



Planning Commission Report

Meeting Date: August 13, 2015

Subject: 325 North Maple Drive
Development Plan Review

Request for a Development Plan Review to allow the addition of 47,347 square feet of new general office space in conjunction with remodeling of the former Post Office site.

PROJECT APPLICANT: Patrick Tooley of Tooley Interests, LLC

Recommendation: That the Planning Commission:

1. Conduct a public hearing and receive testimony on the project;
 2. Adopt a resolution approving the Development Plan Review.
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REPORT SUMMARY

A request for a Development Plan Review has been made to allow construction of 47,347 square feet of new general office space within the existing United States Post Office building at 325 North Maple Drive. The subject property is developed with the existing United States Post Office building (completed in 1990). Since its construction, the building has been used as a U.S. Post Office, including a 14,000 square foot retail center and a 56,000 square foot distribution center, with over 150,000 square feet of parking to accommodate postal delivery trucks. The proposed project involves converting a portion of the existing parking area and expanding the existing third floor mezzanine for general office use. A portion of the ground floor would retain retail uses with a retail/restaurant space of approximately 3,200 square feet and a United States Postal Service retail service center (with P.O. Boxes) in an approximately 7,300 square foot space. The proposed project would increase the total square footage of commercial space on the property from 56,430 to 103,777 square feet. The proposal would result in no changes to the existing building's setbacks and height, and it would include enough on-site parking to meet the City's requirements for the proposed retail and office uses. A Development Plan Review is required for new construction involving more than 2,500 square feet of additional floor area pursuant to Beverly Hills Municipal Code § 10-3-3100.

This report analyzes key project components including traffic, urban design, and other project characteristics that relate to the required findings for the requested entitlement. Based on the analysis contained in this report, the proposed project is not anticipated to result in any significantly adverse impacts, and the recommendation in this report is for project approval.

Attachments:

- A. Required Findings
- B. Draft Resolution
- C. Public Notice
- D. Class 32 Categorical Exemption Report
- E. Architectural Plans

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APPLICATION INFORMATION

File Date 11/3/2014
 Application Complete 5/20/2015
 Subdivision Deadline N/A
 CEQA Deadline 60 days from CEQA determination
 CEQA Determination Class 32 Categorical Exemption for in-fill development projects
 Permit Streamlining Take action on project within 60 days of CEQA determination

Applicant(s) Tooley Interests, LLC
 Owner(s) GRT Portfolio Properties Beverly Hills, LLC
 Representative(s) Patrick Tooley of Tooley Interests, LLC
 Damian Catalan of DC Expediting

Prior Project Previews 4/15/2015: Architectural Commission Preview
 Prior PC Action N/A
 Prior Council Action N/A
 CC Ad-Hoc N/A
 Committee
 CC/PC Liaison N/A

Note: As a federal project, construction of the original Post Office did not require City approval.

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address 325 North Maple Drive
 Assessor’s Parcel No. 4342-010-902
 4342-010-903
 Zoning District C-5
 General Plan Commercial
 Existing Land Use(s) Post Office – retail and distribution
 Lot Dimensions & Area Approx. 206.64’ x 323.63’ – approx. 65,799 square feet
 Year Built 1990
 Historic Resource The subject property was assessed for historic significance. It was not found to be eligible as a historic resource.
 Protected Trees/Grove None

Adjacent Zoning and Land Uses

North (across 3rd) C-5 – Commercial (three-story general office)
 East (across Maple) R-4 – Multiple Family Residential (three- and six-story apartment buildings)
 South (across alley) R-4 – Multiple Family Residential (two four-story condominium buildings)
 West C-5 – Commercial (single-story general office)

Circulation and Parking

Adjacent Street(s) Maple Drive and Third Street
 Traffic Volume Average Daily Trips on North Maple Drive: Approx. 4,300 (combined north- and southbound)
 Average Daily Trips on Third Street: Approx. 8,900 (combined east- and

	westbound)
Adjacent Alleys	Two-way, east-west alley at rear (south) of property
Parkways & Sidewalks	West Third Street – 12'6" from face of curb to property line North Maple Drive – 16' from face of curb to property line

