



Planning Commission Report

Meeting Date: September 19, 2016

Subject: **332-336 North Oakhurst Drive**
Request for a Vesting Tentative Tract Map and Development Plan Review to allow construction of a new, 31-unit multi-family condominium building partially located in the City of Los Angeles. Pursuant to the provisions set forth in the California Environmental Quality Act, the City of Beverly Hills, as a responsible agency, must also consider the Mitigated Negative Declaration that has been prepared and adopted by the City of Los Angeles, which serves as the lead agency for this project.

Project Applicant: Terry Moore

Recommendation: Staff recommends that the Planning Commission conduct a public hearing and receive testimony on the project, and direct staff to return at a future meeting with a resolution either approving or denying the requested entitlements.

REPORT SUMMARY

The Planning Commission previously considered this project at its October 8, 2015 meeting. At the conclusion of that meeting, the Planning Commission directed the applicant to redesign the project, and voted to create a Subcommittee consisting of two Planning Commissioners to work with the applicant and members of the public on the design changes. The Subcommittee held one meeting on April 12, 2016 to review a new design. The applicant subsequently requested for the matter to be brought forward to the full Planning Commission for a decision. The item was originally scheduled for the July 14, 2016 Planning Commission meeting, however due to various scheduling conflicts, the item has been further continued to September 19, 2016. This report provides a summary of the project changes, and analysis of relevant parts of the re-designed project. The recommendation in this report is for the Planning Commission to consider the re-designed project, and provide direction to the applicant on further changes, or to direct staff to return with a resolution either approving or denying the project.

Attachment(s):

- A. Required Findings
- B. Public Notice
- C. All Correspondence Received from the Public
- D. Sept. 8, 2016 Beverly Hills Planning Commission Staff Report
- E. July 14, 2016 Beverly Hills Planning Commission Staff Report (without attachments)
- F. Oct. 8, 2015 Beverly Hills Planning Commission Staff Report (without attachments)
- G. Sept. 24, 2015 Beverly Hills Planning Commission Staff Report (without attachments)
- H. Draft Mitigation Monitoring and Reporting Program (Prepared by the City of Beverly Hills)
- I. Traffic Analysis
- J. Communication from City of Beverly Hills to City of LA Regarding Historic Analysis
- K. City of LA Advisory Agency Approval of Vesting Tentative Tract Map
- L. City of LA Appeal Recommendation Report to Central Area Planning Commission
- M. LA City Council Action Denying Appeal
- N. Mitigated Negative Declaration (Prepared and Adopted by City of LA)
- O. Architectural Plans

Report Author and Contact Information:
Andre Sahakian, Associate Planner
(310) 285-1127
asahakian@beverlyhills.org



PROJECT DESCRIPTION

The project consists of replacing three existing two-story multi-family apartment buildings containing a total of 17 units with a single new multi-family condominium building containing 31 units. The portion of the building located in the City of Beverly Hills would contain seven units or fractions thereof, while the remaining 24 residential units would be located in the portion of the building located in the City of Los Angeles. Since the last Planning Commission hearing on October 8, 2015, the applicant has re-designed the project to reduce the number of stories in the City of Beverly Hills from four stories to three stories, reconfigure the open space to create a central courtyard along the front of the building, and to provide additional parking for the project to meet Beverly Hills Municipal Code requirements for number of parking spaces. The table below summarizes the various development standards that apply to the portion of the proposed project located in the City of Beverly Hills, as well as details regarding the revised proposed project (broken down by jurisdiction):

Development Standard	Required/Allowed (Per BHMC)	City of Beverly Hills Portion	City of Los Angeles Portion	Notes
Site Area	N/A	6,591 SF	16,579 SF	Total Lot Area is 23,170 SF
Density	1 unit per 900 SF of Site Area = 7 Units	7 Units	24 Units	Where portions of units are split between Beverly Hills and Los Angeles, the entire unit is counted toward the maximum number of units allowed on the Beverly Hills portion.
Floor Area	N/A	12,588 SF	35,884 SF	
1 st Floor	N/A	3,581 SF	5,111 SF	
2 nd Floor	N/A	3,641 SF	7,225 SF	
3 rd Floor	N/A	3,667 SF	7,225 SF	
4 th Floor	N/A	1,699 SF	7,764 SF	
5 th Floor	N/A	0 SF	8,559 SF	
Height	45' Max	39'-0"	60'-0"	
Stories	4 Stories Max	3 Stories	4 and 5 Stories	
Front Setback	25'	25'	N/A	Front setback located in City of Beverly Hills
Side Setback (South)	19' combined	9'-0"	11'-0"	
Side Setback (North)	19' combined	10'-0"	11'-0"	
Rear Setback	N/A	N/A	7'-0"	Rear setback located in City of LA
Parking	20 Standard Tenant Parking Spaces; 2 Standard Guest Parking Spaces Per BHMC requirements, the total building would	30 Standard Parking Spaces	56 Standard Parking Spaces; 5 Tandem Spaces	All parking for the entire building complies with City of Beverly Hills standards for number of spaces (including guest spaces). All parking in Beverly Hills portion complies with City of Beverly Hills standards for parking space dimensions.



Development Standard	Required/Allowed (Per BHMC)	City of Beverly Hills Portion	City of Los Angeles Portion	Notes
	require 83 Tenant Parking Spaces; 8 Guest Parking Spaces			Parking spaces provided in Los Angeles portion do not comply with City of Beverly Hills standards for parking space dimensions.
Open Space	200 SF per unit = 1,400 SF Required	1,420 SF	2,428 SF (2,400 SF required)	Common outdoor space counted separately for BH and LA portions (no double counting).
Modulation	Min. 4,888 SF Required; Min. 60% and Max. 70% of front façade on first 2 stories built to front setback line	9,092 SF 65.7% of front façade on first 2 stories built to front setback line	N/A N/A	

The re-designed project consists of the following major changes from the previously proposed design:

- Reduction of 1,723 SF of floor area from the Beverly Hills portion
- Reduction of 307 SF of floor area from the Los Angeles portion
- Increase of 9 subterranean parking spaces to comply with Beverly Hills standards
- Reduction from 4 stories to 3 stories in the Beverly Hills portion of the project
- Reduction from 5 stories to 4 stories in the LA portion of the project closest to Beverly Hills
- Reconfiguration of open space to create a central courtyard at the front of the project facing Beverly Hills, resulting in an increase of 6,040 SF of modulation at the front of the building.



PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice (Agenda)	N/A	N/A	9/15/16	4 Days
Newspaper Notice	10 Days	9/9/16	9/9/16	10 Days
Mailed Notice (Owners & Occupants - 500' Radius + block face)	10 Days	9/9/16	9/9/16	10 Days
Property Posting	10 Days	9/9/16	9/9/16	10 Days
Website	N/A	N/A	9/15/16	4 Days

Public Comment

Staff received correspondence from the public regarding this project prior to the October 8, 2015 Planning Commission meeting, the April 17, 2016 Subcommittee meeting, and prior to the writing of this report. All correspondence received from the public to date has been included as Attachment C to this report. In summary, members of the public have expressed opposition to the project due to its design, scale, massing, and height, and expressed concern for potential impacts relating to traffic, parking, privacy, historic resources, and sustainability.

ANALYSIS

Project approval, conditional approval, or denial is based upon specific findings for each discretionary application requested by the applicant. The specific findings that must be made in order to approve the project are provided as Attachment A to this report, and may be used to guide the Planning Commission's deliberation of the subject project. Application of the required findings may take into consideration all aspects of the project, including those portions located in the City of Los Angeles that pertain to the required findings.

In reviewing the requested entitlements, the Commission may wish to consider the following information as it relates to the project and required findings:

Project Background and Subcommittee Meeting. A full background of the project, including the multi-jurisdictional process with the City of Los Angeles, is provided in the September 24, 2015 Planning Commission Staff Report (Attachment G to this report). The Planning Commission also previously considered this project at its regular meeting held on October 8, 2015. At the conclusion of that meeting, the Planning Commission directed the applicant to redesign the project, and voted to create a Subcommittee consisting of Commissioner Corman and Vice Chair Shooshani to work with the applicant and members of the public on the design changes. The Subcommittee held one meeting on April 12, 2016 to review the new design. Several members of the public submitted correspondence in advance of the Subcommittee



meeting, and attended the meeting to provide testimony. The Subcommittee's feedback was generally positive, with members commenting on the improvement of the design achieved by introducing the courtyard at the front of the building to break up the massing, and reducing the height immediately behind the Beverly Hills portion. However, there was still concern from at least one Subcommittee member regarding the overall height of the building, including the 5-story portion in Los Angeles. Overall, the Subcommittee felt that the re-design was a good start, but expressed a desire for further reductions in height. The applicant subsequently requested for the matter to be brought forward to the full Planning Commission for a decision. The item was originally scheduled to be brought back to the full Planning Commission on July 14, 2016, however the applicant requested a continuance to the August 25, 2016 Planning Commission meeting. Due to further scheduling conflicts, the item was continued to September 8, 2016, and again to September 19, 2016.

General Plan Consistency. The General Plan provides numerous policies regarding the desire to maintain the City's existing residential neighborhoods while allowing for new development to occur in a controlled and appropriate manner. Staff's analysis of the previously proposed project found that it was consistent with the applicable policies related to new multi-family residential development. Staff found that the previously proposed project exhibited good architectural design and attempted to integrate into its surroundings through the use of modulation and step-backs, while meeting the height restrictions of the Height District applicable to this area (Height District B: 4 stories and 45' height). Furthermore, in looking at the broader neighborhood (the area between Burton Way and Beverly Boulevard), Staff found the project to be generally compatible with the existing built environment, as well as the expected future built environment based on existing development standards that allow for 4 and 5 story buildings. The re-designed project provides additional modulation at the front of the building, has slightly reduced height in the Beverly Hills portion of the building, and provides more gradual step-backs in height: 39' in height located in Beverly Hills, to 49' for the first 17'-8" of lot depth located in Los Angeles, to a 60' tall structure located in the rest of the Los Angeles portion of the site. These changes bring the proposed project into closer alignment with General Plan policies regarding residential development, which emphasize the importance of scale in the built environment.

Urban Design and Neighborhood Compatibility. The previously proposed project had a maximum height of 4 stories and 40' in the Beverly Hills portion of the building, and the height increased immediately at the city boundary to 5 stories and 60' in Los Angeles. The re-designed project has a maximum height of 3 stories and 39' in the Beverly Hills portion of the building. The building height increases to 4 stories and 49' at the city boundary, and 17'-8" further back into the Los Angeles portion, the height increases again to 5 stories and 60'. The re-design essentially pushes back the highest portion of the building (5 stories and 60') by another 17'-8" beyond the city boundary, and creates a transitional 4-story portion to reduce the appearance of massing from the street. The City of Beverly Hills portion has also been reduced to read as 3 stories rather than 4 stories, although the total height of the Beverly Hills portion is essentially the same as before, with a 1' decrease from 40' to 39'.



The re-designed project also reconfigures the project's open space areas into a 46' wide central courtyard for the building. This courtyard completely separates the north and south sides of the Beverly Hills portions of the building from each other, resulting in the front of the building, which is the portion within the City of Beverly Hills, to have two separate building façades rather than a single continuous façade along the street. While the rear of the building is still connected, the opening at the front eases the massing as viewed from the street and makes the re-designed project more consistent with the rhythm of 50'-wide lot developments that are on the site today, and prevalent along the 300 block of North Oakhurst Drive.

Privacy. The previously proposed building was set back from the southern property line by 9' in Beverly Hills and 11' in Los Angeles, and from the northern property line by 10' in Beverly Hills and 11' within Los Angeles. The revised design maintains a continuous 9' side yard setback from the southern property line through the entire building depth, and maintains a 10' side yard setback from the northern property line through the entire building depth as well. The previously proposed building had an additional 11' setback for a ground floor corner unit in the Beverly Hills portion of the building, in order to satisfy open space requirements. This additional setback has been removed in the revised design, as the ground floor units are now fully enclosed, with open space provided closer to the central courtyard and further away from adjacent properties. Additionally, the existing property immediately adjacent to the subject property on the north side is set back approximately 14' from the shared side property line. This results in a total distance of 24' between the revised building and the adjacent building to the north. The previously proposed project had a total distance of 35' between the subject building and the adjacent building to the north, due to the additional 11' distance provided by the open space at the ground floor corner unit. While the reduction in distance brings the building closer to the adjacent property, the enclosure of the open space and relocation toward the center of the project site potentially reduces privacy impacts by moving a gathering and outdoor living area further away from neighbors.

The previously proposed project also had two large cutouts in the approximate middle of each side elevation in order to accommodate open space courtyards, located fully within the Los Angeles portion. These cutouts (31' on the south side and 30' on the north side) provided larger setbacks from adjacent properties, however these cutouts would have served as open space areas and had the potential to cause privacy concerns related to visibility and noise. The revised project includes a reconfiguration of the building's open spaces, and while these cutouts remain in generally the same location, their depths have been reduced to 23' on the north side and 21' on the south side. Regardless of the depth, similar privacy concerns remain regarding the use of these cutouts as open space. While there is generally an expectation that multi-family developments are not able to provide the same level of privacy that might be experienced in a single-family development, the Planning Commission may wish to consider the landscaping configuration and any other methods that could reduce any potential impacts.



Finally, as with the previously proposed project, lighting information has not yet been provided, and potential light and glare issues may be addressed through conditions requiring the use of the minimum amount of illumination necessary for safety and requiring the use of light caps to further reduce potential spillover to adjacent properties.

Traffic and Parking. As part of the proposed project, a traffic analysis was prepared and peer-reviewed by staff, and subsequently presented to the Planning Commission at its October 8, 2015 meeting. The analysis had found that the proposed increase from 17 units to 31 units would have minimal traffic impacts to the adjacent residential streets. Given that the re-design of the project does not change the number of units in the building, the conclusions of the traffic analysis remain the same, and the re-designed project will also have a minimal effect on traffic on adjacent residential streets. Furthermore, in response to public comments and direction from the Planning Commission, the applicant has provided nine additional subterranean parking spaces so that the entire project is consistent with Beverly Hills Municipal Code requirements for number of parking spaces for multi-family projects, including the required guest parking spaces. With the increase in parking spaces, the potential for parking impacts on the adjacent residential streets is anticipated to be less than the previously proposed version of the project. In order to reduce the likelihood of additional parking impacts resulting from the project, a condition of approval may be appropriate to require that a specific number of spaces be maintained for guest use only.

CEQA Considerations. As noted above, the subject property is partially located in the City of Beverly Hills, with a majority portion located in the City of Los Angeles. The City of Los Angeles serves as the designated CEQA lead agency for this Project, whereas the City of Beverly Hills is a responsible agency. As such, the City of Los Angeles prepared an Initial Study to determine the proposed Project's potential impact on the environment. After reviewing the Initial Study, the lead agency determined that this Project may have a significant effect on the environment, but by implementing certain mitigation measures, the Project's potentially significant effects could be reduced to less than significant levels. Accordingly, the City of Los Angeles adopted a Mitigated Negative Declaration (MND) for the Project on April 22, 2015.

Pursuant to Section 15231 of the State CEQA Guidelines, an MND adopted by a lead agency shall be conclusively presumed to comply with CEQA for the purposes of use by responsible agencies unless the MND is finally adjudged in a legal proceeding not to comply with the requirements of CEQA, or a subsequent EIR is made necessary. Further environmental review could be required only if there were to be 1) substantial changes in the project that require major revisions to the MND due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes with respect to the circumstances under which the project is undertaken which require major revisions of the MND due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time of the preparation of the MND that shows one or more significant effects not discussed in the MND.



The City has received correspondence urging that the Beverly Hills require preparation of an EIR for the proposed project because of information developed as part of the historic resources review undertaken for the City of Los Angeles referred to as SurveyLA. The correspondence alleges that neither the City of Los Angeles nor Beverly Hills decision makers were made aware that SurveyLA reached the same conclusion as the City of Beverly Hills historic consultants finding that the east side of the 300 block of Oakhurst could be eligible for designation as a historic district. It is unclear whether the concurring SurveyLA results would have caused the City of Los Angeles or the City of Beverly Hills decisions makers to reach a different decision on the project. Although the information is from another source, the basic information regarding a potential environmental impact on a potential historic resource—specifically, the potentially eligible historic district – was in the administrative record no later than the date on which the HRG analysis prepared for the City of Beverly Hills was submitted to the City of Los Angeles mid 2014. Based on these facts, staff does not believe that the City of Beverly Hills has the authority to require further environmental analysis pursuant to CEQA Guidelines Section 15162.

Furthermore, pursuant to Section 15233 of the State CEQA Guidelines, in cases where a lawsuit is filed challenging an MND for noncompliance with CEQA, if no injunction or stay is granted in the lawsuit, the responsible agency shall assume that the MND fully meets the requirements of CEQA, and shall approve or disapprove the project within the applicable time limits.

The lawsuit challenging the City of Los Angeles project approval is still pending, however, staff understands that the hearing on the merits of the writ petition is scheduled for October 14, 2016. In light of the pending lawsuit, and to address the possibility that the project could be approved by the City of Beverly Hills prior to a decision is rendered in the lawsuit challenging the Los Angeles decisions, staff recommends that the following condition of approval be imposed on any approval that the City of Beverly Hills may grant:

This project approval shall become null and void in the event that the mitigated negative declaration adopted by the City of Los Angeles for the project, upon which the City of Beverly Hills must rely in its role as a responsible agency, is found to be invalid by a court of competent jurisdiction, specifically including, but not limited to, the pending Los Angeles Superior Court Case No. BS155977.



Summary and Conclusion. The applicant has attempted to address the concerns previously raised by the Planning Commission and members of the public, specifically relating to height, scale, massing, parking, and traffic, by re-designing the project. The project has been revised to provide a more gradual increase in height, pushing the highest portion of the building back to 60'-4" behind the front property line. The revised design also introduces a central courtyard, which breaks up the massing of the building along the streetscape and provides significantly more modulation in an attempt to follow more traditional building patterns in the neighborhood. Finally, the project now includes nine additional subterranean parking spaces, and now complies with the City of Beverly Hills' standards for number of parking spaces in multi-family projects. Upon review of these changes, the Planning Commission Subcommittee expressed positive feedback on these concepts, but maintained that further reductions in height would be desirable. The Planning Commission may wish to discuss whether these changes are sufficient address the Commission's and the neighbors' comments and concerns, taking into account that the City's existing development standards allow for four- and five-story buildings in this area of the City.

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and direct staff to prepare a resolution either approving or denying the revised project, and continue the hearing to October 13, 2016.

Alternatively, the Planning Commission may consider the following actions:

1. Direct the applicant to provide additional modifications to the project and continue the hearing to October 13, 2016.

Report Reviewed By:

A handwritten signature in blue ink, appearing to read "Masa Alkire".

Masa Alkire, AICP, Principal Planner



Attachment A
Required Findings

Tentative Tract Map Findings

- 1) Whether the proposed map is consistent with applicable general and specific plans;
- 2) Whether the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- 3) Whether the site is physically suitable for the type of development;
- 4) Whether the site is physically suitable for the proposed density of development;
- 5) Whether the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat;
- 6) Whether the design of the subdivision or type of improvements is not likely to cause serious public health problems;
- 7) Whether the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; and
- 8) Whether the design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Development Plan Review Findings

- 1) The proposed plan is consistent with the General Plan and any specific plans adopted for the area;
- 2) The proposed plan will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;
- 3) The nature, configuration, location, density, height, and manner of operation of any commercial development proposed by the plan will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property;
- 4) The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and
- 5) The proposed plan will not be detrimental to the public health, safety or general welfare.



Planning Commission Report
332-336 North Oakhurst Drive
September 19, 2016

Attachment B
Public Notice



NOTICE OF PUBLIC HEARING

DATE: September 19, 2016

TIME: 1:30 PM, or as soon thereafter as the matter may be heard

LOCATION: Commission Meeting Room 280A - Beverly Hills City Hall
455 North Rexford Drive, Beverly Hills, CA 90210

The Planning Commission of the City of Beverly Hills, at its SPECIAL meeting on Monday, September 19, 2016, will hold a public hearing beginning at 1:30 PM, or as soon thereafter as the matter may be heard to consider the following:

PROJECT DESCRIPTION

The proposed project involves the construction of a new multi-family residential condominium building containing a total of 31 units on the property located at 332-336 N. Oakhurst Drive. The subject property is partially located in the City of Beverly Hills (westerly portion, including building frontage on N. Oakhurst Drive), with a majority portion located in the City of Los Angeles (easterly portion). The proposed project would have a maximum height of 3 stories and 39' for the portion of the building located in Beverly Hills, and a maximum height of 5 stories and 60' for the portion of the building located in Los Angeles. The portion of the building located in Beverly Hills would contain a total of 7 units, with the remaining 24 units located in Los Angeles. The project would contain a total of 91 subterranean parking spaces, 30 of which would be located in the Beverly Hills portion of the project, with the remaining 61 parking spaces located in Los Angeles. Approval of the project requires approval of a Vesting Tentative Tract Map and a Development Plan Review.

The Planning Commission previously considered this project at its regular meeting held on October 8, 2015. At the conclusion of that meeting, the Planning Commission directed the applicant to redesign the project, and voted to create a Subcommittee consisting of two Planning Commissioners to work with the applicant and members of the public on the design changes. The Subcommittee held one meeting on April 12, 2016 to review a new design. The applicant subsequently requested for the matter to be brought forward to the full Planning Commission for a decision.

