



Planning Commission Report

Meeting Date: September 27, 2012

Subject: **366 North Rodeo Drive**
Tory Burch

Request for a Development Plan Review and participation in the City's In-Lieu Parking District to allow a 1,400 square foot addition associated with the establishment of a Tory Burch retail store within the existing commercial building located at 366 North Rodeo Drive.

PROJECT APPLICANT: Marc Hauck on behalf of Tory Burch

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 requested Development Plan Review and five in-lieu parking spaces.
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REPORT SUMMARY

The proposed project involves the establishment of a Tory Burch retail store within an existing commercial building located at 366 North Rodeo Drive. In conjunction with establishing the retail store, Tory Burch seeks to increase the height and floor area of the existing building, which requires approval of a Development Plan Review and participation in the City's In-Lieu Parking District. This report analyzes the project's impact on the existing streetscape and building massing, as well as the City's supply of public parking, and concludes that approval of the project will be a beneficial addition to the City and will not result in any adverse impacts to the surrounding area.

Attachment(s):

- A. Staff Recommended Findings and Conditions of Approval
- B. Public Notice
- C. Draft Resolution
- D. Traffic and Parking Assessment
- E. Architectural Plans

Report Author and Contact Information:

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(310) 285-1194
rgohlich@beverlyhills.org

BACKGROUND

File Date	8/24/2012
Application Complete	9/10/2012
Subdivision Deadline	N/A
CEQA Deadline	60 days from CEQA Determination
Permit Streamlining	11/9/2012 without extension request from applicant

Applicant(s)	Tory Burch
Owner(s)	Hershenson Investments
Representative(s)	Marc Hauck (RED Architectural Group)

Prior PC Action	None
Prior Council Action	None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	366 North Rodeo Drive
Legal Description	Lot 2, Block 7 of Beverly Tract
Zoning District	C-3
General Plan	General Commercial - Low Density
Existing Land Use(s)	Retail
Lot Dimensions & Area	50' x 152.5' – 7,625 square feet
Year Built	1941
Historic Resource	The property is not listed on the City's inventory as being potentially historic.
Protected Trees/Grove	None

Adjacent Zoning and Land Uses

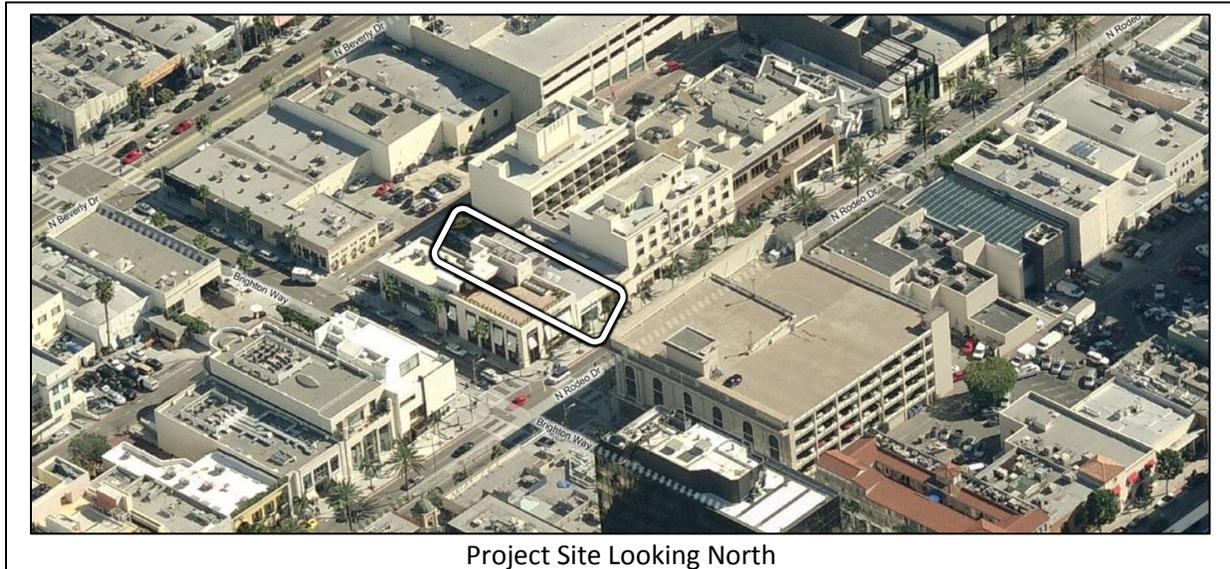
North	C-3 General Commercial - Retail
South	C-3 General Commercial - Retail
East	C-3 General Commercial - Retail
West	C-3 General Commercial - Retail

Circulation and Parking

Adjacent Street(s)	North Rodeo Drive
Adjacent Alleys	One-way alley (southbound) located at rear of property
Parkways & Sidewalks	North Rodeo Drive sidewalk/parkway - 12' from face of curb to property line
Parking Restrictions	No street parking directly in front of store, parking meters further down Rodeo Drive offer a 1-hour maximum restriction
Nearest Intersection	North Rodeo Drive and Brighton Way
Circulation Element	Local streets
Estimated Daily Trips	North Rodeo Drive carries approximately 9,975 daily trips

Neighborhood Character

The subject property is located within the Business Triangle area of the city, along the 300 block of North Rodeo Drive. Development in the vicinity of the project site typically consists of high-end retail and office uses within buildings that are predominantly two to four stories in height. The area is very pedestrian-oriented and is lined with ground-floor retail establishments.



Project Site Looking North

PROJECT DESCRIPTION

The proposed project consists of an approximately 1,400 square foot addition to an existing commercial building, which is associated with the establishment of a Tory Burch retail store. The total floor area of the entire building, which is comprised of two tenant spaces, is approximately 5,600 square feet. The existing tenant space that is the subject of this review has a total floor area of approximately 2,175 square feet. The proposed addition would expand the existing mezzanine into a full second floor, and would also add a partial third floor to the building. The addition is proposed above the northern half of the building only, as this is the area of the tenant space to be occupied by Tory Burch, and the southern half of the building, currently occupied by the Roberto Cavalli retail store, would not be modified and would remain at its existing height and configuration.

The additional floor area triggers the need for four additional parking spaces; however, the creation of a handicap accessible parking space at the rear of the building eliminates one existing parking space. Therefore, there are a total of five additional parking spaces required to be provided in conjunction with the project.

Requested Permits

The applicant is seeking approval of a Development Plan Review and to participate in the City's In-Lieu Parking District to allow the additional floor area and building height at the subject property. The Development Plan Review is required whenever the overall height of an existing building is increased. In this case, the height of the existing building is being increased from a height of approximately 24 feet, to a proposed height of approximately 41 feet. The in-lieu parking request results from the property's

inability to provide additional parking spaces on-site, which are required as a result of the additional floor area and installation of a handicap accessible parking space.

ZONING CODE¹ COMPLIANCE

A detailed review of the proposed project's compliance with applicable zoning standards has been performed. 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.

Agency Review²

The following City Department conducted a preliminary project review as it relates to other technical provisions of local and state law:

- **TRANSPORTATION DIVISION**

The Transportation Division has reviewed the traffic and parking analysis submitted by the applicant, and is in agreement with the methodology and findings of the report. The proposed project will not result in a significant impact with regard to trip generation, and sufficient parking is available in nearby public parking facilities in order to accommodate the in-lieu parking request.

GENERAL PLAN³ POLICIES

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

- Policy LU 11.1 Preservation of Pedestrian-Oriented Retail Shopping Areas. Preserve, protect and enhance the character of the pedestrian-oriented retail shopping areas, which are typified by a variety of retail shops with displays to attract and hold the interest of pedestrian shoppers, to ensure the continuity of the pedestrian experience.
- Policy LU 15.1 Economic Vitality and Business Revenue. Sustain a vigorous economy by supporting businesses that contribute revenue, quality services and high-paying jobs.

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

² Recommended conditions of approval by other departments are provided in the [Analysis](#) section of this report.

³ Available online at http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp

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 Guidelines⁴, and the environmental regulations of the City. The project qualifies for a categorical exemption pursuant to Section 15301 (Class 1(e)) of the Guidelines. Specifically, the proposed project would result in an addition of less than 2,500 square feet to an existing commercial building. The alterations and additions to the existing building do not result in any significant environmental impacts, including traffic and parking, and are therefore exempt from further review under the provisions of CEQA.

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	N/A	N/A	9/21/2012	6 Days
Newspaper Notice	N/A	N/A	N/A	N/A
Mailed Notice (Owners & Residents - 300' Radius)	10 Days	9/17/2012	9/17/2012	10 Days
Property Posting	N/A	N/A	N/A	N/A
Website	N/A	N/A	9/21/2012	6 Days

Public Comment

The City has not received any comments or letters concerning the project as of the writing of this report.

ANALYSIS⁵

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.

The required findings for the Development Plan Review and In-Lieu Parking relate to minimizing impacts to the surrounding area and public welfare. Therefore, the following analysis is provided to help guide the Commission’s review of the project.

Architectural Commission Review/Streetscape. As a component of processing the subject application, the applicant has presented the proposed architectural modifications to the Architectural Commission as a project preview. The purpose of this preview is to obtain early feedback from the Architectural Commission to ensure that any approvals granted by the Planning Commission will not require substantial revisions by the Architectural Commission at a later date. The project preview occurred on September 19, 2012, and the Architectural Commission unanimously supported the proposed design. Specifically, the Commission felt that the project utilizes high quality design and materials, and that the varying building height that

⁴ The CEQA Guidelines and Statute are available online at <http://ceres.ca.gov/ceqa/guidelines>

⁵ 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.

would result from the project helps to create a village-type environment that is conducive to the area. Although the project has not been formally approved by the Architectural Commission, they asked that staff convey the Commission's support of the project.

Traffic. In order to assess the proposed addition, the applicant was asked to prepare a traffic assessment showing the net increase in vehicle trips. The traffic assessment is provided in Attachment D and has been reviewed by the City's Transportation Division. The assessment indicates that the project will result in a net increase of approximately 60 daily vehicle trips. The increase in daily trips, as well as peak hour trips, is negligible in relation to the capacity of the existing street system. Based on this limited increase, the proposed project will not result in a significant traffic impact.

Parking. In order to assess the availability of parking spaces within the City's parking facilities, a parking study was prepared by the applicant's traffic engineer. The study analyzed two garages within walking distance of the project site, 9510 Brighton Way and 440 North Camden Drive. The garage located at 345 North Beverly Drive was not surveyed, as it is known to occasionally reach capacity with existing demand. The parking survey was conducted on a Thursday, Friday, and Saturday in order to obtain an accurate assessment of the City's busiest parking days of the week. Of these days, the survey indicates that Friday is the busiest day. On the Friday surveyed, the 9510 Brighton Way garage reached peak occupancy of 90% between 1:30 and 2:00, and the 440 North Camden Drive garage reached peak occupancy of 86% at 2:00. Although these garages appear to be operating near their maximum capacities, the five in-lieu parking spaces being requested account for less than 1% of the combined capacity of the two garages. Therefore, adding five additional vehicles to the garages is negligible and will not result in a parking shortage.

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):

- *"Not more than five in-lieu parking spaces shall be utilized in conjunction with the proposed addition."* (Special Condition 1)

The purpose of the above condition is to clearly indicate the maximum number of in-lieu parking spaces approved in conjunction with this project.

- *"The City expressly reserves jurisdiction relative to traffic and parking issues. In the event the Director determines that operation of the use at this site is having unanticipated traffic and parking impacts, the Director shall require the Applicant to pay for a parking demand analysis. After reviewing the parking demand analysis, if, in the opinion of the Director, the parking and traffic issues merit review by the Planning Commission, the Director shall schedule a hearing in front of the Planning Commission in accordance with the provisions of Title 10 of the Beverly Hills Municipal Code. The Planning Commission shall conduct a noticed public hearing regarding the parking and traffic issues and may impose additional conditions as necessary to mitigate any unanticipated traffic and parking impacts caused by the proposed Project, and the Applicant shall forthwith comply with any additional conditions at its sole expense."* (Special Condition 2)

The purpose of the above condition is to ensure that the project does not result in any unanticipated impacts related to traffic or parking. Should issues arise, this condition gives the Director and Commission the latitude to re-review the project relative to traffic and parking impacts.

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt the attached resolution conditionally approving the requested Development Plan Review and participation in the City's In-Lieu Parking District.

