



Planning Commission Report

Meeting Date: November 13, 2014

Subject: **1001 N Roxbury Drive**
Central R-1 Permit for New Accessory Structure

Request for a Central R-1 Permit to allow a 108 square foot accessory structure to be located within 100' of a front property line on an estate property. Pursuant to the provisions set forth in the California Environmental Quality Act, the Planning Commission will also consider adoption of a Categorical Exemption for this project.

PROJECT APPLICANT: Jason Somers

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 Central R-1 Permit.

REPORT SUMMARY

The proposed project involves the construction of a one-story accessory structure to house an emergency generator on a property in the Central Area of the City, north of Sunset Boulevard. The property has streets bordering three of its four sides. It is also greater than 24,000 square feet in site area and therefore is considered an estate property. The proposed structure encroaches into the otherwise required front setback for accessory structures and therefore requires discretionary review by the Planning Commission to allow placement of the accessory structure within 100' of the front property line.

This report analyzes the proposed project, with specific analysis of the project's scale and massing, neighbors' access to light and air, neighbors' privacy, and the garden quality of the City. Staff's analysis concludes that, if the design of the accessory structure were modified to be fully enclosed, the project would not result in any significant adverse impacts to adjacent properties or the surrounding neighborhood. Therefore, the recommendation in this report is for approval of the Central R-1 Permit with conditions to ensure that development of the proposed project will not adversely impact neighboring properties or the garden quality of the City.

Attachment(s):

- A. [Zoning Compliance Table](#)
- B. [Required Findings and Recommended Conditions of Approval](#)
- C. [Public Notice](#)
- D. [Draft Planning Commission Resolution](#)
- E. Architectural Plans

Report Author and Contact Information:

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BACKGROUND

File Date	6/17/2014
Application Complete	10/27/2014
Subdivision Deadline	N/A
CEQA Deadline	60 days from CEQA Determination
Permit Streamlining	1/12/15
Applicant(s)	Greer Trust, Joshua & Lisa Greer Trustees
Owner(s)	Greer Trust, Joshua & Lisa Greer Trustees
Representative(s)	Jason Somers, Crest Real Estate LLC
Prior Project Previews	None
Prior PC Action	None
Prior Council Action	None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	1001 North Roxbury Drive
Legal Description	Beverly Hills Tract, Lot 1 and Ex of St Lot 2, Block 170
Zoning District	R-1.X
General Plan	Single-Family Residential – Low Density
Existing Land Use(s)	Single-Family Residential
Lot Dimensions & Area	Approximately 269' x 304' (average width x average depth): 81,920 sq. ft.
Year Built	1942
Historic Resource	The subject property was designed by Master Architect Carleton L. Burgess. The proposed accessory structure will not impact the main residence, nor alter its potential significance.
Protected Trees/Grove	The property contains protected trees; however, no protected trees would be affected as a result of this project.

Adjacent Zoning and Land Uses

North	R-1.X Single-Family Residential
East	R-1.X Single-Family Residential (across North Roxbury Drive)
South	R-1.X Single-Family Residential (across Lexington Road)
West	R-1.X Single-Family Residential (across Whittier Drive)

