



Planning Commission Report

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- Meeting Date:** October 13, 2016
- Subject:** **332-336 North Oakhurst Drive**
Request for a Vesting Tentative Tract Map and Development Plan Review to allow construction of a new, 26-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 (Represented by Murray D. Fischer, a registered legislative advocate)
- Recommendation:** Staff recommends that the Planning Commission conduct a public hearing and receive testimony on the project, and adopt the attached resolution conditionally approving a Vesting Tentative Tract Map and Development Plan Review to allow the proposed condominium project.
-

REPORT SUMMARY

The Planning Commission previously considered this project at its September 19, 2016 meeting. At the conclusion of that meeting, the Planning Commission directed the applicant to redesign the project to reduce the height of the building on the Los Angeles portion of the project site, and continued the item to the October 13, 2016 Planning Commission meeting. The applicant has submitted revisions to the project consistent with the Planning Commission's direction. This report provides a summary and analysis of the re-designed project. The recommendation in this report is for the Planning Commission to adopt a resolution approving the re-designed project as proposed.

Attachment(s):

- A. Required Findings
- B. All Correspondence Received from the Public
- C. Sept. 19, 2016 Beverly Hills Planning Commission Staff Report (Without Attachments)
- 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. Mitigated Negative Declaration (Prepared and Adopted by City of LA)
- K. Draft Resolution
- L. Architectural Plans (Provided as a Separate Attachment)
- M. Vesting Tentative Tract Map No. 070499 (Provided as a Separate Attachment)

Report Author and Contact Information:

Andre Sahakian, Associate Planner
(310) 285-1127
asahakian@beverlyhills.org



PROJECT DESCRIPTION

The revised 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 26 units. The portion of the building located in the City of Beverly Hills would contain seven units or fractions thereof, while the remaining 19 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 September 19, 2016, the applicant has incorporated the following major changes to the project:

- Reduced the number of residential units from 31 to 26.
- Re-designed the project to reduce the number of stories in the City of Los Angeles portion from five stories (60 feet tall) to four stories (52 feet tall).
- Reduced the floor area of the project by 6,979 square feet when compared to the project reviewed by the Commission on September 19, 2016 (from 48,472 square feet to 41,493 square feet). The revised project includes a total reduction of 7,286 SF of floor area when compared to the project's initial design submitted in October 2015.
- Introduced rooftop private open spaces consisting of six private roof patios located entirely in the Los Angeles portion of the building.
- Reconfigured parking areas so that the entire building meets Beverly Hills Municipal Code requirements for both number of spaces and dimensions of spaces, as well as provided four excess parking spaces. The reconfigured parking area no longer includes tandem 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 final 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	19 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	28,905 SF	
1 st Floor	N/A	3,581 SF	6,691 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	removed	removed	
Height	45' Max	39'-0"	52'-0"	
Stories	4 Stories Max	3 Stories	4 Stories	
Front Setback	25'	25'	N/A	Front setback located in City of Beverly Hills
Side Setback (South)	19' combined	9'-0"	9'-0"	



Development Standard	Required/Allowed (Per BHMC)	City of Beverly Hills Portion	City of Los Angeles Portion	Notes
Side Setback (North)	19' combined	10'-0"	10'-0"	
Rear Setback	N/A	N/A	6'-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 require 70 Tenant Parking Spaces; 7 Guest Parking Spaces	30 Standard Parking Spaces	47 Standard Parking Spaces	All parking for the entire building complies with City of Beverly Hills standards for number of spaces (including guest spaces) and parking space dimensions.
Open Space	200 SF per unit = 1,400 SF Required	2,314 SF	2,272 SF (1,900 SF required in LA)	Common outdoor space counted separately for BH and LA portions (no double counting).
Modulation	Min. 4,210SF Required; Min. 60% and Max. 70% of front façade on first 2 stories built to front setback line	6,621 SF 65.7% of front façade on first 2 stories built to front setback line	N/A N/A	

The re-designed project also maintains the following major changes that were included in the previously proposed re-design reviewed by the Commission on September 19, 2016 as compared to the initial design proposed in October 2015:

- Reduction of 1,723 SF of floor area from the Beverly Hills portion
- Reduction from 4 stories to 3 stories in the Beverly Hills portion of the project
- Reconfiguration of open space to create a central courtyard at the front of the project facing Beverly Hills



PUBLIC OUTREACH AND NOTIFICATION

Public Comment

Staff received correspondence from the public regarding this project prior to the previously held Planning Commission meetings and Subcommittee meeting, as well as prior to the writing of this report. Specifically, one commenter requested that the applicant provide revised renderings for both a 49' four-story version as well as a 39' three-story version of the project. All correspondence received from the public to date has been included as Attachment B to this report. In summary, members of the public have expressed opposition to the project in its previous forms 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. A full background of the project, including the multi-jurisdictional process with the City of Los Angeles and the City of Beverly Hills Planning Commission Subcommittee, is provided in the September 24, 2015 and September 19, 2016 Planning Commission Staff Reports (Attachments G and C to this report, respectively). The Planning Commission considered a redesigned version of this project at its meeting held on September 19, 2016. At the conclusion of that meeting, the Planning Commission directed the applicant to redesign the project to completely remove the fifth story from the Los Angeles portion of the project, resulting in a three-story height in Beverly Hills and a four-story height in Los Angeles. The Commission then continued the hearing on the project to the October 13, 2016 Planning Commission meeting.

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 iterations of the project found that it was consistent with the applicable policies related to new multi-family residential development.

Urban Design and Neighborhood Compatibility. The previously proposed project had a maximum height of three stories and 39' for the Beverly Hills portion of the building. The building height then increased to four stories and 49' at the city boundary, and 17'-8" further



back into the Los Angeles portion of the site, the height increased to five stories and 60'. The re-design removes the entire fifth story of the building, resulting in a three-story building in the Beverly Hills portion of the property, and a four-story building with a maximum building height of 52 feet on the Los Angeles portion of the property. The final re-design also maintains the reconfigured open space areas in the previous re-design, which include 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 final re-design does not result in any changes to the open spaces and buffers provided between the project site and neighboring properties, which includes the two cutout open spaces along the north and south sides of the building. With these open spaces in place, there remains the possibility of privacy impacts from future residents utilizing these open spaces. However, with the removal of the fifth story, there is a reduction in the number of windows with potential views into neighboring properties, resulting in an overall improvement in privacy for neighboring properties. 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 previous iterations of the 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 shielding on the lighting to further reduce potential spillover to adjacent properties.

The final re-design also includes six private rooftop patios located entirely on the Los Angeles portion of the building. These patios would be accessible only to assigned units on the fourth level, which is located in Los Angeles. Each patio is proposed to be enclosed by obscure glass rails with an approximate height of 42 inches

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 this iteration of the project design results in a reduction in the number of units from 31 to 26, the potential traffic impacts of the project are anticipated to be less than what was concluded in the traffic analysis. Furthermore, as part of the final redesign of the project, since the number of units has been reduced, so has the amount of required parking. The revised project now provides enough subterranean parking spaces so that the entire project now provides an excess of four parking spaces beyond what the Beverly Hills Municipal Code requirements would be for the entire building, including the required guest parking spaces. Additionally, the dimensions of all parking space, including those required for the Los Angeles portion, now



also comply with the minimum dimension requirements for the City of Beverly Hills, and all spaces are standard type spaces, with no tandem spaces being provided. With the reduction of units and provision of excess parking spaces beyond the code requirements, the potential for parking impacts on the adjacent residential streets is further reduced than the previously proposed versions 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.

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. Based on direction from the Planning Commission, the project has been revised to completely remove the fifth story in the Los Angeles portion of the project, resulting in a three-story height in Beverly Hills and a four-story height in Los Angeles. The revised design also maintains 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 four excess parking spaces beyond what would be required by the Beverly Hills standards for the entire building, and the parking spaces now also comply with the City of Beverly Hills' standards for parking space dimensions. The Planning Commission may wish to discuss whether these changes are sufficient address the Commission's and the neighbors' comments and concerns.

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt a resolution conditionally approving the proposed project.

Alternatively, the Planning Commission may consider the following actions:

1. Deny the project, or portions of the project, based on specific findings.
2. Direct staff or applicant as appropriate and continue the hearing to a date (un)certain, consistent with permit processing timelines.

Report Reviewed By:

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.



Attachment B

All Correspondence Received from the Public

PUBLIC CORRESPONDENCE
AMANDA MACLACHLAN

Andre Sahakian

From: Amanda MacLachlan <amanda.maclachlan@gmail.com>
Sent: Monday, September 19, 2016 12:38 PM
To: Andre Sahakian
Subject: Save Oakhurst

Hello,

I live at 343 N Oakhurst Dr Apt C, 90210, and I am against the new construction on my street. I've lived here for 9 years and this new building will change the character of the street, and add to the existing traffic and fast drivers that speed by endangering the pedestrians and current residents. I cannot make the town hall meeting, but I'd like to submit my vote not to allow construction.

Thank you,
Amanda MacLachlan
732.319.8181

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 Carol Babushka 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: CAROL BABUSHKA

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 Zarkifpoor, Owners of

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". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Isabelle L. Behar

PUBLIC CORRESPONDENCE
CONCERNED RESIDENTS OF BEVERLY HILLS
AND NORTH OAKHURST

Karen Myron

Subject: FW: For Mr. Sahakian - Regarding 332-336 North Oakhurst

From: Save Oakhurst <redacted>
Date: September 16, 2016 at 6:58:21 PM PDT
To: "Asahakian@beverlyhills.org" <Asahakian@beverlyhills.org>
Subject: For Mr. Sahakian - Regarding 332-336 North Oakhurst
Reply-To: Save Oakhurst <saveoakhurst@yahoo.com>

Dear Mr. Sahakian,

I am writing on behalf of a group of longtime Beverly Hills residents and concerned neighbors who live on Oakhurst street, on the block in question. We implore you - please DO NOT approve the construction of this MONSTROUS building @332-336 N Oakhurst.

For starters, there really is no adequate staging area for them to put their bulldozers and other machinery, not to mention a lack of adequate disposal areas. The already busy alley certainly isn't an option, and they can't park their bulldozers on Oakhurst - that'll create a traffic nightmare. Not to mention the lack of adequate parking that already exists and the fact that this building will create a traffic nightmare in the alley and on Oakhurst. Guests of The Four Seasons already clog up our block, taking up all of our parking spots. Imagine adding another huge building full of people with cars, and their spouse's and other family member's cars. People generally park on the street out of convenience, rather than in their garage. This will be a nightmare. So between the parking issues and the lack of proper staging areas, this is a no go.

Besides those huge issues, there is the fact that the proposed building is totally and completely incongruous with the rest of the block. Four or five stories high, even on the "LA side" (a few feet back) is absolutely insane given the height of the rest of the 2-3 story structures on the block. To call their proposal an eyesore is an understatement. It will forever (negatively) change the character of the block and will stick out in the worst way.

Instead of demolishing the beautiful, charming, historically significant buildings that exist there now (built by LA's first female architect), why not have the developers simply REDEVELOP the buildings as they currently exist? They can gut the insides and make them even more beautiful, while keeping the character on the exterior of the buildings intact, in their current form.

The attention this prospective construction has gotten from The Beverly Hills Courier (dozens of articles), from various online websites, as well as from hundreds of concerned citizens makes it your civic duty to listen to our voices. Please, please do not approve this project. Simply have them redevelop the interior of the existing property

and leave the exterior as is. Help us keep one of the last blocks in Beverly Hills from becoming another victim of massive overdevelopment.

Thank you for your time and consideration in this matter Mr. Sahakian.

Sincerely,
Concerned Residents of Beverly Hills and North Oakhurst

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.

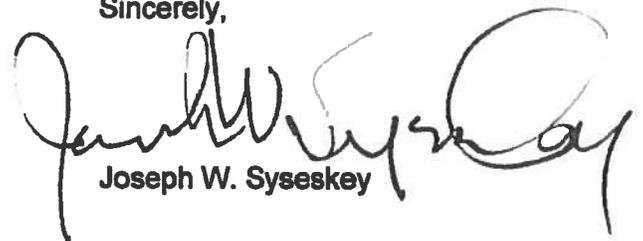
Lastly, the concerns relative to sun/shade and air circulation are even more heightened.

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 as 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.

