proposed development. It was found that the proposed project will have a negligible impact upon the surrounding area street system. From a traffic standpoint, it is expected that traffic operations on Canon Drive and vicinity streets will not be adversely effected by the minor increase in traffic volumes generated by the proposed commercial building. No mitigation measures have been deemed necessary therefore, none was proposed.

Based upon the City of Beverly Hills' Parking Code, the parking analysis showed that the future development will require a total of 40 parking stalls. That is a shortage of 29 parking stalls, because the three compact stalls provided cannot be counted to satisfy the parking requirements. Parking accumulation surveys were conducted at three City owned parking structures located within walking distance from the proposed site. The surveys were conducted in order to verify the adequacy of the existing parking structures to accommodate the proposed project's parking needs, and thus allow the project to participate into the City of Beverly Hills' in-lieu parking program.

It was found that the proposed 267 North Canon Drive Commercial Building will have a negligible impact upon area public parking supply. The results of the parking surveys conducted show that adequate parking exists within the study area for the proposed development. The project's code requirement of 29 additional parking stalls can be readily accommodated within the area public structure, without creating undue burden upon available public parking. Consequently, it was recommended that the project's "in-lieu" parking application be approved.

* * * * * *

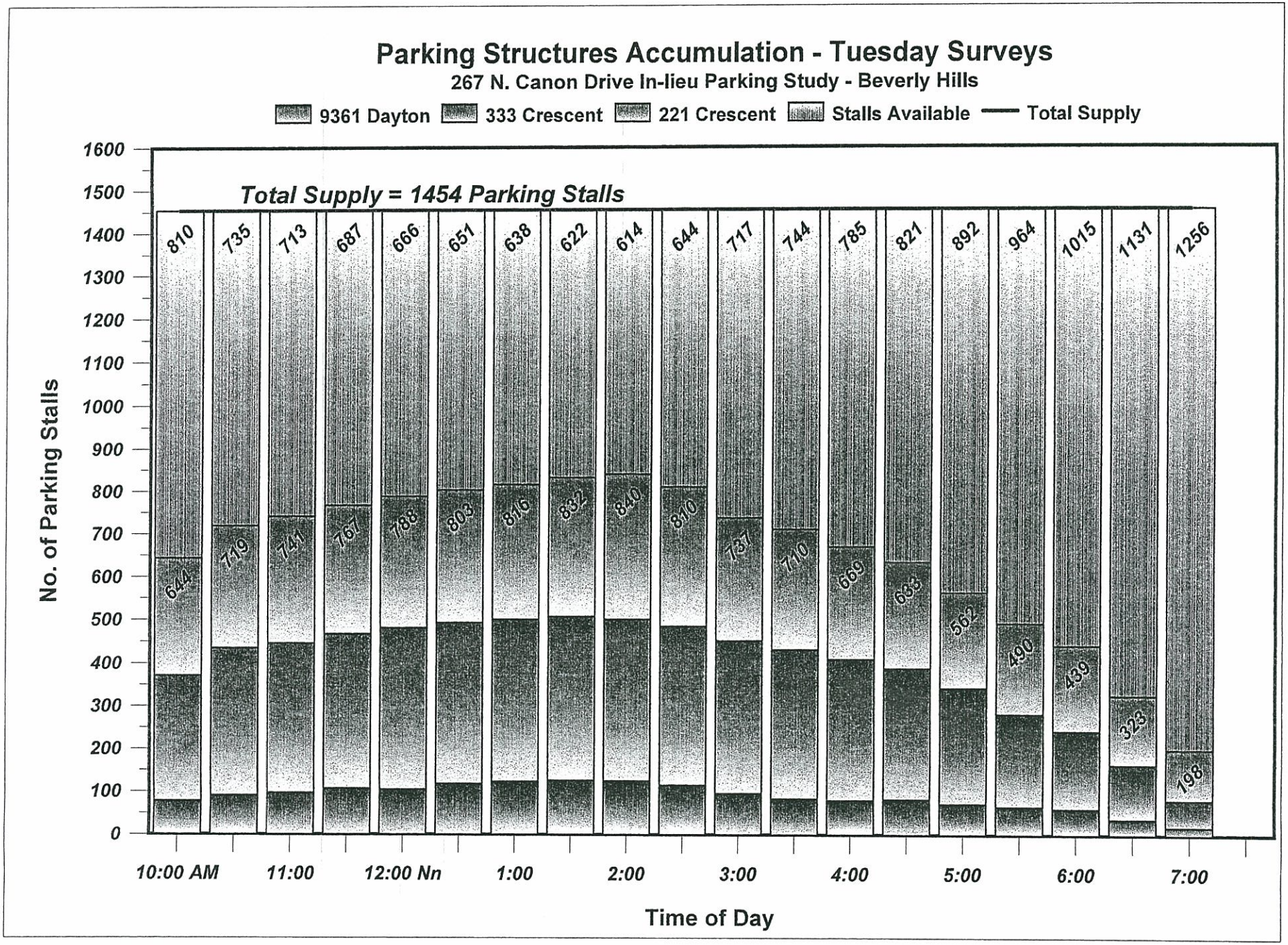
Please call me if you have any questions with regard to our study. It has been a pleasure to serve you on this most interesting project.