Circulation and Parking

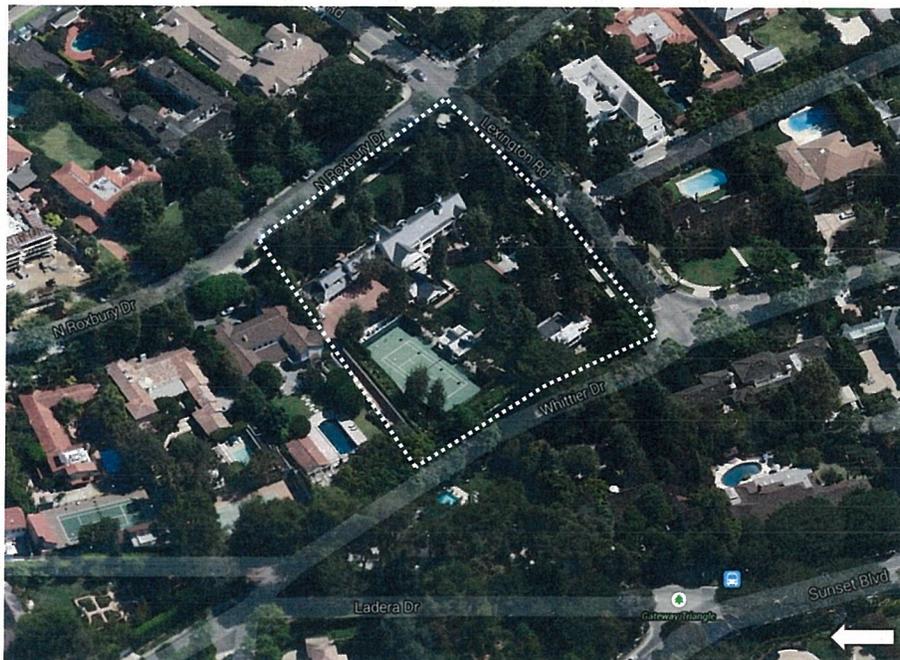
Adjacent Street(s)	North Roxbury Drive, Lexington Road, Whittier Drive
Adjacent Alleys	none
Parkways & Sidewalks	17.5' parkway/sidewalk along Roxbury Drive 14' parkway/sidewalk along Lexington Road 5' parkway along Whittier Drive
Parking Restrictions	No time limits restricting parking on any of the adjacent streets
Nearest Intersection	Whittier Drive & Lexington Road and Roxbury Drive & Lexington Road
Circulation Element	Local streets

Neighborhood Character

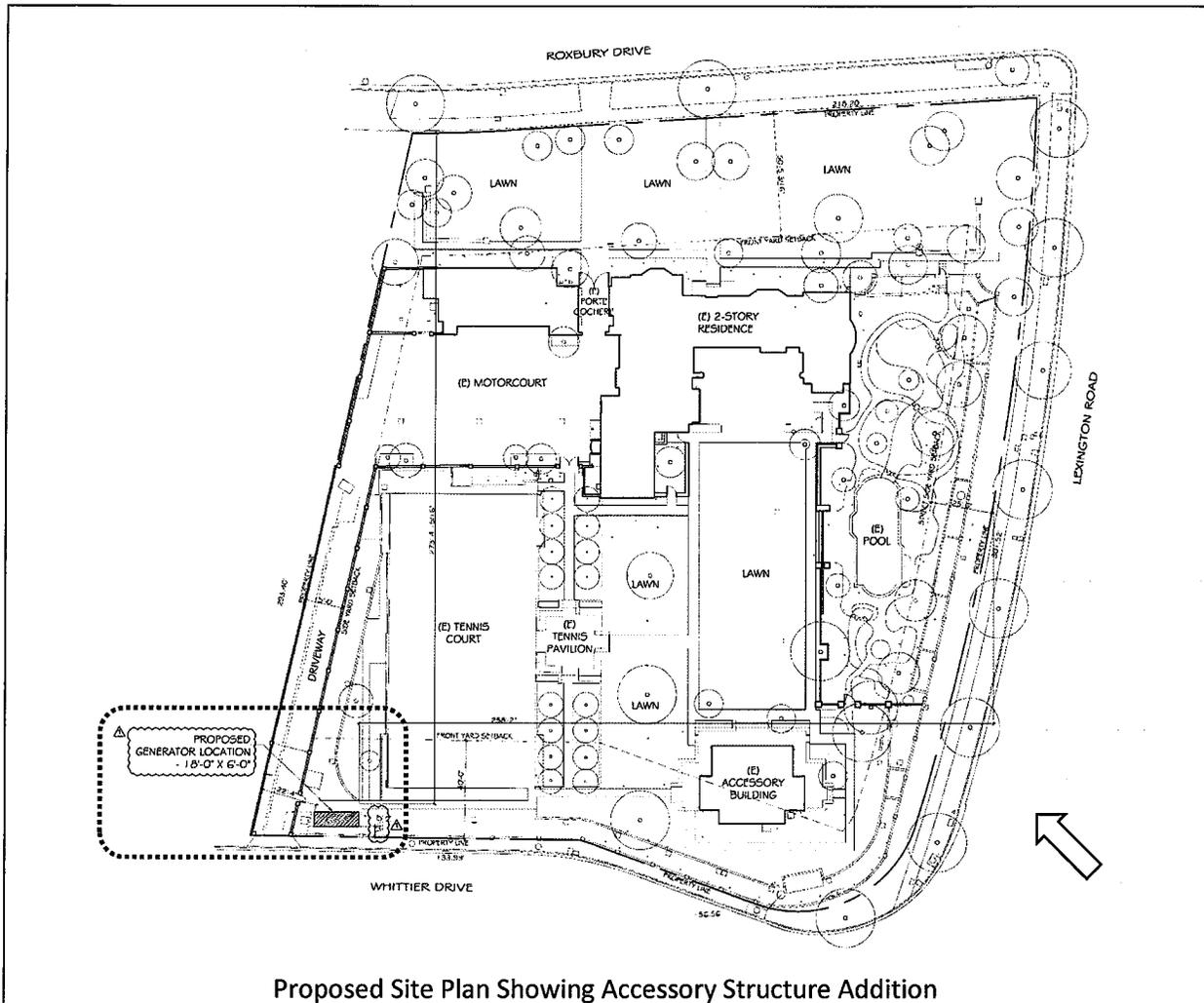
The built environment surrounding the project site consists entirely of single-family homes that are typically two stories in height. Most nearby properties are significantly smaller than the site of 1001 North Roxbury Drive. Many have at least one accessory structure. The majority, including both the subject property and those facing it across Whittier Drive, are developed with vegetation and fences to provide privacy from neighbors and the street.