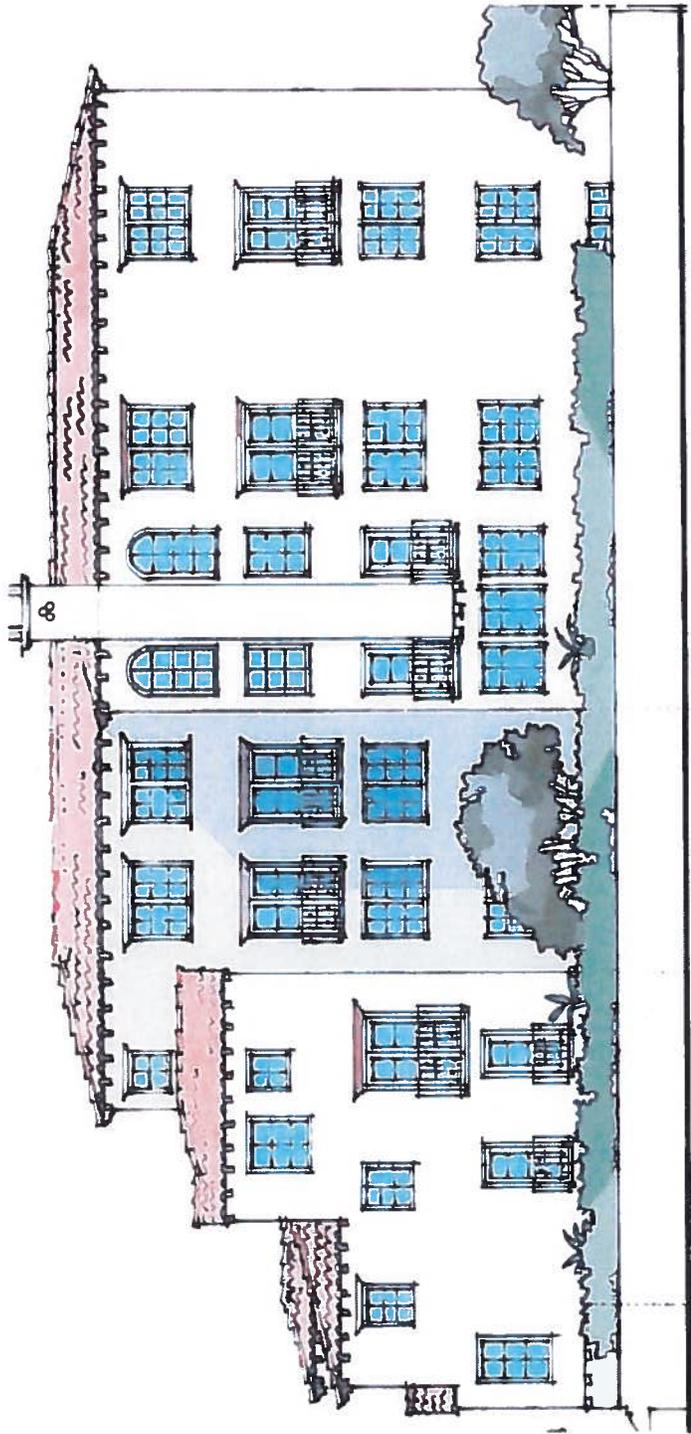
Sincerely,



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.

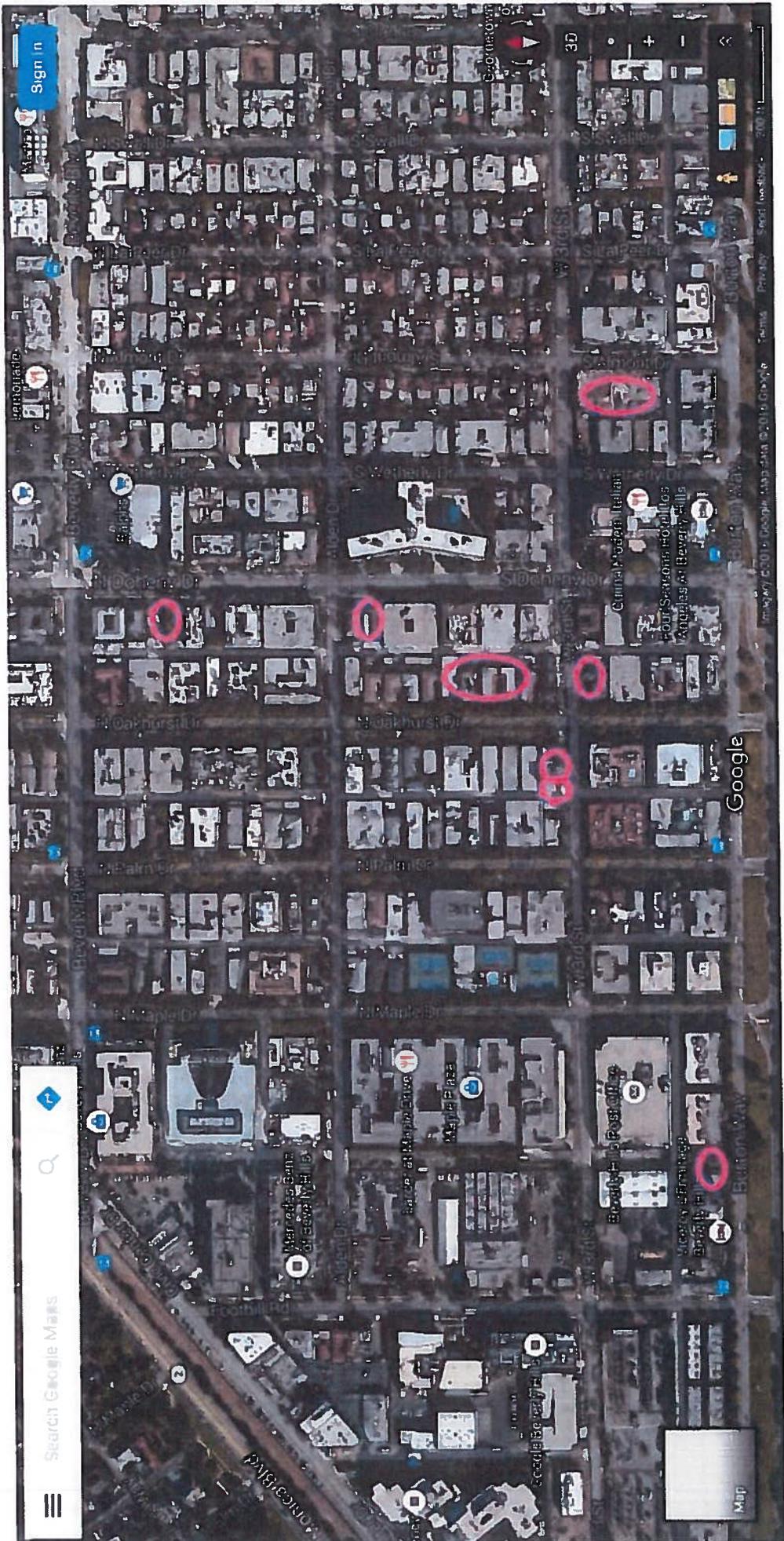
As a resident we just begin to imagine 7 new monstrosities with this so called "design" and it's not ok.

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

Respectfully,

Laura

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PUBLIC CORRESPONDENCE

LISA YOUNGMAN

Andre Sahakian

From: Andre Sahakian
Sent: Sunday, September 18, 2016 8:31 AM
To: Karen Myron
Cc: Masa Alkire; Ryan Gohlich; RWG DavidSnow
Subject: Fwd: Planning Commission Meeting 9/19/16 re: 332-336 N Oakhurst Drive

FYI

Sent from my iPhone

Begin forwarded message:

From: Lisa Youngman <lisavyoungman@gmail.com>
Date: September 17, 2016 at 11:38:08 AM PDT
To: <asahakian@beverlyhills.org>
Subject: Planning Commission Meeting 9/19/16 re: 332-336 N Oakhurst Drive

Hello Mr. Sahakian and To Whom It May Concern:

I am a resident of 328 N. Oakhurst Drive, unit 9122. As you know, this building is 77 years old, built in 1939, and is a charming, historical example of Deco-classical Beverly Hills architecture. The same is true of several remaining old buildings in this North Beverly Hills neighborhood, including, as you know and appreciate, 332-336 N. Oakhurst Drive. These buildings could easily be "modernized" by remodeling them from the inside out while allowing their original ground footprint to remain intact, or expanding it slightly. This would keep the flow of traffic and congestion relatively consistent with current levels and, most importantly, would retain the historic charm of Oakhurst Drive and the surrounding neighborhood.

I am writing to you because I am a psychoanalyst with a full private practice and will not be able to attend the hearing on Monday, September 19th about 332-336 N. Oakhurst Drive. However, I hope you will accept this email as my strong "no" vote.

On another note, I deeply appreciate your efforts and persistence in protecting our neighborhood and keeping us residents informed of pending threats, including that to the building I live in at 328 N. Oakhurst Drive. Similarly, I appreciate and applaud the efforts of Steve Mayer and ask you to pass on my gratitude to him.

Thank you again for your care and concern,

Lisa V Youngman

--

Lisa V. Youngman, Ph.D., Psy.D.
Licensed Marriage Family Therapist

Psychotherapy and Psychoanalyst

12401 Wilshire Blvd., Ste. 306

Los Angeles, CA 90025

Phone: (310) 393-3350

Fax: (424) 335-0364

Email: lisavyoungman@gmail.com

PUBLIC CORRESPONDENCE
MEME RHEE

Karen Myron

Subject: FW: Planning Commission Meeting 9/19/16 re: 332-333 Oakhurst

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

From: Meme Rhee [redacted]

Sent: Monday, September 19, 2016 12:03 AM

To: Andre Sahakian <asahakian@beverlyhills.org>

Subject: Planning Commission Meeting 9/19/16 re: 332-333 Oakhurst

Hello Mr. Sahakian and To Whom It May Concern:

I am a resident of 9124 W. 3rd St which is a rare 1930's building. (One of the units address is 328 N. Oakhurst)

I will not be able to attend the hearing on Monday, September 19th about 332-336 N. Oakhurst Drive, however, I vote to reject the proposed redesign of a 31 unit condo building.