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:

Ryan Gohlich, Senior Planner

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ATTACHMENT A
Staff Recommended Findings and Conditions of Approval

DRAFT FINDINGS

Development Plan Review

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

The proposed project meets all zoning requirements and has been determined to be consistent with the requirements and guidance of the General Plan for commercial uses located within the Business Triangle. The subject site is surrounded by commercial development, and the proposed project would therefore be a harmonious addition to the area. Additionally, the proposed project is not located within any specific plans adopted for the area.

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

The proposed project is consistent with the development standards established in the City's Municipal Code and General Plan. Existing development along North Rodeo Drive consists of commercial buildings that are typically between one and three stories in height, which primarily contain retail uses. Construction of the proposed project, which is a retail store consistent with surrounding uses, is not anticipated to adversely affect existing and anticipated development on the adjacent, commercially-zoned properties, and is therefore considered to be a harmonious addition that would help to further enliven North Rodeo Drive. Furthermore, the traffic and parking assessment prepared in conjunction with the project has not identified any significant traffic or parking impacts that would result from the proposed project.

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

As proposed, the project meets all zoning requirements, including use, configuration, location, density, and height. Additionally, the subject site is located a minimum of 1,000 feet from the nearest properties zoned for residential uses. Based on the proposed project's location and adherence to the Beverly Hills Municipal Code, the project is not expected to significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property.

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

The applicant prepared a traffic and parking assessment, which was peer reviewed by the City, in order to identify any potential impacts that might be generated by vehicles associated with the proposed project. The traffic and parking assessment reviewed the number of daily vehicle trips expected to be generated by the project and found that, based on existing traffic volumes and infrastructure capacities, the project would not generate any significant impacts related to traffic. Furthermore, the parking assessment studied two public parking garages within walking distance of the project site, and demonstrated that sufficient parking capacity exists in order to accommodate the project's in-lieu parking request without causing a parking shortfall.

Therefore, the project is not anticipated to result in any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards.

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

The project has been designed to be consistent with surrounding development, and is compatible with the existing retail uses along North Rodeo Drive. Because the project has been designed as a harmonious addition to the Rodeo Drive retail district, and based on the discussions and analysis in Findings 1-4 above, the project is not anticipated to be detrimental to the public health, safety, or general welfare.

In-Lieu Parking

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

Although approval of the in-lieu parking request would generate additional demand on the City's existing parking facilities, the parking assessment prepared in conjunction with the project indicates that a sufficient number of parking spaces are available within two nearby, public parking structures to accommodate the requested five in-lieu parking spaces. The additional demand of five vehicles at the subject parking facilities would not result in a parking shortfall, and would therefore not adversely affect existing and anticipated development in the vicinity. In fact, approval of the in-lieu parking spaces facilitates the enhancement of an existing retail store, which will be a harmonious and beneficial addition to the Rodeo Drive retail district.

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

The City's existing public parking facilities and circulation patterns will not be modified as a result of the project, and are already designed to limit traffic safety impacts and pedestrian-vehicle conflicts. Additionally, based on current usage patterns the requested in-lieu parking spaces can be accommodated within existing public parking facilities without adversely impacting the operation of such existing parking facilities. Therefore, participation in the in-lieu parking district is not anticipated to result in traffic safety impacts, pedestrian-vehicle conflicts, or parking impacts.

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

The project involves a limited addition of 1,400 square feet to an existing retail store resulting in the need for five in-lieu parking spaces. The expansion allows the establishment of a prominent retailer along North Rodeo Drive, which will further contribute to the retail environment within the vicinity of the project site. The in-lieu parking spaces can be accommodated within existing public parking facilities without adversely impacting the operation of such existing facilities. As a result, the project is not anticipated to be detrimental to the public health, safety and welfare.

DRAFT CONDITIONS

Project Specific Conditions

1. Not more than five in-lieu parking spaces shall be utilized in conjunction with the proposed addition.
2. The City expressly reserves jurisdiction relative to traffic and parking issues. In the event the Director determines that operation of the use at this site is having unanticipated traffic and parking impacts, the Director shall require the Applicant to pay for a parking demand analysis. After reviewing the parking demand analysis, if, in the opinion of the Director, the parking and traffic issues merit review by the Planning Commission, the Director shall schedule a hearing in front of the Planning Commission in accordance with the provisions of Title 10 of the Beverly Hills Municipal Code. The Planning Commission shall conduct a noticed public hearing regarding the parking and traffic issues and may impose additional conditions as necessary to mitigate any unanticipated traffic and parking impacts caused by the proposed Project, and the Applicant shall forthwith comply with any additional conditions at its sole expense.

Standard Conditions

3. 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.
4. RECORDATION. The resolution approving a Development Plan Review and participation in the City's In-Lieu Parking District 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.
5. EXPIRATION. Development Plan Review and In-Lieu Parking: The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution.
6. VIOLATION OF CONDITIONS. A violation of any of these conditions of approval may result in a termination of the entitlements granted herein.
7. This approval is for those plans submitted to the Planning Commission on September 27, 2012, 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.
8. 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.

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 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.
17. 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.
18. 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.
19. 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.

20. The Applicant shall underground, if necessary, the utilities in adjacent streets and alleys per requirements of the Utility Company and the City.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. Condensation from HVAC and refrigeration equipment shall drain to the sanitary sewer, not curb drains.

ATTACHMENT B

PUBLIC NOTICE



NOTICE OF PUBLIC HEARING

DATE: September 27, 2012
TIME: 1:30 PM, or as soon thereafter as the matter may be heard
LOCATION: Commission 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 REGULAR meeting on Thursday, September 27, 2012, will hold a public hearing beginning at **1:30 PM**, or as soon thereafter as the matter may be heard to consider:

A request for a Development Plan Review Permit and a request to participate in the City's in-lieu parking district to allow an approximately 1,400 square foot addition to an existing commercial building located at **366 North Rodeo Drive**. The proposed addition would require 5 parking spaces, which are proposed to be provided through the City's in-lieu parking program.

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 1 Categorical Exemption for alterations and additions to an existing commercial building, and the project has been determined not to have a significant environmental impact and is exempt from the provisions of CEQA.

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, Senior Planner** in the Planning Division at 310.285.1194, or by email at rgohlich@beverlyhills.org. Copies of the application, 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. Repetitive

Sincerely,



Ryan Gohlich, Senior Planner

Mailed September 17, 2012

ATTACHMENT C
DRAFT RESOLUTION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A DEVELOPMENT PLAN REVIEW AND PARTICIPATION IN THE CITY'S IN-LIEU PARKING DISTRICT TO ALLOW A 1,400 SQUARE FOOT ADDITION AT THE PROPERTY LOCATED AT 366 NORTH RODEO DRIVE (TORY BURCH).

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

Section 1. Marc Hauck, Applicant, on behalf of Tory Burch and the property owners of 366 North Rodeo Drive (the "Applicant"), has submitted an application for a Development Plan Review and participation in the City's In-Lieu Parking District to allow an approximately 1,400 square foot addition to the existing tenant space located at 366 North Rodeo Drive (Tory Burch) (the "Project"). The total floor area of the entire building, which is comprised of two tenant spaces, is approximately 5,600 square feet. The existing tenant space that is the subject of this Project has a total floor area of approximately 2,175 square feet. The proposed addition would expand the existing mezzanine into a full second floor, and would also add a partial third floor to the building. The addition is proposed above the northern half of the building only, as this is the area of the tenant space to be occupied by Tory Burch, and the southern half of the building, currently occupied by the Roberto Cavalli retail store, would not be modified and would remain at its existing height and configuration.

The additional floor area triggers the need for four additional parking spaces; however, the creation of a handicap accessible parking space at the rear of the building

eliminates one existing parking space. Therefore, there are a total of five additional parking spaces required to be provided in conjunction with the Project.

The Development Plan Review and participation in the City's In-Lieu Parking District is required to allow the additional floor area and building height at the subject property. The Development Plan Review is required whenever the overall height of an existing building is increased. In this case, the height of the existing building is being increased from a height of approximately 24 feet, to a proposed height of approximately 41 feet. The in-lieu parking request results from the property's inability to provide additional parking spaces on-site, which are required as a result of the additional floor area and installation of a handicap accessible parking space.

Section 2. The Project has been environmentally reviewed pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000, et seq. ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*), and the City's environmental guidelines. A Class 1(e) Categorical Exemption has been issued pursuant to CEQA Guidelines Section 15301 (existing facilities). Specifically, a Class 1(e) exemption applies to additions that do not exceed 50% of the floor area of the existing structure, or 2,500 square feet, whichever is less. The proposed addition complies with both criteria, as it totals approximately 25% of the building's existing floor area, or 1,400 square feet, and is therefore eligible for the Categorical Exemption.

Section 3. Notice of the Project and public hearing was mailed on September 17, 2012 to all property owners and residential tenants within a 300-foot radius of the Project,

and to all single-family zoned properties within a 500-foot radius of the exterior boundaries of the Project. On September 27, 2012, the Planning Commission considered the application at a duly noticed public meeting. Evidence, both written and oral, was presented at said meeting.

Section 4. In considering the application for a Development Plan Review, the Planning Commission was required to make the following findings:

1. The proposed plan is consistent with the general plan and any specific plans adopted for the area;
2. The proposed plan will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;
3. The nature, configuration, location, density, height and manner of operation of any commercial development proposed by the plan will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property;
4. The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and
5. The proposed plan will not be detrimental to the public health, safety or general welfare.

Section 5. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Development Plan Review:

1. The Project meets all zoning requirements and has been determined to be consistent with the requirements and guidance of the General Plan for commercial uses located within the Business Triangle. The subject site is surrounded by commercial development, and the proposed project would therefore be a harmonious addition to the area. Additionally, the Project is not located within any specific plans adopted for the area.

2. The Project is consistent with the development standards established in the City's Municipal Code and General Plan. Existing development along North Rodeo Drive consists of commercial buildings that are typically between one and three stories in height, which primarily contain retail uses. Construction of the Project, which is a retail store consistent with surrounding uses, is not anticipated to adversely affect existing and anticipated development on the adjacent, commercially-zoned properties, and is therefore considered to be a harmonious addition that would help to further enliven North Rodeo Drive. Furthermore, the traffic and parking assessment prepared in conjunction with the Project has not identified any significant traffic or parking impacts that would result from the Project.

3. As proposed, the Project meets all zoning requirements, including use, configuration, location, density, and height. Additionally, the subject site is located a minimum of 1,000 feet from the nearest properties zoned for residential uses. Based on the Project's location and adherence to the Beverly Hills Municipal Code, the project is not expected to significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property.

4. The Applicant prepared a traffic and parking assessment, which was peer reviewed by the City, in order to identify any potential impacts that might be generated by vehicles associated with the Project. The traffic and parking assessment reviewed the number of daily vehicle trips expected to be generated by the Project and found that, based on existing traffic volumes and infrastructure capacities, the Project would not generate any significant impacts related to traffic. Furthermore, the parking assessment studied two public parking garages within walking distance of the Project site, and demonstrated that sufficient parking capacity exists in order to accommodate the Project's in-lieu parking request without causing a parking shortfall. Therefore, the Project is not anticipated to result in any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards.

5. The Project has been designed to be consistent with surrounding development, and is compatible with the existing retail uses along North Rodeo Drive. Because the Project has been designed as a harmonious addition to the Rodeo Drive retail district, and based on the discussions and analysis in Findings 1-4 above, the Project is not anticipated to be detrimental to the public health, safety, or general welfare.

Section 6. In considering the request to participate in the City's In-Lieu Parking District, the Planning Commission was required to make the following findings:

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

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

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

Section 7. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the request to participate in the City's In-Lieu Parking District:

1. Although approval of the in-lieu parking request would generate additional demand on the City's existing parking facilities, the parking assessment prepared in conjunction with the Project indicates that a sufficient number of parking spaces are available within two nearby, public parking structures to accommodate the requested five in-lieu parking spaces. The additional demand of five vehicles at the subject parking facilities would not result in a parking shortfall, and would therefore not adversely affect existing and anticipated development in the vicinity. In fact, approval of the in-lieu parking spaces facilitates the enhancement of an existing retail store, which will be a harmonious and beneficial addition to the Rodeo Drive retail district.

