



Planning Commission Report

Meeting Date: January 27, 2011

Subject: **619 Mountain Drive
Front Yard Wall and Fence**

Request for a Hillside R-1 Permit to allow the construction of a 6-foot tall wall and gate located within 3 feet of a front property line on the property located at 619 Mountain Drive.

PROJECT APPLICANT: Hamid Gabbay

Recommendation: That the Planning Commission:

1. Conduct a public hearing and receive testimony on the project; and
 2. Adopt the attached resolution conditionally approving the request for a Hillside R-1 Permit.
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REPORT SUMMARY

This report analyzes a request to construct a 6-foot tall wall and gate with associated stairs within 3 feet of a front property line in the Hillside Area of the City. Issues discussed in this report include preservation of the existing streetscape and the garden quality of the city.

Special conditions are recommended to ensure that development of the proposed project will be a harmonious addition to the surrounding neighborhood.

Attachment(s):

- A. [Staff Recommended Findings and Conditions of Approval](#)
- B. [Public Notice](#)
- C. Draft Planning Commission Resolution
- D. Architectural Plans (Under Separate Cover)

Report Author and Contact Information:

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BACKGROUND

File Date 11/17/2010
Application Complete 12/15/2010
Subdivision Deadline N/A
CEQA Deadline 60 days from CEQA Determination
Permit Streamlining 2/12/2011 (without extension request from applicant)

Applicant(s) Hamid Gabbay
Owner(s) Jon and Lillian Lovelace
Representative(s) Hamid Gabbay

Prior Project Previews None
Prior PC Action None
Prior Council Action None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address 619 Mountain Drive
Legal Description Tract 19451, Lot 2
Zoning District R-1.X
General Plan Medium Density Residential
Existing Land Use(s) Single-Family Residential
Lot Dimensions & Area 203' x 194' (average width x average depth): 34,100 square feet
Year Built 1931
Historic Resource The property is not listed on any local, state or federal inventory
Protected Trees/Grove None

