

**Action Minutes**  
**November 9, 2010**



**CITY OF BEVERLY HILLS**  
455. N. Rexford Drive  
Beverly Hills, California 90210

**PLANNING COMMISSION  
MEETING ACTION MINUTES  
November 9, 2010  
1:30 PM**

**MEETING CALLED TO ORDER**

Date / Time: November 9, 2010/ 1:30 PM

**ROLL CALL**

Commissioners Present: Corman, Cole, Furie, Vice Chair Yukelson, and Chair Bosse.

Commissioners Absent: None.

Staff Present: Jonathan Lait, David Reyes, Michele McGrath, Rita Naziri, Ryan Gohlich, David Snow (City Attorney's Office).

**APPROVAL OF AGENDA**

Action: Approved by Order of Chair.

**COMMUNICATIONS FROM THE AUDIENCE**

Speakers: Steve Webb spoke regarding amending the City's Zoning Ordinance to allow Staff and/or Commission additional authority to grant minor deviations from the City's Zoning standards.

**STUDY SESSION**

**1. Common Interest Development Ordinance**

Discussion of possible changes to the City's Municipal Code regarding the regulation of Commercial Common Interest Developments. This report provides a summary of previous discussions and recommends a future public hearing on the matter

Planner: Michele McGrath

Applicant(s): City of Beverly Hills

Public Input: Steve Webb stated that any ordinance would have the flexibility to allow CIDs in certain circumstances, not an outright prohibition.

**Action: Voice vote, 5-0 to not continue additional study regarding this issue at this point in time.**

**2. Mills Act Discussion**

Discussion regarding the Mills Act and possible recommendation to the City Council to make adoption of a Mills Act Ordinance a priority for the Planning Division in the Fiscal Year 2011-2012 Work Plan.

Planner: Jonathan Lait, City Planner

Public Input: 1. Rabbi David Baron spoke in favor of moving the item to the City Council.  
2. Steve Webb spoke in favor of moving the item to the City Council.

**Action: Voice vote, 5-0 to direct Staff to prepare a letter to the City Council to include this in Fiscal Year 2011-2012 Work Plan.**

3. **9481 Sunset Boulevard**

Request for a Hillside R-1 Permit to allow the construction of a 108 square foot accessory structure that would be located within 100 feet of a front property line.

Planner: Ryan Gohlich

Applicant(s): Farrel Stevins

Public Input: Applicant Farrel Stevins and Mark Rios (architect) spoke in favor of the project.

Motion: Motion by Vice Chair Yukelson; seconded by Commissioner Corman

**Action: Adopted a Resolution to approve a Hillside R-1 Permit. 5-0.**

4. **252 South Beverly Drive**

Request for Development Plan Review and Minor Accommodation to allow the construction of a new two-story, 3,993 square foot commercial building with 10 at grade parking spaces.

Planner: Rita Naziri

Applicant(s): Steve Webb; Ron Goldman

Public Input: Applicant spoke in favor

Anthony Hurwitz spoke on behalf of property owner at 250 Beverly Drive. Comment regarding better signage in alley and whether or not a car can be towed from private lot.

Elliot Klein owner of 258 S. Beverly Drive asked about parking in drive aisle.

Motion: Motion by Vice Chair Yukelson; seconded by Commissioner Cole.

**Action: Adopted a resolution to approve a Development Plan Review Permit and Minor Accommodation. 5-0.**

**SUBCOMMITTEE REPORTS**

Consideration and/or establish of new policy or project-related Planning Commission subcommittees and reports from existing subcommittees

- a) 9230 Wilshire Boulevard – Lexus Dealership (Bosse/Furie)

- b) Hillside / Trousdale – View Preservation (Cole / Corman)
- c) Medical Land Use (Bosse / Yukelson)
- d) Other contemplated subcommittees

**Action: No Discussion on any subcommittees.**

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

#### **COMMUNICATIONS FROM THE CITY PLANNER**

- 5. Upcoming Meeting Schedule

**Action: Directed staff to return with a calendar for the Calendar Year 2011.**

- 6. Active Case List

**Action: Received and filed.**

#### **MEETING ADJOURNED**

Date / Time: November 9, 2010/ 4:30 PM

PASSED AND APPROVED THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2011.