ENVIRONMENTAL REVIEW

This project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The subject property is partially located in the City of Beverly Hills, with a majority portion located in the City of Los Angeles. As the designated lead agency for this project, the City of Los Angeles prepared an Initial Study to determine the proposed project's potential impact on the environment. After reviewing the Initial Study, the lead agency determined that this project may have a significant effect on the environment, but by implementing certain mitigation measures, the project's potentially significant effects could be reduced to less than significant levels. Accordingly, a Mitigated Negative Declaration (MND) was prepared and adopted by the City of Los Angeles. The City of Beverly Hills, as a responsible agency, will consider the MND prepared and adopted by the City of Los Angeles.

Any interested person may attend the meeting and be heard or present written comments to the Commission.

According to Government Code Section 65009, if you challenge the Commission's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing.

If there are any questions regarding this notice, please contact **Andre Sahakian, Associate Planner** in the Planning Division at (310) 285-1127, or by email at asahakian@beverlyhills.org. Copies of the project plans and associated application materials are on file in the Community Development Department, and can be reviewed by any interested person at 455 North Rexford Drive, Beverly Hills, CA 90210.

Sincerely:



Andre Sahakian, Associate Planner

Mailed: September 9, 2016



Planning Commission Report
332-336 North Oakhurst Drive
September 19, 2016

Attachment C
All Correspondence Received from the Public

PUBLIC CORRESPONDENCE
AMY GORDON & CHARLES KAPLAN

Andre Sahakian

From: CK Rocketmail <charlesjkaplan@rocketmail.com>
Sent: Sunday, April 10, 2016 12:23 PM
To: Andre Sahakian
Subject: Oakhurst new proposal

To whom it may concern,

We are resident/owners at the neighboring property to this proposed structure. After looking at the plans/renderings, we are concerned and angered at the size and scale of this 'new' design. It was clearly not taken to heart that anything above 2 stories (at worst 3) is massively disproportionate for the street/neighborhood and the character of the area and violates the existing atmosphere and presents significant and unacceptable overshadowing and loss of light and loss of privacy issues.

We support no taller than 2 stories. Moreover we find its a tragedy to tear down a historically significant and appropriately designed structure to build such a modern and inappropriately-sized structure for the historical street.

On a practical note the street parking/visiting traffic for existing residents is already a problem. This inappropriately sized, scaled and dense, imposing and out-of-character structure of course, significantly worsens that issue and hurts the neighborhood and surrounding properties.

The plans in their current state do not respect the local context and street pattern, in particular the scale and proportions of surrounding buildings. In its proposed state, the massive building would still be entirely out of character of the area, to the detriment of the local environment. It does not integrate with or complement the neighboring buildings due to its lack of architectural character and its inappropriate size, density and scale. It would significantly exacerbate and complicate existing access issues and parking for current and future neighborhood residents and traffic due to its massive, disproportionate scale.

The height, density and design of this proposed structure impose a loss of light, overshadowing issues, loss of privacy issues, traffic/parking issues and potential ground stability and drainage issues.

Good design should contribute positively to making places better for people. Design which is inappropriate for its context fails to do this and should not get approved. This proposed building does not respect the density, size, height and character of the local area.

Sincerely,
Amy Gordon/Charles Kaplan

**PUBLIC CORRESPONDENCE
FROM APPLICANT**

March 5, 2015

Mr. Jae Kim

Department of City Planning

200 N. Spring Street

Los Angeles CA 90012

RE: 332-336 N. Oakhurst Drive Los Angeles/Beverly Hills CA 90048

Dear Mr. Kim,

We are the owners of the apartment building at 328 N. Oakhurst Drive at the south east corner of Oakhurst Drive and West 3rd street. (Just south of the subject property.)

We are very impressed with the proposed new 31 unit condominium building and fully support the new project. This will be a great addition to the street.

Currently, this portion of Oakhurst Drive is very run down, with old nondescript buildings. The only interesting feature on the street is the street trees which the developer is keeping.

There are multiple 5, 6 and 7 story buildings in the immediate area which is zoned for high density.

We look forward to seeing this new building on our street and welcome new homeowners to our neighborhood. Please approve the project.

Yours sincerely,

Lahijani Real Estate Group LLC

By Alexander Lahijani



Submitted at the Planning
Commission meeting of:

10/8/15
By: Applicant #2

February 13, 2014

To: Mid City West Community Council

Re: 332-336 N. Oakhurst Drive

I Doheny Season LLC, Michael Cohanzad would like to give my support for the new project to be built at 332-336 N. Oakhurst Drive Beverly Hills. I think it would add to the existing charm of the neighborhood. I reviewed the renderings and think the design elements incorporated show high quality.

Thank you.

Sincerely,



Name: Michael Cohanzad
147 S. Doheny Dr. APN-4335-007-122

Address: 11601 Santa Monica Blvd. LA CA 90025

Phone: (310) 914-5555

February 13, 2014

To: Mid City West Community Council

Re: 332-336 N. Oakhurst Drive

I Paul Rabushka would like to give my support for the new project to be built at 332-336 N. Oakhurst Drive Beverly Hills. I think it would add to the existing charm of the neighborhood. I reviewed the renderings and think the design elements incorporated show high quality.

Thank you.

Sincerely,

Name: PAUL RABUSHKA

Address: 342 N Palm Drive PM CO

Phone: 310 / 415-8151

March 7, 2014

To: Mid City West Community Council

Re: 332-336 N. Oakhurst Drive

I Parvaneh Zarfpoor would like to give my support for the new project to be built at 332-336 N. Oakhurst Drive Beverly Hills. I think it would add to the existing charm of the neighborhood. I reviewed the renderings and think the design elements incorporated show high quality.

Thank you.

Sincerely,

Name: Parvaneh Zarfpoor, Owners

Address: 335 North Oakhurst Drive

Phone: _____

PUBLIC CORRESPONDENCE

CHRIS HAMMOND

Karen Myron

From: Andre Sahakian
Sent: Thursday, October 08, 2015 2:24 AM
To: Ryan Gohlich; Michele McGrath
Cc: Karen Myron; Cindy Gordon
Subject: Fwd: 332-336 North Oakhurst Dr. project
Attachments: Behar letter re - Oakhurst development.pdf; ATT00001.htm

Sent from my iPad

Begin forwarded message:

From: Chris Hammond <chammondrun@earthlink.net>
Date: October 8, 2015 at 4:55:23 PM GMT+13
To: <asahakian@beverlyhills.org>
Cc: <ilbehar@aol.com>
Subject: 332-336 North Oakhurst Dr. project

Dear Mr. Sahakian,

Mrs. Isabelle Behar has asked me to forward her e-mail to you on her behalf as she is unable to do so at this time.

Attached is her signed letter and below is a copy of the text, both for your records and presentation to the Planning Committee.

Sincerely,

C. Hammond

To: Andre Sahakian (asahakian@beverlyhills.org)
Subject: 332-336 North Oakhurst Dr.

Submitted at the Planning
Commission meeting of:

10/8/15
By: Staff -
Public Comment Rec'd.

Dear Mr. Sahakian,

I am writing this e-mail to voice my objection to the proposed construction at 332-336 North Oakhurst Drive.

As an Owner and resident on the 300 N Oakhurst Dr. block for over 40 years, I am having a very difficult time understanding why a project of such scope and magnitude would be allowed in a neighborhood that contains relatively smaller buildings and has its unique charm and character.

I understand and realize that progress can and will take place, however, I am hoping that the Planning Commission is cognizant of the fact that they will be setting a precedence and open the doors to other developers on the same block that will attempt

to maximize all zoning ordinances and codes as this one and change the entire feel and landscape of our neighborhood.

If this project is approved in its same form and content, the environmental and economic impact to our neighborhood will be substantial and most Landlords such as myself will suffer as a result.

Sincerely,

Isabelle L. Behar

To: Andre Sahakian (asahakian@beverlyhills.org)

Subject: 332-336 North Oakhurst Dr.

Dear Mr. Sahakian,

I am writing this e-mail to voice my objection to the proposed construction at 332-336 North Oakhurst Drive.

As an Owner and resident on the 300 N Oakhurst Dr. block for over 40 years, I am having a very difficult time understanding why a project of such scope and magnitude would be allowed in a neighborhood that contains relatively smaller buildings and has its unique charm and character.

I understand and realize that progress can and will take place, however, I am hoping that the Planning Commission is cognizant of the fact that they will be setting a precedence and open the doors to other developers on the same block that will attempt to maximize all zoning ordinances and codes as this one and change the entire feel and landscape of our neighborhood.

If this project is approved in its same form and content, the environmental and economic impact to our neighborhood will be substantial and most Landlords such as myself will suffer as a result.

Sincerely,

A handwritten signature in cursive script that reads "Isabelle L. Behar".

Isabelle L. Behar

PUBLIC CORRESPONDENCE

JOSEPH SYSESKEY

9135 West 3rd Street
Los Angeles, California 90048
(310) 274-0542

September 14, 2016

Andre Sahakian
Associate Planner
Department of Community Development
City of Beverly Hills
455 North Rexford
Beverly Hills, California 90210

RE: 332-336 North Oakhurst
[Proposed Project: 31-Unit Condominium]

Dear Mr. Sahakian:

"What is this dreck?"

That was my first impression of the redesign, but not my last.

The redesign of the proposed condominium is not better for me, but worse.

I have owned and resided in the property adjacent to the proposed project, since 1968. My home is a single-story, two-bedroom stucco cottage/bungalow, situated on a 45 by 50 foot lot. My home faces West 3rd Street and has a 12 by 45 foot backyard / patio in back. My backyard area is used for gardening, dining, entertaining, and/or relaxing.

Any hopes of privacy are now gone.

While the relative number of windows are the same, the type of windows have changed. Before, they were designed for entry light. Now, their purpose is to be able to view the world.

Before, there were no balconies; now there are nine on the Los Angeles portion of the property on the South Elevation, all of which can oversee all three properties on Third Street.

Mr. Andre Sahakian
Department of Community Development
City of Beverly Hills
September 14, 2016
Page 2.

There are no mitigation measures that can be employed to protect my and/or my neighbors' privacy, without decreasing the marketability of the redesigned condominiums.

I am also concerned about additional balconies being incorporated when finalizing the design and/or being erected either during the construction.

Based upon the track record of the developer on this property alone, I have no faith that he will honor any conditions imposed by the City of Beverly Hills.

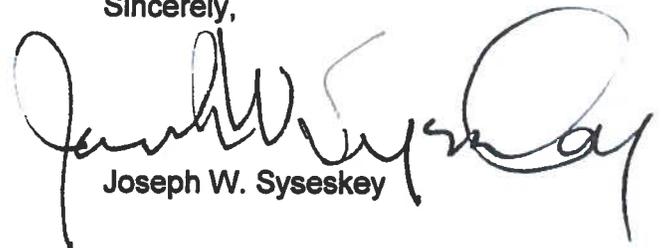
Lastly, the concerns relative to sun/shade and air circulation are even more heightened.

I urge the City of Beverly Hills to reject the revised design in total, and not to allow this proposal to be continued.

We have been living in uncertainty for too long; it is time to send the final message to the developer that this proposed project does not work for the site.

I will not be able to attend the hearing, due to my advanced age of 87 years young; I would like to say that I am too busy because I will be gardening au natural in my back yard, but the image of that might cause heart attacks! Let's just say, instead, I am a young of heart and mind and just wish to live my life in peace.

Sincerely,



Joseph W. Syseskey

Enclosures:

(1) Side Perspective – Revised Design



9135 West 3rd Street
Los Angeles, California 90048
(310) 274-0542

I

October 5, 2015

Andre Sahakian
Associate Planner
City of Beverly Hills
455 North Rexford Drive
Beverly Hills, California 90210

RE: 332-336 Oakhurst Street
[Proposed 31-Unit Condominium Project]

Dear Mr. Sahakian:

I own the property adjacent to the proposed project. I have owned the property since 1969. It is identified as lot 494 on the tract map

My property is a single-story, two-bedroom stucco cottage/bungalow, situated on a 45 by 50 foot lot. The house faces onto West 3rd Street and has a 12 by 45 foot backyard / patio. This backyard area is used for my pleasure, including gardening, dining, entertaining, and/or relaxing.

The existing contiguous property at 332 Oakhurst Drive is a two-story apartment.

To erect a five-story condominium next to my property is ludicrous.

The ways this proposed project will affect my property and others (and have not been addressed in the application) include:

- **Infringement on privacy** – Currently the contiguous property is a two-story 1930's apartment building. None of the windows of adjacent property stare out upon my backyard area through the existing fence.

The proposed project allows any and all to look into the backyard. No accommodation has been made for protection from prying eyes.

Submitted at the Planning
Commission meeting of:

10/8/15
By: Staff -
Public Comment Rec'd.

Mr. Andre Sahakian
Division of Planning
City of Beverly Hills
October 5, 2015
Page 2.

- **Blocking of air flow** – the current residential dwellings are stand-alone with detached garages. The areas between the structures are courtyards. Air moves naturally between and through the structures

The proposed project has made no accommodation for maintaining the current levels of air flow.

- **Increased heat** – a monolithic five-story building will attract heat that then radiates to the neighboring properties.

The proposed project has made no accommodation for heat reduction upon adjoining properties.

- **Construction air quality** - during construction, tremendous amounts of dust and particulate matter will be generated by the proposed project. The period of construction is especially deleterious for those with respiratory problems, such as myself.

The proposed project has no proposed mitigation of dust or particulate matter generated during construction, in the Los Angeles portion of the site.

Reportedly, the developer's representative has no interest in constructing an 18' temporary fence (fronted by trees) similar to that at the construction site for the new development at the SW corner of West 3rd Street and Wetherly.

- **Destruction of alley** – The alley is in very poor condition.

A parade of earth removal trucks and the subsequent heavy construction trucks will destroy the few remaining portions of good asphalt.

Reportedly, the developer's representative has no interest in fixing the destruction of the alley, by replacing the entire alley, while at the same time coordinating the replacement of a deteriorating water main (that runs the center of the alley).

Mr. Andre Sahakian
Division of Planning
City of Beverly Hills
October 5, 2015
Page 3.

It is galling that the developer of a \$45 million project is being so chintzy, especially since a restored alley would be a selling feature.

- **Increased Traffic** - It is beyond comprehension that an increase in the garaging of 17 cars to 82 cars did not register either with the traffic surveyor and the environmental evaluator.

Also, a dated traffic survey is clearly useless today. The increase in traffic on West 3rd Street during morning rush hour has risen substantially in the past three years. It is not unusual for a car trying to exit from the alley to West 3rd Street to wait several minutes. A similar problem exists during evening rush hour.

Increasing the frequency of cars in the alley *by four times* is beyond the tipping point.

I am 86 years old, suffering from COPD, asthma, congestive heart failure, and a whole host of other age-related illnesses.

The proposed mitigated measures relative to air quality (AIR-1) are insufficient.

The proposed mitigation measures relative to geology (GEO 1-4) fail to incorporate the effect upon my property and the property of my immediate neighborhood Yumin Yu.

Both of us have suffered from recent exceedingly minor earthquakes in terms of broken pipes and settling of patios. We are both very concerned that the subterranean excavation may affect our properties, for which there is no allowance for compensation for us in the mitigation measures.

Another point that is especially troublesome is the developer is allowed to hire his own consultants and licensed experts. The developer has demonstrated a horrible track record to date, such as boarding-up windows with tenants still residing in the building. All consultants and licensed experts should be hired by the City, and paid for by the developer.

Mr. Andre Sahakian
Division of Planning
City of Beverly Hills
October 5, 2015
Page 4.

Lastly, the proposed project is completely out of character for the block, where the largest structure is three stories at the opposite end of the block. Moreover, mixing condominiums with apartments further destroys the character of the immediate area.

A proposed project should have no negative effects upon adjoining properties.

Until the applicant accommodates and mitigates all potential impacts, the proposed project cannot go forward.

Sincerely,

Joseph W. Syseskey

PUBLIC CORRESPONDENCE

KAROL POZNIAK

Andre Sahakian

From: thepozniaks@aol.com
Sent: Thursday, April 14, 2016 2:04 AM
To: Andre Sahakian
Subject: 332-336 N. Oakhurst Drive

After reviewing the revised plans for the above mentioned condominium proposal, as a resident of this block for over 30 years, I find the overall design and concept undesirable as well as environmentally far too high in structure. I have no objections to a condo on this block, however, I feel the current building should be left as a historical site with renovation merely in the inside of the building. A building of this stature and concept does not fit into the current aesthetics of the neighborhood. Also I am deeply concerned about the traffic congestion this will bring as well as on site street parking, which currently is filled throughout the day.

Thank you for your time and consideration.

Sincerely,

Karol A. Pozniak (resident)

343 N. Oakhurst Drive #D
Beverly Hills, CA 90210

310-500-6244

PUBLIC CORRESPONDENCE

LAURA

Andre Sahakian

From: Em Ziil <bidziill@yahoo.com>
Sent: Monday, April 11, 2016 8:07 AM
To: Andre Sahakian
Subject: 332-336 N Oakhurst (Tuesday)
Attachments: To Submit-Construction in approx radius.png

Dear Andre,
In hopes this email reached you.

This note is in reference to 332-336 N. Oakhurst (revisions)

Below are my comments

- 1) The design is still out of proportion for the area.
- 2) It should be no higher than three stories /30'.
- 3) Appurtenant-buildings attached seem to be about 60 ft tall.

My opinion is leave the building alone as it brings character to what's left of the history of Beverly Hills and its unique architecture.

This decision will set precedent and will impact all the surrounding areas. Why because if someone is allowed to build a 40-60 ft building every new developer will think it is permissible because others were allowed in the same area.

I believe the building should stay as it is.

If the city of Beverly Hills would like to generate more money/funds then allow for a tour of all the historical buildings/homes. People who come from all over the world want to see the history not the plasticity.

I am attaching a visual/map of where there is current construction/planned construction or under construction in our 3 block vicinity. All are suppose to be new condos however chances are great they will just be new rentals for the www.AirBnB.com website and more as it seems some already are.

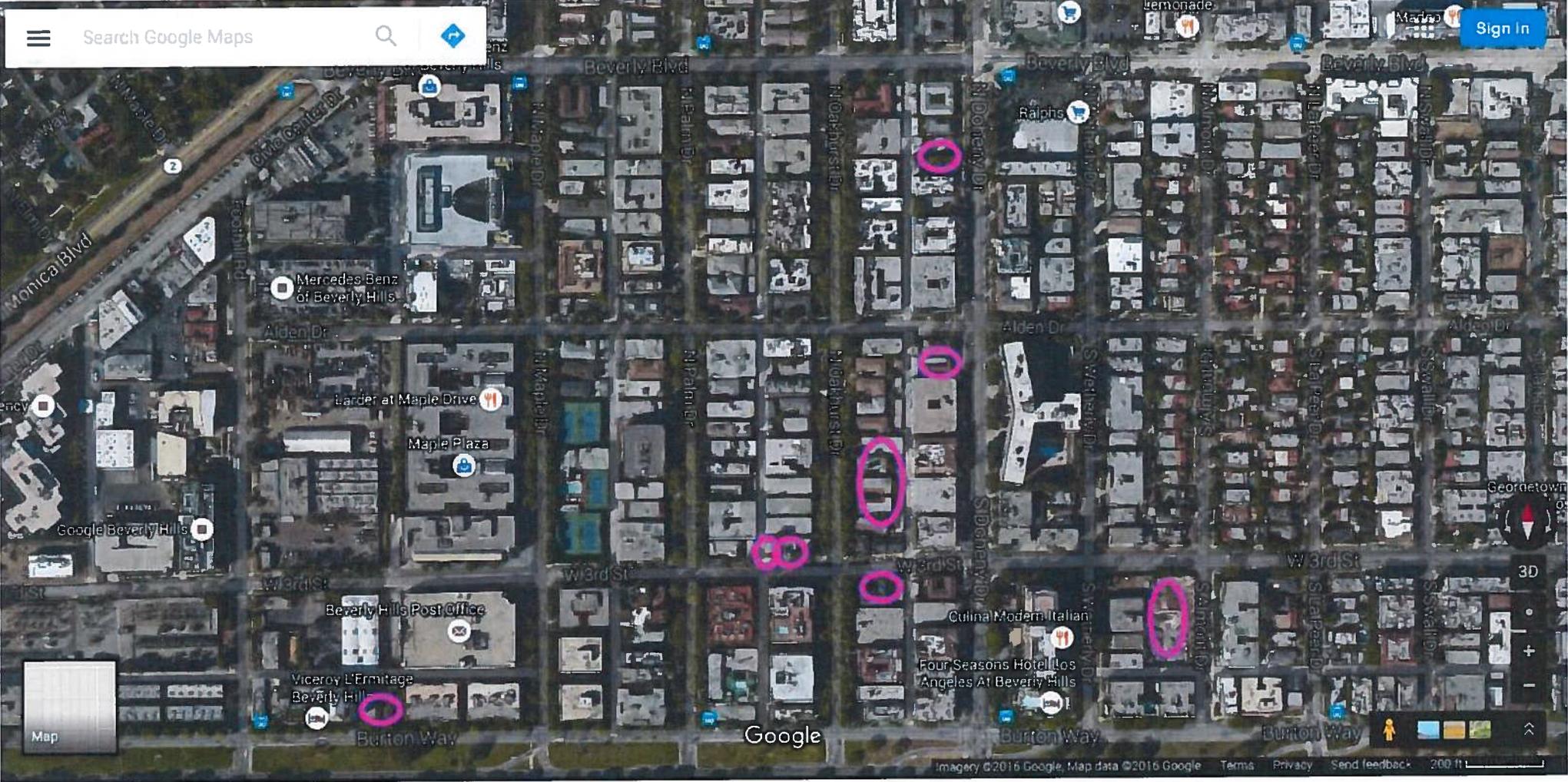
As a resident we just begin to imagine 7 new monstrosities with this so called "design" and it's not ok.