Adjacent Zoning and Land Uses

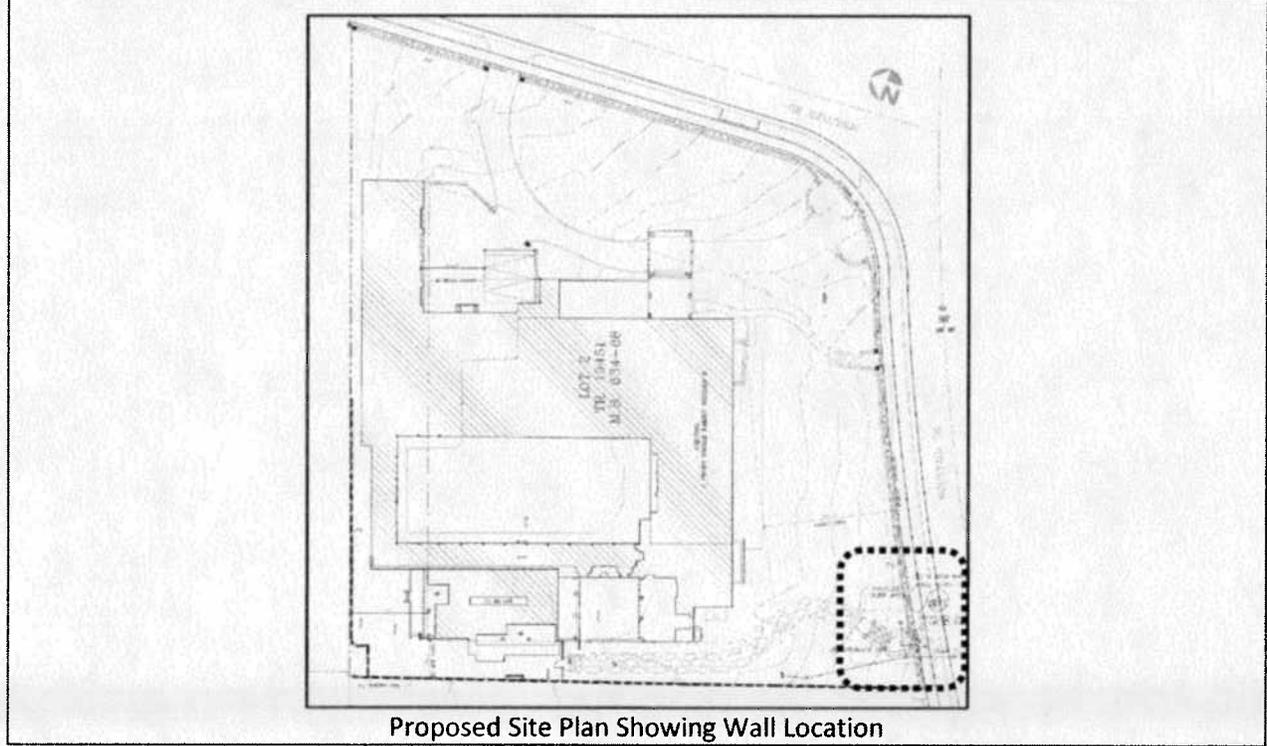
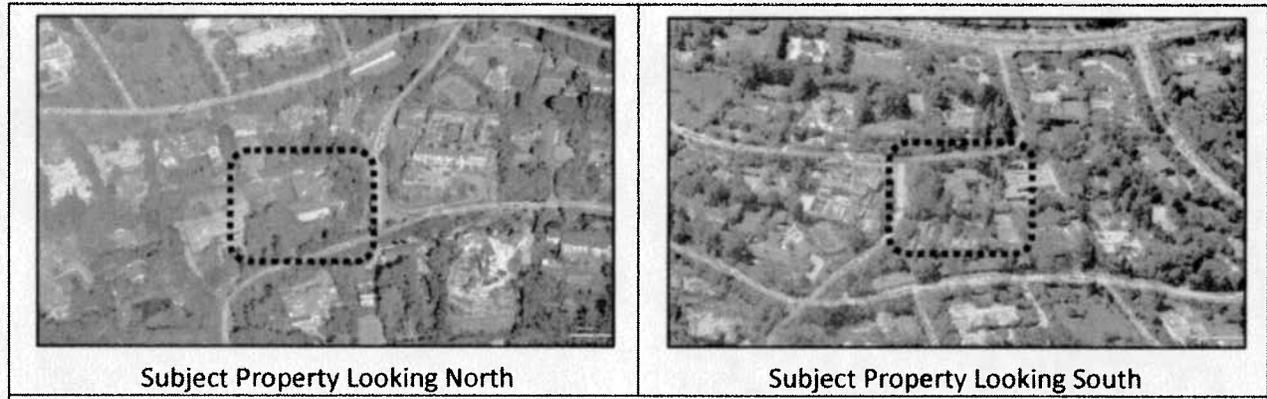
North R-1.X Single-Family Residential
South R-1.X Single-Family Residential
East R-1.X Single-Family Residential
West R-1.X Single-Family Residential

Circulation and Parking

Adjacent Street(s) Mountain Drive and Schuyler Road
Adjacent Alleys None
Parkways & Sidewalks 10' parkway/sidewalk along Mountain and 10' parkway/sidewalk along Schuyler
Parking Restrictions None
Nearest Intersection Mountain Drive and Schuyler Road
Circulation Element Local street

Neighborhood Character

The built environment surrounding the project site consists entirely of single-family homes that are typically two stories in height. The properties in the area are typically made up of rectangular or tapered lots that generally average approximately one acre in size. Homes on the block are typically larger in size, averaging approximately 6,000 square feet to 13,000 square feet in size. The majority of properties are surrounded by dense vegetation. Photos of the existing property and proposed site plan are provided below.