Neighborhood Character

The project site is located in the southern portion of the C-5 zone, in the part of the City formerly known as the industrial area. The neighborhood around the project site consists of a mix of general office developments, municipal uses, a hotel, and multiple family residential buildings. The project site is located at the corner of North Maple Drive and West Third Street, and is bordered by R-4 Multiple Family Residential zones on the east and south. In both, the project site is located next to various types of multi-family developments, including apartments and condominiums, ranging in height from 2-stories to 6-stories tall. To the north and west of the project site, there are other C-5 zoned commercial properties, with an existing 3-story office building located directly across Third Street and a single-story office building located to the west on Third Street. The Beverly Hills Tennis Club sits at the northeast corner of Maple Drive and Third Street. The Maple Plaza development is also located north of the project site on Maple Drive; it consists of a three-story development with general office use and a café on the ground floor.



Bird's Eye View of Project Site Looking North



Existing Project Site – View of southwest corner of Maple Drive and Third Street

PROJECT DESCRIPTION

The proposed project is a renovation of the existing United States Post Office building that will accommodate new floor area for commercial use within the existing building. The proposal would increase the amount of floor area on-site by converting portions of the parking garage, Post Office retail use, and distribution center to office and retail uses. The proposal includes changes to the façade of the building to create new private outdoor space and building modulation in the form of decks on the upper floors (within the existing building frame), patios on the ground floor, and a courtyard at the Garden Level. This building is unique in that it currently has parking on all levels, from below grade to the roof, and it would retain some parking on all levels. In addition to converting portions of the existing garage to new office and retail space, an existing partial mezzanine would also be expanded to create a complete third floor (an increase of approximately 20,500 square feet).

The following changes are proposed on each floor:

- **Garden Level** (the level below the ground floor – it is not a basement, as it daylights along Maple Drive): The Garden Level of the existing building is currently occupied entirely by parking; the proposal would convert 16,746 square feet to an office tenant space. The proposal would also alter the landscaping on the Maple Drive side of the building; the landscaping is currently a sloped hill landscaped with grass that reaches from the street level to approximately two feet from the side of the building. The landscape plan and elevations included in Attachment E illustrate the changes proposed for the outdoor alterations to the Garden Level. In order to make the Garden Level usable as an office space, the project proposal includes some excavation and removal of the existing concrete pad, along with fill and concrete to create a level floor. The applicant proposes to alter the landscaping to create a Garden Level courtyard.
- **First Floor:** On the first floor, where the postal service retail space is currently located at street level, the applicant proposes to create two retail spaces, one for a restaurant or café use and one tenant space of approximately 7,300 square feet for the United States Postal Service to preserve its services for the neighborhood, which would include space

for existing Post Office Boxes to be retained. The proposal would also create an approximately 1,000 square foot patio on the ground floor that would be available for open air dining in the future with City approval of an open air dining application. An open air dining request would require City review at that time.

- **Second Floor:** The proposed changes on the second floor are limited to reducing the parking area by 326 square feet and reducing existing floor area by approximately 785 square feet in order to create an outdoor deck and to accommodate elevator and stair shafts.
- **Third Floor:** The proposed changes on the third floor include expanding a mezzanine to create a complete floor and converting parking space to office tenant space. The total increase in office square footage is 20,957 square feet. The change would maintain interior ceiling heights of approximately 9 feet.
- **Roof:** The proposed changes to the roof are limited to relocating mechanical enclosures to be further from Maple Drive. Additionally, the parking spaces would be restriped to create a more efficient parking configuration.

Summary of Proposed Renovations				
	Existing	Proposed	Allowed or Required	Change
Floor Area	56,430	103,777	131,598 allowed	+47,347
Floor Area Ratio ¹ (Site Area = 65,799)	0.86	1.58	2.0 allowed	+0.72
Parking Area	157,782	127,264	N/A	-30,518
Parking Spaces*	376	299	297 required for proposed Floor Area at a rate of 1 space per 350 square feet; 376 would be required for max. allowed Floor Area	-77
* The existing parking arrangement includes 93 compact parking spaces. The proposed project is allowed to include up to 93 legally nonconforming compact spaces to count toward required parking.				

¹ Floor Area Ratio is defined by the Beverly Hills Municipal Code as the ratio of floor area to site area.