Thank you for your time and the work you spend on this issue.

Respectfully,

Laura

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PUBLIC CORRESPONDENCE

MIA SEWELL

Karen Myron

Subject: FW: Five story apartment building on North Oakhurst Drive

From: Ryan Gohlich
Sent: Tuesday, October 06, 2015 9:08 AM
To: Karen Myron
Cc: Michele McGrath; Cindy Gordon; Andre Sahakian
Subject: FW: Five story apartment building on North Oakhurst Drive

From: Andre Sahakian
Sent: Monday, October 05, 2015 3:12 PM
To: Michele McGrath; Ryan Gohlich; Cindy Gordon
Subject: Fwd: Five story apartment building on North Oakhurst Drive

FYI

Sent from my iPhone

Begin forwarded message:

From: Mia Sewell <miasewell@yahoo.com>
Date: October 5, 2015 at 3:09:02 PM PDT
To: "asahakian@beverlyhills.org" <asahakian@beverlyhills.org>
Subject: Five story apartment building on North Oakhurst Drive
Reply-To: Mia Sewell <miasewell@yahoo.com>

To whom it may concern,

I am a resident on North Oakhurst Drive, and am a neighbor of the proposed location for the new five story apartment building on 332-336 North Oakhurst. I love our neighborhood because it is unique, beautiful and quiet.

When I found out about the proposed construction, I was disappointed to say the least. To put a homogenized apartment building in our neighborhood seems wrong for a variety of reasons. First, you are replacing unique homes that have been standing for decades with a cookie-cutter, five story building that will crowd our street, take away our parking, and create noise for residents. Second, the years of construction that will ensue would tempt anyone to move. I myself will not be able to stay in an apartment that is next to a construction site. It is a huge disturbance for the neighborhood, not to mention the fact that no one wants these apartments to be built in the first place.

Our neighborhood is charming because we DON'T have apartment buildings like the one that is being proposed. Overbuilding on our street and capitalizing on the profit that may come from it is wrong, and it is disrespectful to residents who have lived in our neighborhood for years. If an overwhelming majority of residents do not want this building to be built, it should not be built. It is as simple as that. Do not risk taking away the charm and quiet of our neighborhood to turn a profit.

Thank you for your consideration,

Mia Sewell

Submitted at the Planning
Commission meeting of:

10/8/15
By: Staff
Public Comment Rec'd.

PUBLIC CORRESPONDENCE
ROBERT BLOCK

Andre Sahakian

From: Robert Block <rblock34@yahoo.com>
Sent: Saturday, September 10, 2016 9:05 PM
To: Andre Sahakian
Subject: 332-336 N.Oakhurst Drive

Dear Mr. Sahakian,

Thank you for sending to me the latest pack of the developers' plans. We would greatly appreciate any updates on the packet the Planning Staff will be presenting to the Commission.

The purpose of this email, is to state that "we", property owners and residents of the 300 block of N. Oakhurst Dr., are not affiliated with Mr. Steve Mayer or his group, Concerned Citizens of Beverly Hills/Beverly Grove. We bring this to your attention to ensure that the Commissioners understand this and allow us the time necessary for our presentation and comments separate and apart from Mr. Mayer and his group.

Should you have any questions in this regard, please contact me.

Thank you in advance,

Respectfully,

Robert Block

Chris Hammond

P.S. I would appreciate the opportunity of meeting with you briefly to further explain the nature of our presentation.

Andre Sahakian

From: Robert Block <rblock34@yahoo.com>
Sent: Tuesday, July 05, 2016 10:03 AM
To: Andre Sahakian
Subject: Re: 332-336 N. Oakhurst - July 14 Planning Commission Meeting

Dear Mr. Sahakian,

On behalf of the stakeholders, we respectfully request a continuance in order to properly prepare for this important meeting. Due to the extended 4-day July 4th holiday weekend, the notice regarding the Planning Commission meeting has not been received by many who were away and several who are still on vacation, thereby not allowing us sufficient time to prepare our presentation or to rearrange our schedules.

In view of the fact that the Developer had been afforded continuances, we think it would be within reason and equitable to be afforded the same consideration. We greatly appreciate your understanding in this matter..

Thank you,
Robert Block
Chris Hammond

On Fri, 7/1/16, Andre Sahakian <asahakian@beverlyhills.org> wrote:

Subject: 332-336 N. Oakhurst - July 14 Planning Commission Meeting

To: "rblock34@yahoo.com" <rblock34@yahoo.com>, "wwclark13@gmail.com" <wwclark13@gmail.com>, "mayer@iname.com" <mayer@iname.com>, "thepozniaks@aol.com" <thepozniaks@aol.com>, "nlbarth@ix.netcom.com" <nlbarth@ix.netcom.com>

Cc: "Masa Alkire" <malkire@beverlyhills.org>, "Ryan Gohlich" <rgohlich@beverlyhills.org>

Date: Friday, July 1, 2016, 10:59 AM

Dear stakeholders,

This is to inform you that the applicants for the 332-336 N. Oakhurst Drive have submitted a revised set of plans, and the application has been scheduled to return to the Planning Commission on its July 14th Regular Meeting.

A copy of the public notice for the meeting is attached to this email for reference. Also attached, please find a digital version of the revised plan set.

If you have any questions, or would like to review any other documents related to this project, please don't hesitate to contact me directly.

Best,

--

Andre Sahakian
Associate Planner | City
of Beverly Hills
310.285.1127

The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.



336 NORTH OAKHURST

334 NORTH OAKHURST



332 NORTH OAKHURST

Submitted at the Planning
Commission meeting of:

10/8/15
By: Robert Black
Pub. Comment - Item #2



336 NORTH OAKHURST

334 NORTH OAKHURST



332 NORTH OAKHURST

PUBLIC CORRESPONDENCE

SANDRA ADAMS

Karen Myron

Subject: FW: Proposed Condo Development at 332-336 North Oakhurst Drive

-----Original Message-----

From: Cindy Gordon
Sent: Tuesday, October 06, 2015 5:06 PM
To: Karen Myron
Cc: Ryan Gohlich
Subject: FW: Proposed Condo Development at 332-336 North Oakhurst Drive

From: Oakhurst Apartments [oakhurst.aps@gmail.com]
Sent: Tuesday, October 06, 2015 2:09 PM
To: Michele McGrath
Subject: Proposed Condo Development at 332-336 North Oakhurst Drive

Dear Michele McGrath,

For 47 years I have owned the properties located at 343 and 345 North Oakhurst Drive, Beverly Hills, California. The lovely jacaranda lined street and neighborhood with its rows of harmonious sized buildings is about to undergo a drastic change with the proposed condo development at 332-336 North Oakhurst Drive. I don't believe it is a positive change.

My objections to this development are two-fold: environmental and economic.

Environmentally the light, air and space on Oakhurst will be affected by the massive proposed design that will dwarf all other buildings. The developers should focus on building smaller, more in keeping with the character of the street. The airiness and brightness of the street will be replaced with darkness and shadows. If this project goes through as is, it will set a precedent that will turn the area into another Century city, modern and impersonal in nature. The identity of a Beverly Hills neighborhood will be gone forever.

Economically, it will have a long term distressed impact on me. Rents will be driven down and tenants will move due to the inability to find parking spaces. The condo parking for guests won't be enough, so they will park on the street. There will be excessive traffic on Oakhurst and Third Street, which is already difficult to maneuver. Affordable housing and apartment living for the average person will be replaced with expensive condo ownership.

I appeal to the City of Beverly Hills to curb this project so that it conforms to the fine standards that Beverly Hills is identified with.

Sincerely,

Sandra A. Adams
(818-500-9522)

Submitted to Planning
Commission meeting of:

10/8/15
Staff -

Public Comment Recd.

PUBLIC CORRESPONDENCE

SCOTT SCHREIBER

Karen Myron

Subject: FW: 332-336 N Oakhurst Dr. Project

-----Original Message-----

From: Cindy Gordon
Sent: Tuesday, October 06, 2015 5:06 PM
To: Karen Myron
Cc: Ryan Gohlich
Subject: FW: 332-336 N Oakhurst Dr. Project

CINDY GORDON, AICP
Associate Planner | City of Beverly Hills | 310.285.1191

-----Original Message-----

From: Michele McGrath
Sent: Tuesday, October 06, 2015 4:51 PM
To: Ryan Gohlich
Cc: Cindy Gordon
Subject: FW: 332-336 N Oakhurst Dr. Project

From: Scott Schreiber [swschrei@usc.edu]
Sent: Tuesday, October 06, 2015 2:44 PM
To: Michele McGrath
Subject: 332-336 N Oakhurst Dr. Project

Hi Michele,

Hope everything is going well for you. I tried to write Andre Sahakian, but came across his auto-response for being out of office.

I just wanted to express some of my thoughts related to the development project directly across from my residence. As a direct stakeholder in the process, I think its important to be involved where possible. Unfortunately, I can not attend the meeting in person on Thursday due to work, so I reached out via -email.

- 1) The proposed project will demolish a true historic building and one of the few remaining original spanish-style apartment developments in my neighborhood. These types of buildings are irreplaceable and show the charm of old Beverly Hills. These types of buildings are becoming increasingly rare and should be fought for.
- 2) I'm concerned about the construction noise that will be incurred for years to come. One of the main reasons I chose this location for my residence is for the peace and quiet of the neighborhood. Myself, my neighbors with small children, and those with pets, deeply appreciate the serenity of our block as it is.
- 3) I'm concerned of the impact this development will have on the parking available in my neighborhood, especially as the project is directly across from me. The parking is already quite limited. Especially during the construction phase of the project, I am sure there will be severe impacts to the parking due to construction trucks and workers visiting the site

Submitted at the Planning
Commission meeting of:

10/8/15
By: Staff -
Public Comment Rec'd.

Please let me know your thoughts as well as the developer's thoughts on these issues. I hope you and your team make thoughtful considerations in your decision process.

Thanks again, and I hope to hear from you soon, Scott Schreiber

<https://www.linkedin.com/pub/scott-schreiber-cpa/35/341/8a6>

PUBLIC CORRESPONDENCE
STEVE MAYER

332-336 NORTH OAKHURST - ALLEY



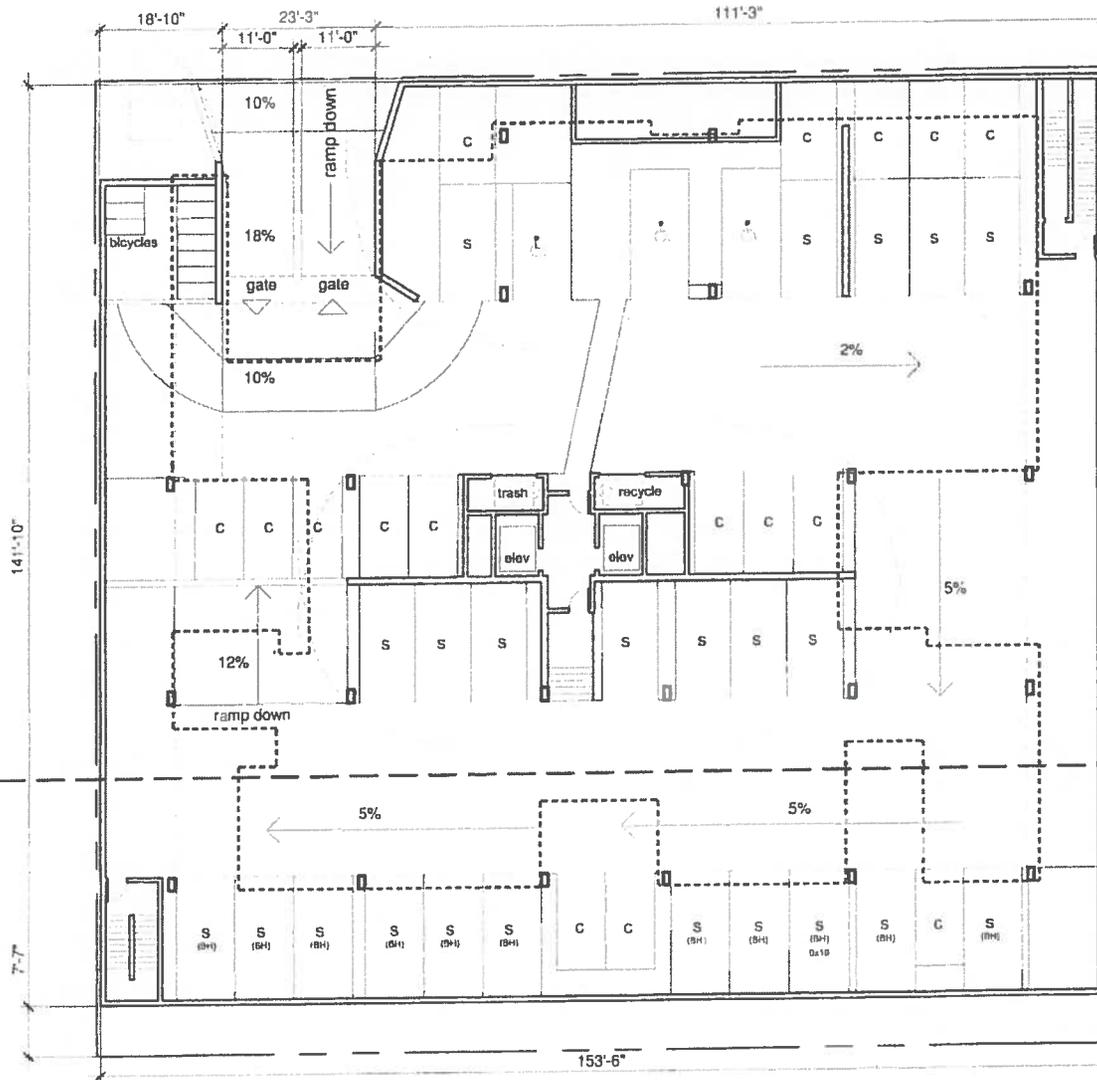
Submitted at the Planning
Commission meeting of:

7/14/14

By: Steve Mayer
Re: Item #4

332-336 NORTH OAKHURST - ALLEY





Parking

Los Angeles
 Parking provided 60 spaces
 Standard 35
 Compact 25
 required 60 spaces
 includes 3 handicap / 12 guest spaces

Beverly Hills
 Parking provided 22 spaces
 Standard 22
 required 22 spaces
 Located within portion of project in Beverly Hills
 includes 2 guest spaces

CITY OF LOS ANGELES
 CITY OF BEVERLY HILLS

p-1 garage



Submitted at the Planning
 Commission meeting of:

10/8/15

By: Steve Mayer -
 pub comment item #2

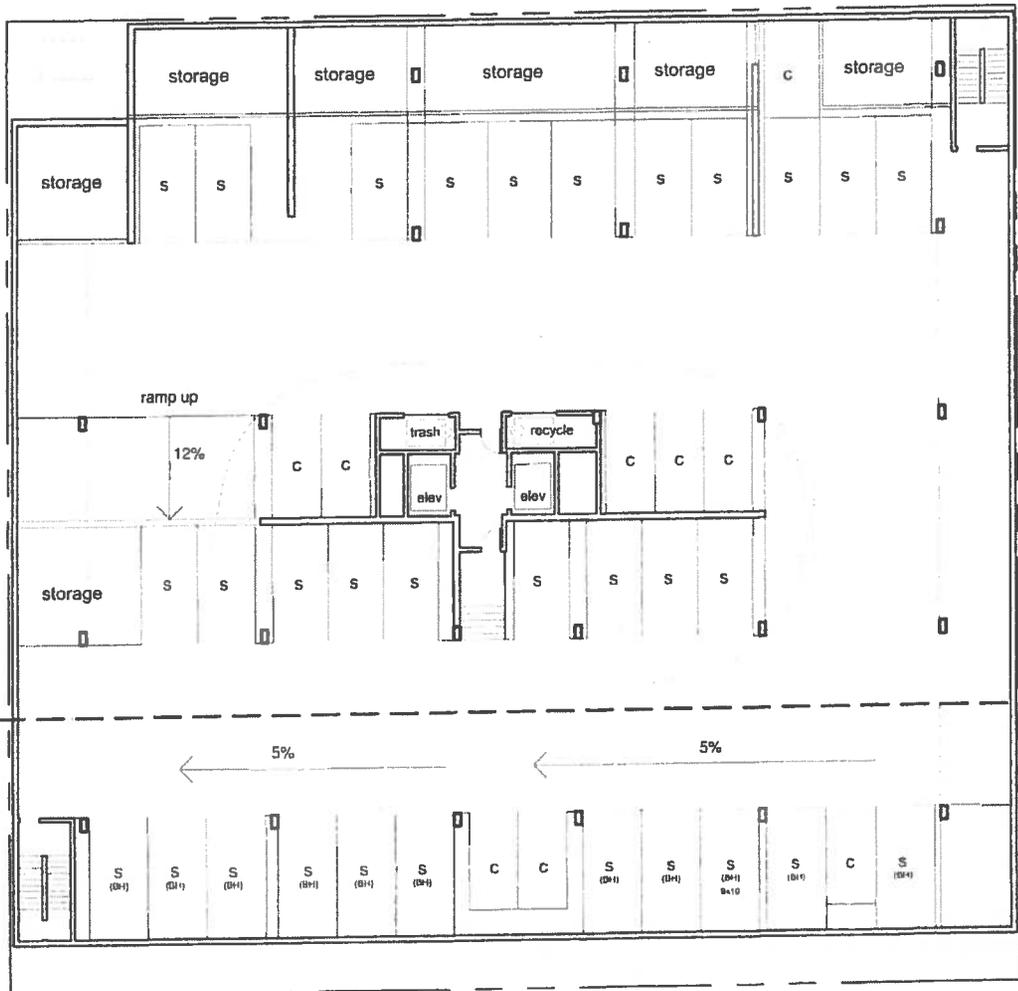
Oakhurst Condominiums

MICHAEL BALL
 Architects
 4761 Halbert Avenue Sherman Oaks CA 91403
 818-783-8027

332-336 N Oakhurst Drive, Los Angeles, CA 90048

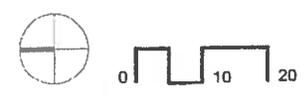
November 2013





CITY OF LOS ANGELES
CITY OF BEVERLY HILLS

p-2 garage



Oakhurst Condominiums

MICHAEL BALL
Architects
4751 Halbreth Avenue Sherman Oaks, CA 91403
818.783.8027

332-336 N Oakhurst Drive, Los Angeles, CA 90048

November 2013



CITY OF BEVERLY HILLS
COMMUNITY DEVELOPMENT DEPARTMENT
455 N. Rexford Drive, Beverly Hills, CA 90210
Tel. (310) 285-1141 Fax. (310) 858-5966

HISTORIC PRESERVATION CONSULTANT LIST

QUALIFICATION CATEGORY:

HISTORY, ARCHITECTURAL HISTORY (HISTORIC PRESERVATION PLANNING)

Consultants listed in alphabetical order

Page | 3

Architectural Resources Group

Katie Horak, Architectural Historian
65 North Raymond Avenue, Ste. 220
Pasadena, CA 91103
626-583-1401
k.horak@arg-la.com

Galvin Preservation Associates

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231 California Street
El Segundo, CA 90245
310-792-2690
andrea@galvinpreservation.com

Heritage Architecture & Planning

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San Diego, CA 92101
619-239-7888
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Leslie J. Heumann Consulting

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Historic Resources Group

Christie McAvoy, Founding Principal
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IS Architecture

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La Jolla, CA 92037
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Page & Turnbull

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PCR Services

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201 Santa Monica Blvd, Ste. 500
Santa Monica, CA 90401
310-451-4488 ext. 1112
m.wuellner@pcrnet.com

Submitted at the Planning
Commission meeting of:

10/8/15
By: Stere Mayer -
Pub. Comment - Item #2

GENERAL PLAN

Staff contends that the proposed project is in conformance with the General Plan.

Staff cited LU 2.4, LU 7.1, LU 14.4, and OS 6.3 to support its contention.

The local stakeholders believe this is misguided.

The proposed project is not consistent with "Goals and Policies of LU 2.1, LU 7.2, LU 14.2, LU 14.5, OS 6.1, OS 6.6, OS 6.7, H1, H1.2, and H1.4.