Subject Property Looking North



Subject Property Looking East



PROJECT DESCRIPTION

Because of the property's location with streets on three sides, it is a through lot with two front lot lines along North Roxbury Drive and Whittier Drive. The existing main residence faces N. Roxbury Drive. The proposed project involves a new single-story accessory structure located along Whittier Drive near the western corner of the subject property. The new building's floor area would be 108 square feet, with a sloping shed-style roof having a minimum height of 9' and a maximum height of 10'. The project proposes a minimum front setback of 4' along Whittier Drive and an approximately 22' side setback from the northern lot line, which is immediately adjacent to a neighboring property.

The structure would contain a diesel-fueled emergency generator and be constructed of acoustical panels that absorb sound. As proposed, the structure would have walls on three sides and one open side that faces the interior of the property.

Requested Permits

The entitlement requested as part of the proposed project is as follows:

Central R-1 Permit. Ordinarily, accessory structures are not permitted to be located within 100' of a front property line. However, estate properties (properties that are at least 24,000 square feet in site area) may seek approval of a Central R-1 Permit to allow the siting of an accessory structure anywhere on the property (BHMC §10-3-2425). Accordingly, the applicant requests a Central R-1 Permit to allow the proposed structure to be located approximately 4' from a front property line (Whittier Drive).

ZONING CODE¹ COMPLIANCE

A detailed review of the proposed project's consistency with applicable zoning standards is provided in [Attachment A](#). As conditioned, 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 goals and policies intended to guide development in the City. Some of the goals and policies relevant to the Planning Commission's review of this project are set forth below.

- **Policy LU 2.1 City Places: Neighborhoods, Districts, and Corridors.** Maintain and enhance the character, distribution, built form, scale, and aesthetic qualities of the City's distinctive residential neighborhoods, business districts, corridors, and open spaces.
- **Policy LU 5.1 Neighborhood Conservation.** Maintain the uses, densities, character, amenities, character, and quality of the City's residential neighborhoods, recognizing their contribution to the City's, identity, economic value and quality of life.
- **Policy LU 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.
- **Policy N 3.1 Protection from Stationary Noise Sources.** Continue to enforce interior and exterior noise standards to ensure that sensitive noise receptors are not exposed to excessive noise levels from stationary noise sources such as machinery, equipment, fans, and air conditioning equipment.
- **Policy N 3.2 Regulation of Sound-amplifying Equipment.** Continue to regulate the use of sound-amplifying equipment.

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

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 Guidelines,³ and the environmental regulations of the City. The project qualifies for a categorical exemption pursuant to Section 15303 (Class 3(e)) of the Guidelines. Class 3 exemptions allow for, among other things, installation of small new equipment and facilities in small structures. Specifically, a Class 3(e) exemption allows for the construction of new appurtenant structures including garages, swimming pools, and fences. The proposed project would install an emergency generator in a new, small accessory structure that would be subordinate to the main residence; thus it is eligible for the exemption.

