



CITY OF BEVERLY HILLS
Room 280A
455 North Rexford Drive
Beverly Hills, CA 90210

PLANNING COMMISSION REGULAR MEETING

MINUTES

May 9, 2019
1:30 PM

MEETING CALLED TO ORDER

Date/Time: May 9, 2019 / 1:32 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present: Commissioners Ostroff, Gordon, Shooshani (*arrived 3:04 PM*), Vice Chair Block, Chair Licht
Commissioners Absent: None
Staff Present: Ryan Gohlich, Masa Alkire, Timothea Tway, Cindy Gordon, Christine Delostrinos, 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: Michael Newmann

APPROVAL OF AGENDA

By Order of the Chair, the agenda was approved as amended, taking item #6, the Planning Agency Review of the Capital Improvement Program for Consistency with the General Plan, ahead of items #4 and #5.

Due to recusal from the associated agenda item, Commissioner Shooshani did not attend the bus tour, and joined the meeting upon completion of the tour.

BUS TOUR

The Commission will conduct a bus tour of the properties located at 510 Chalette Drive and 514 Chalette Drive in consideration of a request for a View Restoration Permit.

The Commission departed for the bus tour at 1:41 PM.

The Commission returned from the bus tour and continued the meeting at 3:04 PM, with all five Commissioners present.

CONSENT CALENDAR

1. CONSIDERATION OF MINUTES

Consideration of Minutes of the Planning Commission regular meeting of April 25, 2019.

Motion: MOVED by Vice Chair Block, SECONDED by Commissioner Shooshani to adopt the Consent Calendar as presented (4-0-1).

AYES: Commissioners Ostroff, Shooshani, Vice Chair Block, Chair Licht

NOES: None

ABSTAIN: Commissioner Gordon

CARRIED

REPORTS FROM PRIORITY AGENCIES

None

CONTINUED BUSINESS

2. 715 NORTH OAKHURST DRIVE

Minor Accommodation (PL1808361)

Request for a Minor Accommodation for a new approximately 23'-6" tall, 1,189 square foot two-story accessory structure with an attached 400 square foot garage located within the required rear setback of the subject property. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Planning Commission will also consider finding the project exempt from further review under CEQA. *Continued from the February 28, 2019 Planning Commission Meeting, it is recommended this item be continued to the June 27, 2019 Planning Commission meeting.*

Project Planner: Christine Delostrinos, Associate Planner

Project Applicant: 715 Oakhurst Investors, LLC

Public Input: None

Motion: MOVED by Commissioner Gordon, SECONDED by Vice Chair Block to continue the item to the June 27, 2019 Planning Commission meeting (5-0).

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

NOES: None

CARRIED

3. 100 NORTH CRESCENT DRIVE (BEVERLY HILLS MEDIA CENTER)

Entertainment Office Planned Development Overlay Zone (PL1623256)

Request for a General Plan Amendment, Zoning Map Amendment, Zone Text Amendment, Planned Development, and Development Agreement to allow an addition and renovation to an existing commercial office building located at 100 North Crescent Drive. The request includes the creation of an Entertainment Office Planned Development Overlay Zone (E-O-

PD-2). *Continued from the February 28, 2019 Planning Commission Meeting, is it recommended this item be continued to a date uncertain.*

Project Planner: Masa Alkire, AICP, Principal Planner
Project Applicant: Sheri Bonstelle of Jeffer Mangels Butler & Mitchell LLP on behalf of 100 N Crescent LLC
Public Input: None

Motion: MOVED by Vice Chair Block, SECONDED by Commissioner Gordon to continue the item to a date uncertain (5-0).

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

CARRIED

Item #6, the Planning Agency review of the Capital Improvement Plan, was heard ahead of items #4 and #5.

Citing ownership of a property adjacent to the Warbler Way site by a family member, and residency within 500 feet of the Chalette Drive project, Commissioner Shooshani recused from items #4 and #5, respectively, and left the meeting at 3:16 PM.

Assistant City Attorney David Snow advised that, due to a pending affiliated item of a prosecutorial nature, Outside Counsel Alan Seltzer would be advising the Planning Commission for item #4. Mr. Snow remained at the dais, as Counsel to City staff for this item.

4. APNs 4391-028-008, -012, -020 (City of Beverly Hills)

9304 WARBLER WAY (City of Los Angeles)

Accessory Dwelling Unit Use Permit, Trousdale R-1 Permit, Variances, and Lot Line Adjustment (PL1805670)

Request for an Accessory Dwelling Unit Use Permit to construct an accessory dwelling unit; a Trousdale R-1 Permit to allow an accessory structure to be located on any part of the site; Variances to deviate from Beverly Hills Municipal Code (BHMC) §10-3-409.B.1 (location of accessory dwelling unit), BHMC §10-3-2604 (grading on a slope), BHMC §10-3-2605 (structure height), BHMC §10-3-2616.C (retaining walls within front yard), BHMC §10-3-2618.A (front yard paving), and BHMC §10-2-303.D (minimum required building site); and a Lot Line Adjustment to allow for the adjustment of lot lines among four existing adjacent parcels resulting in one parcel. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Planning Commission will also consider finding the project exempt from further review under CEQA. *Continued from the April 11, 2019 Planning Commission meeting.*

Ex Parte Communications:

- *Commissioner Ostroff disclosed a meeting with the Trousdale and Doheny Sunset neighbors, stating that the only information presented at the meeting that was not part of the record was a set of photos submitted by one of the Doheny Sunset neighbors that reportedly showed an individual selling tickets for a party to take place at the subject residence. Commissioner Ostroff also met twice with Applicant representative Murray Fischer; several factors related to the site grading were discussed at the first*

meeting. The second meeting was a visit to the project site that was also attended by City staff.

