



**CITY OF BEVERLY HILLS**  
Council Chamber  
455 North Rexford Drive  
Beverly Hills, CA 90210

## **PLANNING COMMISSION REGULAR MEETING**

### **MINUTES**

September 14, 2017  
1:30 PM

AFTERNOON SESSION 1:30 PM  
EVENING SESSION 7:00 PM

### **MEETING CALLED TO ORDER**

Date/Time: September 14, 2017 / 1:30 PM

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

Commissioners Present: Commissioners Corman, Shooshani, Block, Vice Chair Licht, Chair Gordon  
Commissioners Absent: None  
Staff Present: Ryan Gohlich, Masa Alkire, Andre Sahakian, Cindy Gordon, Karen Myron, David Snow

### **COMMUNICATIONS FROM THE AUDIENCE**

Members of the public may address the Commission regarding any items not on the Agenda that are within the subject matter jurisdiction of the Commission. By State law, the Commission may not discuss or vote on items not on the Agenda.

Speakers: None

### **APPROVAL OF AGENDA**

By Order of the Chair, the agenda was approved as presented.

### **BUS TOUR**

The Commission will conduct a bus tour of the properties at 410 Chris Place and 430 Dabney Lane in consideration of a request for a View Restoration Permit.

The related application for a View Restoration Permit was withdrawn prior to the meeting; therefore, the bus tour was cancelled.

## CONSENT CALENDAR

### 1. CONSIDERATION OF MINUTES

Consideration of Minutes of the Planning Commission regular meeting of August 10, 2017.

Motion:                                MOVED by Commissioner Shooshani, SECONDED by  
Commissioner Block to adopt the Consent Calendar as presented  
(5-0).

AYES:                                 Commissioners Corman, Shooshani, Block, Vice Chair Licht,  
Chair Gordon

NOES:                                 None

CARRIED

## REPORTS FROM PRIORITY AGENCIES

None

## CONTINUED BUSINESS

### 2. 410 CHRIS PLACE

#### Trousdale View Restoration (PL1531598)

Request for a View Restoration Permit by the View Owner at 410 Chris Place for the complete removal of eight trees located on a neighbor's property at 430 Dabney Lane (Foliage Owner). 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. *Continued from the August 11, 2016 Planning Commission Hearing.*

This item was not discussed. Subsequent to distribution of the agenda packet, but prior to the commencement of the Planning Commission meeting, the View Owner withdrew the application for a View Restoration Permit.

*Citing the ownership of an adjacent property by a family member, Commissioner Shooshani recused from item #3 and left the room at 1:33 PM.*

### 3. APN 4291-028-012

#### Notice of Subdivision Violation Hearing

Required meeting regarding the City's Notice of Intention to Record a Notice of Violation pursuant to Subdivision Map Act Section 66499.36. *Continued from the August 10, 2017 Planning Commission Hearing.*

*Assistant City Attorney David Snow advised that, due to the item's prosecutorial nature and his role as Counsel to City staff, he would not be serving as Counsel to the Planning Commission for this item. Outside Counsel Alan Seltzer assumed Mr. Snow's seat at the dais to advise the Planning Commission for this item.*

Project Planner:                    Masa Alkire, AICP, Principal Planner  
Cindy Gordon, AICP, Associate Planner  
Property Owner:                    Vance Owen

Owner Representatives: Murray Fischer, Joe Tilem, David Bolstad  
Public Input: None

*The Commission took a recess at 1:52 PM to review a case summary presented by the Property Owner's Representative, Murray Fischer.*

*The Commission reconvened at 2:09 PM.*

Chair Gordon advised that she had met with Mr. Seltzer earlier in the week and had spoken to him on the telephone several times. Commissioners Block and Corman advised that neither had spoken to anyone regarding the case, nor did they receive recommendations or advice from Mr. Snow or Mr. Seltzer. Vice Chair Licht advised that he participated in a pre-meeting with City staff and Chair Gordon, where Mr. Snow and Mr. Seltzer were present to represent their respective clients.

*The Commission took a recess at 3:40 PM.*

*The Commission reconvened at 3:51 PM.*

Motion: MOVED by Commissioner Corman, SECONDED by Vice Chair Licht to direct staff to record a Notice of Subdivision Violation with the Los Angeles County Recorder for the parcel identified as APN 4291-028-012 (4-0-1).

AYES: Commissioners Corman, Block, Vice Chair Licht, Chair Gordon  
NOES: None  
RECUSED: Commissioner Shooshani

CARRIED

#### **PLANNING COMMISSION / BOARD OF ZONING ADJUSTMENTS / PLANNING AGENCY PUBLIC HEARINGS – NEW BUSINESS**

*Commissioner Shooshani and Assistant City Attorney Snow returned to the dais at 4:03 PM.*

#### **4. 1297 MONTE CIELO DRIVE Time Extension (PL1710136)**

Request for a time extension for a Variance to allow construction of an accessory structure on a property without a main residence, and to allow the accessory structure to be located within 100'-0" of a front property line on a non-estate property. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Planning Commission will also consider adoption of a Categorical Exemption for this project.

Project Planner: Andre Sahakian, AICP, Senior Planner  
Project Applicant: Murray D. Fischer, on behalf of the Landers Family Trust  
Public Input: None

Motion: MOVED by Commissioner Corman, SECONDED by Commissioner Block to adopt the resolution as amended (5-0).

