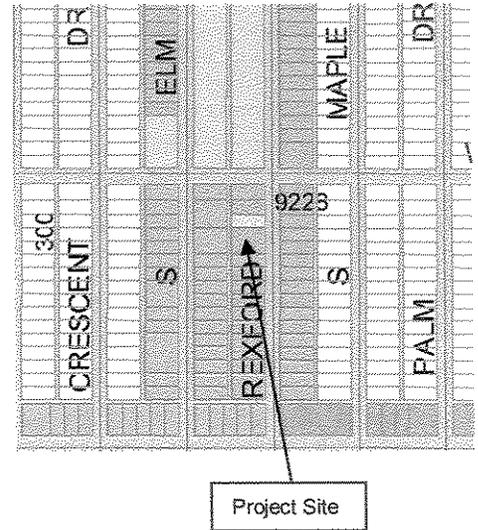




STAFF REPORT  
CITY OF BEVERLY HILLS

FOR THE PLANNING COMMISSION  
MEETING OF JANUARY 15, 2009

**TO:** Planning Commission  
**FROM:** Rita Naziri, Senior Planner *RN for*  
**THROUGH:** Jonathan Lait, AICP, City Planner  
**SUBJECT:** A Development Plan Review and Tentative Parcel Map No. 70136 for the conversion of an existing four-unit apartment building to a common interest development (condominium) located at 309 South Rexford Drive.



**RECOMMENDATION**

It is recommended that the Planning Commission adopt the attached resolution conditionally approving a Development Plan Review and Tentative Parcel Map No. 70139 to allow the conversion of an existing four-unit apartment building to a condominium building.

**EXECUTIVE SUMMARY**

Applications for a Development Plan Review (DPR) and Tentative Parcel Map No. 70136 have been submitted by Joseph Mansour, the property owner for conversion of an existing four-unit apartment building to a condominium building located within the multiple-family residential zone (R-4) at 309 South Rexford Drive.

Under the City's requirements for conversions of apartments to condominiums, projects must comply with all current development regulations, except for buildings that have received a "Character Contributing Designation" by the Planning Commission. On March 13, 2008, the Planning Commission determined that the subject building qualified for the "Character Contributing Building" designation as set forth in Beverly Hills Municipal Code (BHMC) Section 10-2-707 B. Because of this determination, the applicant may request relief from current development regulations when compliance with such regulations would require physical alterations to the structure that would damage or remove the character defining features of the building. The applicant is now seeking modifications from setback and parking requirements set forth in the Zoning

Code. The building will comply with all other aspects of the City's current development regulations as well as applicable requirements for residential conversions. Please note that the property owner has completed a major renovation of the property in 2007, including a new garage within the rear setback area with a residential-unit above it.

GENERAL INFORMATION	
<b>Applicant</b>	Joseph Mansour
<b>Project Owner</b>	Joseph Mansour
<b>Zoning District</b>	R-4 – Multi-Residential
<b>Parcel Size</b>	6,070 square feet
<b>Permit Streamlining Act Deadline</b>	February 9, 2009

**PROJECT DESCRIPTION**

The Project involves the conversion of an existing apartment building to condominium ownership. The property is located north of Olympic Boulevard along the west side of Rexford Drive. The area is characterized by multi-residential developments that date from the 1935's through the 1968's and include building heights that range between one and four stories. The 6,070 square feet site is located on the west side of Rexford Drive between Gregory Way and Olympic Boulevard. The property is currently developed with a 28'-10" high two-story, three-unit multiple family apartment building and a new detached, two-story, five-car garage accessed from the alley and a residential unit above it. The applicant is proposing to extend one of the parking spaces to create a tandem space which results in six parking spaces for the project. The main building was built in 1936 which exhibits a townhouse style design with bedrooms located on the second floor and living rooms, kitchen and laundry facilities located on the first floor. The 26'6" garage building with a 790 square-foot, one-bedroom residential unit above it was built in 2006 and it is located along the rear of the property adjacent to an alley.

The table below shows each unit bedroom counts:

Unit Type	Number of Units	Square Feet
Two bedroom (Main building)	3	3,748
One bedroom (above the garage)	1	790
Total of number of units	4	4,538

On March 13, 2008, the Project was determined to be a Character Contributing Building by the Planning Commission. As mentioned before, the property owner has completed a major renovation of the property in 2007, upgrading the entire site while upholding the original character and features of the building. As required by Code, the building was renovated to provide new heating, electrical, landscaping and irrigation system. These upgrades also include repainting the exterior of the building. Interior upgrades also include renovating kitchens, new floor covering and providing laundry machines and all new appliances in each unit. The Project is in compliance with all current fire and building code requirements, including plumbing, electrical and mechanical requirements. In addition, pursuant to BHMC Section 10-2-709 G, the applicant has completed a comprehensive plan for the rehabilitation of the exterior elements of the property.

It should be noted that the building is listed in the City's 2004 Historic Survey. Based on the 2004 Historic Survey, the current status code rating is 6L, which is defined as appearing ineligible for local listing or designation through a local government review process, however, may warrant special consideration in local planning. The design of the principal structure on the site is French Revival Style/French Eclectic design. The newly constructed garage building also carries the same architectural style of the principal building exterior.

The building displays architectural characteristics of the "French Revival Style" with landscaped entry courtyard opens to the street facing Rexford Drive. Typical design characteristics of a French Revival design are present in the design of the building. The primary structure is designed in the L-shaped plan with a steeply pitched cross hipped roof over both wings. The roof is covered in shingles with shallow flared eaves. The back portion of the roof is flat with a short roof parapet. The exterior is stucco covered in a smooth tan colored finish. Quoins are present as a decorative element for the building. A belt course runs horizontally along the street elevation and the courtyard elevation and wraps around the tower. The entry to each of the three units is arranged around a landscaped courtyard. Entry of the entry doors are surrounded by distinctively different decorative elements. The fenestration of the primary structure shows elaborate placement of doors and windows with varying ornamentation. The street elevation contains four windows and rounded decorative tower. A prominent bay window with leaded glass panes is located on the first floor. The south and west elevations include paneled doors and wooden windows.

The applicant noted that although the building has gone through major remodeling, the original characteristics of the building were retained including:

- The original multi-pane casement windows are maintained through the remodel with only replacing the panes to ensure safety.
- The front doors of each unit are retained while being upgraded to provide safety.

- The original plaster is kept and upgraded.
- The interior stairwell were maintained but upgraded.
- All the original stain glass is maintained on the property.
- The courtyard is kept with an updated landscaping.
- The pitched roof design is kept and upgraded.

It should be noted that the applicant has provided a Historic Resource Assessment report prepared by Arroyo Resources which conducted a historic resource assessment of the property (attached). This report has not been evaluated by the City for its historical value and it is provided as information only.

Because the building has been renovated in 2007, no modification is proposed at this time, except for reconfiguration of the garage to provide one additional parking space (tandem space). Based on concerns raised by the Planning Commission regarding adequacy of parking for the Project during review process in March 2008, the applicant is proposing to extend one of the parking spaces to create one tandem space which will provide a total of six parking spaces for the Project. It should be noted the Project is already received Architectural Commission approval for the said renovations.

**PROJECT DATA SUMMARY**

Category	Existing	Code Requirement	Compliance
Use	Multiple-family dwelling	Multiple-family dwelling	Yes
Number of Lots	1	N/A	N/A
Lot Size	6,075 sq.ft. (50 feet wide by 121.4 feet long)	7,500 sq.ft. (50 feet wide by 150 feet long)	Legal Non-Conforming
Density/Number of Units	4 units	4 units 1 unit / 1,500 sq.ft. of site area	Yes
Stories/Building Height	2-story, 28'10" feet high	4-story / 45 feet	Yes
Parking Spaces	5 car garage An alternate plan is provided with six parking spaces which includes one tandem space	11 spaces	<b><u>WAIVER REQUESTED</u></b>
Front Setback(	16 feet 5 inches	15 feet	Yes
Side Setback	North Side Setback: 3' minimum. 19' side court yard on the north side facing Rexford Drive South Side Setback: 4	North: 8 feet South: 11 feet (19 feet combined)	<b><u>WAIVER REQUESTED</u></b>

Category	Existing	Code Requirement	Compliance
	feet '6 inches		
Rear Setback	6 feet 6 inches	15 feet	<u>WAIVER REQUESTED</u>
Outdoor Living Space	986	800	<u>Yes</u>

**AREA CHARACTERISTICS**

The subject property is located on the west side of Rexford Drive between Gregory Way and Olympic Boulevard. There are multiple family residential buildings to the east, west, north and south of the property. An alley separates the subject property from the adjacent multifamily structure to the west which is under major renovation.

The area is zoned R-4 and is developed with a variety of multi-family building ranging from two to four stories. A two-story multi-family building is located directly to the north of the Project with a carport accessed from the alley and a four-story building is located to the south of the Project site. A six-story condominium building is located across the rear alley which is under major remodeling (a condominium conversion project).

**SUBDIVISION**

Pursuant to the City's subdivision requirements (Article 3 of Chapter 2 of Title 10 of the Beverly Hills Municipal Code), the Planning Commission is required to consider the following issues:

**GENERAL PLAN ANALYSIS**

The General Plan land use designation for the subject property is multi-family residential – medium density and a maximum height of 60 feet. The Project proposes to maintain the existing multi-family use of the property. The building's existing height of 28 feet ten inches is not proposed to be changed. The Project consists of the conversion of an existing four-unit apartment building to a four-unit residential condominium building. Although the existing designation of 45 units per acre would allow 6 units on the subject property, the existing building contains only four units; therefore, the conversion is consistent with the General Plan and furthers the goals and objectives with respect to the Housing Element as follows. Goal 1 of the Housing Element is to maintain the community's housing stock; preserve the viability and stability of residential neighborhoods. Since this conversion does not alter the existing

residential use of the property or reduce the number of available housing units, the Project advances this goal. In addition, Objective 1.1 of the Housing Element is to, "Develop, continue and pursue programs to maintain and improve the physical condition of existing housing stock." Further, Program 1.6 is to "Require life safety, infrastructure, and aesthetic upgrades of older apartments as a condition of approving any conversion to a common interest development." The property owner has completed a major renovation of the property in 2007, upgrading the entire site while upholding the original character and features of the building. The building was renovated to provide new heating, electrical, landscaping and irrigation system. These upgrades also include repainting the exterior of the building. Interior upgrades also include renovating kitchens, new floor covering and providing laundry machines and all new appliances in each unit. Therefore, the Project and its design are consistent with the General Plan of the City.

### **COMMON INTEREST DEVELOPMENT ORDINANCE FOR RESIDENTIAL COVERSIONS**

On March 7, 2006, the City Council adopted Ordinance No. 06-2497, establishing criteria for the conversion of existing apartment buildings into common interest developments ("CID Ordinance"). The CID Ordinance, as codified in Section 10-2-707 of the Beverly Hills Municipal Code (attached) requires that any conversion of an existing apartment building to any form of common interest development must comply with the current Building Codes and Zoning regulations and all other requirements of the code in effect at the time the application is submitted. However, the Planning Commission may modify or waive these requirements to convert a character contributing building to a common interest development

As indicated in the Project Data Summary table, the Project complies with applicable zoning requirements, with the exception of setback (rear and side setbacks), and parking regulations, which are discussed below. The Project is conditioned to comply with all other current zoning code regulations and all other current requirements of the Beverly Hills Municipal Codes, with the exception of the requested waivers, discussed below. As with new buildings, compliance with current building and fire code regulations (including life safety requirements) for the proposed conversion will be verified upon submittal of a full set of building plans, including structural plans and confirmed through the standard building inspection process. However, since the Project involves a proposed conversion to a condominium development, compliance with all applicable regulations shall be verified prior to the approval of the final map.

### **REQUESTED WAIVERS FROM DEVELOPMENT REGULATIONS**

#### **COMMISSION AUTHORITY/CRITERIA FOR WAIVER OF REGULATIONS**

Beverly Hills Municipal Code Section 10-2-707 A states in pertinent part that:

*Except as otherwise provided by this article, neither a tentative map nor a precise plan of design for a new common interest development project or for the conversion of an existing building to a common interest development ... shall be approved unless the project will comply with the building codes and zoning regulations and all the other requirements of this code in effect at the time of application.*

Beverly Hills Municipal Code Section 10-709 B further clarifies that:

*[A] Proposed conversion shall conform to the applicable standards of the city's building code, the city's housing code, the city's fire code and the city's zoning code in effect on the date the city determines the application for conversion is complete.*

*[However] the Planning Commission may modify or waive ...[a regulation for a character contributing building], provided, based on a written report from the building official, the planning commission determines that, due to the existing physical limitations of said character contributing building, strict application of the provisions of this subsection would require physical alterations to the structure that would irreparably damage or remove the character defining features of the building, and provided further that the requested waiver does not seek waiver of any mandatory minimum standard ...*

#### **REQUESTED WAIVER OF REGULATIONS - ZONING**

The subject building was originally constructed in 1936 and, although it conformed to development regulations in effect at the time it was constructed, does not comply with current setback and parking regulations. In this case, due to the existing physical limitations of the building, compliance with current regulations would damage or remove character defining features of the building.

**Setbacks:** Code Section 10-3-2808 requires that the subject building exhibit a cumulative side yard setback of 19 feet and that no side yard be less than 8 feet. As indicated in the Project Summary Table, the building exhibits a minimum cumulative side yard setback of 7' 6" and a minimum setback of 3', 6". It should be noted that the building contains a courtyard on the northerly side which is 19 foot in width. In addition, the existing building does not comply with current rear yard setback requirements of 15-foot because a garage and unit above it is located within a portion of the rear yard area. Compliance with current rear setback regulations would not be practical since the garage and the unit above is newly constructed, as permitted under the Municipal Code Section 10-3-2808 and 1-3-2819. Therefore, it is recommended that the building's existing footprint be left in tact and that the Planning Commission modify the required rear and side yard setbacks of the subject Character Contributing Building.

**Parking Requirements:** The existing parking standards would require a total of 11 parking spaces, as follows:

Unit Type	Number of Units	Parking Spaces Required
One bedroom	1	2
Two bedroom	3	2 ½ per unit – 8
Total of number of units	4	
Guest Parking		1
Total Parking Required		11

In addition to the 11 spaces required, the code requires minimum stall dimensions of 9 feet wide by 19 feet long. The Project proposed one parking space per unit and one guest parking. The applicant also provides an alternate parking plan providing six parking spaces by converting one of spaces in a tandem/compact space configuration (approximately 16.5 by 9'3"). The existing parking spaces are located within a newly constructed garage in rear setback area. Pursuant to Code Section 10-2-709 H, the Planning Commission may modify the parking requirements for Character Contributing Buildings but no conversion shall be approved unless at least one parking space is provided for each unit. In addition, the Commission may require the expansion of a free-standing parking structure located in the rear yard, but parking may not be expanded into existing open space area. There is no room on the subject property to construct a new free standing parking structure, however, the applicant is proposing to convert one of the standard spaces within the garage to a tandem space to provide a maximum of six parking spaces for the Project site. Therefore, it is recommended that the Commission modify the parking requirements of the subject Character Contributing Building to require 1 parking space for each unit with two guest parking spaces.

**REQUESTED WAIVER OF REGULATIONS – BUILDING/FIRE**

As required by Code Section 10-2-708 A (2) (3), the Building and Safety Division has prepared a Building/Fire Inspection Report (attached). The report identifies those areas for which the building does not comply with current regulations. Following is a summary of the Building and Safety report.

**Life Safety:** Because the building was renovated in 2007, the main building with three units and the garage building with one-unit above are fully sprinklered.

**Structural Design:** The Planning Commission may not waive the mandatory minimum structural requirement set forth in BHMC Section 10-2-709 A (5). Although, the applicant has not provided staff with the requested evaluation to determine the structural safety of the building, however is agreed to do so (see attached letter). Staff acknowledges that it would be infeasible to rehabilitate the building to fully meet today's structural codes, but seeks an evaluation and rehabilitation to provide a reasonable level of safety to the intended occupants of the building. A condition of

approval has been added requiring the applicant to submit the requested evaluation and rehabilitation subject to the satisfaction of the Building Official.

#### Structural Design and Lateral Load-Structural Analysis

Lateral Load-Structural Analysis: The applicant has agreed to evaluate and rehabilitate the building per ASCE 31-03, Standard Seismic Evaluation of Existing Buildings. The structural upgrades could be accomplished without exterior finishes being removed. This evaluation has not been submitted to Building & Safety for review.

#### Exiting

Item 7-a (Handrails)/Item 7-c (Guardrail Requirement): The applicant has requested to waive this requirement to replace the existing interior stairway handrails which are too low and non-continuous. The Planning Commission can waive or modify the height and non-continuity if it is found that full compliance will negatively affect the character contributing properties of the building. However, where the handrails also act as guardrails, they must be 34 to 38 inch high with maximum 4 inch openings.

Item 7-a (Handrails)/: Item 7-b (Stair Rise and Run): The applicant has agreed to add handrails, correct the height of the risers and add a complying landing for the stairs at each unit's rear exit.

Item 7-c (Guardrail Requirement): The applicant has agreed to increase the height of the handrail (also acting as a guardrail) serving the stair to the rear unit over the garage to 42 inches.

Ramp requirements: The applicant has agreed to add a handrail to the exterior ramp.

Location on property (fire resistance of walls; protection of openings): The south side of the building would be permitted to have a maximum of 10% openings by current Code due to its close proximity to the property line (5 ft.). The existing openings are over 10% but cannot be reduced as they are required for natural light and ventilation as well as emergency egress.

#### *OTHER REQUIREMENTS OF THE CONVERSION ORDINANCE*

In addition to compliance with current zoning, building and fire code regulations, the conversion of apartments to any form of common interest development must comply with specific physical standard requirements, tenant notification requirements, and the annual limitation on residential conversions.

*Physical Standards* – BHMC Section 10-2-709 sets forth the physical standards with which a proposed conversion must comply. These standards include, but are not limited to, life safety standards, electrical, plumbing and mechanical standards as well as laundry facility and other appliance standards. The Project complied with each of

the applicable standards as contained in Section 11 of the attached resolution under the "Physical Standards" heading.

*Tenant Notification* – BHMC Section 10-2-710 and State Government Code Section 66427.1 require all property owners of proposed residential conversions to provide existing tenants with a notification of intention to convert at least 60 days prior to the filing of a tentative map. In addition, each tenant of the proposed condominium Project has been, or will be given 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion. Finally, prior to approval of the final map, each tenant shall receive 10 days' written notification that an application for a public report will be, or has been submitted to the Department of Real Estate, and that such report will be available upon request. The applicant and his family reside at this building. Therefore, there are no tenants occupying the building at this time.

*Annual Limitation on Residential Conversions* – BHMC Section 10-2-712 sets an annual cap on the total number of residential conversions permitted in any one calendar year. Five buildings that have been determined to be character contributing as defined in BHMC Section 10-2-707, an aggregate maximum of 1.5% of the of the existing multi-family residential rental stock as of January 1 of each calendar year may be converted to common interest developments. In this case, this application represents the first conversion Project reviewed by the Planning Commission this year that is subject to this limitation requirement and is well under the conversion limitation.

The applicant has submitted a letter agreed to all requested upgrades, except for the interior handrail. The applicant notes that if the Commission does not waive this requirement, he will submit a design to increase the height of the handrail to Code and to reduce the spaces between balusters to a distance that complies with current code.

Staff recognizes that this is only the conversion Project that all required updates already installed, except for minor updates that the applicant has agreed to comply.

#### **DEVELOPMENT PLAN REVIEW AND TENTATIVE PARCEL MAP**

**Development Plan Review** - Pursuant to the Beverly Hills Municipal Code Section 10-3-3100 G, all common interest development require approval of a Development Plan Review. The Planning Commission may consider a request for a Development Plan Review if the Planning Commission can make the following findings:

**A. The proposal is consistent with the General Plan and any specific plans adopted for the area.**

As noted previously, the proposed subdivision and improvement are consistent with the City's General Plan. The proposal is consistent with the objectives, policies, general land uses, and programs specified in the General Plan.

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

The Project will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area. The site is currently developed with a two--story, four-unit apartment building in two separate buildings. Existing and anticipated uses in the vicinity are similarly multi-family in nature. The subject building was originally constructed in 1936 with a new garage and a unit above it constructed in 2007 and has been determined to be "character contributing" and worth preserving by the Planning Commission on March 13, 2008. The Project contemplates the conversion of the apartment building to a common interest development. The multi-family residential use of the property will not be altered by the Project and the restoration of the building will promote the harmonious development of the area. Because the Project has been totally renovated in 2007, no major changes are anticipated, however, any exterior changes are subject to review and approval by the Architectural Commission prior to approval of Final plan. Therefore, as conditioned, the Project will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area.

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

The proposed Project will not create any significant adverse traffic impacts or vehicular or pedestrian safety or circulation problems. The Project involves the conversion of an existing apartment building to a condominium building and is not anticipated to generate any significant adverse or vehicular or pedestrian safety or circulation problems because no change to the existing residential use is proposed and no change in the number of units are contemplated by the Project compared to the existing development. Vehicular ingress and egress is currently provided via the alley to an existing garage at grade level. Pedestrian access is provided along South Rexford Drive, which is fully improved with sidewalk, curb and gutter. The existing access has been preliminarily reviewed and approved by the Public Works Department and the Building and Safety Division. No changes to the existing access are contemplated by the Project and no impacts are anticipated. Therefore, it is not anticipated that the Project will generate adverse traffic impacts, traffic hazards, pedestrian/vehicle conflicts, or pedestrian safety hazards.

**D. The Project will not be detrimental to the public health, safety or general welfare.**

As conditioned, the Project will not be detrimental to the public health, safety, or general welfare. The Project site has been renovated in accordance with the City's Building Code standards and adequate open space living area has been provided per Code requirements. In addition, prior to the approval of the Final Map, the Project shall demonstrate compliance with all mandatory minimum physical building requirements set forth in BHMC Section 10-2-709 A. Therefore, as conditioned, and for the reasons discussed in the foregoing paragraphs, the Project will not be detrimental to the public health, safety or general welfare.

**Tentative Parcel Map-** The Planning Commission may authorize approval of a tentative parcel map if the findings can be made (Government Code Section 66474):

**(a) That the proposed Tentative Parcel Map and the design or improvements or improvements of the proposed subdivision are consistent with the General Plan of the City.**

As noted previously, the proposed subdivision and improvement are consistent with the City's General Plan, the proposal is consistent with the objectives, policies, general land uses, and programs specified in the General Plan.

**(b) That the site is physically suitable for the type of development and the proposed density.**

The site is physically suitable for the type of development and the proposed density. No change to the existing use of the site is contemplated by the Project. The site has no unusual seismic or other hazards. The design of the structure and the proposed landscaping has been reviewed and approved by the Architectural Commission, as required by Code. Any further changes to the building's exterior are subject to review and approval by the Architectural Commission. Therefore, with the conditions placed on the Project, the site is physically suitable for the type of development and the proposed density.

**(c) That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The Project will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat because there are no significant fish or wildlife resources or public health issues on the Project site, and utilities exist

that will adequately serve the demands of the Project. The Project site is located in an urbanized neighborhood and involves the conversion of an existing apartment building to a common interest development and the building's existing footprint will not be expanded.

**(d) Whether the design of the subdivision or type of improvement is likely to cause serious public health problems and whether the design of the subdivision or the type of improvement will conflict with any public easement.**

The design of the subdivision and the type of improvements will not cause serious public health problems, and will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The Project involves the conversion of an existing apartment building to a common interest development and no changes to the site's access or circulation are proposed. The Project design has been preliminarily reviewed by the Public Works Department and the Building and Safety Division for code compliance. In addition, the Project will not encroach into any public easement areas. Therefore, the design of the subdivision or type of improvements is not likely to cause serious public health problems and that the design of the subdivision or the type of improvements will not conflict with any public easement.

**PUBLIC NOTICE AND COMMENTS**

Notice of the proposed Project and public hearing was mailed on January 2, 2009 to all property owners and residential tenants within a 300-foot radius of the property, and all single-family zoned properties within 500 feet from the exterior boundaries of the property. The hearing notice was published in the *Beverly Hills Courier* on Friday, January 2, 2009, and the *Beverly Hills Weekly* on Thursday, January 8, 2009. As of the date of the preparation of this report, no correspondence or calls were received.

**ENVIRONMENTAL DETERMINATION**

The proposed Project has been assessed in compliance with the California Environmental Quality Act (CEQA) and the City's CEQA guidelines. Pursuant to the State CEQA Guidelines Section 15301(k), Existing Facilities, the division of existing multiple family residences into common interest ownership have been determined not to have a significant environmental impact and are exempt from the provisions of CEQA.

RITA NAZIRI

Attachments:

1. Resolution
2. Common Interest Development Standards
3. Building Inspection Report
4. Application Materials Submitted by Applicant, including Letter dated November 3, 2008

**Conditions of approval  
309 South Rexford Drive**

1. The Project shall be in substantial conformance with the plans reviewed and approved by the Planning Commission on January 15, 2009.
2. The Tentative Parcel Map shall comply with all conditions required by the City's various Departments, including but not limited to the conditions, if any, imposed by the Departments of Public Works, Engineering, Buildings and Safety, Fire and Police.
3. Prior to approval of the Final Map and in accordance with the provisions of Section 10-2-704 of the Beverly Hills Municipal Code, the Applicant shall submit a copy of the proposed covenants, conditions and restriction (CC&Rs) for the Project to the Director of Community Development and the City Attorney for review and approval, which CC&Rs shall be recorded before or at the same time as recordation of the final map. The CC&Rs shall include the total number of parking spaces required for each unit and total number of parking spaces required for the Project in total. Further, the CC&Rs shall include the following provisions, which shall also be noted on the final map:
  - 3.1. The subject condominium Project consists of four residential condominium units, and six parking spaces.
  - 3.2. No changes to the existing number of bedrooms or floor plans are proposed.
  - 3.3. A minimum of one parking space shall be permanently maintained for each unit. Parking spaces may not be leased, subleased, sold separately from the condominium unit, or otherwise given to others not a resident(s) of the condominium unit within the development. These statements shall also be noted on the final map. All common areas and facilities shall be clearly depicted and/or described.
  - 3.4. The Homeowners Association shall be responsible for the operation and maintenance of the private sewer connection 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, the abutting street trees, parkways and any costs or corrections due to building or property maintenance code enforcement actions.

4. Approval of this Project is subject to and all other discretionary approvals required by the City for the Project and the approval of the final Tract Map.
5. The Final Map shall be prepared in accordance with the approved Tentative Parcel Map and shall be filed within twenty-four (24) months from the date of approval by the City, unless, prior to expiration of the twenty-four (24) months period, the Planning Division has received a request from the subdivider for an extension of time in writing and receives approval by the City.
6. The subdivider and successors shall be responsible for the maintenance of the site drainage system, sidewalk, parkways, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the Project "Conditions, Covenants and Restrictions (CC&Rs)". A recorded copy of said document shall be provided to the City's Planning Division Office.
7. With the exception to the modification of the current parking and setback regulations, the Project shall comply with all current zoning regulations in effect as of January 15, 2009.
8. Prior to consideration of the final map, the Project shall demonstrate compliance with all current applicable building and fire codes and regulations in effect as of January 15, 2009, with the specific exceptions identified in Section 9 of this resolution, subject to the satisfaction of the building official, standards that do not involve alterations to the building's exterior or loss of interior architectural integrity, compliance shall be achieved.
9. Prior to consideration of the final map, the Project shall demonstrate compliance with the minimum standards as determined applicable by the Building Official including handrails and guardrails as required.
10. The applicant shall submit a design to increase the height of the handrail to Code and to reduce the spaces between balusters to a distance that complies with current code. Handrail must be 34" to 38" high and continuous along a flight of stairs. Stair handrail acting as guardrails within dwelling units must be 34"-38" high and have maximum 4" openings.
11. Long Term Reserves: Prior to approval of the final map, the developer shall prepare and submit a reserve study as required by California Civil Code section 1365 to the director of community development and shall provide

purchasers with a disclosure, in the form prescribed by California Civil Code section 1365.2.5 or any successor statute.

12. Submittal Of Budget: Prior to approval of the final map, the subdivider shall submit to the director of community development or his or her designee a copy of the proposed budget for maintenance and operation of common facilities submitted to the California department of real estate, including needed reserves, along with any changes in the budget required by the department of real estate.
13. Prior to consideration of the final map, the subdivider shall demonstrate compliance with the 180-day tenant noticing requirement for set forth in BHMC Section 10-2-710 D.
14. Prior to consideration of the final map, the subdivider shall demonstrate compliance with the 10-day tenant noticing requirement regarding the set forth in BHMC Section 10-2-710 B.
15. The subdivider shall provide each tenant written notification within ten (10) days of approval of a final map for the proposed conversion.
16. The applicant shall pay the applicable fees required by BHMC Section 3-1-602 (condominium conversion tax).
17. To the extent feasible, as determined by the Building Official, the project shall comply with ADA access requirements.

# Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 70136 AND A DEVELOPMENT PLAN REVIEW TO ALLOW THE CONVERSION OF AN EXISTING FOUR-UNIT APARTMENT BUILDING TO AN FOUR-UNIT CONDOMINIUM BUILDING LOCATED AT 309 SOUTH REXFORD DRIVE.

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

Section 1. Joseph Mansour (hereinafter referred to as the "Applicant") has submitted an application for approval of Tentative Parcel Map No. 70136 and a Development Plan Review to allow for the conversion of an existing four-unit residential apartment building into a four-unit condominium building located at 309 South Rexford Drive (the "Project").

The property is located north of Olympic Boulevard along the west side of Rexford Drive. The area is characterized by multi-residential developments that date from the 1935's through the 1968's and include building heights that range between one and four stories.