Proposed Site Plan Showing Wall Location

PROJECT DESCRIPTION

The proposed project involves the demolition of an approximately 7-foot wide section of existing, 6-foot tall wall and fence within the front setback. The demolished portion of the wall and fence would be replaced with a new wall and pedestrian gate that would provide access to the side of the property. The new wall and gate would have a maximum height of 6 feet, and would allow for the construction of steps leading up to the property. The proposed design would be consistent with the materials and colors of the existing wall and fence, and would match an existing pedestrian gate located east of the location proposed for the new gate.

Requested Permits

The entitlements requested as part of the proposed project are as follows:

Hillside R-1 Permit. A Hillside R-1 Permit is requested in order to allow the construction of a 6-foot tall wall and gate within 3 feet of a front property line. Without a Hillside R-1 Permit, no fence or wall may be constructed within 3 feet of a front property line. The proposed wall and gate would be located immediately adjacent to the front property line.

ZONING CODE¹ COMPLIANCE

A detailed review of the proposed project has been conducted to ensure compliance with the City's Zoning Code. As submitted for review by the Planning Commission, the proposed project complies with all applicable codes, or is seeking through the requested permits, permission to deviate from certain code standards, in a manner that is consistent with the Zoning Ordinance.

GENERAL PLAN² POLICIES

The General Plan includes several goals and policies. Some policies relevant to the Planning Commission's review of the project include:

- Policy 5.1 Neighborhood Conservation. Maintain the uses, densities, character, amenities, , and quality of the City's residential neighborhoods, recognizing their contribution to the City's, identity, economic value and quality of life.
- Policy 6.1 Neighborhood Identity. Maintain the characteristics that distinguish the City's single-family neighborhoods from one another in such terms as topography, lot size, housing scale and form, and public streetscapes.

ENVIRONMENTAL ASSESSMENT

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines³, and the environmental regulations of the City. The project qualifies for a categorical exemption pursuant to Section 15303 (Class 3(e)) of the Guidelines. Specifically, a Class 3(e) exemption allows for the construction of

¹ Available online at http://www.sterlingcodifiers.com/codebook/index.php?book_id=466

² Available online at http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp

³ The CEQA Guidelines and Statue are available online at <http://ceres.ca.gov/ceqa/guidelines>

appurtenant structures such as a fence. The proposed project will be appurtenant to the main residence, and is therefore eligible for the exemption.

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	3 days	1/24/2011	1/21/2011	6 days
Newspaper Notice	N/A	N/A	N/A	N/A
Mailed Notice (Owners & Residents - 300' Radius)	10 days	1/17/2011	1/14/2011	13 days
Property Posting	N/A	N/A	N/A	N/A
Website	N/A	N/A	1/21/2011	6 days

Applicant Outreach Efforts

Other than the required public noticing, no public outreach has been conducted by the applicant.

Public Comment

As of the date of the preparation of this report, no public comments have been received regarding the proposed project.

ANALYSIS⁴

Project approval, conditional approval or denial is based upon specific findings for each discretionary application requested by the applicant. Draft findings are included with this report in Attachment A and may be used to guide the Planning Commission’s deliberation of the subject project.

Summary

In reviewing the requested Hillside R-1 Permit specific findings must be made with regard to the scale and massing of the streetscape and the garden quality of the city. The proposed project is in conformity with existing conditions at the project site, and has been designed in a way that allows for the seamless addition of a pedestrian gate within the existing wall and fence. The project does not substantially alter the existing wall and fence, and is not anticipated to adversely impact the scale and massing of the streetscape and the garden quality of the city. As a result, staff recommends approval of the project.

Special Conditions of Approval

The recommendation in this report is for approval. In addition to standard conditions of approval, the following project-specific conditions are recommended (also see Attachment A):

- Special Condition #1: Staff recommends incorporation of Special Condition #1, which requires that all existing landscaping be maintained or replaced in order to preserve the garden quality of the city.

⁴ The analysis provided in this section is based on draft findings prepared by the report author prior to the public hearing. The Planning Commission in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to modify the findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

- Special Condition #2: Staff recommends incorporation of Special Condition #2, which requires the architectural materials and finishes of the project to be consistent with those already existing on the project site.
- Special Condition #3: Staff recommends incorporation of Special Condition #3, which clearly states the maximum wall and gate height approved by the Commission.