2. The City's existing public parking facilities and circulation patterns will not be modified as a result of the Project, and are already designed to limit traffic safety impacts and pedestrian-vehicle conflicts. Additionally, based on current usage patterns the requested in-lieu parking spaces can be accommodated within existing public parking facilities without adversely impacting the operation of such existing parking facilities. Therefore, participation in the in-lieu parking district is not anticipated to result in traffic safety impacts, pedestrian-vehicle conflicts, or parking impacts.

3. The Project involves a limited addition of 1,400 square feet to an existing retail store resulting in the need for five in-lieu parking spaces. The expansion allows the establishment of a prominent retailer along North Rodeo Drive, which will further contribute to the retail environment within the vicinity of the project site. The in-lieu parking spaces can be accommodated within existing public parking facilities without adversely impacting the operation of such existing facilities. As a result, the Project is not anticipated to be detrimental to the public health, safety and welfare.

Section 8. Based on the foregoing, the Planning Commission hereby approves the Development Plan Review and participation in the City's In-Lieu Parking District, subject to the following conditions:

1. Not more than five in-lieu parking spaces shall be utilized in conjunction with the proposed addition.

2. The City expressly reserves jurisdiction relative to traffic and parking issues. In the event the Director determines that operation of the use at this site is having unanticipated traffic and parking impacts, the Director shall require the Applicant to pay for a parking demand analysis. After reviewing the parking demand analysis, if, in the opinion of the Director, the parking and traffic issues merit review by the Planning Commission, the Director shall schedule a hearing in front of the Planning Commission in accordance with the provisions of Title 10 of the Beverly Hills Municipal Code. The Planning Commission shall conduct a noticed public hearing regarding the parking and traffic issues and may impose additional conditions as necessary to mitigate any unanticipated traffic and parking impacts caused by the proposed Project, and the Applicant shall forthwith comply with any additional conditions at its sole expense.

3. 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.

4. RECORDATION. The resolution approving a Development Plan Review and participation in the City's In-Lieu Parking District 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.

5. EXPIRATION. Development Plan Review and In-Lieu Parking: The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution.

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

7. This approval is for those plans submitted to the Planning Commission on September 27, 2012, 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.

8. 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.

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 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.

17. 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.

18. 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.

19. 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.

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

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

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

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

Adopted: September 27, 2012

Craig Corman
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

TRAFFIC AND PARKING ASSESSMENT

**366 NORTH RODEO DRIVE
COMMERCIAL BUILDING
IN-LIEU PARKING STUDY
BEVERLY HILLS - CALIFORNIA**

Prepared for:

**RED ARCHITECTURAL GROUP
Glendale, California**

Prepared on:

September 7, 2012



COCO TRAFFIC PLANNERS, INC.



**366 NORTH RODEO DRIVE
COMMERCIAL BUILDING
IN-LIEU PARKING STUDY
BEVERLY HILLS - CALIFORNIA**

Prepared for:

RED ARCHITECTURAL GROUP

Revised on:

September 7, 2012

Prepared by:

COCO TRAFFIC PLANNERS, INC.

10835 Santa Monica Boulevard, Suite 202

Los Angeles, California 90025

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TABLE OF CONTENTS

PROJECT DESCRIPTION	1
DATA SOURCES	2
SITE TRAFFIC GENERATION	3
SITE PARKING DEMAND	4
PARKING SURVEYS DATA AND ANALYSIS	5
SUMMARY AND CONCLUSIONS	7





COCO TRAFFIC PLANNERS, INC.

TRAFFIC • DESIGN • PARKING • MODELING • URBAN PLANNING

10835 Santa Monica Boulevard, Suite 202 • Los Angeles, California 90025 • Ph/Fax: (310) 470-4870 • E-mail: info@cocotraffic.com

September 7, 2012

Mr. Robert Barlow, Jr., Project Coordinator
Red Architectural Group, LLP
3436 N. Verdugo Road, Suite 200
Glendale, California 91208

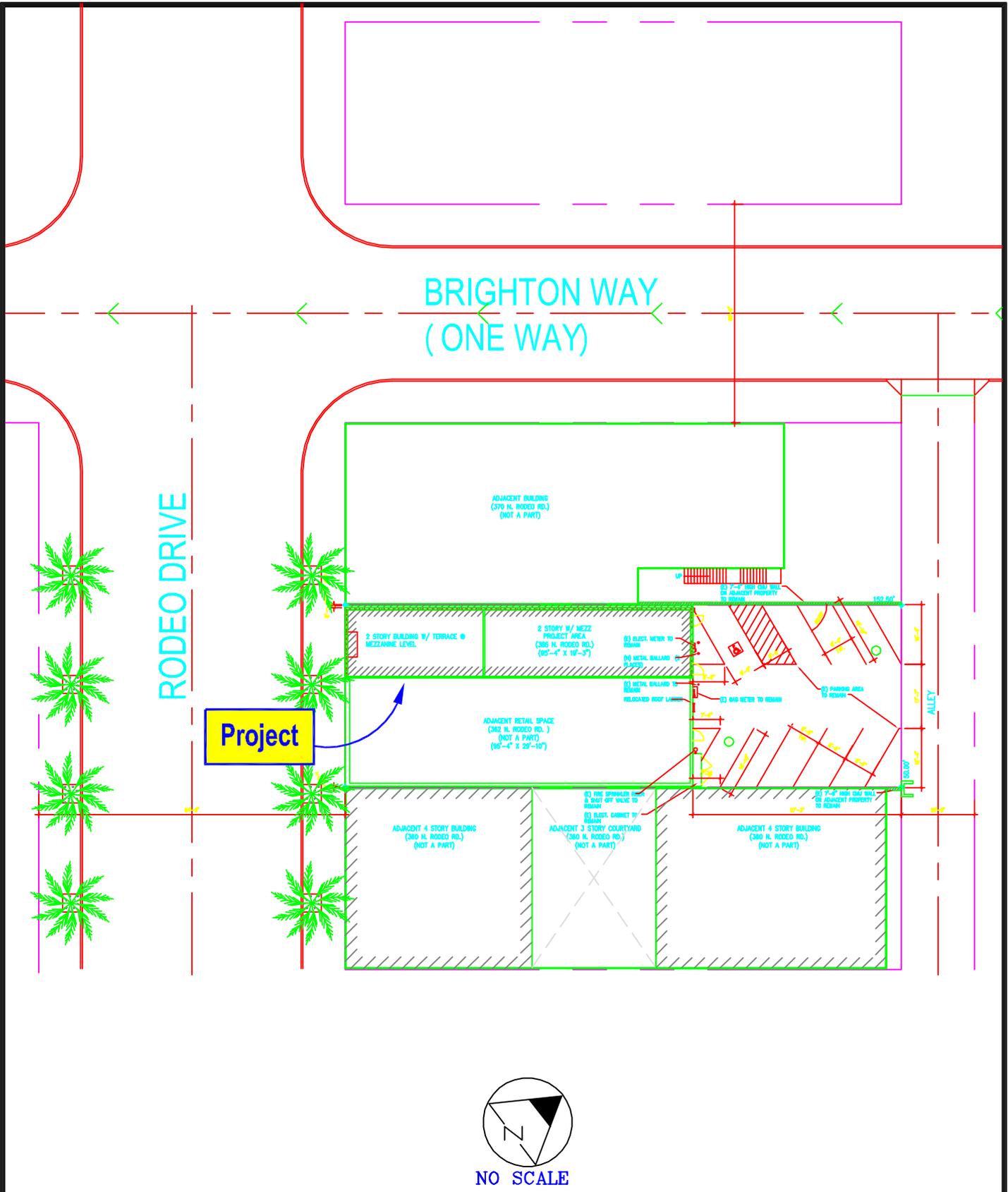
Subject: 366 NORTH RODEO DRIVE COMMERCIAL BUILDING IN-LIEU PARKING
STUDY - BEVERLY HILLS, CALIFORNIA

Dear Mr. Barlow,

As authorized, we have revised the parking analysis associated with your proposed commercial development located at 366 North Rodeo Drive, in the City of Beverly Hills, California, updating the report our firm prepared on August 21, 2012, for the subject project. Specifically, we evaluated the level of occupancy, during three days of the week, of two public parking facilities existing in the vicinity of your development. The purpose of the analysis was to determine the adequacy of those facilities to support your proposed project's parking demand, "in lieu" of on site parking. The general scope of work was determined through discussions with staff from the Engineering and Planning Departments of the City of Beverly Hills. For the purpose of this study it was determined that the area parking structures closest to your project site should be surveyed during a Thursday, and a Friday, representing the typical peak weekdays, and a Saturday, representing the typical peak weekend day. This report contains the findings and conclusions of our study with necessary supporting data.

PROJECT DESCRIPTION

The proposed project's site consists of a 7,625 square foot (sf) lot, located at 366 North Rodeo Drive. The lot has a 50 foot wide frontage along Rodeo Drive, and extends 152.5 feet to the alley east of that. The alley is one-way only, with a southbound direction. The lot currently is improved with a one-story commercial building with a mezzanine, and a total gross floor area of about 5,600 sf, split between two retail stores. The site currently is supported by a surface parking area, located behind the building, providing 10 parking stalls. Access to the parking area is provided by the above mentioned alley, which has a standard 20 foot width. Figure 1 shows the location of the subject site on a regional basis.



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

PROJECT SITE AND PARKING LAYOUT

The proposed expansion project consists of refurbishing the existing structure, and provide a second floor addition with mezzanine, over one of the retail stores on site. Consequently, once developed the store will have two floors, with mezzanines. The project's current plans show that the building's expansion will have a gross floor area of about 1,400 sf, for a total future size of about 7,000 sf. Those values were used in our analysis as a worse case scenario, since they represent Gross Floor Area, as opposed to the smaller Gross Leasable Area needed for traffic and parking calculation purposes. Therefore, the quantity of traffic generated, and the parking needs calculated later in this report, are expected to be greater than the project's actual future traffic and parking generation.

Figure 2 shows the existing, and the proposed site plans and the parking lot, along with their relationship to the adjacent street system. As indicated in Figure 2, the existing supply of 10 parking stalls will be reduced to nine stalls due to the loss of one stall associated with the provision of one code-compliant handicap accessible parking space. Alley access to these stalls will be maintained.

Based upon the City of Beverly Hills' Parking Code, which requires one stall per 350 sf of commercial space, the proposed project will need to provide four stalls for the proposed 1,400 sf expansion, and one stall to replace the lost on-site stall mentioned earlier, in addition to the nine proposed on-site parking stalls, for a total of 14 stalls. It is expected that the project will satisfy the projected five stalls parking shortage, by participating in the City of Beverly Hills In-Lieu parking program. The subject shortage could be accommodated by the existing public parking supply located within walking distance of the subject site.

