



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

In-Person / Telephonic / Video Conference Meeting

## **PLANNING COMMISSION REGULAR MEETING**

### **MINUTES**

December 14, 2023  
1:30 PM

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

Date/Time: December 14, 2023 / 1:34 PM

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

Commissioners Present: Commissioners Wolfe, Demeter, Ostroff, Vice Chair Kaplan, Chair Ross  
Commissioners Absent: None  
Staff Present: Masa Alkire, Cindy Gordon, Edgar Arroyo, Alexandria Smille, 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.

Public Input: Randy Simon

#### **APPROVAL OF AGENDA**

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

#### **CONSENT CALENDAR**

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

Consideration of Minutes of the Planning Commission regular meeting of November 9, 2023.

Motion: MOVED by Commissioner Demeter, SECONDED by Commissioner Wolfe to adopt the minutes as presented (4-0-1).

AYES: Commissioners Wolfe, Demeter, Ostroff, Chair Ross

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NOES: None  
ABSTAIN: Vice Chair Kaplan

CARRIED

**REPORTS FROM PRIORITY AGENCIES**

None

**CONTINUED BUSINESS**

**2. 9882 SOUTH SANTA MONICA BOULEVARD**

**Conditional Use Permit (PL2300002)**

A request for a Conditional Use Permit to allow an addition to an existing hotel. 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 October 26, 2023 Planning Commission regular meeting.*

*Ex Parte Communications: Commissioner Ostroff, Vice Chair Kaplan, and Chair Ross all disclosed conducting separate site visits and speaking with members of the applicant team; Commissioners Wolfe and Demeter disclosed conducting a concurrent site visit and speaking with members of the applicant team; all five Commissioners advised they remain open-minded on the project.*

Project Planner: Alexandria Smille, Associate Planner  
Project Applicant: The Belvedere Hotel Partnership  
Project Representatives: Michael Tenner, Offer Nissenbaum, Victor De a Cruz  
Public Input: Benjamin Hanelin – Latham & Watkins on behalf of Impact Real Estate Group, LLC

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

AYES: Commissioners Wolfe, Demeter, Ostroff, Vice Chair Kaplan, Chair Ross

NOES: None

CARRIED

**3. 9291 BURTON WAY (L'ERMITAGE HOTEL**

**Conditional Use Permit, Development Plan Review, and Extended Hours Permit Renewal and Amendment and Zone Text Amendment (PL2300008)**

Request for renewal of a Conditional Use Permit, Development Plan Review, and Extended Hours Permit to allow for the continued operation of the L'Ermitage Hotel restaurant with outdoor dining and the hotel's rooftop uses with extended hours at the property located at 9291 Burton Way and amendments to the existing conditions of approval; a Zone Text Amendment to allow for expansion of restaurant bar and dining floor area to facilitate expansion of additional dining area within an existing ground floor restaurant and a new restaurant located on the rooftop of the hotel with rooftop outdoor dining and bar area.

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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 October 26, 2023 Planning Commission regular meeting.*

*Ex Parte Communications: Commissioner Ostroff disclosed having a recent conversation with members of the applicant team and advised he remains open minded on the matter. Chair Ross disclosed having a conversation this morning with Gaby Alexander, and advised he remains open minded on the matter. Commissioner Demeter disclosed having a conversation with hotel General Manager Scott Berger, and advised she remains open minded on the matter.*

Project Planner: Edgar Arroyo, Senior Planner  
Project Applicant: LBVH Hotel LLC  
Project Representatives: Spencer B. Kallick, Allen Matkins Leck Gamble Mallory & Natsis LLP, Scott Berger, Gaby Reims Alexander  
Public Input: Kelli Schatz, Bobbe Joy Dawson, Daniel Batista, Steve Mayer, Noelle Freeman, Craig Berberian – Empire at Burton Way, Jill Epstein, Roger Dickes, Ilan Bialer

Motion: MOVED by Vice Chair Kaplan, SECONDED by Commissioner Ostroff to adopt the Zone Text Amendment resolution as presented (5-0).