Thank you,

Meme Rhee

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

336 N. OAKHURST DRIVE
7,420 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

334 N. OAKHURST DRIVE
7,456 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

332 N. OAKHURST DRIVE
5,036 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

ALLEY



EXISTING CONDITION

VIEW FROM INTERSECTION OF 3RD AND N. OAKHURST LOOKING NORTH EAST

54,904 FT² 5 STORY PROPERTY
154'-6" LOT WIDTH
23,175 FT² LOT AREA

PROPOSED STRUCTURE
APPROX. 30'-40' TALLER THAN
NEIGHBORING BUILDINGS

ALLEY

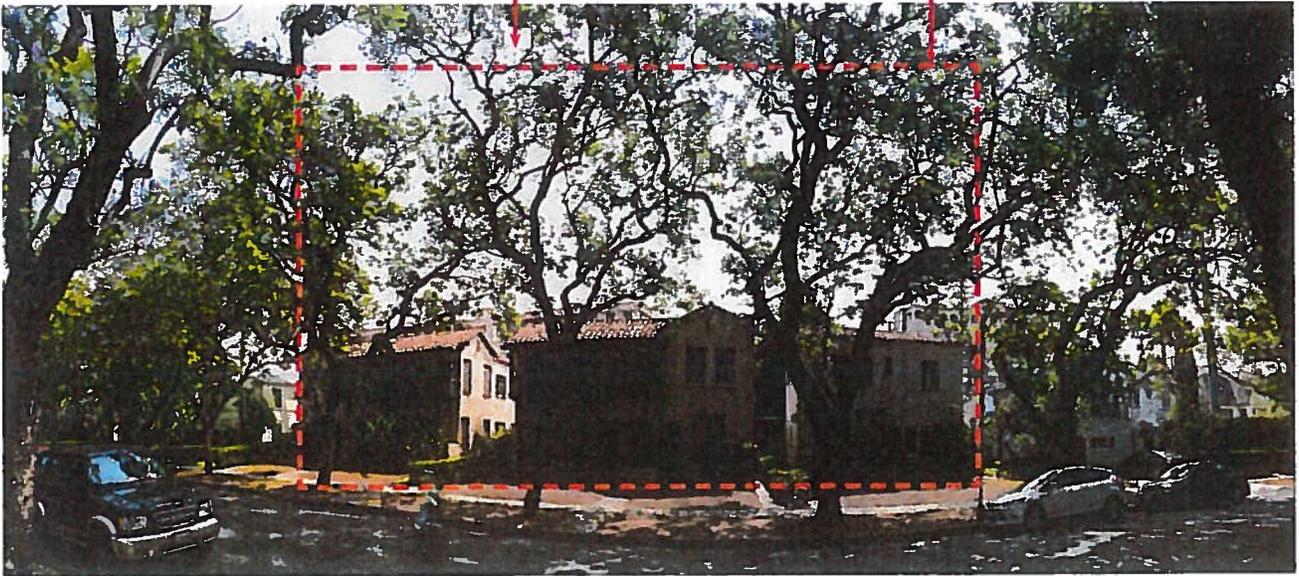


PROPOSED CONDITION

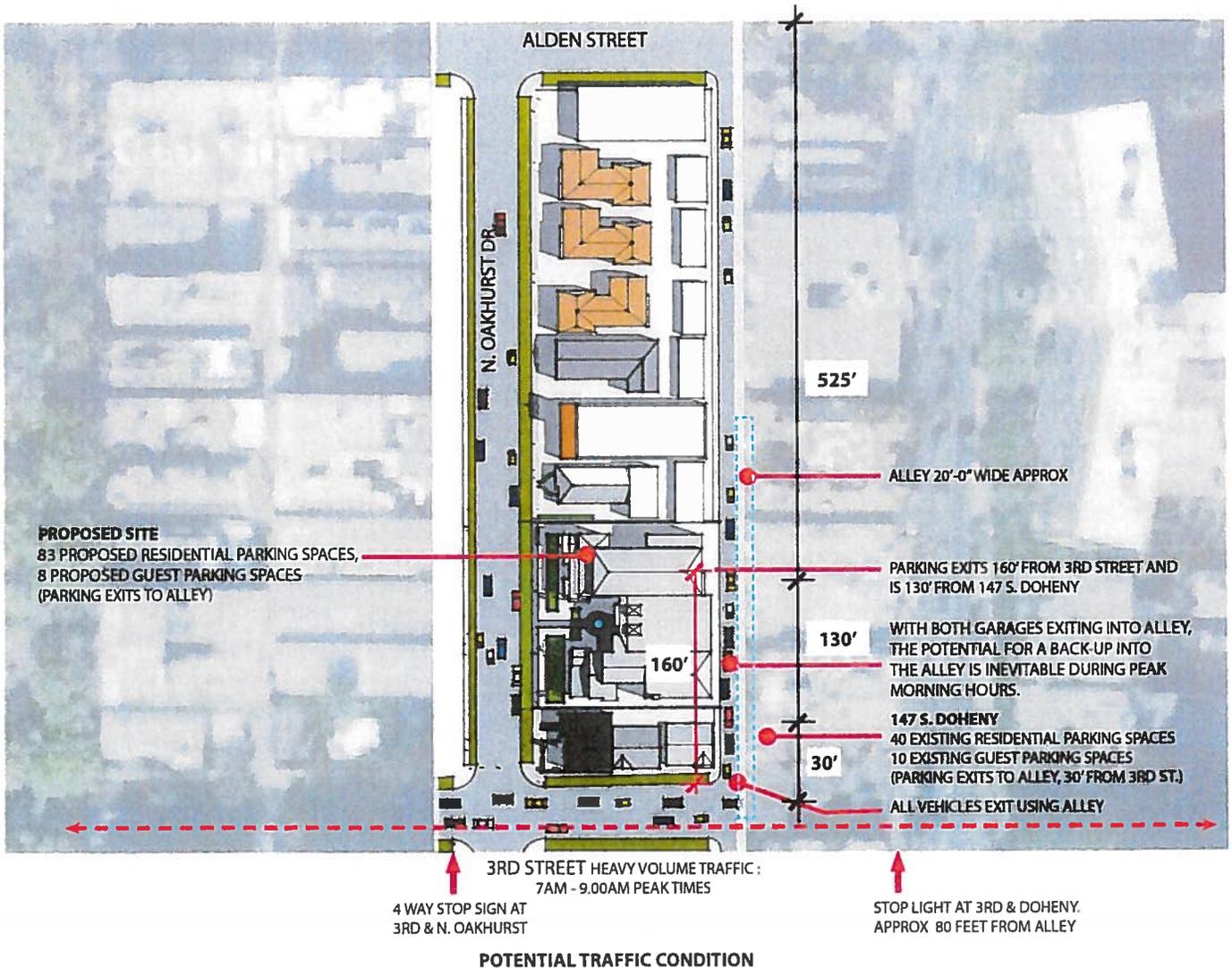
VIEW FROM INTERSECTION OF 3RD AND N. OAKHURST LOOKING NORTH EAST

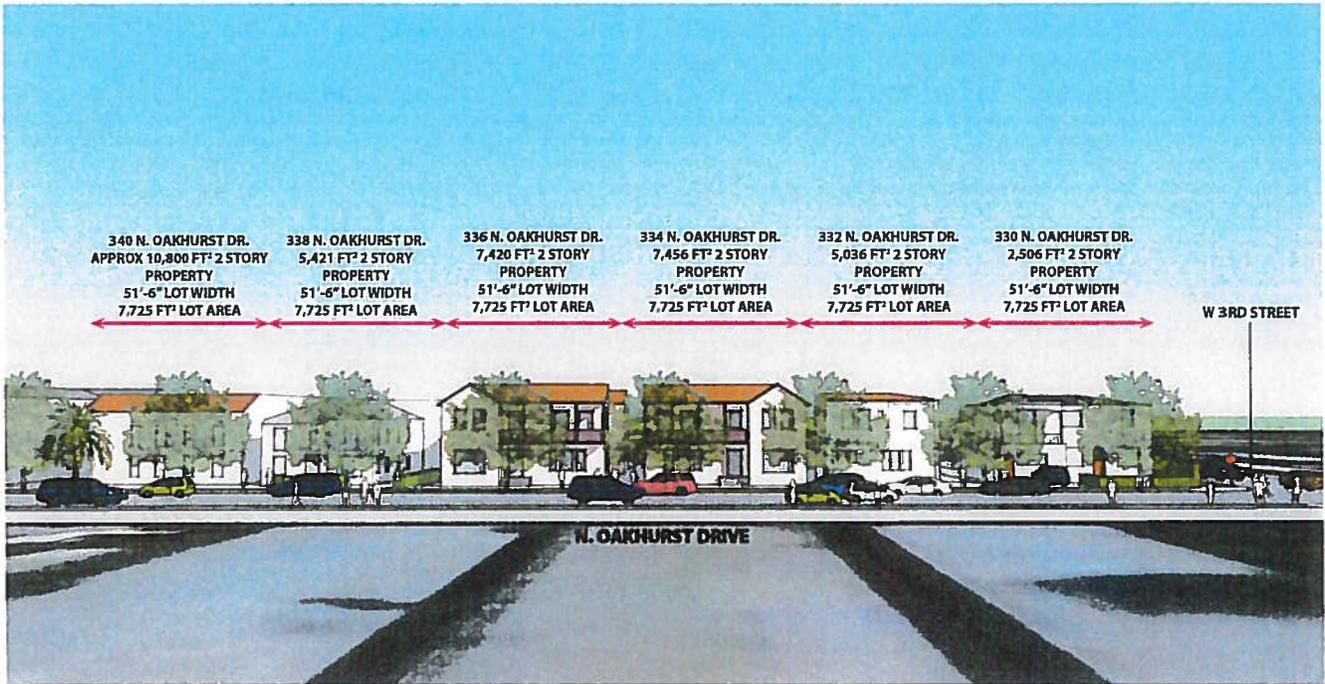
4 NO. TREES IN FRONT OF PROPOSED SITE, APPROX 30-35' TALL, 20' IN DIAMETER WITH SPARSE FOLIAGE