The 6,070 square feet site is located on the west side of Rexford Drive between Gregory Way and Olympic Boulevard. The property is currently developed with a 28'-10" high two-story, three-unit multiple family apartment building and a new detached, two-story, five-car garage accessed from the alley and a residential unit above it. The Project includes the conversion of the existing apartment building to a condominium building. No changes to the building's floor plan are proposed.

Section 2. The Project has been reviewed pursuant to the California Environmental Quality Act (“CEQA”), (Public Resource Sections 21000, et seq.), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the City’s Local CEQA guidelines. The Project consists of the conversion of an existing four-unit apartment building to a four-unit condominium building. Pursuant to State CEQA Guidelines Section 15301(k), Existing Facilities, the division of existing multiple family residences into common interest ownership are exempt from the provisions of CEQA and no significant environmental impacts are anticipated.

Section 3. Notice of the proposed Project and public hearing was mailed on January 2, 2009 to all property owners and residential tenants within a 300-foot radius of the property, and all single-family zoned properties within 500 feet from the exterior boundaries of the property. The hearing notice was also published in the *Beverly Hills Courier* on Friday, January 2, 2009 and the *Beverly Hills Weekly* on Thursday, January 8, 2009. As of the date of the preparation of this report, no correspondence or calls were received. On January 15, 2009, the Planning Commission held a duly noticed public hearing to consider the application. Evidence, both written and oral, was presented at said hearing.

Section 4. Pursuant to Section 66474 of the California Government Code, in reviewing the application for Tentative Parcel Map No. 70136, the Planning Commission considered the following issues:

1) Whether the proposed tentative parcel map and the design or improvement of the proposed subdivision are consistent with the General Plan of the City;

2) Whether the site is physically suitable for the type of development and the proposed density;

3) Whether the design of the subdivision and the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and

4) Whether the design of the subdivision or type of improvement is likely to cause serious public health problems and whether the design of the subdivision or the type of improvement will conflict with any public easements.

Section 5. Based upon the evidence presented in the record on this matter, including the staff report and oral and written testimony, the Planning Commission hereby finds, as follows, with respect to Tentative Parcel Map No.70136

5.1 As conditioned, the Project and its design and improvements are consistent with the General Plan of the City. The proposed Project is compatible with the objectives, policies, general land uses, and programs specified in the General Plan. The General Plan designation for the proposed site is “multi-family residential- medium density” allowing for 45 units per acre and up to 60 feet in height. The Project consists of the conversion of an existing four-unit apartment building to a four-unit, approximately 29-foot in height residential condominium building. Although the existing designation of 45 units per acre would allow six units on the subject property, the conversion is consistent with many aspects of the General Plan and further goals and objectives with

respect to the Housing Element as follows. Goal 1 of the Housing Element is to maintain the community's housing stock; preserve the viability and stability of residential neighborhoods. Since this conversion does not alter the existing residential use of the property or reduce the number of available housing units, the Project advances this goal. In addition, Objective 1.1 of the Housing Element is to "Develop, continue and pursue programs to maintain and improve the physical condition of existing housing stock." Further, Program 1.6 is to "Require life safety, infrastructure, and aesthetic upgrades of older apartments as a condition of approving any conversion to a common interest development." The property owner has completed a major renovation of the property in 2007, upgrading the entire site while upholding the original character and features of the building. The building was renovated to provide new heating, electrical, landscaping and irrigation system. These upgrades also include repainting the exterior of the building. Interior upgrades also include renovating kitchens, new floor covering and providing laundry machines and all new appliances in each unit. Therefore, the Project and its design are consistent with the General Plan of the City.

5.2 As conditioned, the site is physically suitable for the type of development and the proposed density. No change to the existing use of the site is contemplated by the Project. The site has no unusual seismic or other hazards. The design of the structure and the proposed landscaping has been reviewed and approved by the Architectural Commission, as required by Code.

Any further changes to the building's exterior are subject to review and approval by the Architectural Commission. Therefore, with the conditions placed on the Project, the site is physically suitable for the type of development and the proposed density.

5.3 As conditioned, the Project will not cause substantial environmental damage

or substantial and avoidable injury to fish or wildlife or their habitat because there are no significant fish or wildlife resources or public health issues on the Project site, and utilities exist that will adequately serve the demands of the Project. The Project site is located in an urbanized neighborhood and involves the conversion of an existing apartment building to a common interest development and the building's existing footprint will not be expanded.

5.4 The design of the subdivision and the type of improvements will not cause serious public health problems, and will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The Project involves the conversion of an existing apartment building to a common interest development and no changes to the site's access or circulation are proposed. The Project design has been preliminarily reviewed by the Public Works Department and the Building and Safety Division for code compliance. In addition, the Project will not encroach into any public easement areas. Therefore, the design of the subdivision or type of improvements is not likely to cause serious public health problems and that the design of the subdivision or the type of improvements will not conflict with any public easement.

Section 6. Pursuant to Beverly Hills Municipal Code Section 10-3-3104, in reviewing the application for Development Plan Review, the Planning Commission considered the following issues:

- 1) Whether the proposed plan is consistent with the General Plan and any specific plans for the area;

- 2) Whether the proposed plan will adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;
- 3) Whether the proposed plan will create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and
- 4) Whether the proposed plan will be detrimental to the public health, safety or general welfare.

Section 7. Based upon the evidence presented in the record on this matter, including the staff report and oral and written testimony, the Planning Commission hereby finds, as follows, with respect to the Development Plan Review:

7.1 As conditioned, the proposed subdivision and improvement are consistent with the City's General Plan. The proposal is consistent with the objectives, policies, general land uses, and programs specified in the General Plan.

7.2 As conditioned, the Project will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area. The site is currently developed with a two--story, four-unit apartment building in two separate buildings. Existing and anticipated uses in the vicinity are similarly multi-family in nature. The subject building was originally constructed in 1936 and has been determined to be "character contributing" and worth preserving by the Planning Commission on March 13, 2008. The Project contemplates the conversion of the apartment building to a common interest development. The multi-family residential use of the property will not be altered by the Project and the restoration of the building

will promote the harmonious development of the area.

7.3 As conditioned, the proposed Project will not create any significant adverse traffic impacts or vehicular or pedestrian safety or circulation problems. The Project involves the conversion of an existing apartment building to a condominium building and is not anticipated to generate any significant adverse or vehicular or pedestrian safety or circulation problems because no change to the existing residential use is proposed and no change in the number of units are contemplated by the Project compared to the existing development. Vehicular ingress and egress is currently provided via the alley to an existing garage at grade level. Pedestrian access is provided along South Rexford Drive, which is fully improved with sidewalk, curb and gutter. The existing access has been preliminarily reviewed and approved by the Public Works Department and the Building and Safety Division. No changes to the existing access are contemplated by the Project and no impacts are anticipated. Therefore, it is not anticipated that the Project will generate adverse traffic impacts, traffic hazards, pedestrian/vehicle conflicts, or pedestrian safety hazards.

7.4 As conditioned, the Project will not be detrimental to the public health, safety, or general welfare. The Project site has been renovated in accordance with the City's Building Code standards and adequate open space living area has been provided per Code requirements. In addition, prior to the approval of the Final Map, the Project shall demonstrate compliance with all mandatory minimum physical building requirements set forth in BHMC Section 10-2-709 A. Therefore, as conditioned, and for the reasons discussed in the foregoing paragraphs, the Project will not be detrimental to the public health, safety or general welfare.

Section 8. Pursuant to Beverly Hills Municipal Code Section 10-2-701 thru 10-2-714,

in reviewing the application for the conversion of the existing apartment building to a common interest development, the Planning Commission considered the following issues:

1) Whether the subject building qualifies for the “Character Contributing” designation set forth in BHMC Section 10-2-707 B;

2) Whether the Project complies with applicable requirements of Article 7 of Chapter 2 of the Planning and Zoning Code of the City of Beverly Hills, including, but not limited to compliance with the current zoning and building code and all other applicable current requirements of the Municipal Code; compliance with the annual limitation on residential conversions; compliance with tenant notification requirements; and compliance with the physical standards for residential conversion; and

3) Whether the strict compliance with current zoning and building code requirements would result in irreparable damage or remove the character defining features of the building.

Section 9. Based upon the evidence presented in the record on this matter, including the staff report and oral and written testimony, the Planning Commission hereby finds, as follows, with respect to the conversion of the apartment building to a common interest development:

9.1 On March 13, 2009, the Planning Commission determined that the subject building qualified for the Character Contributing Designation. Specifically, it was determined that the building to be converted is not substantially greater in massing and scale than the surrounding streetscape. It was further determined that the building to be converted contributes to community

character through the use of architecturally pure styles that foster congruous designs and details that are complementary in scale and mass to other nearby structures and that features visible from the public street, as a result of the conversion, would be maintained, restored or refined in a manner consistent with the general criteria of architectural review set forth in BHMC Section 10-3-3010.

9.2 The Project has been reviewed for compliance with the City's current zoning regulations. It has been determined that the Project complies with current zoning regulations with the exception of setback (rear and side setbacks) and parking requirements. *Setbacks*, with respect to setback regulations, current regulations require a 19-foot cumulative side yard setback and a minimum setback of 8 feet. The building exhibits a minimum cumulative side yard setback of 7' 6". It should be noted that the northerly side yard setback contains a nineteen-foot wide courtyard. Because a garage and unit above it is located within a portion of the rear yard area, the existing rear yard is six feet six inches. The current regulations requires 15-foot rear yard setback. *Parking*, current parking standards require a total of 11 parking spaces, including all required guest parking. The Project will include a total of 6 parking spaces.

9.2.1 Pursuant to BHMC Section 10-2-712, for "character contributing" buildings as defined in BHMC Section 10-2-707, a maximum of 1.5% of the total of the existing multi-family residential rental stock as of January 1 of each calendar year may be approved converted to any form of common interest development. In this case, this Project represents the first conversion approved this calendar year, the Project complies with the annual limitation of residential conversions.

9.2.2 Pursuant to BHMC Section 10-2-710, all property owners of proposed

residential conversions must provide existing tenants with a notification of intention to convert at least 60 days prior to the filing of a tentative map. In addition, each tenant of the proposed condominium Project must be given 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion. Finally, prior to approval of the final map, each tenant shall receive 10 days' written notification that an application for a public report will be, or has been submitted to the Department of Real Estate, and that such report will be available upon request. The property owner has submitted a signed affidavit attesting to compliance with the 60-day written notice of intent to convert. Additionally, copies of the required 60-day written notice of intent to convert have been submitted with the application. As a condition of approval, prior to approval of the final map, the property owner shall demonstrate compliance with the 180 day written notice of intent to convert prior to termination of tenancy. In addition, prior to approval of the final map, the property owner shall provide each tenant 10 days' written notification that an application for a public report will be, or has been submitted to the Department of Real Estate, and that such report will be available upon request. The Applicant and his family reside at this building and therefore, there are no tenants occupying the building at this time.

9.2.3 Pursuant to BHMC Section 10-2-709, there are certain physical standards with which a conversion must comply. These standards include, but are not limited to, life safety standards, electrical, plumbing and mechanical standards as well as laundry facility and other standards. The subject building has been through major updates and as conditioned it is in compliance with each of the applicable standards as contained in Section 11 of this resolution under

the “Physical Standards” heading, except as noted in Section 9.3, below.

9.3 Pursuant to BHMC Section 10-2-709 B, the Planning Commission may modify a development regulation that would require physical alterations to the structure that would irreparably damage or remove the character defining features of the building. In this case, compliance with current parking and setback requirements would result in such a situation. *Setbacks* – BHMC Section 10-3-2808 requires that the subject building exhibit a cumulative side yard setback of 19 feet and that no side yard be less than 8 feet. The subject building exhibits a cumulative side yard setback of 7’ 6” and a minimum setback of 3’, considering that the building contains a 19-foot wide courtyard on the northerly side. In addition, the existing building does not comply with current rear yard setback requirements because a newly constructed garage with a residential unit above it is located within a portion of the rear setback area. Compliance with current setback regulations would require major demolition of the existing improvements on the site. *Parking Requirements* - BHMC Sections 10-3-2816, and 10-3-2817 and 10-3-2819 require that a total of 11 parking spaces be provided for the building based on the number of dwelling units and number of rooms provided. The minimum stall dimensions are 9 feet wide by 19 feet long. The Project will contain a total of 6 parking spaces. Four of the parking spaces are 9 feet wide by 19 feet long. The two remaining parking spaces are considered a tandem space with a dimension of 9’3” wide and 33 feet long. Pursuant to BHMC Section 10-2-709 H, the Planning Commission may modify the parking requirements for Character Contributing Buildings but no conversion shall be approved unless at least one parking space is provided for each unit. In addition, the Commission may require the expansion of a free-standing parking structure located in the rear yard, but parking may not be

expanded into existing open space area. The subject property has been developed with a garage building within the rear yard area and therefore, there is no room on the subject property to construct an additional free standing parking structure, however, the Applicant is proposing to convert one of the standard spaces within the garage to a tandem space to provide a maximum of six parking spaces for the Project site. *Life Safety requirements:* Because the building was renovated in 2007, the main building with three units and the garage building with one-unit above are fully sprinklered. *Structural Design:* The Planning Commission may not waive the mandatory minimum structural requirement set forth in BHMC Section 10-2-709 A (5). Although, the Applicant has not provided staff with the requested evaluation to determine the structural safety of the building, however is agreed to do so. It is acknowledged that it would be infeasible to rehabilitate the building to fully meet today's structural codes, but seeks an evaluation and rehabilitation to provide a reasonable level of safety to the intended occupants of the building. A condition of approval has been added requiring the Applicant to submit the requested evaluation and rehabilitation subject to the satisfaction of the Building Official. *Structural Design and Lateral Load-Structural Analysis,* the Applicant has agreed to evaluate and rehabilitate the building per ASCE 31-03, Standard Seismic Evaluation of Existing Buildings. The structural upgrades could be accomplished without exterior finishes being removed. This evaluation has not been submitted to Building & Safety for review. *Exiting,* the Applicant has requested to waive this requirement to replace the existing interior stairway handrails which are too low and non-continuous. The Planning Commission can waive or modify the height and non-continuity if it is found that full compliance will negatively affect the character contributing properties of the building. However, where the handrails also act as

guardrails, they must be 34 to 38 inch high with maximum 4 inch openings. *Handrails and Stair Rise and Run*, the Applicant has agreed to add handrails, correct the height of the risers and add a complying landing for the stairs at each unit's rear exit. *Guardrail Requirement*, the Applicant has agreed to increase the height of the handrail (also acting as a guardrail) serving the stair to the rear unit over the garage to 42 inches. *Ramp requirements*, the Applicant has agreed to add a handrail to the exterior ramp. *Location on property (fire resistance of walls; protection of openings)*, the south side of the building would be permitted to have a maximum of 10% openings by current Code due to its close proximity to the property line (5 ft.). The existing openings are over 10% but cannot be reduced as they are required for natural light and ventilation as well as emergency egress. *Tenant Notification* – BHMC Section 10-2-710 and State Government Code Section 66427.1 require all property owners of proposed residential conversions to provide existing tenants with a notification of intention to convert at least 60 days prior to the filing of a tentative map. In addition, each tenant of the proposed condominium Project has been, or will be given 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion. Finally, prior to approval of the final map, each tenant shall receive 10 days' written notification that an application for a public report will be, or has been submitted to the Department of Real Estate, and that such report will be available upon request. The Applicant and his family reside at this building. Therefore, there are no tenants occupying the building at this time. *Annual Limitation on Residential Conversions* – BHMC Section 10-2-712 sets an annual cap on the total number of residential conversions permitted in any one calendar year. Five buildings that have been determined to be character contributing as defined in BHMC Section 10-2-707, an aggregate maximum of 1.5% of the of the existing multi-family

residential rental stock as of January 1 of each calendar year may be converted to common interest developments. In this case, this application represents the first conversion Project reviewed by the Planning Commission this year that is subject to this limitation requirement and is well under the conversion limitation.

The Applicant has submitted a letter agreed to all requested upgrades, except for the interior handrail. The Applicant notes that if the Commission does not waive this requirement, he will submit a design to increase the height of the handrail to Code and to reduce the spaces between balusters to a distance that complies with the current codes. It should be noted that this is only the conversion Project that all required updates already installed, except for minor updates that the Applicant has agreed to comply with the requested updated.

Section 10. Based upon the foregoing findings and subject to the Conditions of Approval, the Planning Commission hereby approves Tentative Parcel Map No. 70136 and the Development Plan Review to allow the conversion of the existing four-unit apartment building into a four-unit condominium building located at 309 South Rexford Drive, in the City of Beverly Hills and County of Los Angeles.

Section 11. Conditions of Approval

**STANDARD CONDITIONS**

1. The Project shall be constructed in substantial conformance with the plans reviewed and approved by the Planning Commission on January 15, 2009.

2. The conditions set forth in this Resolution shall run with the land and shall remain in force for the duration of the life of this Permit.

3. This resolution conditionally approving Tentative Parcel Map No. 70136 and a Development Plan Review to allow the conversion of the existing four-unit apartment building to an four-unit condominium building located at 309 South Rexford Drive (collectively the “Approvals”) shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution.

3.1. The covenant shall include a copy of this resolution as an exhibit.

3.2. The Applicant shall deliver the executed covenant to the Department of Planning and 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 Tentative Parcel Map subdividing the Tract shall be **null and void and of no further effect**. Notwithstanding the foregoing, the Director of Planning and 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 will affect the City’s ability to approve a Tentative Parcel Map and Development Plan Review.

4. In addition to the conditions set forth in this Resolution, the Tentative Parcel Map shall comply with all conditions required by the City's various Departments, including but not limited to the conditions, if any, imposed by the Departments of Public Works, Engineering, Buildings and Safety, Fire and Police.

5. Prior to approval of the Final Map and in accordance with the provisions of Section 10-2-704 of the Beverly Hills Municipal Code, the Applicant shall submit a copy of the proposed covenants, conditions and restriction (CC&Rs) for the Project to the Director of Community Development and the City Attorney for review and approval, which CC&Rs shall be recorded before or at the same time as recordation of the final map. The CC&Rs shall include the total number of parking spaces required for each unit and total number of parking spaces required for the Project in total. Further, the CC&Rs shall include the following provisions, which shall also be noted on the final map:

- 5.1. The subject condominium Project consists of four residential condominium units, and six parking spaces.
- 5.2. No changes to the existing number of bedrooms or floor plans are proposed.
- 5.3. A minimum of one parking space shall be permanently maintained for each unit. Parking spaces may not be leased, subleased, sold separately from the condominium unit, or otherwise given to others not a resident(s) of the condominium unit within the development. These statements shall also be noted on the final map. All common areas and facilities shall be clearly depicted and/or described.

5.4. The Homeowners Association shall be responsible for the operation and maintenance of the private sewer connection 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, the abutting street trees, parkways and any costs or corrections due to building or property maintenance code enforcement actions.

6. Approval of this Project is subject to and all other discretionary approvals required by the City for the Project and the approval of the final Tract Map.

7. The Final Map shall be prepared in accordance with the approved Tentative Parcel Map and shall be filed within twenty-four (24) months from the date of approval by the City, unless, prior to expiration of the twenty-four (24) months period, the Planning Division has received a request from the subdivider for an extension of time in writing and receives approval by the City.

8. The subdivider and successors shall be responsible for the maintenance of the site drainage system, sidewalk, parkways, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the Project "Conditions, Covenants and Restrictions (CC&Rs)". A recorded copy of said document shall be provided to the City's Planning Division Office.

#### **COMPLIANCE WITH APPLICABLE CODES**

9. With the exception to the modification of the current parking and setback regulations as detailed in Section 9 of this resolution, the Project shall comply with all current zoning regulations in effect as of January 15, 2009.

10. Prior to consideration of the final map, the Project shall demonstrate compliance with

all current applicable building and fire codes and regulations in effect as of January 15, 2009, with the specific exceptions identified in Section 9 of this resolution, subject to the satisfaction of the building official, standards that do not involve alterations to the building's exterior or loss of interior architectural integrity, compliance shall be achieved.

## **PHYSICAL STANDARDS**

11. Prior to consideration of the final map, the Project shall demonstrate compliance with the minimum standards of applicable building and fire codes as determined by the Building Official including:

### ***Life Safety Requirement***

11.1. Portable fire extinguishers shall be provided in accordance with section 1002 of the California Fire Code or any successor statute or regulation.

### ***Structural Design***

11.2. Lateral Load and Structural Analysis shall be provided by the Applicant to evaluate the building's seismic deficiencies according to criteria specified in ASCE 31-03 Standard Seismic Evaluation of Existing Buildings (Tier 1 and 2).

### ***Exiting***

11.3. The Applicant shall submit a design to increase the height of the handrail to Code and to reduce the spaces between balusters to a distance that complies with current code. Handrail must be 34" to 38" high and continuous along a flight of stairs. Stair handrail acting as guardrails within dwelling units must be 34"-38" high and have maximum 4" openings.

- 11.4. Exterior handrail acting as guardrail must be a minimum of 42 inch high. The handrail for the exterior stair to the unit over the garage is approximately 36” high.
- 11.5. A minimum of 44” depth landing is required at all doors.
- 11.6. The ramp on the south side of the main building shall have a handrail on each side.

***Mechanical system***

- 11.7. Dryer duct termination at south side of building has a screen that must be removed.

***Miscellaneous Requirements:***

- 11.8. Any construction work requiring a permit that was done without the appropriate permit shall be properly permitted and inspected in accordance with the requirements of section 9-1-104 of the BHMC.

- 11.9. The property shall be maintained in accordance with sections 5-7-3, 5-7-4 and 5-7-5 of the BHMC.

12. Long Term Reserves: Prior to approval of the final map, the developer shall prepare and submit a reserve study as required by California Civil Code section 1365 to the director of community development and shall provide purchasers with a disclosure, in the form prescribed by California Civil Code section 1365.2.5 or any successor statute.

13. Submittal Of Budget: Prior to approval of the final map, the subdivider shall submit to the director of community development or his or her designee a copy of the proposed budget for maintenance and operation of common facilities submitted to the California

department of real estate, including needed reserves, along with any changes in the budget required by the department of real estate.

#### **TENANT NOTIFICATION**

14. Prior to consideration of the final map, the subdivider shall demonstrate compliance with the 180-day tenant noticing requirement set forth in BHMC Section 10-2-710 D.

15. Prior to consideration of the final map, the subdivider shall demonstrate compliance with the 10-day tenant noticing requirement set forth in BHMC Section 10-2-710 B.

16. The subdivider shall provide each tenant written notification within ten (10) days of approval of a final map for the proposed conversion.

#### **CONVERSION TAX**

17. Prior to the consideration of final Map, the Applicant shall pay the applicable fees required by BHMC Section 3-1-602 (condominium conversion tax).

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

Adopted:

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Kathy Reims  
Chair of the Planning Commission  
of the City of Beverly Hills

ATTEST:

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Secretary

Approved as to form:

Approved as to content:

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David M. Snow  
Assistant City Attorney

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Jonathan Lait, AICP  
City Planner

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David D. Gustavson  
Director of Public Works and Transportation



# **Common Interest Development Standards**



## Article 7. Common Interest Development Projects

### 10-2-701: AUTHORITY:

This article is enacted pursuant to the authority contained in sections 66421 and 66426 of the California Government Code. The provisions of this article shall apply to subdivisions involving common interest development projects as set forth in the definition of "subdivision" in section 10-2-101 of this chapter. (Ord. 06-O-2497, eff. 4-6-2006)

### 10-2-702: PURPOSE; APPLICABILITY:

- A. Purpose: Common interest development projects require special additional regulations because of special problems resulting from the divided ownership of individual units, and the purpose of this article is to provide reasonable standards for the location, design, and development of common interest development projects and the information to be contained in the precise plan of development which shall be filed with the tentative map.
- B. Application: Except as otherwise provided in this article, the provisions of this article shall apply to both residential and nonresidential common interest development projects. (Ord. 06-O-2497, eff. 4-6-2006)

### 10-2-703: PRECISE PLANS REQUIRED:

A precise plan of design shall be required for the use or development of any lot or parcel of real property for a common interest development project, irrespective of the area or size of such lot or parcel. (Ord. 06-O-2497, eff. 4-6-2006)

### 10-2-704: APPLICATION REQUIREMENTS:

Each application for the approval of a precise plan of design for a common interest development project shall include the following information and documents:

- A. A site plan with at least the following details shown to scale:
1. The location, height, gross floor area, and proposed uses of each existing structure to remain and for each proposed structure;
  2. The location, use, and type of surfacing for all open storage areas;

3. The location and type of surfacing for all driveways, pedestrianways, vehicle parking areas, and curb cuts;
  4. The location, height, and type of materials for walls or fences;
  5. The location of all landscaped areas, the type of landscaping, and a statement specifying the method by which the landscaping areas shall be maintained;
  6. The location of all recreational and open space facilities and a statement specifying the method of the maintenance thereof; and
  7. The location of the parking facilities to be used in conjunction with each unit in the common interest development;
- B. Three (3) copies of the plans and elevations of all structures, showing the architectural features and the types and materials of construction; and
- C. Three (3) copies of the covenants, conditions, and restrictions or, if there are no covenants, conditions, or restrictions, any other agreements between any persons who have an ownership interest in the project and who have the right to reside in such project which will apply to the common interest development project, which covenants, conditions, and restrictions or agreements shall include, but not be limited to, the following provisions:
1. Provisions satisfactory to the city for the maintenance of the common areas of any such project by the city in the event of default in the maintenance of such common areas by individual owners of the units and for reimbursement to the city for any costs incurred thereby;
  2. In nonresidential common interest development projects, the covenants, conditions, and restrictions or other agreement(s) shall include:
    - a. Provisions satisfactory to the city for parking, access and utility covenants in order to:
      - 1) satisfy parking and access requirements imposed by this code, 2) assure the continuing availability of parking within the building at fair market value for the benefit of each parcel owner and their respective permittees, 3) assure continuous access, subject to reasonable rules and regulations imposed by the owners pursuant to any future covenants, to and through each parcel created by the subdivision as required to access any other parcel and 4) provide the owner of each parcel with structural support and the right to use existing common utility systems and equipment servicing the building.
    - b. A provision that any provision required to be included in the covenants, conditions, and restrictions or agreements by this section or by the conditions of approval imposed on the project shall not be deleted or amended without the written consent of the planning commission.
  3. In residential common interest development projects the covenants, conditions, and restrictions or agreements shall include:

- a. Provisions restricting the use of each residential unit to use as a single-family residence except as provided in chapter 3, article 43 of this title; and
  - b. Provisions establishing each individual unit owner's exclusive right to the use of specifically designated covered parking spaces sufficient to satisfy the code required parking for each unit or, if a reduction in the required parking for a conversion is granted pursuant to this article, provisions establishing each individual unit owner's exclusive right to the use of not less than one specifically designated covered parking space for each unit; and
4. A provision that any provision required to be included in the covenants, conditions, and restrictions or agreements by this section or by the conditions of approval imposed on the project shall not be deleted or amended without the written consent of the planning commission. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-704.1: ADDITIONAL APPLICATION REQUIREMENTS FOR CONVERSIONS:**

In addition to the general application requirements set forth in section 10-2-201 of this article, applications for a tentative map to convert an existing apartment building to a common interest development or to convert a common interest development created prior to January 1, 2006, to another form of common interest development pursuant to sections 10-2-707 through 10-2-711 of this article, shall include a report on the physical elements of each structure and facility within the subdivision that includes, but is not limited to, the following:

- A. A report prepared by a licensed architect detailing the condition of each element of the property including:
  1. Foundations;
  2. Roofs;
  3. Electrical;
  4. Plumbing;
  5. Utilities;
  6. Walls;
  7. Ceilings;
  8. Heat insulation factors;
  9. Windows;

10. Recreational and open space facilities;
11. Sound transmission characteristics between units;
12. Mechanical equipment;
13. Fire protection equipment;
14. Parking facilities; and
15. Appliances.

For each element listed above, the report shall state, to the best knowledge or estimate of the applicant, the following: a) the date the building permit was originally issued for each element (or the date the permit was issued for the most recent replacement of the original element); b) the replacement cost of the element at the time the report is prepared; and c) the current condition of each element. If applicable, the report shall describe why the physical condition of each element does not comply with current zoning, housing or building code and shall identify how each defective or unsafe element will be repaired.

- B. A report prepared by a licensed structural pest control operator describing the general condition of the entire project. In addition, prior to the approval of the final map, the applicant shall also cause to be prepared by a licensed pest control operator a pest infestation and dry rot report for each individual unit in the project;
- C. A structural engineer's evaluation of the integrity of the foundations. If a soils report was not done at the time of original construction, or if there has been soil movement since construction, the application for conversion shall also include a report on any known soil and geological conditions regarding soil deposits, rock formations, faults, ground water and landslides in the vicinity of the project, and a statement regarding any known evidence of soils problems relating to the structures on the project site. Reference shall be made to any previous soils reports for the site and a copy of said prior reports shall be submitted with the soils report required by this section.
- D. A statement of the repairs and improvements the subdivider proposes to refurbish and restore the project to achieve a high degree of appearance and safety.
- E. An affidavit attesting to compliance with the noticing requirements prescribed by section 10-2-710 of this article. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-705: PROCEDURE FOR APPROVAL:**

Applications for the approval of precise plans of design for common interest development

projects shall be made in such form as the director of community development shall prescribe, and all applications for the approval of precise plans of design shall be considered by the planning commission, irrespective of the area of the lot or parcel involved in any such project. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-706: CONDITIONS FOR APPROVAL:**

A tentative map of a common interest development project may be approved subject to the imposition of reasonable conditions relating to the design and improvement of the subdivision. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-707: COMPLIANCE WITH CODE PROVISIONS:**

- A. Code Compliance Required: Except as otherwise provided by this article, neither a tentative map nor a precise plan of design for a new common interest development project or for the conversion of an existing building to a common interest development or the conversion of an existing common interest development created prior to January 1, 2006, to another form of common interest development shall be approved unless the project will comply with the building codes and zoning regulations and all the other requirements of this code in effect at the time of application.
- B. Exception For Conversion Of Character Contributing Buildings: Notwithstanding the provisions of subsection A of this section, it is recognized that certain multi-family residential buildings that cannot feasibly comply with current building codes and zoning regulations may be of continued value if otherwise allowed to be converted to common interest developments, and upgraded and rehabilitated to generally conform to the provisions of this article and other code requirements.