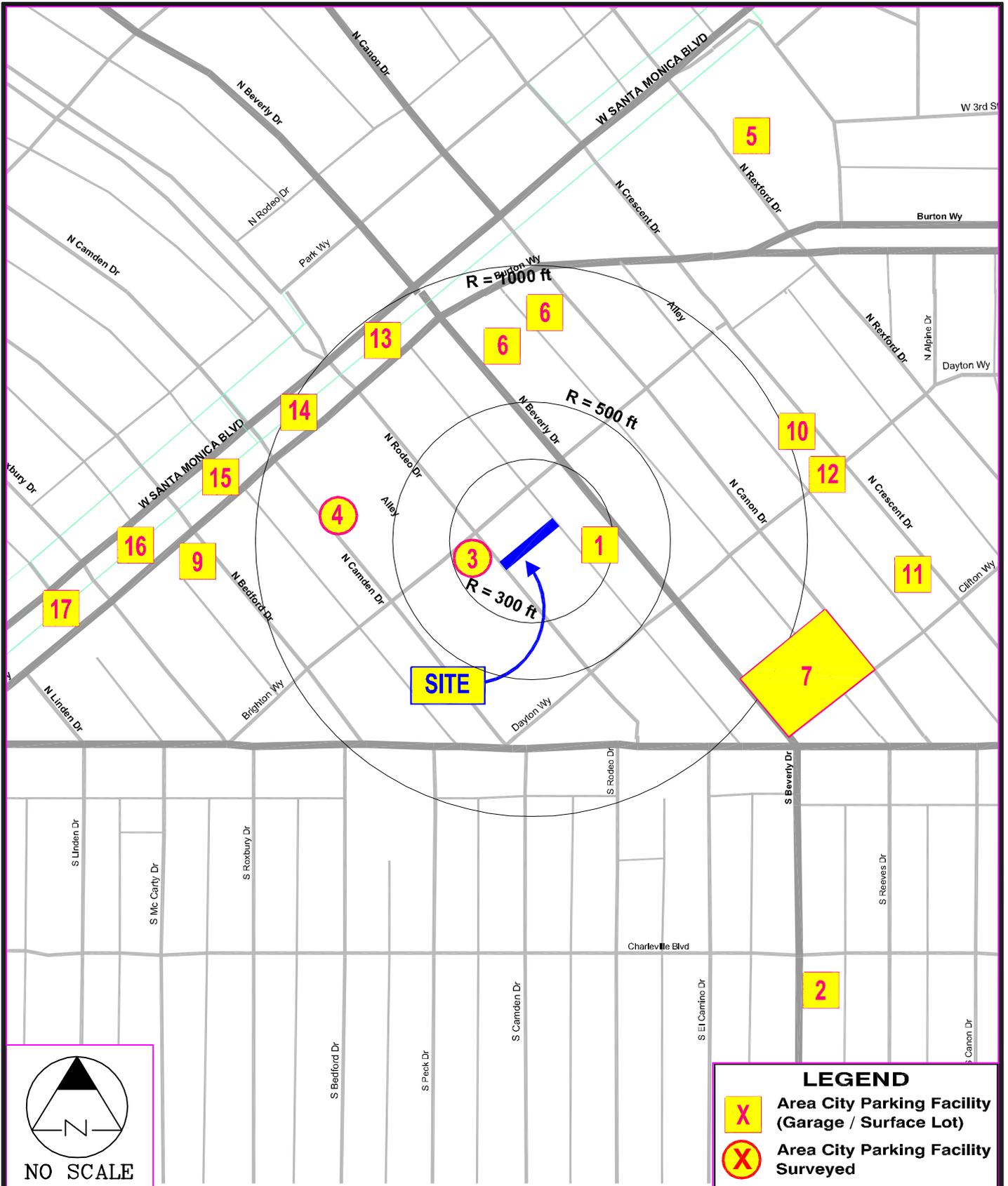
Site plans and other pertinent information concerning the proposed project were provided by the Project Coordinator, Mr. Robert Barlow, of Red Architectural Group.

DATA SOURCES

As indicated in Figure 1, several public parking facilities exist within walking distance from the proposed project's site. Parking accumulation surveys were conducted at two of those facilities, closest to the site. The location of the parking facilities surveyed is 9510 Brighton Way, and 440 North Camden Drive. The assumption behind this choice is that the proposed project's patrons will be willing to walk a few blocks in order to reach the site. This is a conservative assumption, as the site is located in a prime shopping area of the City of Beverly Hills, the "Golden Triangle", with a "shopping center" type of operations, and a high level of pedestrian traffic.

Field investigations were made by our personnel to ascertain the existing parking supply at the above mentioned parking structures, indicated in Figure 1 with a round marker. Surveys of available parking stalls were conducted at the Brighton parking





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SITE LOCATION MAP

structure, on: Friday and Saturday, August 10 and 11, and Thursday, August 16, 2012. The surveys at the Camden parking structure were conducted on: Thursday, August 16; Friday, August 31; and Saturday, August 18, 2012. All surveys were performed between 10:00 AM and 7:00 PM however, at the request of the City of Beverly Hills, only the 10:00 AM to 4:00 PM were required for analysis. Observations of the facility parking occupancy were conducted every 30 minutes.

It should be noted that additional surface public parking lots exist within walking distance from the proposed site. In addition, an extensive supply of curbside parking exists within the Golden Triangle. This means that additional parking is available beyond that found within the public parking facilities surveyed. However, since no survey of the additional parking supply was required by the City, our analysis will evaluate a worst case scenario, assessing only the occupancy of the nearby parking structure.

SITE TRAFFIC GENERATION

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

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

In order to evaluate the quantity of traffic generated by the site, ITE traffic generation factors from the 8th Edition of the Traffic Generation Manual were applied to the land use included in the proposed project, i.e. retail space, for the daily, and the morning and evening peak periods. The AM and PM peak hours relate to a one-hour period within the 7:00 to 9:00 AM and the 4:00 to 6:00 PM periods respectively.

It should be noted that traffic generation surveys, conducted by our firm of other retail stores within the Golden Triangle, have shown that retail spaces in this area tend to generate traffic at rates that are significantly lower than those calculated through the factors provided by ITE equations. This is indicative of the fact that stores located within the Golden Triangle, operate like in a shopping center environment. Under these conditions, the ITE equations tend to overstate the traffic generation potential of smaller stores, considered individually. Our studies showed that the traffic generation



characteristics of small stores in this area are similar to those found with the ITE factors associated with larger shopping centers, which is consistent with the above mentioned considerations about the Golden Triangle traffic generation patterns. For this reason the ITE factors used in our analysis relate to the land use's "Average Vehicle Trips Ends", and are not based upon the above mentioned equations.

Table 1 shows in detail the generation factors used for analysis purposes along with the related volumes for the proposed addition. As indicated in Tale 1, the proposed project is expected to generate about 300 vehicle trips per day (160 inbound and 150 outbound). The AM peak was estimated at 7 vehicle trips (4 inbound and 3 outbound). The PM peak was estimated at 27 vehicle trips (13 inbound and 14 outbound).

As indicated, these are the numbers of vehicle trips generated by the proposed project. In order to estimate the quantity of traffic that the proposed project will actually add to the surrounding street system, the above volumes must be reduced by the trips associated with the site's existing development, which also are reported in Table 1. The site's existing retail was estimated to generate about 240 daily vehicle trips, (120 inbound and 120 outbound). The AM peak was estimated at 5 vehicle trips (3 inbound and 2 outbound). The PM peak was estimated at 21 vehicle trips (10 inbound and 11 outbound).

With the reductions described above, and based upon ITE traffic generation factors, the proposed project is expected to increase area traffic by about 60 vehicle trips on a daily basis (30 inbound and 30 outbound). During the AM peak the project will add 2 new vehicle trips (1 inbound and 1 outbound). The PM peak shows a total of 6 new vehicle trips (3 inbound and 3 outbound).

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

SITE PARKING DEMAND

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



TABLE 1

**PROJECT TRAFFIC GENERATION
366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills**

LAND USE	SIZE	UNIT	LAND USE CODE	AVERAGE DAILY TRAFFIC		AM PEAK HOUR				PM PEAK HOUR			
				(1) TE Rate	(2) Trip Ends	TE Rate (1) In Out		Trip Ends (2) In Out		TE Rate (1) In Out		Trip Ends (2) In Out	
Proposed Project													
Existing Retail	5.600	KGLA	820	42.94	240	0.61	0.39	3	2	1.83	1.90	10	11
Retail Addition	1.400	KGLA	820	42.94	60	0.61	0.39	1	1	1.83	1.90	3	3
Max Site Traffic Generation					300	<i>AM Total = 7</i>		4	3	<i>PM Total = 27</i>		13	14
Existing Project													
Existing Retail	5.600	KGLA	820	42.94	240	0.61	0.39	3	2	1.83	1.90	10	11
Existing Site Traffic Generation					240	<i>AM Total = 5</i>		3	2	<i>PM Total = 21</i>		10	11
Maximum Proposed Project Net Traffic Addition					60	<i>AM Total = 2</i>		1	1	<i>PM Total = 6</i>		3	3

1) TE Rate is the average number of Trip Ends generated per "SIZE" Unit (i.e. KGLA) per ITE Trip Generation Manual - 8th Edition.

2) Trip End is a one-way vehicle movement entering or leaving the traffic generator.

Table 2 shows the parking generation factors used in the analysis and the resulting number of parking stalls needed to satisfy the project's parking demand. As reported in Table 2, the proposed project will have a peak parking demand of 19 stalls. This represents the estimated project's peak number of parking stalls occupied per the ITE data. Table 2 also reports the proposed project's parking needs based upon the City of Beverly Hills Parking Code, along with the actual parking supply, reported for comparison purposes.

The City of Beverly Hills' Parking Code requires that one parking stall per 350 sf of commercial space be provided by new developments. The existing retail space however, is grandfathered with the current supply of 10 stalls located in the surface parking lot behind the building. This translates into a need of four stalls for the proposed 1,400 sf expansion, for a total of 14 parking stalls. As indicated earlier, the provision of the required code-compliant handicap accessible parking space will determine the loss of one parking stall on site, out of the existing supply of 10 stalls, which will be reduced to nine. The lost stall will have to be replaced, so the proposed project will need to provide five parking stalls off site, in addition to the nine proposed on-site, for a total of 14 stalls. It is expected that the project will participate in the City of Beverly Hills In-Lieu parking program to satisfy the projected five stalls parking shortage.

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

PARKING SURVEYS DATA AND ANALYSIS

The 9510 Brighton Way structure provides a total of 249 parking stalls at no charge for the first two hours of parking. The 440 North Camden Drive structure provides a total of 387 parking stalls, at no charge for the first one hour of parking. Table 3 shows the results of the parking accumulation surveys conducted on Thursday, August 16, 2012, for the two parking structures, individually, and combined. As reported in Table 3, the Brighton Way structure peak parking occupancy occurred at 2:30 PM with 211 stalls occupied, out of a total supply of 249 stalls. That is about 85 percent of supply. At that time 38 stalls, or 15 percent of supply were available. Similarly, the Camden Drive structure peak parking occupancy occurred at 2:00 PM with 315 stalls occupied, out of a total supply of 387 stalls. That is about 81 percent of supply. At that time 72 stalls, or 19 percent of supply were available.



TABLE 2

**PROJECT PARKING GENERATION
366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills**

LAND USE	SIZE	UNIT	LAND USE CODE	MAXIMUM # OF STALLS OCCUPIED		CODE REQUIREMENT		ACTUAL PARKING SUPPLY	
				(1) Pkg Rate	(2) Stalls	(2) Pkg Rate	(2) Stalls	(1) Pkg Rate	(2) Stalls

Proposed Project

Existing Retail (3)	5.600	KGLA	820	2.65	15	1.79	10	1.79	10
Commercial Expansion	1.400	KGLA	820	2.65	4	2.86	4	N/A	(1)
In-lieu Parking	1.400	KGLA	N/A	N/A	N/A	N/A	N/A	3.57	5
Parking Totals				2.71	19	2.00	14	2.00	14

Existing Project

Retail	5.600	KGLA	820	2.65	15	1.79	10	1.79	10
Parking Totals				2.65	15	1.79	10	1.79	10

Proposed Project Parking Totals					19		14		9
Proposed Project In-Lieu Parking					N/A		N/A		5
Proposed Project Parking Grand Totals				(100%)	19	(74%)	14	(74%)	14

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

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

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

3) The existing legally non conforming section of the retail space was grandfathered with 10 parking stalls.

The structures' combined peak parking occupancy occurred at 2:00 PM with 519 stalls occupied, out of a total supply of 636 stalls. That is about 82 percent of supply. At that time 117 stalls, or 18 percent of supply were available. Graphic renderings of the surveys' results, is shown in the graphs following Table 3.

Table 4 shows the results of the parking accumulation surveys for the two parking structures conducted on Fridays, August 10 and 31, 2012, respectively at the 9510 Brighton Way, and the 440 North Camden Drive structures. As reported in Table 4, the Brighton Way structure Friday peak parking occupancy occurred at 1:30 PM with 225 stalls occupied. This is about 90 percent of supply. At that time 24 stalls, or 10 percent of supply were available. The Camden Drive structure peak parking occupancy occurred at 2:00 PM with 331 stalls occupied, which translates into about 86 percent of supply. At that time 56 stalls, or 14 percent of supply, were available. The Friday combined peak parking occupancy at the subject facilities occurred at 2:00 PM with 554 stalls occupied. That constitutes an occupancy of about 87 percent of capacity. At that time 82 stalls, or 13 percent of capacity were available. Graphic renderings of the surveys' results, are shown in the graphs following Table 4.