Proposed Changes by Floor				
	Existing Floor Area in square feet	Proposed Floor Area in square feet	Existing Parking Area in square feet	Proposed Parking Area in square feet
Garden Level	0	16,746	28,635 (66 spaces)	14,000 (22 spaces)
First Floor	24,741	34,711	25,881 (30 spaces)	12,264 (9 spaces)
Second Floor	27,248	26,922	25,785 (58 spaces)	25,000 (56 spaces)
Third Floor	4,441	25,398	24,758 (58 spaces)	25,000 (58 spaces)
Roof	0	0	52,723 (160 spaces)	51,000 (154 spaces)
TOTAL	56,430	103,777	157,782 (376 spaces, 93 compact)	127,264 (299 spaces, 93 compact)

REQUESTED ENTITLEMENT

Development Plan Review – Pursuant to Beverly Hills Municipal Code § 10-3-3100, a Development Plan Review is required for new construction involving more than two thousand five hundred (2,500) square feet of new or additional floor area. The Planning Commission is the reviewing authority for projects in the C-5 zone requiring a Development Plan Review that involve new construction with a floor area ratio greater than 1.5 or involving more than forty thousand (40,000) square feet of new or additional floor area.

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 Guidelines², and the environmental regulations of the City. Projects characterized as in-fill development that meet certain criteria are categorically exempt from CEQA pursuant to Section 15332 of the State CEQA Guidelines. The project meets all five of the following criteria set forth in Section 15332 of the State CEQA Guidelines for in-fill development projects:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

² The CEQA Guidelines and Statute are available online at <http://ceres.ca.gov/ceqa/guidelines>

- c) The project site has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

Therefore, this project has been determined to be exempt from further environmental review under CEQA. The Class 32 Categorical Exemption report is included as Attachment D for reference.

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Newspaper Notice	N/A	N/A	N/A	N/A
Mailed Notice	10 days	8/3/2015	8/3/2015	10 Days
Property Posting	10 days	8/3/2015	8/3/2015	10 Days
Posted Notice	3 days	8/9/2015	8/7/2015	7 Days
Website	N/A	N/A	8/7/2015	7 Days

PUBLIC COMMENT

As of the writing of this report, staff has not received any public comments regarding the project. Further, the applicant held a public meeting on July 7, 2015, to which all residents within a 500’ radius (plus block face) received notice. Approximately ten residents and interested property owners attended and asked questions and commented on the project; staff observed that the majority of comments were neutral or positive.

ANALYSIS³

Project approval, conditional approval or denial is based upon specific findings for each discretionary application requested by the applicant. The findings that must be made in order to approve the project are provided in Attachment A, and draft findings are included in the draft Planning Commission Resolution (Attachment B), which may be used to guide the Planning Commission’s deliberation of the subject project. For this type of project in the C-5 zone, the Municipal Code allows the Planning Commission to take additional information into consideration and these additional criteria are included in Attachment A with the required findings. The analysis considered by staff in drafting the findings is set forth as follows:

Uses.

The C-5 zone is intended for commercial uses, and strives to promote development of general office space and high-quality urban design. The proposed project includes development of additional commercial office uses, as well as retail and restaurant uses ancillary to the commercial offices. As

³ The information provided in this section is based on analysis 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 make alternate findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

proposed, the project is consistent with the goals of the C-5 zone, and includes architectural enhancements that will further promote high-quality urban design in the area.

Compliance with Zoning Code.

The existing building was constructed as a federal government project and was not subject to Beverly Hills Municipal Code requirements. The proposed project would comply with current codes, maintaining some elements of nonconformity while bringing others into compliance with current code. The existing building is located in the C-5 zone and is nonconforming with regard to the following requirements:

Height: The existing building is nonconforming in terms of height: the total height of the building is 46'6", which exceeds the 45' maximum for the C-5 zone. The roof deck is 41'6" in height and the existing parapet is 5' in height. The zoning code exempts parapets up to 45" in height from being counted toward building height. However, the existing parapet is 5', which means that it is not exempt from height and brings the total height of the building to 46'6". The proposed project would not alter the building height, with the exception of changing the location of rooftop structures and reducing the number of rooftop enclosures. There is one legally nonconforming stair shaft at the southeast corner of the building that the project would retain.