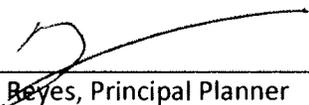
NEXT STEPS

It is recommended that the Planning Commission conditionally approve the requested Hillside R-1 Permit and adopt the attached resolution.

Alternatively, the Planning Commission may consider the following actions:

1. Approve the project with modified findings or conditions of approval.
2. Deny the project, or portions of the project, based on revised findings.
3. Direct staff or applicant as appropriate and continue the hearing to a date (un)certain, consistent with permit processing timelines, and at applicant's request or consent.

Report Reviewed By:



David Reyes, Principal Planner

ATTACHMENT A

Draft Findings and Conditions of Approval

DRAFT FINDINGS

Hillside R-1 Permit

1. *The structure will not have a substantial adverse impact on the scale and massing of the streetscape; and*

The proposed project is in conformity with existing conditions and architectural design at the subject property and the new pedestrian gate will be a seamless addition to the existing wall and fence. Additionally, the proposed project will be built in-line with the existing wall and fence, will not exceed the height of the existing wall and fence, and provides improved accessibility to the side of the subject property. Based on conformity with existing conditions, the proposed project is not anticipated to have a substantial adverse impact on the scale and massing of the streetscape.

2. *The structure will not have a substantial adverse impact on the garden quality of the city.*

The subject property is fully developed with an existing single-family residence and has existing landscaping in place that contributes to the garden quality of the city. Except for the area of new pedestrian stairs associated with the project, all existing landscaping will be maintained and/or replaced. Because the project does not eliminate any mature vegetation, no substantial adverse impact is anticipated with regard to the garden quality of the city.

DRAFT CONDITIONS

Project Specific Conditions

1. All existing landscaping within the vicinity of the project shall be maintained throughout the life of the project. In the event that any existing landscaping is damaged or removed during construction, the applicant shall install new landscaping of a substantially similar size and species.
2. The architectural finish and color of the wall and pedestrian gate shall substantially match the existing wall and fence within the front yard setback of the subject property.
3. No portion of the wall or pedestrian gate shall exceed a maximum height of 6 feet, measured pursuant to §10-3-100 of the Beverly Hills Municipal Code.

Standard Conditions

ADMINISTRATIVE

4. **APPEAL.** Decisions of the Planning Commission may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeal forms are available in the City Clerk's office. Decisions involving subdivision maps must be appealed within ten (10) days of the Planning Commission Action. An appeal fee is required.
5. **RECORDATION.** The resolution approving the Hillside R-1 Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy

of the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project shall be **null and void** and of no further effect. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60 day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the Project.

6. EXPIRATION. Hillside R-1 Permit: The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution.
7. VIOLATION OF CONDITIONS: A violation of these conditions of approval may result in a termination of the entitlements granted herein.

CONFORMANCE WITH APPROVED PLANS

8. This approval is for those plans submitted to the Planning Commission on January 27, 2011, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.
9. Minor amendments to the plans shall be subject to approval by the Director of Community Development. A significant change to the approved Project shall be subject to Planning Commission Review. Construction shall be in conformance with the plans approved herein or as modified by the Planning Commission or Director of Community Development.
10. Project Plans are subject to compliance with all applicable zoning regulations, except as may be expressly modified herein. Project plans shall be subject to a complete Code Compliance review when building plans are submitted for plan check. Compliance with all applicable Municipal Code and General Plan Policies is required prior to the issuance of a building permit.
11. Approval Runs With Land. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

FEES AND TAXES

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

PROJECT OPERATIONS

13. The Project shall operate at all times in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking or other actions.
14. The Project shall operate at all times in compliance with Municipal requirements for Noise Regulation.

PUBLIC WORKS/PARK AND REC REQUIREMENTS

15. The Applicant shall remove and replace all public sidewalks surrounding the Project site that are rendered defective as a result of Project construction.

