



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

## **PLANNING COMMISSION REGULAR MEETING**

### **MINUTES**

September 13, 2018  
1:30 PM

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

#### **MEETING CALLED TO ORDER**

Date/Time: September 13, 2018 / 1:31 PM

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

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

Commissioners Absent: None

Staff Present: Ryan Gohlich, Masa Alkire, Cindy Gordon, Edgar Arroyo, Judy  
Gutierrez, Karen Myron, David Snow, Susan Healy Keene

#### **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: Robert Tanenbaum, Darian Bojeaux

#### **APPROVAL OF AGENDA**

By Order of the Chair, the agenda was approved as amended, with the Guest Speaker item rescheduled to a future date to be determined, and moving Communications from the Commission ahead of the Consent Calendar.

#### **CONSENT CALENDAR**

##### **1. CONSIDERATION OF MINUTES**

Consideration of Minutes of the Planning Commission regular meeting of August 23, 2018.

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

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

CARRIED

## REPORTS FROM PRIORITY AGENCIES

### 2. LA CIENEGA PARK PUBLIC FEEDBACK PROCESS

Update from the Community Services Department on the La Cienega Park and Recreation Complex process for public engagement

Assistant Director of Community Services Pam Shinault introduced the La Cienega Park and Recreation Complex renovation project, and the process by which the public is able to provide feedback on the recreational needs of the community. All members of the public are encouraged to provide input.

## CONTINUED BUSINESS

### 3. 1115 CALLE VISTA DRIVE

#### Hillside R-1 Permits (PL1729956)

Request for a Hillside R-1 Permit to allow more than 1,500 cubic yards of earth material to be imported or exported from a site in the Hillside Area that is immediately adjacent to a street that is less than twenty-four (24') wide; a Hillside R-1 Permit to allow for cumulative floor area greater than 15,000 square feet, and; a Hillside R-1 Permit to allow an accessory structure to be located within 100' of the front property line on an estate lot. 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.

*Ex Parte Communications: Commissioner Shooshani disclosed a conversation with Murray Fischer and Byron Allen regarding a recent newspaper article. Commissioner Shooshani also advised that he had consulted with the City Attorney's Office regarding suggestions that he should recuse from this project; the City Attorney's Office did not feel it was necessary for him to recuse. Commissioner Gordon disclosed a conversation with Debbie Weiss regarding the nature of the last meeting, and advised that the conversation did not affect her decision on the project. Vice Chair Block disclosed a meeting with Murray Fischer, during which they discussed the last meeting and proceeding with the directed resolution, and advised he remains open-minded on the project. Chair Licht disclosed a conversation with Debbie Weiss, and also a meeting with members of the Applicant team; Chair Licht advised that he remains open-minded on the project. Commissioner Ostroff requested disclosure of the substance of the ex parte conversations and meetings that had been disclosed by the other Commissioners. Assistant City Attorney David Snow clarified that the purpose of ex parte disclosure is to ensure that any evidence or testimony that was received outside of the hearing is available for all Commissioners to consider. Brief overviews of the information not already in the record are appropriate, rather than a full rehash of the entire meeting or conversation.*

Project Planner: Cindy Gordon, AICP, Associate Planner  
Project Applicant: William Mungal, Landry Design Group Inc., on behalf of Byron Allen

Applicant Representatives: Ben Reznik, Murray Fischer  
Public Input: Debbie Weiss

*The Commission took a recess at 3:16 PM.*

*The Commission reconvened at 3:22 PM.*

The Commission asked that the Applicant team clarify what they are requesting of the Commission. After discussion, the Commission recessed to allow staff time to prepare a resolution that reflects the direction of the majority of the Commission.

*The Commission took a recess at 4:14 PM.*

*The Commission reconvened at 4:45 PM.*

Motion: MOVED by Vice Chair Block, SECONDED by Commissioner Shooshani to adopt the resolution (3-2).

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

CARRIED

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

##### **4. 207 SOUTH BEVERLY DRIVE (CALIFORNIA PIZZA KITCHEN)**

###### **Open Air Dining Permit and Waiver of Parking (PL1728956)**

Request for an Open Air Dining Permit to allow continued operation of open air dining on private property and on the public right-of-way, as well as a request for a waiver of four code-required parking spaces associated with the open air dining on private 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.

*Ex Parte Communications: None*

Project Planner: Judy Gutierrez, Assistant Planner  
Project Applicant: California Pizza Kitchen, Inc.  
Project Representative: Nina Raey / RSI Group  
Public Input: None

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

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

CARRIED

**5. 472 SOUTH SPALDING DRIVE**

**Time Extension Request for Previously Approved Central R-1 Permit (PL1807846)**

Request for a one year time extension for a previously approved Central R-1 Permit (Planning Commission Resolution No. 1799) that allows for additions to the first and second story of an existing accessory structure and the conversion of an existing playroom located on the second story of the structure to an accessory dwelling unit.