Similarly, Table 5 shows the results of the parking accumulation surveys for the two parking structures conducted on Saturdays, August 11 and 18, 2012 respectively at the 9510 Brighton Way, and the 440 North Camden Drive structures. As reported in Table 5, the Brighton Way structure Saturday peak parking occupancy occurred at 3:30 PM with 144 stalls occupied. This is about 58 percent of supply. At that time 105 stalls, or 42 percent of supply were available. The Camden Drive structure peak parking occupancy occurred at 12:30 PM with 112 stalls occupied, which translates into about 29 percent of supply. At that time 275 stalls, or 71 percent of supply, were available. The Saturday combined peak parking occupancy at the subject facilities occurred at 12:30, and at 1:00 PM with 247 stalls occupied. That constitutes an occupancy of about 39 percent of capacity. At that time 389 stalls, or 62 percent of capacity were available. Graphic renderings of the surveys' results, are shown in the graphs following Table 5.

In order to account for the added parking needs associated with the proposed 366 North Rodeo Drive Commercial Building, the results of the surveys for the two structures were combined, and increased by the 5 in-lieu parking stalls described above. The stalls were added for the entire day in order to evaluate a worst case scenario.

Table 6 is a summary of the Thursday parking occupancy for the two facilities surveyed, which along with the proposed project's 5 stalls in-lieu parking requirement, constitutes the structures' future peak parking occupancy. The table basically shows the surveyed facilities combined peak parking occupancy for the Thursday counts, with the above mentioned in-lieu parking requirement superimposed to those occupancies. As indicated in Table 6, with a combined supply of 636 stalls the proposed project's two vicinity public parking facilities will have a combined peak occupancy of 524 parking stalls, expected to occur around 2:00 PM. That constitutes an occupancy of about 82



TABLE 3

PARKING STRUCTURE ACCUMULATION SURVEY

Thursday, August 16, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

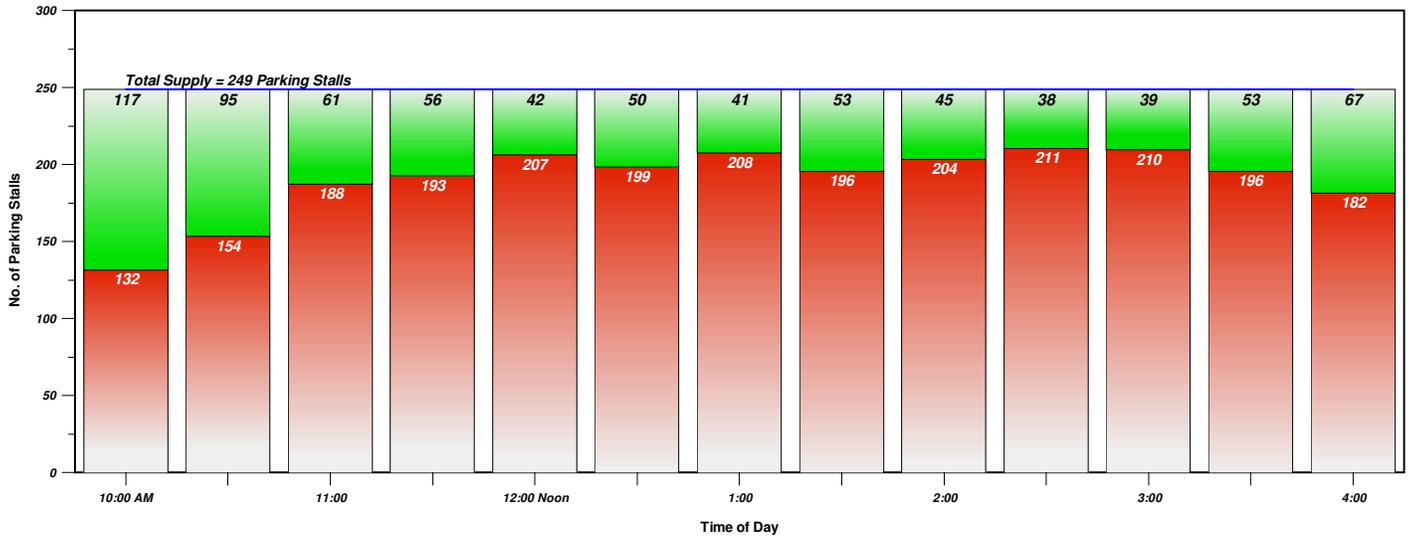
Structure	9510 Brighton Way				440 N. Camden Drive				Total of both			
PARKING SUPPLY	Total				Total				Parking Structures			
	249	Stalls			387	Stalls (1)			636	Stalls		
TIME START	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	132	53%	117 *	47%	228	59%	159 *	41%	360	57%	276 *	43%
30	154	62%	95	38%	259	67%	128	33%	413	65%	223	35%
11:00	188	76%	61	24%	262	68%	125	32%	450	71%	186	29%
30	193	78%	56	22%	278	72%	109	28%	471	74%	165	26%
12:00 Noon	207	83%	42	17%	281	73%	106	27%	488	77%	148	23%
30	199	80%	50	20%	272	70%	115	30%	471	74%	165	26%
1:00	208	84%	41	16%	295	76%	92	24%	503	79%	133	21%
30	196	79%	53	21%	299	77%	88	23%	495	78%	141	22%
2:00	204	82%	45	18%	315 *	81%	72	19%	519 *	82%	117	18%
30	211 *	85%	38	15%	293	76%	94	24%	504	79%	132	21%
3:00	210	84%	39	16%	275	71%	112	29%	485	76%	151	24%
30	196	79%	53	21%	254	66%	133	34%	450	71%	186	29%
4:00	182	73%	67	27%	249	64%	138	36%	431	68%	205	32%
PEAK	211	85%	117	47%	315	81%	159	41%	519	82%	276	43%

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

9510 Brighton Way Parking Accumulation Survey - Thursday Aug 16, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

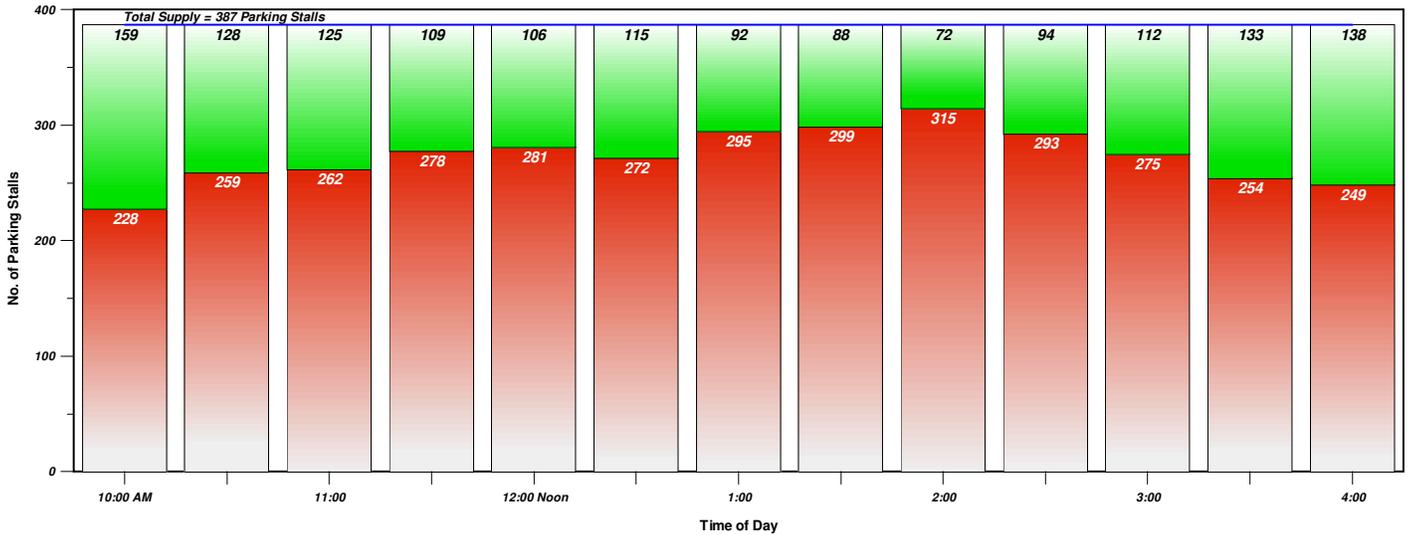
Stalls Occupied Stalls Available Total Supply



440 N Camden Drive Parking Accumulation Survey - Thursday Aug 16, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

Stalls Occupied Stalls Available Total Supply



Parking Structures Total Parking Accumulation - Thursday Aug 16, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

Stalls Occupied Stalls Available Total Supply

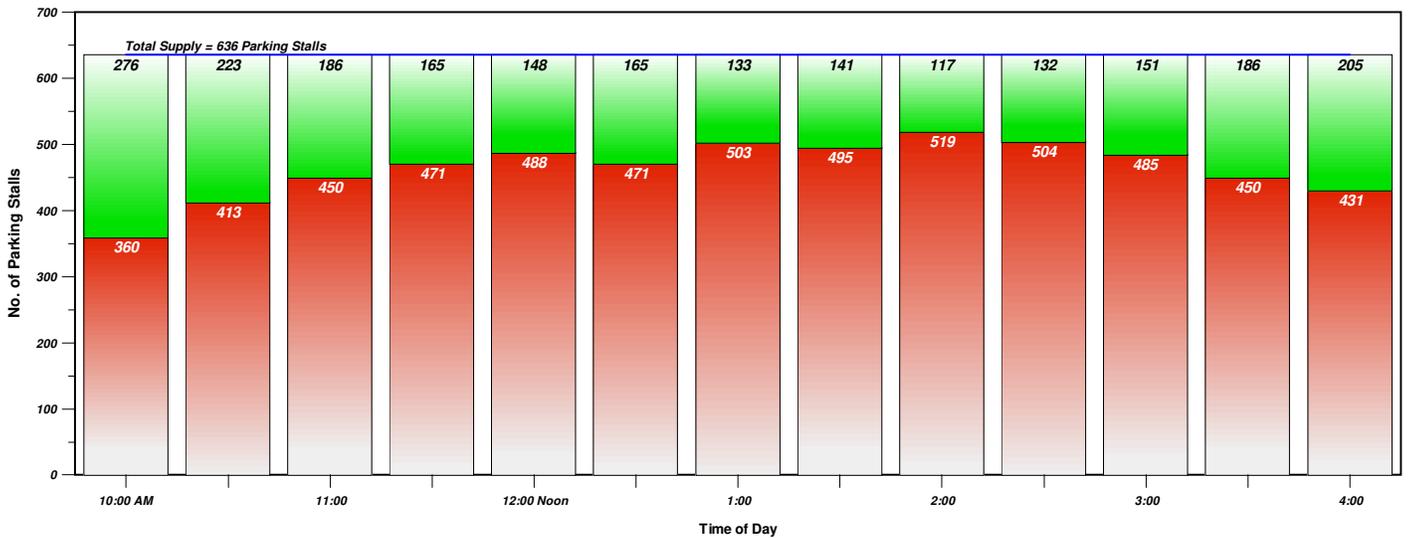


TABLE 4

PARKING STRUCTURE ACCUMULATION SURVEY

Friday, August 10/31, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

Structure	9510 Brighton Way				440 N. Camden Drive				Total of both			
PARKING SUPPLY	Total				Total				Parking Structures			
	249	Stalls			387	Stalls (1)			636	Stalls		
TIME START	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	119	48%	130	* 52%	237	61%	150	* 39%	356	56%	280	* 44%
30	140	56%	109	44%	275	71%	112	29%	415	65%	221	35%
11:00	152	61%	97	39%	278	72%	109	28%	430	68%	206	32%
30	170	68%	79	32%	289	75%	98	25%	459	72%	177	28%
12:00 Noon	189	76%	60	24%	297	77%	90	23%	486	76%	150	24%
30	207	83%	42	17%	297	77%	90	23%	504	79%	132	21%
1:00	213	86%	36	14%	307	79%	80	21%	520	82%	116	18%
30	225	* 90%	24	10%	321	83%	66	17%	546	86%	90	14%
2:00	223	90%	26	10%	331	* 86%	56	14%	554	* 87%	82	13%
30	201	81%	48	19%	315	81%	72	19%	516	81%	120	19%
3:00	194	78%	55	22%	293	76%	94	24%	487	77%	149	23%
30	165	66%	84	34%	275	71%	112	29%	440	69%	196	31%
4:00	159	64%	90	36%	261	67%	126	33%	420	66%	216	34%
PEAK	225	90%	130	52%	331	86%	150	39%	554	87%	280	44%