16. The Applicant shall remove and replace all curbs and gutters surrounding the Project site that are rendered defective as a result of Project construction.
17. The Applicant shall remove all unused landings and driveway approaches. These parkway areas, if any, shall be landscaped and maintained by the adjacent property owner. This landscape material cannot exceed six to eight inches in height and cannot be planted against the street trees. Care shall be taken to not damage or remove the existing tree roots within the parkway area.
18. The Applicant shall protect all existing street trees adjacent to the subject site during construction of the Project. Every effort shall be made to retain mature street trees. No street trees, including those street trees designated on the preliminary plans, shall be removed and/or relocated unless written approval from the Recreation and Parks Department and the City Engineer is obtained.
19. Removal and/or replacement of any street trees shall not commence until the Applicant has provided the City with an improvement security to ensure the establishment of any relocated or replaced street trees. The security amount will be determined by the Director of Recreation and Parks, and shall be in a form approved by the City Engineer and the City Attorney.
20. The Applicant shall provide that all roof and/or surface drains discharge to the street. All curb drains installed shall be angled at 45 degrees to the curb face in the direction of the normal street drainage flow. The Applicant shall provide that all groundwater discharges to a storm drain. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Connection to a storm drain shall be accomplished in the manner approved by the City Engineer and the Los Angeles County Department of Public Works. No concentrated discharges onto the alley surfaces will be permitted.
21. The Applicant shall provide for all utility facilities, including electrical transformers required for service to the proposed structure(s), to be installed on the subject site. No such installations will be allowed in any City right-of-way.
22. The Applicant shall underground, if necessary, the utilities in adjacent streets and alleys per requirements of the Utility Company and the City.
23. The Applicant shall make connection to the City's sanitary sewer system through the existing connections available to the subject site unless otherwise approved by the City Engineer and shall pay the applicable sewer connection fee.
24. The Applicant shall make connection to the City's water system through the existing water service connection unless otherwise approved by the City Engineer. The size, type and location of the water service meter installation will also require approval from the City Engineer.
25. The Applicant shall provide to the Engineering Office the proposed demolition/construction staging for this Project to determine the amount, appropriate routes and time of day of heavy hauling truck traffic necessary for demolition, deliveries, etc., to the subject site.
26. The Applicant shall obtain the appropriate permits from the Civil Engineering Department for the placement of construction canopies, fences, etc., and construction of any improvements in the

public right-of-way, and for use of the public right-of-way for staging and/or hauling certain equipment and materials related to the Project.

27. The Applicant shall remove and reconstruct any existing improvements in the public right-of-way damaged during construction operations performed under any permits issued by the City.
28. During construction all items in the Erosion, Sediment, Chemical and Waste Control section of the general construction notes shall be followed.
29. Condensation from HVAC and refrigeration equipment shall drain to the sanitary sewer, not curb drains.
30. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Examples of ground water discharges are; rising ground water and garage sumps.

ATTACHMENT B

Public Notice



NOTICE OF PUBLIC HEARING

DATE: January 27, 2011

TIME: 1:30 PM

LOCATION: Council Meeting Room 280A
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, CA 90210

The Planning Commission of the City of Beverly Hills, at its meeting on Thursday, January 27, 2011, will hold a public hearing beginning at **1:30 PM** to consider:

A request for a Hillside R-1 Permit to allow the construction of a new 6-foot in height wall and gate to be located within the front and street side yard setback areas, for a property located in the Hillside Area of the City at **619 Mountain Drive**. The proposed gate and fence would provide a pedestrian entry for residents of the property from the adjacent sidewalk.

This project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The project qualifies for a Class 3(e) Categorical Exemption for new construction of residential accessory structures, including fences and the project has been determined not to have a significant environmental impact.

Any interested person may attend the meeting and be heard or present written comments to the Commission.

According to Government Code Section 65009, if you challenge the Commission's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing.