In summary, the proposed project *does not*:

- * Maintain the character of a distinctive residential neighborhood (LU 2.1)
- * Promote amenities (both private and public) due to its high density (LU 7.2)
- * Incorporate the latest sustainability measures such as solar, capture and reuse of rainwater and graywater on-site. (LU 14.2)
- * Does not reduce the "Heat Island Effect" by using the latest techniques (LU 14.5)
- * Does not protect Scenic Views of the immediate neighborhood (OS 6.1)
- * Does not minimize obtrusive outdoor light by using devices over windows on the North, East, and South sides of the property (OS 6.6)
- * Does not utilize the latest building techniques to minimize glare (OS 6.7)
- * Does not maintain the character and quality of residential neighborhoods (H1.1)
- * Does not promote the preservation of historic buildings and historic neighborhoods (H1.4)
- * Does not promote inclusionary housing (Imp 10.2)

Submitted at the Planning
Commission meeting of:

10/8/15

By: Steve Mayer

Pub. Comment - Item #2

TO: THE HONORABLE COMMISSIONERS
PLANNING COMMISSION
CITY OF BEVERLY HILLS

FROM: STEVE MAYER
[PH: 310-275-8423]

DATE: OCTOBER 5, 2015

RE: 332-336 NORTH OAKHURST

INTRODUCTION

The Concerned Citizens for Beverly Hills / Beverly Grove represents the interests of a group of local stakeholders.

They oppose the project for a variety of reason. Such opposition has been memorialized in a series of appeals in the City of Los Angeles, and also a CEQA lawsuit.

That CEQA lawsuit is scheduled for trial on June 10, 2015.

One of the important reasons for filing the lawsuit was to restore the rights of the City of Beverly Hills. The City of Beverly Hills should be the "Lead Agency," and not a "Responsible Agency."

After ceding rights to be the "Lead Agency" in 2011, the City did not exercise its rights during two "public review" periods dating back to 2012. For example, does the Commission know that construction can commence in Los Angeles at 7 a.m., and there is nothing you can do about it?

You, as a Commission, are being told that since you did not object to the Mitigated Negative Declaration and the Determination Letter, you have little recourse in making changes.

While that is not technically correct, the fact remains that you, as a Commission, should have had the opportunity to weigh-in on a multitude of issues that affect the citizens of Beverly Hills.

Those approval rights were taken away from you; this is the opportunity to regain those rights, to make certain that the development process is to the standards of the City of Beverly Hills.

Submitted at the Planning
Commission meeting of:

10/8/15
By: Staff
Public Comment Rec'd.

At the conclusion of the public hearing, we ask that you vote “no” on the findings.

No continuance should be granted. We, the stakeholders, should not have to endure this any further.

TOPIC AREAS

This memorandum will address a number of different issues, including:

- ▶ Traffic / Parking
- ▶ Neighborhood Definition
- ▶ Lead Agency
- ▶ Public Review
- ▶ Public Services
- ▶ Sustainability
- ▶ General Plan
- ▶ Mischaracterizations

PARKING / TRAFFIC

Parking - Off Site

While the number of parking spaces for the proposed project meets code, there is a general lack of understanding as to the nature of the neighborhood.

There may sufficient parking for overnight guests; there will not be enough parking on Friday night.

On Friday nights, the two blocks of Oakhurst between Burton Way and Alden Drive are jam-full with cars for the Sabbath.

There are no parking spaces left on the street.

At its height, according to the Applicant's own records submitted to the City of Los Angeles, a total of 22 residents occupied 17 apartment units. Of those, only two (2) residents were above age 62. There were no children, and rents averaged less than \$2000. The median age was 35.

In the 31 units, based upon housing data from the census for the tract, the projected residents will be families of three and four. While the age of the children is difficult to accurately predict, it is a reasonable assumption that the owners of the units can be predominately segmented into two age groups, those in their late thirties and those in their late forties, with children in two groups, adolescent and pre-teen/teen. At the projected sales price of \$1.5 million, the average mortgage will be \$5000 per month.

It is disingenuous to believe that guest parking will be used, in the manner intended, due to:

- * It is behind a gate, whose passage can only be granted by an owner
- * Because over 40% of all parking spaces in the City of Los Angeles will be allocated for compact cars, what guest wants their luxury vehicle to be shoved into a space for a Smart car?
- * What happens if the HOA decides that the guest parking should be in the tandem spaces?

If the design had allowed for the guest parking to be unsecured spaces on the alley, guest parking utilization would increase.

But the real problem will be five years from now, when those spaces are rented to others.

Won't happen? That is precisely what occurred at 147 South Doheny, a condominium project being rented as apartments that is directly across the alley. The guest parking spaces are rented.

You cannot, and will not control, the actions of the HOA, relative to their guest parking spaces in the City of Los Angeles. No matter what conditions you might impose in the CC&Rs, they can be changed by a majority vote. If the CC&Rs are not changed, in practice, they will be ignored.

Traffic

Relative to the issue of traffic, the Applicant submitted a “Trip Generation Analysis” dated January 29, 2014.

What had been requested by the City in 2011 was a traffic study.

In a November 7, 2011 letter from Nathan Gapper (Limited Term Planner – City of Beverly Hills) to Ifa Kashefi (Chief of Engineering Bureau, Department of Building and Safety, City of Los Angeles), Mr. Gapper wrote:

“... Traffic would likely be the category that presents the greatest potential for environmental impact. Therefore, the results of traffic studies for the project may play a significant role in dictating the level of impact the project may have.”

Some may question why a letter from 2011 is being cited in this hearing.

The correspondence from a previously “closed” application file in the City of Beverly Hills governs the process in the City of Los Angeles’ “current” application.

Even though the City of Beverly Hills opened a new application in 2013 for 332-336 North Oakhurst, the Applicant piggy-backed on a 2011 application in the City of Los Angeles.

New Projects

Between 2014 and now, there are three new projects that will impact the Applicant’s consultant’s findings:

- 9100 Alden Drive (at Doheny)
- 328 West Third
- 325 North Maple

9100 Alden Drive is the tear-down of **8 units** in two two-story apartment buildings, replaced with a **35 unit** 5-story apartment building (with a 4-unit low-income component). The property is currently undergoing the permit process. No special permissions were required. 9100 Alden Drive shares the alley with the proposed project. The number of vehicles accessing the alley will increase from **8 vehicles** to **88 vehicles**.

328 West Third is a bi-jurisdictional property. This two story apartment building of **6 units** was purchased in November, 2104 for \$4.6 million. It is believed that the intent is to build **14 units**. The new owner commissioned a traffic count survey on West Third street. How this property can impact the proposed project is that the alley entrance/exit for this project is situated directly across from the main alley entrance/exit for the proposed project. The number of vehicles accessing the alley will increase from **6 vehicles** to **35 vehicles**.

325 North Maple is the Post Office renovation. In August, the Commission approved a project that can house **880 new employees** for a facility that has less than **300 parking spaces**. With the traffic analysis projecting little utilization of public transit, a tremendous number of potential employees might flood West Third Street, during peak hours.

Another property that local residents project being developed is **344-348 North Oakhurst**. 344-348 North Oakhurst is another bi-jurisdictional property. These three two-story apartment buildings, that contain **13 units**, were designed by master architect Charles Lee in the 1930's. The local residents fear that if 332-336 North Oakhurst is approved, the current owner will immediately commence the development process. Their belief is predicated upon units being vacant for up to a year, or more, before being re-rented in 344 and 346 North Oakhurst. Assuming the acreage is the same as 332-336 North Oakhurst, it is projected that 31 units could be constructed on the site. If that is accurate, the number of vehicles would increase from **13 vehicles** to **82 vehicles**.

Within three years, the number of cars accessing the alley could increase by over **650%**.

Trip Generation Codes - Units of Measure

As to the "Trip Generation" analysis, there is a dispute as to the "unit of measure" utilized by the Applicant's consultant.

Traffic consultants calculate "Trip Generation" by using "codes" developed by the Institute of Transportation Engineers (ITE). There are over two hundred codes for different property types. In addition, there are different "units of measure" for a number of those codes.

For residential properties, there are close to twenty different codes ranging in description from “*Single Family Homes*” to “*Resident PUD*.” The “*units of measure*” are “*number of dwelling units*,” “*number of persons*,” and “*number of vehicles*.” Not all “*units of measure*” are available for each residential property code.

The Applicant’s consultant utilized “*number of dwelling units*” to generate “*Trip Generation*” projections.

By some transportation experts, it can be argued that the proper “*unit of measure*” for 332-336 North Oakhurst should have been the “*number of persons*,” and not the “*number of dwelling units*.”

Using “*number of persons*” generated vastly different “trip generation” results, showing far more vehicle trips for the proposed condominiums:

ESTIMATED TRIP GENERATION COMPARISON UNITS OF MEASURE: “DWELLING UNIT” VS. “NUMBER OF PERSONS” PROPOSED CONDOMINIUM DEVELOPMENT 332-336 NORTH OAKHURST DRIVE					
	# Of Units	TOTAL DAILY TRIPS		PM PEAK TRIPS	
		Units of Measure		Units of Measure	
		Dwelling Units	Number of Persons	Dwelling Units	Number of Persons
PROPOSED USE					
<i>Condominiums</i>	31	180	232	11	22
EXISTING USE					
<i>Apartments</i>	17	113	73	7	9
NET DAILY TRIPS		67	159	4	13

Using a different “*unit of measure*” resulted in a “*Total Daily Trips*” increase of 237% and a “*PM Peak Trips*” increase of 325%, compared to the Applicant’s consultant.

When adding the approved, the proposed, and the projected developments, and using “*number of persons*” as the “*unit of measure*,” the “*Net Daily Trips*” closes upon the City’s thresholds.

When combined with just a quarter of the potential 880 new employees for the Post Office renovation traveling along West Third Street, then the City's thresholds are vastly exceeded, requiring a full traffic study.

NEIGHBORHOOD DEFINITION

In the Planning Commission Report, the neighborhood is defined as the area bounded by Burton Way, Beverly Boulevard, and both sides of North Oakhurst Drive.

The definition of a neighborhood is open to interpretation.

To the local stakeholders, the neighborhood is defined as both sides 300 block of North Oakhurst Drive between West Third Street and Alden Drive.

The Applicant's historical consultant originally defined the neighborhood as the same as reflected in the Planning Commission Report.

Subsequently, that same consultant narrowed the focus to an area similar to the local stakeholder's definition.

The East side of the block of Oakhurst is especially unique from a historical perspective in Beverly Hills. It may be the only block in the City that has spurned development. Highlights of the eleven (11) properties include:

- * 91% of the properties are over 75 years old
- * The remaining property is over 25 years old

Indeed, it may be the only block within the area bounded by Santa Monica Boulevard, Doheny, and Burton Way that has not seen any development in nearly three decades. Instead, most of the property owners maximize their investment through pride-of-ownership.

The other side of the block is populated by two-story apartment buildings, some older than 75 years old, with the exception of one five story building that was constructed 50 years ago.

LEAD AGENCY

The depiction of the Lead Agency status in the Planning Commission Report differs from what is in the public record in the City of Los Angeles

During the Central Area Planning Commission hearing in the City of Los Angeles on March 19, 2015, the Chairman of that commission asked Department of Planning employee Luci Ibarra (Planner) how the City of Los Angeles became the Lead Agency:

***COMMISSIONER MILLMAN:** This is Commissioner Millman. Can you just explain to us how it was that Los Angeles became the lead agency and why that was and what that meant?*

***LUCI IBARRA:** Okay. So when the case was originally filed in 2011 the applicant provided -- or the City of Beverly Hills provided a letter to the file basically saying that they deferred lead agency status to us as we would be reviewing the project first and so we processed the environmental document. We certify that document and upon which it's presumably the City of Beverly Hills would use that document as satisfying CEQA for the purposes of a discretionary project.*

PUBLIC REVIEW

There were three period of "Public Review," that allowed for comments by the City of Beverly Hills.

The first was related to the initial Mitigated Negative Declaration. The second was related to the Reconsidered Mitigated Negative Declaration.

During those first two "Public Review" periods, the City did not provide *any* response.

As testified to by Luci Ibarra, Planner, City of Los Angeles, during the Central Area Planning Commission hearing in the City of Los Angeles on March 10, 2015:

***LUCI IBARRA:** The project was processed and an MND was issued. We never heard from the City of Beverly Hills when that was circulated. The case was then placed on hold.*

A new owner came into the project, revised the project reducing the project. We issued a reconsideration. We scheduled the hearing.

The hearing notice was received by the City of Beverly Hills. They called us and said, we're not going to the hearing but let us know how it turns out. They didn't attend the public hearing.

During the third comment period, the City of Beverly Hills started to examine the potential historical aspects regarding both the individual properties as well as the immediate neighborhood. The examination was at the behest of a resident who questioned the City of Beverly Hills.

The summary of the actions by the City of Beverly Hills during the third Public Review period is:

- | | |
|----------------|---|
| March 19, 2014 | The matter is kept open to address concerns about historical significance and other issues |
| May 1, 2014 | The Applicant submits a historical consultant's report to the City of Los Angeles that states: <ul style="list-style-type: none">(A) The "neighborhood" is defined by Burton Way, both sides of Oakhurst, and Beverly Boulevard(B) There was no historical significance within the entire neighborhood |
| May 29, 2014 | City of Beverly Hills employee Shena Rojemann expresses concern as to the Historic Analysis in an email:

<i>"Pursuant to my previous conversations with both of you, the City of Beverly Hills is interested in having an opportunity to comment on the Historic Analysis in a public hearings. Based on counsel from our City Attorney, it is my understanding that it is a matter of due process that a public hearing should be held to allow the public to comment on any new information (historic analysis), despite</i> |

whether the reviewing authority has determined that the new information will result in modifications to any environmental documents prepared. Luci, when we last spoke a little over two weeks ago, you were going to consult with your City Attorney to discuss this issue. To date, I've not received any feedback from you on this issue. If you could provide me with an update, I would greatly appreciate it.

"At this point in time, our historic consultant is researching the neighborhood and we anticipate having a memo summarizing the findings of that research in approximately a week. I will follow-up with both of you at that time to discuss the findings and process moving forward."

June 11, 2014

Shena Rojemann submits a letter to the City of Los Angeles requesting an EIR, due to:

- (1) The City of Beverly Hills' historical consultant, Historic Resources Group, looked at the east side of Oakhurst as part of their Historic Survey
- (2) They determined there was a potential historic district comprised of nine (9) properties

June 13, 2014

Ryan Gohlich submits an email to the City of Los Angeles, affirming his desire for an EIR:

"As a follow up to the email below, I wanted to provide some additional clarification. Although it's articulated in Shena's letter, I wanted to be clear that the City of Beverly Hills is requesting that an EIR be prepared based on the conflicting expert opinion, and that simply adding a copy of our letter to the file will not achieve compliance with CEQA.

At your earliest convenience, please confirm that the City of Los Angeles intends to prepare an EIR as required by CEQA."

June or July, 2014

Applicant requests the project be placed on hold in the City of Los Angeles

June / July / August

Shena Rojemann submits a series of emails to City of Los Angeles planner Luci Ibarra asking for an updates. The last exchange was on August 4, 2014:

Hello Luci,

I hope this email finds you well.

I just wanted to follow-up on this project. If you could please provide me with a status update, I would greatly appreciate it. Thank you!

*Best,
Shena Rojemann*

Hi Shena,

There really hasn't been any movement. The applicant asked us to keep the case on hold saying they wanted to meet internally. Haven't heard from them in recent weeks.

-Luci

October, 2014

Applicant meets and/or converses with City of Los Angeles on how to proceed

December 4, 2014

The Applicant submits Applicant's historical consultant's report to the City of Los Angeles and requests the Application be taken off "hold."

The Applicant did not submit a copy of the historical consultant's report to the City of Beverly Hills.

The City of Los Angeles does not forward the report to the City of Beverly Hills, likely believing that Applicant's historical consultant had.

The Applicant's historical consultant's report states they are amending their initial report from May:

- (1) They agree with the City of Beverly Hills is that there is a potential historic district.
- (2) But the potential historic district is comprised of twelve (12) properties instead of nine (9). The additional three (3) properties came from across the street.
- (3) Because the potential historic district has been expanded to twelve (12) properties, the destruction of three properties would not violate the 75% threshold of maintaining a district.

February 3, 2015

Determination Letter Issued

=====

There appears to have been no further written communication between the Department of Community Development in the City of Beverly Hills and the City of Los Angeles from August 4, 2014 to June 15, 2015 regarding 332-336 North Oakhurst, with one exception.

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That sole exception was an email sent on January 7, 2015 from Ken Bernstein, the Manager of Historic Resources in the City of Los Angeles to Bill Crouch, the Urban Designer in the City of Beverly Hills. There does not appear to have been a response regarding 332-336 North Oakhurst by Mr. Crouch.

Such information was uncovered during the discovery process in the CEQA lawsuit. A "records request" generated over 900 pages of emails in the City of Los Angeles, a number of which were also in the physical Application file.

In the City of Beverly Hills, no copies of emails were present in the physical Application file on September 17th.

PUBLIC SERVICES

The use of City of Beverly Hills public services by City of Los Angeles residents is a contentious issue.

Some of the services listed on page 11 of the Planning Commission Report are extraneous, while others cannot be substantiated.

In addition, there are substantive discrepancies in, and between, the City of Beverly Hills and the City of Los Angeles documents.

The City of Beverly Hills documents of the Planning Commission Report, the Draft Resolution, and the Mitigation Monitoring Reporting Program are not in concert with the City of Los Angeles documents of the Mitigated Negative Declaration, and the Determination Letter.

The bottom line is that those residents in the City of Los Angeles can do whatever they wish.

Had the City of Beverly Hills retained its "Lead Agency" status, the Commission could have controlled every aspect of the entire project. The project would be developed to the City of Beverly Hills standards and not the lesser ones of the City of Los Angeles.

SUSTAINABILITY

The City of Beverly Hills is a world-class city. It should be leading in all aspects of sustainability.

The staff contends that **Land Use 14.4** should be operating directive.

The local stakeholders believe this to be incorrect and inadequate.

The proposed project lacks solar panels, power connects at every parking space to encourage alternative vehicle use, capture and re-use of stormwater and graywater on site, etc.

The proposed project is not in adherence with Land Use Goal and Policy 14.2:

“LU 14.2 Site Development. Require that sites and buildings be planned and designed to meet applicable environmental sustainability objectives by: (a) facilitating pedestrian access between properties and access to public transit; (b) providing solar access; (c) assuring natural ventilation; (d) enabling capture and re-use of stormwater and graywater on-site while reducing discharge into the stormwater system; and (e) using techniques consistent with the City's sustainability programs such as the City's Green Building Ordinance. (Imp. 2.1, 2.4)”

A concern of many of the local stakeholders is that a monolithic building will decrease airflow and become a pocket of heat. They do not believe that the design properly incorporates Land Use Goal and Policy 14.5:

“LU 14.5 Heat Island Effect. Reduce ‘urban heat island’ effect by requiring that new construction and substantial renovation of buildings use techniques to reduce the amount of heat that buildings, outdoor spaces, and parking lots absorb from sunlight. (Imp. 2.4)”

Presently, the three existing buildings offer natural ventilation between the buildings, utilizes stucco, substantial vegetation, and soft colors and offers natural ventilation between the buildings.

GENERAL PLAN

Staff contends that the proposed project is in conformance with the General Plan.

Staff cited LU 2.4, LU 7.1, LU 14.4, and OS 6.3 to support its contention.

The local stakeholders believe this is misguided.

The proposed project is not consistent with “Goals and Policies of LU 2.1, LU 7.2, LU 14.2, LU 14.5, OS 6.1, OS 6.6, OS 6.7, H1, H1.2, and H1.4.

In summary, the proposed project *does not*:

- * Maintain the character of a distinctive residential neighborhood (LU 2.1)
- * Promote amenities (both private and public) due to its high density (LU 7.2)
- * Incorporate the latest sustainability measures such as solar, capture and reuse of rainwater and graywater on-site. (LU 14.2)
- * Does not reduce the “Heat Island Effect” by using the latest techniques (LU 14.5)
- * Does not protect Scenic Views of the immediate neighborhood (OS 6.1)
- * Does not minimize obtrusive outdoor light by using devices over windows on the North, East, and South sides of the property (OS 6.6)
- * Does not utilize the latest building techniques to minimize glare (OS 6.7)
- * Does not maintain the character and quality of residential neighborhoods (H1.1)
- * Does not promote the preservation of historic buildings and historic neighborhoods (H1.4)
- * Does not promote inclusionary housing (Imp 10.2)

MISCHARACTERIZATIONS

There were several instances in the Planning Commission Report that are mischaracterizations of events.

In fact, that is a completely

Special City Council Meeting of February 12, 2015

On page 7 of the Planning Commission Report, it stated:

“...the Beverly Hills City Council considered appealing Los Angeles’ decision; however, a majority of the Council did not vote in support of filing an appeal.”

There was never a vote by the City Council.

Members of the Beverly Hills City Council were moved to call a Special Meeting, after feeling sandbagged by the City of Los Angeles. A copy of the article from the *Beverly Hills Courier* that comprehensively recalls the session is contained as Exhibit A.

One Councilmember in particular believed that a vote could not be taken, because the Appeal form itself did not exist was not appended to the Council packet.

There was considerable discussion about what rights the City of Beverly Hills would retain, if the council did not appeal.

There was inaccurate information provided by staff that lent the impression that the Planning Commission and the City Council would have considerable decision making authority. That is not the case.