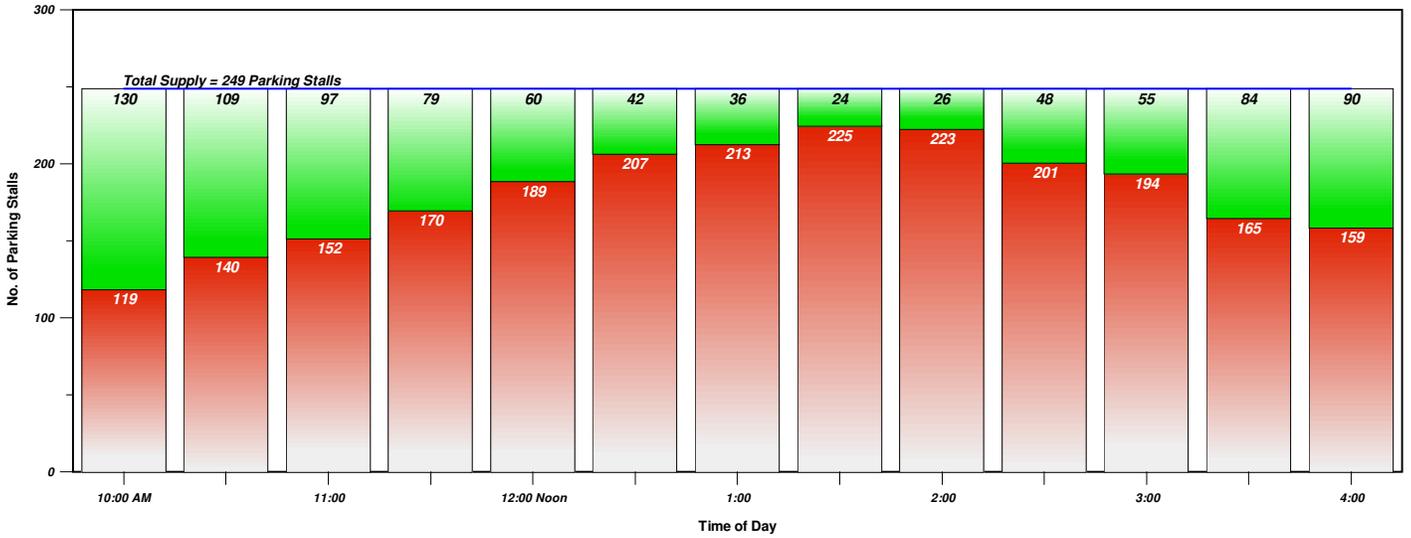
Note: The asterisk (*) indicates the occurrence of a parking peak.

1) 8 of the 1st Floor stalls reserved and posted for No Parking Anytime.

9510 Brighton Way Parking Accumulation Survey - Friday Aug 10, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

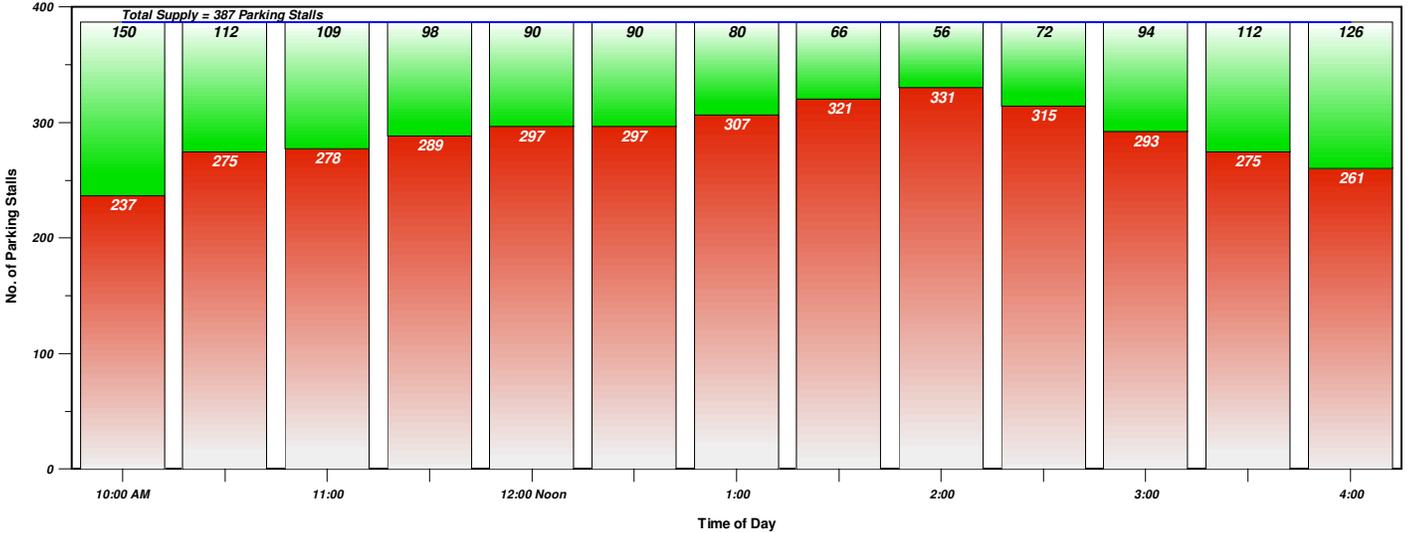
Stalls Occupied Stalls Available Total Supply



440 N Camden Drive Parking Accumulation Survey - Friday Aug 31, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

Stalls Occupied Stalls Available Total Supply



Parking Structures Total Parking Accumulation - Friday Aug 10/31, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

Stalls Occupied Stalls Available Total Supply

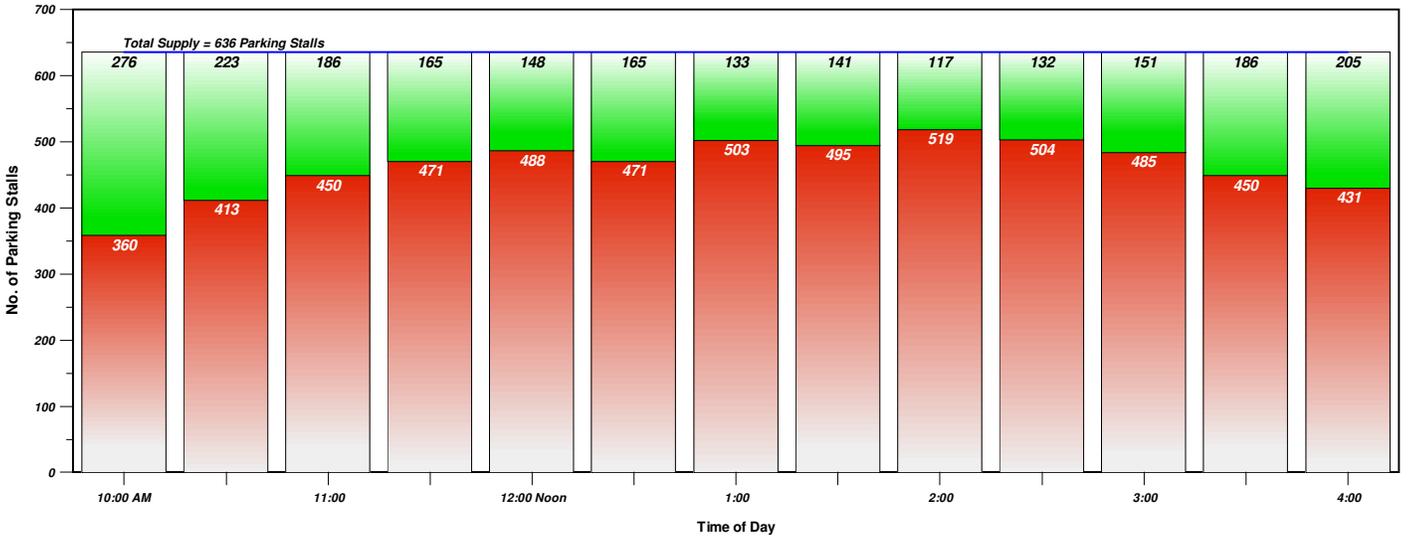


TABLE 5

PARKING STRUCTURE ACCUMULATION SURVEY

Saturday, August 11/18, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

Structure	9510 Brighton Way				440 N. Camden Drive				Total of both			
PARKING SUPPLY	Total				Total				Parking Structures			
	249	Stalls			387	Stalls (1)			636	Stalls		
TIME START	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	83	33%	166	* 67%	74	19%	313	* 81%	157	25%	479	* 75%
30	93	37%	156	63%	86	22%	301	78%	179	28%	457	72%
11:00	111	45%	138	55%	84	22%	303	78%	195	31%	441	69%
30	129	52%	120	48%	91	24%	296	76%	220	35%	416	65%
12:00 Noon	136	55%	113	45%	96	25%	291	75%	232	36%	404	64%
30	135	54%	114	46%	112	* 29%	275	71%	247	* 39%	389	61%
1:00	138	55%	111	45%	109	28%	278	72%	247	* 39%	389	61%
30	141	57%	108	43%	102	26%	285	74%	243	38%	393	62%
2:00	140	56%	109	44%	104	27%	283	73%	244	38%	392	62%
30	142	57%	107	43%	100	26%	287	74%	242	38%	394	62%
3:00	140	56%	109	44%	97	25%	290	75%	237	37%	399	63%
30	144	* 58%	105	42%	86	22%	301	78%	230	36%	406	64%
4:00	141	57%	108	43%	87	22%	300	78%	228	36%	408	64%
PEAK	144	58%	166	67%	112	29%	313	81%	247	39%	479	75%

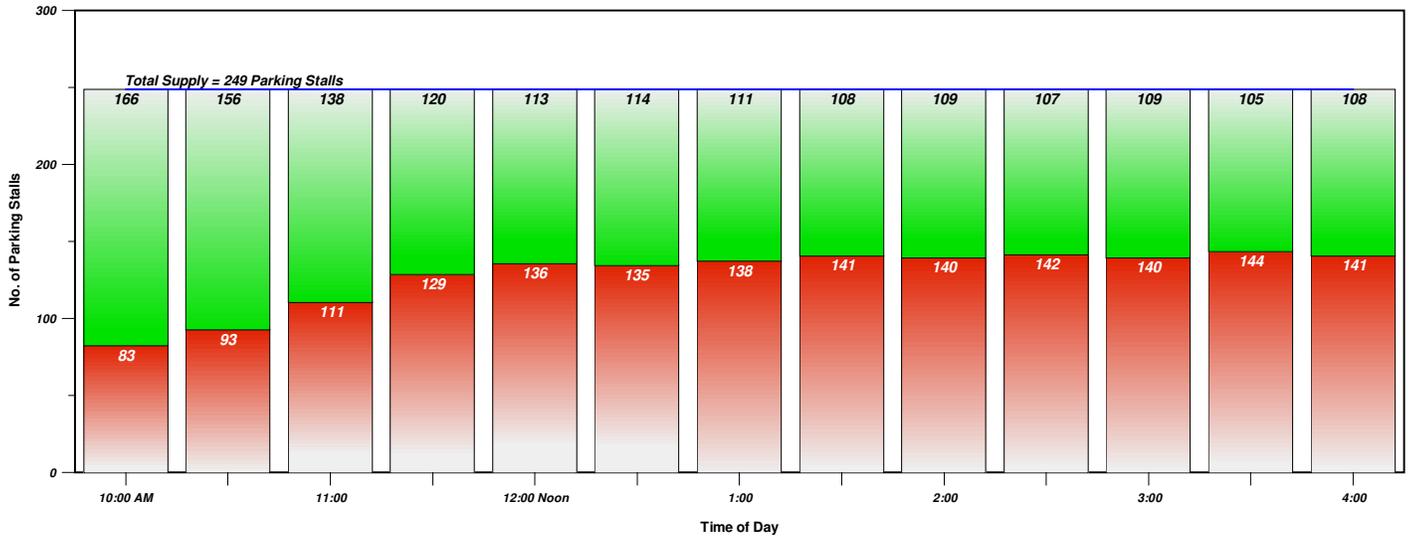
Note: The asterisk (*) indicates the occurrence of a parking peak.

1) 8 of the 1st Floor stalls reserved and posted for No Parking Anytime.