Parking spaces: The zoning code requires a total of 297 parking spaces for the entirety of the proposed project. The existing building has a total of 376 parking spaces, of which 93 are compact and 4 are tandem. The proposed project eliminates the tandem parking spaces, but would be allowed to maintain up to 93 legally nonconforming compact parking spaces. The proposal includes 299 parking spaces (93 of which are compact), two additional spaces beyond what the code requires. The proposal includes an adequate number of on-site parking spaces to accommodate the proposed uses.

Loading: The loading area of the existing building is legally nonconforming because it lacks a dedicated loading area adjacent to the alley. Loading currently takes place on-site adjacent to Third Street and within the parking garage. The applicant proposes a loading space for a van and a truck on the first floor, accessed from the driveway entering from Third Street. The Planning Commission may establish different loading requirements for the project as part of its discretionary review for the Development Plan Review.

Open Space: Pursuant to the development standards in the C-5 zone, at least 5 percent of a building's floor area in the C-5 zone must be devoted to public open space. The existing building is legally nonconforming in terms of open space provided. The proposed project would increase the amount of open common area available to tenants of the building and patrons of the retail businesses, but it would remain legally nonconforming with regard to this requirement.

Traffic and Circulation

The project site is located at the southwest corner of Maple Drive and Third Street, where there is a four-way-stop intersection. Maple Drive is an unstriped two-lane street with metered parking on each side and additional restrictions for residential permit parking. Maple Drive has lower traffic volumes than the adjacent streets. It is bounded by Burton Way to the south and Civic Center Drive to the north, with additional access provided by Beverly Boulevard to the north of Third Street. All three streets are busy east-west arterials from which drivers will likely access the site. Third Street

is a two-way street with a centerline and metered parking located on both sides of the street on either side of Maple Drive. The traffic volume on Third Street is higher than that on Maple Drive, and lower than that on parallel east-west streets, such as Burton Way.

The proposed project would increase the amount of floor area and change the uses occurring on the project site. A traffic impact analysis was conducted as part of the environmental review of the proposal and the analysis found that there would not be significant impacts to the surrounding neighborhood. Based on the increase in office and retail square footage, the project is expected to generate a total net increase of 280 daily trips, or an increase of 24 percent compared to the existing uses (including 108 net new trips during the AM peak hour and 50 net new trips during the PM peak hour). These increases would not exceed the thresholds for significant impacts as defined by the City. Below are the results of the trip generation study conducted for the proposed project:

Trip Generation							
Land Use	Size (ksf)	Daily Trip Rate (trips/day/ksf)	AM Trip Rate (trips/day/ksf)	PM Trip Rate (trips/day/ksf)	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Existing Land Use							
U.S. Post Office Retail Customer	14.0	42.29	0.64	4.57	592	9	64
U.S. Post Office Employee/Delivery/Distribution	56.0	10.07	1.00	1.20	564	56	67
Proposed Land Use							
U.S. Post Office Customers					328	5	35
U.S. Post Office Employees	7.8	42.29	0.64	4.57	24	12	12
<i>Net External Vehicle Trips</i>					352	17	47
Neighborhood Serving Retail					165	26	10
Less: Transit credit	3.7	44.32	6.84	2.71	(8)	(1)	(1)
<i>Net External Vehicle Trips</i>					157	25	9
Creative Office					976	138	132
Less: Transit credit	88.5	11.03	1.56	1.49	(49)	(7)	(7)
<i>Net External Vehicle Trips</i>					927	131	125
TOTAL NET NEW TRIPS					280	108	50
Source: Fehr & Peers & Institute of Transportation Engineers [ITE], Trip Generation, 9 th Edition, 2012 () denotes subtraction							

In terms of construction traffic, the project is expected to produce approximately 38 round-trip truck trips for both excavation and fill as part of the work to alter the outdoor landscaping adjacent to Maple Drive and to level the floor of the Garden Level. This is a conservative estimate that assumes that none of the soil being excavated from the site may be used for the purpose of fill. Construction truck trips would be focused on Third Street and Maple Drive, both of which are City-approved heavy haul routes, and these trips would comply with the City's heavy haul regulations. Due to the temporary nature of construction, these trips are not expected to result in any negative effects on traffic and circulation beyond the construction period of approximately 12 months. Based

on the environmental analysis of the project, it is not anticipated that project construction would cause significant traffic impacts.