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Lili Bosse, Chair

Submitted by David Reyes

# Action Minutes

## January 13, 2011



**CITY OF BEVERLY HILLS**  
455. N. Rexford Drive  
Beverly Hills, California 90210

**PLANNING COMMISSION**  
**MEETING ACTION MINUTES**  
**January 13, 2011**  
**1:30 PM**

**MEETING CALLED TO ORDER**

Date / Time: January 13, 2011/ 1:30 PM

**NEW COMMISSIONER OATH** City Clerk Byron Pope swore in newly appointed Planning Commissioner Mr. Brian Rosenstein.

**ROLL CALL**

Commissioners Present: Rosenstein, Corman, Cole, Vice Chair Yukelson, Chair Bosse.

Commissioners Absent: None.

Staff Present: Jonathan Lait, David Reyes, Ryan Gohlich, David Snow (City Attorney's Office).

**APPROVAL OF AGENDA**

Action: Approved by Order of Chair.

**COMMUNICATIONS FROM THE AUDIENCE**

Speakers: None

**INFORMATION ITEM**

1. **Human Relations Commission – Election Civility**

Members of the Human Relations Commission introduced the civility statement to the Commissioners that was adopted by the City Council on March 2, 2010.

**Action: The Commission received and filed the report.**

2. **Zoning Text Amendment**

Resolution recommending adoption of an ordinance amending Title 10, Chapter 4: Zoning; Signs related to umbrellas signs; amending Title 10 Chapter 3, Articles 30 and 44 related to Architectural and Design Review Commission rules and procedures.

Planner: Jonathan Lait, City Planner

Public Input: 1. Zale Richard Rubins, Chair of the Architectural Commission supported changes to the Commission rules and procedures but opposed changes to the sign code.

2. Rose Norton spoke regarding potential dangers of low umbrellas in the right-of-way.

**Motion:** Motion by Commissioner Corman; seconded by Commissioner Rosenstein.

**Action:** **Adopted a resolution recommending that the City Council adopt an ordinance modifying rules and procedures related to the Architectural and Design Review Commissions but not changing the sign code. 5-0.**

3. **125 South Camden Drive**

Public and Commission comment regarding the adequacy of a Draft Environmental Impact Report prepared in conjunction with a request for a General Plan Amendment, Zone Change, Development Plan Review, Vesting Tentative Map and Alley Vacation to allow the demolition of an existing surface parking lot and the construction of a new six-story, 66-foot tall 118,840 square foot condominium building, containing 44 residential units and 127 parking spaces.

**Planner:** Ryan Gohlich

**Applicant(s):** Casden Properties

**Public Input:**

1. Ken Goldman, representing the Southwest Homeowners, commented on the adequacy of the EIR with respect impacts potentially created by the building's height, length and loss of parking.
2. Kathy Reims commented on the building's incompatibility with the residential neighborhood and aesthetic impact because of its proposed mass, lack of ingress/egress along Peck Drive, loss of parking and comparison to the commercial structures fronting along Wilshire Boulevard.
3. Howard Katz, representing the applicant, spoke about the process and generally agreed with the results of the DEIR, but submitted a letter requesting modifications to the areas of Green House Gas Emissions and construction vibration.
4. Joe Tilem spoke on behalf of Barneys and requested consideration regarding the proximity of Barney's loading zone and clarification of replacement parking for the existing surface parking lot.

**Motion:** Motion by Commissioner Cole; seconded by Commissioner Corman.

**Action:** **Continued the hearing to date and uncertain and requested additional analysis be included in the DEIR in the areas of Aesthetics and Land Use.**

4. **9465 Wilshire Boulevard/Equinox Fitness Club**

Request for a Conditional Use Permit to allow an approximately 37,000 square foot exercise club to be located on the ground floor of a building located within the Business

Triangle, occupy more than 25 feet of street frontage within the pedestrian Oriented Area, and utilize shared parking facilities in order to satisfy the parking requirements set forth in the Municipal Code.

Planner: Ryan Gohlich

Applicant(s): Murray Fischer for Equinox

Public Input: 1. Murray Fischer, applicant, spoke in favor.  
2. Bill Wiley, management with 2 Rodeo spoke in favor.  
3. Jennifer Kullmann of the Gersh Agency, tenant of subject building spoke in favor of the project.  
4. Todd Elliott, representing Neighbors Organized for the Protection of the Environment (NOPE) spoke against the project.