9510 Brighton Way Parking Accumulation Survey - Saturday Aug 11, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

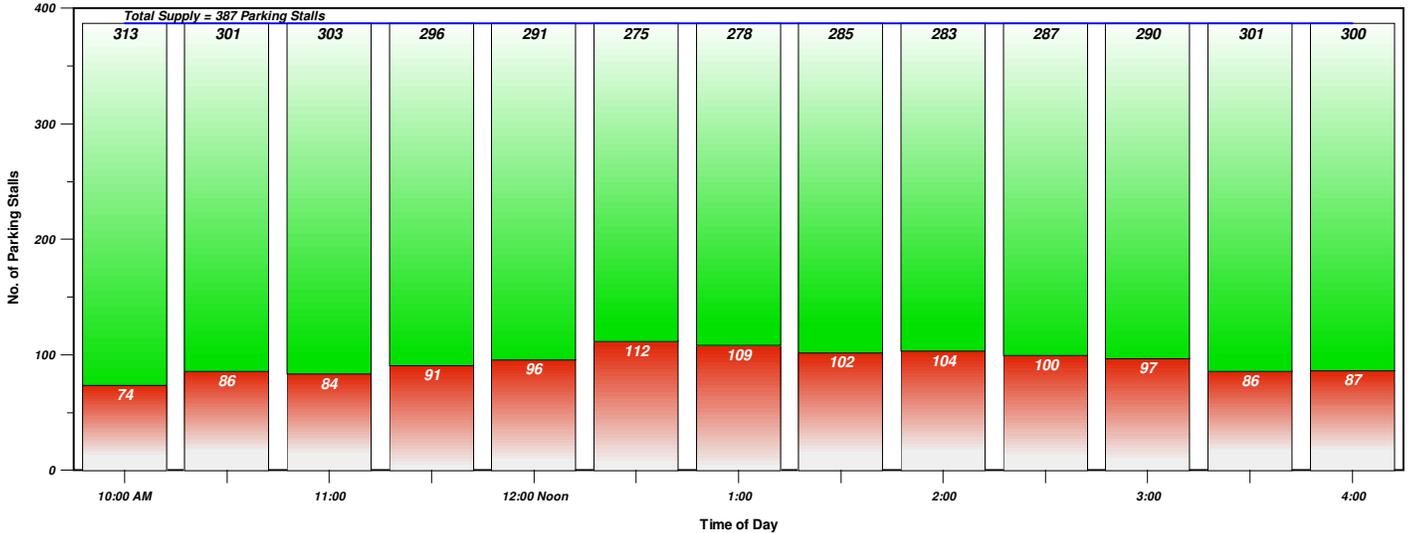
Stalls Occupied Stalls Available Total Supply



440 N Camden Drive Parking Accumulation Survey - Saturday Aug 18, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

Stalls Occupied Stalls Available Total Supply



Parking Structures Total Parking Accumulation - Saturday Aug 11/18, 2012

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

Stalls Occupied Stalls Available Total Supply

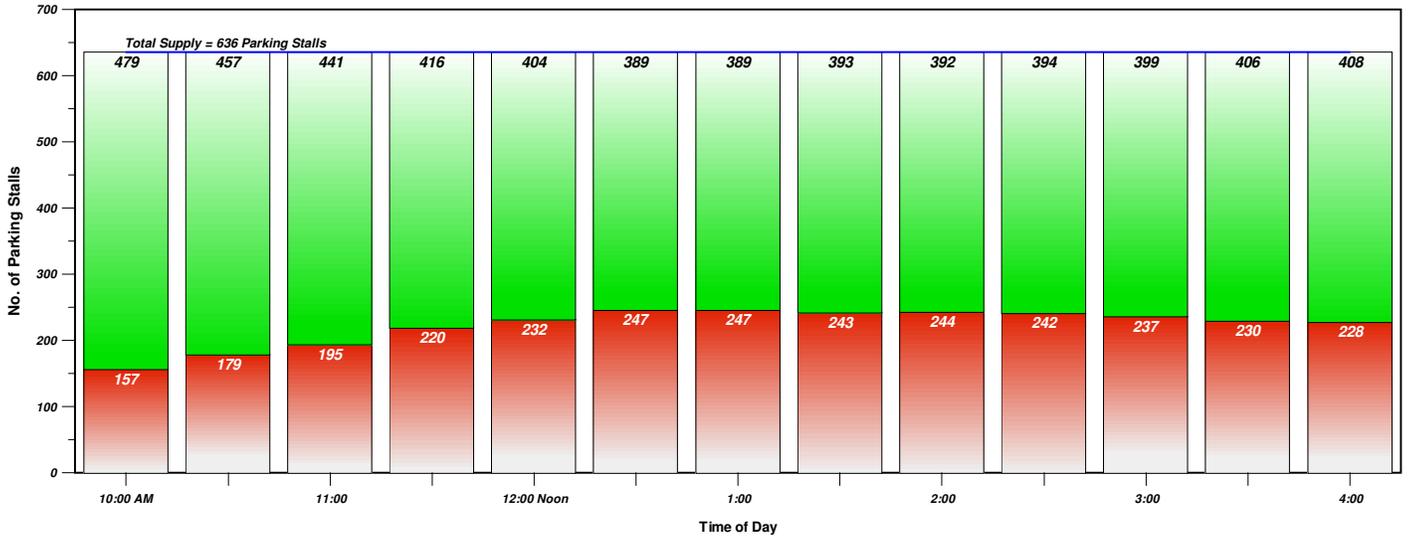


TABLE 6

**TOTAL FUTURE PARKING FACILITY THURSDAY ACCUMULATION - SUMMARY
366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills**

LOCATION	9510 Brighton Way	440 N. Camden Drive		Total Future Parking Occupancy			
SUPPLY	249	387	Stalls	636	Stalls		
TIME START	Stalls Occupied		Site In-Lieu (1)	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	132	228	5	365	57%	271	43%
30	154	259	5	418	66%	218	34%
11:00	188	262	5	455	72%	181	28%
30	193	278	5	476	75%	160	25%
12:00 Noon	207	281	5	493	78%	143	22%
30	199	272	5	476	75%	160	25%
1:00	208	295	5	508	80%	128	20%
30	196	299	5	500	79%	136	21%
2:00	204	315	5	524	82%	112	18%
30	211	293	5	509	80%	127	20%
3:00	210	275	5	490	77%	146	23%
30	196	254	5	455	72%	181	28%
4:00	182	249	5	436	69%	200	31%
PEAK	211	315	5	524	82%	271	43%

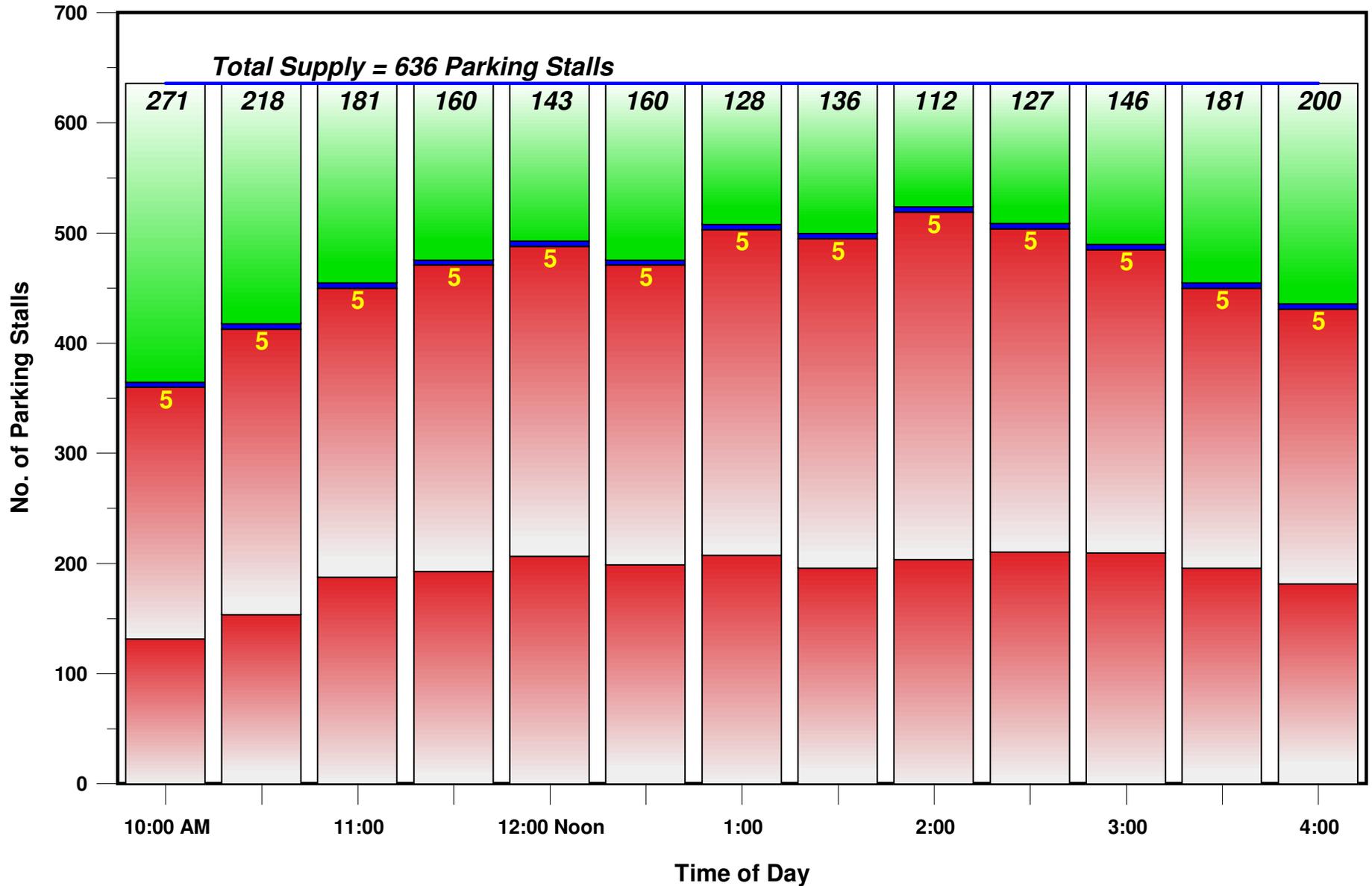
Note: The asterisk (*) indicates the occurrence of a parking peak.

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

Future Parking Facility Accumulation - Thursday Survey

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

9510 Brighton Way
 440 N Camden Dr.
 In-Lieu Parking
 Stalls Available
 Total Supply



percent of capacity. At that time the balance of 112 stalls or about 18 percent of supply still will be available. A graphic rendering of the table is shown in the graph following Table 6.

Table 7 is a summary of the Friday parking occupancies for the subject facilities, with the proposed project's 5 stalls in-lieu parking requirement. As indicated in Table 7, the parking facilities combined will have a peak occupancy of 559 parking stalls, or about 88 percent of capacity, expected to occur 2:00 PM. At that time the balance of 77 stalls or about 12 percent of capacity still will be available. A graphic rendering of the table is shown in the graph following Table 7.

Similarly, Table 8 is a summary of the Saturday parking occupancies for the subject facilities, with the proposed project's 5 stalls in-lieu parking requirement. As indicated in Table 8, the parking facilities combined will have a peak occupancy of 252 parking stalls, or about 40 percent of capacity, expected to occur both at 12:30, and 1:00 PM. At that time the balance of 384 stalls or about 60 percent of capacity still will be available. A graphic rendering of the table is shown in the graph following Table 8.

The results of the parking surveys reported above show that the proposed project's parking shortage of 5 stalls can readily be addressed by the excess parking supply available at the 9510 Brighton Way, and 440 North Camden Drive public parking facilities surveyed. These have sufficient parking available even during peak parking periods. No significant parking impacts are expected as a result of the development of the proposed expansion of the 366 North Rodeo Drive Commercial Building. Consequently, it is recommended that the project's "in-lieu" parking application be approved.

* * * * *

SUMMARY AND CONCLUSIONS

A 1,400 net square foot expansion of an existing commercial building has been proposed for development on a 7,625 square foot lot, located at 366 North Rodeo Drive, in the City of Beverly Hills, California. The site currently is occupied by a one story commercial building with mezzanine, and a gross floor area of about 5,600 sf of gross floor area. The site currently is supported by a surface parking area, located behind the building, providing 10 substandard parking stalls. Access to the parking area is provided by a one-way (southbound) alley, located east of the site, with a standard 20 foot width.