PROPOSED SITE - TOP OF BUILDING APPROX 30'-40' TALLER THAN NEIGHBORING 2 STORY BUILDINGS

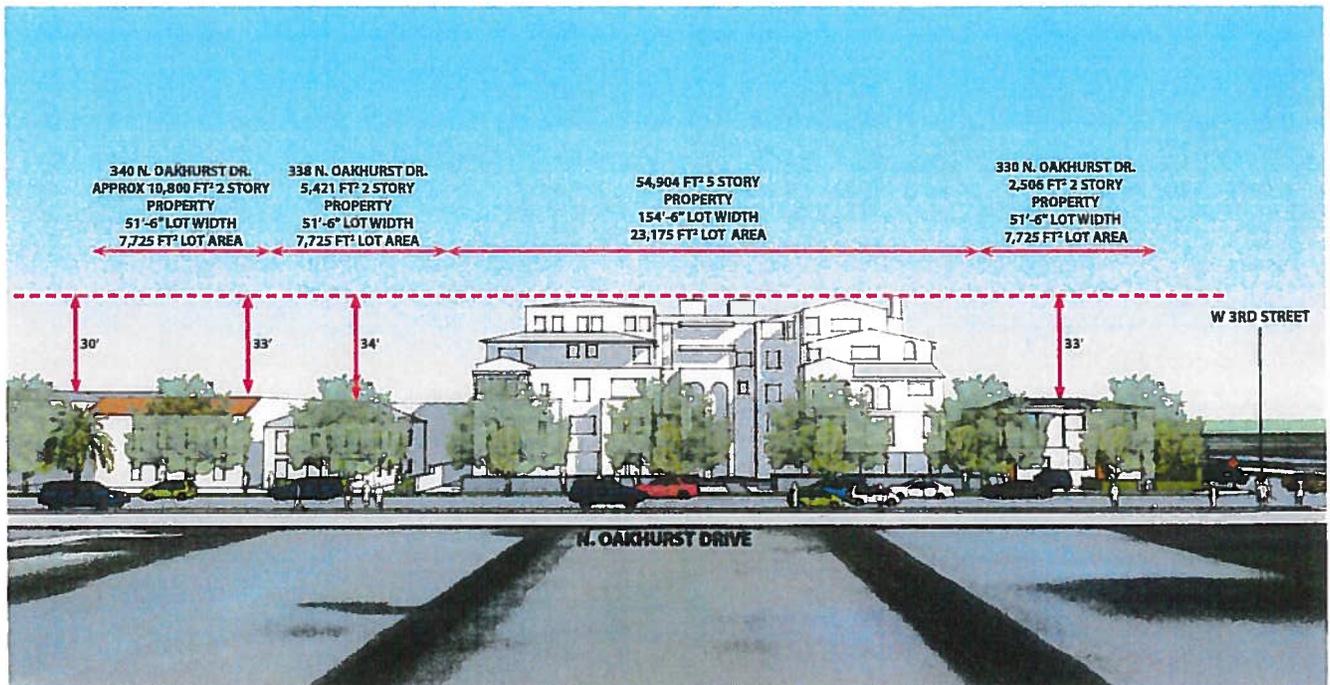


EXISTING CONDITION
WEST STREET ELEVATION - FACING N. OAKHURST DRIVE

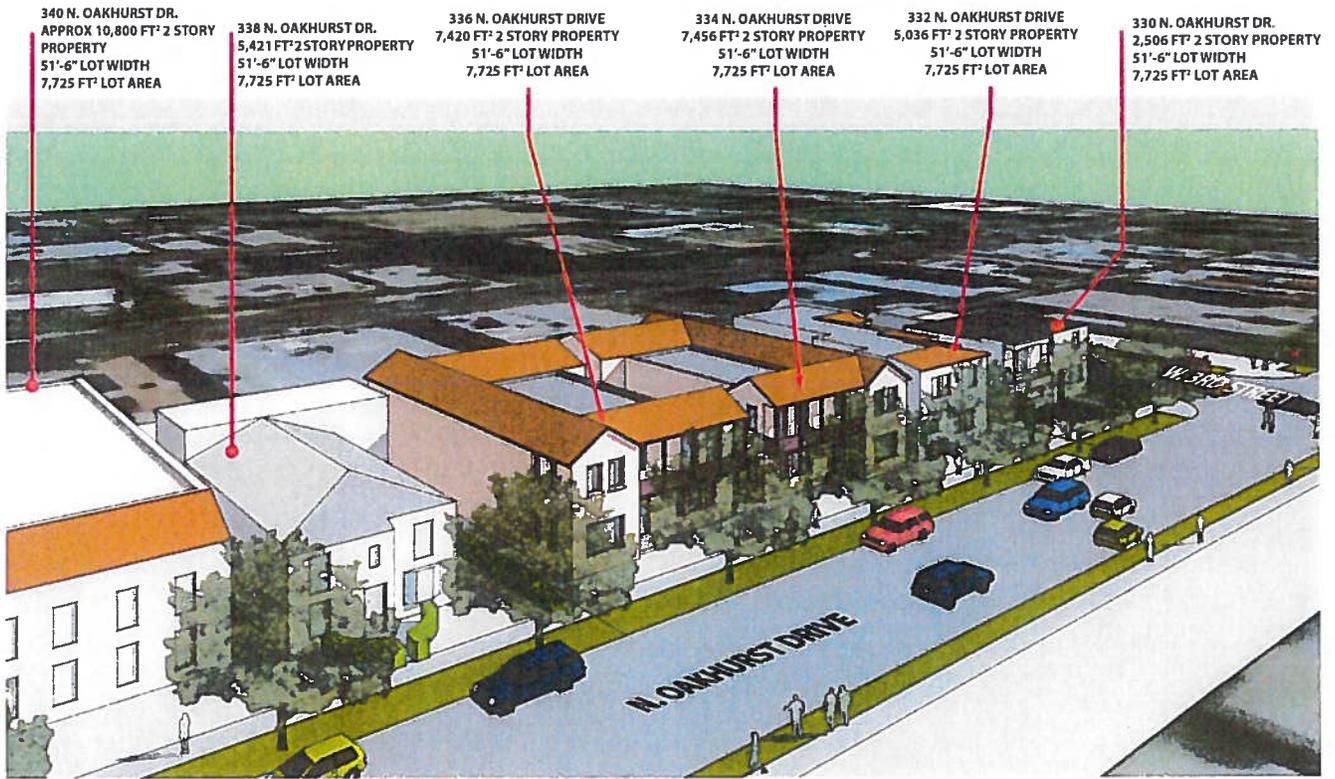




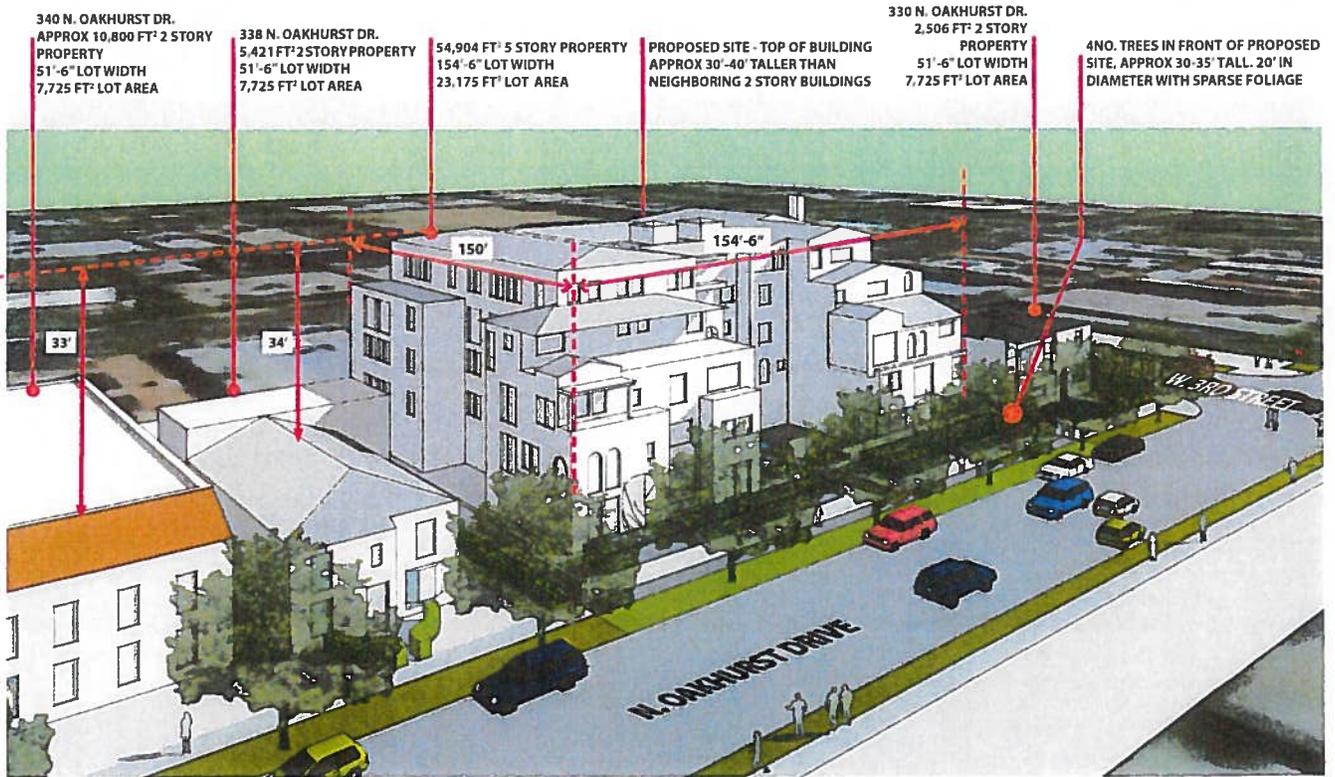
**EXISTING CONDITION
WEST ELEVATION**



**PROPOSED CONDITION
WEST ELEVATION**



EXISTING CONDITION
VIEW FROM N. OAKHURST LOOKING SOUTH EAST



PROPOSED CONDITION
VIEW FROM N. OAKHURST LOOKING SOUTH EAST

340 N. OAKHURST DR.
APPROX 10,800 FT² 2 STORY
PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

338 N. OAKHURST DR.
5,421 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

336 N. OAKHURST DRIVE
7,420 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

334 N. OAKHURST DRIVE
7,456 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

332 N. OAKHURST DRIVE
5,036 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

330 N. OAKHURST DR.
2,506 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

340 N. OAKHURST DR.
APPROX 10,800 FT² 2 STORY
PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

338 N. OAKHURST DR.
5,421 FT² 2 STORY PROPERTY
51'-6" LOT WIDTH
7,725 FT² LOT AREA

54,904 FT² 5 STORY PROPERTY
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PROPOSED SITE - TOP OF BUILDING
APPROX 30'-40" TALLER THAN
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330 N. OAKHURST DR.
2,506 FT² 2 STORY
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51'-6" LOT WIDTH
7,725 FT² LOT AREA

4NO. TREES IN FRONT OF PROPOSED
SITE, APPROX 30-35' TALL, 20" IN
DIAMETER WITH SPARSE FOLIAGE

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.



334 NORTH OAKHURST

336 NORTH OAKHURST



332 NORTH OAKHURST

Submitted at the Planning
Commissioning meeting of.

10/8/15

By: Robert Black

PWD Comment - Item #2



334 NORTH OAKHURST

336 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.apts@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

Submitted at the Planning
Commission meeting of:

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

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

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
SOHAM PATEL

Andre Sahakian

From: Soham Patel <sohampatel@google.com>
Sent: Monday, September 19, 2016 4:38 PM
To: Andre Sahakian
Subject: 332-336 N. Oakhurst Dr. Proposal

Hi Andre,

My name is Soham Patel -- I wanted to speak at today's council meeting in favor of the proposal to develop 332-336 N. Oakhurst, however I had a conflicting meeting at 3pm so I would like to officially submit this email to you and whom ever you feel comfortable forwarding it to:

I live and work in the neighborhood, Third & Foothill and Alden & Oakhurst, respectively. My wife and I have rented a 1bedroom apartment at 9152 Alden for four years and we love the neighborhood and we love living in Beverly Hills. My wife and I are young professionals, I work at Google/YouTube in our Beverly Hills office and enjoy walking to work every day. We would love nothing more but to find a beautiful, new 3bedroom condominium to grow a family into within the Beverly Hills community in an accessible price range (<\$2MM), but after scouring the market for the last 12months have come to realize that it will not happen unless the city of Beverly Hills endorses developers to construct multi-family residence such as the one in discussion today.

Jennifer and I are upwardly mobile individuals who give back to our community in the form of volunteer work, participation on boards, and we make use of the wonderful perks BH offers like Summer tennis classes at BHHS. We adore and are grateful for the work you and the City do for your citizens, but we feel forced to move to towns like West LA, Playa Vista, and Mar Vista that have available housing inventory, which is sad for us and should be sad for BH -- a community we want to live in and give back to.

I also want to state that the current property at 332-334 N. Oakhurst is quite an eye-sore with boarded-up windows and a lack of interesting landscaping or architecture, and the proposed development is a much needed addition to a street that will literally age and fall apart without new construction.

Thanks for listening, and I hope the City will do what it can to keep me and Jennifer loyal community members of Beverly Hills.

Soham

Soham Patel | sohampatel@google.com | m: +1 630 781 2376

PUBLIC CORRESPONDENCE
STEVE MAYER

TO: HONORABLE CHAIR AND COMMISSIONERS
PLANNING COMMISSION
CITY OF BEVERLY HILLS

FROM: STEVE MAYER
[310-275-8423]

DATE: SEPTEMBER 21, 2016

RE: PROPOSED AGENDA ITEM– SEPTEMBER 26, 2016

In reviewing the tape of Monday's Planning Commission meeting, there may have been an oversight.

To communicate with the Applicant (as to whether they would be willing to resubmit a new design of four floors), the Public Hearing was re-opened.

After the answer was received, the Public Hearing was re-closed.

Had the Public Hearing remained opened, I, and others, would have made the suggestion that, in addition to a 49' four-story design being presented, a rendering of a 39' three-story design also be submitted.

In such light, it is requested that an Agenda Item be added to the Special Planning Commission meeting of September 26, 2016 to discuss requesting of the Applicant that a 39' three-story design also be submitted.

The reasons for such a request are:

- (1) It is clear from the Applicant's own plans that a 49' four-story building is still out of Mass / Scale.

In this illustration (an excerpt from page 10 of the plans), four floors is double the height of building immediately south of the property. A similar difference is shown on the north side of the property. A larger version of this illustration is on the last page.



PLANNING COMMISSION / MAYER

September 21, 2016

Page 2.

- (2) A 39' three-story concept might be more acceptable to the Community, but the only way for the Community to evaluate that is also through an additional re-submitted design.
- (3) There should not be undue difficulty in turning around another design.

During Monday's hearing, Murray Fischer, the Applicant's representative, proudly stated, "*By engaging me, with my help, we have redesigned this building.*"

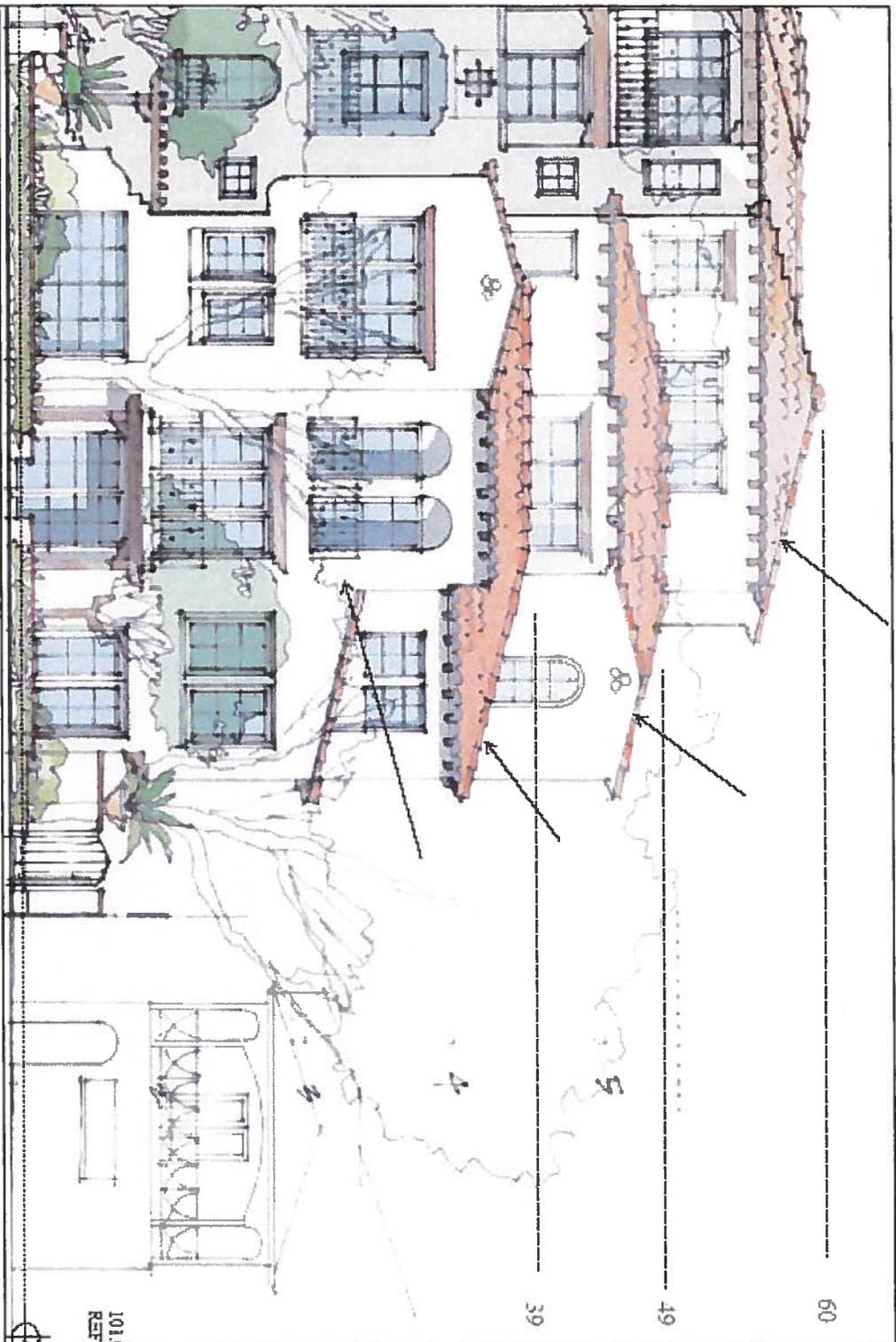
According to the Legislative Advocate form, Mr. Fischer was first engaged on March 29, 2016.

Approximately, a week later, the revised plans were submitted, in preparation for the April 10th Ad Hoc meeting.

We are aware of the timing, because on April 6th, the drawings were made available to the members of the Community.

- (4) The Agenda Item itself should not take much time to discuss and/or deliberate. This issue is quite simple; either the Commissioners favor such a concept or they do not.
- (5) Lastly, all re-submitted designs should include the properties north and south of the property, as exemplified on Pages 10 and 14 of the 06/30/16 plans.

Naturally, I will happy to draft the Staff Report, if needed.



TO: **HONORABLE CHAIR AND COMMISSIONERS
PLANNING COMMISSION
CITY OF BEVERLY HILLS**

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

DATE: **SEPTEMBER 17, 2016**

RE: **ITEM 2**
[Proposed 31-Unit Condominium at 332-336 North Oakhurst]

INTRODUCTION

Please permit this memorandum to address the issues of Parking, Mass / Scale, Open Space, Historical Issues, Discrepancies, and the Direction of the Commission.

While this filing seems voluminous, the majority of the submittal is due to the inclusion of the transcript of the October 8, 2015 hearing. The transcript includes an index to the Commissioners' questions and comments.

HIGHLIGHTS

- ▶ **Parking:** Only 19 BH Parking Spaces (not 20)
- ▶ **Parking:** Guest Parking Spaces Reduced From 14 to 8 and LA "Standard" parking spaces are smaller than BH
- ▶ **Mass / Scale:** Redesigned Building Is Nearly The Same Size (59,563 SQFT vs 59,416 SQFT)
- ▶ **Mass / Scale:** The height in LA is the same at 59'11"
The height in BH was reduced from 40' to 39'
- ▶ **Open Space:** Apparent Encroachment Into Setbacks To Meet LA Requirement
- ▶ **Open Space:** A 147 SQFT *Terrace* Is Used To Meet BH Private Space Balcony Requirement
- ▶ **Historical:** Edith Northman Granted Master Architect Status
- ▶ **Historical:** LA Staff Did Not Reveal Existence Of 3rd Survey

PARKING

While the number of parking was increased, there was reduced capacity in other forms.

Prior to discussing how the increase was achieved, the representation that there are 20 spaces in Beverly Hills is not correct. ***There are only 19 spaces in Beverly Hills.*** (Exhibit B)

To achieve the increased capacity:

Guest Parking Spaces Were Reduced in Number

- ▶ ***Guest Parking Spaces*** were decreased from ***14 spaces*** in the originally submitted plans to ***8 spaces*** in the revised plans.