Very truly yours,

COCO TRAFFIC PLANNERS, INC.

Dr. Antonio S. Coco, P.E.
President

ASC/mp
#2K7080PK


Parking Structures Accumulation - Tuesday Surveys
267 N. Canon Drive In-lieu Parking Study - Beverly Hills
9361 Dayton
333 Crescent
221 Crescent
Stalls Available
Total Supply
Total Supply = 1454 Parking Stalls
No. of Parking Stalls
0
100
200
300
400
500
600
700
800
900
1000
1100
1200
1300
1400
1500
1600
810
735
713
687
666
651
638
622
614
644
717
744
785
821
892
964
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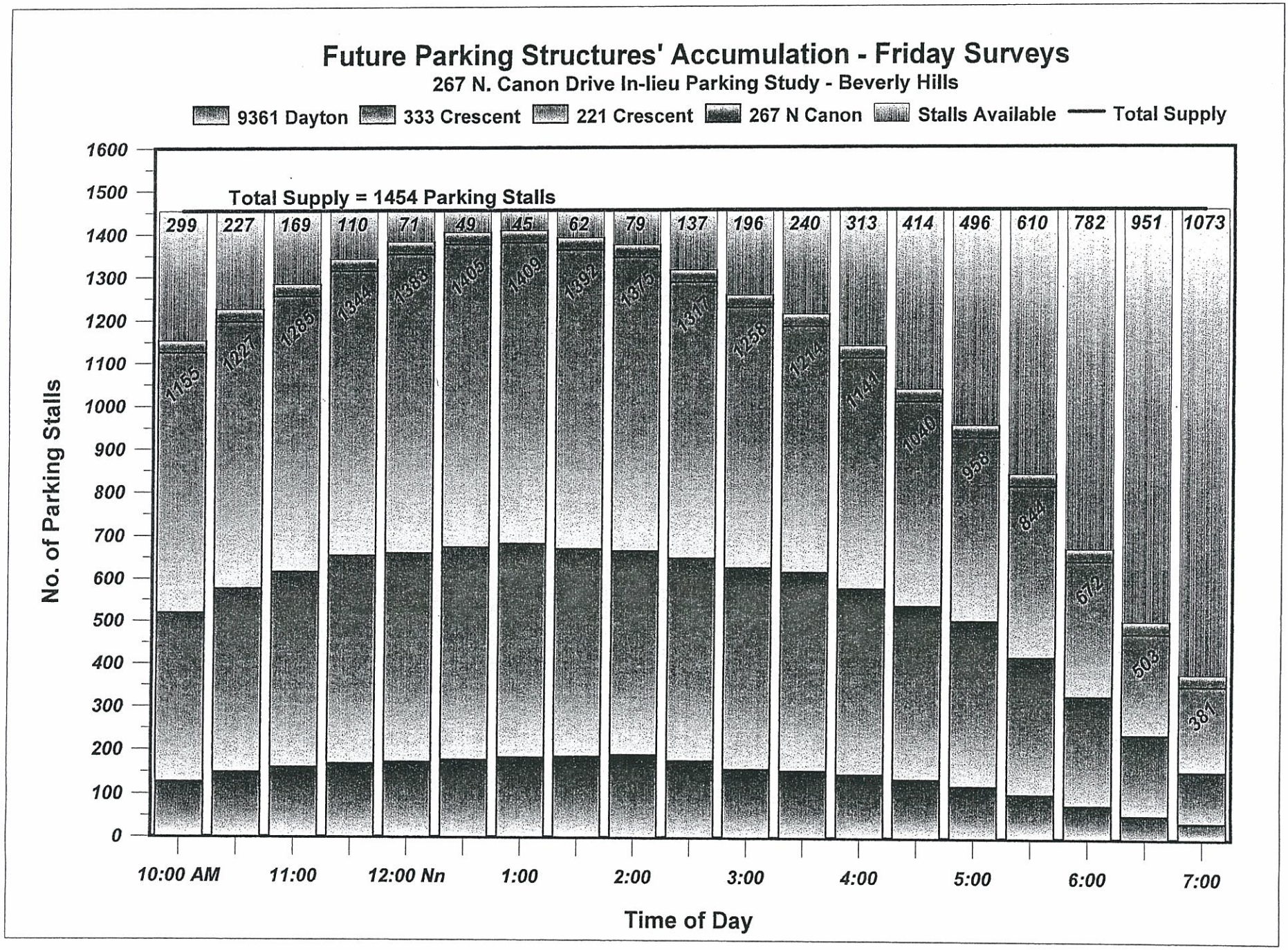
Time of Day