If there are any questions regarding this notice, please contact **Ryan Gohlich, Associate Planner** in the Planning Division at 310.285.1194, or by email at ***rgohlich@beverlyhills.org***. Copies of the applications, plans, and Categorical Exemption are on file in the Community Development Department, and can be reviewed by any interested person at 455 North Rexford Drive, Beverly Hills, CA 90210.

Approved as to form:



David Reyes, Principal Planner

Mailed January 14, 2011

ATTACHMENT C

Draft Planning Commission Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A REQUEST FOR A HILLSIDE R-1 PERMIT TO ALLOW THE CONSTRUCTION OF A 6-FOOT TALL WALL AND GATE LOCATED WITHIN 3 FEET OF A FRONT PROPERTY LINE ON THE PROPERTY LOCATED IN THE HILLSIDE AREA OF THE CITY AT 619 MOUNTAIN DRIVE.

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

Section 1. Hamid Gabbay, Applicant, on behalf of the property owners of 619 Mountain Drive, (collectively the "Applicant") has submitted an application for a Hillside R-1 Permit to allow the construction of a 6-foot tall wall and gate within 3 feet of a front property line in the Hillside Area of the City at 619 Mountain Drive (the "Project"). Unless approved through the issuance of a Hillside R-1 Permit, no walls or fences may be constructed within 3 feet of a front property line in the Hillside Area of the City.

Section 2. The Project site is located on the north side of the 600 block of Mountain Drive, and is currently developed with an approximately 13,000 square foot residence. The built environment surrounding the Project site consists entirely of single-family homes that are typically two stories in height. The properties in the area are typically made up of rectangular or tapered lots that generally average approximately one acre in size. Homes on the block are typically larger in size, averaging approximately 6,000 square feet to 13,000 square feet in size. The majority of properties are surrounded by dense vegetation.

The Applicant proposes to demolish an approximately 7-foot wide section of existing, 6-foot tall wall and fence within the front setback. The demolished portion of the wall and fence would be replaced with a new wall and pedestrian gate that would provide access to the side of the property. The new wall and gate would have a maximum height of 6 feet, and would allow for the construction of steps leading up to the property. The proposed design would be consistent with the materials and colors of the existing wall and fence, and would match an existing pedestrian gate located east of the location proposed for the new gate. A Hillside R-1 Permit is required because the proposed wall and gate would be located within 3 feet of the front property line.

Section 3. The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.* (“CEQA”)), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq.*), and the City’s Local CEQA Guidelines (hereafter the “Guidelines”), and the City’s environmental guidelines, and a Class 3(e) Categorical Exemption has been issued in accordance with the requirements of Section 15303(e) of the Guidelines for the construction of a wall and gate, which is appurtenant to the primary residence on the subject property.

Section 4. Notice of the Project and public hearing was mailed on January 14, 2011 to all property owners and residential tenants within a 300-foot radius of the property. No correspondence was received regarding the Project. Evidence, both written and oral, was presented at said meeting.

Section 5. In considering the request for a Hillside R-1 Permit, the Planning Commission considered whether the Project would have a substantial impact on the following criteria:

1. The scale and massing of the streetscape; and
2. The garden quality of the city.

Section 6. Based on the foregoing, the Planning Commission hereby finds and determines as follows:

1. The proposed Project is in conformity with existing conditions and architectural design at the subject property and the new pedestrian gate will be a seamless addition to the existing wall and fence. Additionally, the proposed Project will be built in-line with the existing wall and fence, will not exceed the height of the existing wall and fence, and provides improved accessibility to the side of the subject property. Based on conformity with existing conditions, the proposed Project is not anticipated to have a substantial adverse impact on the scale and massing of the streetscape.

2. The subject property is fully developed with an existing single-family residence and has existing landscaping in place that contributes to the garden quality of the city. Except for the area of new pedestrian stairs associated with the Project, all existing landscaping will be maintained and/or replaced. Because the Project does not eliminate any mature vegetation, no substantial adverse impact is anticipated with regard to the garden quality of the city.