Central Area Planning Commission - City of Los Angeles - March 10, 2015

On page 7 of the Planning Commission Report, it stated:

“At its meeting on March 10, 2015, the Central Area Planning Commission denied the appeal and upheld the original approval.”

In fact, the Determination Letter by the Commission, stated:

“At its meeting on March 10, 2015, the Central Area City Planning Commission failed to reach a consensus. The Commission’s failure to act resulted in the automatic denial of the appeal and reaffirmation of the decision of the Deputy Advisory Agency’s Approval of Vesting Tentative Tract No. 70499-CN for the approval of 31 residential condominiums, and affirming Mitigated Negative Declaration ENV-2011-3325-MND-REC as the environmental clearance.”

There were numerous instances of inaccurate information that created confusion for the Commissioners during that meeting. Two examples were exchanges between the Commission and a City of Beverly Hills employee.

First exchange:

COMMISSIONER BROGDON: *Commissioner Brogdon.*

You've actually confused me more now because I -- is -- I'm confused about really where the City of Beverly Hills stands on this because from what I'm reading it sounded like they felt that LA wasn't considering their architectural and their historical considerations. Is that no longer the case?

MS. GORDON: *That was the viewpoint stated in the June 2014 letter; however, I think based on subsequent reviews our City Council believes that our review process will be coming forward with the Planning Commission and the Architectural Commission could probably any of those maintaining concerns or existing concerns.*

COMMISSIONER BROGDON: *Well, what does that mean? I feel like I'm not getting a clear answer here. So if you're saying that if -- if this appeal is denied and then it goes to Beverly Hills you'll be able to do your own historical review or --*

MS. GORDON: *I have to check on that process. I don't know the answer to that.*

COMMISSIONER BROGDON: *Okay*

Second exchange:

COMMISSIONER MILLMAN: *So that's the position -- this is Commissioner Millman. So that's the position of the City currently is that they still would like an EIR?*

CINDY GORDON: *Yep.*

COMMISSIONER MILLMAN: *But they don't want to appeal the decision that said not to do an EIR?*

CINDY GORDON: *Correct.*

COMMISSIONER MILLMAN: *Okay.*

COMMISSIONER BROGDON: *All right.*

COMMISSIONER MILLMAN: *That's a little confusing because that totally contradicts. I'd like to take a five-minute recess. Sorry.*

Historic Resource

On page 2 of the Planning Commission Report, it stated:

"The Mitigated Negative Declaration adopted by the City of Los Angeles found that none of the properties are eligible as historic resources."

On page 24 of the February 3, 2015 Determination Letter, it stated:

"Nevertheless, if the City of Beverly Hills should choose to consider a potential district relative to these architectural styles, the 20% (two) properties that remain on the west side of Oakhurst together with ten of the 11 structures on the east side of Oakhurst, could potentially constitute an historic district with a total of 12 structures in the Spanish Colonial Revival and Minimal/Traditional Regency styles. With the development of property at 332 and 334-336 North Oakhurst, more than 70% of the properties would remain, thereby meeting the 70% threshold per the City of Beverly Hills criteria for an Historic District."

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In essence, the Applicant's historical consultant in its December 3, 2014 report expanded the City of Beverly Hill's potential historic district from nine (9) structures to twelve (12) structures.

By adding three (3) structures, it would permit the destruction of the three buildings at 332-336 North Oakhurst, while still maintaining the minimum threshold to uphold the potential historic district.

City of Los Angeles Appeal Recommendation Report to Central Area Planning Commission (Attachment F)

As the Appellant, this document was never provided to me prior to the hearing of March 10, 2015.

It is less than straightforward for the Planning Commission Report to provide one document out of hundreds of pages and not putting forth the other side.

One document that might be of interest would be "*Recommended Changes To the Determination Letter of February 3, 2015*"

That document is show in Exhibit B.

The document was submitted as a supplement to the Appeal before the Central Area Planning Commission on March 10, 2015. It asks for mitigation measures to be added to the Determination Letter of February 3, 2015. Such measures include those that should have been requested by the City of Beverly Hills.

"Our Hands Are Tied"

One of the common refrains that have been heard is that the City of Beverly Hills had to proceed with the Application, due to CEQA regulations. That is incorrect.

In fact, the City of Beverly Hills lost the opportunity to be proactive on three separate occasions:

- (1) In a dispute as to necessity for the EIR, the California Public Resources Code Section 21165 permits a difference of opinion between a Lead Agency and a Responsible Agency to be resolved by the Office of Planning and Research.

There is nothing in the Application file that indicates that the City of Beverly Hills made any such attempt.

- (2) The California Public Resources Code Section 21167.10 permits any entity or person to request mediation of the Lead Agency, after the Notice of Determination.

There is nothing in the Application file that indicates that the City of Beverly Hills made any such attempt.

- (3) The California CEQA Guidelines Section 15096 permits preparation of a subsequent EIR, or taking over the Lead Agency responsibility.

There is nothing in the Application file that indicates that the City of Beverly Hills made any such attempt.

Edith Northman - Architect

During the Central Area Planning Commission hearing of March 10, 2015, City of Los Angeles planner Luci Ibarra testified:

"And as to the architect, Edith Northman, she was well known, but I should add that the evidence that we have suggests that she was more well known for her work on the oil -- the service stations for the Oil Union Company and some -- for industrial structures for the U.S. Army Corps of Engineers, not necessarily her multi-family residences."

A review of City of Los Angeles Department of Planning files reveal a number of references to Edith Northman architect. Limited to only residential properties, excerpts from four (4) of those files revealed are shown:

Document 1: Wilshire Park HOPZ Preservation Plan
(October, 2010 - Page 26)

The work of Edith Northman was specifically identified in a complex named the “Edith Northman Apartment Complex”:

“The Edith Northman Apartment Complex:

“In 1938, late in the Depression, development in Wilshire Park resumed after a long period of inactivity. During this year, Louis S. Strauss commissioned a set of courtyard apartments for his properties on the contiguous intersections of Wilton, Leeward and 7th. Strauss had been a real estate developer in Los Angeles since 1935, building apartments on Cochran, Detroit and La Jolla, and later in life became active in the Braille Institute

“Edith Northman was Strauss’ choice of architect. Northman maintained offices at 3052 Pico, and had recently completed plans for a synagogue at 5500 Hoover. During these years Edith Northman was very prolific, particularly in the design of apartment buildings. The complex at Wilton, 7th and Leeward is in the modern and efficient Minimal Traditional style with elements of the Streamline Moderne, a significant departure for Wilshire Park, already having been fully built out fifteen years earlier. The complex consists of four twelve-unit buildings symmetrically arranged to form a common courtyard for each of the two pairs. All units have separate private entries and private garages.”

Document 2: Historic Resources Survey Hollywood Redevelopment Project Area (as prepared for the CRA)
(February, 2010 - Page 149)

Edith Northman was cited as one of the prominent architects for the area, for her biography was included:

“Edith Northman (1893-1956)

“Architect Edith Mortensen Northman, Los Angeles’ only woman architect when she was working in the 1930s, was born in Copenhagen Denmark in 1893 and immigrated with her family to the U.S. in 1914. In the 1920s, she worked for Los Angeles architect Henry J. Knauer and later for Clarence J. Smale, under whom she served as chief draftsman.

She was formally educated in architecture at the University of Southern California during the years 1927-1930. She is described in the 1937 Los Angeles Times as Los Angeles' only woman architect. She had an office located at 3052 Pico Blvd prior to 1933. In 1933, her office was moved to 5639 Pico Blvd, where she also resided. In Hollywood, Northman designed the 4-story apartment building located at 5600 Fernwood Ave in 1929 and the 2-story apartment building located at 5400 Carlton Way in 1941. She is responsible for the design of many other buildings throughout the Los Angeles area, including a synagogue located at 5500 South Hoover Street, a residence for film star Jean Hersholt located at 602 North Rodeo Drive, Beverly Hills, and a \$100,000 studio apartment building located on Harper Ave between Sunset and Santa Monica boulevards for owner Elwood G. Houseman. She also designed the Normandie Mar Apartment Hotel in the Tower District of Fresno, CA.

Throughout the course of her career, she designed a wide variety of building types, including Union Oil Company service stations (she designed at least 50, including a Mediterranean style "superservice station" in Westwood Village in 1933), churches, commercial buildings, factories, residences, and apartments. During World War II, she designed buildings for the U.S. Army Corps of Engineers and after the War she specialized in design of large apartment buildings and hotels in Los Angeles and Palm Springs. She died of Parkinson's disease in 1956 in Salt Lake City."

Document 3 - Miracle Mile North HPOZ Draft Preservation Plan
(November, 2010 - Page 22)

In this document, Edith Northman was identified as one of the prominent architects for the area:

"Other architects represented in the area are: Milton Black, known for his Streamline Moderne designs; Eric Black; Beverly Hills architect Gerald Colcord; Arthur Hawes; Hollywood architect H.J. Knauer; Edith Northman; C.J. Smale; West Hollywood designer Don Uhl; the prolific H.H. Whitely; and Westwood architect Percy P. Lewis. Most of the above had worked all over the Westside, building similar residences in period revival styles in the communities of Santa Monica, Westwood..."

***Document 4 - Proposed Country Club HPOZ: Resources Agency
State of California – Primary Record
(May, 2009 - Page 16)***

In this State of California document, Edith Northman was one of two architects cited in the Postwar Era.

“Theme: Important Designers (1903-1952)

“Celebrated architects and designers who worked in Country Club Park in the postwar era include Edith Northman and Ralph Vaughn.”

City of West Hollywood

In West Hollywood, blocks away from the Beverly Hills boarder is the North Harper Avenue District, found in the National Register, of which Edith Northman is prominently mentioned:

Historic District - North Harper Avenue District (West Hollywood, Los Angeles County, CA 90046) Registered on May 28, 1996 with the National Register of Historic Places of the National Park Service, the North Harper Avenue District application as one of three (3) architects for the district.

From its application, it is described as:

“The North Harper Avenue Historic District is comprised of eight contributing apartment buildings, one contributing automotive garage with attached dwelling unit, and two non-contributing apartment buildings. The contributing buildings were constructed during the period 1923 to 1931 and represent variations in 20th century period revival style architecture—specifically Mediterranean Revival and Chateausque. They range in height from one to four stories and are composed as large, simplified geometric forms which virtually fill their entire lots.”

Further in the application, Edith Northman is specifically mentioned:

“Few publications have appeared on the history and development of apartment buildings in West Hollywood and more generally Los Angeles.

Courtyard Housing in Los Angeles, by Stefanos Polyzoides/ et. al., the definitive study of courtyard apartment buildings, is one of the few publications on the subject. Polyzoides discusses four of the apartment buildings located in the district. Among these, Mexican Village (now known as the Villa Primavera, 1300-1308 North Harper Avenue, Arthur and Nina Zwebell} and Patio del Moro are seminal works in the development of the courtyard apartment building.(1) The authors consider Villa Sevilla (1338-1352 North Harper Avenue, Edith M. Northman) and El Pasadero (1330 North Harper Avenue, Arthur W. Hawes) as among the 'most important courtyards in Los Angeles.'"

City of Beverly Hills

Relative to the City of Beverly Hills, from the records of the City, Edith Northman was involved with at least six (6) properties:

**City of Beverly Hills
Historic Preservation Program
Architects for 2,900 Properties, Compiled 1986**

<u>ADDRESS</u>	<u>STREET</u>	<u>PERMIT:DT</u>	<u>ARCHITECT</u>	<u>BUILDER</u>
337	Beverly Drive South	01/02/46	Northman, Miss Edith	Pallisgaard; Niels (Kiels)
712	Foothill Road	11/18/47	Northman: Edith	Van Meterer;
807	Linden Dr. North		Northman: Edith	
334	Oakhurst Dr. North	01/08/30	Northman: Edith	Northman, E.
336	Oakhurst Dr. North			
602	Rodeo Drive North		Northman: Edith	

The residence of Jean Hersholt is of significance. The Academy's Humanitarian Award is named after actor Jean Hersholt. One of its most recipients was Sidney Poitier, a Beverly Hills resident.

Planning Commission / Mayer
October 5, 2015
Page 25.

Academia

In 1990, a traveling exhibition, starting at UCLA, featured Edith Northman along with three other noted women architects. The exhibition was titled:

"A Life in Architecture, Four Women in Los Angeles, 1900-1950, featured drawings and scale models by Constance Austin, Edith Northman, Edia Muir, and Julia Morgan."

The April 29, 1990 edition of the Los Angeles Times, briefly was described the exhibition as:

"The works of four prolific women architects in the first fifty years of this century are on exhibit through May 11 at UCLA's Graduate School of Architecture and Urban Planning in Gallery 1220."

The exhibition was part of a course for a seminar entitled, "Women and Minority Architects in Southern California" and was curated by Dr. Diane Favro, a prominent UCLA architecture professor, who was also the instructor.

EXHIBIT A

BEVERLY HILLS COURIER ARTICLES



WELCOMING THE ROOKIES—The Beverly Hills Fire Department welcomed six new firefighters at a badge pinning ceremony held at Station 1. After completing a 3-week orientation that included live fire training, vehicle extrication and other Beverly Hills specific familiarizations, they received their BHFH badges. Pictured (from left): Vice Mayor Julian Gold; Firefighter Steve Bernard; Councilmember Nancy Krasne; Firefighters John Brown, Austin Hain, Jeremy Mack, Bryan Miller, and Bruno Palmieri; and Councilmember Willie Brien.

City Council To Consider Tour Bus Restrictions

By Victoria Talbot

The Tour Bus Ad Hoc Committee will propose restrictions on tour bus access to the Business Triangle Tuesday in study session.

On Jan. 26, a loading zone located at 9500 Dayton Way was removed. Loading was relocated to the east side of Civic Center Drive between Burton

Way and Third Street, and the north side of North Santa Monica Boulevard between Canon and Crescent Drives in the bus cutout.

The committee will propose a weight limit in the Business Triangle that will effectively restrict tour buses from the area. Said Julie Wagner, CEO of the BH Convention and Vis-

itors Bureau, tour buses bring 24 percent, or 1.5 million of the City's visitors, who spend an average \$137 in their two-hour visits. Wagner says tour bus drivers will eliminate the City as a destination, preferring the ease of other destination shopping areas.

Board Of Education Denies El Rodeo Principal Allen's Request To Implement School Uniforms

By Laura Coleman

The Beverly Hills Board of Education shot down a proposal by El Rodeo Principal Kevin Allen to adopt a policy requiring the school's K-8 students to wear uniforms comprised primarily of khakis, spirit wear and shirts in navy, red and white. In order to adopt the policy for El Rodeo, the board would have needed to vote to change the current dress code which now governs all five Beverly Hills public schools.

"There was (previously) horrific backlash in this community to the current dress code we have in place," said Board President Brian Goldberg, who like the majority of his colleagues, was hesitant to enact a policy that could potentially become a distraction.

Allen, who orchestrated a mini fashion-show at Tuesday night's meeting of around a dozen El Rodeo students dressed in clothing allowed under the proposed policy, presented the Board with a well thought-out plan for adopting uniforms, which he said would increase academic achievement.

"What we're really getting at [is], do students feel a sense of connectedness and safety at school?," he explained.

Boardmember Lewis Hall



DRESS CODE—El Rodeo K-8 students showed the Beverly Hills Board of Education and the community a sample what uniforms would be allowed under El Rodeo Principal Kevin Allen's proposal

was the only one willing to support a policy change to try out implementing uniforms at El Rodeo.

"Students will be thinking less about what they're wearing and more about what they're learning," said Hall said.

"I think it does promote a professional setting...where the focus is on schools and academic success...It could be very beneficial."

Before the item came up for discussion, two parents voiced their opposition to the proposed policy, questioning

whether adopting such a policy violated students' First Amendment rights. (It does not.)

Boardmember Noah Margo pointed out that some students already don't follow the current dress code and he questioned the efficacy of implementing a new policy that might have parents and students willfully refusing to follow the new policy.

"It's a complete culture change in the minds of parents," he said.

Emergency Meeting Could Save Historic Buildings From Developers

By Victoria Talbot

The Beverly Hills City Council called a special meeting Thursday, after *The Courier's* print deadline, to decide if they want to file an appeal of the city of Los Angeles approval of a vesting tentative tract map and adoption of a mitigated negative declaration to allow construction of a 31-unit condominium project at 332-336 N. Oakhurst Dr.

In a case where an historic property is partly in Los Angeles and partly in Beverly Hills, L.A. city planners have determined unilaterally that they can develop the site, overriding Beverly Hills' request for an Environmental Impact Report.

About 50 residents came to the hastily called meeting to

support the appeal. Noah Muhlstein, Planning Deputy for L.A. Councilman Paul Koretz, asked them to appeal.

The property located has been the subject of intense efforts by Beverly Hills residents to uncover the historic roots of the building, protect vulnerable residents who are tenants and get the attention of Beverly Hills City staff and council members to aid them in their quest to preserve their neighborhood's integrity.

"We need to stick up for our residents," said Councilman John Mirisch. "They went behind our backs."

"It seems unreasonable that the city of Los Angeles

(see 'OAKHURST' page 10)



BEAUTIFUL BRENDA

Brenda is a 3-year old, 9-pound, Pomeranian/Spaniel mix sweetie. Sadly, her owner passed away. Those interested in adopting Brenda and giving her a happy new beginning may contact the non-profit rescue only pet store ShelterHopePetShop.org at 805-379-3538.

BHHS Robotics Team Hopes For Third Straight Regional Award

By Laura Coleman

The Beverly Hills High School Robotics team, MorTorQ, is knee-deep into designing this year's mechanical contender at next month's L.A. Regional Tournament for FIRST (For Inspiration and Recognition of Science and Technology.) For the last two years, the Beverly Hills team has taken the top prize at the regional competition, the prestigious Chairman's Award, and this year's 53-member team has every intention of continuing that tradition.

On Jan. 3, the team received this year's FIRST game, "Recycle Rush," and has been working furiously to design

and construct a crate-stacking robot from blueprints to final assembly in the six-week time allotment, in addition to crafting a business plan and marketing strategy. And this is the team's final week to get it right.

"Our robotics program is really unique," explained Robotics co-president Gabriella Sholet. "We go beyond the robot in multiple fashions."

Beyond the competition, MorTorQ's primary goal is to spread science and technology to inspire younger generations.

Throughout the year, the team engages in projects that give back to the community, such as a recent visit to the Ronald

(see BHHS ROBOTICS' page 7)



ROBOTICS—The Beverly Hills High School Robotics Team donated its time and resources at the Ronald McDonald house. Pictured (from left): back row: Matthew Sater, Neo Kattan, Jonathan Levin, Ronald McDonald, and Camila Monchini; middle row: Maya Luong, Noah Danesh, Amir Siminou, Benjamin Rabin, Stephan Kim, Benjamin Davis, Yu Jin Kim, Randy Schmidt, Richa Vijayvergiya; front: a Ronald McDonald youth resident with Conny Santa Cruz.

BEVERLY HILLS REAL ESTATE

OAKHURST (Continued from page 4)

would make a determination about a property located partially in Beverly Hills without the input of the City of Beverly Hills. Whatever the conditions allowed by L.A., Beverly Hills has the right and responsibility to protect its residents," said Vice Mayor Julian Gold.

"The City, including our planning staff were unaware of the fact the city of L.A. has given their approval of the project," said Interim City Manager Mahdi Aluzri.

"The last information we had from their staff before receiving this decision was that the application was on hold at the request of the project's developer pending discussion with our planning staff on how to address the concerns Beverly Hills raised on the environmental assessment. Our planning staff is currently reviewing the decision and we will be discussing the matter with the city attorney's office to determine possible options for response."

Aluzri put together the meeting Wednesday evening.

The city of Los Angeles attempted to impose its will over

the citizens of Beverly Hills—much as in the days when Beverly Hills opted not to be annexed by L.A. during the water battles early last century. This time its not water they want. Its Beverly Hills - a City with a reputation so valuable that nearby neighborhoods refer to themselves as "Beverly Hills-adjacent," to gain cache.

But that's not the only reason to be alarmed. In a formal filing in April of last year with the Los Angeles Department of Planning, the applicant was said to be engaging in irregular conduct towards tenants. "According to present and former tenants of 332, 334 and 336 North Oakhurst, the current applicant and former applicant have taken actions against tenants that are violations of both code and law," including Ellis Act violations, denying relocation assistance, stakeholder intimidations, and more.

This is the same property where an overly eager developer boarded up the buildings with tenants still residing on the property last month.

Says Mirisch, the developers are probably anxious to capitalize on that but not so anxious to play by the City's rules. "Our code says it may be

historical."

In fact, the buildings are the work of Edith Mortensen Northman, described in 1937 by the *Los Angeles Times* as "Los Angeles' only woman architect." Born in 1893 in Copenhagen, Denmark, Northman studied architecture at USC from 1927 to 1930. She built an exceptional career, even during the Depression, designing hundreds of projects. Working for Union Oil Co., she designed a number of gas stations, as well as single-family homes in Los Feliz, Hollywood, Beverly Hills and Hancock Park. Many of her clients were in the film industry, including as a consultant to Sam Goldwyn when he was producing Dorothy Parker's *Woman Chases Man* (1937), about a female architect. Northman spent WWII with the U.S. Army Corps of Engineers. Afterwards she worked in Los Angeles and Palm Springs until she was stricken with Parkinson's disease.