Future Parking Structures' Accumulation - Friday Surveys
267 N. Canon Drive In-lieu Parking Study - Beverly Hills
9361 Dayton
333 Crescent
221 Crescent
267 N Canon
Stalls Available
Total Supply
Total Supply = 1454 Parking Stalls
No. of Parking Stalls
Time of Day
10:00 AM
11:00
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3:00
4:00
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299
227
169
110
71
49
45
62
79
137
196
240
313
414
496
610
782
951
1073
1155
1227
1285
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503
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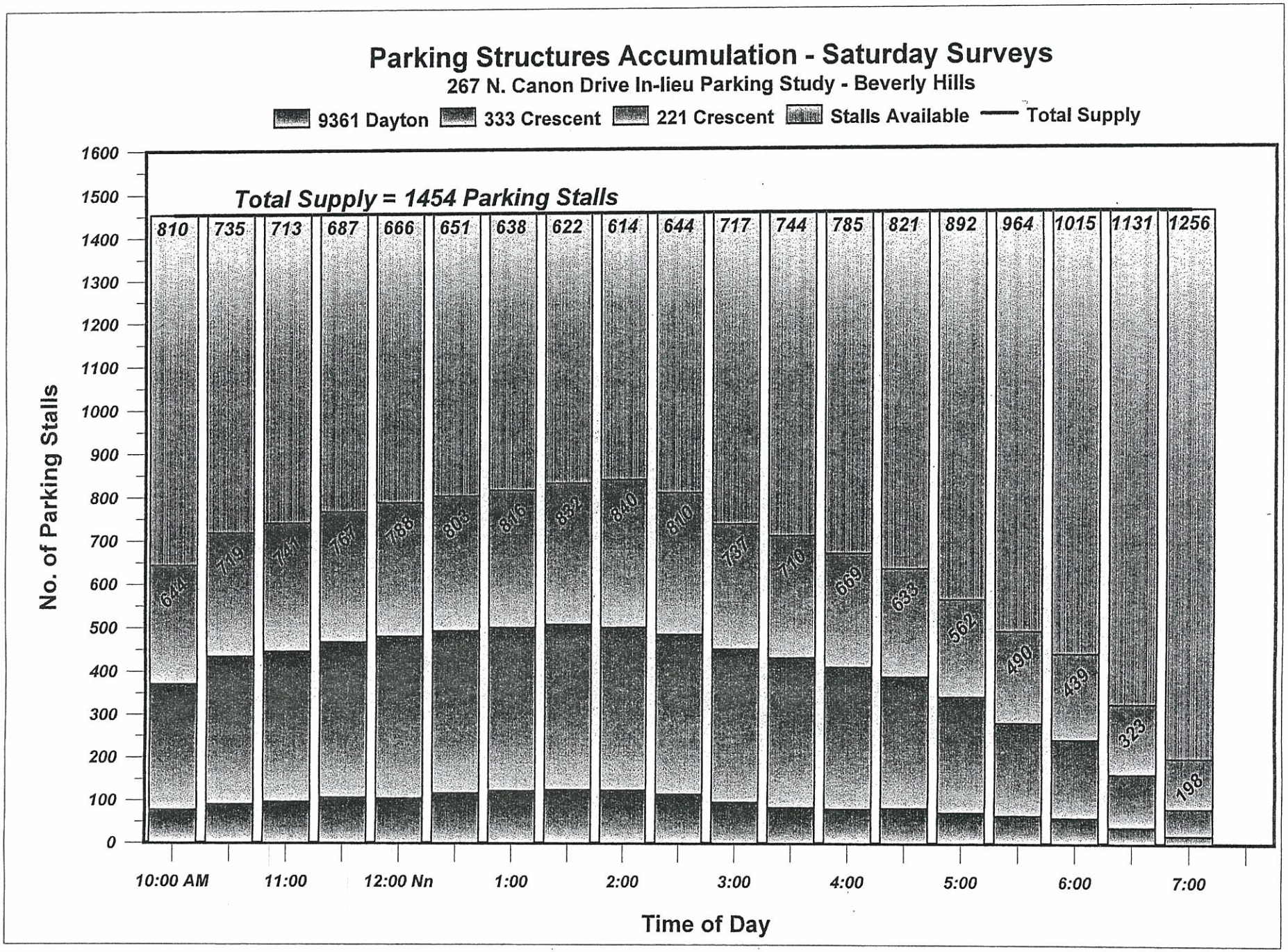