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	N/A	N/A	11/6/2014	7 days
Newspaper Notice	N/A	N/A	N/A	N/A
Mailed Notice (Owners & Residents - 300' Radius)	10 days	11/3/2014	11/3/2014	10 days
Property Posting	N/A	N/A	N/A	N/A
Website	N/A	N/A	11/6/2014	7 days

Public Comment

As of the writing of this report, the City has not received any comments regarding this project.

ANALYSIS⁴

Project approval, conditional approval, or denial is based upon specific findings for the discretionary entitlement requested by the applicant. The specific findings that must be made in order to approve the project are provided as [Attachment B](#) to this report. The draft resolution in [Attachment D](#) contains draft language for findings that may be used to guide the Planning Commission’s deliberation of the subject project.

Design and Streetscape. The proposed accessory structure would be located near the front lot line of the property along Whittier Drive, toward the northwestern corner of the site and south of the existing driveway that connects to Whittier Drive. There is an existing 6’ wall and tall landscaping along this edge of the property as well as a tree in the parkway. The project proposes to in-fill the landscaping between the existing wall and new structure to match the existing condition. At 10’ tall and 18’ long parallel to the street, the structure is relatively small. However, the upper portion of the structure may be visible from the street over the wall and through the landscaping, depending on the height and thickness of the landscaping.

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

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.

Neighboring Properties. The existing main residence is located a minimum of 16' from the side lot line that adjoins the property to the north. The proposed structure would sit farther away, at 22' 4" from that lot line, and would be screened from the adjacent property by a combination of walls, trees, and other landscaping on both the subject and neighboring properties. Properties across Whittier Drive have a similar view to that from the street that was discussed in the previous section. Whittier Drive is a 40' right-of-way, so the proposed structure is no closer than 44' from the nearest across-the-street neighboring property.

The proposed structure is located within both front and side setbacks, but because it is not occupied, has no windows, is located adjacent to a public street and separated from the one adjacent property by the existing driveway, and will likely need limited servicing, staff believes the proposed project would not have an adverse impact on the privacy of neighbors. Furthermore, because of the 10' maximum height of the proposed structure and its distance from neighboring properties, staff does not anticipate any impacts on neighbors' access to light.

Noise. The Municipal Code restricts mechanical devices, including generators, from creating any noise that would cause the noise level at the property line to exceed the ambient noise level by more than five (5) decibels (BHMC §5-1-202). The proposed generator specifications indicate it creates an average of 68.9 dBA⁵ when running. Appendix B of the Beverly Hills General Plan lists 50-60 dBA as normally acceptable and 55-70 dBA as conditionally acceptable for residential areas.

The proposed structure would be constructed with acoustical panels that absorb sound inside the exterior finishes. With such sound attenuation, the noise of the generator would be within acceptable levels. However, as currently proposed, the structure has one side that is essentially open, covered only by lattice screen panels. This raises concerns about potential noise impacts when the generator is running. Therefore, staff recommends a condition of approval that would require the generator to be fully enclosed within the structure.

Applicability of Code Provisions for Encroachment in Front Setback. The section of the Municipal Code (§10-3-2425) that allows the Planning Commission to approve an accessory structure located on any part of a site through a Central R-1 Permit requires the property to be considered an estate property. 1001 North Roxbury Drive is composed of two contiguous, tied lots which are held under one ownership and used as one site, and the lots exceed twenty four thousand (24,000) square feet both individually and together. Thus the property meets the basic qualifications for the Central R-1 Permit requested.

The property is unique because it is bounded by streets on three sides, resulting in two front property lines. While some accessory structure developments so close to the street could create negative impacts on neighbors, the streetscape, and the garden quality of the City, the above analysis discusses why this specific project may be acceptable at this location on the subject property.

⁵ dBA are A-weighted decibels, which measure a sound's amplitude adjusted for the sensitivity of the human ear to the frequency; in other words, a measure of "loudness" adjusted for humans' sensitivity to the pitch.

Special Conditions. As mentioned above, staff recommends one special condition of approval for the proposed project. Condition No. 1 requires that the proposed accessory structure be redesigned to be fully enclosed on all four sides, with the exception of any required ventilation for operation of the generator.

Potential Pros and Cons. A summary of the potential pros and cons identified by staff and discussed above in this report are summarized below for consideration by the Planning Commission:

Potential Pros	Potential Cons
<ul style="list-style-type: none">• Provide electricity for the applicant's property during power outages, thereby increasing preparation for emergency situations	<ul style="list-style-type: none">• Noise from generator may be audible to neighbors• May have a small impact on the streetscape of Whittier Drive

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt the attached resolution conditionally approving the requested Central R-1 Permit.