The number of guest spaces in City of Los Angeles were reduced to .25 cars per unit, ***half the requirement*** by the City of Los Angeles Advisory Agency Parking Policy AA 2000-1

In addition, the Applicant's traffic engineer based his calculations on the City of Los Angeles Guest Parking requirement of ***.5 cars per unit*** (Exhibit C).

Lastly, the MND predicated its approval on 14 guest spaces not 8. (Exhibit C)

LA Parking Spaces Were Reduced In Size

- ▶ Standard-sized parking spaces in the Los Angeles portion were reduced in size to ***8-1/2' x 18'***. Stated differently, ***the size of the parking spaces in Los Angeles will be less than those in Beverly Hills.***

In the originally submitted plans, all of the standard-sized parking spaces were ***9' x 19'***, the minimum requirement in the City of Beverly Hills.

* * * *

It should also be noted that the number of ***handicap parking spaces were reduced from 3 to 2.***

It would seem that the only way for the Applicant to satisfy the parking requirements of both cities, under the re-designed submittal, is to add another floor of subterranean parking,

Then, the issue of the unit owners in the City of Los Angeles using land in the City of Beverly Hills to satisfy City of Los Angeles parking requirements would become moot.

MASS / SCALE

In comparing the original and revised plans, the metrics are very similar.

Floor Area

In the originally submitted plans, the total “*Floor Area*” is listed as **59,416 square feet**.

In the revised plans, the “*Floor Area*” is defined as **59,563 square feet**.

Height

Despite *eliminating the lofts*, the **height is the same, at 59’11”** in the City of Los Angeles.

The height in the City of Beverly Hills has been reduced **from 40’ to 39’**, with the requested modulation.

Adjustment Vs. Variance

Of major significance, the revised plans note that its floor area is calculated through a “Habitable Area Allowed With 20% Modification.”

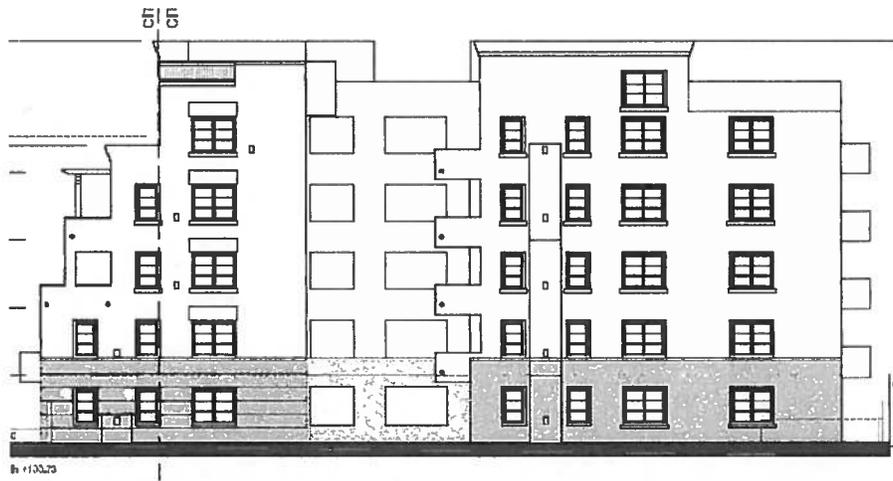
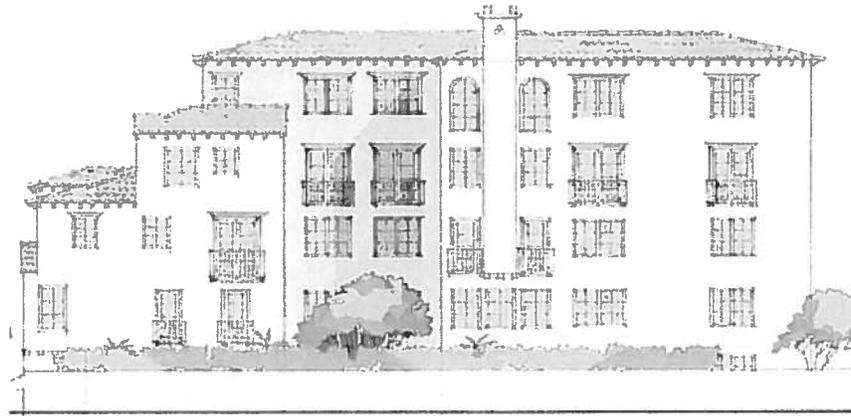
A **20% Modification** (increase) to the “Habitable Area” constitutes a variance in the City of Los Angeles. A request for a variance requires a far greater scrutiny and a further degree of review by the Lead Agency, the City of Los Angeles.

The **MND approved only a 10% “adjustment”**, not a 20% “variance.”

Size

It would seem that the **project is virtually the same size**. The direction of the Commission on October 8, 2015, however, was to substantially reduce the project.

The South Elevation provides a perspective of the Mass / Scale:



OPEN SPACE

To satisfy the open space requirements, the revised plans raise issues:

Open Space – Los Angeles

In the Los Angeles portion of the property, the Applicant seems to be using the Encroachment into the setbacks to satisfy the open space requirement, for the North and South Courtyards (Exhibit D).

If the North and South courtyards actually extend into the setbacks, there is a public safety issue. The 9’ to 10’ of concrete on the North and South side of the property is a potential defensive staging area for the fire department, in fighting a fire.

Open Space – Beverly Hills

In the originally submitted plans, Unit 20 had a Bedroom, a majority of the Living Room, and one (1) small balcony situated in the City of Beverly Hills.

In the revised plans, Unit 20 has a 147 sqft *terrace* is situated in the City of Beverly Hills. There is no living space of the unit in the City of Beverly Hills. (Exhibit E).

For all intents and purposes, Unit 20 is a City of Los Angeles unit, which just happens to have a terrace in the City of Beverly Hills.

The revised plans, however, use this unit to satisfy *one third* of the “*Private Balcony*” requirements in the City of Beverly Hills. Six of the seven units in City of Beverly Hills have “private balconies,” with three of the six being 60 sqft, and the remaining two being 78 sqft each.

HISTORICAL ISSUES

Master Architect

On October 14, 2015 the Cultural Heritage Commission recognized Edith Northman as a Master Architect. Miss Northman designed two of the three buildings.

Third Historical Survey – Information Withheld

On August 1st, it was discovered that Planning Staff in the City of Los Angeles did not reveal the existence of a third historic survey to the public and/or appointed and elected officials.

An article about the episode and a copy of the SurveyLA document are found in Exhibits F & G.

Qualification of Applicant’s Historical Consultant

In last October’s Public Hearing, the Applicant’s attorney stated:

*“The National Park Service Secretary of Interior’s qualifications for **architectural historians**, that’s the standard that’s used by nearly every city and state in this country.”* (Page 40 of the Transcript)

The problem is that neither the Applicant’s firm, nor its consultant, possess the professional requirements to perform such expert work.

The qualifications to be listed by the City of Beverly Hills for Historic Preservation Planning is vastly different from acting as an Historic Architect: (<http://www.beverlyhills.org/cbhfiles/storage/files/1739258720898620354/BHHRAllDisciplines-ConsultantListFINAL2-2016.pdf>)

On the face of it, by the standards as set by the National Park Service Secretary of the Interior, Kaplan Chen Kaplan, and its consultant, a former mayor of Santa Monica, is not qualified to consult upon Historic Preservation Planning in the City of Beverly Hills. It should also be stated that the City of Los Angeles also follows “National Park Service Secretary of Interior’s qualifications.”

A specialist in one area cannot be considered an expert in another specialty.

While the consultant clearly possesses some practical, professional experience, the biography for her current council position in the City of Santa Monica does not list a graduate degree in “history or closely related field” or “architectural history, art history, historic preservation, or closely related field.”

It can thus be posited that since two independent, *qualified* consultants, acting alone, deem that the nine properties on the east side as a Potential Historic District, that, in fact, that might be the case.

DISCREPANCIES

There are issues that would seem to need to be resolved by the City of Los Angeles, even if the approval is made in the City of Beverly Hills.

- ▶ Guest Parking reduction from 14 spaces to 8 spaces
- ▶ Setback Encroachment for the North and South courtyards
- ▶ “Habitable Area Allowed With 20% Modification” constituting a variance

DIRECTION OF COMMISSION

The direction by the Commission on October 9, 2015 was unambiguous.

Some excerpts by the Commissioners:

<p>Commissioner Gordon (Page 43)</p>	<p><i>“I must say that quite frankly I am very impressed with the unique nature of this particularly block. There is really no other block in the general vicinity that I've driven up and down that I feel has the nature of this particular block. When I look at the particular findings in terms of the tentative tract map whether the site physically is suitable for this type of development, I say no; whether the site is physically suitable</i></p>
--	---

	<p><i>for the proposed density, I say definitely no."</i></p>
<p>Commissioner Corman (Page 48)</p>	<p><i>"I think the project needs a major overhaul and not just minor adjustments, not just a nip and tuck, not just what's been done previously. It should have a reduced height not just in Beverly Hills but in Los Angeles because that's what we see from Beverly Hills.</i></p> <p><i>"I'm not saying it has to be two stories all the way through but certainly, its current height envelope is a nonstarter in my view."</i></p>
<p>Vice Chair Shooshani (Page 49)</p>	<p><i>"I think you have to reduce the height of it to something manageable or to keep it to 40 feet unified for the entire thing. Other than that, he (Commissioner Corman) said everything that had to be said."</i></p>
<p>Chair Block (Page 49)</p>	<p><i>"I think the character of the neighborhood is really important. I walk the street at ... like Commissioner Craig Corman said every structure on the east side of the street except the corner at Alden is a two-story structure. It has a unique character. I don't know if it's a historical, cultural aspect of the project but if we didn't have discretion you wouldn't be required to come before the planning commission. The fact that it's code compliant in Beverly Hills doesn't mean it gets approved. We still have the discretion and I think the mass scale of this building is just too big."</i></p>

Ad Hoc Committee

As to the Ad Hoc Committee, while I was not in attendance, I was concerned as to a sufficient difference of opinion of what occurred to raise the issue during Audience

Comments before the City Council on April 19, 2016. A script of such comments are seen in Exhibit H

The direction of Council was for the City Manager to provide a “briefing” memo to the Council. It is not clear if that occurred.

It should also be pointed-out that the expectation of the Ad Hoc Committee was for the Applicant to meet first with the Committee, before submitting interim designs. That did not occur.

That the revised plans were submitted for the first meeting after Commissioner Corman’s term ended naturally raised suspicions. Commissioner Corman was explicit of his (and the Commission’s) expectations at last October’s hearing:

Commissioner Corman (Page 51)	<i>“ I don't want you to spin your wheels, so I don't want you to spend your money and spin your wheels doing something which won't satisfy me and if it won't satisfy the other members of the commission then I don 't see any point in doing that.”</i>
----------------------------------	--

Thus, if the Applicant attempts to raise the issue that he has spent considerable sums from October to now, it should be emphasized that he was forewarned multiple times, and he could have returned multiple times to the Ad Hoc Committee.

CONCLUSION

While modulation was achieved in the front portion of the property, the redesign is basically same size, same number of units, virtually the same height in both cities.

There are significant discrepancies relative to parking and other land use issues. Such discrepancies are sufficient to raise the questions as to all aspects of the re-design.

In such light, since the re-design is inconsistent with the direction of the Commission of October 8, 2015, as community member Joe Syseskey (Exhibit A) requests:

“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.”