Parking Structures Accumulation - Saturday Surveys
267 N. Canon Drive In-lieu Parking Study - Beverly Hills
9361 Dayton
333 Crescent
221 Crescent
Stalls Available
Total Supply
Total Supply = 1454 Parking Stalls
810 735 713 687 666 651 638 622 614 644 717 744 785 821 892 964 1015 1131 1256
644 719 741 767 788 803 816 832 840 810 737 710 669 633 562 490 439 323 198
1600 1500 1400 1300 1200 1100 1000 900 800 700 600 500 400 300 200 100 0
No. of Parking Stalls
10:00 AM
11:00
12:00 Nn
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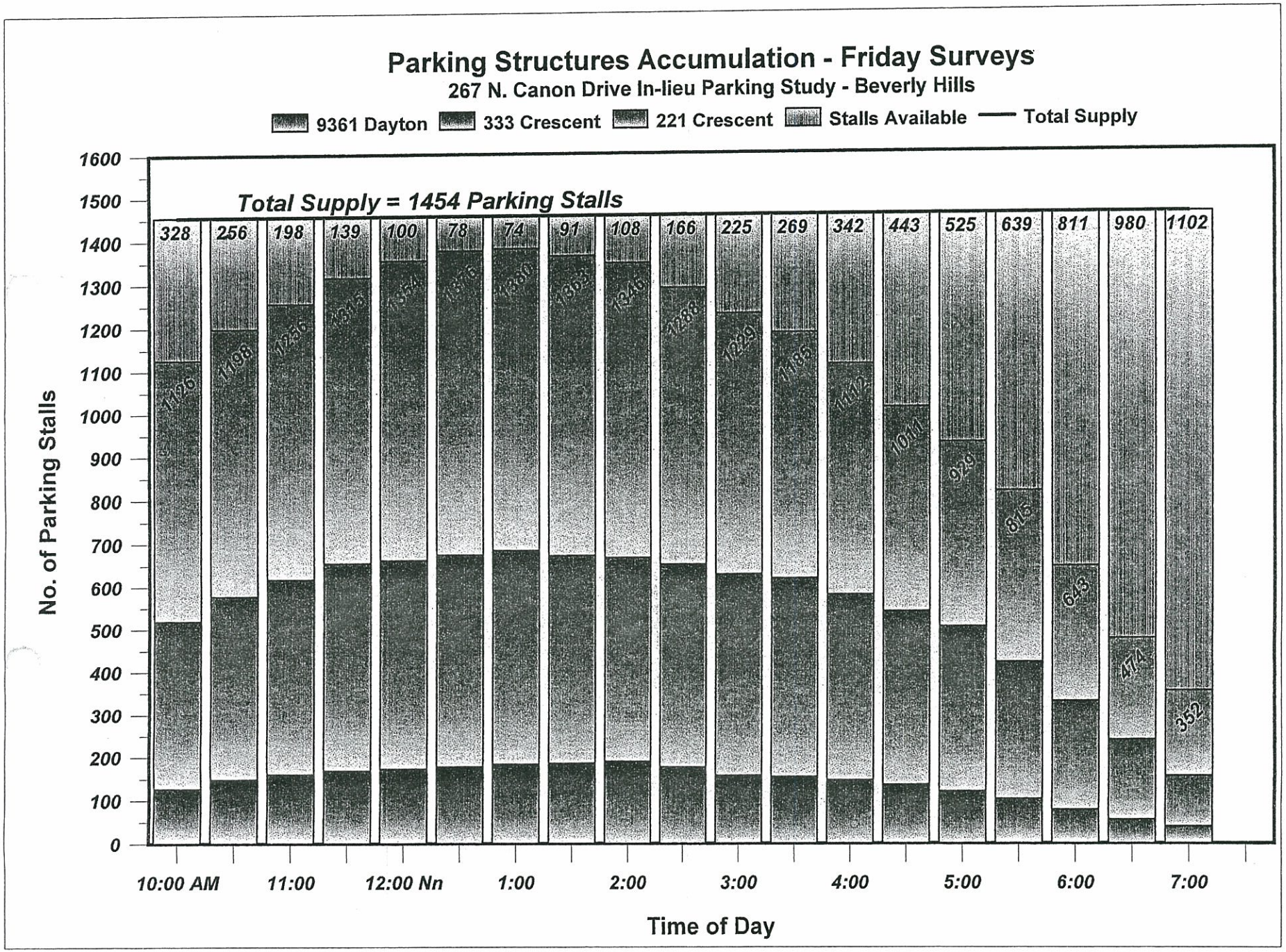
2:00
3:00
4:00
5:00
6:00
7:00
Time of Day