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

ATTACHMENT A
Zoning Compliance Table

REGULATIONS	ALLOWED / REQUIRED	EXISTING CONDITIONS	PROPOSED PROJECT	NOTES
Floor Area	34,268 SF	9,068 SF	New Building: 108 SF Total: 9,176 SF	
Height	14' for accessory structure	31' 4" (main residence)	10'	
Front Setback (N. Roxbury Drive)	50'	55' (main residence)	275' 6"	The property has two front lot lines (and therefore two sides with front setback requirements) because it is a through lot.
Front Setback (Whittier Drive)	50'	25' 6" (an existing accessory structure)	4'	Requires Central R-1 Permit for location of accessory structure within 100' of front lot line.
Street Side Setback (Lexington Road)	25'	46' 9" (an existing accessory structure)	258' 2"	
Side Setback (north side)	41' 10"	16' (main residence)	22' 4"	Accessory structures under 14' in height are a permissible encroachment in a required side setback.
Bedrooms	No limit	5	No change	
Parking	3 spaces (for 5 bedrooms)	3+ parking spaces	No change	

ATTACHMENT B
Required Findings and Recommended Conditions of Approval

REQUIRED FINDINGS

Central R-1 Permit

1. *The structure will not 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 neighbors' access to light and air;*
3. *The structure will not have a substantial adverse impact on the neighbors' privacy; and*
4. *The structure will not have a substantial adverse impact on the garden quality of the city.*

RECOMMENDED CONDITIONS OF APPROVAL

Project Specific Conditions

1. The accessory structure shall be fully enclosed on four sides by walls and/or doors (with the exception of any code-required ventilation), shall include sound attenuating materials, and shall at all times be in compliance with the provisions set forth in BHMC §5-1-202 regarding noise standards for mechanical equipment.

Standard Conditions

See Draft Resolution (Attachment D)

ATTACHMENT C
Public Notice

Begins on the following page.



NOTICE OF PUBLIC HEARING

DATE: November 13, 2014

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, November 13, 2014, 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 Central R-1 Permit to allow the construction of a 108 square foot, one story, accessory structure to house an emergency generator on the single-family estate property at **1001 North Roxbury Drive**. The Central R-1 Permit has been requested in order to allow the proposed structure to encroach into the property's otherwise required front and side setbacks along Whittier Drive and the northern lot line. As proposed, the structure would be located near the westernmost corner of the property, have a maximum height of 10 feet, and provide a minimum front setback of four (4) feet and a minimum side setback of 22 feet 4 inches. The request for a Central R-1 Permit is being made pursuant to Beverly Hills Municipal Code Section 10-3-2425, "Accessory Buildings on Estate Properties," and Article 10-3-24.5, "Central R-1 Permits."

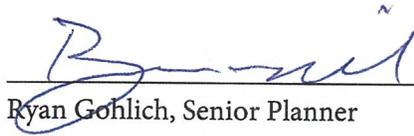
This project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The project qualifies for a Class 3 Categorical Exemption for the construction of an accessory structure, and therefore 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 **Emily Gable, Assistant Planner** in the Planning Division at (310) 285-1192, or by email at egable@beverlyhills.org. Copies of the application and associated project materials 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.

Sincerely:



Ryan Gohlich, Senior Planner

Mailed: November 3, 2014

ATTACHMENT D
Draft Resolution

Begins on the following page.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A CENTRAL R-1 PERMIT TO ALLOW THE CONSTRUCTION OF A ONE-STORY, 10' TALL ACCESSORY STRUCTURE WITHIN 100' OF A FRONT PROPERTY LINE ON AN ESTATE PROPERTY LOCATED IN THE CENTRAL AREA OF THE CITY AT 1001 NORTH ROXBURY DRIVE.

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

Section 1. Jason Somers, applicant on behalf of the property owners, Joshua and Lisa Greer (collectively the "Applicant"), has submitted an application for a Central R-1 Permit to allow the construction of a one-story, 10' tall accessory structure within 100' of a front property line on an estate property located at 1001 North Roxbury Drive in the Central Area of the City (the "Project"). The Project does not meet all by-right development standards, and therefore requires entitlements that can be granted by the Planning Commission pursuant to the issuance of a Central R-1 Permit.