Exhibits:

- A Community Member Letter (9/15/16)
- B Parking Diagrams
- C Excerpt: Traffic Engineer Letter (1/29/14)
Excerpt: Determination Letter (2/03/15)
- D North and South Courtyards
- E Unit 20
- F SurveyLA
- G Article: Beverly Hills Courier (8/12/16)
Article: LA Business Journal (10/19/15)
- H Audience Comments (4/19/16)
- I Transcript: Public Hearing (10/8/15) [322-336 North Oakhurst]

EXHIBIT A

COMMUNITY MEMBER LETTER (9/14/16)

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 as 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

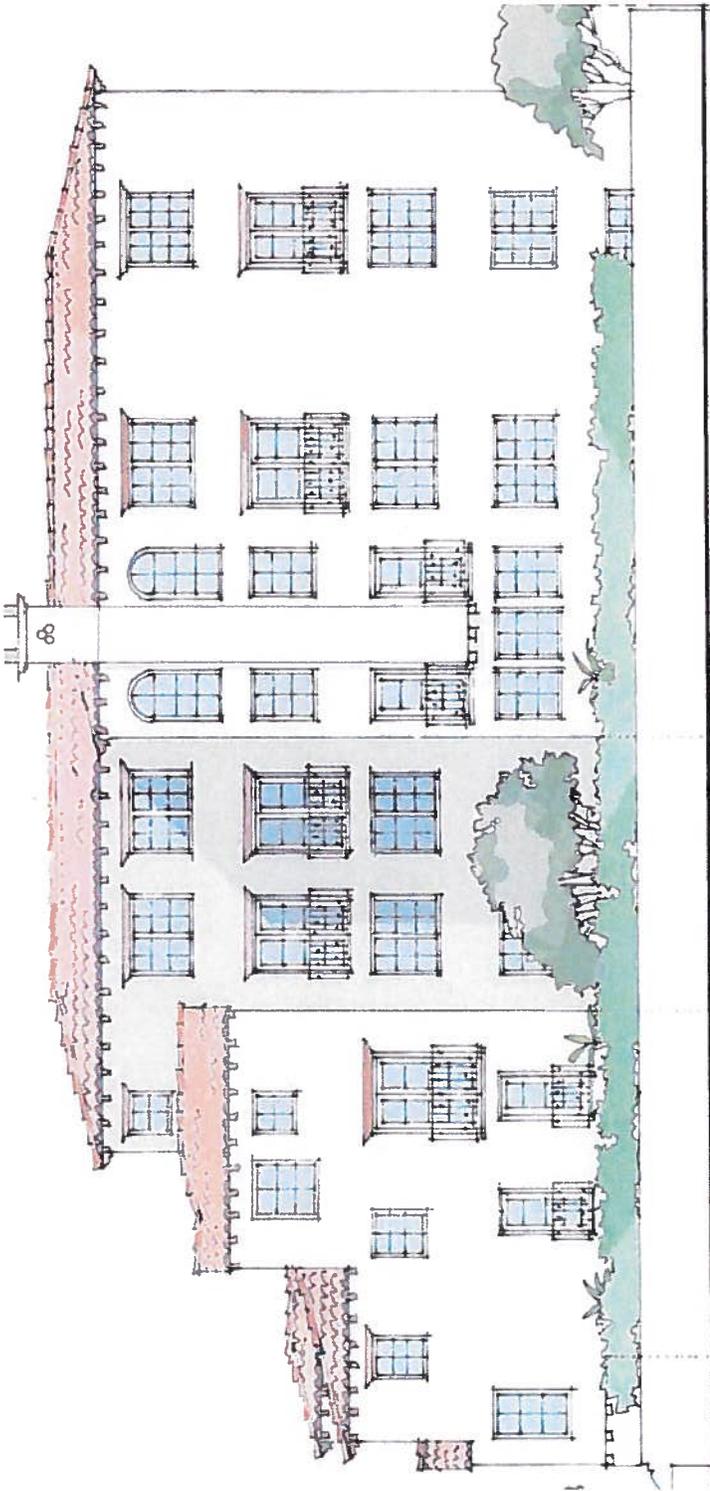
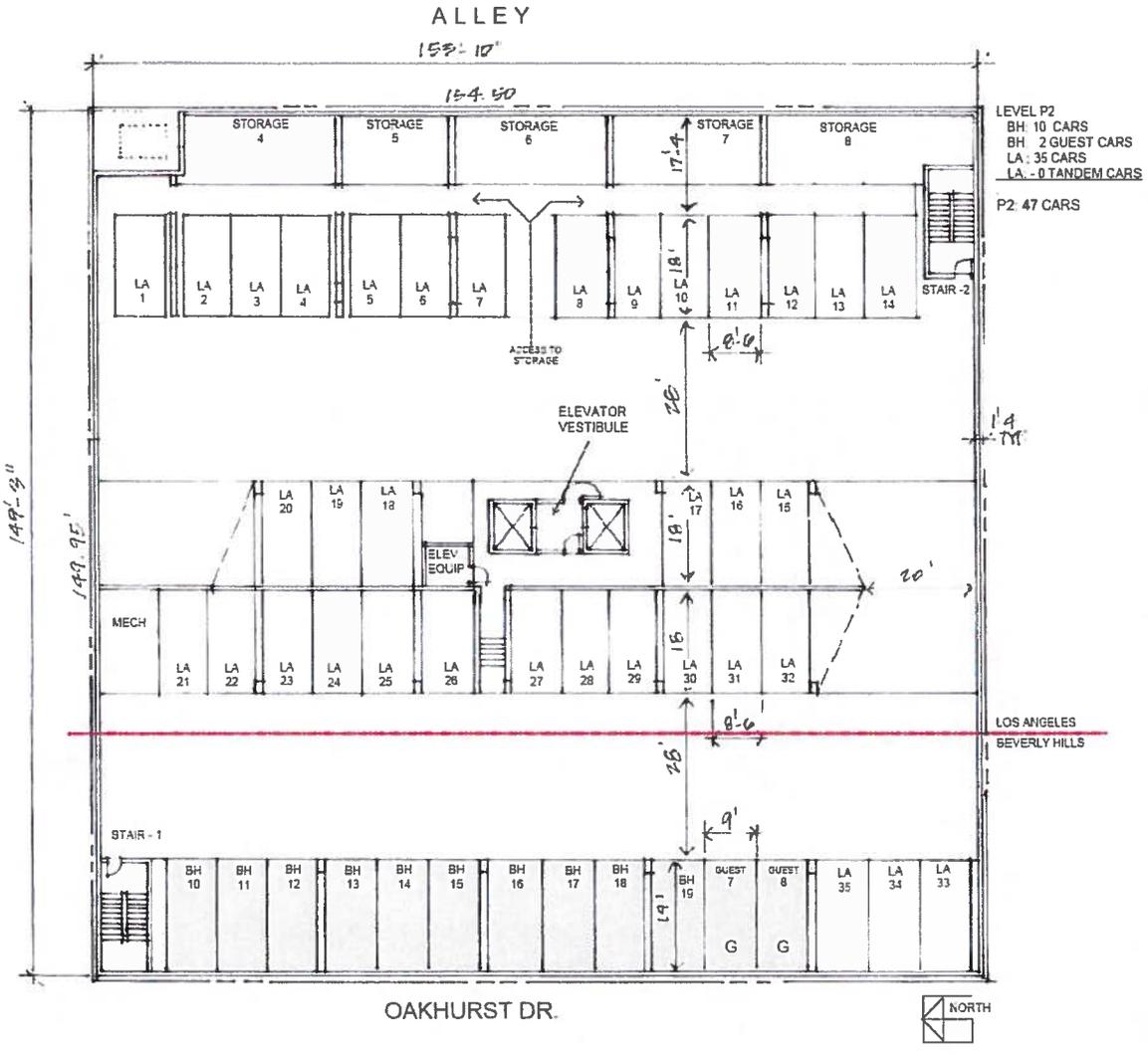


EXHIBIT B

PARKING DIAGRAMS



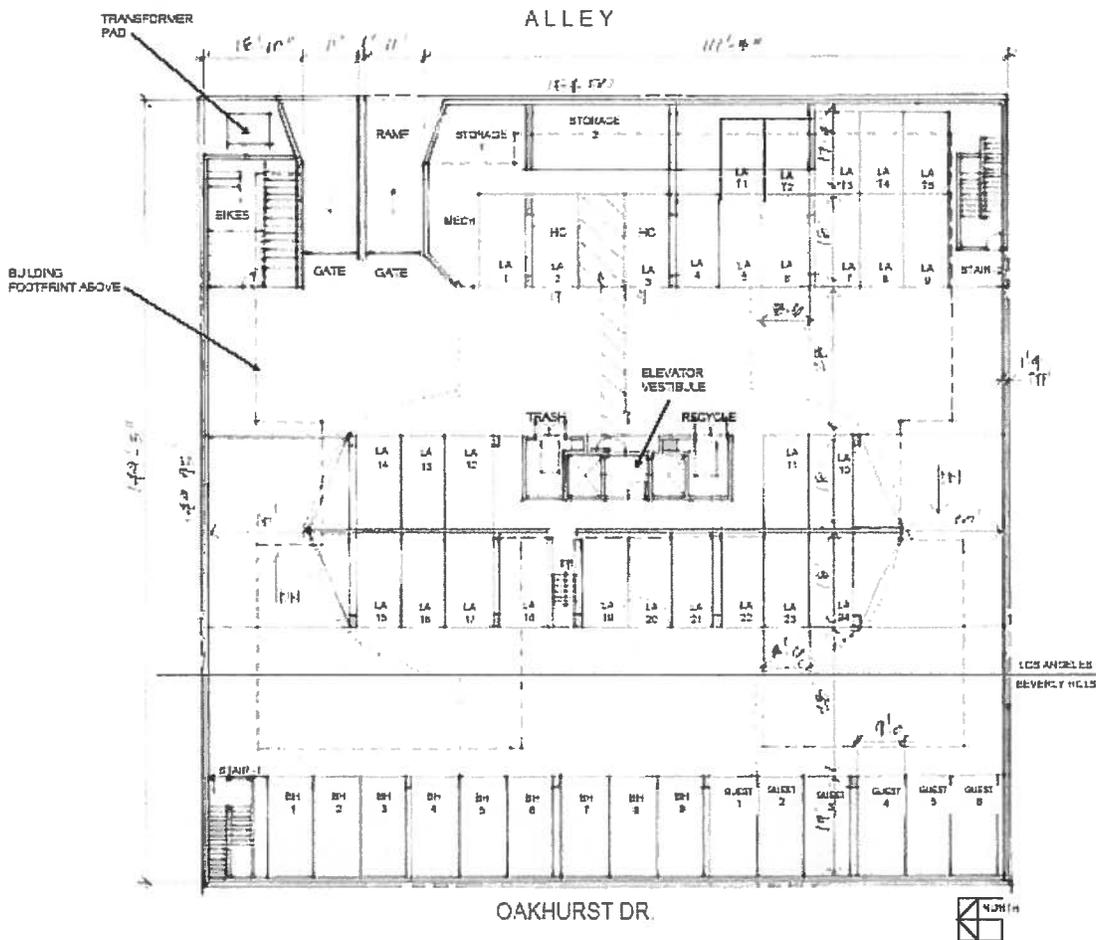
LEVEL P2
 BH 10 CARS
 BH 2 GUEST CARS
 LA : 35 CARS
 LA - 0 TANDEM CARS
 P2: 47 CARS

OAKHURST DR.



UPPER LEVEL PARKING - P2

1/8" = 1' - 0"



PARKING TABULATION

7 UNITS IN BEVERLY HILLS
 4 - 2BR UNITS X 3.0 = 12 CARS
 3 - 2BR UNITS X 2.5 = 8 CARS
 24 UNITS IN LOS ANGELES
 7 - 2BR UNITS X 3.0 = 21 CARS
 17 - 2BR UNITS X 2.5 = 42 CARS

21 TOTAL UNITS X 2.5 GUEST = 53 CARS
 TOTAL = 81 CARS

BH STALL SIZE 9'0" X 15'
 LA STALL SIZE 6.5' X 15'
 TANDEM STALL SIZE 7.5' X 15'

DISTRIBUTION OF CARS:

LEVEL P1
 BH - 9 CARS
 BH - 5 GUEST CARS
 LA - 24 CARS
 LA - 2 TANDEM CARS

P1 44 CARS

LEVEL P2
 BH - 13 CARS
 BH - 2 GUEST CARS
 LA - 35 CARS
 LA - 3 TANDEM CARS

P2 47 CARS

TOTAL CARS = 91

LOS ANGELES
 BEVERLY HILLS

UPPER LEVEL PARKING - P1

1/8" = 1' - 0"

EXHIBIT C

EXCERPT: TRAFFIC ENGINEER LETTER (1/29/14)

EXCERPT: DETERMINATION LETTER (2/03/15)

ARTHUR L. KASSAN, P.E.
Consulting Traffic Engineer

January 29, 2014

Mr. Ryan Golich
Associate Planner
Community Development
City of Beverly Hills
455 N. Rexford Drive
Beverly Hills, CA 90210

Subject: Proposed Residential Development
332-336 N. Oakhurst Drive

Dear Mr. Golich:

At the request of Mr. Bijan Vaziri, Senior Transportation Engineer for the City, I have prepared the following letter to provide you with information about the transportation and parking issues related to the proposed condominium development at the above address. The issues that I have addressed are those about which Mr. Vaziri expressed interest.

Project Description and Setting

The proposed development will consist of 31 condominium dwelling units. It will replace buildings with 17 apartment units already on the site.

The site of the proposed development is 0.53 acres in area and is located on the east side of Oakhurst Drive, north of Third Street. A two-way alley forms the eastern boundary of the site. Multiple-family houses are located immediately north and south of the site. The Beverly Hills/Los Angeles City Limit line runs north-south through the site, approximately 43 feet east of the Oakhurst Drive right-of-way line. Approximately 28% of the site area is within Beverly Hills, and 72% of the area is within Los Angeles.

Parking for the new development will be provided in two subterranean levels. A total of 82 spaces are planned – 68 spaces for residents, and 14 spaces for guests. Those quantities will satisfy the Municipal Code requirements of both cities, as follows:

- City of Beverly Hills – 7 units at 2 or 3 resident spaces per unit = 20 spaces
7 units at 0.25 guest space per unit = 2 spaces
22 spaces
- City of Los Angeles – 24 units at 2 resident spaces per unit = 48 spaces
24 units at 0.50 guest space per unit = 12 spaces
60 spaces

Telephone
(310) 558-0808

5105 Cimarron Lane
Culver City, CA 90230

FAX
(310) 558-1829

any Specific Plan requirements, the proposed project will meet the height, side yard setback, parking, garage, tree ratio, and articulation conditions specified in the 'Q'. Moreover, the development will provide 68 parking spaces and 14 guest parking spaces in conformance with the L.A.M.C. Advisory Agency's policy for residential condominium projects. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans. As conditioned, the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

As previously mentioned, the property sits within the boundaries of the City of Beverly Hills for a lot depth of approximately 46 feet. The portion within Beverly Hills includes the primary frontage, together with the sidewalks and the adjoining parkway, street trees, and street lights. The project's design has been reviewed by the City of Beverly Hills on at least two occasions. In a letter dated September 15, 2011, planning staff for the City of Beverly Hills reviewed the Conceptual Review application for the originally proposed 37-unit project, discussing the required entitlements, fees to be paid, and provided a series of recommendations to update the plans, by providing clarity on open space calculations, setbacks, and parking, to name a few. It also provided requirements intended to address street trees, fire, storm water, traffic, and building and safety issues. Aside from architectural review, development review and an R-4 permit for parking and paving, no other entitlements were listed as being required, and aside from traffic, no other issues were raised by the City of Beverly Hills relative to project impacts. In a November 20, 2013 report to the Architectural Commission, Beverly Hills planning staff presented the project to Architectural Commission as "well-articulated with appropriate massing, modulation, and fenestration", providing "a good use of color variation and horizontal banding," and requesting that the applicant present a night rendering for purposes of understanding the "streetscape context of the building in both day and evening hours."