AYES: Commissioners Corman, Shooshani, Block, Vice Chair Licht,  
Chair Gordon  
NOES: None

**CARRIED**

**5. 339 NORTH CANON DRIVE (ONE BEVERLY HILLS SALES GALLERY)**

**Ground Floor Real Estate Office (PL1713134)**

Request for a Conditional Use Permit to allow a real estate office (One Beverly Hills Sales Gallery) to occupy more than 25'-0" of ground-floor frontage within the pedestrian oriented area at 339 North Canon Drive. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Planning Commission will also consider adoption of a Categorical Exemption for this project.

*Ex Parte Communications: Commissioners Corman, Block, Shooshani, and Chair Gordon all disclosed separate meetings with the Applicant team; all Commissioners affirmed to remain open minded regarding the application.*

Project Planner: Andre Sahakian, AICP, Senior Planner  
Project Applicant: Wanda Beverly Hills, LLC  
Public Input: None

Motion: MOVED by Commissioner Corman, SECONDED by  
Commissioner Block to adopt the resolution as amended (5-0).

AYES: Commissioners Corman, Shooshani, Block, Vice Chair Licht,  
Chair Gordon  
NOES: None

**CARRIED**

**6. 2017 CONFLICT OF INTEREST CODE**

Annual review of the Planning Commission's Conflict of Interest Code

Public Input: None

Motion: MOVED by Commissioner Block, SECONDED by Commissioner  
Shooshani to adopt the 2017 Conflict of Interest Code, Exhibits A  
and B for the Planning Commission of the City of Beverly Hills as  
presented (5-0).

AYES: Commissioners Corman, Shooshani, Block, Vice Chair Licht,  
Chair Gordon  
NOES: None

**CARRIED**

**STUDY SESSION**

No items

## COMMUNICATIONS FROM THE COMMISSION

- **Mayor's Cabinet Meeting**
  - Chair Gordon provided a brief report from the August 2017 Mayor's Cabinet Meeting
- Chair Gordon recognized incoming Planning Commissioner Peter Ostroff, whose term begins on January 1, 2018. Mr. Ostroff will be filling the seat of Commissioner Corman, whose term ends on December 31, 2017.
- Commissioner Corman provided an update on the progress of the Basement Ad Hoc Committee; staff estimated that one additional meeting of the Ad Hoc Committee will take place before the item returns to the full Planning Commission.

## COMMUNICATIONS FROM STAFF

7. **Upcoming Projects List**
  - Received and filed
8. **Building Permit Activity Report – 7/1/17 – 7/31/17**
  - Received and filed
9. **2017 Meeting Schedule**
  - The Planning Commission regular meeting scheduled for Thursday, September 28, 2017, has been cancelled.
  - A special meeting of the Planning Commission will be held on Monday, October 2, 2017 at 7:00 PM to consider the project at 9200 Wilshire Boulevard.
- **City Planner Updates**
  - City Planner Ryan Gohlich provided updates on the following:
    - At the City Council Study Session on Tuesday, September 5, 2017, the City Council reviewed a request by Councilmember Mirisch to call up the Planning Commission's decision on the project at 9171 West Third Street; there was not majority support of the remaining Councilmembers to do so.
    - At the October 3, 2017 City Council Formal Session, the City Council will hear separate appeals of (1) the staff's interpretation of the Municipal Code's basement definition, and (2) the Planning Commission's denial of a Hillside R-1 Permit for the property located at 1260 Lago Vista Drive.

*The Commission took a recess at 4:38 PM.*

*The Commission reconvened at 7:00 PM with Commissioners Corman, Shooshani, and Chair Gordon present.*

## CONTINUED BUSINESS, EVENING SESSION

### 10. 9200 WILSHIRE BOULEVARD

#### **Six Story Mixed Use Project (PL1608023)**

Request for modifications to a previously approved Planned Development and Vesting Tentative Tract Map to allow a 6-story mixed-use project with 6,119 square feet of ground-

floor retail and 54 residential condominium units with two levels of subterranean parking. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the revised project appears to be within the scope of a previously certified Environmental Impact Report, such that no further environmental review is required. *Continued item from the July 13, 2017 Planning Commission Hearing. Staff is recommending that the Planning Commission continue this item to a Planning Commission Special Meeting on October 2, 2017 at 7:00 PM.*

Project Planner: Andre Sahakian, AICP, Senior Planner  
Masa Alkire, AICP, Principal Planner  
Project Applicant: Dawson, Tilem & Gole, on behalf of New Pacific LLC  
Public Input: None

Motion: MOVED by Commissioner Corman, SECONDED by Commissioner Shooshani to continue the item to a special meeting on October 2, 2017 at 7:00 PM (3-0-2).

AYES: Commissioners Corman, Shooshani, Chair Gordon  
NOES: None  
ABSENT: Commissioner Block, Vice Chair Licht

CARRIED

#### ADJOURNMENT

Date / Time: September 14, 2017 / 7:01 PM

PASSED AND APPROVED THIS 12<sup>TH</sup> DAY of OCTOBER, 2017

  
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Lori Greene Gordon, Chair