Parking Structures Accumulation - Friday Surveys
267 N. Canon Drive In-lieu Parking Study - Beverly Hills
9361 Dayton
333 Crescent
221 Crescent
Stalls Available
Total Supply
Total Supply = 1454 Parking Stalls
No. of Parking Stalls
Time of Day
10:00 AM
11:00
12:00 Nn
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6:00
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328
256
198
139
100
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108
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225
269
342
443
525
639
811
980
1102
1126
1198
1256
1315
1354
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1380
1363
1346
1288
1229
1185
1112
1011
929
815
643
474
352

ATTACHMENT 4

Noise, Air Quality, and Water Quality Study

City of Beverly Hills

267 Canon Drive Commercial Project

Categorical Exemption Technical Documentation

September 2008

267 CANON DRIVE COMMERCIAL PROJECT

Categorical Exemption
Technical Documentation

Prepared by:

City of Beverly Hills
Department of Community Development
455 N. Rexford Drive, Room G-40
Beverly Hills, CA 90210
Contact: Mr. David Reyes

With the Assistance of:

Rincon Consultants, Inc.
790 East Santa Clara Street
Ventura, California 93001
Phone: (805) 641-1000

September 2008

267 Canon Drive Commercial Project
Categorical Exemption Technical Documentation

This report provides technical environmental documentation for the 267 Canon Drive Commercial Project in the City of Beverly Hills. The intent of the analysis is to confirm whether the project is eligible for a Class 32 Categorical Exemption (CE) concerning potential noise, air quality and water quality impacts. The report concludes that the project's impacts would be less than significant without mitigation in these issue areas.

1. PROJECT LOCATION AND DESCRIPTION

The proposed project involves construction of a three-story commercial office building offering 14,136 gross square feet (13,000 net square feet) of floor area on a 7,500 square-foot site located at 267 North Canon Drive in Beverly Hills. The nearest cross streets are Dayton Way and Clifton Way. The project site has 50 feet of frontage on the west side of Canon Drive and a depth of approximately 150 feet, extending to the alley adjacent to the west side of the lot. Currently, there is no landscaping on the project site as it is entirely occupied by paving and structural development.

To accommodate the project, an existing 6,000 square-foot, one story commercial building would be demolished. The existing development is supported by an onsite surface parking area located behind the building, at the western end of the lot, providing six substandard compact parking stalls. Access to the parking area is currently provided by the above-mentioned alley, which has a standard 20 foot width.

Parking for the proposed office building would be provided in a one-level subterranean garage that would be accessed directly from the existing alley. The garage would provide eleven standard and three tandem parking stalls, for a total of 14 stalls. Two loading docks would be provided in the back of the building, also taking access from the alley.

2. ENVIRONMENTAL ANALYSIS

A. NOISE

Noise Characteristics. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). Because of the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3 dB change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived.

One of the most frequently used noise metrics that considers duration as well as sound power level is the equivalent noise level (L_{eq}). The L_{eq} is defined as the steady A-weighted level that is

equivalent to the same amount of energy as that contained in the actual time-varying levels over a period of time (essentially, L_{eq} is the average sound level).

Noise Standards.

Federal Noise Policies. The U.S. Department of Housing and Urban Development (HUD) has set a goal of 45 dBA Ldn as a desirable maximum interior noise standard for HUD-assisted residential units. This same interior noise level is also generally accepted within the State of California.

State Noise Policies. The Office of Planning and Research has adopted guidelines based, in part, on the community noise compatibility guidelines established by the State Department of Health Services for use in assessing the compatibility of various land use types with a range of noise levels. These guidelines are presented in Table 1. An exterior noise level up to 65 dBA CNEL is "normally acceptable" for multi-family residential uses, without special noise insulation requirements. An exterior noise level up to 70 dBA CNEL is "normally acceptable" for multi-family commercial uses. A noise level of 75 dBA CNEL or more is identified as "clearly unacceptable" for all residential uses. A "normally acceptable" designation indicates that standard construction can occur with no special noise reduction requirements. Conventional construction, with closed windows and fresh air supply systems (e.g., air conditioning) normally suffices for the "conditionally acceptable" condition.

City Noise Policies. The City of Beverly Hills adopted a General Plan Noise Element in 1975. The Noise Element provides a description of existing noise levels and sources and incorporates comprehensive goals, policies, and implementing actions. The Noise Element includes several policies on noise and acceptable noise levels. These policies address unnecessary, excessive, and annoying noise levels and sources such as vehicles, construction, special sources (e.g., radios, musical instrument, animals, etc.), and stationary sources (e.g., heating and cooling systems, mechanical rooms, etc.). To implement these policies, the City adopted a Noise Ordinance, as discussed below. The majority of City noise regulations are found in Chapter 1 (Noise Regulations) of Title 5 (Public Health, Welfare, and Sanitation) of the City of Beverly Hills Municipal Code.

Section 5-1-206 of Article 2 prohibits construction activity between the hours of 6:00 PM and 8:00 AM, or at anytime on Sunday or a public holiday. In addition, construction activity within 500 feet of a residential zone is prohibited any time on Saturday unless an after-hours construction permit has been issued by the City. Section 5-1-202 of Article 2 prohibits the operation of any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device which would cause the noise level at the property line of any property to exceed the ambient noise level by more than 5 dBA.