Motion: Motion by Vice Chair Yukelson; seconded by Commissioner Cole.

Action: **Adopted a resolution to approve a Conditional Use Permit. 4-0 (Corman recused).**

#### **SUBCOMMITTEE REPORTS**

Consideration and/or establish of new policy or project-related Planning Commission subcommittees and reports from existing subcommittees

a) 9230 Wilshire Boulevard – Lexus Dealership (Bosse/Furie)

Action: **No Discussion on any subcommittees.**

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

No communications from the Commission.

#### **COMMUNICATIONS FROM THE CITY PLANNER**

The City Planner identified the future dates of City Council meetings.

#### **5. Upcoming Meeting Schedule**

Action: **Received and filed.**

#### **6. Active Case List**

Action: **Received and filed.**

#### **MEETING ADJOURNED**

Date / Time: January 13, 2011/ 6:10 PM

PASSED AND APPROVED THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2011.

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Lili Bosse, Chair

**Action Minutes**  
**January 27, 2011**



**CITY OF BEVERLY HILLS**  
455. N. Rexford Drive  
Beverly Hills, California 90210

**PLANNING COMMISSION  
MEETING ACTION MINUTES  
January 27, 2011  
1:30 PM**

**MEETING CALLED TO ORDER**

Date / Time: January 27, 2011/ 1:30 PM

**ROLL CALL**

Commissioners Present: Rosenstein, Corman, Cole, Vice Chair Yukelson, and Chair Bosse.

Commissioners Absent: None.

Staff Present: David Reyes, Ryan Gohlich, Peter Noonan, David Snow (City Attorney's Office).

**APPROVAL OF AGENDA**

Action: Approved by Order of Chair.

**COMMUNICATIONS FROM THE AUDIENCE**

Speakers: None.

**1. 619 Mountain Drive**

Request for a Hillside R-1 Permit to allow the construction of a 6-foot tall wall and gate located within 3 feet of a front property line on the property located at 619 Mountain Drive.

Planner: Ryan Gohlich, Associate Planner

Applicant: Hamid Gabbay

Public Input: Applicant Hamid Gabbay spoke in support of the project.

Motion: Motion by Vice-Chair Yukelson; seconded by Commissioner Cole.

Action: **Adopted a resolution approving a Hillside R-1 Permit to allow the construction of a 6-foot tall wall and gate located within 3-feet of a front property line. 5-0.**

**2. Medical Marijuana**

Resolution of the Planning Commission recommending adoption of an ordinance prohibiting the establishment of marijuana dispensaries, stores, co-ops, or marijuana cultivation operations in any zoning district or overlay within the City.

**Planner:** Peter Noonan, Associate Planner  
**Applicant:** City of Beverly Hills  
**Public Input:** 1. Judith Eaton – Spoke in opposition to the proposed ban citing a business plan that would cater to cancer patients and others needing marijuana for medical purposes.  
2. Barry Eaton – Dentist on Bedford Drive stated many of his patients have been polled and would support dispensaries in the City.

**Motion:** Motion by Commissioner Rosenstein; seconded by Vice Chair Yukelson.  
**Action:** **Adopted a resolution recommending that the City Council adopt an ordinance prohibiting the establishment of marijuana dispensaries, stores, co-ops, or marijuana cultivation operations in any zoning district or overlay within the City. 5-0.**

### **SUBCOMMITTEE REPORTS**

Consideration and/or establish of new policy or project-related Planning Commission subcommittees and reports from existing subcommittees.

a) 9230 Wilshire Boulevard – Lexus Dealership (Bosse/Furie)

**Action:** **No Discussion on any subcommittees.**

### **COMMUNICATIONS FROM THE COMMISSION**

No communications from the Commission.

### **COMMUNICATIONS FROM THE CITY PLANNER**

The City Planner identified the future dates of City Council meetings.

#### **5. Upcoming Meeting Schedule**

**Action:** **Received and filed.**

#### **6. Active Case List**

**Action:** **Received and filed.**

### **MEETING ADJOURNED**

Date / Time: January 27, 2011 / 2:12 PM

PASSED AND APPROVED THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2011.

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Lili Bosse, Chair

Submitted by David Reyes