Compatibility of Uses

The proposal is compatible with the surrounding development in the C-5 zone and neighboring residential uses. There are several three-story office developments on Third Street and Maple Drive that are home to creative office tenants including technology and production companies that have floor area ratios and parking arrangements comparable to the proposal. For example, both 331 North Maple Drive and 341 North Maple Drive are three stories in height with creative office tenants and accompanying parking garages. Further, several of the office buildings in the neighborhood also house café or restaurant spaces that primarily serve building tenants. Additionally, the new retail space would be assets to the neighborhood because they would maintain the existing service (the Postal Service), and a café tenant would add a new amenity to the neighborhood, which has few dining options.

Streetscape & Urban Design

The building would retain its present frame with alterations to the façade that include new glazing and exterior finishes, as well as outdoor amenities, such as decks and a courtyard. On the first floor, the addition of patio space and two smaller retail tenant spaces on Third Street would activate the street where there is currently a glass wall looking in on post office boxes. These alterations would add modulation to break up the bulkiness of the building and create more outdoor space, which would improve the pedestrian environment on the street. By orienting the entrances to the retail and restaurant tenant spaces on Third Street, the proposal would focus pedestrian activity on Third Street, away from the residential uses on Maple Drive. The Municipal Code prohibits restaurant uses from having entrances within 75 feet of Maple Drive. The proposed retail space that could have a restaurant or café would comply with this requirement. The elevations included in the proposed plans as part of Attachment E illustrate how the streetscape would be enhanced with the alterations to the façade.

The alterations to the landscaping along Maple Drive would create an outdoor courtyard and improve the Maple Drive streetscape by adding daytime activity to an otherwise underused area and adding a unique amenity to the tenant space. Currently, the garden level area is occupied by a sloped hill with landscaping and a large portion of the side of the building below street level is covered by a grate protecting the parking lot; the changes to landscaping and the side of the building would be an improvement to the pedestrian environment on Maple Drive. Although it would bring activity outdoors on the side of the building facing residential uses, it would activate the street and improve the pedestrian experience on Maple Drive by creating a more visually appealing street. Further, the type of impact that could be generated by this type of change – noise from conversations in the courtyard – would be mitigated by the fact that it would be located approximately 8 feet below street level. The combination of physical changes and the addition of floor area for retail and office uses would add value to the neighborhood by increasing the space available to creative office tenants and would increase the usefulness of an otherwise imposing and underutilized building.

General Plan Consistency

The General Plan includes numerous goals and policies intended to help guide development in the City. Some policies relevant to the Planning Commission's review of the project include:

- **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 2.4 Architectural and Site Design.** Require that new construction and renovation of existing buildings and properties exhibit a high level of excellence in site planning, architectural design, building materials, use of sustainable design and construction practices, landscaping, and amenities that contribute to the City's distinctive image and complement existing development.
- **Policy LU 9.1 Uses for Diverse Customers.** Accommodate retail, office, entertainment, dining, hotel, and visitor serving uses that support the needs of local residents, attract customers from the region, and provide a quality experience for national and international tourists.
- **Policy LU 10.1 Local-Serving Businesses.** Promote appropriate development of businesses that serve, are located in proximity to, and are accessible to adjoining residential neighborhoods, such as grocery stores, dry cleaners, and personal care businesses.
- **Policy LU 12.2 Building, Parking Structure, and Site Design.** Require that buildings, parking structures, and properties in commercial and office districts be designed to assure compatibility with abutting residential neighborhoods, incorporating such elements as setbacks, transitional building heights and bulk, architectural treatment of all elevations, landscape buffers, enclosure of storage facilities, air conditioning, and other utilities, walls and fences, and non-glare external lighting.

CONCLUSION

The proposed Development Plan Review would allow an increase in floor area in the existing building for office and retail uses and it would meet the standards and goals set forth in the Municipal Code and General Plan. The proposal would enable the project site to maintain its nonconforming status, while allowing several improvements to the façade that would benefit the streetscape while still providing adequate parking for the proposed uses. Furthermore, the creation of new floor area for office space and an additional retail or restaurant tenant would be a complement to other uses in the C-5 zone. For these reasons, staff recommends approval of the proposed Development Plan Review.

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt the attached resolution approving the requested Development Plan Review.