Table 1
Land Use Compatibility for Noise Environments

Land Use Category	Community Noise Exposure Level			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Low Density, Single-Family, Duplex, Mobile Homes	50-60	55-70	70-75	75-85
Residential – Multiple Family	50-65	60-70	70-75	70-85
Transient Lodging – Motel, Hotels	50-65	60-70	70-80	80-85
Schools, Libraries Churches, Hospitals, Nursing Homes	50-70	90-70	70-80	80-85
Auditoriums, Concert Halls, Amphitheaters	NA	50-70	NA	65-85
Sports Arenas, Outdoor Spectator Sports	NA	50-75	NA	70-85
Playgrounds, Neighborhood Parks	50-70	NA	67.5-75	72.5-85
Golf Courses, Riding Stable, Water Recreation, Cemeteries	50-70	NA	70-80	80-85
Office Buildings, Business Commercial and Professional	50-70	67.5-77.5	75-85	NA
Industrial, Manufacturing, Utilities, Agriculture	50-75	70-80	75-85	NA

Source: Office of Planning and Research, General Plan Guidelines, California, October 2003.
Notes: NA - Not Applicable
Normally Acceptable – Specified land us is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements
Conditionally Acceptable – New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
Normally Unacceptable – New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
Clearly Unacceptable – New construction or development should generally not be undertaken.

Study Methodology and Results. The most common sources of noise in the project vicinity are transportation-related, such as automobiles, trucks, and motorcycles. Motor vehicle noise is of concern because it is characterized by a high number of individual events, which often create a sustained noise level, and because of its proximity to areas sensitive to noise exposure. The primary source of roadway noise near the project site is traffic on Canon Drive. Likewise, project-generated traffic would be the primary source of noise during operation of the porposed project. The project site is surrounded by commercial development, which is not considered a noise-sensitive land use. The closest sensitive receptors to the project site are the multi-family residences located approximately 300 feet east of the project site along North Crescent Drive.

Construction Noise. As shown in Table 2, noise levels associated with heavy equipment typically range from about 78 to 88 dBA at 50 feet from the source. The grading phase of

project construction tends to create the highest construction noise levels because of the operation of heavy equipment.

Table 2
Typical Noise Level Ranges at Construction Sites

Construction Phase	Average Noise Level at 50 Feet	
	Minimum Required Equipment On-Site	All Pertinent Equipment On-Site
Clearing	84 dBA	84 dBA
Excavation	78 dBA	88 dBA
Foundation/Conditioning	88 dBA	88 dBA
Laying Subbase, Paving	78 dBA	79 dBA
Finishing and Cleanup	84 dBA	84 dBA

Source: Bolt, Beranek and Newman, "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances," prepared for the U.S. Environmental Protection Agency, 1971.

The project would create a temporary increase in noise from the demolition of the existing structures on the site, preparation of the site for construction, and construction of the new structure. However, all construction activity would be restricted to between the hours of 8:00 AM and 6:00 PM in accordance with Beverly Hills Municipal Code section 5-1-206. Therefore, construction noise would not occur between the hours of 6:00 PM and 8:00 AM, the period when people are usually sleeping and most sensitive to noise and impacts would be less than significant.

Operational Noise. The proposed commercial project would incrementally increase noise levels in the project vicinity due to vehicular activity, including increased roadway noise from project-generated vehicle trips and noise associated with parking lot activity (slamming car doors, talking, car stereos, horns, etc.). However, because onsite parking would be located in the proposed subterranean parking garage, noise generated by parking lot activity would not substantially increase noise levels in the vicinity of the project site.

As discussed in the traffic analysis prepared by Coco Traffic Planners, Inc. in November 2007 (attached), the proposed project would increase area traffic by about 220 vehicle trips on a daily basis (110 inbound trips and 110 outbound trips). During the AM peak hour the project would add 10 new vehicle trips (7 inbound trips and 3 outbound trips) and during the PM peak hour the project would add 21 new vehicle trips (8 inbound trips and 13 outbound trips).

The street system serving the project site consists of four-lane roadways, and intersections with two lanes plus one left turn pocket per approach. These approaches have capacities in excess of the assumed theoretical value of 4,800 vehicle trips per hour. Consequently, the proposed project's net traffic increase would not reach the level of a signifcant traffic impact (1% of capacity at LOS E) at any location. Likewise, the 21 new vehicle trips during the PM peak hour

(which would be approximately 1 new vehicle trip every three minutes during the PM peak hour) would not create an audible increase in roadway noise. Therefore, impacts associated with the incremental increase in noise as a result of project-generated traffic would be less than signifcant.

Conclusion. The proposed commercial project would not result in a long-term increase in noise levels at the project site and temporary construction noise would not be significant. No significant noise impacts would occur.