For the purposes of this article, and all related sections of this code, a character contributing building shall mean any multi-family residential building that the planning commission determines, due to its proportions and scale, design elements, and relationship to the surrounding development, is of continued value and contributes to defining the character of the community as a whole. In making this determination, the planning commission shall make the following findings:

1. The building to be converted is not substantially greater in massing and scale than the surrounding streetscape. In making this determination, the planning commission may compare the relative lot coverage, height and setbacks of the building being converted to the lot coverage, height and setbacks of developments on parcels in the same block.

2. And either:

- a. The building to be converted and/or the project site design contribute(s) to community

character through the use of: 1) architecturally pure styles that foster congruous designs and details that are similar or complementary in scale and mass to other nearby structures; 2) features visible from the public street, including, but not limited to, courtyards, balconies, open space, building modulation, or any other similar characteristics that, as a result of the conversion, would be maintained, restored or refined in a manner consistent with the general criteria of architectural review set forth in section 10-3-3010 of this title; or

b. The interior spaces of the building to be converted contribute to community character through the use of architectural features and high quality construction finishes and features such as crown molding, hardwood floors, fireplaces, stairways, and built in cabinets in individual units; private courtyards, balconies, and/or interior open spaces; interior fountains; or any other similar characteristics or features that, as a result of the conversion, would be maintained, restored or refined in a manner consistent with the general criteria of architectural review set forth in section 10-3-3010 of this title.

C. Architectural Review Required: Nothing in this article shall relieve a project to convert an existing building to a common interest development from the architectural review requirements of chapter 3, article 30 of this title. (Ord. 06-O-2497, eff. 4-6-2006)

## **10-2-708: REQUIREMENTS FOR RESIDENTIAL CONVERSIONS:**

Except as otherwise provided in this article, the conversion of an existing multi-family residential apartment to any form of common interest development or the conversion of a common interest development created before January 1, 2006, to any other form of common interest development shall comply with all of the provisions set forth in this section and section 10-2-709 of this article. The provisions of this article are intended to augment and be in addition to the provisions of articles 1, 2, 3 and 4 of this chapter.

### **A. Inspections:**

1. Distribution Of Reports: Upon receipt of the application for subdivision for the purpose of conversion of an existing multi-family residential building from apartments to common interest ownership, the director of community development or his/her designee shall submit copies of the applicable reports or documents required by section 10-2-704.1 of this article, to the fire department, community development department - building and safety division, and other departments as appropriate.

2. Building Inspection: The building official or his/her designee shall inspect each proposed conversion project and shall prepare a written report (the "building inspection report") detailing the repairs and/or upgrades necessary for the project to meet the standards of the current building and housing codes. The cost of such inspection shall be borne by the subdivider.

3. Fire Inspection: The fire marshal shall inspect or cause an inspection to be made of each

proposed conversion project to determine the sufficiency of fire protection systems serving that project and shall prepare a written report (the "fire inspection report") detailing the repairs and/or upgrades necessary for the project to meet the standards of the current fire code. The cost of such inspection shall be borne by the subdivider.

4. Zoning Compliance Inspection: The city planner or his/her designee shall cause an inspection to be made of each proposed conversion project to ascertain whether the project was constructed in compliance with applicable requirements of the zoning ordinance in effect at the time the project was constructed. The cost of such inspection shall be borne by the subdivider. (Ord. 06-O-2497, eff. 4-6-2006)

## **10-2-709: PHYSICAL STANDARDS FOR RESIDENTIAL CONVERSIONS:**

Except as expressly provided in this article, no application to convert an existing multi-family residential apartment building to any form of common interest development or to convert an existing common interest development created prior to January 1, 2006, to any other form of common interest development shall be approved unless the proposed conversion will conform to each and every standard set forth in this section. These standards are in addition to the findings required for any concurrent application for a development plan review pursuant to chapter 3, article 31 of this title.

A. Mandatory Minimum Standards: The proposed conversion shall conform to all of the following minimum standards:

1. Life Safety Requirements:

a. Smoke detectors shall be provided in sleeping rooms, in hallways leading to sleeping rooms, at the top of stairs, and in all public corridors. Smoke detectors shall be hardwired with battery backup in accordance with the provisions of section 9-1-202 of this code and section 310.9.1 of the California Building Code or any successor statute or regulation.

b. Buildings that contain 1) three (3) or more stories or 2) sixteen (16) or more dwelling units shall be provided with both a manual and an automatic fire alarm system in public areas in accordance with the requirements set forth in California Building Code section 310.10 or any successor statute or regulation.

c. Doors opening into public corridors shall be a minimum one and three-eighths inch ( $1\frac{3}{8}$ " ) thick solid wood core or twenty (20) minute fire rated and shall be self-closing and latching in accordance with the requirements set forth in section 402.4 uniform code for building conservation or any successor statute or regulation.

d. Interior doors opening into enclosed stairways shall be fire rated and self-closing and latching as required by California Building Code section 1005.3.3.5 or any successor statute or regulation.

e. All public corridors shall have illuminated exit signs indicating the path of travel along

the exit system and emergency backup power shall be provided for the exit signs in accordance with the provisions of California Building Code 1003.2.8 or any successor statute or regulation.

f. Emergency backup power shall be provided for egress lighting in all public areas, including corridors, stairways, lobbies, attached parking garages and elevator cabs and shall provide a minimum illumination of one foot-candle at the floor level as required by section 9-1-302 of this code and California Building Code section 1003.2.9.1 or any successor statute or regulation.

g. A means of two-way communication shall be provided between all elevator cabs and the outside of the elevator in accordance with the provisions of California Building Code section 3003.4.10 or any successor statute or regulation.

h. Portable fire extinguishers shall be provided in accordance with section 1002 of the California Fire Code or any successor statute or regulation.

i. The building address number shall be conspicuously displayed at the front entry and the number and street name shall be displayed at the rear alley in accordance with the provisions of section 9-1-202 of this code.

j. Buildings with six (6) or more dwelling units shall display a descriptive diagram at the front entry of the building indicating the location of each dwelling unit within the building in accordance with the provisions of section 9-1-202 of this code.

k. All fire protection systems installed in multi-residential occupancies shall be inspected, serviced and maintained in accordance with the requirements of title 19 of the California Code of Regulations or any successor statute or regulation.

l. All fire alarm systems shall be inspected, serviced and maintained annually by an appropriately licensed contractor in accordance with the requirements of regulation 72 of the National Fire Protection Association.

## 2. Electrical Requirements:

a. Ground fault circuit interrupter (GFCI) protection shall be provided for all electrical receptacles in bathrooms, serving kitchen counters, in garages or outdoors in accordance with the provisions of uniform code for building conservation - 4 guideline 3.1 and California Electrical Code section 210.8 or any successor statutes or regulations.

b. Each dwelling unit shall be provided with a minimum sixty (60) amp electrical panel and feeder in accordance with the provisions of uniform code for building conservation - 4 guideline 3.1 and California Electrical Code section 230.79 or any successor statutes or regulations.

c. A separate electrical meter shall be provided for each dwelling unit and the common public area.

d. Electrical systems over fifty (50) volts shall be grounded in accordance with the provisions of uniform code for building conservation - 4 guideline 3.1 and California

Electrical Code section 250.20 or any successor statutes or regulations.

e. Weatherproof covers shall be provided for all exterior receptacles in accordance with the provisions of California Electrical Code section 406.8(B) or any successor statute or regulation.

### 3. Plumbing Requirements:

a. A temperature and pressure relief valve shall be provided for all water heaters in accordance with the provisions of California Plumbing Code section 505.3 or any successor statute or regulation.

b. Water heaters shall be seismically braced with a minimum of two (2) straps in accordance with the provisions of California Plumbing Code section 510.5.1 or any successor statute or regulation.

c. Water heaters shall be properly vented to the outside in accordance with the requirements of California Plumbing Code section 512 or any successor statute or regulation.

d. Water heaters shall be provided with sufficient combustion air in accordance with the requirements of California Plumbing Code section 507.0 or any successor statute or regulation.

e. Potable water shall have backflow protection where necessary to prevent potential cross connection (contaminating potable water with nonpotable water or other pollutants) in accordance with the requirements of California Plumbing Code sections 602 and 603 or any successor statutes or regulations.

f. Dishwashers shall be connected to the drainage system through an approved air gap fitting in accordance with the requirements of California Plumbing Code section 807.4 or any successor statute or regulation.

### 4. Mechanical Requirements:

a. Habitable areas shall be provided with permanent heating facilities capable of maintaining a temperature of seventy degrees Fahrenheit (70°F) at a height of three feet (3') above the floor in accordance with the requirements of uniform code for building conservation section 701.4 and California Building Code section 310.11 or any successor statutes or regulations.

b. Gas heating equipment shall be properly vented to the outside in accordance with California Mechanical Code section 801 or any successor statute or regulation.

c. Gas heating equipment shall be provided with sufficient combustion air in accordance with the requirements of California Mechanical Code section 701 or any successor statute or regulation.

d. Permanently installed HVAC equipment shall be fastened in place to resist seismic loads in accordance with the requirements of California Mechanical Code section 304.4

or any successor statute or regulation.

#### 5. Structural Requirements:

a. The owner of or applicant for the proposed conversion shall provide a structural analysis report for seismic resistance prepared by a California state licensed engineer or California state licensed architect. Said report shall include, but not be limited to, the following topics:

(1) Cripple wall/anchor bolt (uniform code for building conservation chapter 3)

(2) Soft story (uniform code for building conservation chapter 4)

(3) Nonductile building (uniform code for building conservation chapter 5)

The report shall establish compliance with the structural requirements set forth in the above chapters of the uniform code for building conservation by clearly demonstrating to the satisfaction of the building official that no structural deficiencies exist and no mitigation is required. Alternatively, the owner or the applicant shall submit plans for structural alterations necessary to comply with the structural requirements set forth in those chapters. Said plans shall be prepared in accordance with the requirements in the most recent "Guidelines For Seismic Retrofit Of Existing Buildings" published by the International Conference of Building Officials and shall be submitted to the building official for review and approval.

#### 6. Pest Control Requirements:

a. A licensed exterminator, or equivalent, shall certify that all structures in the building or buildings to be converted is/are free from insect or rodent infestation.

#### 7. Handrail, Guardrail, Stairs, Pool Barriers:

a. At least one handrail shall be provided on all stairs with four (4) or more risers in accordance with the requirements of uniform code for building conservation section 405.1 and California Building Code section 1003.3.3.6 or any successor statutes or regulations.

b. The vertical rise and horizontal run of a stair shall not vary by more than three-eighths inch ( $\frac{3}{8}$ " ) over a flight of stairs in accordance with the requirements of uniform code for building conservation section 405.1.1 and California Building Code section 1003.3.3.3 or any successor statutes or regulations.

c. Guardrails shall be provided at any areas adjacent to an opening with a thirty inch (30") drop off or more. The guardrail shall be at least thirty six inches (36") high and shall have openings which do not allow the passage of a four inch (4") diameter sphere in accordance with the requirements of uniform code for building conservation section 405.2 and California Building Code section 509 or any successor statutes or regulations.

d. Swimming pools shall be enclosed by a barrier in accordance with the provisions of

California Building Code section 3118B or any successor statute or regulation and section 9-1-602 of this code. The barrier shall be at least five feet (5') high, shall have openings that do not allow the passage of a four inch (4") diameter sphere, and shall not be climbable by small children. Gates through the barrier shall be self-closing and latching and must open outward away from the pool. All gate latches shall be located at a height of at least four and one-half feet (4<sup>1</sup>/<sub>2</sub>').

#### 8. Security Requirements:

- a. Openings into individual dwelling units shall comply with the security provisions of the uniform building security code or any successor statutes or regulations.
- b. Doors with a deadlock that requires a key to open from the inside shall be replaced with an approved lock in accordance with the requirements of California Building Code section 1003.3.1.8 or any successor statute or regulation.
- c. Required egress windows in sleeping rooms shall not be blocked by a security grill or grate that does not have an approved release device in accordance with the requirements of California Building Code section 310.4 or any successor statute or regulation.

#### 9. Miscellaneous Requirements:

- a. Any construction work requiring a permit that was done without the appropriate permit shall be properly permitted and inspected in accordance with the requirements of section 9-1-104 of this code.
- b. The property shall be maintained in accordance with sections 5-7-3, 5-7-4 and 5-7-5 of this code.
- c. The roof of any structure on the property shall be covered to a class A fire retardant roof no later than July 1, 2013, in accordance with the provisions of section 9-1-202 of this code.
- d. No certificate of completion for the building being converted shall be issued until the building official has inspected and verified that the building complies with each and every building standard set forth in this subsection A and has assigned addresses for the individual units within the building.

No application to convert an existing multi-family residential apartment building to any form of common interest development or to convert an existing common interest development created prior to January 1, 2006, to any other form of common interest development may be granted a waiver from compliance with any standard required by this subsection A.

- B. Building And Zoning Regulations: In addition to the requirements set forth in subsection A of this section, the proposed conversion shall conform to the applicable standards of the city's building code, the city's housing code, the city's fire code and the city's zoning code in

effect on the date the city determines the application for conversion is complete.

Notwithstanding the foregoing, and subject to the provisions of subsection H of this section, the planning commission may modify or waive one or more of the requirements of this subsection and subsection 10-2-707A of this article, for an application to convert a character contributing building to a common interest development, provided, based on a written report from the building official, the planning commission determines that, due to the existing physical limitations of said character contributing building, strict application of the provisions of this subsection would require physical alterations to the structure that would irreparably damage or remove the character defining features of the building, and provided further that the requested waiver does not seek waiver of any mandatory minimum standard required by subsection A of this section.

- C. Pest Control: The subdivider shall repair or replace any damaged or infested areas in need of repair or replacement as shown in the structural pest control report required by section 10-2-704.1 of this article to the satisfaction of the city building official.
- D. Laundry Facilities: If the proposed conversion will not provide a common laundry area, a laundry area shall be provided in each individual unit. If common laundry areas are provided to serve the entire project, each project shall provide, at a minimum, a laundry area(s) with not less than one automatic washer and dryer for each five (5) units, or fraction thereof, in the project. Notwithstanding the foregoing, the planning commission may modify the requirements of this section for an application to convert a character contributing building to a common interest development, provided the planning commission finds that, due to the existing physical limitations of said character contributing building, strict application of the provisions of this section would require physical alterations to the structure that would irreparably damage or remove the character defining features of the building.
- E. Landscape And Open Space Requirements; Installation And Maintenance:
1. Prior to the issuance of the final map for any proposed conversion, the subdivider shall install new landscaping or shall restore existing landscaping, as appropriate, subject to review and approval by the architectural commission in accordance with the approved comprehensive plan for the rehabilitation of the exterior elements of the property as required by subsection G of this section. In addition, all landscaping installed or restored on the project site as part of the comprehensive plan for rehabilitation shall be maintained in perpetuity to achieve a high degree of appearance and quality.
  2. The proposed conversion shall comply with all applicable provisions of chapter 3, article 28 of this title with respect to landscaped setbacks, usable open space and/or facade modulation. Notwithstanding the foregoing, for an application to convert a character contributing building to a common interest development, if the subject building has been determined to be a character contributing building in part due to notable semipublic site features, including, but not limited to, courtyards, balconies, open space, building modulation or any other similar characteristics, the planning commission may waive compliance with any of the standards imposed by this subsection, provided the planning commission finds that, due to the existing physical limitations of said character contributing

building, strict application of the provisions of this section would require physical alterations to the structure that would irreparably damage or remove the character defining features of the building. Such a waiver shall not exempt the subdivider from architectural review as otherwise required by this code.

F. Condition Of Equipment And Appliances: The developer shall provide a one year warranty to the buyer of each unit at the close of escrow on any dishwasher, garbage disposal, stove, refrigerator, hot water tank, and air conditioner that is provided as a condition of sale or occupancy. At such time as the homeowners' association takes over management of the development, the developer shall provide written certification to the association that any improvements, such as pools and pool equipment (filters, pumps, and chlorinators), spas, saunas and other appliances and mechanical equipment to be owned in common by the association, are in operable working condition.

G. Refurbishing And Restoration: In connection with an application for a tentative map to convert an existing multi-family residential apartment building or a common interest development previously created prior to January 1, 2006, to any form of common interest development, the subdivider shall submit a comprehensive plan for the rehabilitation of the exterior elements of the property. Said comprehensive plan shall provide for the rehabilitation and restoration of each building, structure, fence, patio enclosure, carport, accessory building, sidewalk, driveway, paved area, landscaped area, and additional exterior element of the site, as necessary, to achieve a high degree of appearance, quality and safety, subject to review and approval by the architectural commission. Prior to consideration of the final map, the architectural commission shall review the comprehensive plan and, through its review, shall expressly identify those elements, if any, which the planning commission found contributed to the determination of the project as a "character contributing building" in accordance with section 10-2-707 of this article and incorporate measures to ensure that the refurbishment and restoration of those elements preserves said character defining features.

H. Parking:

1. Spaces Required: Off street parking shall be provided in accordance with the applicable provisions of chapter 3 of this title. No open space may be eliminated to expand on site parking. As a condition of approval of the tentative subdivision map, the planning commission may require the subdivider to replace or expand an existing freestanding parking structure pursuant to exceptions as noted in section 10-3-2808 of this title for the replacement or expansion of a nonconforming garage or carport in the rear setback. Notwithstanding the foregoing, in connection with an application to convert a character contributing building to a common interest development, the planning commission may permit the modification of the required number of on site parking spaces and the minimum standards with regard to stall and aisle dimensions for required parking spaces provided the commission finds that, due to the existing physical limitations of said character contributing building, strict application of the provisions of this subsection would require physical alterations to the structure that would irreparably damage or remove the character defining features of the building. Under no circumstances, however, may the planning commission approve an application to convert an existing multi-family residential apartment

building or a common interest development previously created prior to January 1, 2006, to a common interest development that provides less than one covered parking space per unit.

2. Assignment And Use Of Required Off Street Parking Spaces: Either the covenants, conditions and restrictions, or similar ownership agreements of the common interest development shall incorporate the following parking requirements:

a. Required off street parking spaces shall be permanently and irrevocably specifically assigned to particular units within the project on the basis of the parking spaces required per unit. For projects where the planning commission has approved less than code required parking, each unit shall be assigned the exclusive right to the use of not less than one specifically designated covered parking space.

b. To the maximum practical extent, the spaces assigned to each unit shall be contiguous.

c. All parking spaces shall be for the use of unit owners.

d. All studio and one bedroom units shall be assigned one parking space and may rent additional spaces from the association as available.

e. The space(s) assigned to a particular unit may not be tandem with the spaces assigned for any other unit.

f. All parking spaces, except those specifically designated for the storage of recreational vehicles, shall be used solely for the purpose of parking motor vehicles as defined by the Vehicle Code of the state of California and shall not be used for trailers, unmounted campers, boats, or other recreational vehicles.

I. Acceptance Of Reports: The final form of the physical elements report and other documents shall be as approved by the director of community development or his/her designee. The reports required by this article, in their accepted form, shall remain on file with the department of community development for review by any interested person and shall be transmitted to the planning commission as part of the application packet submitted for their review.

J. Copy To Buyers: The subdivider shall provide each purchaser of a residential unit with a copy of each report (in its final, accepted form).

K. Long Term Reserves: Prior to approval of the final map, the developer shall prepare and submit a reserve study as required by California Civil Code section 1365 to the director of community development and shall provide purchasers with a disclosure, in the form prescribed by California Civil Code section 1365.2.5 or any successor statute.

L. Submittal Of Budget: Prior to approval of the final map, the subdivider shall submit to the

director of community development or his or her designee a copy of the proposed budget for maintenance and operation of common facilities submitted to the California department of real estate, including needed reserves, along with any changes in the budget required by the department of real estate. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-710: TENANT NOTIFICATION:**

With regard to all forms of common interest development conversions, the property owner shall be responsible to give each tenant and each prospective tenant all applicable notices as required by the Beverly Hills municipal code and state law.

- A. **Notice Of Intent:** A notice of intent to convert shall be delivered by the subdivider to each tenant at least sixty (60) days prior to submitting an application for the tentative map in accordance with California Government Code section 66427.1(a) or any successor statute. The written notices to tenants required by this section shall be deemed satisfied if such notices comply with the legal requirements for service by mail. For the purposes of this article, the "legal requirements for service by mail" shall mean the requirements set forth in California Code of Civil Procedure sections 1012 and 1013a, or any successor statutes. The form of the notice shall be in the form outlined in Government Code section 66452.9 and shall inform the tenants of all rights provided under the Beverly Hills municipal code and state law.
  
- B. **Notice Of Public Report:** In accordance with the provisions of California Government Code section 66427.1(a) or any successor statute, the subdivider shall provide each tenant ten (10) days' advance written notice that an application for a public report will be or has been submitted to the state department of real estate, and that said report will be available for review in the department of community development once the report is released by the department of real estate. The written notices to tenants required by this section shall be deemed satisfied if such notices comply with the legal requirements for service by mail.
  
- C. **Notice Of Final Map Approval:** In accordance with the provisions of California Government Code section 66427.1(b) or any successor statute, the subdivider shall provide each tenant written notification within ten (10) days of approval of a final map for the proposed conversion. The written notices to tenants required by this section shall be deemed satisfied if such notices comply with the legal requirements for service by mail.
  
- D. **Additional Notice To Terminate Tenancy:** In accordance with the provisions of California Government Code section 66427.1(c) or any successor statute, the subdivider shall provide to each tenant written notice of the intent to convert at least one hundred eighty (180) days prior to the termination of tenancy due to the proposed conversion. The written notices to tenants required by this section shall be deemed satisfied if such notices comply with the legal requirements for service by mail.

- E. **Notice Of Public Hearing On Tentative Map:** In addition to any other notice required by law, at least ten (10) days prior to the public hearing before the planning commission on the tentative map, the subdivider shall provide each tenant written notice of the public hearing. Said notice shall be in the form prescribed by the director of community development or his or her designee and shall contain, as a minimum, the following information:
1. An estimate as to the length of time before the conversion, if approved, would result in the tenant's eviction;
  2. An explanation of the tenant's rights and benefits if the conversion is approved; and
  3. The grounds upon which the planning commission can deny the request for conversion.
- F. **Affidavit Required:** In connection with an application for a tentative map to convert an existing multi-family residential apartment building or a common interest development previously created prior to January 1, 2006, to a common interest development, the subdivider shall submit an affidavit in a form prescribed by the director of community development attesting to compliance with the noticing requirements prescribed by subsection A of this section. Said affidavit shall be signed by the subdivider under penalty of perjury and shall include copies of the proof of service on each tenant in the building to be converted. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-711: TENANT PROVISIONS FOR RESIDENTIAL CONVERSIONS:**

The tenant protections set forth in this section shall apply to the conversion of existing multi-family residential apartment buildings or common interest developments created prior to January 1, 2006, to any form of common interest development.

- A. **Tenant's Right To Purchase:** In accordance with the provisions of California Government Code section 66427.1(d) or any successor statute, any tenant shall be given notice of an exclusive right to contract for purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than ninety (90) days from the date of issuance of the subdivision public report unless the tenant gives prior written notice of his or her intention not to exercise the right. Evidence of receipt by each tenant shall be submitted prior to approval of the final map. The written notices to tenants required by this section shall be deemed satisfied if such notices comply with the legal requirements for service by mail.
- B. **Temporary Relocation Of Tenants During Construction:** If temporary relocation of any tenant is necessary for renovation or rehabilitation of a unit between the date of submission of the tentative map application and the date established for permanent relocation of the tenant, the subdivider shall provide equivalent substitute housing for that tenant and his or her

household, at no additional cost to the tenant, during the period that tenant's unit is being renovated or rehabilitated. Such substitute housing shall be within the city limits unless a different agreement is made between the subdivider and the tenant by mutual consent. Any tenant temporarily relocated shall have the right to return to his or her former unit until the expiration of all rights granted to such tenant under this code and applicable provisions of state law. The obligation to relocate the tenant to alternate housing imposed on the subdivider by this section shall only apply if the unit being renovated or rehabilitated is not habitable during such construction. The final determination of habitability and suitability shall be made by the city's building official or his or her designee. The subdivider shall avoid the economic displacement of nonpurchasing tenants in accordance with California Government Code section 66427.5 or any successor statute.

C. Lease Period For Senior Tenants: In accordance with Government Code section 7060.4, any tenant who is sixty two (62) years of age or older or is disabled and has lived in an apartment for atleast one year prior to the date that the landlord delivers notice to the city pursuant to subsection 4-5-511B2 of this code or equivalent notice of an intent to withdraw a unit from the rental market, shall have his or her tenancy extended to one year after the date of delivery of that notice to the city, provided that the tenant gives written notice of his or her entitlement to an extension to the landlord within sixty (60) days after the date of delivery to the city of the notice. In that situation, the following provisions shall apply: 1) the tenancy shall be continued on the same terms and conditions as existed on the date of delivery of the notice, 2) no party shall be relieved of the duty to perform any obligation under the lease or rental agreement.

D. Relocation Benefits:

1. Relocation Fee Required: Any subdivider who serves a notice of intent to convert on tenants pursuant to section 7-2-710 of this article shall pay a relocation fee to each tenant in accordance with the provisions of this section. Such relocation fee shall be due and payable to each tenant who is not in default under his or her tenancy and does not exercise his or her right to purchase his or her unit unless the subdivider notifies each tenant in writing of the withdrawal of the notice of intent to convert prior to such time as the tenant has: a) given the subdivider notice of his or her last date of occupancy, or b) vacated his or her unit if such notice of the last date of occupancy is not given by the tenant. The subdivider must file a copy of such withdrawal notice with the director of community development within one week after serving such notice on the tenant.

2. Amount Of Fee: The relocation fee due each tenant shall be calculated as follows:

a. Tenants Who Vacate Without Extending Tenancy: For any tenant who vacates his or her unit without electing to extend his or her tenancy pursuant to subsection C of this section, the relocation fee shall be calculated as provided in subsection E of section 4-5-605 of this code for rent stabilization units.

b. Tenants Who Extend Tenancy: For any tenant who elects to extend his or her tenancy under subsection C of this section, the relocation fee shall be limited to the actual cost of moving not to exceed a maximum of five thousand dollars (\$5,000.00) per tenant household.

c. Annual Adjustments: The amount of relocation assistance established by this section shall be increased annually by an amount equal to the annual increase in the "Consumer Price Index For All Urban Consumers For The Los Angeles-Riverside-Orange County Areas" (the "CPI"), including all items as published by the U.S. bureau of labor statistics as of March 1 of each year. For the purposes of this article, the CPI change will be measured from January 1 to January 1.

3. Time Of Payment: The relocation fee or pro rata share thereof shall be paid to any tenant who vacates the apartment unit at the time he or she vacates said unit.

4. Applicability: Those parties who lease a unit in a building being converted to a common interest development subsequent to the date the application for conversion is determined by the city to be complete shall not be eligible to receive relocation benefits in accordance with this subsection D; provided the subdivider gave such parties written notice of the pending application for conversion at the time such parties entered their respective leases. Such notice shall comply with the requirements of California Government Code section 66452.8(b) or any successor statute. If the subdivider fails to give notice pursuant to this section, the subdivider shall pay to each such party who becomes a tenant, and who was entitled to such notice, and who does not purchase his or her unit pursuant to subsection A of this section, an amount equal to two (2) times the monthly rent for moving expenses.

E. Limitations On Evictions: No tenant shall be evicted as the result of the conversion of an existing apartment building to a common interest development pursuant to this article for at least one hundred eighty (180) days from approval of the final map for the project and the expiration of the ninety (90) day period of the exclusive option to purchase the unit described in subsection A of this section as provided by California Government Code section 66427.1 or any successor statute. The protections afforded tenants by this subsection shall only extend to tenants who are not in default under their rental agreement.

F. Grounds For Denial: If the planning commission makes any of the following determinations, that determination may serve as prima facie evidence that the proposed tentative map is not consistent with the city's general plan.

1. The planning commission determines that during the one hundred eighty (180) days prior to filing a notice of intent to convert pursuant to section 10-2-710 of this article vacancies in the project have been unlawfully increased, or elderly or permanently disabled tenants unlawfully displaced or discriminated against in leasing units, or unlawful evictions have occurred for the purpose of preparing the building for conversion.

2. The planning commission determines that during the one hundred eighty (180) days prior to filing a notice of intent to convert pursuant to section 10-2-710 of this article, rents in the project have been increased in excess of the increases permitted by chapter 5 or chapter 6 of title 4 of this code, as applicable.

3. The planning commission determines that the subdivider has knowingly submitted incorrect information (to mislead or misdirect efforts by agencies of the city in the administration of this code).

4. The planning commission determines, based on a report from the building official, that the residential rental units in the project have not been maintained to the standard of habitability prescribed by section 1941 of the California Civil Code.