Section 2. The Project involves a new single-story accessory structure located along Whittier Drive near the western corner of the subject property. The proposed structure's floor area would be 108 square feet, with a sloping shed-style roof having a minimum height of 9' and a maximum height of 10'. The project proposes a minimum front setback of 4' along Whittier Drive and an approximately 22' side setback from the northern lot line, which is immediately adjacent to a neighboring property. The proposed structure would contain a diesel-fueled emergency generator and be constructed of acoustical panels that absorb sound.

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 environmental regulations of the City. The project qualifies for a categorical exemption pursuant to Section 15303 (Class 3(e)) of the Guidelines. Specifically, the proposed project involves the installation of small new equipment in a small appurtenant structure, and is therefore exempt from further review under the provisions of CEQA.

Section 4. Notice of the Project and public hearing was mailed on November 3, 2014 to all property owners and residential occupants within a 300-foot radius of the property. On November 13, 2014 the Planning Commission considered the application at a duly noticed public hearing. Evidence, both written and oral, was presented at the meeting.

Section 5. In reviewing the request for a Central R-1 Permit, the Planning Commission considered whether it could make the following findings in support of the Project:

1. The structure will not 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 neighbors’ access to light and air;
3. The structure will not have a substantial adverse impact on the neighbors’ privacy; and
4. The structure will not have a substantial adverse impact on the

garden quality of the city.

Section 6. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Central R-1 Permit:

1. The Project is located in a neighborhood that contains properties that are developed primarily with two-story single-family residences and one- and two-story accessory structures. The portion of the subject property along Whittier Drive is technically a front yard, but functions and appears more as a side or rear yard. The Project will have a maximum height of 10', its slightly pitched roof slopes up and away from the street, and it will be mostly or completely screened from view from the street by a wall and landscaping. As a result of the structure's design, siting, and surrounding landscaping, the Project will be minimally visible from the street and will not have an adverse impact on the scale or massing of the streetscape.

2. The Project is a single-story structure with a maximum height of 10' that will contain an emergency generator. It will be located a minimum of 22' 4" from the neighboring property to the north, and a minimum of 44' from the neighboring property across Whittier Drive. The Project will be screened from view by an existing wall and in-filled landscaping on the subject property as well as an existing tree in the parkway. As conditioned, as a fully enclosed structure that mitigates noise from the generator, the Project will be minimally visible, will be constructed of sound-absorbent materials, and thus will not adversely impact the neighbors' access to light and air.

3. The Project will not be occupied, will have no windows, and will be located a minimum of 22' 4" from the nearest neighboring property. The Project and subject property are separated from other neighbors by the 40' Whittier Drive right-of-way, and the Project will be largely surrounded by landscaping and will not generate increased activity at the subject property. Therefore, the Project will not adversely impact the neighbors' privacy.

4. The Project is limited in size and will not result in the loss of any existing publicly-visible landscaping, as the existing landscaping will be in-filled to match the existing condition. Approximately 120 square feet of hardscape will be added to the property to accommodate the Project. Because the Project only marginally reduces the amount of existing landscaping, the Project will not have an adverse impact on the garden quality of the city.

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

1. The accessory structure shall be fully enclosed on four sides by walls and/or doors (with the exception of any required ventilation), shall include sound attenuating materials, and shall at all times be in compliance with the provisions set forth in BHMC §5-1-202 regarding noise standards for mechanical equipment.

2. Except as modified by the conditions of approval set forth herein, the Project shall be constructed in substantial compliance with the plans and specifications approved by the Planning Commission on November 13, 2014.

3. 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.

4. 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.

5. 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.

6. RECORDATION. The resolution approving the Central 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.

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

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

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

10. 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.

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

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

13. 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.

14. 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.

15. 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.

16. 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.

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

18. 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.

19. 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.

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

21. All accessory buildings approved herein shall be immediately removed if the site is altered so that:

- a. The area of the site on which the accessory building are located is reduced below twenty four thousand (24,000) square feet, or
- b. The primary residential building is separated or removed from the site on which the accessory building is located so that the building or property in question no longer functions as one home or estate.

Section 8. 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: November 13, 2014

Howard S. Fisher
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

Jay Trevino, AICP
City Planner

E.G.

ATTACHMENT E
Architectural Plans

Provided as a Separate Attachment