AYES: Commissioners Wolfe, Demeter, Ostroff, Vice Chair Kaplan, Chair Ross

NOES: None

**CARRIED**

Motion: MOVED by Commissioner Ostroff, SECONDED by Vice Chair Kaplan to adopt the Conditional Use Permit, Development Plan Review, and Extended Hours Permit resolution as amended (5-0).

AYES: Commissioners Wolfe, Demeter, Ostroff, Vice Chair Kaplan, Chair Ross

NOES: None

**CARRIED**

*The Commission took a recess at 4:53 PM*

*The Commission reconvened at 4:59 PM*

**4. 1169 HILLCREST ROAD**

**Zone Text Amendment and Trousedale R-1 Permit (PL2200064)**

A resolution of the Planning Commission of the City of Beverly Hills denying a request for a Zone Text Amendment to amend Beverly Hills Municipal Code Sections 10-3-2603, -2604, -2605, and -2650 to allow certain residential property owners who have the right to request a second story to instead request a daylighting basement through a new Trousedale R-1 Permit process; and denying a request for a Trousedale R-1 Permit to allow construction of a

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daylighting basement with up to two retaining walls on either side of a daylighting basement and to allow for grading off the level pad. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the resolution also finds the Project exempt from further review under CEQA. *Continued from the November 9, 2023 Planning Commission regular meeting.*

*Ex Parte Communications: Commissioner Ostroff disclosed speaking, but not going into detail regarding the project, with Jason Somers at a holiday party*

*Vice Chair Kaplan advised that while she was not present for the meeting at which this project was originally discussed, she has reviewed the materials and meeting video, and is prepared to participate in today's discussion.*

Project Planner: Judy Gutierrez, Senior Planner  
Staff Presenter: Cindy Gordon, Principal Planner  
Project Applicant: Randall Van Wolfswinkel  
Project Representatives: Thomas Levyn, Glaser Weil  
Jason Somers, Crest Real Estate  
Public Input: None

Motion: MOVED by Commissioner Wolfe, SECONDED by Commissioner Ostroff to adopt the resolution as presented (5-0).

AYES: Commissioners Wolfe, Demeter, Ostroff, Vice Chair Kaplan, Chair Ross

NOES: None

CARRIED

**PLANNING COMMISSION / BOARD OF ZONING ADJUSTMENTS / PLANNING AGENCY  
PUBLIC HEARINGS – NEW BUSINESS**  
None

**STUDY SESSION**  
None

**COMMUNICATIONS FROM THE COMMISSION**

- The Commissioners thanked Commissioner Ostroff for his friendship, the impact he has had on the Planning Commission and the City, and for the example he has set as a Commissioner.
- Commissioner Ostroff reflected on his term as a Commissioner, and thanked fellow Commissioners and City staff for their hard work.

**COMMUNICATIONS FROM STAFF**

- **City Planner Updates**

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- City Planner Masa Alkire advised the Commission that, due to the holidays, there will not be a second Planning Commission meeting in December. Additionally, due to the scheduling of a City Council meeting on the same date, the Planning Commission meeting scheduled for January 11, 2024 will be cancelled. The next time the Commission will meet is on Thursday, January 25, 2024.
- Staff also thanked Commissioner Ostroff for his service to the City, and for his significant contributions to the work of the Commission.

**5. Current Planning Projects List**

- Received and filed

**6. Building Permit Report – November**

- Received and filed

**7. 2024 Meeting Schedule**

- Received and filed; the January 11, 2024 meeting will be cancelled.

**ADJOURNMENT**

Date / Time: December 14, 2023 / 5:29 PM

PASSED AND APPROVED THIS 25<sup>TH</sup> DAY OF JANUARY, 2024

*Gary B. Ross*

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Gary B. Ross, Chair