If the tentative map is disapproved on any of the grounds set forth in this section, the subdivider may not reapply for eighteen (18) months from the date of denial. In evaluating the determination under subsections F1 and F2 of this section, the increase in rental rates for each unit over the preceding five (5) years and the average monthly vacancy rate for the project over the preceding three (3) years shall be considered. In the evaluating displacement of elderly tenants, any such displacements over the preceding three (3) years, and the reasons therefor, shall be considered. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-712: ANNUAL LIMITATION ON RESIDENTIAL CONVERSIONS:**

A. Annual Limitation: An annual limitation is hereby imposed on the conversion of existing residential rental units to common interest developments. Said limitation shall be as follows:

1. Character Contributing Buildings: For buildings designated as character contributing buildings in accordance with section 10-2-707 of this article, applications for conversion up to an aggregate maximum of one and one-half percent (1.5%) of the existing multi-family residential rental stock as of January 1 of each calendar year may be approved by the planning commission in any calendar year.

2. All Other Multi-Family Residential Buildings: For all multi-family residential buildings other than character contributing buildings, applications for conversion up to an aggregate maximum of one-half percent (0.5%) of the existing multi-family residential rental stock as of January 1 of each calendar year may be approved by the planning commission in any calendar year.

The actual physical number limit for each category of conversion shall be determined annually by the director of community development or his or her designee and shall be made available in the department of community development. The planning commission may consider a request to exceed the foregoing annual limitations on conversions in conjunction with an application for a density bonus permit pursuant to article 15.2 of chapter 3 of this title.

Notwithstanding the foregoing, in applying the annual limitations established by this section, an application to convert existing residential rental units to common interest developments may be approved for a specific project even if such conversion would exceed the applicable limitation for that category of conversions for the current calendar year, provided that at least fifty percent (50%) of the residential rental units in the project to be converted can be accommodated under the remaining annual limitation for said category for that calendar year, and further provided that granting the approval to allow the conversion of the residential rental units in the project will not cause the annual limitation established by this section to be exceeded by more than fifty (50) units for said category of conversions for the calendar year.

- B. **Waiting List:** If an applicant for a tentative map to convert an existing residential rental unit to a common interest development is denied such permit or entitlement because of the provisions of this section, the applicant shall be placed on a waiting list. Applicants on the waiting list shall have priority over all other applicants for available permits or entitlements, with order of priority determined by the date the city determines that the original application is complete. An applicant on the waiting list shall be notified by the director of community development or his/her designee of the first available time which such permit or entitlement could be issued. Such applicant shall have two (2) weeks from the date of such notice to notify the director of community development or his/her designee of the applicant's intent to accept such permit or entitlement. Failure to respond to the notice of the director of community development or his/her designee within such time shall be deemed to be notice of intent of such applicant not to accept such permit or entitlement, and such applicant's name shall be removed from the waiting list. Upon receipt of notice of intent not to accept such permit or entitlement, or if two (2) weeks have passed from the date of the notice of availability without a response from such applicant, the director of community development or his/her designee shall notify the next applicant on the waiting list to whom such permit or entitlement could be issued.
- C. **Exemption:** The provisions of this section shall not apply to the demolition of the existing residential rental units where such demolition is necessary in order to accommodate the construction of new residential rental housing units. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-713: VOLUNTARY DISPUTE RESOLUTION:**

If requested in writing by either the applicant for a proposed conversion or by an existing tenant in the building being converted (collectively, the "parties"), city staff shall assist the parties in setting up a voluntary conflict resolution process acceptable to both parties to resolve any landlord/tenant issues that arise during the conversion process. (Ord. 06-O-2497, eff. 4-6-2006)

### **10-2-714: EXEMPTION FOR COMMON INTEREST DEVELOPMENTS CREATED PRIOR TO JANUARY 1, 2006:**

Notwithstanding any other provision of this article, if a common interest development created prior to January 1, 2006, satisfies each of the mandatory minimum standards required by subsection 10-2-709A of this article, said common interest development maybe converted to another form of common interest development without otherwise complying with the provisions of this article. (Ord. 06-O-2499, eff. 4-6-2006)

# **Building Inspection Report**



# RESIDENTIAL CONVERSION CHECKLIST

**309 S Rexford Dr.**

Inspected on 10-6-08 by Rick Skosnik and George Lelea

Address:

Section 10-2-709	Description	Code	Comment
<b>Life Safety Requirements</b>			
Item 1-a	Fire Alarm systems (manual, automatic) - if 3 or more stories or 16 or more units	907 CBC	Not required. There is an alarm system in conjunction with sprinkler system
Item 1-b	Smoke detectors	907.2.10 CBC	ok
Item 1-c	Fire Doors within rated corridors (allowed 3/8 inch door)		N.A.-no rated corridors
	Fire Doors within rated corridors	CBC Section 1017.1	N.A.-no rated corridors
Item 1-d	Fire Doors for stairs		N.A.-no fire stairs
Item 1-e	Exit Sign Requirement - in Public corridors		N.A.-no corridors
	Exit sign requirements - in all public areas (corridor, lobby, garage) (compliance with location, illumination, power source)	CBC 1011	N.A.
Item 1-f	Emergency backup power (in corridors, stairways, lobbies, garages)	1006 CBC	N.A.
Item 1-g	Elevator (2 way communication)		N.A.-no elevator

Section 10-2-709	<b>Description</b>	<b>Code</b>	<b>Comment</b>
Item 1-h	Portable Fire extinguishers		To be verified by Fire Dept.
Item 8-c	Emergency egress (code complying security grill)		ok
	Emergency egress (size, height)	CBC Section 1026	ok
	Fire sprinklers	CBC 903	Both buildings are fully sprinklered
	Standpipe (standpipes are required for bldgs that 4 or more stories), and monitoring system	CBC 905	There is a standpipe at front of building.

Section 10-2-709	Description	Code	Comment
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**Electrical system**

Item 2-a	Fixtures/devices/equipment (GFCI - Ground Fault Circuit Interrupter)		ok
Item 2-b	Service (Minimum 60 amp for each unit)		ok
	Service requirement (Require electrical load analysis to determine size of electrical service)	CEC	ok
Item 2-c	Separate meter for each unit and house meter		ok
Item 2-d	Service grounding for electrical systems over 50 volts		ok
	Wiring methods and materials shall comply current code (i.e. conduit, wiring, devices and fixtures)	CEC	ok
Item 2-e	Weatherproof cover for all exterior receptacles		ok

Section 10-2-709	Description	Code	Comment
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**Plumbing system**

	Water heater		
Item 3-a	Temperature and pressure relief valve		ok
Item 3-b	Seismic bracing		ok
Item 3-c	Properly vented (prevent CO poisoning)		ok
Item 3-d	Provided with sufficient combustion air		ok
Item 3-e	Provide back-flow devices to protect potable water from cross connection		ok
Item 3-f	Dishwasher - air gap		ok
	Plumbing system shall comply current code (sizing; support; materials)	CPC	ok

Section 10-2-709	<b>Description</b>	<b>Code</b>	<b>Comment</b>
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**Mechanical system**

Item 4-a	Heating (capable of maintaining 70 deg)		ok
Item 4-b,c,d	Venting and combustion air / seismic supports for equipment		ok
	Dryer ducts (fire protection)	CMC Section 504.3	Dryer duct termination at south side of building has a screen that must be removed.

Section 10-2-709	Description	Code	Comment
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Structural Design			
Mitigation measures			
Item 5-a-1	Cripple wall/foundation bolting		ok
Item 5-a-2	Soft story		N.A.
Item 5-a-3	Non-ductile/URM/Shear wall		N.A.
Structural Design Requirements			
	Vertical Load - Structural Analysis	ASCE 31-03	There is no apparent change of live load. Engineer to verify.
	Lateral Load - Structural Analysis	ASCE-31-03	Engineer to evaluate the building using the procedures and criteria specified in ASCE 31-03 Standard Seismic Evaluation of Existing Buildings. Using the criteria of the Tier 1 or Tier 2, engineer shall identify the necessary mitigation measures to rehabilitate the building to a level where the identified seismic deficiencies are removed.
	Analyze building for current code requirements for vertical and lateral forces. Comply with current lateral and vertical load design requirements - Design current codes live load and dead load and apply to all vertical resisting elements and assure building can withstand lateral resisting forces (wind and seismic).	CBC Chapter 16	
	Provide soils report (show soil classification; foundation investigation; Allowable foundation and lateral pressures; liquefaction hazard; proximity to earthquake faults)	CBC Section 1802	
	Analyze building to show compliance with foundation design requirements	CBC Chapter 18	
	Concrete, grade beams, Masonry, and steel construction	CBC Chapter 19,21,22	

Section 10-2-709	<b>Description</b>	<b>Code</b>	<b>Comment</b>
	Wood construction	CBC Chapter 23	

Section 10-2-709	Description	Code	Comment
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## Exiting

Item 7-a	Handrail requirements (one handrail shall be provided for stairs with 4 or more risers)	CBC Section 1012	Handrail must be 34" to 38" high and continuous along a flight of stairs. unit 311 stair handrail is 28" high and non-continuous. unit 309 stair handrail is 30" high; unit 309-1/2 is 29" high; All stairs with one or more risers must have handrails on each side (except stairs within dwelling units can have one handrail) - there are a number of exterior stairs without handrails on each side
Item 7-b	Stairway construction (vertical rise and horizontal shall not vary by more than 3/8 inch)	CBC Section 1009	The rear stair from unit 311 riser height varies from 5-1/2 to 8"
Item 7-c	Stairway construction (i.e. actual rise and run required; width of stairs; headroom; landing, etc..)	CBC Section 1013	Exterior stair risers can be a maximum of 7" high - some rear exterior stairs have 8" riser heights
	Guardrail requirement (36 inch height)	CBC Section 1013	Stair handrails acting as guardrails within dwelling units must be 34"- 38" high and have maximum 4" openings. unit 311 handrail is 28" to 32" and has 11" openings.; unit 309 handrail is 30" with 9" openings ; unit 309-1/2 handrail is 29" with 9" openings
	Guard requirement (42 inch height)	CBC Section 1013	Exterior stair handrails acting as guardrails must be a minimum 42" high - the handrail for the exterior stair to the unit over the garage is approximately 36" high
	Stairway pressurization (required for bldgs with 4 or more stories)	CBC 1020.1.7, 909.20	N.A. - 2 stories
	Exit width and height for all parts of the exit system (i.e. corridors, stairway, exit courts, and passageways)	CBC Section 1005	ok
	Door requirement (width, height, opening force, landing, safety glazing)	CBC Section 1008	A minimum 44" depth landing is required at all doors. The south side has exterior doors without landings
	Ramp requirements (slope, handrail, width, landings, etc)	CBC Section 1010	The south side has a ramp over 5 percent without handrails - handrails are required on each side.

Section 10-2-709	<b>Description</b>	<b>Code</b>	<b>Comment</b>
	Exit access requirements (number of exits, allowable travel distance, min separation)	CBC Sections 1014, 1016, 1019	ok
	Corridor requirements (width, height, fire protection, openings - windows and ducts)	CBC Section 1017	ok
	Exit discharge (width, fire protection of walls and openings)	CBC Section 1024	ok

Section 10-2-709	Description	Code	Comment
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**Building Construction**

	Allowable floor area (based on type of construction)	CBC Section 503	ok
	Allowable height and number of stories (based on type of construction)	CBC Section 504	ok
	Area separation wall	CBC 705	N.A.
	Occupancy separation (between residences and garages, boiler rooms and laundry / storage rooms)	CBC Section 508.2	ok
	Fire resistive requirements for the following (see 2007 CBC Table 601):	CBC Chapter 6	
	Bearing walls		N.A, type V-N construction
	Structural frames		N.A, type V-N construction
	Partitions / non-bearing walls		N.A, type V-N construction
	Shaft enclosures (i.e. stairway protection)	CBC Section 707	N.A.
	Floor / ceiling / roof assemblies	CBC Section 711	N.A, type V-N construction

Section 10-2-709	<b>Description</b>	<b>Code</b>	<b>Comment</b>
	Location on property (fire resistance of walls; protection of openings)		Exterior walls on a R-2, type VB building 5' from the property line can have a maximum of 10% non-protected openings. The south side is 5' from the property line and has more than 10% openings.
	Fire blocks and draft stops requirements	CBC Section 717	ok per permit BS0514738
	Interior finish requirements (flame spread)	CBC Section 803	ok per permit BS0514738
	Draft stops in attics (including proper ventilation)	CBC Section 717.4	ok per permit BS0514738

Section 10-2-709	Description	Code	Comment
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### Additional Items

	Sound Control (walls, floors, and windows)	CBC 1207	ok per permit BS0514738
Item 1-j	Building address displayed at front entry and alley		ok
Item 1-j	Descriptive diagram of building at front entry for buildings with 6 or more dwelling units		N.A.
Item 6-a	Pest Control		Report from Western Exterminator on 11-02-07 states that no infestation or infection observed.
Item 7-d	Swimming pool barrier requirement		N.A. -no pool
Item 8-a,b	Security Requirements (doors, deadlocks)		ok
	Roofing (Class A - non wood roof)	BHMC	ok per permit BS0514738
	Light and ventilation requirements	CBC Section 1203/1205	ok per permit BS0514738
	Room dimension (area, height)	CBC 1208	ok per permit BS0514738
	Disabled Access Requirements are applicable to new buildings and	CBC Chapter 11A	N.A.
	Garage ventilation (to prevent CO build up)	CMC	N.A.-type U garage

Section 10-2-709	Description	Code	Comment
	Energy conservation (compliance to California Energy Code - insulation; windows; doors; lights; HVAC)	Calif Energy Code	ok per permit BS0514738
	Weather protection (report from a weatherproofing consultant)	BHMC	2007 report from Aaa Building Inspection Service did not show any water-proofing problems
	Roof drainage (i.e. overflow drains)	CPC	ok per permit BS0514738
	Safety Glazing (shower doors; windows next to doors)	CBC Section 2406	ok
	Hazardous material (abatement of asbestos; lead; mold)		unknown
	Water conservation (low flush toilets; low flow showers)		ok

**Additional Notes**

Red items are mandatory

Blue items can be waived or modified if it is found that full compliance will negatively affect the character contributing properties of the building

Water heater in guest house garage must be elevated 18 inches above lowest point of garage floor (required by the Code in effect at the time of construction)

The issues disclosed in the 2007 report from Aaa Building inspection service which was a part of your submittal should be considered in your submittal

- BHMC-Beverly Hills Municipal Code
- CBC-California Building Code
- CEC-California Electrical Code
- CPC-California Plumbing Code
- CFC-California Fire Code
- CMC-California Mechanical Code
- ASCE-American Society of Civil Engineers

## **309 S. REXFORD C.I.D.**

### Structural Design

Lateral Load-Structural Analysis: The applicant has agreed to evaluate and rehabilitate the building per ASCE 31-03, Standard Seismic Evaluation of Existing Buildings. The structural upgrades could be accomplished without exterior finishes being removed. This evaluation has not been submitted to Building & Safety for review.

### Exiting

Item 7-a (Handrails)/Item 7-c (Guardrail Requirement): The applicant has requested that he not be required to replace the existing interior stairway handrails which are too low and non-continuous. The Planning Commission can waive or modify the height and non-continuity if it is found that full compliance will negatively affect the character contributing properties of the building. However, where the handrails also act as guardrails, they must be 34 to 38 inch high with maximum 4 inch openings.

Item 7-a (Handrails)/: Item 7-b (Stair Rise and Run): The applicant has agreed to add handrails, correct the height of the risers and add a complying landing for the stairs at each unit's rear exit.

Item 7-c (Guardrail Requirement): The applicant has agreed to increase the height of the handrail (also acting as a guardrail) serving the stair to the rear unit over the garage to 42 inches.

Ramp requirements: The applicant has agreed to add a handrail to the exterior ramp.

Location on property (fire resistance of walls; protection of openings): The south side of the building would be permitted to have a maximum of 10% openings by current Code due to its close proximity to the property line (5 ft.). The existing openings are over 10% but cannot be reduced as they are required for natural light and ventilation as well as emergency egress.

### **Additional Notes**

The applicant has agreed to elevate the water heater in the garage to 18 inches.

### NOTES

Red items are mandatory.

Blue items can be waived or modified if it is found that full compliance will negatively affect the character contributing properties of the building.

**Application Materials Submitted by  
Applicant, including  
Letter dated November 3, 2008**

# ACCORD

JOSEPH G. MANSOUR  
PRINCIPAL  
jgm@accordinterests.com

November 3, 2008

Via Email [maziri@beverlyhills.org](mailto:maziri@beverlyhills.org)

Ms. Rita Naziri

City of Beverly Hills

Community Planning

455 North Rexford Drive

Beverly Hills, CA 90210-4817

Re: 309 to 311-1/2 South Rexford Drive  
Beverly Hills, California

Dear Ms. Naziri:

I have received the Residential Conversion Checklist for the referenced property that was prepared by Mr. Rick Skosnik and Mr. George Lelea on October 6, 2008. In general, it appears there are very few matters that need to be addressed in connection with my proposed condominium conversion. I comment below on each of the items in the report where some change was suggested. The changes described below would be made upon receipt of the appropriate permissions for such a conversion.

Page 5: Dyer Ducts. Removal of the screens on existing dryer duct terminations.

I agree to remove the screens.

Page 6: Structural Analysis. Engineering verification.

I agree to have an engineering report prepared in accordance with ASCE 31-03 Standard Seismic Evaluation of Existing Buildings, tier 1 or tier 2 to identify whether any mitigations are necessary for seismic compliance.

Page 8: Exiting.

The interior stairwells have handrails that were code compliant when constructed, but are no longer. I request that because of the architectural significance of these interior handrails that I be permitted to retain these in their current, original condition. If this is not acceptable, then I

Ms. Rita Naziri  
November 3, 2008  
Page 2

would like permission to submit a design that increases the height to 38" and reduces the space between balusters to a distance that complies with current code.

I agree to install handrails along the back stairs, and to correct the spacing of the risers for each tread in accordance with the report. At the time the risers were installed, I will add a 44" landing, or such smaller landing as space to the property line permits. Due to space limitations, I will need to have the steps leading down from the new landing exit to the east or west, rather than the current south.

I agree to increase the height of the existing stair rails leading to 311-1/2 from the current 38" to 42".

I agree to install a handrail on the front of the building at the ramp on the southerly side of the property.

Page 11. 10% Openings.

Current code requires that an R-2 type VB building that is 5' from the property line have a maximum of 10% non-protected openings. I request a waiver of this rule to the extent the south side of the property exceeds such 10% amount. All openings are original, and closure would compromise the architectural integrity of the property. The entire property has been fully sprinkled, thus mitigating the need for a restriction to 10% in this circumstance.

Page 13. Elevating the Water Heater.

I agree to elevate the water heater in 311-1/2 garage to 18" above the lowest point of the garage floor.

I believe this addresses each of the items raised in the report. If you would like any further clarification, please do not hesitate to contact me.

Very truly yours,

  
Joseph G. Mansour

JGM

COMMON INTEREST DEVELOPMENT FORM

Project Address: 309 to 311-1/2 S. Rexford Drive, Beverly Hills CA 90212

Legal or Assessor's Description: Lot 1450 of Tract 6380, City of Beverly Hills, County of Los Angeles, per map recorded in Book 69 pages 11 to 20 inclusive of Maps

Landowner

Name: Joseph G. Mansour

Address: 309 S. Rexford DR

City: Beverly Hills

State & Zip: CA 90212

Phone: 310-245-8220

Fax: 323-512-0105

Proposed Tract No. 70136

Applicant or Agent

Name: Dominic Hong

Address: 11145 TAMPA AVE STE. 15B

City: Northridge

State & Zip: CA, 91326

Phone: 818-366-9222

Fax: 818-366-4813

Engineer or Surveyor

Name: Tacobelli's & Associates

Address: 11145 Tampa Avenue

City: Northridge

State & Zip: CA 91326

Phone: 818-366-9222

Fax: 818-366-4813

Legal description of all parcels of property under consideration:

Lot 1450 of Tract 6380, City of Beverly Hills, County of Los Angeles, per map recorded in Book 69 pages 11 to 20 inclusive of Maps in said County.

Project Description: conversion of existing 4-unit building to 4 condominiums

Designer's Name: \_\_\_\_\_

Architect's Name: \_\_\_\_\_



Jim Mann  
Signature of Property Owner

11-1-2007  
Date

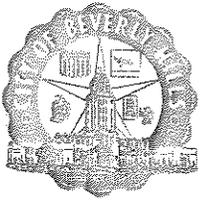
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(for office use only)

Date received: \_\_\_\_\_

Application fee Paid: \_\_\_\_\_

Notice fee Paid: \_\_\_\_\_



COMMUNITY DEVELOPMENT DEPARTMENT

455 N. Rexford Drive  
Beverly Hills, CA 90210-4817  
(310) 285-1123  
FAX: (310) 858-5966

www.beverlyhills.org

CITY OF BEVERLY HILLS

Categorical Exemption

NAME OF PROJECT Tentative Parcel Map No. 70136

LOCATION 309 - 311 1/2 S. Rexford

TYPE OF BUSINESS (IF COMMERCIAL) \_\_\_\_\_

PROJECT DESCRIPTION 4 unit parcel map for condo conversion purposes

APPLICANT'S NAME Joseph G. Mansour PHONE 323-512-0111

APPLICANT'S ADDRESS 6711 FOREST LAWN Drive #206

CITY Los Angeles ZIP 90068

IF DIFFERENT, PROVIDE:

AGENT'S NAME Dominic Hong PHONE 818-366-9222

AGENT'S ADDRESS 11145 Tampa Ave Ste. 15 B

CITY Northridge ZIP 91326

The undersigned, having received this project for processing, has reviewed it for environmental impact and concluded that the project qualifies for a categorical exemption under the procedures adopted by the City of Beverly Hills and no further environmental assessment is necessary.

Applicable Exemption Class Section 15301 (K)

COMMENTS \_\_\_\_\_

REVIEWED BY RK Nijm Date July 2, 09

FEE \$ \_\_\_\_\_ (See current Planning Department Fee Schedule)

CITY OF BEVERLY HILLS

APPLICATION FOR SUBDIVISION (TENTATIVE MAP)

Proposed <sup>PARCEL MAP</sup> Tract No. 70136 Date Nov 1, 2007

Owner(s) Joseph G. Mansour

Owner's Address 309 S. Rexford Dr Phone 310-245-8220  
Beverly Hills CA 90212 Fax 323-512-0111

Engineer or Surveyor Jacobellis & Associates

Address 11145 Tampa Ave Phone 818-366-9222  
Northridge CA 91326 Fax 818-366-4813

Legal description of all parcels of property under consideration:

Lot 1450 of tract no. 6380, in the city of Beverly Hills,  
County of Los Angeles, State of California, as per <sup>MAP</sup> recorded  
in Book 69 Pages 11 to 20 inclusive of maps, in the office  
of the Recorder of said County.

See current Fee Schedule for Subdivision Fees

Note fee differences for:  
Request filed without other application No. of Lots 1  
Request filed with other application  
Vesting map request with other application No. of Units 4

Condominium conversions

Owner's Signature Joseph Mansour

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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957 (951) 351-1389  
(760) 754-1678

JOB ADDRESS: 309, 309 ½, 311, AND 311 ½ SOUTH REXFORD DRIVE

This property consists of a multiple unit apartment complex, which comprises 2 buildings that houses a total of 4 individual apartment units and garage. The apartment units are divided into (3) 2-bedroom apartments with 2 1/2 bathrooms, and (1) -1 bedroom unit with 1 bathroom. This complex is constructed on a flat interior lot. The property faces east and is situated in a quiet well-maintained residential neighborhood. Parking is provided by a 5 car garage at the rear of the lot.

EXTERIOR GROUNDS:

Landscaping for the front yard consists of well-situated trees, shrubs and lawn, and all foliage appeared to be in generally healthy condition on the date of inspection. The design of the grounds and landscaping creates an esthetically pleasant appearance for the property. Irrigation for the front yard is provided by automatically operated sprinkler system, which appeared to be in proper operating order at the time of inspection. Drainage for the front is via sheetflow and seepage and was deemed to be adequate. Fencing at the front of the property is composed of painted metal pickets and stucco finish masonry and the materials were observed to be in acceptable condition. Yard lighting observed at the front yard appeared to be in working condition. The driveway access is located off the alley, and it is covered with concrete. On the date of inspection the driveway surfaces were found to be in acceptable condition. The North side yard is landscaped with shrubs, and the south side yard is paved with concrete. The side yards were found to be in generally in well-maintained order. Irrigation for the north side yard is provided by automatic sprinklers. Drainage at the north side is via sheetflow and seepage, while drainage at the south side yard is only via sheetflow. Fencing at the north and south sides are composed of painted metal and masonry, which appeared to be in satisfactory condition. The rear portions of the property are paved with concrete, and this area appeared to be in generally satisfactory condition at the time of inspection. Drainage is facilitated by area drains and sheetflow. The courtyard for this property is located at the north side, and it is landscaped with shrubs. Irrigation for the courtyard is provided by an automatic sprinklers, and drainage is via seepage and sheetflow, which appeared to be adequate. Trash control for this complex is provided by trash bins, located in the garage. All open areas on the premises were found to be in generally well-maintained condition at the time of inspection, demonstrating that maintenance and watering have been regular, as noted.

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NARRATIVE (Continued)BUILDING EXTERIOR

These apartment buildings are of Type V, with wood frame construction, covered with exterior stucco, with wood trims. One unit is built over a garage, which provides parking spaces for 5 cars. Although there was some evidence of typical expansion cracking and minor stabilization checking observed on the exterior stucco surfaces at the time of inspection, the general expanse of the exterior walls was deemed to be in acceptable for both structures. No deficiencies were observed at the front of these structures. No deficiencies were observed at the sides of these structures on the date of inspection. The north stucco wall had a minor discoloration of the front structure. The paint covering on the exterior and the weather protection on the trims appeared to be satisfactory on both structures. Stairway for the rear unit is composed of wood frame with tile, and was noted to be in acceptable condition. Interior stairway handrails did have openings which exceed the current building code requirement of 4" maximum. The window at the stairway landing in Unit #309 ½ did not have visible tempered glass identification label, as required. Rain gutters and downspouts are composed of copper and painted metal, and they are installed at all sides of these buildings. They appeared to be in overall acceptable condition at the time of inspection. Windows for these buildings are of wood frame installations, and are of swing-in and fixed design. On the date of inspection, the windows and screens appeared to be in satisfactory condition. Not all windows were tested for operability; only spot checks were made.

**SPECIAL NOTE:** Modern codes require that glass located within 18 inches of the floor be tempered, or if not tempered should have a barrier to protect it. Also by modern codes, tempered glass is required if located within 40 inches of a locking device. Should the client be concerned regarding these "special glass" requirements, it is strongly urged to check for their applicability and the date of enforcement with the local building authority. It is often not possible to determine if glass is tempered or safety glass.

The main entry doors are composed of wood and the materials appeared to be in acceptable condition on the date of inspection. The exterior rear doors are composed of wood and glass, which appeared to be in satisfactory condition. A walking deck is located at Unit #311 ½ and appeared to be in overall acceptable condition on the date of

NARRATIVE (Continued)

inspection. Overall, this complex appeared to be in satisfactory condition at the time of inspection, and evidence indicated that maintenance has been regular, as noted.

PARKING:

There are 5 individual parking spaces provided for the occupants of this complex, located at the garage in the rear off of the alley. The spaces are divided into 5 single spaces, and they are provided with bumper guards. The garage is located at the rear portion of the lot. The general expanse of the garage interior appeared to be satisfactory on the date of inspection. The concrete flooring appeared to be in acceptable condition. The garage walls and ceiling were found to be acceptable on the date of inspection. Safety reverse mechanisms were noted on the garage doors. Fire sprinklers in the garage parking area are situated on ceiling, and were found to be in working condition. It is recommended to check with local building authority to verify that the gas fired water heater in the closet of the garage is not required to raise 18" above the garage floor, as normally required.

SPECIAL NOTE: Rooms built above garages are classified as "soft construction". These rooms may be subject to stress and/or failure in the event of seismic activity. In most cases structural members cannot be viewed for evaluation. Check with your local building authority regarding applicability.

HEATING AND AIR CONDITIONING:

Comfort heating inside the apartment units is provided via forced air furnaces, which are manufactured by York. The heating units are gas-fired heaters rated about 80,000 BTU capacity each. They are thermostatically controlled and the thermostats are situated on living room walls. Ducts installed convey heated air to all the major rooms, terminating in registers, which are situated on ceilings. Asbestos-like materials were not noted on observable ductwork at attic areas. Asbestos-type material could not be observed on the heating units at the attic and at the roof.

NOTE: A Aa BUILDING INSPECTION SERVICES, INC. only cursorily views the external coverings of observable ducts and/or component parts, and does not lift, remove,

NARRATIVE (Continued)

and/or cut into exterior coverings, if any, and does not guarantee nor identify the composition and/or conditions of unobservable materials therein.

Cooled air for this complex is provided by central air conditioning system and dual-packs which are manufactured by York. The equipment is installed on the roof and under Unit #311 ½ stairway. These units appeared to be acceptable. The units are protected by a 60 AMP and a 30 AMP sized cartridge fuses, located immediately adjacent to the compressor units. Recommend installing non-fuse disconnects at the roof dual packs and maximum 20 AMP fuse at the ground level compressor. The equipment was found to be in working condition, and the deficiencies noted should be corrected by a professional, licensed air conditioning technician.

**SPECIAL NOTE:** No heating or air conditioning equipment is disassembled as part of this inspection.

At the time of inspection, the heating and air conditioning equipment for this complex appeared to be in generally satisfactory condition, and the facilities were deemed to be adequate to serve the needs of the occupants once the necessary servicing and repairs as noted have been accomplished.

PLUMBING:

Waste, vent lines and drainage piping for this property are composed of cast iron and brass piping. From those portions of the plumbing lines that could be observed, no evidence of direct, current leakage could be detected in the piping at exposed areas. Potable water is conveyed via copper lines.

**SPECIAL NOTE:** Copper and galvanized material in direct connection with each other may lead to excessive corrosion and constrictions in the piping. Brass interfaces and/or other specialized separating devices should be used at all interfaces of these two dissimilar metals.