The project meets the regulations of the underlying zone, land use designation, and the 'Q' conditions relative to the development of the site. Moreover, while preliminary reviews of the design by the City of Beverly Hills are preliminarily favorable, a condition has been included herein requiring that the applicant seek the necessary entitlements to satisfy the public improvements to develop within that portion within the jurisdiction of the City of Beverly Hills.

(c) **THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.**

The site is currently developed with three existing apartment buildings. The site is designated for High Medium Residential Density by the Wilshire Community Plan which allows for a density of 400 square feet per dwelling unit. The 23,165 square-foot site would allow a maximum of 57 residential units. As proposed, the 31-unit residential condominium project is well below the maximum permitted density. The development of this tract is an infill of an otherwise multiple-family neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

EXHIBIT D

NORTH AND SOUTH COURTYARDS

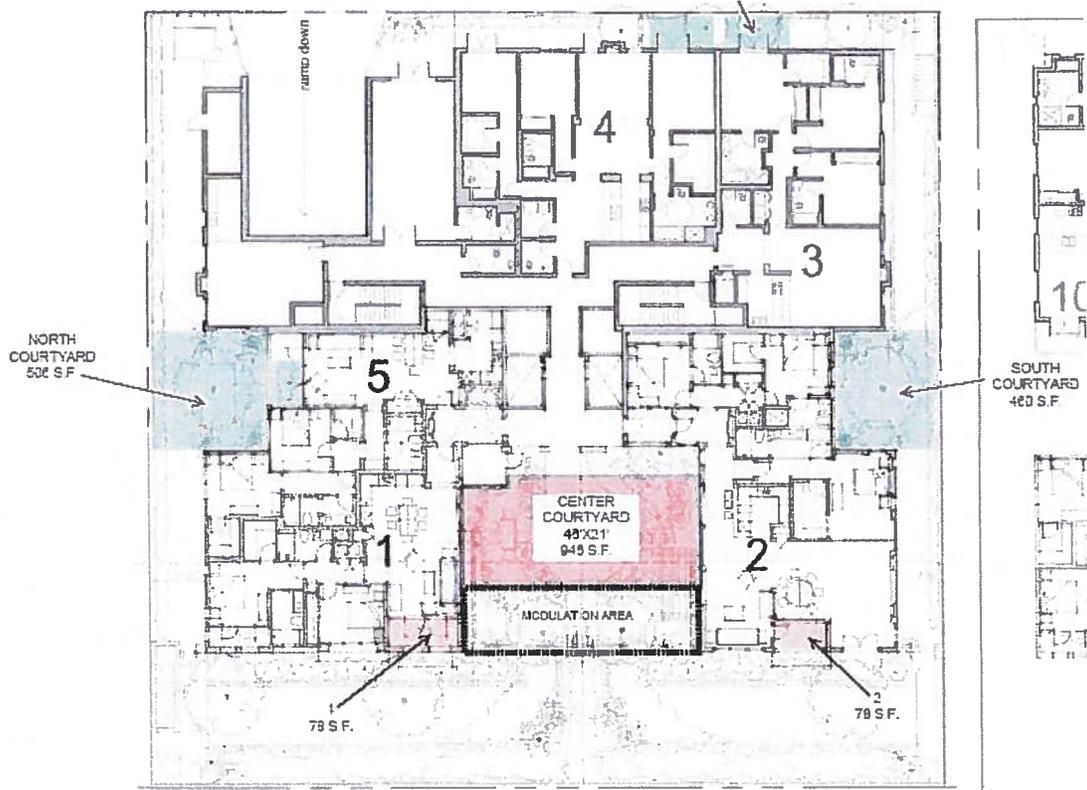
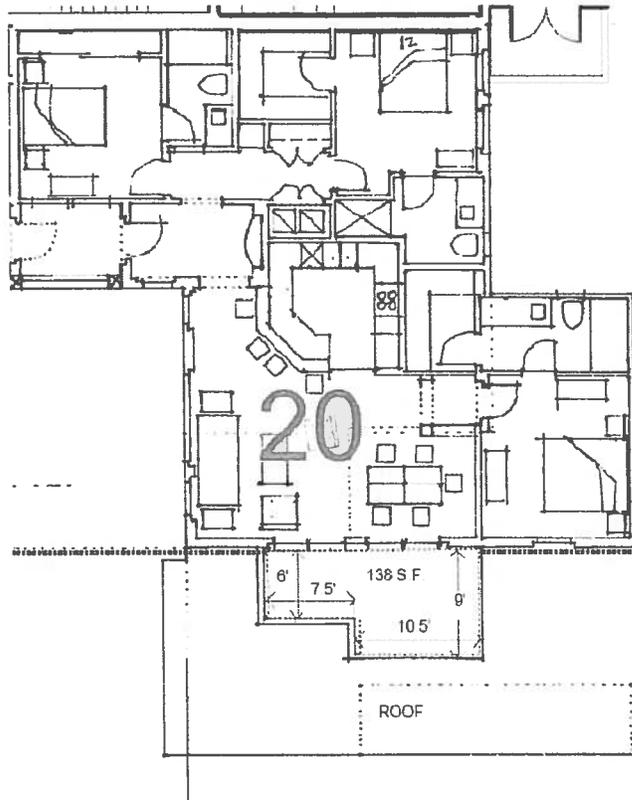
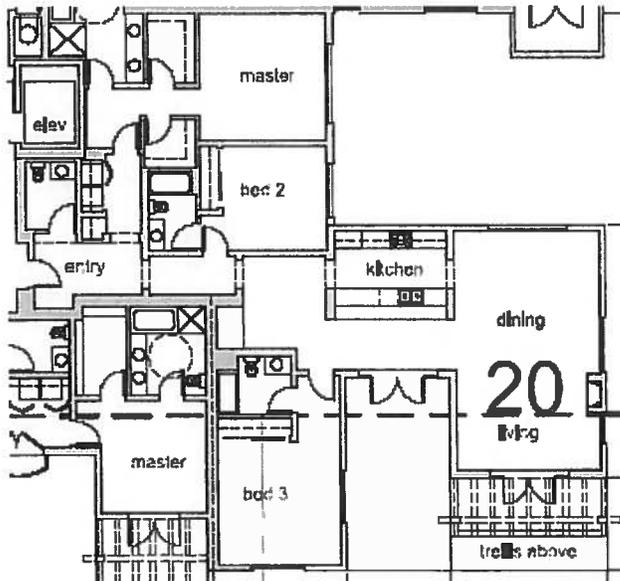


EXHIBIT E

UNIT 20



REVISED



ORIGINAL

EXHIBIT F

SURVEY LA

Name: Oakhurst Drive Multi-Family Residential Historic District

Description:

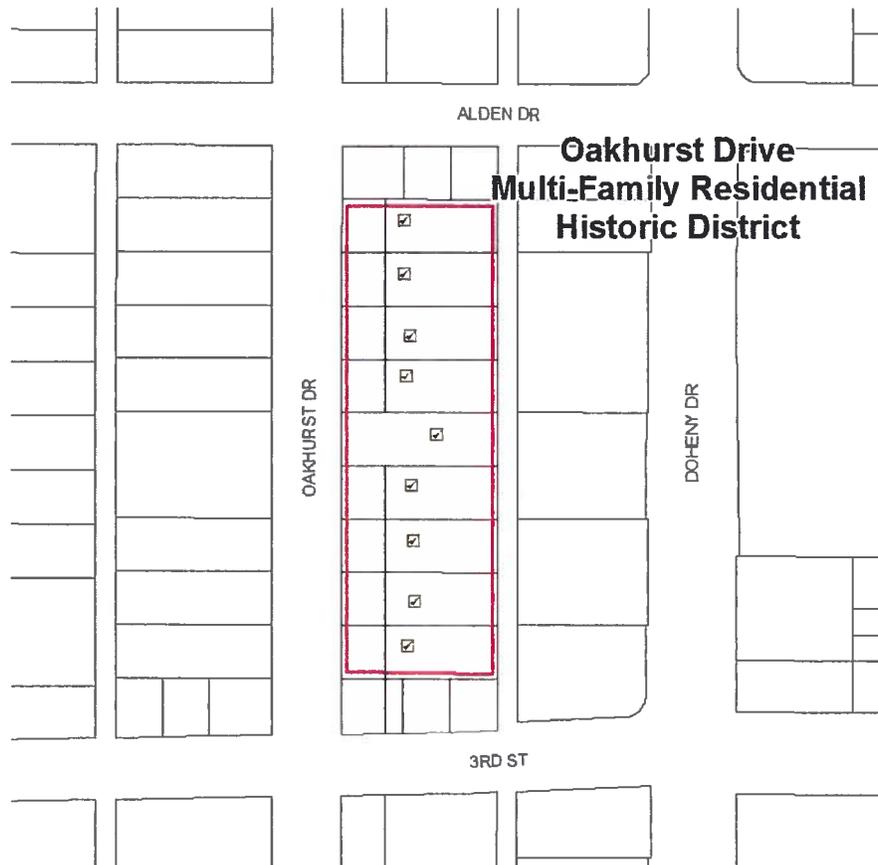
The Oakhurst Drive Multi-Family Residential Historic District is a small multi-family historic district along the east side of North Oakhurst Drive, at the boundary between Beverly Hills and Los Angeles (the primary façades of the buildings and the west side of the street are in Beverly Hills). The residential district includes parcels along the east side of North Oakhurst Drive, just south of Alden Drive to just north of West 3rd Street. The topography of the district is flat; it has a regular, rectilinear street grid pattern. Lot sizes are modest, and properties have uniform setbacks with front lawns, concrete walkways and detached garages. The detached garages are reached via an alley behind the properties. Historically developed as a single tract, the district has original sidewalks, curbs and mature jacaranda trees. All nine properties are contributors to the district.

The dominant period of development for the district is 1930 to 1939. The district consists of two-story duplexes, fourplexes and apartment houses predominantly in the Spanish Colonial Revival or Minimal Traditional style with Monterey Revival and American Colonial Revival style features.

Significance:

The Oakhurst Drive Multi-Family Residential Historic District is significant as an excellent example of a 1930s multi-family residential neighborhood in the Wilshire CPA, and as an excellent concentration of Period Revival architecture. The district retains original tract and automobile-related features, including concrete sidewalks and curb cuts, mature jacaranda trees and detached garages. Residences within the district retain their original plans, massing, scale and character-defining features from the Spanish Colonial Revival or Minimal Traditional (with American Colonial Revival or Monterey Revival features) style. Of the Oakhurst Drive Multi-Family Residential Historic District's nine houses, 100% contribute to its significance.

The district was originally subdivided in 1922 by the Rodeo Land and Water Company. The eastern part of the tract is located in the City of Los Angeles, while the western part is located in the City of Beverly Hills. Initial development of the tract, including grading of the land, road paving and installation of sewer lines, was presumably carried out by Rodeo Land and Water; parcels were then sold to individual property owners to build on. Notable architect S. Charles Lee designed the residence at 344 North Oakhurst Drive. No evidence was found regarding marketing of the subdivision. The period of significance for the historic district is 1930 to 1939, which captures its major period of development and the time during which all of its buildings were constructed.



Context 1:

Context:	Architecture and Engineering, 1850-1980
Sub context:	No Sub-context
Theme:	Housing the Masses, 1880-1975
Sub theme:	Period Revival Multi-Family Residential Neighborhoods, 1918-1942
Property type:	Residential-Multi Family
Property sub type:	Multi-Family District
Criteria:	C/3/3
Status code:	3S;3CS;5S3
Reason:	Excellent example of a Period Revival multi-family residential neighborhood in the area. Prominent styles include Spanish Colonial Revival, Monterey Revival, and Minimal Traditional with American Colonial Revival influences.

Context 2:

Context:	Residential Development and Suburbanization, 1850-1980
Sub context:	Multi-Family Residential Development, 1910-1980
Theme:	Multi-Family Residential, 1910-1980
Sub theme:	Multi-Family Residential District, 1910-1980
Property type:	Residential-Multi Family
Property sub type:	Multi-Family District
Criteria:	C/3/3

Status code:	3S;3CS;5S3
Reason:	Excellent example of a 1930s multi-family residential district containing a mix of multi-family property types, from triplexes to apartment houses.