The street's buildings could be part of an historic district; it seems many building owners like their corner of Beverly Hills much as it stands. The survey team for the 2014 Historic Resources Survey identified it

as a potential historic district, "eligible for a listing in the National Register, the California Register and as a City of Beverly Hills historic district," said consultant Christine Lazzaretto in a May 29, 2014 memo.

Built 1930-1939, the tract was originally laid out by the Rodeo Land and Water Company. "All the residences contribute to the district's significance, making North Oakhurst Residential Historic District a cohesive representation of Period Revival style multi-family residences."

No such consideration is currently in the pipeline but it is part of the conversation. If the project goes forward, the building will become condominiums, further diminishing the City's rental inventory.

At the Los Angeles Conservancy, Adrian Fine said: "The Conservancy believes an Environmental Impact Report (EIR) is clearly warranted in this case as historic resources are significantly impacted by the proposed project. Substantial evidence has been presented that demonstrates that these buildings contribute to a potential historic district, therefore there is a need to consider preservation alternatives."

"The approval from Los Angeles entitles them to build on the L.A. portion, but it has imposed conditions that they get clearances from Beverly Hills before they start construction. So until the Beverly Hills Planning Commission approves something on the Beverly Hills portion, there isn't a lot the developer can do. Additionally, we will not issue demolition permits until they have approval from the Planning Commission," said Ryan Gohlich, senior planner for the City of Beverly Hills.

The City of Beverly Hills must thus approve any demolition or construction within the City. See www.bhcourier.com Friday for any updates.



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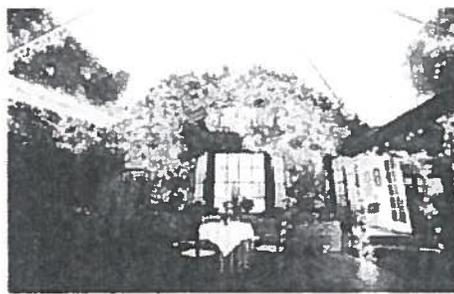




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THIS ISSUE



BHH Academic Decathlon team placed third at L.A. Regional Competition 4



Golda Berkman won the Music Center's Spotlight award grand prize 4



Beverly Hills resident Leeza Gibbons won the "Celebrity Apprentice" 5



Two local deacons spent Ash Wednesday at Two Rodeo 5

Walk With The Mayor
Due to street closures, walkers will meet at the Boat Court in the space adjacent to the Beverly Hills Police Department and the Civic Center Parking Garage on Monday, Feb. 23 at 8:30 a.m.

*Health & Wellness 12
*Sports 14
*Letters to the Editor 30



George Christy, Page 6
A Veteran Broadcaster, Larry Elder Has Departed KABC And May Be Heard On The Computer At LarryElder.com, Also On Your Cellphone, Tablet, Or In Your Car

Editorial from Rabbi Pressman AND MORE

CLASSIFIEDS 24
• Announcements
• Real Estate
• Rentals
• Sales
• and More



DOUBLE CHECK—The Waldorf Astoria presented checks totaling \$7.16 million development fees to the City and BHUSD Wednesday at a gathering at The Beverly Hilton hosted by Beny Alagem. Pictured (from left): School board member Noah Margo, School Board VP Howard Goldstein, School Board President Brian Goldberg, Vice Mayor Julian Gold, Alagem Capital Group Chairman Beny Alagem, Mayor Lili Bosse, School board member Lisa Korbatov, Councilwoman Nancy Krasne and Councilman Willie Brien.

For the full story, see page 4.

Brien And Krasne Drop The Ball On Oakhurst Appeal

By Victoria Talbot
Residents of Beverly Hills lost their fight when the Beverly Hills City Council dropped the ball last week, giving an odious victory to Los Angeles that allows them to exert their authority over a building that lies partially within the Beverly Hills City limits. Opponents of the project have contacted *The Courier* in total shock that the City gave away its jurisdictional rights. The outcome was a result of nay votes by Council members

Willie Brien and Nancy Krasne. In the absence of Mayor Bosse (who was out on bereavement over the loss of her mother), the result was 2-2. With no clear majority, no action could be taken. Brien was outraged that 5th District City Councilman Paul Koretz sent Noah Muhlstein, Koretz Planning Deputy, to ask the City to appeal. "He should file the appeal," said Brien. Krasne repeatedly said that the

(see "OAKHURST" page 10)



AVIS UNION 76 — Pictured left: Shalom Gabay has owned the legendary Avis Union 76 since 1981. The station at 9988 Wilshire Blvd. has pumped gas into vehicles coming in and out of the City for more than 75 years.

Avis Union 76 Fuels Beverly Hills For Decades

This year, *The Courier* celebrates 50 years in the community. Throughout the year, *The Courier* will honor the legacy of excellence in Beverly Hills' heritage businesses that have called the City their home since 1965 or earlier. These are our heritage businesses.

By Victoria Talbot
Gas stations tend to be denied the spotlight but they are a necessary part of most people's everyday life. Avis Union 76 has been serving the people of Beverly Hills for about 75 years. Located on the western end of the City at 9988 Wilshire Boulevard, it has seen more than a few changes in transportation. Owner Shalom Gabay has been the proprietor of the location since 1981. When Gabay began his business, he was a distributor; Union owned the station. In those days, Gabay had five service bays and his attendants provided full service.

Shalom Gabay is charming. With dancing blue eyes and solid gray hair, he speaks with an unusual accent, part Israeli and part French Moroccan. The result is exotic and familiar, framed by a boyish smile ever-present on his lips. The station is busy. A pump freezes and a car moves up in the cue. Inside his neat little office, he can see the never-ending action outside on closed-circuit television. "Union used to give us trips, to Hawaii, the Caribbean, Jamaica, cruises," he muses. "They don't do it anymore. I had to buy the building. I am absolutely independent

(see "AVIS UNION 76" page 18)

BHUSD Safety-Security Committee Convenes

By Laura Coleman
Beverly Hills Unified School District convened its first School Safety and Security Ad Hoc Committee Wednesday night in its latest attempt to cultivate an effective solution to keep the district's 4,264 students safe. Currently, in addition to the BHUSD's high school security detail, the five schools rely solely on the Beverly Hills Police Department. From the onset of the 1.5-hour meeting, which included BHUSD and City leaders, in addition to parents, one student, school security and police, it quickly became clear that parents need to participate in the plan and then let the BHPD and BHUSD professionals implement it.

Police emphasized that an emergency situation requires planning and control and consistent implementation as the situation evolves. BHPD insists that it is up to the task and that the school district does not need to spend money to hire a private security company to provide additional services. Among the ideas proffered by police were to enable students by having designated student monitors with vests, in addition to installing panic buttons and ensuring the locking capacity of all classrooms. Spurred on largely by nervous parents that the BHPD is sufficient to patrol the five Beverly Hills school campuses, the

(see "SCHOOL SAFETY" page 2)

Beverly Hills Elder: Marian Corday's Six Decades In B.H.

Part 24 in a series on Beverly Hills residents who have grown with the Centennial City.

By Laura Coleman
At 96 years old, Beverly Hills resident Marian Corday has seen the world grow, change, widen and shrink. She has raised two children through the Beverly Hills school system, forged lifelong friendships with people who are mostly now gone from the earth, pioneered as a scientist in male-dominated era, and travelled the globe with her late husband of 58 years, Dr. Eliot Corday. And since 1953, she has lived in the same family home in the flats of Beverly Hills. "We had a very interesting life," she said in a recent interview. "I just love Beverly Hills.



Marian Corday
It was small and friendly and easy to get around. In those days it was just wonderful. People were very friendly, very helpful. Her husband, who was actively involved in the politics of

(see "MARIAN CORDAY" page 2)



FRIENDS OF THE ACE AWARDS — Luciana Barroso and husband Matt Damon, with Chris Pratt and Rene Russo participated in the 65th annual ACE Eddie Awards at The Beverly Hilton.

For more photos, see George Christy's column on page 6.

Celebrity Photo Agency/Scott Downie

BEVERLY HILLS REAL ESTATE

OAKHURST PROPERTY

(Continued from page 1)

developers had "played by the rules" and shouldn't be inconvenienced, despite the fact that there is a book full of official findings of violations against them, not least among them boarding up of the entire structure while rent-paying tenants resided behind the boarded windows.

Krasne and Brien were skeptical about any historic preservation efforts, as well, although that was not the purview of this hearing. The only issue on the table was whether or not to appeal a decision by the Los Angeles Planning Department that will affect the lives of citizens in Beverly Hills. The building faces into the City and the residents live in Beverly Hills.

In a special meeting last week called by Councilmember John Mirisch and chaired by Vice Mayor Julian Gold in Mayor Lili Bosse's absence, the council split 2-2. The lack of direction in the tied vote meant that there was no direction to appeal, hence no action was taken. No appeal was made.

The deadline for an appeal on the 31-unit apartment building was Friday, Feb. 13. The absence of an appeal means that the project is set to go

forth. Residents have expressed absolute shock. Neighbors filed their own appeal, though the West Los Angeles Planning Commission does not have to recognize it.

"The non-decision is an embarrassment to all of Beverly Hills and even L.A. residents," wrote Woodrow Clark III, Ph.D. "The report is full of false and misleading information as well as totally ignoring or respecting the Beverly Hills planning and government process. For L.A. City Councilmember Koretz to send his planning deputy to testify is evidence that there is something seriously wrong with this report. I am in shock."

The City's decision means that it has abdicated its opportunity to request an EIR, which, according to Adrian Scott Fine of the Los Angeles Conservancy, "is clearly warranted in this case as historic resources are significantly impacted by the proposed project. Substantial evidence has been presented that demonstrates that these buildings contribute to a potential historic district, therefore there is a need to consider preservation alternatives."

The only alternative left is for the Beverly Hills planning commission to deny a demolition permit or a protracted lawsuit, which may materialize.

2015 Design Awards Given to Three Outstanding Local Homes for New Construction and Remodel

THREE BEAUTIES

The Beverly Hills Design Review Commission recognized three single-family home designs this week based on exterior appearance, quality of materials, mass and scale, landscaping and compatibility with the streetscape. The Design Awards recognized homes in two categories—New Construction and Remodel, and are awarded about every three years. All the homes have been completed since 2011.

Commercial and multi-family architectural awards are in consideration by the Beverly Hills Architectural Commission to be awarded in April or May.

Photos by Zale Richard Rubins Photo Graphics



PARK WAY— Pictured above: New single-family construction Modern Style home; Mass and scale play off open space, modulating mass with architectural elements. Bruce Tucker, architectural designer of Bruce Tucker Design Studio; Michael Schneider, landscape architect of Orange Street Studio; Dan Andrews, general contractor of Horizon General Contractors



EL CAMINO— Pictured above: A restoration of 1940's California Ranch Style architecture, exemplifies preservation, context and scale in residential construction. Melissa Zickler, Designer, of Modus Homes; M.E. Morales, designer of EME Partners, and Chris Forsyth, collaborating designer/contractor.



ALMONT— Pictured above: A new single-family residence in an arrangement of solids and voids, shows a traditionally styled home can fit within the mass and scale of the neighborhood, even when significantly larger than the structure it replaced. Eduardo de la Torre, Architectural Designer; Uci Shulman, Architectural Designer, of Ben-Ami Shulman; Magda & Laszlo Faerstein, General Contractors, of Meridian Builders



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EXHIBIT B

“Recommended Changes To the Determination Letter of February 3, 2015”

**RECOMMENDED CHANGES TO
 "DETERMINATION LETTER"
 OF FEBRUARY 3, 2015.**

PAGE	REF. NO.	STAKEHOLDERS' CONCERN	RECOMMEND CHANGES
3	7c	<p>WORKER PARKING:</p> <p>There is exceedingly limited parking in Los Angeles due to the constant violations of the Four Season Hotel.</p> <p>Beverly Hills does not permit worker parking for a project this size</p> <p>The area cannot afford worker parking.</p>	<p>No off-site worker parking will be permitted.</p> <p>Until the parking area is constructed, workers will be shuttled from a parking lot.</p>
3	7d	<p>TRAFFIC MITIGATION:</p> <p>Ingress/egress to the alley comes from two directions, from Third Street and Alden Drive. Most vehicles are coming or going to Doheny Drive.</p> <p>The intersection of Doheny and Alden is especially dangerous, and was also close to the site of a hit and run fatality last year.</p>	<p>Applicant installs a four-way traffic signal at Doheny and Alden</p>
3-4	8	<p>FIRE DEPARTMENT:</p> <p>The entire property is going to</p>	<p>Re-write the section per the instructions of the Beverly Hills Fire Department</p>

		<p>be served by the Beverly Hills Fire Department.</p> <p>The Los Angeles Fire Department will only be involved upon a mutual-aid situation.</p>	
4	9	<p>DWP:</p> <p>This property will be served by the a different water agency</p>	<p>Re-write the section per the instructions of the Beverly Hills Municipal Water</p>
4	10	<p>BUREAU OF STREET LIGHTING:</p> <p>The alley is currently very dark, and a safety hazard</p>	<p>Since the letter from that department is three years old, this entire issue needs to be re-addressed, with the minimum of lighting being installed upon existing utility poles</p>
5	12	<p>INFORMATION TECHNOLOGY AGENCY</p> <p>In both Beverly Hills and Los Angeles, telecommunications can be served by multiple platforms and multiple providers.</p> <p>In addition, unless there is proper interior wiring, the various providers will string wires all throughout the property, as exhibited by a nearby dual-jurisdictional condominium project.</p>	<p>(1) The project's CC& Rs will prohibit exterior wiring for telecommunications.</p> <p>(2) The Applicant will properly wire the project so that no exterior wiring is ever necessary</p> <p>(2) All exterior telecommunications receivers will be placed only on the roof, and shielded from any public view</p> <p>(3) The Homeowners Association will create its own telecommunications provider that will be provided as option to all residents</p>
5	14c	<p>DEPARTMENT OF PLANNING</p> <p>Applicant has stated that the project will be LEED compliant</p>	<p>Applicant will build the project to the highest LEED standards</p>

6	14g	<p>DEPARTMENT OF PLANNING</p> <p>There is considerable concern that the project will generate considerable heat and reflective light upon adjoining properties.</p>	<p>On the sides and back of the project, colors and materials must be changed to be heat (sun) absorbent</p>
6	16	<p>DEPARTMENT OF PLANNING</p> <p>In testimony before the Beverly Hills City Council on February 12, 2015, Councilman Koretz staffer stated there had been abuses of the Ellis Act.</p> <p>In addition, neighboring owners in both oral testimony and in writing have stated will be financially harmed during the construction process.</p> <p>Lastly, neighbors in both oral testimony and in writing have stated they will be affected by the construction activity.</p> <p>The Applicant has done nothing address such issues.</p>	<p>This section should be amended to:</p> <p>(1) All tenant disputes have been resolved through hearings with LAHD. Applicant will waive statutory requirements, and allow re-filing of claims (if necessary)</p> <p>(2) Applicant will provide proof of payment. Applicant will provide a full accounting of the Escrow Account</p> <p>(3) Applicant will make public the Operating Agreement of Oakhurst 90210 LLC</p> <p>(4) All neighboring resident/owners' disputes (for both financial consideration and Quiet Enjoyment mitigation/financial consideration) have been resolved through hearings with the LAHD.</p>
6	20	<p>DEPARTMENT OF PLANNING</p> <p>Due to the City of Los Angeles never responding to the boarding-up of the property on December 9, 2014, the neighborhood has</p>	<p>Revise the paragraph to read that all inspections will be conducted by the City of Beverly Hills. Should the City of Los Angeles wish to require its own inspections, Applicant will pay for those inspections.</p>

		no confidence in the City of Los Angeles.	
7	23-MM1	<p>DEPARTMENT OF PLANNING</p> <p><i>“MM-1 Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.”</i></p>	<p>The Applicant is already in violation.</p> <p>There must be severe remedies and penalties, to prevent continued abuse.</p>
7	23-MM3	<p>DEPARTMENT OF PLANNING</p> <p>The most important attribute is the Jacarandas. They reside in the City of Beverly Hills as does all of the footage.</p> <p>It is not the purview of the City of Los Angeles, and desperately affects the entire neighborhood</p>	<p>Re-write the section per the auspices of the City of Beverly Hills</p>
8	23-MM5	<p>DEPARTEMNT OF PLANNING</p> <p>Excavation during the rainy season is problematic.</p> <p>When excavation occurred at 320 North Oakhurst during the rainy season, it made the alley impassable</p>	<p>Re-write that no excavation will take place during the rainy season</p>

8	23-MM6	<p>DEPARTMENT OF PLANNING:</p> <p>There is considerable concern that excavation and ground compaction will cause considerable damage to adjoining properties.</p> <p>A recent earthquake caused over \$5000 to an adjoining property.</p> <p>There is no technical solution that is satisfactory to the adjoining owners.</p> <p>The only means to protect adjoining owners is financial.</p>	<p>It should be amended with:</p> <p>The Applicant will post a \$5 million surety bond, held by an independent escrow (and not by his attorney) for potential claims during the construction phase of the project.</p>
9	23-MM11	<p>DEPARTMENT OF PLANNING:</p> <p>The entire property is going to be served by the Beverly Hills Fire Department.</p> <p>The Los Angeles Fire Department will only be involved upon a mutual-aid situation.</p>	<p>Re-write the section per the instructions of the Beverly Hills Fire Department</p>
10	23-MM12c	<p>DEPARTMENT OF PLANNING:</p> <p>There are no surface parking islands</p>	<p>Eliminate</p>
11	23-MM13	<p>DEPARTMENT OF PLANNING:</p> <p>This property is served by two school districts.</p> <p>In a Beverly Hills City</p>	<p>Re-write to include:</p> <p>(1) The CC&Rs will clearly state that those units located in Los Angeles will not be permitted to send their children to Beverly Hills schools.</p>

		Council meeting of February 12, 2015, it was made clear that councilmembers would not permit Los Angeles domiciled children to attend Beverly Hills schools	
13	24-CM2	DEPARTMENT OF PLANNING: There are number of construction sites potentially operating simultaneously, substantially increasing area dust	Increase the wetting to four (4) times per day
14	24-CM3	DEPARTMENT OF PLANNING: There is a project at Third Street and Wetherly. To mitigate dust and sound, that developer constructed a 16' wood fence, painted dark green, fronted by trees. In addition, that developer has agreed to street sweeping for a potential 1 mile radius	Re-write to include: (1) The Applicant will construct a 16' wood fence, painted dark green, fronted by trees, modeled after the fence at The Wetherly (Third Street and Wetherly) (2) During excavation the Applicant will commit hiring a street sweeping service for a one-mile radius for one hour before excavation begins to one hour after excavation concludes
14	24-CM6	DEPARTMENT OF PLANNING: 15 Miles per hour is far to liberal in a high density setting	Change to 10 miles per hour
14	24-CM9	DEPARTEMNT OF PLANNING: The local residents and owners are extremely concerned by the potential disruption of unabating hours of construction	Change to: (1) The construction hours will be either the lesser of City of Beverly Hills hours of construction, or the hours of 9 a.m. to 4 p.m. (2) Excavation removal can only

		In addition, due to traffic congestion, excavation must be restricted	occur during the hours of 10:30 a.m. to 2:30 p.m.
14	23-CM10 32-CM11	DEPARTMENT OF PLANNING: There is a project at Third Street and Wetherly. To mitigate dust and sound, that developer constructed a 16' wood fence, painted dark green, fronted by trees.	Re-write to include: (1) The Applicant will construct a 16' wood fence, painted dark green, fronted by trees, modeled after the fence at The Wetherly (Third Street and Wetherly)
18	S-3(i)(a)	BUREAU OF ENGINEERING: "a. Improve the alley adjoining the subdivision by the reconstruction of alley intersection with 3rd Street including any necessary removal and reconstruction of the existing bad order alley improvements." What was stated by the Hearing Officer in the March 19, 2014 Hearing was that the <u>entire</u> alley would be reconstructed	Re-write that the reconstruction will include the entire alley from Third Street to Alden Drive

EXHIBIT C

JUNE 11, 2014 - CITY OF BEVERLY HILLS LETTER



June 11, 2014

Luciralia Ibarra
City Planner - Major Projects
Department of City Planning
200 N. Spring Street, Rm 750
Los Angeles, CA 90012

RE: 332-336 North Oakhurst Drive (Case No. VTT-70499-CN and CEQA No. EVN-2001-3325-MND)

Dear Ms. Ibarra,

As you are aware, the City of Beverly Hills serves as a responsible agency pursuant to the California Environmental Quality Act for the purposes of processing the subject project, while the City of Los Angeles serves as the lead agency. Previously, the City of Beverly Hills requested that additional analysis of potential impacts to historic resources be undertaken as part of the proposed mitigated negative declaration (MND). In response to this request, the project applicant engaged Kaplan Chen Kaplan to further assess potential impacts. The City is aware that the applicant-prepared Historic Resource Evaluation concludes that the subject properties are not potentially historic, and the City further understands that the City of Los Angeles intends to support this conclusion. The purpose of this letter is to notify the City of Los Angeles that the City of Beverly Hills has engaged its own historic consultant, Historic Resources Group, to study the subject properties. Contrary to the conclusions of the applicant-prepared assessment, the assessment prepared by Historic Resources Group concludes that the subject properties are located within a potential historic district, which is eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and as a City of Beverly Hills historic district due to the notable concentration of Period Revival style multi-family residences from the 1930s. The assessment prepared by Historic Resources Group is attached for your information.