Observations of the exposed fresh water lines revealed no current leakage at the time of inspection. Evidence of rust or corrosion at the joints or connections in the pipes was

NARRATIVE (Continued)

deemed to be normal. Water is supplied to the property via a meter, located at the alley, which provides (4) 1-inch services.

**SPECIAL NOTE:** It does appear to be feasible to provide individual water meters to each unit.

The water pressure regulator and main water shut-off valve are located at the south side of the building. Water pressure readings taken on the date of inspection registered 80 PSI at the north hose bib, which is deemed an adequate level. All water fixtures and appointments tested on the date of inspection inside this complex indicated that this system was functioning in a normal manner.

**NOTE:** More modern codes require tempered and/or safety type glazing at shower doors and at tub/shower surrounds. It is often not possible to detect the required tempered markings. Should the client be concerned, it is strongly urged to check with the local jurisdiction as to applicability and year of requirement.

Gas is supplied via 3/4" diameter piping to the gas meters, which are located in the underfloor area. There are 4 gas meters for the individual apartment units. Automatic gas shut-off valves were not noted on these buildings.

HOT WATER HEATERS:

Hot water for the tenants is supplied via Rheem brand, gas-fired hot water heaters. The hot water appliances are rated at 40,000 BTUs each. It is recommended that hot and cold water piping within 5' of the water heaters be insulated per State of California energy requirements. Information regarding venting or pressure relief valves: recommend installing storm collars at the water heater vents which have been flag poled on the roof. Seismic restraints were observed on all water heaters. It is recommended that all plumbing deficiencies be corrected by a professional, licensed plumbing contractor.

ELECTRIC:

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NARRATIVE (Continued)

Electricity for the light service is supplied by 120/240 volt, 3-wire single phase overhead system. The main circuit breakers are rated at 100 AMPS, and are located at the main electrical service. The main electrical panels for the buildings are located at the northwest corner of the garage. The panel/sub-panels are installed in the kitchen and bedroom in each apartment, which were found to be in satisfactory condition at the time of inspection. These electrical systems appeared to be adequately designed and sized for the current load demands.

**SPECIAL NOTE:** Fuse or circuit breaker panels are not disassembled for inspection.

Deficiencies observed include that the floor electrical outlets did not have metal protective covers. Exterior lighting exists on all sides of these buildings and appeared to be in working condition. Exterior fixtures, receptacles, and conduits appeared to be approved type of outdoor electrical installations. Observable wiring at this location is composed of copper conductors, which are encased in rigid, flexible, B.X. conduits, most of which appeared to be in generally acceptable condition at the time of inspection. All rooms in the apartment units had a sufficient number of plug receptacles to supply the current load demand. For further details, please refer to Part "B", ELECTRIC, as well as ADDITIONAL COMMENTS, or Part "D", at the end of the report. Continuity tests made at various locations indicated that this system is functioning properly, and that there is continuity to the ground. Ground Fault Circuit Interrupts (GFCI) are installed at within 6 feet of plumbing fixture and hydro-massage tubs. GFCIs are installed at outdoor receptacles, at garages, and in unfinished basement. GFCIs are installed at bathroom wet locations, kitchen countertops, and/or within 6 feet of sinks.

**SPECIAL NOTE:** Emergency alarm systems are not turned on as part of the inspection. Emergency alarm systems have been installed.

Overall, this electrical service appeared to be adequately sized and designed for the current load demands. However, if additional electrical loads are to be required, due to future installations, it is advised that the current service capacity may need to be updated or increased. It is recommended that all electrical deficiencies be corrected by a professional, licensed electrical contractor.

NARRATIVE (Continued)UNDERFLOOR:

Access to the underfloor is gained via crawl hold openings located at the basement and at south/east underfloor access, which were intact on the date of inspection. The underfloor areas were found to be easily accessible, adequately ventilated and dry. Underfloor vent screens were intact. The underfloor is constructed of continuous concrete perimeter foundations, and interior supports, which are composed of pier pad footings. Only some evidence of typical, minor cracking could be observed on the foundations on the date of inspection. Mudsills were bolted to perimeter concrete footings. The sub-floorings are composed of diagonal 1" x 6" and plywood, and the materials appeared to be in satisfactory condition at the time of inspection.

ATTIC AND ROOF:

Access to the attic areas for these buildings is gained via openings located hallway and closet. On the date of inspection the attic areas were found to be clean, dry, and adequately ventilated. The attic construction is composed of 2" x 4" rafters and ceiling joists, all of which appeared to be in acceptable condition at the time of inspection. No evidence of direct, current leakage could be observed in the attic areas. Attic vent screens were found to be intact. Insulation for the attic is composed of batten type which has been applied throughout. The attics could only be observed from the access locations due to insulation materials covering joists.

**SPECIAL NOTE:** A Aa Building Inspection Service, inc., does not walk on tile roofs due to the high probability of damage to these roofs and for the safety of the inspectors. This situation may also be true for high pitched or other types of roofs where the inspector deems walking on the roof to be a potential hazard and/or that walking on the roof surface may create damage to the underlying materials.

Access to the roof is gained via roof shuttle access. The roof covering over the buildings is composed of slate, composition shingles, and 90 lb. rolled roofing material. The roof design is both pitched and flat and the general condition of the roof covering materials was deemed to be acceptable on both structures. Parapets are covered with galvanized

NARRATIVE (Continued)

metal and the materials appeared to be satisfactory. The roof drainage systems were noted to be adequate on both buildings. No signs of direct, current leakage could be observed at attic areas or interior ceilings. All roofing corrections or replacements should be accomplished by a qualified, professional, licensed roofing contractor.

*"As concerns the roof on the subject premises, A Aa Building Inspection Service, Inc. in executing this report, is stating its opinion of the general quality and condition of such roofing: however, said Inspection Service cannot, and does not, offer any opinion or warranty as to whether such roofing presently leaks, or will in the future be subjected to leaking conditions, and this report is issued in consideration of the foregoing disclaimer".*

SECURITY:

Security for the tenants of this complex is provided by locked doors and gates. Each apartment entry door is equipped with a dead bolt lock. Windows are secured with common latches. No windows are equipped with security bars. Security for the grounds is facilitated by fences, gates, locked doors, and alarm systems. Security for the garage is provided by overhead garage doors.

**SPECIAL NOTE:** Security systems are not checked as part of this Inspection.

FIRE CONTROL:

Fire prevention for this complex is provided by a system of smoke detectors and fire sprinklers, which is deemed to be adequate. Smoke detectors hardwired or battery-type devices have been installed in each bedroom and adjacent hallways, and they were observed to be in working condition on the date of inspection. Fire prevention inside the garage consists of fire sprinklers, which were found to be in working order.

**SPECIAL NOTE:** Fire suppression and detection systems are not tested as part of this inspection.

INTERIORS:

NARRATIVE (Continued)

Walls and ceilings inside the apartment units are composed of drywall, which appeared to be in generally satisfactory condition at the time of inspection. Walls are finished with paint and tile. Ceilings in the bathrooms and kitchens are finished with paint. Cabinet finishes were found to be in acceptable condition. Floors are covered with tile and wood, and the materials appeared to be in overall satisfactory condition. Those items of deferred maintenance observed within the apartment interiors on the date of inspection were deemed typical of those conditions that result from normal wear by the tenants, and which are usually included in the general refurbishment of the property in preparation for resale.

For room-by-room details, please refer to Parts "D" at the end of this report.

**SPECIAL NOTE:** It is recommended to check with the local building authority for all permits, Certificates of Occupancy, geological reports, and any and all orders ever issued by the local building authority to insure that all additions, alterations, gradings, and/or repairs to the original construction and/or grading have been inspected and approved by the local building authority.

YOU MUST READ THIS

**CAUTION:** Virtually all structures built and/or modified prior to 1983 most likely contain asbestos type materials in one form or another, which might not be visible at the time of inspection. A Aa BUILDING INSPECTION SERVICE, INC. does not consider itself as an expert in the areas of asbestos type materials, radon, toxic, mold, reactive, combustible, lead, and/or corrosive materials and/or contaminants. Therefore this company does not conduct tests for these conditions. Should the client be concerned such conditions exist, it is strongly urged that the client utilize the services of qualified, licensed experts in these fields.

Concerning any alleged incorrect information contained in this report, owner shall notify A Aa BUILDING INSPECTION SERVICE, INC. for the purpose of having A Aa BUILDING INSPECTION SERVICE, INC. attempt to justify the deficiency, if the adjustment is deemed appropriate by A Aa BUILDING INSPECTION SERVICE, INC.

NARRATIVE (Continued)

The owner must give notice in advance before A Aa BUILDING INSPECTION SERVICE, INC. can answer any claim. It is agreed that A Aa BUILDING INSPECTION SERVICE, INC. 's liability shall not exceed twice the amount of the fee charged for the inspection. This report is prepared solely and exclusively for the client indicated on the invoice. Reproduction and/or use of this document without written permission is strictly prohibited.

SPECIAL NOTE: This report is not intended to, nor does it attempt to, inform of ADA or California Title 24 requirements for the disabled.

CONCLUSION:

Evidence obtained throughout this property on the date of inspection indicated that this complex had been originally well designed, and was originally constructed of quality materials. Indications are that maintenance has been generally satisfactory, both inside and out. Most conditions of deferred maintenance delineated in this narrative and in the body of the report were considered to fall under the category of minor situations which should prove relatively easy to correct. However, the following category of deficiencies listed below is of a more serious nature than that noted above, and comprises items, which may prove to be costly and time-consuming to remedy. Situations observed on the site that fall under this major category of deficiencies are as follows:

1. Provide stairway handrails with maximum 4" openings.

In the inspectors' opinions – once the recommendations above have been followed, and with a continued program of good maintenance inside and out – this property should continue to serve as the site of durable and desirable multiple residential units, which should easily lend themselves to conversion into quality condominium home sites.

SPECIAL NOTE:

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NARRATIVE (Continued)

In a CONDOMINIUM CONVERSION, a separate sheet is to be included, enumerating the major deficiencies, and the minor deficiencies, which this company recommends for correction. This section is divided into two parts:

1. MAJOR ITEMS OF DEFERRED MAINTENANCE – items estimated to cost in excess of \$1,000 to correct.
2. MINOR ITEMS OF DEFERRED MAINTENANCE – items estimated to cost less than \$1,000 to correct.

Major items of deferred maintenance – more than \$1,000 to correct:

1. Repair interior stairway handrails for maximum 4" openings.

Minor items of deferred maintenance – less than \$1,000 to correct:

1. Cut floor moulding so jacuzzi tub access panel can be easily removed.
2. Provide no-fuse disconnects at roof heating/cooling units.
3. Provide maximum 20 AMP fuses at compressor.
4. Raise garage water heater 18" above garage floor.
5. Provide flush light in closet.
6. Install approved covers on floor outlet plugs.
7. Install storm collars at water heater vents.
8. Repair basement stairway.
9. Label window glass within 18" of floor.
10. Insulate hot/cold piping within 5' of water heaters.

NOTE: The above lists do not include items of deferred maintenance inside the apartment units. It is recommended to consult with qualified, licensed professional contractors regarding actual costs.

ESTIMATED REMAINING USEFUL LIFE OF BUILDING MAJOR COMPONENT SYSTEMS FOR 309 – 311 ½ S. REXFORD:

1. Foundation: Given normal wear and tear, and that adequate and proper maintenance

NARRATIVE (Continued)

is followed, and in the absence of any earthquake or tremor, the remaining useful life is estimated to be 38 to 45 years.

2. **Exterior Walls:** Given normal wear and tear, and that adequate and proper maintenance is followed, and in the absence of any earthquake or tremor, the remaining useful life is estimated to be 28 to 30 years after correction of noted deficiencies.
3. **Roof:** Given that adequate and proper maintenance is performed, and that the recommended remedial corrective measures are taken, the estimated remaining useful life is from 15 to 20 years.
4. **Plumbing:** After corrections are made by a qualified, professional contractor, and given that normal usage and proper maintenance are provided, the estimated remaining useful life is from 20 to 25 years.
5. **Electrical:** After corrections are made by a qualified, professional contractor, and given that normal usage and proper maintenance are provided, the estimated remaining useful life is from 18 to 25 years.
6. **Heating:** After corrections are made by a qualified, professional contractor, and given that normal usage and proper maintenance are provided, the estimated remaining useful life is from 15 to 16 years maximum.
7. **Air Conditioning:** After corrections are made by a qualified, professional contractor, and given that normal usage and proper maintenance are provided, the estimated remaining useful life is from 10 to 13 years maximum.

**NOTE:** A Aa Building Inspection, Inc. in preparing the figures above regarding the remaining useful life, can only state its general opinion based on observations made on the site. A Aa Building Inspection, Inc. in providing those figures, neither guarantees nor warrants the accuracy of these figures.

NARRATIVE (Continued)

Thank you for using A Aa BUILDING INSPECTION SERVICE, INC. We hope you will recommend us to your friends and associates.



G. PROWIZOR



CONDOMINIUM SPECIFICATION CHECK LIST

TENTATIVE TRACT NO. \_\_\_\_\_

ADDRESS: 309 - 3 1/2 S. Rexford Dr

1. Exterior:

- a. Walls: WOOD TYPE II
- b. Roofing: WOOD, SLATE, COMPO. SHINGLES + 90° ROOFED ROOFING
- c. Insulation: ADEQUATE
- d. Weather Stripping: ADEQUATE
- e. Gutters, Downspouts: METAL
- f. Garden Walls/Fences: STEEL + PAINTED METAL
- g. Balconies, Decks, Patios: CONCRETE
- h. Planters: FRONT YARD
- i. Automatic Irrigation System: YES PLASTIC

2. Interior:

- a. Rough Floors: WOOD
- b. Flooring: TILE + WOOD
- c. Walls: DRY WALL
- d. Ceilings: DRY WALL
- e. Cabinets: WOOD
- f. Decorating: PAINT + TILE
- g. Fireplaces:
- h. Kitchen Equipment: PRESSED STEEL + PORCELAIN

3. Soundproofing:

- a. Party Walls: } UNKNOWN TO CODE AT TIME OF CONSTRUCTION
- b. Ceilings: }
- c. Bathrooms: }

4. Plumbing:

- a. Hot water lines: COPPER
- b. Cold water lines: COPPER
- c. Waste lines: CASTIRON
- d. Vent lines: BRASS
- e. Soundproofing methods: - UNKNOWN TO CODE AT TIME OF CONSTRUCTION
- f. Water heaters: INDIVIDUAL ( 40,000 BTU (4)
- g. Fixtures: PRESSED STEEL
- h. Washer-Dryer: -

5. Heating and Air Conditioning: YORK (4) 80,000 BTU each combined units

6. Trash Management: CITY OF BURELY HILL

7. Security Provisions: ADEQUATE

8. Special Features:

By: B. D. R.  
 Title: President, AAA Building Inspection Service, Inc  
 Date: 11/9/07

III. GENERAL IDENTIFICATION AND STATISTICAL INFORMATION

We I intend to convert the below-described apartment to a condominium.

Address 309, 309 1/2 311 AND 311 1/2 S. REXFORD DRIVE Number of Units 4

Legal Description \_\_\_\_\_

Owner \_\_\_\_\_ Address \_\_\_\_\_

Phone \_\_\_\_\_ Agent \_\_\_\_\_

Number of Stories 2 Overall Height 35 Subterranean Garage Height \_\_\_\_\_

Total Number of Parking Spaces 5 Tandem Spaces \_\_\_\_\_

Lot Area, Sq. Ft. 5000 Lot Area Covered by Structures, Sq. Ft. \_\_\_\_\_

Percentage of Lot Coverage 50 % Percentage of Landscaping 15 %

Floor Area Per Unit (Individual, Range or Average) \_\_\_\_\_

Type of Structure V

Date of Issuance of Building Permit \_\_\_\_\_

IV. DEVELOPER SHALL SUBMIT ONE COMPLETE SET OF CONSTRUCTION PLANS FOR THE PROJECT.

V. COMPREHENSIVE BUILDING CONDITION REPORT: TO BE COMPLETED BY A BUILDING INSPECTION SERVICE.

ITEM	TYPE	CONDITION
A. Foundations		Satisfactory <u>X</u> Repairable _____ Unacceptable _____
B. Exterior Walls		Satisfactory <u>X</u> Repairable _____ Unacceptable _____
C. Fire Walls		Satisfactory <u>X</u> Repairable _____ Unacceptable _____
D. Roof		Satisfactory <u>X</u> Repairable _____ Unacceptable _____
E. Stairways & Exits		Satisfactory _____ Repairable <u>X</u> Unacceptable _____
F. Interior Insulation (Sound & Thermal)		Satisfactory _____ Repairable _____ Unacceptable _____ <u>UNKNOWN - TO CODE UNKNOWN X</u>
G. Exterior Insulation (Sound & Thermal)		Satisfactory _____ Repairable _____ Unacceptable _____ <u>AT TIME OF CONSTRUCTION UNKNOWN X</u>

V. Comprehensive Building Condition Report (Cont.)

ITEM	TYPE	CONDITION
H. Light & Ventilation		Satisfactory _____ Repairable <u>X</u> _____ Unacceptable _____
I. Plumbing (State whether common or individual hot water heaters and gas meters)	COMMON WATER METER	Satisfactory _____ Repairable <u>X</u> _____ Unacceptable _____
J. Electrical (State whether common or individual electric meters)		Satisfactory _____ Repairable <u>X</u> _____ Unacceptable _____
K. Heating and Air Conditioning		Satisfactory _____ Repairable <u>X</u> _____ Unacceptable _____
L. Fire & Earthquake Safety Provisions		Satisfactory <u>X</u> _____ Repairable _____ Unacceptable _____
M. Security Provisions		Satisfactory <u>X</u> _____ Repairable _____ Unacceptable _____
N. Interior Decoration		Satisfactory <u>X</u> _____ Repairable _____ Unacceptable _____
O. Maintenance		Satisfactory <u>X</u> _____ Repairable _____ Unacceptable _____
P. Landscaping		Satisfactory <u>X</u> _____ Repairable _____ Unacceptable _____
Q. Trash Control		Satisfactory <u>X</u> _____ Repairable _____ Unacceptable _____

(NOTE: "Repairable" means that the deficiency can be economically and reasonably repaired, altered, added, restored or brought up to code.)

R. Recommendations:

SPECIAL NOTE! IT DOES NOT APPEAR TO BE FEASIBLE TO PROVIDE INDIVIDUAL WATER METERS TO EACH UNIT

B. D. PROWTON President  
AA Building Inspection Service, Inc

Signed: B. D. Prowton President address: AA Building Inspection Service, Inc  
P.O. Box 2699  
Calver City, CA 90231 Date: 11/9/07

Approval by Building Officer: \_\_\_\_\_ Date: \_\_\_\_\_

REQUESTED BY:

A Aa BUILDING INSPECTION SERVICE, INC.  
KNOW WHAT YOU'RE BUYING — USE THE PROFESSIONALS

#GS-1

INSPECTED  
DATE NOV. 3, 07  
TIME 9:00AM

MANSOUR

(310) 839-1389  
(213) 626-1389  
(818) 997-7827

Box 2692  
Culver City, CA 90231  
© E.D. Prowizor

(714) 754-1678  
(805) 641-1389  
(951) 351-1389  
(760) 754-1678

NO INTERESTS

111 FOREST LAWN DR.

309 1/2 309, 311, 311 1/2

#206

L.A. CA. 90068

310.245.8220

DESCRIPTION: So. REXFORD DRIVE B.H.  
LOT 5,000 SQFT., 2 BUILDINGS, PITCHED/FLAT ROOF 4 UNITS  
3 TOWNHOUSE STYLE UNITS 2 BED, 2 1/2 BATH, SPA TUB, SHOWER STRAM  
2 W.I.C. LAUNDRY, REAR UNIT ABOVE GARAGE 1 BED, 1 BATH  
PART A EXTERIOR & GROUNDS BASEMENT, RAISED FLOOR  
LOT 50 X 100 #

FRONT:

REMARKS

Streets: Yes  No  ASPHALT

Curbs: Yes  No  CONCRETE (TYPICAL CRACKS)

Sidewalks: Yes  No  CONCRETE

St. Lights: Yes  No  \_\_\_\_\_

Parkways: Yes  No  LAWN, TREES

Driveway: Yes  No  \_\_\_\_\_

Landscape: Yes  No  LAWN TREE SHRUBS, ACCENT LIGHTING

Sprinklers: Yes  No  AUTOMATIC

Drainage: Yes  No  SHEETFLOW SEEPAGE

Fencing: Yes  No  PAINTED METAL PICKET TYPE AND STUCCO FINISH MASONRY

REAR:

Landscape: Yes  No  \_\_\_\_\_

Sprinklers: Yes  No  \_\_\_\_\_

Drainage: Yes  No  AREA DRAINS CONCRETE/TILE WALKWAY

Fencing: Yes  No  ALLEY

NORTH SIDE:

Landscape: Yes  No  LAWN, SHRUBS

Sprinklers: Yes  No  AUTOMATIC

Drainage: Yes  No  SEEPAGE

Fencing: Yes  No  STUCCO FINISH MASONRY

SOUTH SIDE:

Landscape: Yes  No  \_\_\_\_\_

Sprinklers: Yes  No  \_\_\_\_\_

Drainage: Yes  No  SHEETFLOW CONCRETE WALKWAY

Fencing: Yes  No  MASONRY WITH PAINTED METAL PICKET

ADDITIONAL COMMENTS: (1) EXTERIOR SECURITY LIGHT AT EXTERIOR WALLS OF BUILDING/GARAGE  
(2) LOCKED EXTERIOR GATES AND FENCES.

A Aa BUILDING INSPECTION SERVICE, INC.  
PART A BUILDING EXTERIOR CONTINUED

#GS-2

FRONT: STUCCO, WOOD PAINTED WINDOWS

REAR: STUCCO, WOOD PAINTED WINDOWS

SOUTH SIDE: STUCCO, WOOD PAINTED WINDOWS

NORTH SIDE: STUCCO, MINOR DISCOLORATION OF STUCCO, WOOD ENTRY DOORS

ADDITIONAL COMMENTS: EXTERIOR STUCCO/WOOD SURFACES APPEAR ACCEPTABLE

GUTTERS & DOWNSPOUTS:

Yes  No  COPPER GUTTER & DOWNSPOUTS, GARAGE HAS PAINTED METAL

WINDOWS: WOOD 3 WIND-1 W

DOORS: HOLLOW CORE INTERIOR, EXTERIOR WOOD/GLASS AND WOOD

GARAGE:

Attached: Type  Size

Detached: Type  Size 45' X 25' ± 2 DOUBLE O.H. DOORS AND 1 SINGLE

ADDITIONAL COMMENTS: ACCESS FROM ALLEY

- ① EXTERIOR STUCCO, W, N, E, CONCRETE TYPE HORIZONTAL SIDING AT SOUTH
- ② EXTERIOR STAIRWAY WITH PAINTED METAL HANDRAIL
- ③ VERY MINOR HAIRLINE CRACKS IN STUCCO

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PART B SERVICES

HEATING:

YORK UNITS

Type, Make & BTU: DUAL PAC'S (3) 90,000 BTU GAS ON ROOF

Thermostat: BRAEBURN THERMOSTAT

General Notes: ACCESS TO UNIT FROM UNIT 311 BEDROOM CLOSET TO ROOF HATCH. QUESTION FUSE DISCONNECTS ON ROOF AT EACH UNIT

AIR CONDITIONING: 3 1/2 UNIT UNFUSED DISC AT UNIT RECOMMEND

Type, Make & Size: YORK - COMPRESSOR UNDER STAIRWAY 20 AMP HALL

Compressor Location: DUAL PAC'S ON ROOF 60 AMP DISC AT UNITS

General Notes:

WATER HEATER:

Location, Make & Size: (4) 40 GALLON RHEEM BASEMENT (GARAGE UNIT 311 1/2)

Recovery, PSI and Condition:

PLUMBING:

Description & P.S.I. (location taken) 80 PSI

Regulator: 1" phi Shut Off: 80 PSI @ NORTH/EAST HOSE BIBS (S/W CORNER BUILD)

Water Softener: Type, Location:

General Notes:

Water Meter: Location & Size: ALLEY 1" REGULATOR AT S/W CORNER BUILDING

Gas Meter: Location & Size: UNDER FLOOR S/E (4) 3/4" DIA Auto. Shut Off Valve Yes No X

ELECTRIC:

Location, Type & Condition: N/W CORNER GARAGE OVERHEAD

4-100 AMP CIRCUIT BREAKER

1-50 AMP CIRCUIT BREAKER (HOUSE)

TYPICAL ELECTRICAL SUB-PANELS

IN KITCHENS

1-60 AMP DIP A/C

1-30 AMP DIP STAIRWELL

13-20 AMP S/P

T.D. OK

Electric Meter: Location & Size: O.H. N/W CORNER GARAGE

ADDITIONAL COMMENTS:

RECOMMEND COVER FOR CLOSET CHILING LIGHT AT UNIT 311 OR FLUSH TYPE LIGHTING FIXTURE.

SERVICES CONTINUED

SECURITY & FIRE ALARM: Yes: Y No: \_\_\_\_\_ Make: UNKNOWN

Control Location & Condition: \_\_\_\_\_

POOL:

Type: \_\_\_\_\_ Size: \_\_\_\_\_  
 Heater: Make \_\_\_\_\_ Covered: \_\_\_\_\_  
 Filter: Type \_\_\_\_\_  
 Motor: Horsepower: \_\_\_\_\_ Condition: \_\_\_\_\_ Covered: \_\_\_\_\_  
 Plaster: Condition: \_\_\_\_\_  
 Coping: Type: \_\_\_\_\_ Condition: \_\_\_\_\_  
 Diving Board: Yes \_\_\_\_\_ No \_\_\_\_\_ Pool light: Yes \_\_\_\_\_ No \_\_\_\_\_  
 Pool Sweep: Yes \_\_\_\_\_ No \_\_\_\_\_  
 Decking: Condition \_\_\_\_\_  
 General Note: \_\_\_\_\_

PART C STRUCTURAL AREAS

UNDERFLOOR AREA:

Location Crawl Hole: S/E CORNER & BASEMENT

General Description: 2 X 10 FLOOR JOISTS, PIER FOOTINGS

ATTIC AND ROOF:

Access Location: PORTABLE LADDER Pitch 12:24 Flat \_\_\_\_\_

General Condition: ROOF SHUTTLE OPENING AT UNIT 311 CLOSET  
2 X RAFTERS / CEILING JOIST BATTEN INSULATION

ROOF COVERING:

Material & Condition: SHAKE TYPE (PITCHED ROOF VIEWED FROM GROUND LEVEL)  
90" ROUGH AT FLAT AND ASPHALT SHINGLES  
GALVANIZED METAL CAP AT PARAPET

ADDITIONAL COMMENTS:

UNIT 309

**A Aa BUILDING INSPECTION SERVICE, INC.**  
**PART D GENERAL ROOM DESCRIPTION**  
 (for location see plan)

**SPECIAL NOTE:**  
 For safety glass requirements see International part of report & check with local building Dept.

All windows and outlets not checked.  
 \* D.W. = Drywall

UNIT #	FLOOR			WALLS		CEILING		GENERAL REMARKS			
	WOOD	LINO	CONC	TILE	PLAS	WOOD	* D.W.		PLAS	WOOD	* D.W.
LIVING	X			X				X			FIRE SPROCKLES THRU-OUT WUBOR WITHIN 18" OF FLOOR DO NOT HAVE VISIBLE TEST GULF ID... BASE BOARD THERMOSTAT FIRE SPRINKLERS THRU OUT DRYWALL GLASS AT BOTTOM OF STAIRS NOT TESTED GUN
DINING	X			X				X			PAINT OK PAINT OK PAINT OK
BED # 1	X							X			DARK STAIN CARPET NEEDED PAINT OK PAINT OK
BED # 2	X							X			PAINT OK PAINT OK PAINT OK
KITCHEN	X			X				X			CABINETS OK PAINT OK PAINT OK
BATH # 1/2 1st Floor	X			X				X			TOILET/SINK PAINT OK PAINT OK
BATH # 2 OTHER	X			X				X			TANGLED TUB FLOOR MOUND IN DROPS ACROSS PANTRY GFI OUTLET BRASS P-TREAT TUB
BATH # 3 OTHER	X			X				X			GFI OK PAINT OK PAINT OK

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**A AB BUILDING INSPECTION SERVICE, INC.**  
**PART D GENERAL ROOM DESCRIPTION**  
 (for location see plan)

**SPECIAL NOTE:**  
 For safety glass  
 regulations, see  
 appropriate part of  
 report & check with  
 local building dept.

All windows and outlets  
 not checked.  
 \* D.W. = Drywall

UNIT #	FLOOR				WALLS			CEILING			GENERAL REMARKS	
	WOOD	LINO	CONC	TILE	PLAS	WOOD	* D.W.	PLAS	WOOD	* D.W.		
UNIT 309 1/2	X			X			X				X	FIRE SPRINKLER FILTER-OUT WINDOW WITH 18" OF FRAME DOES NOT HAVE VISIBLE THERMOCASS I.D.O. BRASS BURNED THERMOSTAT
LIVING					PAINT OK							
DINING	X			X	PAINT OK						X	
BED #	X				PAINT OK						X	SINGLE DEFECTIVE OK
BED #		PAINT OK			PAINT OK						X	SMOKE DETECTOR OK
KITCHEN	X			X	PAINT OK						X	CASING IS OK TYPE AND APPLIANCE SINGLE AND BURNER
BATH # 1/2	X			X	PAINT OK						X	
BATH # 2 OTHER	X			X	PAINT OK						X	INCOMPLETE ACCESS PANEL NOT RETURNABLE BECAUSE OF FLOOR TRUSSE AND FIBER OPTIC
BATH # 3 OTHER	X			X	PAINT OK						X	SEE OTHER

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**A Aa BUILDING INSPECTION SERVICE, INC.**  
**PART D GENERAL ROOM DESCRIPTION**  
 (for location see plan)

**SPECIAL NOTE:**  
 For safety glass  
 requirements, see  
 applicable part of  
 report & check with  
 local building dept.