B. AIR QUALITY

A significant adverse air quality impact may occur when a project individually or cumulatively interferes with progress toward the attainment of the ozone standard by releasing emissions that equal or exceed the established long term quantitative thresholds for pollutants, or causes an exceedance of a state or federal ambient air quality standard for any criteria pollutant. The project site is located within the South Coast Air Basin and falls under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The following significance thresholds have been set by the SCAQMD for project operations within the South Coast Air Basin:

- *55 pounds per day of ROG*
- *55 pounds per day of NO_x*
- *550 pounds per day of CO*
- *150 pounds per day of PM_{10}*
- *55 pounds per day of $PM_{2.5}$*

Temporary construction-related air quality impacts are considered significant if emissions associated with construction activity would exceed adopted SCAQMD thresholds. Construction emission thresholds have been set by the SCAQMD on a daily basis as follows:

- *75 pounds per day of ROG*
- *100 pounds per day of NOx*
- *550 pounds per day of CO*
- *150 pounds per day of PM_{10}*
- *55 pounds per day of PM2.5*

Operational Emissions. Long-term emissions associated with the proposed project, as presented in Table 3, are those associated with vehicle trips (mobile emissions) and the use of natural gas and landscaping maintenance equipment (area emissions) upon buildout of the project. The California Air Resources Board's (ARB's) URBEMIS 2007 v.9.2.4 computer model was used to calculate emissions associated with the proposed project based on the proposed land use. Emissions generated by the existing commercial building that would be demolished to accommodate the proposed project were subtracted from project generated emissions in order determine the net new emissions.

Table 3
Unmitigated Operational Emissions

Emission Source	Emissions (lbs/day)				
	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Mobile Emissions	1.65	2.42	21.12	3.61	0.70
Area Emissions	0.18	0.08	42.79	0.00	0.00
Total	**1.83**	**2.50**	**63.91**	**3.61**	**0.70**
SCAQMD Thresholds	*55*	*55*	*550*	*150*	*55*
Significant Impact?	**No**	**No**	**No**	**No**	**No**

Source: URBEMIS 2007 Version 9.2.4. See attached sheets for calculations, and assumptions.

As shown, the emissions generated by the proposed project would not exceed the SCAQMD's daily operational thresholds for any pollutant and would not significantly affect regional air quality. The impact would be less than significant.

Construction Emissions. Construction would involve demolition of the existing structures, site preparation, excavation and erection of the new building. Construction activity onsite would result in temporary air quality impacts due to the generation of fugitive dust (PM_{10} and $PM_{2.5}$) and exhaust emissions associated with heavy construction vehicles.

Temporary construction emissions were estimated using the URBEMIS 2007 v.9.2.4 computer model. In the absence of project specific construction scenario details, it was presumed that one month includes 22 work days, and the number and type of equipment to be used during construction have been estimated based on URBEMIS default amounts for similar construction projects. Also, during project grading, the soils that underlie the site would be turned over and pushed around, exposing the soil to wind erosion and dust entrainment by onsite operating equipment. In addition to the emissions associated with the construction equipment, construction worker vehicles traveling to the site contribute a small amount of emissions.

Table 4 shows the maximum daily construction emissions. The greatest contributions to temporary impacts would be from the operation of heavy-duty construction equipment and the generation of fugitive dust. However, emissions during demolition, grading, or construction would not exceed SCAQMD daily significance thresholds. Standard dust and air quality control measures required under SCAQMD Rule 1403 (Asbestos Demolition and Renovation Activities) would further reduce potential effects resulting from demolition, grading and construction. The highest emission of ROGs results from the application of architectural coatings, such as exterior and interior paint. However, ROG emissions would not exceed SCAQMD thresholds.

Table 4
Estimated Maximum Daily Emissions
During Grading and Construction

Emission Source	Emissions (lbs/day)				
	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Demolition/Grading	4.25	39.46	19.49	5.18	2.46
Building Construction	15.15	20.19	9.71	1.17	1.07
Threshold (peak day)	*75*	*100*	*550*	*150*	*55*
Significant Impact?	**No**	**No**	**No**	**No**	**No**

Source: URBEMIS 2007, Version 9.2.4. See attached sheets for calculations.

As indicated in Table 4, emissions during demolition, grading, or construction would not exceed SCAQMD daily significance thresholds. Therefore, construction activities would not result in any significant construction-related air quality impacts.

Construction of the project would also involve demolition of the existing commercial building, which, due to its age, may contain asbestos. The removal of any asbestos-containing materials would be required to comply with all pertinent existing rules and regulations, including SCAQMD Rule 1403 (Asbestos Demolition and Renovation Activities), and impacts would be less than significant.

Conclusion. The proposed commercial project would not generate air pollutants exceeding SCAQMD significance thresholds.

C. WATER QUALITY

The City of Beverly Hills is underlain by the Hollywood Groundwater Basin, which provides approximately 60-70% of its water supply (City of Beverly Hills, 2005 Urban Water Management Plan). The project site is currently developed with paving and structures and does not afford groundwater recharge through percolation. Therefore, development of the proposed project would not cause a significant reduction in groundwater recharge or otherwise affect the underlying groundwater basin.