Because the attached assessment concludes that 100% of the buildings located along the east side of North Oakhurst Drive between Alden Drive and West 3rd Street contribute to the potential historic district, demolition of the structures to make way for the proposed project would result in impacts to the potential district.

332-336 North Oakhurst Drive
Historic Analysis
June 11, 2014

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 21080(d), if there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. For the purposes of CEQA, substantial evidence includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact. Historic Resources Group is recognized as an expert in the field of historic preservation, and their expert opinion (based on facts developed through intensive fieldwork and investigations) that the subject properties contribute to a potential historic district qualifies as substantial evidence. Because there is conflicting expert opinion regarding the potential historic district, the City of Beverly Hills respectfully requests that an EIR be prepared for the project to fully assess and disclose the project's impacts, and to identify any mitigations or project alternatives that can eliminate or reduce the project impacts. In preparing the EIR required for the project, the appropriate public review and evaluation guidelines for EIRs must be met pursuant to CEQA statutes and Guidelines.

The City of Beverly Hills remains committed to processing the subject project in a cooperative manner with the City of Los Angeles, and is available to meet with the City of Los Angeles and the project applicant to explore possible mitigation measures and/or project alternatives. Thank you for your attention to this important matter, and please feel free to contact me directly to discuss the information provided in this letter. I can be reached at 310-285-1192 or via email at srojemann@beverlyhills.org.

Sincerely,



Shena Rojemann, Associate Planner

Attachment: City of Beverly Hills - Historic Memo (prepared by Historic Resources Group)

To: Reina Kapadia, Shena Rojemann

City of Beverly Hills

From: Christine Lazzaretto

Date: May 29, 2014

Per your request, the survey team for the 2014 Beverly Hills Citywide Survey Update has reviewed the potential historic district along North Oakhurst Drive for potential historic significance. North Oakhurst Drive was identified as a potential historic district during the preliminary reconnaissance for the survey update, and that finding has been confirmed following completion of an intensive level survey of the area.¹ The team has determined that North Oakhurst Drive is eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and as a City of Beverly Hills historic district. The district overall, as well as the individual buildings, retain an unusually high level of historic integrity.

DESCRIPTION

The Oakhurst Drive Residential Historic District is a multi-family historic district located along the eastern edge of Beverly Hills at the city's boundary with Los Angeles. The district is one block in size and comprised of nine multi-family residences on the east side of North Oakhurst Drive between Alden Drive and West 3rd Street. The topography of the district is flat and the lots are uniform, with a rectangular form, modest size, and consistent setback. The residences are two-story duplexes, four-plexes, and small-scale apartment houses predominantly in the Spanish Colonial Revival or Minimal Traditional styles with Monterey Revival and American Colonial Revival features. They have concrete walkways and rear, detached garages accessible via a rear alley. Significant district features include a concrete sidewalk and parkway, with mature Jacaranda trees lining both sides of the street. All nine properties contribute to the district. Common alterations include window replacements and the addition of window security bars.

¹ Per the identified fieldwork methodology for the project, the reconnaissance survey was undertaken by the entire project team; intensive level fieldwork was conducted by Architectural Resources Group.

MEMO

**City of Beverly Hills
North Oakhurst Drive**

HISTORIC RESOURCES GROUP

12 S. Fair Oaks Avenue, Suite 200, Pasadena, CA 91105-1915
Telephone 626 793 2400, Facsimile 626 793 2401
historicla.com

SIGNIFICANCE

2

The North Oakhurst Residential Historic District is significant as a notable concentration of Period Revival style multi-family residences from the 1930s. Its period of significance has been defined as 1930 to 1939, which encompasses the earliest and latest residences constructed during the district's development. The historic district is part of a tract that was originally subdivided in 1922 by the Rodeo Land and Water Company and the residences were constructed in the subsequent decade by individual property owners. Various architects and builders contributed to the district with notable local architect, S. Charles Lee, designing the building at 344 North Oakhurst Drive. One hundred percent of the residences contribute to the district's significance, making the North Oakhurst Residential Historic District a cohesive representation of Period Revival style multi-family residences.

MEMO

City of Beverly Hills North Oakhurst Drive

HISTORIC RESOURCES GROUP

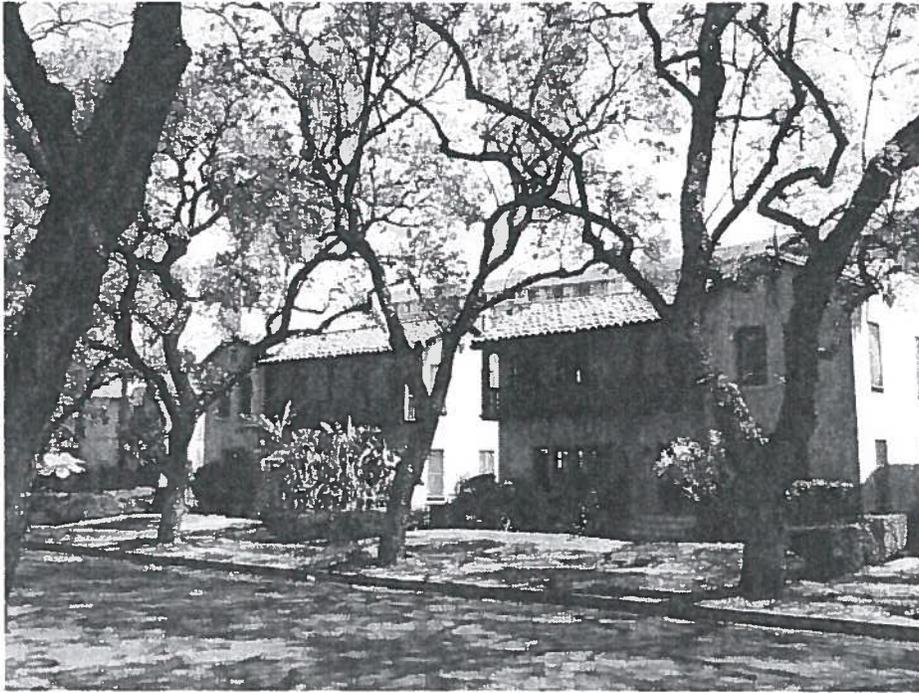
12 S. Fair Oaks Avenue, Suite 200, Pasadena, CA 91105-1915
Telephone 626 793 2400, Facsimile 626 793 2401
historicla.com

North Oakhurst Drive
Potential Historic District

APN	No.	Street	Suffix	Dir	Architectural Style	Year Built	Architect	Builder	BL Master List (Y/N)	Property Type	Alterations	2014 Survey Evaluation LOCAL STATUS CODE	2014 Survey Evaluation CR STATUS CODE	2014 Survey Evaluation NR STATUS CODE	District Name	District IC/NG/Not Visible
4335007005	332	Oakhurst	Dr	N	Spanish Colonial Revival	1931	Nedham; Paul	Illegible	No	MFR	some windows replaced	SD3	3CD	3D	North Oakhurst Historic District	Contributor
4335007007	334	Oakhurst	Dr	N	Spanish Colonial Revival; Monterey Revival	1930	Northman; E.	Northman; E.	No	MFR	security bars at windows added	SD3	3CD	3D	North Oakhurst Historic District	Contributor
4335007009	336	Oakhurst	Dr	N	Spanish Colonial Revival; Monterey Revival	1930	permit not available online, presumably work of E. Northman	permit not available online, presumably work of E. Northman	No	MFR	security bars at windows added	SD3	3CD	3D	North Oakhurst Historic District	Contributor
4335007011	338	Oakhurst	Dr	N	Minimal Traditional; American Colonial Revival	1939	Unknown: permit not available electronically	Unknown: permit not available electronically	Unknown: permit not available electronically	MFR	security bars at windows added	SD3	3CD	3D	North Oakhurst Historic District	Contributor
4335007103	340	Oakhurst	Dr	N	Spanish Colonial Revival	1930	Unknown: permit not available electronically	Unknown: permit not available electronically	Unknown: permit not available electronically	MFR	cladding altered	SD3	3CD	3D	North Oakhurst Historic District	Contributor
4335007015	342	Oakhurst	Dr	N	Minimal Traditional; American Colonial Revival	1939	None listed on permit	Rees, J.J.	No	MFR	security bars at windows added; some windows replaced	SD3	3CD	3D	North Oakhurst Historic District	Contributor
4335007017	344	Oakhurst	Dr	N	Minimal Traditional; American Colonial Revival	1937	Lee; S. Charles	Associates Inc.	Yes	MFR	security bars at windows added	SD3	3CD	3D	North Oakhurst Historic District	Contributor
4335007019	346	Oakhurst	Dr	N	Minimal Traditional; American Colonial Revival	1936	Scherer; L. G.	California Engineering and Construction Co.	No	MFR	some windows replaced	SD3	3CD	3D	North Oakhurst Historic District	Contributor
4335007021	348	Oakhurst	Dr	N	Minimal Traditional; American Colonial Revival	1936	Scherer; L. G.	California Engineering and Construction Co.	No	MFR	none visible	SD3	3CD	3D	North Oakhurst Historic District	Contributor

EXHIBIT D

PHOTOS



334-336 NORTH OAKHURST



332 NORTH OAKHURST



336 NORTH OAKHURST

334 NORTH OAKHURST



332 NORTH OAKHURST

Andre Sahakian

From: Karen Myron
Sent: Tuesday, September 22, 2015 7:40 AM
To: Andre Sahakian; Ryan Gohlich; Michele McGrath
Cc: Susan Healy Keene
Subject: Fwd: 332-336 North Oakhurst: "Occupant" Mailed Notice

Sent from my iPad

Begin forwarded message:

From: Alan Block <alan@blocklaw.net>
Date: September 21, 2015 at 11:19:35 PM PDT
To: Karen Myron <kmyron@beverlyhills.org>
Subject: Fwd: 332-336 North Oakhurst: "Occupant" Mailed Notice

Hi Karen:

Please forward this email and email below to Susan and Ryan for review. We need to know whether the notice of the hearing to occupants was actually distributed.

Thanks.

Now I'm emailing you at 11p.m. Sorry but I thought this should be forwarded promptly.

Alan

Sent from my iPad

Begin forwarded message:

From: Steve Mayer <mayer@iname.com>
Date: September 21, 2015 11:03:17 PM PDT
To: Alan Block <alan@blocklaw.net>
Cc: <maluzri@beverlyhills.org>
Subject: 332-336 North Oakhurst: "Occupant" Mailed Notice

Dear Chairman Block:

I wish to make you aware of a problem of regarding noticing for the scheduled public hearing regarding 332-336 North Oakhurst.

As of today, we have not been able to find any "occupants" who have received the mailed notice.

According to page 9 of the Planning Commission Report, it states that "Mailed Notice (Owners & Occupants - 500' Radius + block face)" were mailed a week ago today.

Based upon the *Courier* articles, there is obvious concern about the delivery of mail in the City of Beverly Hills, and, in this case, the 90210 zip code.

In the 90048 zip code, however, we have not found one "occupant" (along Doheny, Alden, and/or West Third) who has received the mailed notice. The mail for the 90048 zip code is distributed from a different hub than for mail destined for the 90210 zip code. Residents in the 90048 zip code have not been experiencing the USPS delivery woes of the Beverly Hills residents.

My understanding is that the Applicant provides the mailing labels to the City, and the City mails the notices. If the provided mailing labels are deficient (and that is easy to check), the hearing needs to be postponed.

I will be happy to help staff by examining the copies of the mailing labels and/or the Excel spreadsheet that contains the same information, to quickly resolve the problem.

Thanks,

Steve Mayer
(310) 275-8423

PUBLIC CORRESPONDENCE
WOODROW CLARK

BEVERLY HILLS SUSTAINABLE CITY PLAN



February 18, 2009

Submitted at the Planning
Commission meeting of:

9/24/15
By: Dr. Woodrow Clark



How to Use this Plan

The Sustainable City Plan is a tool kit that the City may use, either in whole, or in part to help address sustainability issues. The Sustainable City Plan does not direct the implementation of any specific actions, but provides a list of potential programs and the foundation on which the City can build a unified sustainability strategy. The Sustainable City Plan is not a State requirement, but represents the aspirations of the community to become more sustainable.

In the event of a conflict, the General Plan takes precedence over the Sustainable City Plan.



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PUBLIC CORRESPONDENCE

YUMIN YU

Andre Sahakian

From: Yumin Yu <yuminuk@gmail.com>
Sent: Thursday, July 07, 2016 6:38 PM
To: Andre Sahakian
Subject: Re: 332-336 N.Oakhurst Proposal

Dear Andre

My name is Yumin and I am owner of 9141 w 3rd st.

I am writing to address many concern about proposed project at oakhurst.

After looking into proposed design,when we had last hearing, we had commissioner addressed about privacy issue.

With new design,there are 32 Windows looking in to my back yard.

There are no privacy what so ever.

Developer had stated at last hearing that they would plant 45 feet tree to obstruct the view.

With new plan,building is 9 feet from property line .

There is no space for planting any thing.

With new proposed project,because they had changed the design of front portion ,they had back part of building get much closer to Property line where my property share.

Back in October hearing,commissioner had addressed many concern

Having 31 unit project in this neighbor .

We have never asked about participating planning of project.

As I state before,this project would effect our family's life.

Would effect our property value,our daily life.

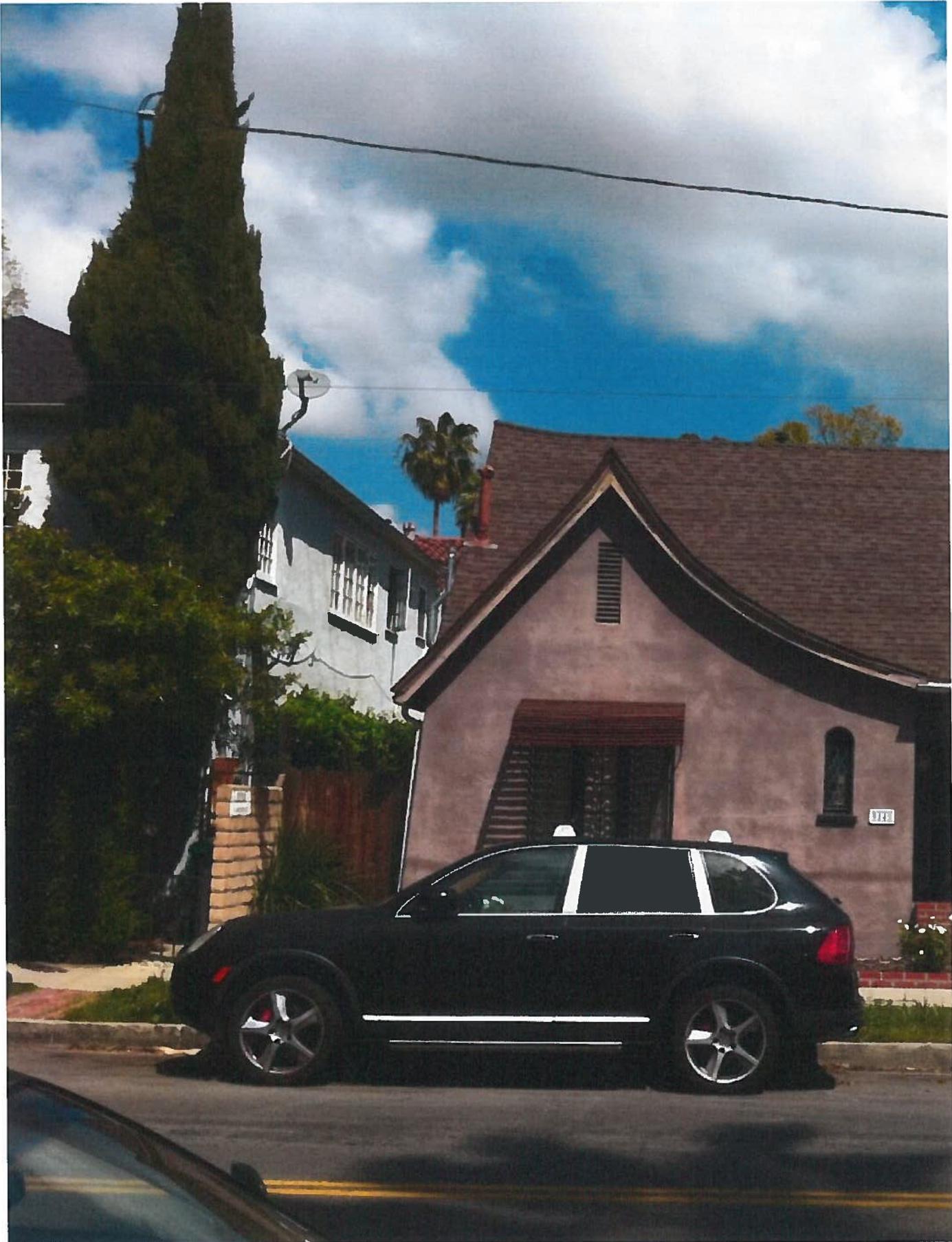
Thank you

Sincerely

Yumin Yu

9141 w 3rd st

310-994-8638



> On Apr 13, 2016, at 7:43 AM, Andre Sahakian <asahakian@beverlyhills.org> wrote:

>
> Hello Yumin,
>
> Thank you for your email. I will provide copies to the Subcommittee members this afternoon for their review and consideration.

>
> Regards,

>
> --
> Andre Sahakian
> Associate Planner|City of Beverly Hills
> 310.285.1127

>
>
>
>
> -----Original Message-----

> From: Yumin Yu [<mailto:yuminuk@gmail.com>]
> Sent: Tuesday, April 12, 2016 3:02 PM
> To: Andre Sahakian
> Cc: yumin yu
> Subject: 332-336 N.Oakhurst Proposal

>
> Dear, Asahakian,
> We own the property directly south of the southern portion of this proposed project.

>
> After the last meeting we were told that day the developer was supposed to meet with the planner and discuss less number of units less height, and density as instructed by the Beverly Hills commission.

> After looking at the new rendering, we are very concerned and it's obvious that this has not occurred.

> As the matter of fact, this project is closer to my property and towering over it more than before

> This new plan is not in conjunction with the surrounding property in neighborhood.

> The new plan also does not show the number of units and the number of the Windows facing my property.

> In a perfect world the City would protect these Historically significant homes and they could be restored.

> As you can imagine this proposed project the way it stands will be a huge detriment to our Family and consequently de value my property and our lives.

> I would ask that the existing homes be considered in this process as so far it has not. We feel that we should be a part of this procedure as we are drastically effected by it.

>
> Thank you
> Sincerely
> Yumin Yu
> 9141
> West Third St
> 310-994-8638

>
>
>
>
>
>
>
>
>
> Sent from my iPad

>
>
> ---

> The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

Andre Sahakian

From: Yumin Yu <yuminuk@gmail.com>
Sent: Tuesday, April 12, 2016 3:02 PM
To: Andre Sahakian
Cc: yumin yu
Subject: 332-336 N.Oakhurst Proposal

Dear, Asahakian,

We own the property directly south of the southern portion of this proposed project.

After the last meeting we were told that day the developer was supposed to meet with the planner and discuss less number of units less height, and density as instructed by the Beverly Hills commission.

After looking at the new rendering, we are very concerned and it's obvious that this has not occurred.

As the matter of fact, this project is closer to my property and towering over it more than before

This new plan is not in conjunction with the surrounding property in neighborhood.

The new plan also does not show the number of units and the number of the Windows facing my property.

In a perfect world the City would protect these Historically significant homes and they could be restored.

As you can imagine this proposed project the way it stands will be a huge detriment to our Family and consequently de value my property and our lives.

I would ask that the existing homes be considered in this process as so far it has not. We feel that we should be a part of this procedure as we are drastically effected by it.

Thank you

Sincerely

Yumin Yu

9141

West Third St

310-994-8638

Sent from my iPad

Andre Sahakian

From: Yumin Yu <yuminuk@gmail.com>
Sent: Tuesday, September 22, 2015 7:49 PM
To: Andre Sahakian
Subject: Yumin Yu 9141 w 3rd street

Hi Andre

My name is Yumin Yu.

I own house at 9141 w 3rd st, right next to 332 oakhurst project.

I have many concern as you can imagine digging 40feet deep hole Next to me.

10 years ago , when they were building 325 oakhurst building , As they were digging for sub parking, they hit the oil field.

They had to bring in 100feet high equipment to clean up.

As I have 4 years old girl playing in back yard,the possibility of being exposed to gas and oil is unimaginable .

Please make developer do all the right study.