Alternatively, the Planning Commission may consider the following actions:

1. Deny the project, or portions of the project, based on specific findings.
2. Direct staff or applicant as appropriate and continue the hearing to a date (un)certain, consistent with permit processing timelines.

Report Reviewed By:



Ryan Gohlich, City Planner

I:\Planning\Alek Miller\PC\Maple N 325 - Post Office Redevelopment\Staff Report\Final Staff Report for 325 Maple Development Plan Review

ATTACHMENT A
REQUIRED FINDINGS

REQUIRED FINDINGS

1. The proposed plan is consistent with the General Plan.
2. The proposed project 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 the proposed 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.

ADDITIONAL CRITERIA FOR REVIEW OF PROJECTS in the C-5 Zone:

Pursuant to subsection 10-3-3104B of this chapter, for those development projects in the C-5 zone that require Planning Commission review as part of the development plan review procedure, the Planning Commission shall consider the following factors as part of the Commission's determination regarding whether a proposed development plan will promote harmonious development of the C-5 and P-S zones. The Commission may base its determination on one or more of the following factors:

- A. **Traffic Generation And Circulation:** The planning commission may consider whether the development plan incorporates features and uses which would generate less traffic than a comparable general office use and would adequately mitigate traffic impacts attributable to that portion of the floor area in excess of a floor area ratio of 1.5.
- B. **Beneficial Primary Uses:** The planning commission may consider whether the primary uses proposed in the development plan will generate less traffic than general office uses or enhance the pedestrian oriented character of the area.
Beneficial Auxiliary Uses: The planning commission may consider whether the auxiliary uses proposed in the development plan include on site facilities which reduce traffic generation such as a gymnasium, lunchroom, or daycare center or contain other uses beneficial to the city such as parking for adjacent existing residential uses.
- C. **Community Amenities:** The planning commission may consider whether the development plan includes off site amenities such as daycare or parking, or includes a contribution to city park acquisition plans or other community amenities.
- D. **Enhancement Of Public Open Space:** The planning commission may consider whether the proposed development plan will enhance public open space.
- E. **Participation In Areawide Streetscape Improvement:** The planning commission may consider whether the development plan includes participation in areawide streetscape improvements.
- F. **Change Of Use:** The planning commission may consider whether the use proposed in the development plan will be maintained.

- G. **Scale And Massing:** The planning commission may consider the siting of structures, massing, scale, and use of open space. (Ord. 94-O-2193, eff. 3-4-1994)

ATTACHMENT B
DRAFT RESOLUTION

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A DEVELOPMENT PLAN REVIEW TO ALLOW THE CONSTRUCTION OF APPROXIMATELY 47,347 SQUARE FEET OF NEW FLOOR AREA FOR COMMERCIAL USE ON THE PROPERTY LOCATED AT 325 NORTH MAPLE DRIVE.

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

Section 1. Patrick Tooley, Managing Partner of Tooley Interests, LLC (the “Applicant”), has submitted an application for a Development Plan Review to allow the construction of approximately 47,347 square feet of new floor area on the property located at 325 North Maple Drive (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 Development Plan Review.

Section 2. The Project consists of converting portions of the building’s existing parking areas to general office and retail/restaurant uses, and expanding the existing third floor mezzanine for general office use. A portion of the ground floor will retain retail uses with a retail/restaurant space of approximately 3,200 square feet and a United States Postal Service retail service center (with P.O. Boxes) in an approximately 7,300 square foot space. The proposed project will increase the total floor area of the property from 56,430 to 103,777 square feet. The proposal will result in no changes to the existing building setbacks and height, and it will include enough on-site parking to meet the City’s Municipal Code requirements for the

proposed retail and office uses. The parking areas will be located on both upper and lower floors for a total of 299 parking spaces.

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. Projects characterized as in-fill development that meet certain criteria are categorically exempt from CEQA pursuant to Section 15332 of the State CEQA Guidelines. A Class 32 Exemption Report was prepared for the Project, and the Project meets all five of the following criteria set forth in Section 15332 of the State CEQA Guidelines: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare, or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; (e) The site can be adequately served by all required utilities and public services. Therefore, the Planning Commission hereby finds that the project is exempt from further environmental review under CEQA.