The proposed project would involve demolition of the existing building and grading for the proposed building. This, in conjunction with other onsite construction activities, has the potential to result in temporary water quality impacts. The proposed project would be required to comply with the City of Beverly Hills's Urban Runoff Mitigation Ordinance (Municipal Code Section 9-4-506), which requires implementation of Best Management Practices (BMPs). Applicants of the proposed project would be required to submit a storm water mitigation plan (SWMP), which includes those Best Management Practices (BMPs) necessary to control storm water pollution from construction activities and facility operations, to the Department of Public

Works for approval (City of Beverly Hills Municipal Code § 9-4-506). Mandatory compliance with the City's urban runoff and stormwater regulation would reduce impacts associated with polluted runoff and stormwater drainage systems to a less than significant level.

Conclusion. The proposed project would not adversely affect underground aquifers. Mandatory compliance with all best management practices required for the project in accordance with the City's Urban Runoff Mitigation Ordinance would reduce construction impacts to water quality to a less than signifcant level. In addition, redevelopment of the site would replace the existing drainage with updated treatment controls that are not currently present. This is a potential beneficial impact to water quality.

3. SUMMARY

Based on this analysis, the proposed commercial project at 267 Canon Drive meets the environmental impact criteria for noise, air quality and water quality for a Class 32 Categorical Exemption pursuant to Section 15332 of the *State CEQA Guidelines*.

4. REFERENCES

California Air Resources Board, URBEMIS 2007, Version 9.7.4 Air Quality Model.

Coco Traffic Traffic Planners, Inc. 267 North Canon Drive, Commercial Building In-Lieu Parking Study, Beverly Hills, California, November 9, 2007.

Beverly Hills, City of, General Plan Noise Element, 1975.

Beverly Hills, City of, Municipal Code. Available online at http://66.113.195.234/CA/Beverly%20Hills/index.htm.

Beverly Hills, 2005 Urban Water Management Plan, December 2005.

Reyes David, Senior Planner, City of Beverly Hills, personal communication, September 2008.

South Coast Air Quality Management District Website. Available online at http://www.aqmd.gov.

Attachments: Traffic Report, URBEMIS Version 9.2.4 Air Quality Modeling Results

ATTACHMENT 5

Letter of Concern Regarding the Proposed Project

September 11, 2008

Mr. David Reyes
Beverly Hills Planning Department
Planning Division
455 North Rexford Drive
Beverly Hills, CA 90210

Re: 267 North Canon Drive

Dear David,

The client asked me to review the proposed design at 267 North Canon Drive adjacent to our project at 257 Canon, both as to how it relates to our project and how it enhances the retail character of the street.

In general, this design does not reflect what the City has asked of us over the last 18 months both in meetings and in our two presentations before the Planning Commission. We have been asked to create an inviting, pedestrian oriented design with the 2 story retail portion offset from offices above following the Polyzoides' recommendations for the business triangle. I specifically refer to the following regarding the adjacent design:

1) The sidewalk elevation reflects the 3 and 4 storey vertical building facades across the street which are predominately office oriented, and therefore this represents more of same for Canon.
2) There are no offsets to differentiate retail from office, although there are 2nd and 3rd level terraces and patios occurring above the alley of the second and third levels and in the center portion of the 3rd floor. Some of these decks could be moved to the street elevation to make this more pedestrian in scale.
3) The blank southerly wall at the property line would be brutally visible due to our staggered design, another reason where off-set decks could soften this transition and create more design continuity with the rest of the block when seen as a whole.
4) The rooftop structure adds vertical height and is counterproductive in creating a pedestrian scaled environment.
5) The green tinted glazing is not conducive to retail merchandizing.
6) The lobby serving both second floor retail and third floor offices is minimal.
7) The second floor retail use will be hindered by a combination of 9ft and 11ft ceilings when mechanical and electrical systems lower either portions or all of the suspended ceiling. (it will be interesting to see what the City's position will be vis-à-vis the in-lieu parking if the second floor cannot be successfully marketed as retail.)
8) There is also a lack of vertical transportation for moving retail merchandise from the first to second floor.

9) The 70% in-lieu parking would seem to establish an unfair precedent unless the City is able to provide this same benefit to other property owners.

I feel the input of an urban planner would be beneficial in guiding the redevelopment of this block, being adjacent and in close proximity to what promises to be a beautiful new urban park and hotel. In this regard, I understand the owners are a quality couple and I know the architect and he is certainly capable of adding to the successful redevelopment of this block. I have been meeting with Jay Newman and Jerry Sherman, his architect, to address their concerns and to create the right feeling for the street. This would also be a good opportunity to work together with Mr. and Mrs. Straus and with Hamid for the benefit of the entire block.

I want to also mention that the file didn't show Marc Bohbot's name or ownership entity as one of the property owners on the mailing list. I confirmed with him yesterday that he did not receive any notification of Thursday's hearing. This may be because the land use map indicates the property is a parking lot.

We are forwarding this to you belatedly as we first saw notice of the hearing late Tuesday. I trust the Commission will understand.

Sincerely,

Ron Goldman, FAIA
architect for the owner of 257 North Canon

cc: Marc Bohbot
Steve Webb
Murray Fischer