Yumin Yu

Sent from my iPad

Andre Sahakian

From: Yumin Yu <yuminuk@gmail.com>
Sent: Tuesday, September 22, 2015 8:00 PM
To: Andre Sahakian
Subject: Yumin Yu 9141 w 3rd st

This is Yumin Yu from [9141 w 3rd st.](#)

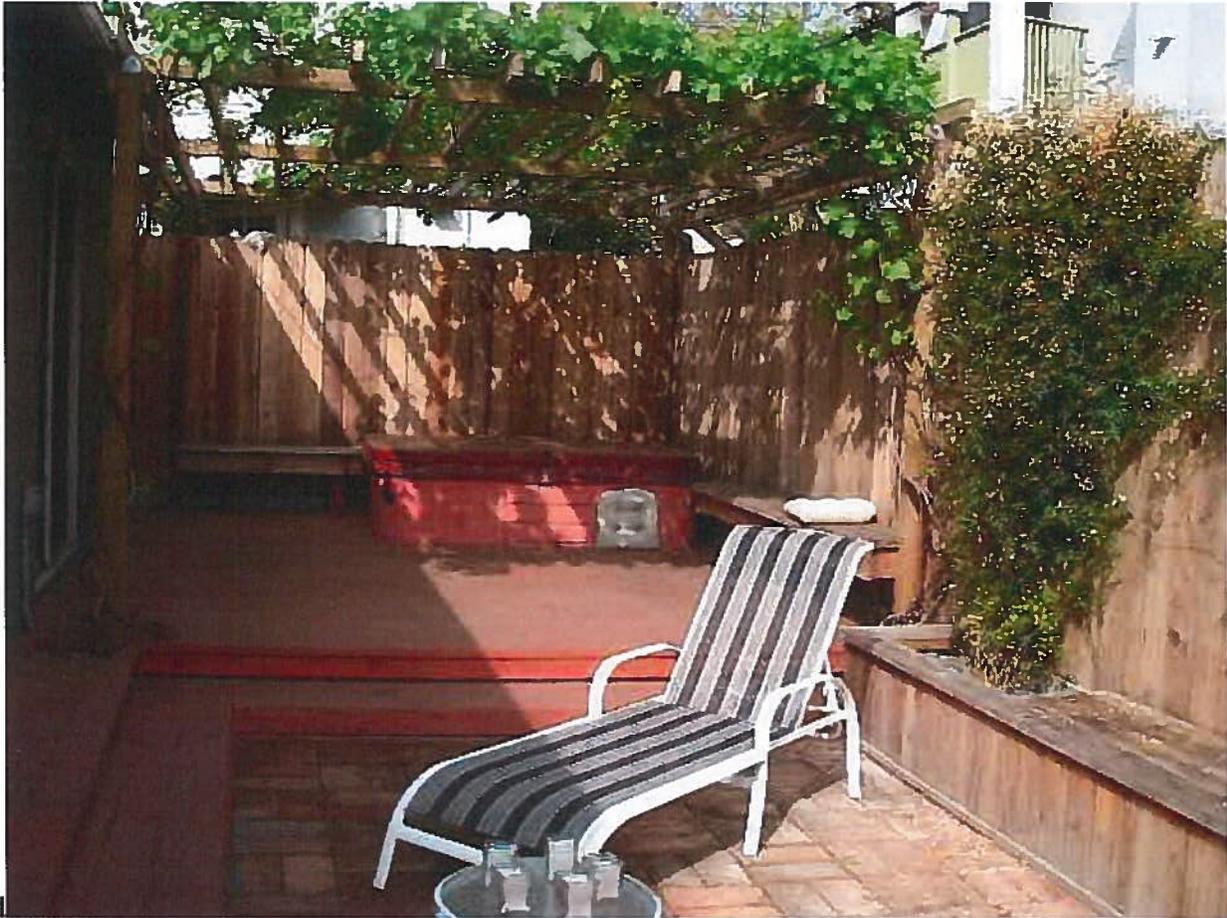
I am addressing the concern that with demolishing the building and drilling and construction, my back fence will be all destroyed.

Behind the back fence, I have jet bath and electric circuit.

Those are very sensitive to shock and vibration.

I want to make sure they would be responsible for the damages it may occur.

Sent from my



iPad



Andre Sahakian

From: Yumin Yu <yuminuk@gmail.com>
Sent: Tuesday, September 22, 2015 8:07 PM
To: Andre Sahakian
Subject: YuminYu 9141 west 3rd st

Subject: 332-336Oakhurst condo project

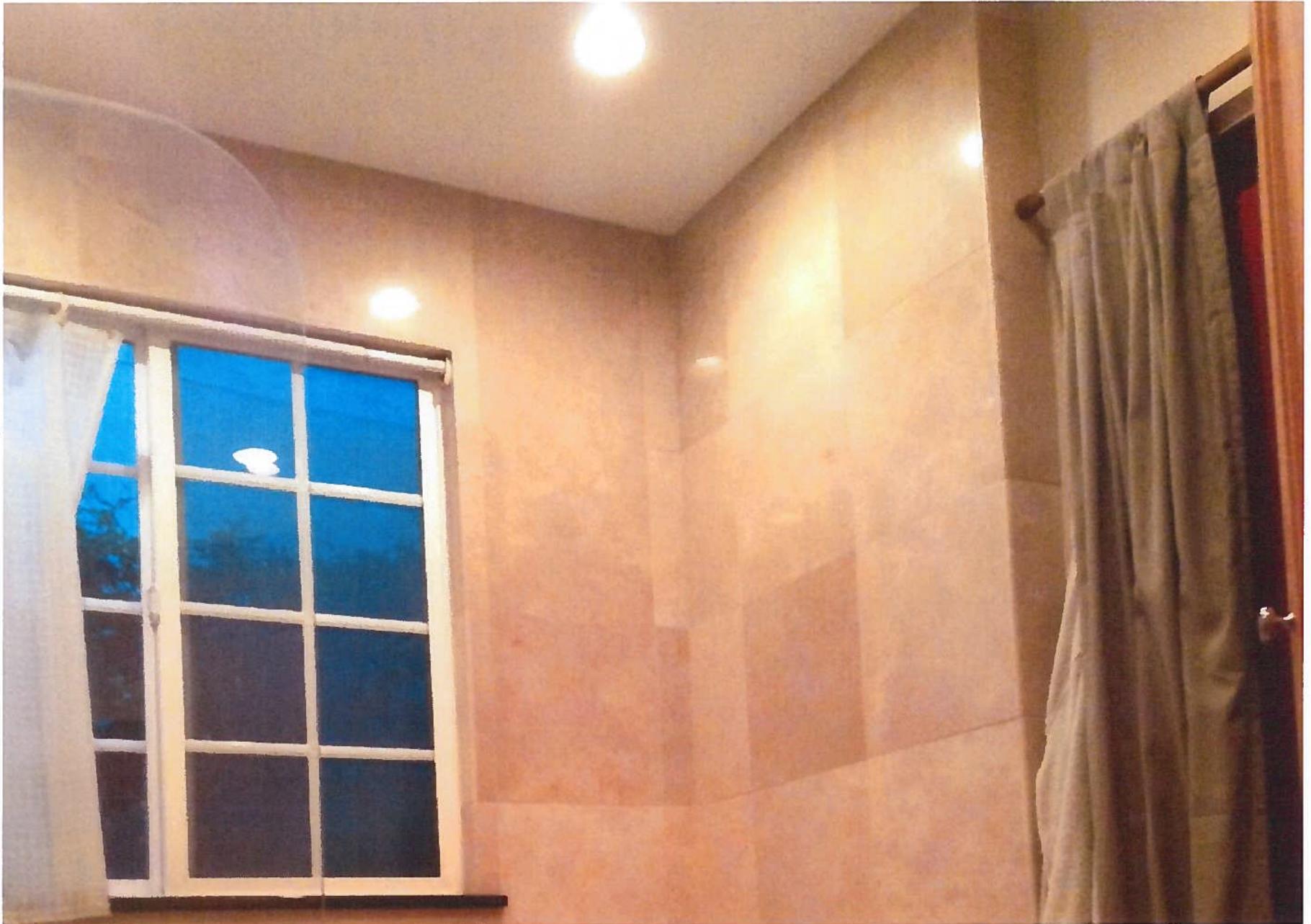
This is Yumin from [9141 w 3rd st.](#)

I am adressing concern that my master bath room witch is about 20 feet away from property line.

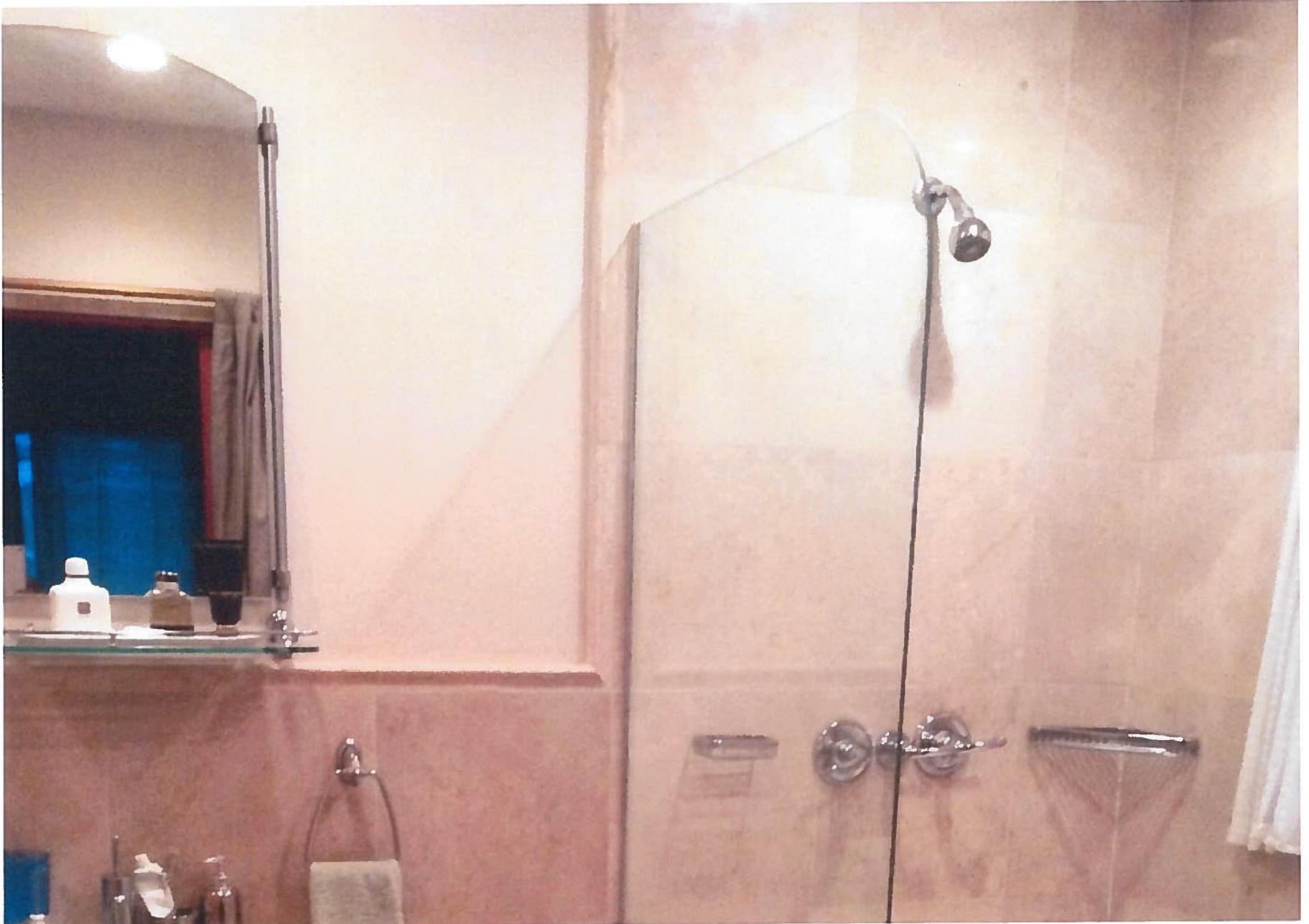
It has been remodeled to have wall to wall tile work.

It will be very sensitive to shock and vibelation .

I want make sure they will be responsible for any crack and damages.







Andre Sahakian

From: Yumin Yu <yuminuk@gmail.com>
Sent: Tuesday, September 22, 2015 8:10 PM
To: Andre Sahakian
Subject: Yumin Yu 9141 w 3rd st

his is Yumin from 9141 [w 3 rd st](#)

I am writing my concern about project

My house is single family house build in 1923

That time there was no zoning for residential or commercial .

I feel I have been punished simply my house sit on commercial zone.

Having 5 story building 12 feet from my house simply do not make sense

in many way. It dose not Blend with character on the block.

In front of street is only block in the neighbor that is allowed to park without limit.

All the worker will fight to get the spot and only few are available .

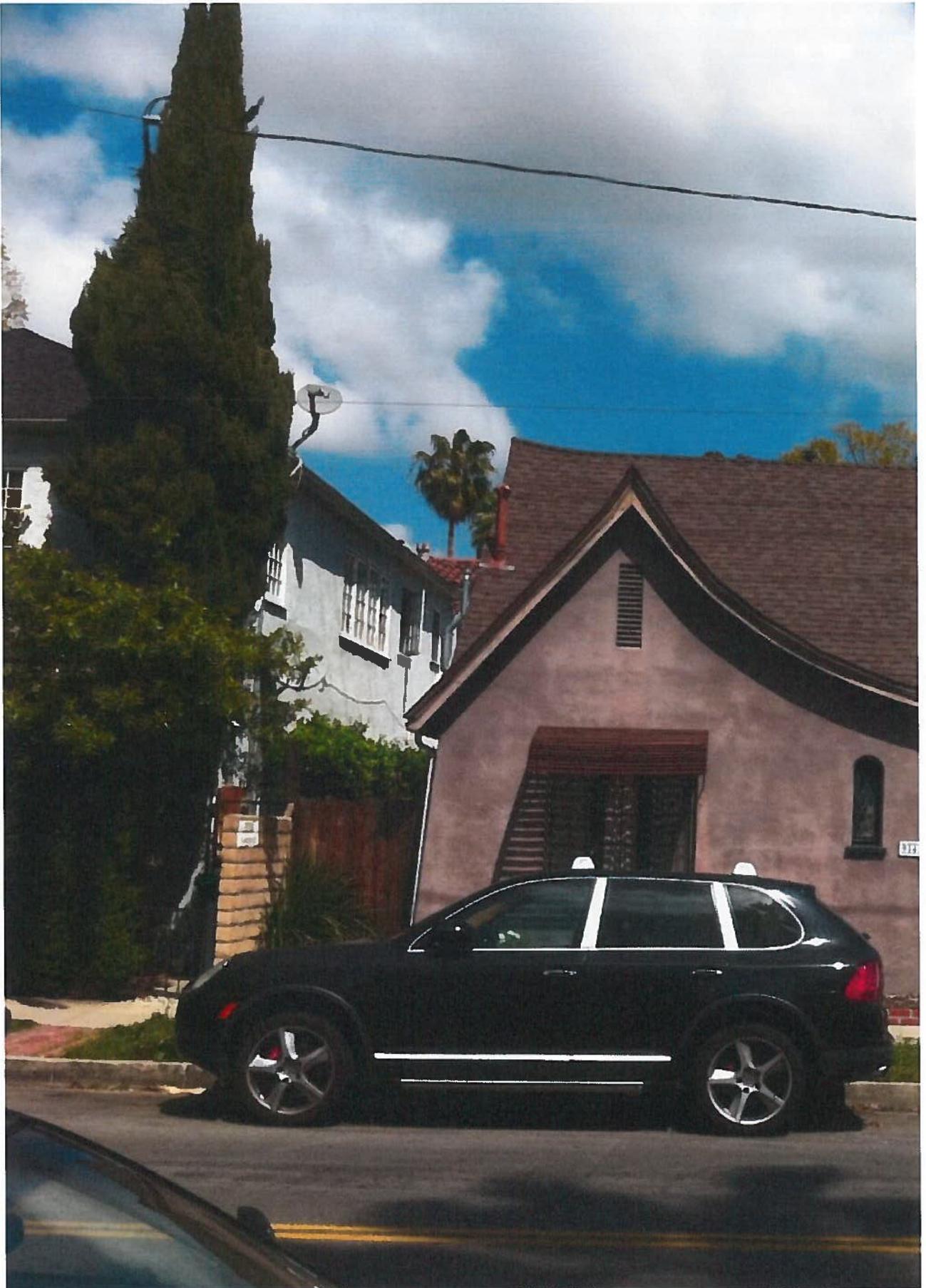
My house is over 90 years old and not retrofitted .

I am fearing with all the vibration will cause the damage to my house.

Years ago, when they build 320 oakhurst building, when they were digging the ground,
They hit the oil well under ground and they have to bring special equipment to clean out
the oil. I will be really concern about health of my family exposed to that situation.

I will have more issue to submit

Yumin



Sent from my iPad

Sent from my iPad

Andre Sahakian

From: Yumin Yu <yuminuk@gmail.com>
Sent: Tuesday, September 22, 2015 8:13 PM
To: Andre Sahakian
Subject: Yumin 9141 w 3rd st

Subject: 332-336Oarkhurst condo project



Schedules

Windows

A	7'0" x 6'0"	Cast metal casement	1
B	6'0" x 5'0"	Cast metal casement	2
C	6'0" x 6'0"	Cast metal casement	2
D	6'0" x 6'0"	Cast metal casement	2
E	6'0" x 6'0"	Cast metal fixed operable	4

Doors

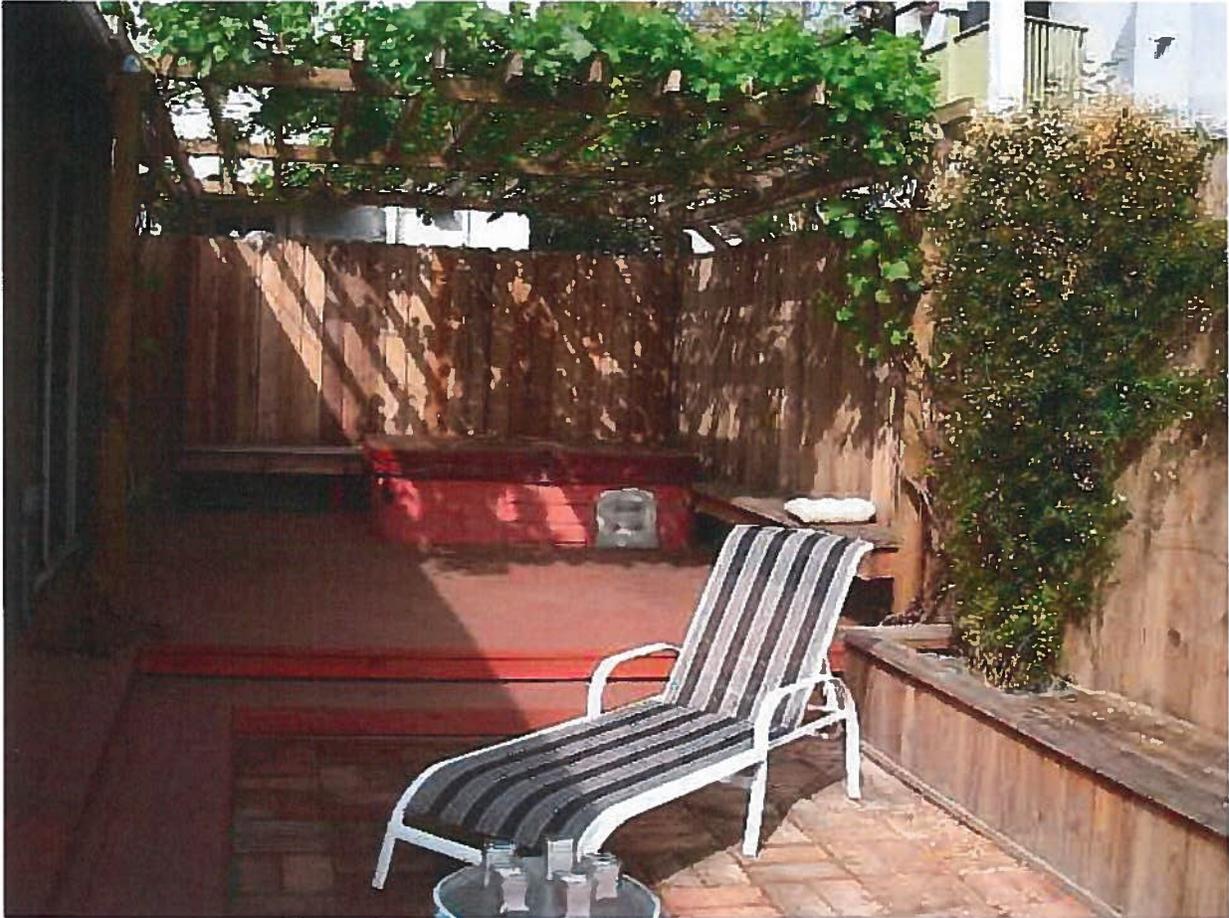
1	6'0" x 6'0"	Cast metal French door
2	6'0" x 6'0"	Cast metal French door
3	6'0" x 6'0"	Cast metal French door with sidelight
4	6'0" x 6'0"	Cast metal French door with sidelight and transoms

south elevation



Oakhurst Condominiums
 155-158 S Oakhurst Blvd, Beverly Hills, CA 90212
 MICHAEL BALL Architects
 1000 Wilshire Blvd, Suite 2000, Los Angeles, CA 90024
 310-783-8827

This is Yumin Yu from [W 3rd st.](#)
I have concern about design of building.
Balcony in courtyard are all facing into my
jetbath in my backyard.
I would lose complete privacy and why they would
Design something so they can peek into see somebody taking bath
I would request redesign
Yumin



Sent from my iPad