Section 7. Based on the foregoing, the Planning Commission hereby grants the requested Hillside R-1 Permit, subject to the following conditions:

1. All existing landscaping within the vicinity of the Project shall be maintained throughout the life of the Project. In the event that any existing landscaping is damaged or removed during construction, the Applicant shall install new landscaping of a substantially similar size and species.

2. The architectural finish and color of the wall and pedestrian gate shall substantially match the existing wall and fence within the front yard setback of the subject property.

3. No portion of the wall or pedestrian gate shall exceed a maximum height of 6 feet, measured pursuant to §10-3-100 of the Beverly Hills Municipal Code.

4. APPEAL. Decisions of the Planning Commission may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeal forms are available in the City Clerk's office. Decisions involving subdivision maps must be appealed within ten (10) days of the Planning Commission Action. An appeal fee is required.

5. RECORDATION. The resolution approving the Hillside R-1 Permit shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Planning

Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project shall be **null and void and of no further effect**. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60 day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state or local law that would affect the Project.

6. EXPIRATION. Hillside R-1 Permit: The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution.

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

8. This approval is for those plans submitted to the Planning Commission on January 27, 2011, a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.

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

10. Approval Runs With Land. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

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

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

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

14. The Applicant shall remove and replace all public sidewalks surrounding the Project site that are rendered defective as a result of Project construction.

15. The Applicant shall remove and replace all curbs and gutters surrounding the Project site that are rendered defective as a result of Project construction.

16. The Applicant shall remove all unused landings and driveway approaches. These parkway areas, if any, shall be landscaped and maintained by the adjacent property owner. This landscape material cannot exceed six to eight inches in height and cannot be planted against the street trees. Care shall be taken to not damage or remove the existing tree roots within the parkway area.

17. The Applicant shall protect all existing street trees adjacent to the subject site during construction of the Project. Every effort shall be made to retain mature street trees. No street trees, including those street trees designated on the

preliminary plans, shall be removed and/or relocated unless written approval from the Recreation and Parks Department and the City Engineer is obtained.

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

19. The Applicant shall provide that all roof and/or surface drains discharge to the street. All curb drains installed shall be angled at 45 degrees to the curb face in the direction of the normal street drainage flow. The Applicant shall provide that all groundwater discharges to a storm drain. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Connection to a storm drain shall be accomplished in the manner approved by the City Engineer and the Los Angeles County Department of Public Works. No concentrated discharges onto the alley surfaces will be permitted.

20. The Applicant shall provide for all utility facilities, including electrical transformers required for service to the proposed structure(s), to be installed on the subject site. No such installations will be allowed in any City right-of-way.

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

22. The Applicant shall make connection to the City's sanitary sewer system through the existing connections available to the subject site unless otherwise approved by the City Engineer and shall pay the applicable sewer connection fee.

23. The Applicant shall make connection to the City's water system through the existing water service connection unless otherwise approved by the City Engineer. The size, type and location of the water service meter installation will also require approval from the City Engineer.

24. The Applicant shall provide to the Engineering Office the proposed demolition/construction staging for this Project to determine the amount, appropriate routes and time of day of heavy hauling truck traffic necessary for demolition, deliveries, etc., to the subject site.

25. The Applicant shall obtain the appropriate permits from the Civil Engineering Department for the placement of construction canopies, fences, etc., and construction of any improvements in the public right-of-way, and for use of the public right-of-way for staging and/or hauling certain equipment and materials related to the Project.

26. The Applicant shall remove and reconstruct any existing improvements in the public right-of-way damaged during construction operations performed under any permits issued by the City.

27. During construction all items in the Erosion, Sediment, Chemical and Waste Control section of the general construction notes shall be followed.

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

29. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Examples of ground water discharges are; rising ground water and garage sumps.

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

Adopted:

Lili Bosse
Chair of the Planning Commission of the
City of Beverly Hills, California

Attest:

Secretary

Approved as to form:

Approved as to content:

David M. Snow
Assistant City Attorney

Jonathan Lait, AICP
City Planner

ATTACHMENT D

Architectural Plans (Under Separate Cover)