Section 4. Notice of the Project and public hearing was mailed on August 3, 2015 to all property owners and residential occupants within a 500-foot radius (plus block face)

of the property. On August 13, 2015 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 Development Plan Review, the Planning Commission considered whether it could make the following findings in support of the Project:

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 significant 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 12. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Development Plan Review:

1. The project complies with all applicable goals and policies set forth in the general plan, and allows for the addition of 47,347 square feet of floor area for use as office and retail space, which contributes to the C-5 zone as a business district. The proposed façade changes associated with the project exhibit a high level of site and architectural design quality. The project will promote pedestrian-active streets as new retail spaces at street level will draw pedestrian traffic from Third Street, and the building itself is articulated and modulated with a design that is consistent with the scale and mass of the streetscape and surrounding development. The proposed plan is not located within a specific plan area.

2. The project alters an underutilized federal building in order to add floor area within the existing building frame. The proposed project is consistent with the use, scale, mass, height, and lot dimensions of other developments in the surrounding area. The project provides all required parking on-site, does not result in a significant increase in traffic, and improves the pedestrian environment by creating a more visually interesting Maple Drive and contributing to a more engaging street level on Third Street. Therefore, the project will be a harmonious addition to the area and will not adversely affect existing and anticipated development in the vicinity of the project site.

3. The proposed project consists solely of commercial uses in a commercial zone, and the added floor area is being built out entirely within the existing building envelope. The proposed project borders multifamily developments on two sides, but it does not significantly increase noise, traffic, or air quality impacts to those residents. Further, the project will maintain the United States Postal Service

in a retail space, along with post office boxes for a period of at least five years and it will include tenant space for a neighborhood-serving retail use, such as a café or other similar retail. Thus, the Project will not result in any significant or adverse impacts to residential properties in the vicinity of the Project site.

4. The proposed project would increase the floor area of the site by approximately 47,347 square feet to a total of approximately 103,777 square feet. While the amount of floor area will be approximately doubled, the increase in daily trips to the site is not as substantial. The traffic impact assessment prepared for this project found that the project is expected to generate a net increase of 280 daily trips, 108 morning peak hour trips, and 50 evening peak hour trips. The increase in vehicle trips represents an increase of approximately 24% when compared to existing traffic generated by the project site. Based on the information in the traffic impact assessment, the project is not anticipated to cause a significant impact at nearby intersections or roadways. Additionally, the existing development on the site includes vehicular driveway access from both North Maple Drive and Third Street, thereby distributing some of the project's traffic to multiple streets. Based on the foregoing, the Project will not create any significant adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards.

5. The Project is consistent with all applicable City standards, and enhances the underutilized United States Post Office building with new uses that are compatible with the surrounding C-5 zone and residential uses. For these reasons, and as set forth in Findings 1-4 above, the project will not be detrimental to the public health, safety, and general welfare.

Section 13. Based on the foregoing, the Planning Commission hereby grants the requested Development Plan Review subject to the following conditions:

1. At all times, the project shall provide parking in accordance with BHMC §10-3-2730. There are currently 93 legally nonconforming compact parking spaces. Any restriping of parking that occurs as a result of the Project may maintain a maximum of 93 compact spaces for purposes of meeting the City's parking requirements; however, any compact parking spaces in excess of 93 shall not be counted toward the required parking.
2. The entrance to any restaurant use shall be located a minimum of 75' from the Maple Drive property line, and all retail uses shall be located a minimum of 100' from the Maple Drive property line.
3. The project shall be subject to review and approval by the Architectural Commission.
4. The applicant shall submit a Construction Management Plan to the Departments of Building and Safety, Public Works, and Transportation for review and such Construction Management Plan shall be approved prior to issuance of a building permit. The Construction Management Plan shall include, at a minimum, the following:
 - a. Written information about the construction parking arrangements, and hauling activities at different stages of construction to be

reviewed and approved by the Engineering Division of Public Works and the Building & Safety Department.

- b. Information regarding the anticipated number of workers, the location of parking with respect to schedules of the construction period, the arrangements of deliveries, hauling activities, the length of time of operation, designation of construction staging area and other pertaining information regarding construction related traffic.
 - c. 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.
6. The Project shall be constructed in substantial compliance with the plans and specifications approved by the Planning Commission on August 13, 2015.
7. 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.
8. RECORDATION. This resolution approving a Development Plan Review 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.