*Ex Parte Communications: Commissioner Gordon disclosed a site visit to both 472 and 476 South Spalding Drive, and spoke with individuals at both residences. Commissioner Ostroff advised that he had driven by the project. Chair Licht disclosed a site visit to the subject property, at which time he had a brief discussion with the property owner's daughter.*

Project Planner: Edgar Arroyo, Associate Planner  
Project Applicant: Israel Lasry, Property Owner  
Public Input: Murray Fischer, Lawrence Goodman

Motion: MOVED by Commissioner Gordon, SECONDED by Vice Chair Block to adopt the resolution as amended (4-1).

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

CARRIED

*The Commission took a recess at 6:38 PM.*

**STUDY SESSION**

• **GUEST SPEAKER ON PARKING POLICY**

Dr. Donald Shoup, Distinguished Research Professor in the Department of Urban Planning at UCLA, will discuss parking policies and planning issues related to parking.

The guest speaker will be rescheduled for a future Planning Commission meeting.

*Communications from the Commission were heard prior to the adoption of the Consent Calendar.*

**COMMUNICATIONS FROM THE COMMISSION**

- Commissioner Shooshani reiterated his apology to resident Debbie Weiss.
- Initiated by Commissioner Ostroff, the Commission briefly discussed Ex Parte Communications; Chair Licht requested that the item be agendaized at an upcoming Planning Commission meeting.
- Chair Licht reminded all persons present of the expectation of decorum at Planning Commission meetings.
- **Mayor's Cabinet Meeting**
  - This item was not discussed; meeting video is available online

*All Communications from Staff were heard after the conclusion of item #10.*

## **COMMUNICATIONS FROM STAFF**

- **City Planner Updates**
  - City Planner Ryan Gohlich advised the Commission that the Zone Text Amendment item for 9200 Wilshire Boulevard will be heard at the City Council meeting on Monday, September 17, 2018.
- 6. **Upcoming Projects List**
  - Received and filed
- 7. **Building Permit Report – July**
  - Received and filed
- 8. **Building Permit Report – August**
  - Received and filed
- 9. **2018 Meeting Schedule**
  - Received and filed; Chair Licht noted that the September 27, 2018 meeting has been cancelled.

*The following item will be heard at or after 7:00 PM:*

*The Commission reconvened at 7:36 PM.*

## **CONTINUED BUSINESS, EVENING SESSION**

### **10. 9908 SOUTH SANTA MONICA BOULEVARD**

#### **Mixed Use Overlay Zone (PL1509126)**

Request for a General Plan Amendment, Zone Change, Zone Text Amendment, Planned Development, Vesting Tentative Tract Map and Development Agreement to create a Mixed Use Planned Development Overlay Zone (M-PD-5) and allow a four-story, mixed-use project consisting of 25 residential condominium units and 13,036 square feet of ground floor retail in a Commercial Zone on the property located at 9908 South Santa Monica Boulevard. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Planning Commission will also consider a Final Environmental Impact Report. *Continued from the August 8, 2018 Planning Commission Hearing.*

*Ex Parte Communications: Commissioner Shooshani disclosed a conversation with a member of the applicant team. Commissioner Ostroff disclosed a meeting with Gaby Alexander, and advised it did not affect his thoughts on the project. Vice Chair Block disclosed a meeting with Linda Briskman and Cliff Goldstein, no new information was provided other than being advised that the project plans had been revised to meet the direction of the Commission, and he remains open-minded on the project. Chair Licht disclosed meeting with Linda Briskman and Drew Planting, and also received no new information other than that the project plans had been revised to reflect a building with four stories rather than five.*

Project Planner: Masa Alkire, AICP, Principal Planner  
Project Applicant: 9908 Santa Monica Blvd., LLC

Public Input: Eliot Finkel, Michael Tenner, Robert Zarnegin, Offer Nissenbaum, Dr. Matthew Finerman, Steve Mayer

Chair Licht read into record a letter from Thomas White on behalf of the Municipal League of Beverly Hills.

Motion: MOVED by Vice Chair Block, SECONDED by Commissioner Shooshani to adopt the resolution certifying the Final Environmental Impact Report, adopting findings pursuant to the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program, as amended (3-2).

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

CARRIED

Motion: MOVED by Vice Chair Block, SECONDED by Commissioner Shooshani to adopt the resolution recommending approval of a request for a General Plan Amendment to establish a Mixed-Use Planned Development land use designation and apply it to the project site, and a Zone Text Amendment and Zone Change to create a Mixed-Use Planned Development Overlay Zone and apply it to the project site, as amended (3-2).

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

CARRIED

Motion: MOVED by Vice Chair Block, SECONDED by Commissioner Shooshani to adopt the resolution conditionally approving a Vesting Tentative Tract Map and a Planned Development, as amended (3-2).

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

CARRIED

**ADJOURNMENT**

Date / Time: September 13, 2018 / 9:19 PM

PASSED AND APPROVED THIS 11<sup>TH</sup> DAY of OCTOBER, 2018

  
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Andy Licht, Chair