All windows and outlets  
 not checked.  
 \* D.W. = Drywall

Rm. #	FLOOR			WALLS			CEILING			GENERAL REMARKS	
	WOOD	LINO	CONC	TILE	PLAS	WOOD	* D.W.	PLAS	WOOD		* D.W.
UNIT #311	X			X			X			X	FIRE SPLICERS TRIM-OUT STAIRCASE HANDRAIL HAS 9" OPENINGS ELECTRICAL ELECTRICALS WERE APPLIED CORRECTLY
LIVING	X				PAINT OK			PAINT OK			
DINING	X			X	PAINT OK			PAINT OK		X	
BED # 1	X				PAINT OK		X	PAINT OK		X	Smoke Detector OK
BED # 2	X				PAINT OK		X	PAINT OK		X	BOOE AGENTS OVERSEAS CLEANER SMOKE DET OK
KITCHEN	X			X	PAINT OK		X	PAINT OK		X	
BATH # 1/2	X			X	PAINT OK		X	PAINT OK		X	SEE OK ELECTRICAL OK
BATH # 2 OTHER	X			X	PAINT OK		X	PAINT OK		X	SEE OK TUB AGENTS BATH
BATH # 3 OTHER	X			X	PAINT OK		X	PAINT OK		X	SEE OK

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© E.D. PROWIZOR 1980  
 Dead Bolt  
 Smoke Detector  
 (hard wired or battery)

**A AB BUILDING INSPECTION SERVICE, INC.**  
**PART D GENERAL ROOM DESCRIPTION**  
 (for location see plan)  
 A ROUTE GARAGE

**SPECIAL NOTE:**  
 For safety glass requirements, see Specification part of report & check with local building dept.

All windows and outlets not checked.  
 \* D.W. = Drywall

Room #	FLOOR			WALLS			CEILING			GENERAL REMARKS	
	WOOD	LINO	CONC	TILE	PLAS	WOOD	* D.W.	PLAS	WOOD		* D.W.
LIVING	X			X							EXTERIOR WINDOWS DECK MULTIPLE
DINING	X			X							PAINT OK PAINT OK
BED #				X					X		ATTIC ACCESS THROUGH BATHROOM - 16.20 AMP 5/2 32 AMP A/C W/T/O
BED #				X					X		PAINT OK PAINT OK
KITCHEN	X			X					X		FRIG. OK GRILL OK REF. OK
BATH #	X			X					X		REF. OK WATER HEATER IN GARAGE COSTLY NOT PAINTED IF

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A Aa BUILDING INSPECTION SERVICE, INC.

#GS-8

PART E SERVICE ROOMS

\*Built-in appliances are only cursorily observed for installation characteristics, not inspected in detail for operation.

KITCHEN:

Range & Oven: KENMORE SLIDE-IN

Sink: DOUBLE S.S.

Disposal: INSINKATOR Compactor: KENMORE

Dishwasher: KENMORE

Cabinets: \_\_\_\_\_

Material: WOOD

Condition: OK

SERVICE AREA:

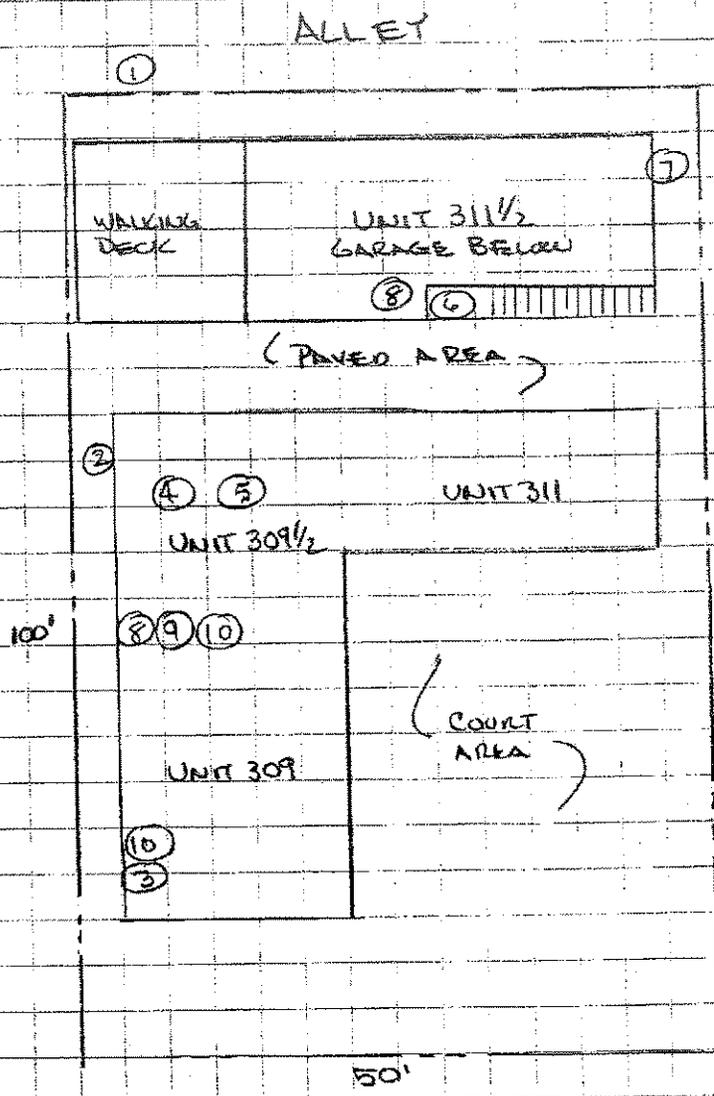
KITCHEN CLOSURE AREA

OTHER:

ADDITIONAL COMMENTS:

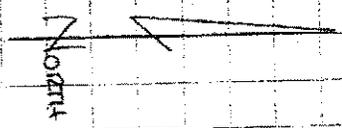
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- LEGEND
- ① WATER METER
  - ② WATER SHUT-OFF
  - ③ GAS METERS
  - ④ DUAL PAC UNITS ON ROOF
  - ⑤ ROOF SCUTTLE ACCESS
  - ⑥ A/C UNIT
  - ⑦ ELECTRIC METER
  - ⑧ WATER HEATERS
  - ⑨ BASEMENT
  - ⑩ UNDERFLOOR ACCESS

REXFORD DRIVE



PLOT PLAN

NOT TO SCALE FOR I.D. ONLY  
NOT TO DETAIL

# WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

BUILDING NO. 309-11 1/2	STREET REXFORD DRIVE	CITY BEVERLY HILLS	ZIP 90210	Date of inspection 11/02/2007	NUMBER OF PAGES 1 of 5
----------------------------	-------------------------	-----------------------	--------------	----------------------------------	---------------------------

**WESTERN  
EXTERMINATOR COMPANY**  
3333 W Temple Street  
Los Angeles, CA 90026-4523



The West's  
Largest Family  
Owned &  
Operated Termite  
& Pest Control  
Company

(213) 382-8151 - Phone #  
(213)386-6458 - Fax  
[www.west-ext.com](http://www.west-ext.com)  
PR 0729  
Rpt# 703942375

Ordered by: JOE MANSUR 6711 FOREST LAWN DR LOS ANGELES, CA 90068	Property Owner and/or Party of Interest JOE MANSUR 6711 FOREST LAWN DR LOS ANGELES, CA 90068	Report sent to: JOE MANSUR 6711 FOREST LAWN DR LOS ANGELES, CA 90068
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COMPLETE REPORT    
 LIMITED REPORT    
 SUPPLEMENTAL REPORT    
 REINSPECTION REPORT

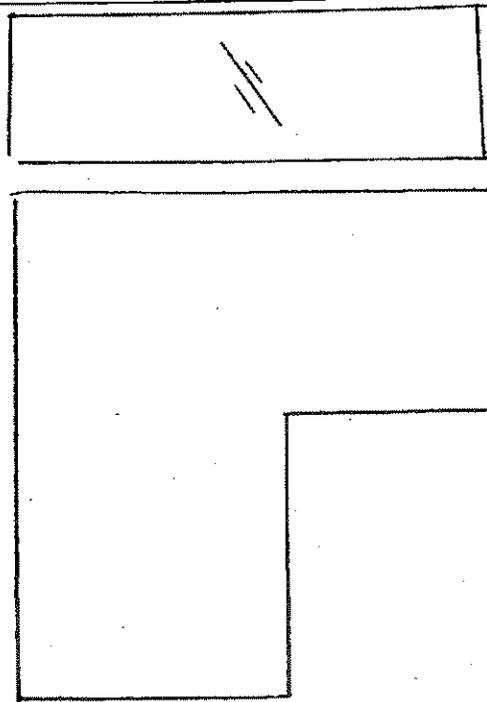
GENERAL DESCRIPTION: This is a two story, stucco, apartment house. It has a detached garage. It has a composition roof and was occupied and furnished at the time of inspection.	Inspection Tag Posted: subarea.  Other Tags Posted:
---	--

An inspection has been made of the structure(s) on the diagram in accordance with the the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.

Subterranean Termites    
 Drywood Termites    
 Fungus/Dryrot    
 Other Findings    
 Further Inspection

If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items

Key:    1 = Subterranean Termites   
 2 = Drywood Termites   
 3 = Fungus/Dryrot   
 4 = Other Findings   
 5 = Further Inspection



**RECEIVED**  
NOV 08 2007  
BY ACCORD

Inspected By JANINE BURCH    License No. FR36762    Signature *Janine Burch*

You are entitled to obtain copies of all reports and completion notices on this property report to the Structural Pest Control Board during the preceding two years. To obtain copies contact: Structural Pest Control Board, 1418 Howe Avenue, Suite 18, Sacramento, California, 95825-3204.

NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8708, (800) 737-8188 or [www.pestboard.ca.gov](http://www.pestboard.ca.gov).

43M-41 (Rev. 10/01)

2007/11/08-12:55:57-16M

BUILDING NO.	STREET	CITY	ZIP	Date of Inspection	NUMBER OF PAGES
309-11 1/2	REXFORD DRIVE	BEVERLY HILLS	90210	11/02/2007	2 of 5

### What Is A Wood Destroying Pests and Organisms Inspection Report?

Please pay special attention to the following two paragraphs which explain the scope and limitations of a Structural Pest Control Inspection and a Wood Destroying Pests and Organisms Inspection Report.

A "Wood Destroying Pests And Organisms Inspection Report" contains findings as to the presence or absence of evidence of wood destroying insects or organisms in visible and accessible areas on the date of inspection and contains our recommendations for correcting any infestations, infections, or conducive conditions found. The contents of the Wood Destroying Pests and Organisms Inspection Report are governed by the California Structural Pest Control Act and its Rules and Regulations.

Some structures may not comply with building code requirements or may have structural plumbing, electrical, heating and air conditioning, or other defects that do not pertain to wood destroying organisms. A Wood Destroying Pests and Organisms Report does not contain information about any such defects as they are not within the scope of the license of the inspector or the company issuing this report.

Local treatment is not intended to be an entire structure treatment method. If infestations of wood-destroying pests extend or exist beyond the area(s) of local treatment, they may not be exterminated.

**NOTICE: Reports on this structure prepared by various registered companies should list the same findings (i.e., termite infestations, termite damage, fungus damage, etc.). However, recommendations to correct these findings may vary from company to company. You have the right to seek a second opinion from another company.**

No evidence of active infestation or infection noted in visible accessible areas.

### **THANK YOU FOR CHOOSING WESTERN EXTERMINATOR COMPANY.**

**If you have any questions concerning this Report or if we can be of any additional service, please call us at 1-800-WEST-EXT (1-800-937-8398).**

**Building Permits:** In some cases, report items listed will require a building permit from the local building department. Any additional work required by the local building department, or required to remedy additional damage not noted in the report, but discovered in the performance of the work agreement, or change in the manner of scope, type, or the nature of the work item to be performed, due to the request of the building department or any other party, will not be done until a separate written agreement is authorized by the Customer or Customer's Agent, and accepted by Western Exterminator Company.

**The exterior surface of the roof was not inspected. If you want the water tightness of the roof determined, you should contact a roofing contractor who is licensed by the Contractor's State License Board.**

BUILDING NO.	STREET	CITY	ZIP	Date of Inspection	NUMBER OF PAGES
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This property was inspected for visible and accessible evidence of wood destroying organisms such as wood rot by fungi. The inspection and this report do not address fungi other than wood destroying fungi, nor do they assess the health impacts of any fungus, including wood destroying fungi. We are neither qualified, authorized nor licensed to inspect for health-related fungi, including molds, or to make an opinion as to the health impacts of any fungus, including wood rot fungi. If you desire information about the presence or absence of health-related fungi, including molds, you should contact a qualified industrial hygienist or other relevant health professional.

Upstairs stall shower not water tested due to finished ceiling below. No water stains noted. If water test of upstairs shower is desired, it will be done at Owner's responsibility and expense by opening the ceiling beneath the shower. A Supplemental Inspection will be made and Report issued outlining our findings, recommendations, and any additional cost.

Areas above the first story eaves are inaccessible for physical inspection due to height, and are not included in our Report, unless our visual inspection from the ground revealed conditions that need further inspection.

NOTE: Western Exterminator Company is making this subterranean termite preventative recommendation due to the unseen termite activity which may or may not exist in the soil below or surrounding your building. Much more information about the Sentricon System is available from our Inspector.

Eliminate potential subterranean termite activity in the soil surrounding or under the building using the Sentricon System. Small bait stations containing cellulose material for monitoring purposes are installed below the ground around the building. Our authorized Sentricon Technician regularly monitors these stations for subterranean termite activity. When termites appear in any station, that station's bait tubes are switched to another tube containing small amounts of an insect growth regulator called Noviflumuron. Noviflumuron is a substance that prevents subterranean termites from growing which means the termites die. In time, the entire underground colony is eliminated. After we confirm this colony elimination, we switch back to the original monitoring devices and our authorized Sentricon Technician examines these regularly. If you have permitted us to install our Sentricon ground stations according to label directions around the outside of your property and subterranean termites attack your building, Western Exterminator Company will perform a spot treatment at the site of attack and repair/replace any visible damage in excess of what was noted in our initial report at no charge.

#### ARBITRATION OF DISPUTES

BY RELYING ON THIS WOOD DESTROYING ORGANISMS REPORT, YOU AGREE THAT ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO WESTERN'S INSPECTION AND/OR THIS REPORT SHALL BE SETTLED BY ARBITRATION IN ACCORDANCE WITH THE CONSTRUCTION INDUSTRY ARBITRATION RULES OF THE AMERICAN ARBITRATION ASSOCIATION, AND JUDGMENT UPON THE AWARD RENDERED BY THE ARBITRATOR(S) MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF.

BUILDING NO.	STREET	CITY	ZIP	Date of inspection	NUMBER OF PAGES
309-11 1/2	REXFORD DRIVE	BEVERLY HILLS	90210	11/02/2007	4 of 5

#### DISCLAIMER

Items relate to locations, accessibility, conditions, infestations and infections noted at the time of this inspection. Although we make a visual inspection there are areas, which are inaccessible for inspection. These include areas to which there is no access without defacing or tearing out lumber, masonry, or finished work. We do not move furniture, appliances, or raise floor coverings, nor do we routinely inspect the following areas: behind or under built-in cabinet work, behind or under appliances, beneath floor coverings, under concrete slabs; the interiors of hollow walls, bay windows, porte cocheres, columns or abutments. Unless there are specific areas noted in the body of this Report, any further inspection other than set forth in this Report would be impractical. This inspection only pertains to the structure(s) indicated on the diagram. This Report is a statement of conditions at the time of this inspection only. Western Exterminator Company does not certify the water integrity of roofs. Please read all of the information contained with this Report. We recommend all items in our Report be completed. If others perform work we cannot be responsible or certify absence or presence of infestations or infections if this Company is not contacted to reinspect prior to closing any areas. Western Exterminator Company will not guarantee work performed by others.

This Report is not to be used to satisfy escrow requirements unless our inspection fee is paid. See the attached Work Order for the cost of recommended items. An authorized signature is necessary before any work can be performed.

#### REINSPECTION

A reinspection will be performed if requested by the person who ordered the complete inspection. The request for reinspection must be made within four months of the complete inspection. The reinspection will be performed within ten working days of the request. The fee for a reinspection shall not be more than the complete inspection fee.

#### GUARANTEES

Western Exterminator Company guarantees the work completed by this Company for a period of one year from the date of completion unless otherwise stated in the body of this Report, with the exception of plumbing, grouting, caulking, resetting of toilets, resetting of enclosures, or floor coverings, which are guaranteed for 30 days, as these are Owner maintenance areas.

#### HOMEOWNER PROTECTION POLICY

A Homeowner Protection Policy may be available at the end of the Guarantee Period.

Western Exterminator Company always strives to provide its customers with the most efficient methods of pest control. We continually provide our employees with constant, on-going education so they can provide our customers with the best possible service results, and so we can use pesticides in the safest possible manner for our customers and ourselves. In accordance with our sense of responsibility for the safety of our customers and employees, we ask that you read the following:

#### CALIFORNIA STATE LAW REQUIRES THAT YOU BE GIVEN THE FOLLOWING INFORMATION:

**CAUTION - PESTICIDES ARE TOXIC CHEMICALS** "Structural Pest Control Companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the state finds that based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

If within 24-hours following application you experience symptoms similar to common seasonal illness comparable to the flu (Pesticides with non-flu like symptoms are asterisked below), contact your physician or poison control center (telephone number listed below) and your pest control operator immediately. For further information contact any of the following: Your local office of Western Exterminator Company; for Health Questions - Your County Health Department (telephone number listed below); for Application Information - Your County Agricultural Commissioner (telephone number listed below); and for Regulatory Information - The Structural Pest Control Board, (800) 737-8188, 1418 Howe Avenue, Suite 18, Sacramento, CA 95825.

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POISON CONTROL CENTER  
(800) 876-4766

CALIFORNIA COUNTY AGRICULTURAL COMMISSIONERS  
Los Angeles - (626) 575-5466

CALIFORNIA HEALTH OFFICES  
Los Angeles - (626) 430-5450

LISTED BELOW ARE PESTICIDES THAT MAY BE USED ON YOUR PROPERTY DURING THE COURSE OF OUR WORK\*:  
\*The names of materials actually used during each visit will be on the Completion Notice or the Invoice / Service Slip.

\*Cy-Kick Crack and Crevice Pressurized (Cyfluthrin), Dagnet SFR (Permethrin), Drione Insecticide (Pyrethrins/ Silica Gel/ Piperonyl Butoxide), Jecta (Disodium Octaborate Tetrahydrate), Premise 75 Insecticide (Imidacloprid), Premise Foam (Imidacloprid), Prevail (Cypermethrin), Recruit AG (Noviflumuron), Recruit IV (Noviflumuron), Suspend SC (Deltamethrin), Termidor SC (Fipronil), Tim-bor (Disodium Octaborate Tetrahydrate), XT-2000 (D-Limonene). Fumigants: Chloropicrin\*\* and Vikane (Sulfuryl Flouride)\*\*\*.

\* Except as noted, effects of overexposure to these materials can include nasal and respiratory irritation, dizziness, headache, and fatigue.

\*\* Effects of overexposure to this material will cause teary eyes.

\*\*\* Effects of overexposure to this material can include poor coordination, slurring words and confusion.



## STRUCTURAL OBSERVATION REPORT FORM

**STRUCTURAL OBSERVATION** means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspections required by Section 108, 1701 or other sections of the code.

Report No. \_\_\_\_\_

This report includes all construction work through 2 day of NOVEMBER, 2007 Page No. 1 of 1

Project Address: <b>309-311 S. REXFORD</b>		Structural Observer of Record (SOR): <b>REGGIE LUGO</b>	Phone No. of SOR: <b>818 7670020</b>
Building Permit No.:	Structural Observation performed by: <b>REGGIE LUGO</b>	Professional Lic./Reg. No. of Observer: <b>CE35038</b>	Phone No. of Observer: <b>7670020</b>

**OBSERVED STRUCTURAL ELEMENTS AND THEIR CONNECTIONS**

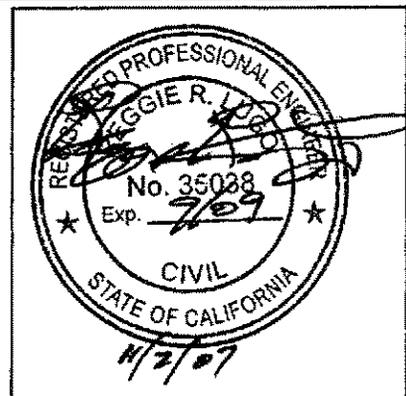
FOUNDATION	WALL	FRAMES	FLOOR	PORTION OBSERVED, IF NOT WHOLE
<input checked="" type="checkbox"/> Footing, Stem Walls,	<input type="checkbox"/> Concrete	<input type="checkbox"/> Steel Moment Frame	<input type="checkbox"/> Concrete	<b>PERIMETER &amp;</b>
<input type="checkbox"/> Mat Foundation	<input type="checkbox"/> Masonry	<input type="checkbox"/> Steel Braced Frame	<input type="checkbox"/> Steel	<b>BASEMENT WALL</b>
<input type="checkbox"/> Caisson, Piles, Grade Beams	<input type="checkbox"/> Wood	<input type="checkbox"/> Concrete Moment Frame	<input type="checkbox"/> Wood	<b>FTGS -</b>
<input type="checkbox"/> Retaining Foundation Hillside Special Anchors	<input type="checkbox"/> Other:	<input type="checkbox"/> Masonry Wall Frame	<input type="checkbox"/> Others:	
<input type="checkbox"/> Others:		<input type="checkbox"/> Others:		

**OBSERVED DEFICIENCIES:**

**ALL PERIMETER STEM WALL AND BASEMENT WALLS ALL APPEAR TO BE IN GOOD CONDITION. ONLY VERY MINOR SHRINKAGE CRACKING WAS NOTED, WHICH IS TYPICAL. OVERALL NO DEFICIENCIES WERE OBSERVED.**

I DECLARE THAT THE FOLLOWING STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE:

1. I AM THE ENGINEER OR ARCHITECT RETAINED BY THE OWNER TO BE IN RESPONSIBLE CHARGE FOR THE STRUCTURAL OBSERVATION IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LOS ANGELES.
2. I, OR ANOTHER ENGINEER OR ARCHITECT WHO I HAVE DESIGNATED ABOVE AND IS UNDER MY RESPONSIBLE CHARGE, HAS PERFORMED THE REQUIRED SITE VISITS AT EACH SIGNIFICANT CONSTRUCTION STAGE TO VERIFY IF THE STRUCTURE IS IN GENERAL CONFORMANCE WITH APPROVED PLANS AND SPECIFICATIONS;
3. ALL DEFICIENCIES WHICH REMAIN TO BE CORRECTED HAVE BEEN INDICATED ABOVE;
4. I RECOMMEND THAT ACCEPTANCE OF THE STRUCTURAL SYSTEMS BY THE CITY OF LOS ANGELES BE WITHHELD UNTIL ALL OBSERVED DEFICIENCIES ARE CORRECTED.



STAMP OF STRUCTURAL OBSERVER OF RECORD

*[Handwritten Signature]*  
SIGNATURE

11/2/07  
DATE

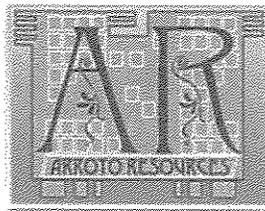
# Historic Resource Assessment

*309 S. Rexford Drive, Beverly Hills, Ca*



Prepared for:  
Dominic Hong

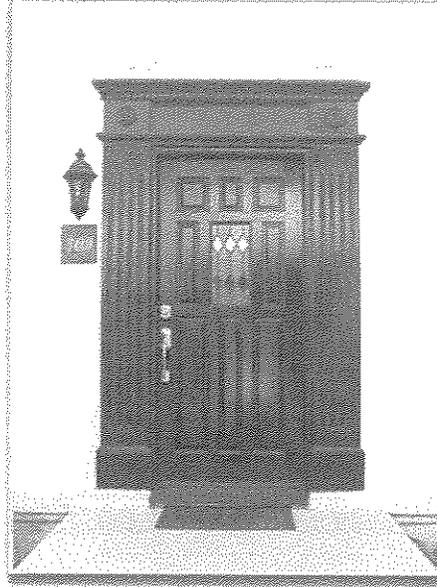
Prepared By:



June 24, 2008

# Historic Resource Assessment

*309 South Rexford Drive, Beverly Hills, California*



Prepared for:

**Dominic Hong**

Iacobellis & Associates, Inc.

11145 Tampa Avenue, Suite 15B; Northridge, Ca 91326

818/366-9222

Prepared by:

**ARROYO RESOURCES**

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June 24, 2008

**Historic Resource Assessment**  
*309 South Rexford Drive, Beverly Hills, Ca*

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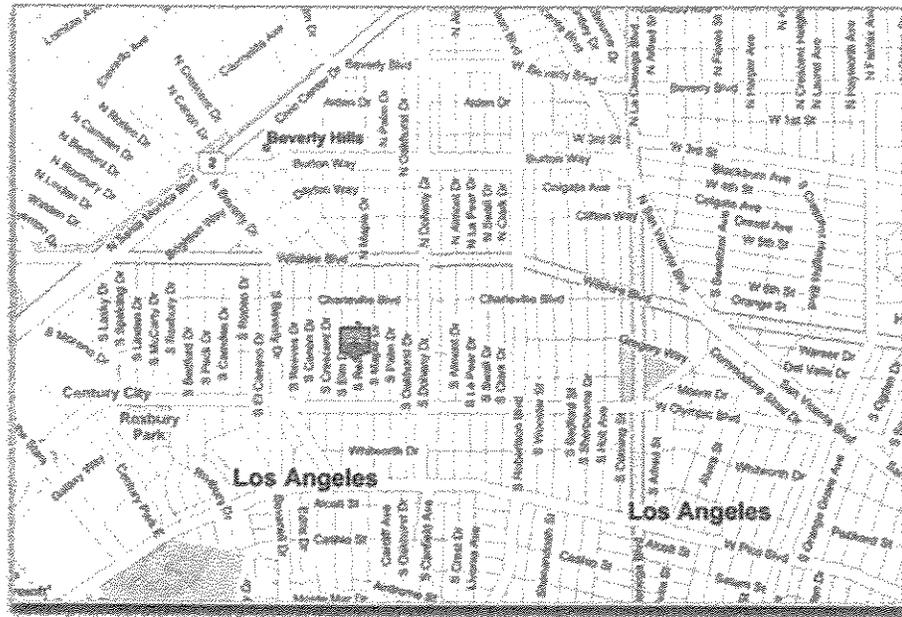
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## 1.0 INTRODUCTION

Arroyo Resources conducted a historic resource assessment of a four-unit, multi-family property at 309 S. Rexford Drive in the City of Beverly Hills, California (subject property) as contained in this report. The purpose of the assessment is to determine if the property has historic significance and would qualify as a historic resource under applicable National, State, and local regulations and listing programs. This evaluation has been initiated by the property owner to more fully document the historic significance of the property. The property owner proposes to convert the property from a multi-family residential rental property to a common interest property (condominiums) and has filed an application with the City.

The property owner completed a rehabilitation of the property in 2007 which included the addition of a secondary structure containing a fourth residential unit above a five-car garage. The original three-unit structure with a four car garage was built in 1936. The R-4 Permit for the fourth unit was approved by the City Planning Department on October 13, 2005 and building permits for the work were issued in 2006.

The property owner applied for a common interest developed with a request that the property be determined to be a character contributing property for the purpose of relaxing the current code regulations applicable when converting properties from rental to common interest. The Beverly Hills Planning Commission at its meeting on March 13, 2008, determined the building to be character contributing and directed staff to provide the applicant with a letter of determination.



**Figure 1. Subject Property Location**

This report was prepared by Juliet M. Arroyo, principal of Arroyo Resources, and research staff at Arroyo Resources. Juliet M. Arroyo is a historic resource consultant meeting the United States Secretary of the Interior's Professional Qualification Standards in the areas of History and Architectural History. She holds an MA degree in Urban Planning from UCLA (1989), and specializes in Southern California history and preservation planning.

## **2.0 PROPERTY DESCRIPTION**

The subject property is a 6,070-square foot (50' wide by 121.8' deep) parcel of land in a mixed, single family and multi-family residential area is the southern portion of the City of Beverly Hills. Commercial uses line Wilshire Boulevard to the north and Olympic Boulevard to the south. The subject property is improved with a two-story, multi-family residential building with three units toward the front of the parcel (primary structure) and a detached five-car garage with a second story unit above (secondary structure). The three-unit building was constructed in 1936 in the French Revival style of architecture. The garage/single unit building was constructed in 2006 in a contemporary style in scale with the primary three-unit building.