A preliminary analysis was conducted to evaluate the traffic impacts associated with the proposed development. It was found that the proposed expansion project will have a negligible impact upon the surrounding area street system. From a traffic standpoint,



TABLE 7

**TOTAL FUTURE PARKING FACILITY FRIDAY ACCUMULATION - SUMMARY
366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills**

LOCATION	9510 Brighton Way	440 N. Camden Drive		Total Future Parking Occupancy			
SUPPLY	249	387	Stalls	636	Stalls		
TIME START	Stalls Occupied		Site In-Lieu (1)	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	119	237	5	361	57%	275	43%
30	140	275	5	420	66%	216	34%
11:00	152	278	5	435	68%	201	32%
30	170	289	5	464	73%	172	27%
12:00 Noon	189	297	5	491	77%	145	23%
30	207	297	5	509	80%	127	20%
1:00	213	307	5	525	83%	111	17%
30	225 *	321	5	551	87%	85	13%
2:00	223	331	5	559	88%	77	12%
30	201	315	5	521	82%	115	18%
3:00	194	293	5	492	77%	144	23%
30	165	275	5	445	70%	191	30%
4:00	159	261	5	425	67%	211	33%
PEAK	225	331	5	559	88%	275	43%

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

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

Future Parking Facility Accumulation - Friday Survey

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

9510 Brighton Way
 440 N Camden Dr.
 In-Lieu Parking
 Stalls Available
 Total Supply

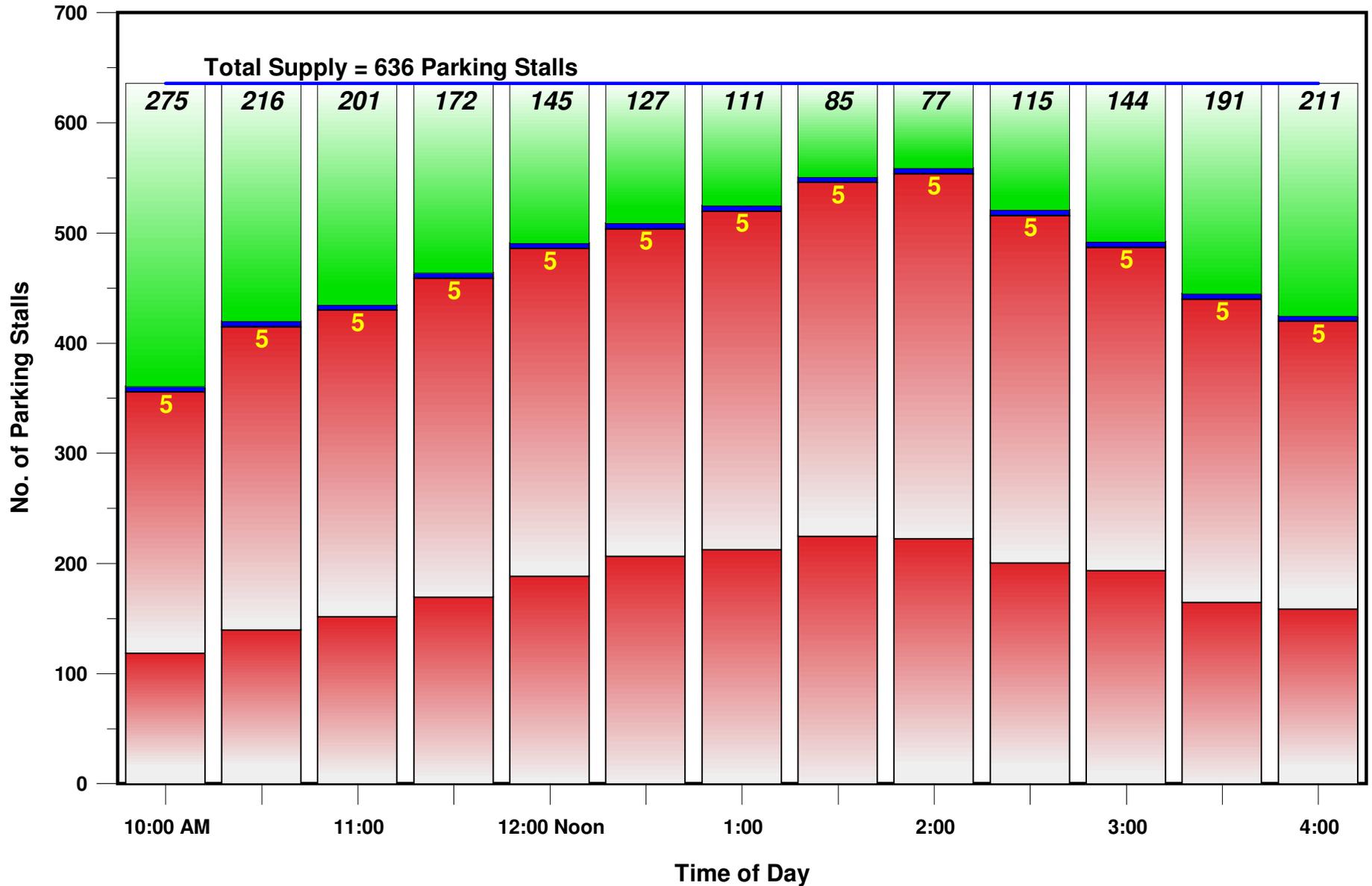


TABLE 8**TOTAL FUTURE PARKING FACILITY SATURDAY ACCUMULATION - SUMMARY
366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills**

LOCATION	9510 Brighton Way	440 N. Camden Drive		Total Future Parking Occupancy			
SUPPLY	249	387	Stalls	636	Stalls		
TIME START	Stalls Occupied		Site In-Lieu (1)	Stalls Occupied	% of Total	Stalls Avlbl	% of Total
10:00 AM	83	74	5	162	25%	474	* 75%
30	93	86	5	184	29%	452	71%
11:00	111	84	5	200	31%	436	69%
30	129	91	5	225	35%	411	65%
12:00 Noon	136	96	5	237	37%	399	63%
30	135	112	5	252	* 40%	384	60%
1:00	138	109	5	252	* 40%	384	60%
30	141	102	5	248	39%	388	61%
2:00	140	104	5	249	39%	387	61%
30	142	100	5	247	39%	389	61%
3:00	140	97	5	242	38%	394	62%
30	144	86	5	235	37%	401	63%
4:00	141	87	5	233	37%	403	63%
PEAK	144	112	5	252	40%	474	75%

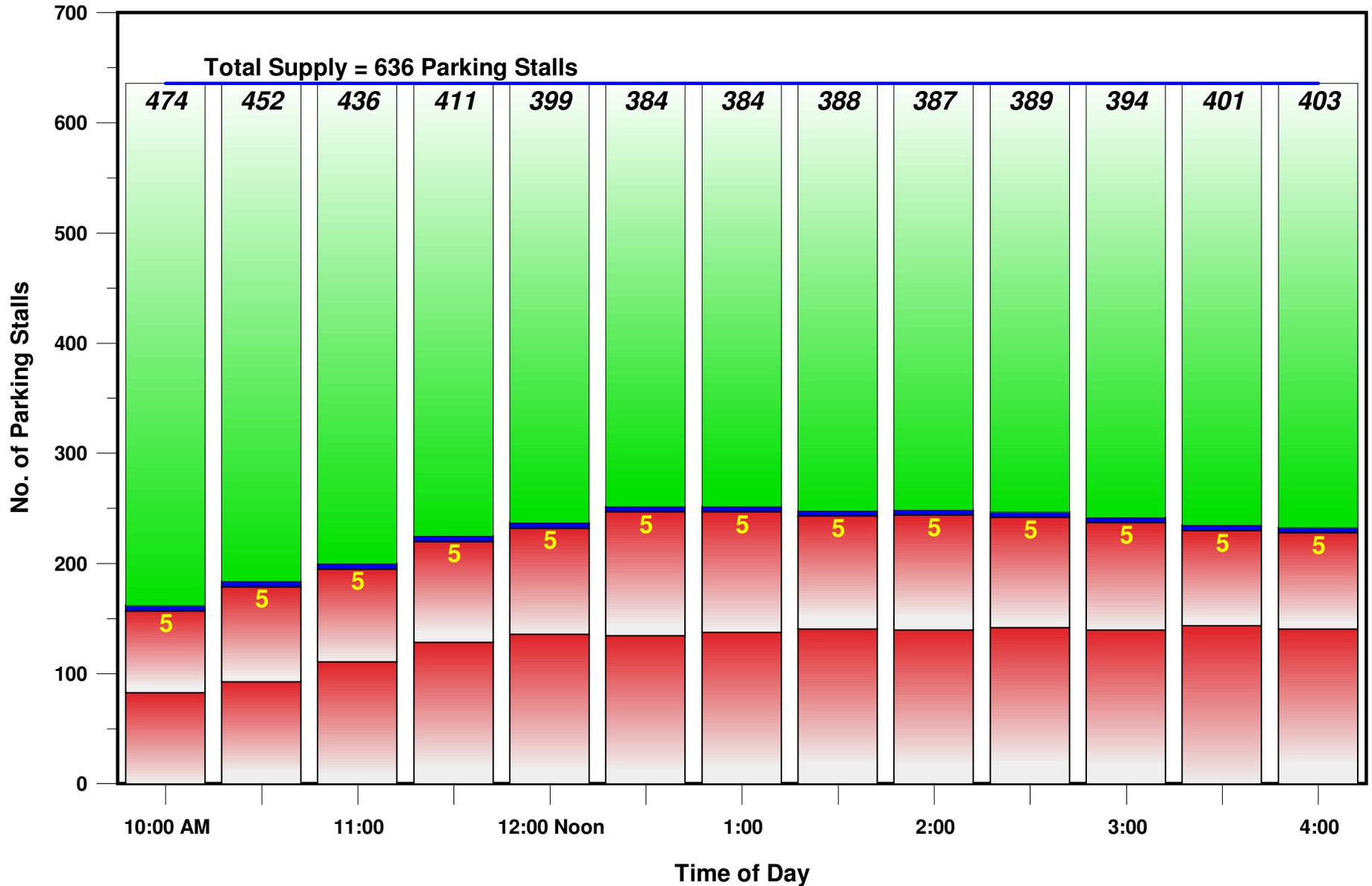
Note: The asterisk (*) indicates the occurrence of a parking peak.

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

Future Parking Facility Accumulation - Saturday Survey

366 North Rodeo Drive Commercial Building In-Lieu Parking Study - Beverly Hills

9510 Brighton Way
 440 N Camden Dr.
 In-Lieu Parking
 Stalls Available
 Total Supply



it is expected that traffic operations on Rodeo Drive and vicinity streets will not be adversely effected by the minor increase in traffic volumes generated by the proposed commercial building expansion. No mitigation measures have been deemed necessary therefore, none was proposed.

Based upon the City of Beverly Hills' Parking Code, the parking analysis showed that the future development will require a total of 14 parking stalls. That is a shortage of 5 parking stalls, since only 9 of the existing 10 stalls will remain in the back of the building, after the provision of a required code-compliant handicap stall. Parking accumulation surveys were conducted at two City owned parking structures located within walking distance from the subject site. The surveys were conducted in order to verify the adequacy of the parking structures to accommodate the proposed project's parking needs, and thus allow the project to participate into the City of Beverly Hills' in-lieu parking program.

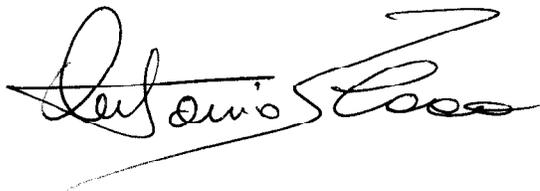
It was found that the proposed 366 North Rodeo Drive commercial building expansion project will have a negligible impact upon area public parking supply. The results of the parking surveys conducted show that adequate parking exists within the study area for the proposed development. The project's code requirement of 5 additional parking stalls can be readily accommodated within the surveyed public structures, without creating undue burden upon available public parking. Consequently, it was recommended that the project's "in-lieu" parking application be approved.

* * * * *

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

Very truly yours,

COCO TRAFFIC PLANNERS, INC.



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

ASC/mp
#2K12025PK





ATTACHMENT E
ARCHITECTURAL PLANS
(PROVIDED SEPARATELY)