9. EXPIRATION. Development Plan Review: The exercise of rights granted in such approval shall be commenced within three (3) years after the adoption of such resolution unless otherwise extended.
10. VIOLATION OF CONDITIONS: A violation of any of these conditions of approval may result in a termination of the entitlements granted herein.
11. 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.

12. 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.
13. 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.
14. Prior to the issuance of a building permit, all applicable Park and Recreation Facilities Taxes required by the Municipal Code shall be paid.
15. 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.
16. The Project shall operate at all times in compliance with Municipal Code requirements for Noise Regulation.

17. The Applicant shall remove and replace all public sidewalks surrounding the Project site that are rendered defective as a result of Project construction.
18. The Applicant shall remove and replace all curbs and gutters surrounding the Project site that are rendered defective as a result of Project construction.
19. 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 first obtained.
20. 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.
21. 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.

22. 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.
23. The Applicant shall underground, if necessary, the utilities in adjacent streets and alleys per requirements of the Utility Company and the City.
24. 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.
25. 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.
26. The Applicant shall obtain the appropriate permits from the Civil Engineering Department for the placement of construction canopies,

fences, etc., for construction of any improvements in the public right-of-way, and for use of the public right-of-way for staging and/or hauling certain equipment and materials related to the Project.

27. The Applicant shall remove and reconstruct any existing improvements in the public right-of-way that are rendered defective as a result of project construction.

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

Section 14. 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: August 13, 2015

Alan Robert Block
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

Ryan Gohlich
City Planner

ATTACHMENT C

PUBLIC NOTICE

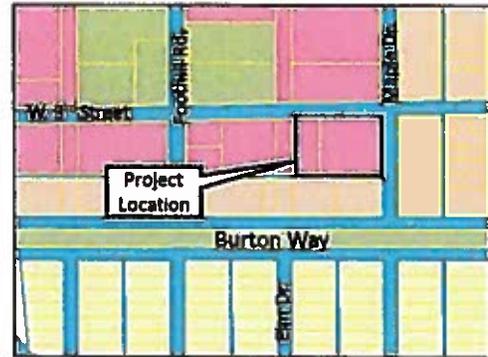


NOTICE OF PUBLIC HEARING

DATE: August 13, 2015

TIME: 1:30 PM, or as soon thereafter as the matter may be heard

LOCATION: City Council Chambers
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, August 13, 2015, 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** to allow renovations to the existing U.S. Post Office building located at **325 North Maple Drive**, between Burton Way and West Third Street. The proposed project involves converting a portion of the existing parking area and expanding the existing third floor mezzanine for general office use. A portion of the ground floor would retain retail uses with a retail/restaurant space of approximately 3,200 square feet and a United States Postal Service retail service center (with P.O. Boxes) in an approximately 7,500 square foot space. The proposed project would increase the total floor area of the property from 56,430 to 103,777 square feet (an overall increase of 47,347 square feet of floor area); all additional floor area is being created within the existing frame of the building. The proposal would result in no changes to the existing building setbacks and height, and it would include enough on-site parking to meet the City's requirements for the proposed retail and office uses. A Development Plan Review is required for any new construction involving more than 2,500 square feet of additional floor area pursuant to Beverly Hills Municipal Code § 10-3-3100.

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 32 Categorical Exemption for in-fill development, and the project has been determined not to have a significant environmental impact.

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

According to Government Code Section 65009, if you challenge the Commission's action in court, you

may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing.

If there are any questions regarding this notice, please contact **Alek Miller, Assistant Planner** in the Planning Division at (310) 285-1196, or by email at amiller@beverlyhills.org. Copies of the project plans and associated application 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,

A handwritten signature in blue ink that reads "Michele McGrath". The signature is written in a cursive style and is positioned above a horizontal line.

Michele McGrath, AICP
Principal Planner

Mailed: August 3, 2015

ATTACHMENT D

CLASS 32 CATEGORICAL EXEMPTION REPORT

(PROVIDED AS SEPARATE ATTACHMENT)

NOTE: THIS ATTACHMENT IS ALSO AVAILABLE AT

BEVERLYHILLS.ORG/ENVIRONMENTAL

ATTACHMENT E
ARCHITECTURAL PLANS
(PROVIDED AS SEPARATE ATTACHMENT)