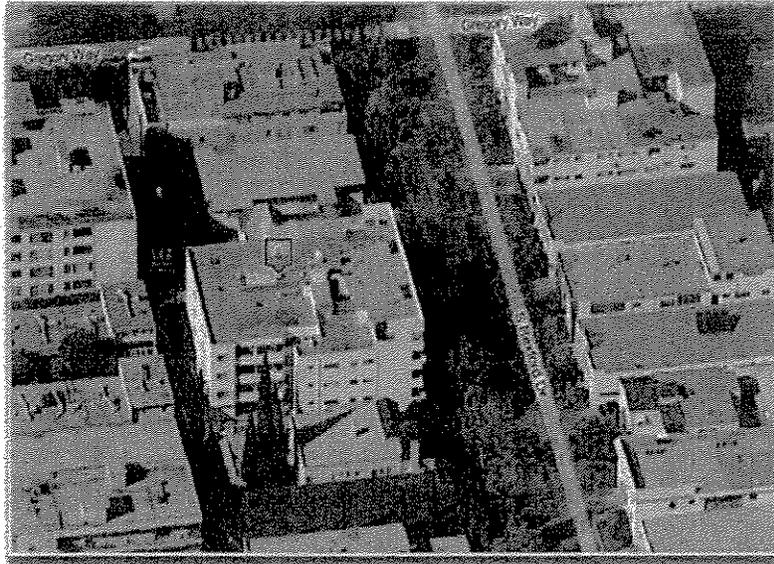
An ally runs along the back of the property with access to the rear garages. The subject property is also known as Assessor Parcel Number 4331-011-003 and lot 1450 of Tract 6380 (MB 69-11-20). The subject property is zoned "R-4 Multi-Family

Residential" allowing four units per parcel. Historically the property has been used for residential purposes since it was built and is currently used for residential purposes. The property is currently owned by Joseph Mansour.



*Figure 2. Aerial View of Subject Property and Surrounds*

The property has a landscaped front area and sits along a tree-lined street with a similar setback to the other predominately multi-family properties along this segment of Rexford Drive, north of Olympic Boulevard. No parking is allowed along the west side of the street but is allowed along the east side. The majority of the multi-family apartments surrounding the subject property are Mid-Century Modern in style and are generally taller than two stories.



*Figure 3. Bird's Eye View of Subject Property Vicinity*

### **3.0 REGISTER AND LISTING PROGRAMS**

The following includes a brief description of the major programs at the National, State and local levels that the subject property is begin evaluated against along with their criteria and requirements for eligibility and listing.

#### **3.1 National Register of Historic Places**

The National Register of Historic Places is the Nation's official list of cultural resources. Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archeological resources. Properties listed in the National Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The National Register is administered by the National Park Service, a part of the U.S. Department of the Interior.

Register properties are distinguished by having been documented and evaluated according to uniform standards. These criteria recognize the accomplishments of all peoples who have contributed to the history and heritage of the United States and are designed to help state and local governments, Federal agencies, and others

identify important historic and archeological properties worthy of preservation and of consideration in planning and development decisions.

The National Register's standards for evaluating the significance of properties were developed to recognize the accomplishments of all peoples who have made a significant contribution to our country's history and heritage. The criteria are designed to guide State and local governments, Federal agencies, and others in evaluating potential entries in the National Register.

### **Criteria for Evaluation**

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded or may be likely to yield, information important in prehistory or history.

### **3.2 California Register of Historical Resources**

The California Register of Historical Resources is an authoritative guide to California's significant historical and archaeological resources to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state, and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change.

The rights and responsibilities of owners of historic properties are the same as those of owners of non-historic properties. Listing does not prevent the use, sale, or transfer of the property. Because land use authority in California generally belongs to the local government, listing does not give either the state or the federal government any additional authority over the property. Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historic Resources

Commission can, however, formally determine a property eligible for the California Register if the resource owner objects.

Resources eligible for listing include buildings, sites, structures, objects, or historic districts that retain historic integrity and are historically significant at the local, state, or national level under one or more of the following four criteria:

- 1) It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- 2) It is associated with the lives of persons important to local, California, or national history;
- 3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
- 4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to having significance, resources must have integrity for the period of significance. The period of significance is the date or span of time within which significant events transpired, or significant individuals made their important contributions.

The California Register also provides for listing of multi property resources under a historic district. For historic districts, the State Office of Historic Preservation recommends that at least 50 percent of the properties contribute to the historic significance of the area.

### **3.3 City of Beverly Hills**

The City of Beverly Hills preservation and assessment of historic resources is defined through a set of various City laws, plans, policies, surveys, and practices. Currently there is no local register of historic resources. The identification of historically significant properties has occurred through surveys and property specific evaluations. Although a preservation ordinance was adopted in 1975 with criteria for designation, there are several silent issues making it difficult to be carried forward properly. The City also does not have a historic district ordinance or program to list multi-property areas.

The following sources form the basis of historic resource and architectural merit regulatory and planning framework in the City of Beverly Hills.

### **Beverly Hills Municipal Code Chapter, Ordinance 75-O-1563, Historic and Cultural Landmarks**

The City adopted ordinance 75-0-1563 becoming effective on April 10, 1975 that put several provisions in the municipal code related to the preservation of historic and cultural landmarks in the City.

Section 10-3-3202 of the municipal code defines a historical or cultural landmark as:

*For the purpose of this article, a "historical or cultural landmark" is any site (including significant trees or other plant life located thereon), building, or structure of particular historic or cultural significance to the city, such as historic structures or sites in which the broad cultural, political, economic, or social history of the nation, state, or community is reflected or exemplified, or which are identified with historic personages or with important events in the main currents of state, or local history, or which embody the distinguishing characteristics of an architectural style specimen, inherently valuable for a study of a period style or method of construction, or a notable work of a master builder, designer, or architect whose individual genius influences his age.*

Although vague, the section provides designation and review provisions.

### **Beverly Hills Municipal Code Chapter 10-2-707/708, Common Interest Development**

The City adopted ordinance 06-O-2497 becoming effective on April 6, 2006 requiring compliance with the building codes and zoning regulations in effect at the time of the application for a common interest development, with the exception of buildings that are designated "Character Contributing Building". The City recognizes that certain multi-family residential buildings that cannot feasibly comply with current building codes and zoning regulations may be of continued value if otherwise allowed to be converted to common interest development. Although a character contributing building may not be considered a historic resource, the definition is closely tied to architectural style, a key evaluation criteria for historic resource determination. Therefore its definition and designation is included in this section of the report.

A character contributing building shall mean any multi-family residential building that the planning commission determines, due to its proportions and scale, design elements, and relationship to the surrounding development, is of continued value

and contributes to defining the character of the community as a whole. In making this determination, the planning commission shall make the following findings:

- 1) The building to be converted is not substantially greater in massing and scale than the surrounding streetscape. In making this determination, the planning commission may compare the relative lot coverage, height and setbacks of the building being converted to the lot coverage, height and setbacks of developments on parcels in the same block.
- 2) And either:
  - a) The building to be converted and/or the project site design contribute(s) to community character through the use of: 1) architecturally purer styles that foster congruous designs and details and that are similar or complementary in scale and mass to other nearby structures; 2) features visible from the public street, including, but not limited to, courtyards, balconies, open space, building modulation, or any other similar characteristics that, as a result of the conversion, would be maintained, restored or refined in a manner consistent with the general criteria of architectural review set forth in section 10-3-3010 of this title; or
  - b) the interior spaces of the building to be converted contribute to community character through the use of architectural features and high quality construction finishes and features such as crown molding, Harwood floors, fireplaces, stairways, and built in cabinets in individual units; private courtyards, balconies, and/or interior open spaces; interior fountains; or any other similar characteristics or features that, as a result of the conversion, would be maintained, restored or refined in a manner consistent with the general criteria of architectural review set forth in section 10-3-31010 of this title.

#### **Current Beverly Hills General Plan (1979 adopted)**

The current Beverly Hills General Plan adopted in 1979 includes a Conservation Element with a Landmark Preservation Program with the goals of encouraging preservation while also encouraging regeneration and redevelopment to: 1) encourage and facilitate the preservation of structures and biotic specimens of significance to the community; and 2) preserve the heritage and maintain historical continuity for buildings which are to be demolished.

The element lists over 40 properties with historic, cultural, architectural, landmark, or biotic significance.

#### **Beverly Hills General Plan Update (2008 pending)**

The City of Beverly Hills is currently undergoing a visionary and study process in anticipation of the updated General Plan. A series of meetings have occurred and papers have been issued and presented to the Planning Commission and City Council for consideration and to aid in developing a policy direction for the future growth of the City. General Plan topic committees have been formed and reports issued. The final report of issues and opportunities from the Community Character Committee was released in March 2004. One of the primary issues of the Committee was historic preservation as stated below.

*A significant period of time was devoted to education and background on historic preservation. The 1985 Historic Resources Survey and preservation policies were presented and discussed. It was noted that five buildings are currently listed on the National Register of Historic Places. In June 2003, a preservation panel consisting of local architectural historians and academicians provided members with an overview of local, state and federal case studies, policies and regulations.*

*The Committee agreed that the City should develop an overall strategy for historic preservation. However, a minority held a slightly different view in that there was support for preservation of commercial and civic structures, but not for residential properties. The Committee recognized that many approaches are available to the City, ranging from mandatory designations to property owner-initiated programs. Based on the experience and case studies presented by experts in the field, members felt that preservation should begin with the City's encouragement of voluntary participation in the preservation process. Toward this goal, the Committee believes that the City should encourage, support and recognize voluntary preservation efforts to generate a strong and positive momentum for preservation in the community.*

**Objectives:**

- Update the existing 1985 Historic Resources Survey of single-family residential and commercial buildings to identify important existing resources.
- Develop a City Landmarks Ordinance to preserve the historic character of significant buildings and places.
- Review the Landmarks Advisory Board portion of the Architectural Commission's charge in order to activate this role.
- Develop historic preservation education programs (schools, architectural bus tours/trolley, etc.).

- Develop a local repository for the ownership history of all commercial and residential Beverly Hills buildings. Historical photographs should accompany the listings to provide a stronger link to the people involved in making Beverly Hills what it is.
- Consider nominating city-owned properties for the National Register of Historic Places.
- Create opportunities/incentives for preservation (adaptive reuse, tax incentives, modifications of code standards).
- Develop a Historic Preservation Element as part of General Plan-set goals and policies.
- Create an awards program for historically significant properties.

**Resources Required to Implement:**

- Staff and decision-maker time to develop and implement a new ordinance and potentially a Historic Preservation Element.
- Staff to develop programs for awards, incentives, etc.

**Potential Implications:**

- The Architectural Commission's role would be expanded, or another Advisory Commission specifically dealing with Historic Preservation may be required.
- The importance of historic resources may not be clearly understood by the community. The value of historic preservation should be communicated through educational programs, workshops, etc.
- The committee recommends that the preservation program be started on a **voluntary** basis to gain support, rather than imposing severe restrictions that would likely not be endorsed by the community at large.
- Staff will be needed on a long-term basis to develop and implement an historic preservation program for the City.

In addition to the Committee final report, a series of preliminary policy papers are being presented to the City Council for various topical area of the General Plan. A series of goals and objectives have been drafted and presented for consideration with the overriding goals as dated January 9, 2007 including:

GOALS AND POLICIES, **Historic Resources**

**Goal HR 1**

*Preserve and maintain the City's historic and cultural resources that provide the community with a sense of permanence, foster civic pride and stewardship among community members, and contribute to the unique identity and charm of Beverly Hills.*

**Goal HR 2**

*Acknowledge and actively promote the City's wealth of historic resources through a variety of activities geared to residents, visitors, and the public at large.*

**Architectural and Design Review**

Beverly Hills has local procedures for design and architectural review of new development and rehabilitation of existing properties. The review and approval is conducted by appointed review bodies. Although the review process is not linked to historic resources, the criteria and guidelines used for evaluation consider architectural style, features, scale, massing and other considerations also important to historic resource design review.

**4.0 HISTORIC CONTEXT STATEMENT**

The City of Beverly Hills does not have a citywide historic context statement; however, several documents and reference materials are available to develop the context for evaluating the subject property.

Historic contexts are defined as "those patterns or trends in history by which a specific occurrence, property, or site is understood and its meaning (and ultimately its significance) is made clear." A context may be organized by theme, geographic area, or chronology; regardless of the frame of reference, a historic context is associated with a defined area and an identified period of significance. Historic contexts are linked to physical artifacts through the concept of property types. A property type is "a grouping of individual properties characterized by common physical and/or associative attributes." Historic context is crucial to the evaluation of historic significance. A property's historic significance must be explained against its associated context.

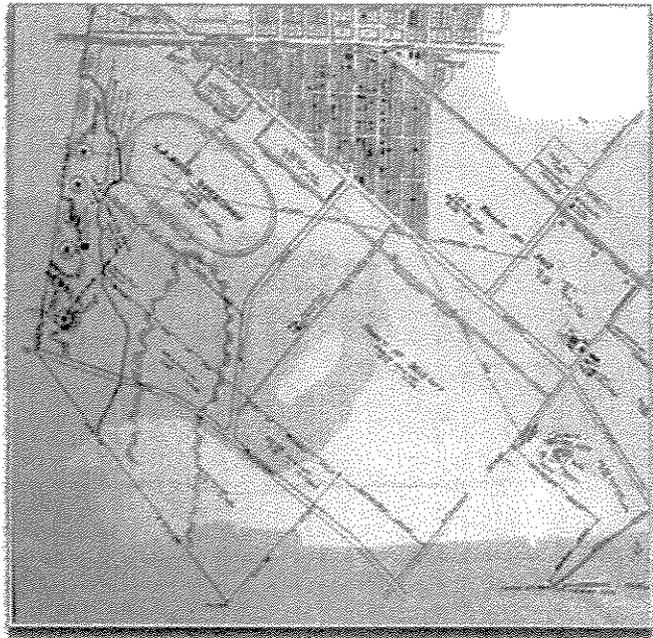
The City of Beverly Hills was carved out of a large portion of the Rancho Rodeo de las Aguas established during the Mexican period of California history. The territory was primarily devoted to cattle ranching then to sheep ranches in the 1860s and then bean field in the 1880s. Several attempts had been made to establish a town in the area like others emerging in the Southern California region. Oil exploration

began just before the turn of the century and an investment syndicate made up of Burton Green, Max Whittier, and Charles Canfield purchased a large portion of the Rancho Rodeo de las Aguas and began drilling for oil. Only a small amount was found in the south western portion of today's City. The syndicate then reformed as the Rodeo Land and Water Company to turn their investment efforts toward real estate. They hired a famed landscape architect and planner, Wilber Cook, to design a community with winding streets and large estate type lots extending from the foothills above to Wilshire Boulevard (Los Angeles Road) below with views of the Pacific Ocean from the foothills. The master planned area known as Beverly Hills was subdivided in 1906. A trolley line ran from Los Angeles (downtown) to Santa Monica with a stop in today's city center. The subdivision was named Beverly Hills after a town in Massachusetts. The curving streets of Crescent Drive, Canon Drive, Beverly Drive, and Rodeo Drive formed a distinctive shape to the area. In 1907, large size lots went on the market for home building.

In 1911, the Beverly Hills subdivision got the hotel it needed to speed up development. The hotel was built in the Mission Revival style on Sunset Boulevard and Crescent Drive. Development picked up in time for the territory to incorporate as the City of Beverly Hills on January 21, 1914. The City was 3.09 square miles encompassing the area north of Wilshire Boulevard. In 1915, just one year after incorporation, the City annexed the area south of Wilshire Boulevard through a special election. Other than the annexation of the Doheny Ranch Tract, with the Trousdale Estates, in 1955, only small annexations and detachments have occurred since 1915.

The wide area south of Wilshire Boulevard was largely undeveloped when it was subdivided in the early to mid 1920s into smaller lots (50' by 115'-150'), first for single family residents, but when the City adopted its first zoning code and designations in 1936, multi-family zones were created just south of Wilshire Boulevards, along a few north-south streets, and along both sides of Olympic Boulevard.

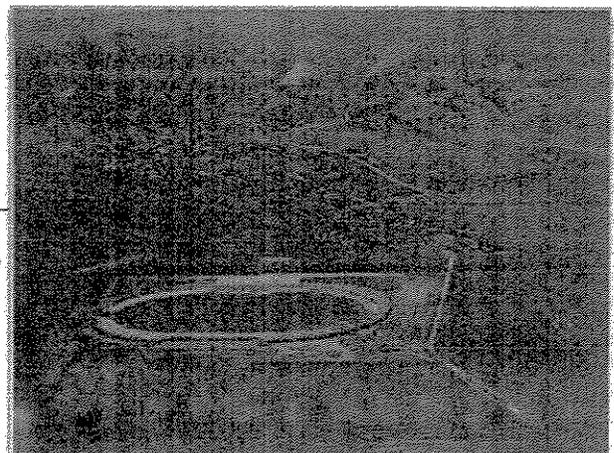
The specific area east of Beverly Drive was subdivided as Tract 6380 in March 1923. This tract was carved out of a portion of Lot 5 of Tract 3613 (see Figure 4 below) and a portion of the 4,449-acre Rancho Rodeo de los Aguas confirmed to Maria Rita Valdez and surveyed in June 1868.



**Figure 4. Subdivision Map, circa 1922**

*source: Beverly Hills Public Library, Historical Collection*

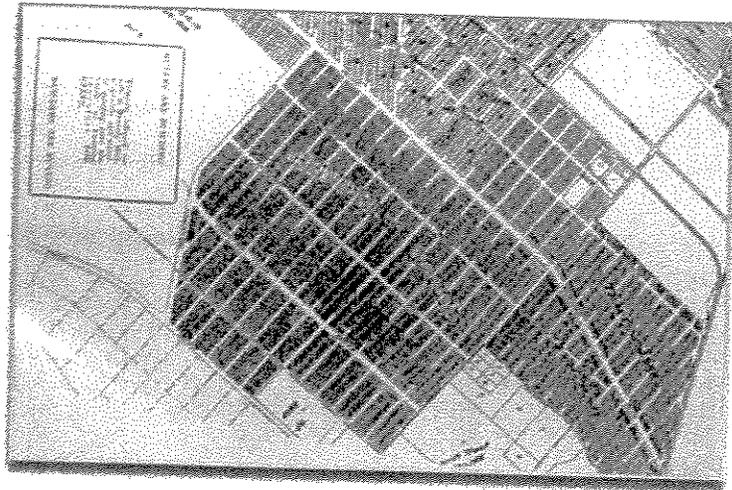
The specific area west of Beverly Drive was subdivided soon after the Los Angeles Auto Speedway closed. The Speedway was in existence from 1920 to 1924. Development pressure after annexation of the area to the City of Beverly Hills in 1915 combined with the Beverly Hills fight against annexation to the City of Los Angeles along with the boom in population in the early 1920s across Southern California was too strong.



**Figure 5. Beverly Hills historic photo, circa 1920**  
Source: Los Angeles Public Library

Tract 6380 created parcels for residential development along the same street pattern that exists today. County Club Drive was later changed to Olympic Boulevard. Tract 6380 was later zoned for a mix of single family and multi-family uses that have not changed over time.

The area surrounding the subject property was given the name Beverly Vista to help identify it for real estate purposes, taking its name from the local elementary school, Beverly Vista Elementary, located one block north of the subject property. The school was built in 1924.



**Figure 6. Beverly Vista Neighborhood, circa 1940**  
Source: Beverly Hills Public Library, Historical Collection

The establishment of the "Pickfair" estate in 1920, home to Douglas Fairbanks Sr. and Mary Pickford, and the subsequent arrival of movie stars who increasingly made

Beverly Hills their residence, established the City as a wealthy Hollywood enclave. Residential estates were designed by noted architects working and living in Beverly Hills, many were created in the popular revival styles of the 1920s and 1930s. This period established the sophisticated architectural heritage of the City. Styles were fitted for large single family estates in the northern portion of the City on large lots, or for multi-family buildings on smaller lots in the southern portion of the City. Although the Spanish Colonial and Mediterranean Revival styles were popular in Beverly Hills as elsewhere in Southern California, the English Tudor and French Revival styles were particularly sought after, particularly after World War I. The French mansard roof was popular in the City.

The City was near full development after World War II and commercial development expanded after being formed in the "triangle" area around Rodeo Drive and Santa Monica Boulevard. By the 1960s, larger apartment buildings built in the Mid-Century Modern style emerged in multi-family zones. In 1984, after protections and recognition of historic properties, the City undertook an extensive historic resource survey of the City to document potential historic resources in a systematic way. The survey was paid for in part with a grant from the State Office of Historic Preservation and included 2,790 structures.

The historic context used to evaluate the subject property as an individual resource or as part of a cluster or district resource includes:

Period of Significance:	1923 to 1941
Primary Theme:	Early 20 <sup>th</sup> Century Residential Development
Secondary Theme:	Period Revival Style in Multi-Family Architecture
Geographic Area:	Southern Beverly Hills, South of Wilshire Boulevard
Property Type:	Multi-Family Residential

## **5.0 RECORDS AND ARCHIVAL RESEARCH**

### **5.1 City Building Permit Records**

Arroyo Resources collected the building permit records on the property as filed with the City's Building and Safety Division. The first permit for building on the property that was subdivided in 1923 was for a two-story apartment with the address 309-309 1/2-311 So. Rexford Drive issued on June 15, 1936. The purpose of the building was for "Income and Residence". The building permit lists 15 rooms for three families. The owner's name was Valentine Housman who lived at 313 S. Crescent Drive. A name

for the architect is listed but crossed-out and not visible. The permit indicates that no existing building was located on the lot and that the height of the building was 35 feet. The lot size is listed as 50-feet by 121-feet with a lot area of 6,050 square feet. The exterior walls were made of stucco and the interior walls were constructed of lath and plaster. The roof was covered in composition shingles. The permit was signed by M.B. Morehart on behalf of the owner. A separate permit was issued for a four-car garage on the same date, by the same owner and representative.

In 1959, a permit was issued to repair fire damage. The owner at the time was Harry Todey with the address of 309 S. Rexford Dr. In 1972 a permit was issued for minor kitchen remodel work. In 1986 a roofing permit was issued and in 1989 a bathroom remodel permit was issued. More recent building permits include the rehabilitation and addition completed by the currently property owner in 2007.

## **5.2 Los Angeles County Tax Assessor and Recorder Documents**

Arroyo Resources reviewed the property ownership records on file with the Los Angeles County Assessor. The historical records show the following owners of the subject property, known as Lot 1450 of Tract 6380, size 50-feet wide by 128.9-feet deep.

<b>Year</b>	<b>Ownership</b>
1926	Hellman Community Trust and Savings Bank
1927	Merchants National Trust and Savings Bank
1928	Bank of Los Angeles
1929	Bank of America of California
1930	Olof F. Johnson
1936	Olof F. Johnson
1937	Hyman Abrons (12-30-1936)
1937	Selig Abrons (12-30-1936)
1944	Wolf and Harold Lewis
1946	Rebecca Lewis
1947	Rebecca and Wolf Lewis
1948-1952	Rebecca and Wolf Lewis

## **5.3 Historic Registers, Listings, Databases, and Surveys**

Arroyo Resources conducted a review of past surveys and evaluations of the property and the City in general. The City of Beverly Hills does not maintain a list of historic resources but several listings and surveys were reviewed.

The National Register of Historic Places includes five (5) properties in the City of Beverly Hills. The California Register of Historic Resources includes a residential historic district along Arnez Drive. There is no local register of historic resources.

A copy of the most recent Director of Properties in the Historic Property Data File for Beverly Hills (March 2008) as created by the State of California and maintained by California State University Fullerton lists 370 properties with a historic status code rating of 1, 2, 3 or 4. These properties represent those that are either listed on the National Register of Historic Places, the California Register of Historical Resources, or have been found to be eligible for either program. Many properties listed are a result of a historic resource survey that identified eligible historic districts. No listing appears on the database for the subject property, although the database does not represent comprehensive listing.

Arroyo Resource reviewed the copy of the 1985 historic resource survey as housed in the Beverly Hills Library Historical Collection room. The subject property was surveyed in 1988 but was not fully evaluated. The following information was provided on the subject property.

*File Number:* 7  
*Address:* 309 Rexford Drive, South  
*Architectural Style:* 2s French  
*Use:* mfr  
*Parcel Number:* 4331-011-003  
*Legal Description:* Tract 6380, Lot 1450  
*Building Condition:* Good  
*Construction Material:* Stucco  
*Alterations:* None  
*Building Permit Nos:* 14301/14302  
*Building Permit Date:* 6-15-36  
*Original Owner:* Hausman, Valentine  
*Survey Date:* 7-24-86

Additionally, a copy of the 2004 Survey update was reviewed as housed in the Beverly Hills Planning Department. The 2004 update included the subject property and a DPR (California Department of Parks and Recreation) 523B form was completed on the subject property providing the following information:

*Address:* 309 S. Rexford Dr. *Parcel No:* 4331-011-003

*Date Constructed:* 1936 *NRHP Status Code:* 6L

Date Recorded: 6/1/2004 Survey Type: Reconnaissance Level Survey

Recorded by: Jan Ostashay, Peter Moruzzi, PCR Services, Irvine, Ca

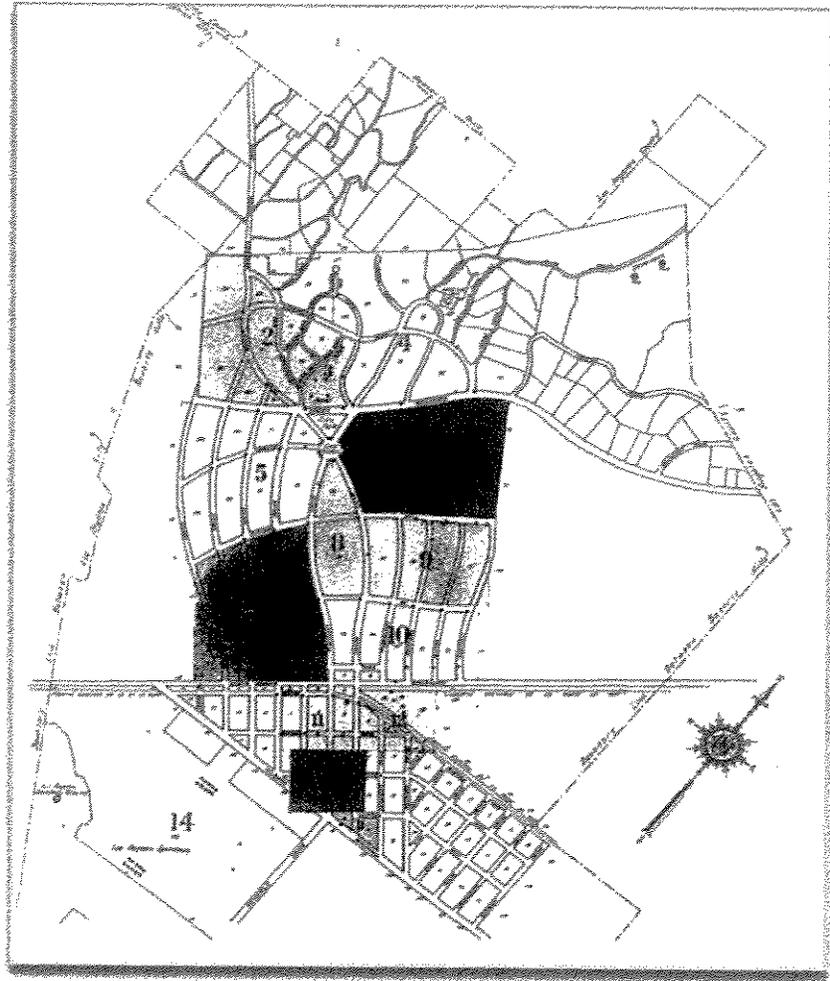
Description: French Eclectic in inspiration, this two-story, multi-family residence is capped by a steeply-pitched hipped roof with shallow eaves. Distinguishing features of the primary (east) elevation include multi-pane casement windows, a cant bay with leaded glass panes, and a candle-snuffer tower located on the second story of the building's northeast corner. Entrances are located on the secondary (north) elevations.

The rating given by the consultants of the update is "6L, Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning".

#### **5.4 Sanborn Fire Insurance Maps**

Sanborn fire insurance maps are large-scale maps that depict the commercial, industrial, and residential sections of approximately 12,000 cities and towns in the United States. These specialized maps were prepared for the exclusive use of fire insurance companies and underwriters to provide accurate, current, and detailed information about the buildings they were insuring. The maps show the size, shape, and construction of dwellings, commercial buildings, and factories, as well as indicate width and depths and names of street, property boundaries, building use, and business names. Sanborn maps are extremely useful in historic research.

Arroyo Resources searched the Sanborn library for Beverly Hills and found that only the developed portion of the City was mapped in 1922. Because the subject property was in an undeveloped tract in this year, the area was not mapped. No subsequent maps or updates were found. Although the information for the subject property is not available, the 1922 Sanborn index map provides some context for understanding the development patterns of the City in this year as shown below in Figure 7.



**Figure 7. Beverly Hills Sanborn Index Map, 1922**  
Source: Digital Sanborn Maps, 1867-1970

### 5.5 City Directory Listings

Arroyo Resources reviewed the City of Beverly Hills City and Telephone Directory and the Householders Guide as housed in the Beverly Hills Public Library. A review of the directories revealed no information for the property owner listed on the building permit as Valentine Houseman. A listing of the occupants showed a series of various rental tenants throughout the years, with the property owner at the time, sometimes living in one of the three units. Information was traced for the builder, Malcolm B. Morehart for an 11-year period after the building was constructed in 1936.

