



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

## **PLANNING COMMISSION REGULAR MEETING**

### **MINUTES**

June 13, 2019  
1:30 PM

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

Date/Time: June 13, 2019 / 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, Chloe Chen, 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 amended, taking all Communication items prior to item #4.

#### **CONSENT CALENDAR**

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

Consideration of Minutes of the Planning Commission regular meeting of May 23, 2019.

Motion: MOVED by Vice Chair Block, SECONDED by Commissioner Gordon 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

None

## CONTINUED BUSINESS

*Citing ownership of a property adjacent to the Warbler Way site by a family member, Commissioner Shooshani recused from item #2, and left the room at 1:34 PM.*

*Assistant City Attorney David Snow advised that, as with prior considerations of this item, Outside Counsel Alan Seltzer would be advising the Planning Commission for item #2. Mr. Snow remained at the dais, as Counsel to City staff for this item.*

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

#### 9304 Warbler Way (City of Los Angeles)

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

Resolutions of the Planning Commission of the City of Beverly Hills denying a Variance to deviate from Beverly Hills Municipal Code (BHMC) §10-2-303.D (minimum building site area); denying a Lot Line Adjustment to combine four existing adjacent parcels; denying an Accessory Dwelling Unit Use Permit; denying a Trousdale R-1 Permit to allow an accessory structure to be located on any part of the site; denying Variances to deviate from 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), and BHMC §10-3-2618.A (front yard paving). Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Planning Commission will consider finding the Project statutorily exempt from further review under CEQA.

*Ex Parte Communications: None*

Project Planner:	Cindy Gordon, AICP, Associate Planner
Project Applicant:	Murray Fischer, Law Offices of Murray Fischer, on behalf of Vance Owen
Public Input:	Meg Greenfield – Los Angeles Council District 4, Ellen Evans – Doheny Sunset Plaza Neighborhood Association, Karen Platt, Stella Grey, Balz Mueller

Motion:	MOVED by Commissioner Gordon, SECONDED by Commissioner Ostroff to adopt the resolution denying a Variance to deviate from BHMC §10-2-303.D and denying the Lot Line Adjustment to combine four existing adjacent parcels (3-1-1).
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AYES:	Commissioners Ostroff, Gordon, Chair Licht
NOES:	Vice Chair Block
RECUSED:	Commissioner Shooshani

Motion:	MOVED by Commissioner Gordon, SECONDED by Vice Chair Block to adopt the resolution denying an Accessory Dwelling Unit Use Permit, a Trousdale R-1 Permit, and five Variances from BHMC Development Standards (4-0-1).
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AYES: Commissioners Ostroff, Gordon, Vice Chair Block, Chair Licht  
NOES: None  
RECUSED: Commissioner Shooshani

CARRIED

*Commissioner Shooshani returned to the meeting at 2:15 PM.*

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

**3. 8536 WILSHIRE BOULEVARD**

**Conditional Use Permit Amendment (PL1900106)**

Request for an amendment to a Conditional Use Permit to allow a 10-year extension (until September 13, 2032) to the time period that medical uses may occupy 5,870 square feet of the ground floor of a commercial building located at 8536 Wilshire Boulevard. 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: All five Commissioners disclosed separate meetings with Julian Javor, and advised that they remain open-minded on the project.*

Project Planner: Edgar Arroyo, Associate Planner  
Project Applicant: Thomas Levyn, Glaser Weil Fink Howard Avchen & Shapiro, LLP;  
Julian Javor  
Public Input: None

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

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

CARRIED

*All Communication items were taken ahead of item #4.*

*Citing the proximity of his office to the project, Chair Licht recused from item #4 and left the meeting at 2:55 PM. Vice Chair Block assumed the role of Acting Chair for the remainder of the meeting.*

**4. 9800 WILSHIRE BOULEVARD AND 121 SPALDING DRIVE**

**Zone Text Amendment and Amendment to Development Plan Review (PL1820387)**

Request for a Zone Text Amendment (ZTA) and a Development Plan Review (DPR) amendment to permit additional operations at an existing private co-working club. The ZTA is requested to allow a rooftop music use on a commercial property located outside the Business Triangle area of the City, and the DPR is requested to allow members of the club to bring up to ten (10) guests per member to the existing rooftop facilities. In addition, contingent upon the approval of the proposed ZTA request, the DPR amendment request would be

modified to apply for approval of a rooftop music use. 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: Commissioners Gordon and Shooshani disclosed separate tours of the facility, Commissioner Ostroff disclosed a conversation with resident Michael Sherman, and Vice Chair Block disclosed a conversation with resident Michael Berry. All Commissioners advised that they remain open-minded on the project.*

Project Planner: Chloe Chen, Assistant Planner  
Project Applicant: Mitchell Dawson, on behalf of Spring Place; Bryan Woody, Nash Tennant  
Public Input: Mark Gatto, Blair Schlechter – Beverly Hills Chamber of Commerce, Nicole Fogel, Wei Dang, John Zeman, John Bardy, Michael Sherman, Jay Weston, Marianne Chambers, Scott Bronson  
  
Motion: MOVED by Vice Chair Block, SECONDED by Commissioner Gordon to direct staff to prepare a resolution denying the requested Zone Text Amendment and Development Plan Review Amendment (3-1-1).  
  
AYES: Commissioners Ostroff, Gordon, Vice Chair Block  
NOES: Commissioner Shooshani  
RECUSED: Chair Licht

#### CARRIED

Subsequent to their recommendation, the Commission discussed the possibility of setting an additional hearing to discuss potential violations of the Project's existing conditions.

Motion: MOVED by Commissioner Gordon, SECONDED by Commissioner Ostroff to direct Planning staff, with the assistance of Code Enforcement, to compile information regarding any potential violations, which will be presented as a Study Session informational report at a future Planning Commission meeting (3-1-1).  
  
AYES: Commissioners Ostroff, Gordon, Vice Chair Block  
NOES: Commissioner Shooshani  
RECUSED: Chair Licht

#### **STUDY SESSION**

No items

#### **COMMUNICATIONS FROM THE COMMISSION**

None

## COMMUNICATIONS FROM STAFF

- **City Planner Updates**

- City Planner Ryan Gohlich advised the Commission of the following:
  - At the City Council Study Session on Tuesday, July 18, the City Council will consider Mayor Mirisch's request to call up the Planning Commission's recent approval of the 425-429 North Palm Drive condominium project.
  - At the City Council Formal Session on Tuesday, July 18, the City Council will formally consider the Zone Text Amendments related to spa use in the Business Triangle, which were recommended for approval by the Planning Commission in conjunction with Alchemy 43 Spa's Conditional Use Permit.
  - Several projects have dropped off the tentative agenda for the June 27 Planning Commission meeting; with the consensus of the Commission that meeting will be cancelled.

## 5. Upcoming Projects List

Public Input: Steve Mayer

- Received and filed. In response to public comment, staff advised that the application for the project at 100 North Crescent Drive has not been withdrawn, therefore, work on the Final Environmental Impact Report is remains in process; additionally, staff has no new information regarding the property known as Lot 12, other than the information that was provided on the Legislative Advocate Registration form.

## 6. Building Permit Report – May

- Received and filed

## 7. 2019 Meeting Schedule

- Received and filed; as noted in City Planner Updates, the June 27, 2019 regular meeting will be cancelled.

## ADJOURNMENT

Date / Time: June 13, 2019 / 4:39 PM

PASSED AND APPROVED THIS 11<sup>TH</sup> DAY OF JULY, 2019

  

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Alan Robert Block, Chair