- *Commissioner Gordon disclosed a meeting with the Trousdale and Doheny Sunset neighbors, and also a separate site visit, at which Murray Fischer and City staff were also present.*
- *Vice Chair Block disclosed a meeting with the Trousdale and Doheny Sunset neighbors, and a separate site visit with Murray Fischer and City staff.*
- *Chair Licht disclosed a meeting with the Doheny Sunset neighbors, an individual visit with Murray Fischer at the project site, and another site visit with Mr. Fischer and City staff.*
- *All Commissioners advised they remain open-minded on the proposed project.*

Project Planner: Cindy Gordon, ACIP, Associate Planner
Project Applicant: Murray Fischer, Law Offices of Murray Fischer, on behalf of Vance Owen
Applicant Representative: Ben Reznik
Public Input: Kelly Miracco, Bruce Roberts, Steven Kay, Emma Howard – Los Angeles City Councilmember David Ryu's office, Ellen Evans – Doheny Sunset Plaza Neighborhood Association, Jamie Hall, Yves Mieslala, Ted Miracco, Stella Jeong, Fred Fenster, Jim Schneider, Alexander Salewicz, Robert Schlesinger – Bel Air Beverly Crest Neighborhood Council, Frieda Berlin – Trousdale Estates Homeowners Association, Karen Platt – Trousdale Estates Homeowners Association, Shahram Melamed, Lisa Torneden

The Commission took a recess at 5:53 PM

The Commission reconvened at 6:01 PM

Motion: MOVED by Commissioner Ostroff, SECONDED by Commissioner Gordon to direct staff to prepare a resolution denying the requested variance from the subdivision standards for the minimum lot size, thus denying the lot line adjustment, and continuing the item to the June 13, 2019 Planning Commission meeting (4-0-1).

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

CARRIED

Motion: MOVED by Commissioner Ostroff, SECONDED by Vice Chair Block to direct staff to prepare a resolution denying the request for an Accessory Dwelling Unit (ADU), continuing the item to the June 13, 2019 Planning Commission meeting (4-0-1).

AYES: Commissioners Ostroff, Gordon, Vice Chair Block, Chair Licht

NOES: None
RECUSED: Commissioner Shooshani

CARRIED

Commissioner Ostroff left the meeting at 7:04 PM

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

5. 514 CHALETTE DRIVE

Trousdale View Restoration Permit (PL1820498)

Request for a View Restoration Permit by the View Owner at 514 Chalette Drive to remove ten trees located on the adjacent property to the south at 510 Chalette Drive (Foliage Owner). Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Planning Commission will also consider finding the project exempt from further review under CEQA.

Ex Parte Communications: Chair Licht disclosed a conversation with John Bloch, and remains open minded on the project.

Project Planner: Christine Delostrinos, Associate Planner
Project Applicant: LBJ Property 1, LLC, View Owner
Public Input: Iraj Kermanshahchi

The Commission took a recess at 8:20 PM

The Commission reconvened at 8:28 PM.

After hearing testimony from Iraj Kermanshahchi stating that he was not the property owner of 510 Chalette Drive, and was not a Trustee of, nor did he have any control of the Trust that owns the property on which the foliage is located, staff determined that the legal foliage owner had not been properly noticed regarding the requested View Restoration Permit. Mr. Kermanshahchi indicated a willingness to provide the City with a copy of the Trust documents.

The Commission directed staff to request the Trust documents and provide an update on the 510 Chalette Drive ownership issue at the Commission's next meeting.

Motion: MOVED by Commissioner Gordon, SECONDED by Vice Chair Block to continue the item to the May 23, 2019 Planning Commission meeting (3-0-1-1).

AYES: Commissioner Gordon, Vice Chair Block, Chair Licht
NOES: None
RECUSED: Commissioner Shooshani
ABSENT: Commissioner Ostroff

6. PLANNING AGENCY REVIEW OF CAPITAL IMPROVEMENT PROGRAM (CIP) FOR CONSISTENCY WITH THE GENERAL PLAN

City Initiated Project

Adopt a resolution finding the 2019/20 – 2023/24 Capital Improvement Program consistent with the City's General Plan.

Project Planner: Timothea Tway, AICP, Senior Planner
Project Applicant: City Initiated Project
Public Input: None

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

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

NOES: None

CARRIED

STUDY SESSION

No items

COMMUNICATIONS FROM THE COMMISSION

None

COMMUNICATIONS FROM STAFF

- **City Planner Updates**

- None

7. Upcoming Projects List

- Received and filed

8. Building Permit Report – November

- Received and filed

9. 2019 Meeting Schedule

- Received and filed

ADJOURNMENT

Date / Time: May 9, 2019 / 8:46 PM

PASSED AND APPROVED THIS 23RD DAY of MAY, 2019



Andy Licht, Chair