**Table 1. City Directory Listings for Builder/Contractor of 309 Rexford Beverly Hills, CA,  
Malcolm B. Morehart**

<b>Date</b>	<b>Name, Spouse, Occupation</b>	<b>Home Address</b>	<b>Business Name, Address</b>
1936, 1937	Malcolm B. Morehart(Genevieve)	313 S. Crescent Drive	None
1938	Malcolm B. Morehart(Genevieve), Banker	460 S. Bedford Drive	None
1939	Malcolm B. Morehart(Genevieve), Builder	460 S. Bedford Drive	None
1940	Malcolm B. Morehart(Genevieve)	460 S. Bedford Drive	None
1941	Malcolm B. Morehart(Genevieve), Building Contractor	460 S. Bedford Drive	None
1942	Malcolm B. Morehart(Genevieve), Builder	460 S. Bedford Drive	None
1943	Malcolm B. Morehart(Genevieve), Real Estate	460 S. Bedford Drive	None
1944	Malcolm B. Morehart(Genevieve), Real Estate	460 S. Bedford Drive	Malcolm Morehart Company, 9683 Wilshire Blvd.
1945	Malcolm B. Morehart(Genevieve)	460 S. Bedford Drive	Malcolm Morehart Company(realtors fine homes income and business properties lots) 9683 Wilshire Blvd.
1946, 1947	Malcolm B. Morehart(Genevieve)	460 S. Bedford Drive	Malcolm Morehart Company(realtors fine homes income and business properties lots), 457 N. Canon

			Drive
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\*Malcolm Morehart Jr., Student, 460 S. Bedford Drive, 1945, 1946, 1947

\*Keith Morehart, Student, 460 S. Bedford Drive, 1946, 1947

## 5.6 Special Collections Research

Research was conducted at the Beverly Hills Public Library including the archival materials housed in the Historical Collection. Historical maps of the City provided information used in developing the historic context statement of this report. Biographical information in the Historical Collection for persons associated with Beverly Hills history was not available at the time of this report.

Research at the Los Angeles Public Library provided this obituary from the Los Angeles Times.

*Morehart, Malcolm Butler, died February 11, 1979, Born in Mankato Minn., December 22, 1891 graduate of Univ. of Wisconsin, Class 1916. Second Lieut, Army Air Corps, WW1, since 1922 real estate broker and building contractor in Beverly Hills and Westwood. Beloved husband of Genevieve; loving father of Malcolm, Mary and Keith. Three granddaughters survive.*

Additional research was conducted including the obituary for Olof Johnson reported in the Los Angeles Times. Mr. Olof was the first owner of the subject property. The obituary dated October 7, 1943 reads as follows:

*Funeral services for Olof Johnson, Hollywood subdivider and contractor, will be conducted at 3:00 pm tomorrow at the Nordquist & Anderson Mortuary. Mr. Johnson, 77, died Tuesday. He came to Los Angeles in 1898 and began construction of many schools. In 1900 he subdivided a block at Hollywood Boulevard and Argyle Avenue. He later built many of Hollywood's first large buildings, including the library in 1907 at Ivar Street and Hollywood Boulevard and an Episcopal church at Cosmo St. and Hollywood Blvd. He also subdivided part of Beverly Hills. Mr. Johnson leaves his widow, who lives at 2119 N. Beachwood Drive and five children, Sigrid O. Johnson, who lives with her: Olof F. of North Hollywood; Niles V. of West Hollywood; Arvid H., now in the Army, and Mrs. Einer Nilson, now in Sweden.*

Other Los Angeles Times articles indicate that Olof F. Johnson and his son were early pioneers in Hollywood. The father (mentioned in the obituary above) is credited with building the first library in Hollywood. The son continued as a contractor into the 1970s.

Additional research was conducted for Valentine Housman, the owner as listed on the building permit, but no information was found. The 1985 Beverly Hills historic resource survey mentions among the builders of large homes, the "Houseman Brothers". It is not known if the owner listed on the 1936 building permit is a part of this building team.

## **6.0 ARCHITECTURAL EVALUATION**

### **6.1 Style and Character Defining Features**

The subject property contains a two-story French Revival style, multi-family building with three residential units. The building faces Rexford Drive as the primary structure. A contemporary style detached, five-car garage with a single residential unit above is located to the rear of the property. Alley access serves both structures. The primary structure is French Revival in style and influenced by the Beaux Arts architectural styling in its heavy use of decorative elements. See the photo pages 1 through 10 attached to this report. The rounded tower with the conical roof and rounded corbel at the base categorizes the property as the tower subtype of the French Revival style and also indicates its Chateausque influences.

The French Revival style is also known as French Eclectic meaning that the style incorporates the elements and style of the French countryside homes, along with other French styles such as Beaux Arts and Chateausque influences. The French Revival style belongs in a category of period revival styles extremely popular in Southern California during the 1920s and 1930s. The subject property incorporates the formal and traditional elements of French styles to form the American version of French Revival, although more formal and fairytale-like than provincial in its use of French architectural traditions.

The primary structure is designed in the L-shaped plan and was built in 1936 according to City building permit records and Los Angeles County Assessor records. The three-unit building sits on a concrete foundation and has a steeply pitched cross hipped roof over both wings of the "L-shaped" building. The roof is covered in shingles and gives the structure its French Revival style. The roof overhang has shallow flared eaves. The back portion of the roof is flat with a short roof parapet. The exterior is stucco covered in a smooth tan colored finish. Quoins serve as decorative elements and run where primary walls meet including the wall joints where the south and east walls meet, where the east and north courtyard walls meet (interrupted by the tower), and where the east and north courtyard walls meet (interrupted by the cantilevered decorative windows sill). A belt course runs horizontally along the street elevation and the courtyard elevations and wraps

around the protruding tower. The belt course is a French Revival decorative element that serves to visually separate the upper and lower story.

The entry to each of the three units is arranged around a landscaped courtyard. Each of the entry doors are surrounded by distinctively different decorative surrounds and hood elements or ornamentation. The primary entry (unit 309) contains pilasters on each side and a door header topped by a decorative raised pattern influenced by the Beau Arts style of architecture. The second entry (unit 309 ½) is styled based on the American adaptation on the French Revival with its sloping metal canopy with scrolled metal brackets. The third entry (unit 311) is surrounded by a less ornate pattern and has no canopy. All doors are paneled.

The fenestration of the primary structure shows elaborate placement of doors and windows with varying ornamentation. All windows have divided lights from 4 to 30 panes, and all are made of wood and are recessed with a profile that sets apart the openings from the smooth stucco finish. Some of the windows along the upper floor have contemporary styled railings along the lower window portion. Window surrounds are found around the lower story windows from a simple molded panel on all four sides, to quoins, shields, relief patterns, and headers. The majority of the upper story windows have no surrounds. Most of the windows are casement and a few are fixed.

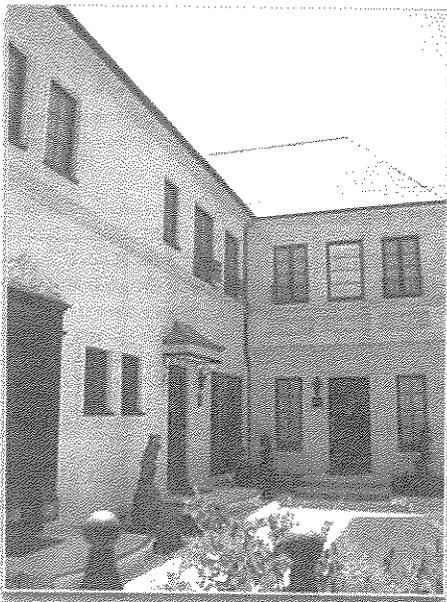
The primary wing is longer and is placed along the length of the parcel and is asymmetrical in its placement of doors and windows. The secondary wing is shorter and is placed along the width of the parcel and is symmetrical in its placement of doors and windows. The primary wing includes two doors separated by windows on each side all with varying surround patterns and ornamentation. The upper story windows are varied in size and ornamentation. The secondary wing includes windows on each side of the entry with 8 lights each surrounded by quoins on each side with a header molding above and below the window. The upper story windows have no surrounds.

The street facing elevation contains four windows and shows the profile of the rounded tower which joins the east and north facing walls along the second story. Quoins extend where walls meet, only interrupted by the protruding tower. A prominent bay window with leaded glass panes, some colored, and irregular in shape, protrudes from the first floor. The bay window has 30-lights in the center flanked by 12-light windows. The sloping hood with scalloped detailing is an American adaptation on the style. The upper floor windows are identical with 8

lights each and no surrounds. A central window with 4 divided lights is flanked by 8-light casement windows.

The south facing (side) and west facing (rear) elevations have an elaborate placement of windows and doors (back doors). All doors are paneled and all windows are wood, recessed and have divided lights with various sizes, number of lights, and placement. None of the windows or doors have decorative surrounds.

The rounded tower is a decorative element and is a definitive character defining feature of the property that gives it its French Revival style. The tower is elevated at the second story and is prominent along two elevations and is sometimes called a "candle- snuffer" tower since it is smaller and does not sit at ground level similar to the French county homes that the style was based on in part. The tower has a small, leaded diamond pane window surrounded by quoins on each side and a top and bottom header matching some of the other ornate windows along the courtyard elevations. The conical tower roof is coved in shingles matching the cross hipped roof of the primary structure. A decorative weather vane tops the tower roof highlighting its conical point. The following photographs illustrate some the character defining features and building form.



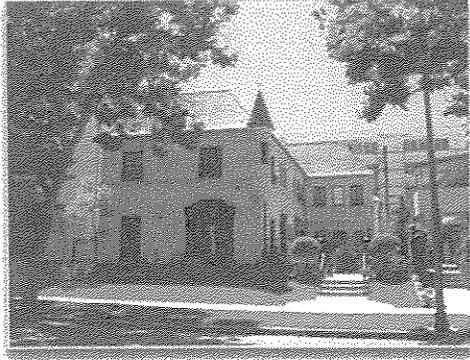
**PHOTO 1.** Courtyard view shows the entry for



**PHOTO 2.** Street facing elevation shows the rounded tower topped by a shingled conical roof and weather vane. The decorative tower

each of the three units. Each residential entry has a decorative door surround inspired by French county housing mixed with local domestic style architecture.

joins two walls of the buildings. A shallow, short boxed eave joins roof. Quoins join the street and south elevation walls. A belt course separates the first and second story.



**PHOTO 3.** Street facing elevation shows the building's L-shaped plan with a courtyard containing the entries to each unit. A projecting bay window contains decorative leaded panes. The classical hipped roof covers both wings of the building.



**PHOTO 4.** A trio of windows sits along the second story and includes two casement windows with six-lites each and a four-lite fixed center window. A decorative cantilevered shelf supported by decorative brackets frames the set of windows.

## 6.2 Alterations and Conformance with Standards and Guidelines

A review of building permits issued since the property was developed in 1936, shows only minor alterations that have not impacted the historic style and features of the property. The rehabilitation of the primary structure completed in 2007, retained the original wood windows in material and style, retained the original doors and door surrounds, retained the decorative elements and character defining features, and applied a new exterior finish in keeping with the original smooth stucco exterior finish.

The added secondary structure with a five-car garage on the first level and a one-bedroom residential unit above with balcony is complementary to the primary historic structure in scale, massing, and height, and does not diminish the historic character of the primary structure. The style of the addition is contemporary and

does not create a false sense of history and is complementary in materials and finishes to the primary structure.

The City found that the renovation of the property in 2007 upheld the original character and features of the building.

As part of this report, a current architectural assessment of the rehabilitation done in the past two years finds that the work conforms to the Secretary of the Interior Standards and Guidelines for the Treatment of Historic Properties, including the addition of a contemporary structure to the rear of the property that was appropriately designed in scale with the primary structure and in a complementary but contrasting style of architecture.

### **6.3 Architectural Style in History**

The following describes the French Revival style that characterizes the subject property. Sometimes called French Normandy, Norman cottages, French-Inspired or French Eclectic, the French Revival style is among a grouping of styles known as period revival styles, that relied on historical precedents as inspiration for new domestic architecture prevalent especially in Southern California during the 1920s as large tracts of land were subdivided for residential building. The period revival styles are uniquely American and lasted until more modern styles emerged.

The French Revival style, along with other European styles, emerged in American architecture following World War I when returning soldiers brought back a taste for French domestic architecture found in the Normandy region of France. The style became eclectic as architects and builders incorporated other French styles such as Beaux Arts and Chateauesque with other Renaissance Revival styles. The American tradition also incorporated other elements such as the predominate use of bay windows popular during the 1930s period. American architects, designers, and builders working in the revival tradition would study examples of French countryside domestic architecture from picture books or in some cases, architects studied in France learning the French styles first hand. This is true in Beverly Hills which had a large number of influential architects practicing in the early years of the City's development, some of which had trained in France.

The characteristic steeply pitched hipped roof is perhaps the key feature of the style along with decorative elements sometimes borrowed from Beau Arts style or from Renaissance Revival styles. French Revival styles with lavish details such as garlands and shields are often found in the Beaux Arts and Chateauesque influenced versions. Eaves are often shallow and flared upwards. Door surrounds often are

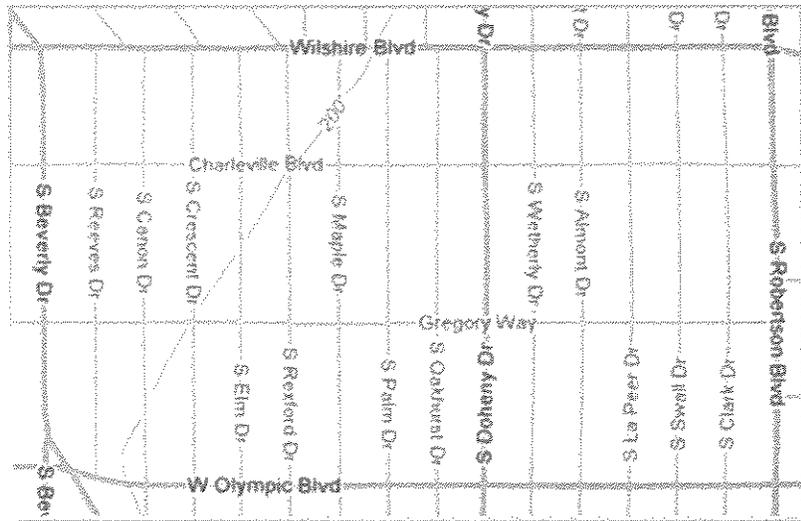
elaborate and include the use of stone or quoins for ornamental purposes. The exterior surface is typically stucco, stone, or brick. Towers are common in the French Normandy style or the Chateausque styles and can either be wide (silo-type) joining asymmetrical forms or elevated in the Chateausque style as an ornamentation. The style typically had no or a small porch. Windows are multi-paned and sometimes have shutters. Balustrades are sometimes found. Shutters are found in the more French countryside and provincial styles. Quoins along walls and around windows and doors are common. Dormers that break through the roof cornice line are common in the French provincial styles. Dentils along roof cornices are sometimes present. Windows can be casement or double-hung.

There are a few subtypes to the style including the French Provincial, for buildings that have a square or symmetrical form with massive roofs, modeled after the French manor houses. Second story windows are often tall with an arch at the top. Pediments and pilasters are found more often in the provincial styles. The asymmetrical subtypes often have towers with conical roofs patterned after rural Norman farmhouses. Half-timbering is sometimes incorporated but is not typical.

## **7.0 CLUSTER AND DISTRICT ANALYSIS**

In addition to the evaluation of the subject property on its own, this report includes an evaluation of the property as part of a grouping, cluster, or district of resources within the same historic context theme, period, and geographic area. A resource may also be expressed as a multi-property collection.

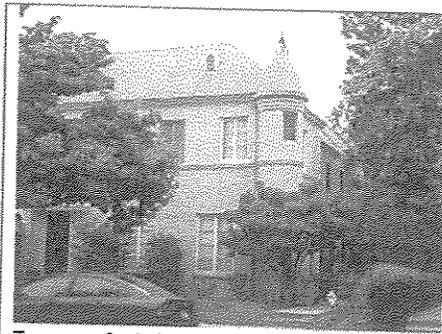
A windshield historic resource field and photo survey of the area bounded by Wilshire Boulevard on the north, Beverly Boulevard on the west, Robertson Boulevard on the east and both sides of Olympic Boulevard on the south (survey area) was conducted by Arroyo Resources in June 2008 (see Figure 8 below). The survey focused on multi-family properties from the 1920s, 1930s, and early 1940s, before the period of modern architectural styles and after the area was subdivided in 1923.



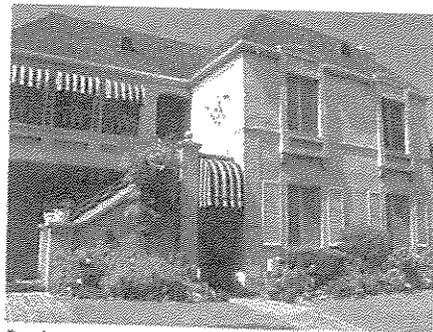
**Figure 8. Survey Area Boundary**

More specifically, examples of French Rival style, multi-family architecture were identified. Photo Pages 11 through 22 include all properties identified as examples of French Revival style in the survey area. The style was divided between: 1) French Revival with towers; 2) French Revival with balconies; and 3) French Revival in a traditional style, provincial style (see Figure 9 below for examples). The subject property is in the category of the tower subtype. Data from the Los Angeles County Assessor website was collected on each identified example.

The field and photo survey showed that with the exception of three properties, all were built between 1936 and 1941. The majority were built in 1936 and 1937 and the number of French Revival, multi-family properties declined by 1940 and none were built after 1941. Most of the identified examples had six units, a couple had 10 or 12 units, and a few had four units. The architectural and setting integrity of the identified examples is good to excellent with very few to no alterations observed. Most of the properties are located on either side of Olympic Boulevard, Reeves Avenue, or Crescent Drive. Only three examples were found on Redford Drive, including the subject property.



Tower Subtype



Balcony Subtype



Provincial Subtype

**Figure 9. French Revival Style subtypes**

The French Revival style as identified in the survey area shows that among the 46 examples, eight belong in the tower category, five belong in the balcony category, and 33 belong in the provincial/traditional category. During a relatively short period, approximately from 1936 to 1941, the French Revival style, as seen in multi-family development in this area of Beverly Hills shows the transition occurring in architectural history from more decorative and detailed to a minimization of detailing and return to more traditional forms. The tower examples are generally more detailed. Over time, the detailing diminished and the building form became more simple and square-like. The loss of quoins and door and window surrounds and the addition of colonial detailing, shutters, and more symmetrical facades notes a

return to tradition and simplicity and a move away from more French style ornamentation.

The large number of French Revival style multi-family properties in the survey area indicates the likely possibility of a multi-property thematic historic district, pending a more intensive level survey.

The subject property was found to be among the best three or four example of the French Revival style of architecture in the survey area based on its articulation, fenestration, high ornamentation, and details in the French Revival tradition.

## **8.0 SIGNIFICANCE AND ELIGIBILITY**

To determine the significance and eligibility of the subject property against established criteria at the National, State and local level, Arroyo Resources uses National Register Bulletin No. 15 (How to Apply the National Register Criteria for Evaluation) which provides guidance on how to evaluate the significance of historic properties and specifically how to evaluate significance against historic context and how to evaluate the integrity of the property.

Although National Register Bulletin No. 15 is focused on evaluating properties for the National Register, the document states its applicability for the State and local level. No such document or guidelines for evaluating properties at the State and local levels exist; therefore, National Register Bulletin No. 15 is being employed.

### **8.1 Significance Evaluation within Historic Context**

National Register Bulletin No. 15 states that: The significance of a historic property can be judged and explained only when it is evaluated within its historic context. Historic contexts are those patterns or trends in history by which a specific occurrence, property, or site is understood and its meaning (and ultimately its significance) within history or prehistory is made clear. Its core premise is that resources, properties, or happenings in history do not occur in a vacuum but rather are part of larger trends or patterns.

In order to decide whether a property is significant within its historic context, the following five things must be determined:

1. The facet of prehistory or history of the local area, State, or the nation that the property represents;
2. Whether that facet of prehistory or history is significant;
3. Whether it is a type of property that has relevance and importance

- in illustrating the historic context;
4. How the property illustrates that history; and finally
  5. Whether the property possesses the physical features necessary to convey the aspect of prehistory or history with which it is associated.

## **8.2 California Register of Historical Resources Criteria**

This report finds that the subject property meets the criteria of the California Register of Historical Resources. It has sufficient architectural merit and historical associations when evaluated against its context. The subject property meets the criterion of:

- 3) *It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values;*

The subject property is an outstanding example of the French Revival style as applied to a multi-family building. Its generous placement of doors and windows with varying decorative elements characterize its style. The second story tower gives it the characteristic French chateau and farmhouse image. The property is also highly characteristic of the French Revival style in its use of form, and elements from various French architectural styles that are blended together in an eclectic style characteristic of the period. Additionally, the French Revival style was popular in Beverly Hills. Practicing architects in Beverly Hills, some with training from France, others with inspiration from movie sets, help defined the local examples from which many of the multi-family buildings drew from.

This report also finds that the subject property would qualify as a contributor to a multi-property thematic historic district comprised of French Revival apartments (pending an intensive level survey). Since the City does not have criteria for a local historic district, this finding is based on the California Register criteria. The historic resource survey conducted as part of this report found that there is a substantial number of French Revival multi-family buildings in the survey area, below Wilshire Blvd. The survey also found that the identified properties retain a very high degree of architectural and setting integrity.

## **8.3 Beverly Hills Criteria/Definition for Historical or Cultural Landmark**

Beverly Hills Municipal Code provides a definition of a Historical or Cultural Landmark.

This definition serves as the criteria for determining historic significance at the local level.

The subject property is evaluated under the criteria. To be considered historical or cultural landmarks the property must meet at least one of the following criteria: *any site (including significant trees or other plant life located thereon), building, or structure of particular historic or cultural significance to the city, such as historic structures or sites in*

No 1.

*which the broad cultural, political, economic, or social history of the nation, state, or community is reflected or exemplified, or*

Finding: The subject property is a part of the broad pattern of residential development in Beverly Hills, but does not appear to meet this criterion, due to its lack of association with significant events, people, or cultural trends.

No 2.

*which are identified with historic personages or with important events in the main currents of state, or local history, or*

Finding: The subject property is identified with several persons, including the original owner Olof F. Johnson, Valentine Houseman, and most notably the builder Malcolm B. Morehart, a practicing builder and real estate broker in the early period of Beverly Hills development. It appears that the three men worked in partnership to develop the property and were likely involved in the development of several properties in Beverly Hills and the surrounding areas. The most notable person appears to be Malcolm B. Morehart who is credited with the design of the property and who had a substantial business presence in Beverly Hills for a significant amount of time.

Although, Malcolm B. Morehart appears to have had a successful career in Beverly Hills, nothing in the record regarding Malcolm B. Morehart suggests that he was important to the development of local building and development in Beverly Hills and the surrounding areas. Research on the subject property does not indicate that the subject property was the location of a significant event. The property does not appear to meet this criterion.

No.3

*which embody the distinguishing characteristics of an architectural style specimen, inherently valuable for a study of a period style or method of construction, or*

Finding: The subject property is an excellent example of the French Revival style of architecture applied to a multi-family building. This style is among the architectural styles that define the architectural heritage of Beverly Hills. Early prominent residences built in the 1920s in the French and English Revival style have set the stage for this style of architecture that would become popular in Beverly Hills. This includes a large number of French Revival style apartment buildings with three to six units, or more, built throughout the City, particularly in the multi-family zoned neighborhoods south of Wilshire Boulevard. Multi-family buildings had larger massing and surfaces to best articulate the French Revival style with its decorative, character defining features. The prominence of the movie industry in neighboring Hollywood contributed to the architectural heritage of Beverly Hills and the use of historic, fairytale, and storybook themes. Based on a neighborhood survey of French Revival style multi-unit buildings in the area south of Wilshire Blvd. and east of Beverly Drive, the subject property is among the best three or four examples. The use of several highly decorative elements in the Beau Arts style and the presence of the tower with the conical roof make this an illustrious example, particularly in the period just before the style waned from favor as more modern and streamlined styles emerged. This report finds that the subject property meets this criterion.

No.4

*a notable work of a master builder, designer, or architect whose individual genius influences his age.*

Finding: Research on the builder, Malcolm B. Morehart, does not seem to indicate his role as a master builder or person that significantly influenced domestic architecture in the local area. This report finds that the subject property does not meet this criterion, pending additional research on the master builders and designers in Beverly Hills

In summary, based on research, analysis, and evaluation, the subject property meets at least one (No. 3) of the of the City of Beverly Hills criteria that defines the property as a historical or cultural landmark.

#### **8.4 Character Contributing Property**

This report finds that the subject property qualifies as a character contributing property.

- 1) *The building to be converted is not substantially greater in massing and scale than the surrounding streetscape. In making this determination, the planning commission may compare the relative lot coverage, height and setbacks of the building being converted to the lot coverage, height and setbacks of developments on parcels in the same block.*

Finding: The subject property meets this criterion. The building is two stories tall and is at or below the height of all other building on Rexford Drive in the multi-family zones. The property also has a longer street setback compared to the properties on either side. The subject property lot coverage percentage is average or lower than the other properties along this segment of Rexford Drive. As seen in Figures 2 and 3, the subject property is much smaller in massing and scale than the surrounding properties on Rexford Drive.

- 2) *And either:*

*a)The building to be concerted and/or the project site design contribute(s) to community character through the use of: 1) architecturally purer styles that foster congruous designs and details and that are similar or complementary in scale and mass to other nearby structures: 2) features visible from the public street, including, but not limited to, courtyards, balconies, open space, building modulation, or any other similar characteristics that, as a result of the conversion, would be maintained, restored or refined in a manner consistent with the general criteria of architectural review set forth in section 10-3-3010 of this title; or*

This report finds that the subject property meets this criterion. The building built in 1936 represents the development history and architectural style of this neighborhood. The building is a pure and excellent example of French Revival architecture. The property has retained its original features that give it its style through a rehabilitation in 2006.

b) the interior spaces of the building to be concerted contribute to community character through the use of architectural features and high quality construction finishes and features such as crown molding, hardwood floors, fireplaces, stairways, and built in cabinets in individual units; private courtyards, balconies, and/or interior open spaces; interior fountains; or any other similar characteristics or features that, as a result of the conversion, would be maintained, restored or refined in a manner consistent with the general criteria of architectural review set forth in section 10-3-31010 of this title.

This criteria is not being employed since the interior of residential properties represent private spaces rather than community attributes.

### **9.5 Evaluation of Integrity**

To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. Integrity is the ability of a property to convey its significance. The evaluation of integrity must be grounded in an understanding of a property's physical features and how they relate to its significance. Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognize seven aspects or qualities that, in various combinations, define integrity and include:

1. Location
2. Design
3. Setting
4. Materials
5. Workmanship
6. Feeling
7. Association

To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Integrity is based on significance: why, where, and when a property is important. Only after significance is fully established can you proceed to the issue of integrity. Ultimately, the question of integrity is answered by whether or not the property retains the identity for which it is significant. Determining which of

these aspects are most important to a particular property requires knowing why, where, and when the property is significant.

The California Register of Historical Resources addresses integrity and is similar to the National Register definition citing the seven aspects of integrity. Integrity at the State level is defined as the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the California Register must meet one of the criteria of significance and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.

There is no local register of historic resources and therefore no definition of integrity at the local level; however, based on common practice, integrity is an important part of local eligibility for many local agencies.

The following section defines the seven aspects, how they combine to produce integrity, and whether or not the subject property meets the individual aspects.

**Location Definition:** Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved.

Subject Property Evaluation: The subject property has not been moved and retains its location integrity.

**Design Definition:** Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials. A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape. Design can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts significant primarily for historic association or architectural value, design concerns more than just the individual buildings or structures located within the boundaries. It also applies to the way in which buildings, sites, or structures are related; for example, spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archeological sites.

**Subject Property Evaluation:** The subject property retains its original character-defining features and holds a high degree of design integrity.

**Setting Definition:** Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the character of the place in which the property played its historical role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space. Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences. The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as:

1. Topographic features (a gorge or the crest of a hill);
2. Vegetation;
3. Simple manmade features (paths or fences); and
4. Relationships between buildings and other features or open space.

These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its surroundings. This is particularly important for districts.

Subject Property Evaluation: Although the subject property is surrounded by more modern apartment buildings larger in scale and massing, the property retains its setting integrity since it is in a multi-family zone as originally designated in 1936.

**Materials Definition:** Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place. A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a recreation; a recent structure fabricated to look historic is not eligible.

Subject Property Evaluation: The subject property contains the original materials, or the original materials have been replaced by the same type of materials, and therefore, retains a high degree of its materials integrity. The windows have retained their original wood construction and the stucco exterior wall surfaces have been retained.

**Workmanship Definition:** Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques. Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery.

Subject Property Evaluation: The subject property retains a high degree of its workmanship integrity. The property was originally constructed with a high amount of quality workmanship. The rehabilitation maintained the quality workmanship and the property therefore retains its workmanship integrity.

**Feeling Definition:** Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken

together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century. A grouping of prehistoric petroglyphs, unmarred by graffiti and intrusions and located on its original isolated bluff, can evoke a sense of tribal spiritual life.

Subject Property Evaluation: The property, due to its exemplary features, retains a high degree of feeling integrity.

**Association Definition:** Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the National Register.

Subject Property Evaluation: The property, due to its exemplary features, retains a high degree of association integrity related to its architectural heritage in Beverly Hills.

In summary, based on research, analysis, and evaluation, the subject property meets the integrity requirement for eligible resources based on the National Register and California Register guidelines which are being applied for local and State eligibility. Both the National Register and the California Register require that resources meet the criteria and the integrity test to be eligible. The subject property has retained its historical setting, its feeling and its association, factors important to convey the significance of early 20<sup>th</sup> Century residential development in this area and thus retains the integrity to convey its significance.

## **8.6 Conclusion**

In conclusion, based on the evaluation, analyses, and assessments contained in this report, the property holds historic significance as evaluated against its context and is found to be eligible for the California Register of Historical Resources due to its high architectural articulation, details and outstanding representation of the French Revival style architecture. The property retains a high degree of integrity in setting and design. The property also meets the criteria that define local historical and cultural landmarks in the City of Beverly Hills due to its architectural significance in Beverly Hills development history. This report also finds that the property meets the definition of a character contributing building in relationship to its surroundings. Additionally, the property

appears to be a contributor to an eligible multi-property thematic historic district of French Revival apartment buildings from Beverly Hills' early development period.

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