Contributors/Non-Contributors:



Primary Address: 332 N OAKHURST DR
 Type: Contributor
 Year built: 1931
 Property type/sub type: Residential-Multi Family; Fourplex
 Architectural style: Spanish Colonial Revival



Primary Address: 334 N OAKHURST DR
 Type: Contributor
 Year built: 1930
 Property type/sub type: Residential-Multi Family; Courtyard Apartment
 Architectural style: Spanish Colonial Revival; Monterey Revival



Primary Address: 336 N OAKHURST DR
 Type: Contributor
 Year built: 1930
 Property type/sub type: Residential-Multi Family; Courtyard Apartment
 Architectural style: Spanish Colonial Revival; Monterey Revival



Primary Address: 338 N OAKHURST DR
 Type: Contributor
 Year built: 1939
 Property type/sub type: Residential-Multi Family; Triplex
 Architectural style: Minimal Traditional; American Colonial Revival



Primary Address: 340 N OAKHURST DR
 Type: Contributor
 Year built: 1930
 Property type/sub type: Residential-Multi Family; Apartment House
 Architectural style: Spanish Colonial Revival



Primary Address: 342 N OAKHURST DR
Type: Contributor
Year built: 1939
Property type/sub type: Residential-Multi Family; Apartment House
Architectural style: Minimal Traditional; American Colonial Revival



Primary Address: 344 N OAKHURST DR
Type: Contributor
Year built: 1937
Property type/sub type: Residential-Multi Family; Courtyard Apartment
Architectural style: Minimal Traditional; American Colonial Revival



Primary Address: 348 N OAKHURST DR
Type: Contributor
Year built: 1936
Property type/sub type: Residential-Multi Family; Fourplex
Architectural style: Minimal Traditional; American Colonial Revival



Primary Address: 346 S OAKHURST DR
Type: Contributor
Year built: 1936
Property type/sub type: Residential-Multi Family; Courtyard Apartment
Architectural style: Minimal Traditional; American Colonial Revival

EXHIBIT G

ARTICLE: BEVERLY HILLS COURIER (8/12/16)

ARTICLE: LA BUSINESS JOURNAL (10/19/15)

HERE!

BEVERLY HILLS MAIN NEWS



PIED PIPERS OF PICKLES—Various prizes were awarded at last Sunday's 4th annual Picklefest, which was held at the Beverly Hills Farmers' Market. The coveted "I Can Pickle That" prize went to Bouquet Vepirin for her pickled chayote and first place for the "Best Dill Pickle in Beverly Hills" went to Michael Fox. The judges included Recreation Services Manager Brad Meyerowitz, Recreation and Parks Commission Chair Frances Bilak, Owner of Nate'n Al Delicatessen Mark Mendelson, and last year's "Best Dill Pickle" winners from the Beverly Hills Heart Helpers 4-H Club Isabella and Nicoletta Zucaro. Winners received a \$200 gift certificate to Nate'n Al. Pictured (from left): Michael Fox, Mark Mendelson and Bouquet Vepirin.

Opening Brief in 332-336 North Oakhurst Drive CEQA Lawsuit Reveals L.A. Planning Knew Of Historic Significance

By Victoria Talbot

The opening arguments in a California Environmental Quality Act (CEQA) lawsuit for three buildings located in both Los Angeles and Beverly Hills were filed last week. The was filed last year to request a CEQA review to evaluate the property for its historical significance, among other issues.

Concerned Citizens of Beverly Hills/Beverly Grove filed the brief in support of a Petition for Writ of Mandamus under the California Environmental Quality Act in the California Superior Court claiming that the City of Los Angeles failed to disclose, mitigate and adequately analyze the impacts of its decision to approve the proposed condominium project.

Among the concerns is the nature of the nine buildings on the east side of North Oakhurst Drive that may form a potential Historic District.

The buildings located at 332-336 N. Oakhurst constitute one third of the historic district.

The project proposal is for a 31-unit, 5-story condominium project greenlit by L.A. when the Beverly Hills City Council declined to file an appeal on Feb. 12 last year before the Los Angeles Planning Commission.

At that meeting, Beverly Hills Senior Planner Ryan Cohlisch (now Assistant Director of City Planning) provided an incomplete summary of the project that minimized

the concerns of the immediate community that the property had significant historic value, leaving council members baffled as to why they were called to the special meeting in the first place. Then-mayor Lili Bosse was not present at the meeting.

The property was built in 1927 by Edith Northman, described in contemporary accounts as "Los Angeles' only female architect."

Currently listed among Beverly Hills' Master Architects, the City of West Hollywood and the National Register of Historic Places in the North Harper Avenue Historic District have prominently recognized Northman's contributions.

"The North Oakhurst Residential Historic District is significant as a notable concentration of Period Revival style multi-family residences from the 1930s," said a report from the Historic Resources Group for the City of Beverly Hills. "Various local architects and builders contributed to the district's significance, making the North Oakhurst Residential Historic District a cohesive representation of Period Revival style multi-family residences."

Through the release of over 3,000 pages in a California Public Records Act Request, (PRA), it appears that Los Angeles Planning officials failed to disclose a similar historic assessment prepared

(see "OAKHURST" page 10)

2016 Olympic Games Spotlight Zika Fears

By Kate MacCary

The Zika virus has been challenging public health officials since 2015 as scientists race to find a vaccine. The spotlight has been particularly strong this past week with the start of the 2016 Summer Olympics in Rio and news that the U.S. marked its first Zika-linked death when a Texas newborn died from microcephaly.

Carried by infected Aedes species mosquitoes, the virus is spread both from that insect vector as well as from intimate human-to-human contact.

For Beverly Hills mother of two Romi Azevedo, who has been enjoying this year's Olympic games with her family in Brazil, fears surrounding Zika have amplified in concert with travelling to a region that has been heavily affected by the virus.

"While we are less con-

cerned here in Rio because it's winter and not mosquito season, my concerns are now about preventing my children being bitten in the U.S. as we still don't know enough about Zika dormancy and its future impact," she said.

The Centers for Disease Control and Prevention (CDC) reports only mild symptoms in adults with 80 percent being asymptomatic. For unborn children, however, the effects can be devastating.

The CDC's current guidelines emphasize protective measures for women who plan to give birth in the short-term, including recommendations that pregnant women whose partners travel to affected regions use condoms for the duration of the pregnancy.



FAMILY FUN—Beverly Hills residents Romi and Marcos Azevedo enjoy the 2016 Summer Olympics in Rio with their children Cora and Calo.

According to CDC spokesperson Tom Skinner, children who travel to affected areas are not expected to face future complications as a result of exposure.

"Based on the science available to us right now, we

(see "ZIKA" page 13)

Beverly Hills Staffers Get Stray Cat Hit By Car Back On His Feet; Seek Forever Home

By Matt Lopez

A stray cat that found its way to Beverly Hills City Hall on Friday is now looking for a permanent home.

City Hall was just closing Friday when a customer ran inside the building, announcing to the City's permit desk that the cat had been hit by a car on Rexford Drive.

A couple of Beverly Hills Police Officers, some good Samaritans, and City staffers, including Karen Myron, headed outside and found the scared kitty hiding inside some bushes.

After getting him in a box, the cat — now named "Lucky Frank" — was taken to the Amanda Foundation to get checked out. Tests revealed that aside from some swelling on his head, there were no broken bones or any significant internal injuries.

Lucky Frank is "ear-tipped", which usually denotes that a feral cat has been sterilized, but Bill Crowe of The Pet Care Foundation, who visited with Lucky Frank after the accident, said he is definitely not feral.

"He's friendly and affectionate. I had the opportunity to meet Lucky Frank, and he couldn't be cuter or sweeter. He purrs loudly, loves affection, and would be a great companion for anyone — the perfect Tuxedo Kitty."

Several City employees chipped in to cover the cost to get Lucky Frank, who is approximately 10 months old, back on his feet. He was scheduled to head to a foster home today, but is



"Lucky Frank" is looking for his forever home after being rescued outside of City Hall

seeking a loving, forever home.

Anyone interested in adopting Lucky Frank can email info@thecatmeowani-malrescue.org.

City Sets August 24 Date For Parcels 12 & 13 Maintenance Meeting At Library Auditorium

By Matt Lopez

As the fallout from a tree cutting incident on toxic, arsenic-laced soil on privately-owned Parcels 12 & 13 in Beverly Hills continues, the City has announced a community meeting on Aug. 24.

The parcels are two strips of land north of Civic Center Drive, between the Beverly Hills Civic Center and the border of West Hollywood. The property has elevated levels of arsenic.

The meeting comes on the heels of the land owner, Beverly Hills Land Company, announcing maintenance work as part of the company's covenant and agreement regarding landscaping, fencing and maintenance of vacant properties in the City.

The work, which includes trash and debris removal, irrigation repair, tree and bush trimming and fence repairs, is scheduled to take place between Aug. 29 and Sept. 23. This work, the City said in a press release, has been approved by the City in addition to the Department of Toxic Substance Control (DTSC).

The community meeting, which will include representatives from the City and DTSC, is set for Aug. 24 at 7 p.m. in the Beverly Hills Library Auditorium at 444 N. Rexford Dr.

Free parking is available in the adjacent Civic Center parking garage. For more information, visit www.beverlyhills.org/parcels1213.

BEVERLY HILLS REAL ESTATE



The Playboy Mansion

Why The Playboy Mansion's \$110 Million Sale Fell Apart

A deal providing for a billionaire's son to buy the Playboy Mansion in the Holmby Hills section of Los Angeles for around \$110 million has unraveled, it was reported last week.

Under the deal, Playboy founder Hugh Hefner, 90, would have had the right to live out his life at the mansion, even after the sale went through. But the prospective buyer, 32-year-old Daren Metropoulos, wanted significant access to the property during Hefner's remaining years, and Playboy felt he was being unreasonable, the celebrity news website *TMZ.com* reported.

The parties haggled for weeks, and the deal fell apart Thursday night, according to *TMZ*.

The mansion is now expected to go

back on the market Monday.

There was no immediate comment from either party involved in the negotiations.

Metropoulos, whose family owns Hostess Brands foods, lives next door to the mansion on a property he bought from Hefner in 2009 for \$18 million. He was believed to have been planning to merge the two properties once Hefner's tenancy ended.

Playboy Enterprises acquired the 20,000-square-foot mansion, which was built in 1927, in 1971. Before the reported \$110 million figure was agreed upon, the mansion had been listed for \$200 million.

— *City News Service*

OAKHURST

(Continued from page 4)

for the city by SurveyLA that could have significantly changed the response of city officials in both jurisdictions, and likely bolsters the CEQA lawsuit claim that the city failed to properly evaluate the property.

As the lead agency on the project, the city of Los Angeles was expected to head up a collaborative and transparent process to resolve issues between the two jurisdictions.

But the PRA reveals that Senior Planner Luci Ibarra and Deputy Planner Jae Kim failed to reveal the historic assessment to the LA Central Area Planning Commission Hearing, the LA Planning and Land Use Management Committee Hearing, LA City Councilman Paul Koretz' office and the City of Beverly Hills - though emails show they were aware of LA's assessment of a duo-jurisdictional potential historic district as early as March 2014.

Ibarra was notified by the project applicant's agent, Matthew Hayden, who discovered the existence of the potential historic district because Ibarra directed him to the Office of Historic Resources (OHR) and Deputy Manager Janet Hansen.

The City of Beverly Hills requested the historic assessment documents from LA so they could have an opportunity to compare it to the City's own historic survey and review and comment on them, as Beverly Hills prepared its historic assessment.

On March 17, 2014, Gohlich wrote Ibarra, "Thank you for confirming that no action will be taken on the project until a historic assessment is prepared for the properties. Please keep me posted if anything else comes up in the meantime."

On the same date, Matthew Hayden and Luci Ibarra were cc'd on an email from OHR's Janet Hansen that read: "Just as FYI the consultant is recording those addresses on Oakhurst as part of a potential historic district which is that block..."

A series of emails in which Ibarra, Beverly Hills Planner Shena Rojemann - who replaced Gohlich on the project following his promotion - and Hayden discuss the potential historic district

throughout May and into June 2014. The prolonged requests for documents resulted in an email from Gohlich on June 14, 2014, to Ibarra that states, "Although it is articulated in Shena's [Rojemann] letter, I wanted to be clear that the City of Beverly Hills is requesting that an EIR be prepared. . . 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."

Several emails passed between the cities through Aug. 2014 without resolving the issue. The city of Los Angeles had completed its historic assessment on Jan. 26, 2015, but did not share it with the City of Beverly Hills.

Emails from the PRA indicate that there was no communication between the cities for months prior to the issuance by the city of LA of the Letter of Determination on Feb. 2, 2015. Then, the City of Beverly Hills was informed that the project had been taken off hold and was moving forward, and no EIR had been prepared to address the historic issues.

The city of Los Angeles historic survey reads:

"The Oakhurst Drive Multi-Family Residential Historic District is a small multi-family historic district along the east side of North Oakhurst Drive at the boundary between Beverly Hills and Los Angeles," reads the report. The district, "is significant as an excellent example of a 1930s multi-family residential neighborhood. . . and as an excellent concentration of Period Revival architecture. . . Residences within the district retain their original plans, massing, scale and character-defining features from the Spanish Colonial Revival or Minimal Traditional style. Of the Oakhurst Drive Multi-Family Residential District's nine houses, 100-percent contribute to its significance."

The Los Angeles and Beverly Hills historic assessments concur, but that fact has only come to light as a result of a PRA by Concerned Citizens of Beverly Hills/Beverly Grove.

A response to the opening brief by the developer is due by the end of the month.

THE AGENCY

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INVASION OF THE HIDEOUS CONSTRUCTION SIGNS - Construction signs like these, pictured above and right, are popping up all over Beverly Hills and Bel-Air and if you're not paying close enough attention, it's hard to figure out whether it's street graffiti or an actual meaningful sign. These photos were snapped by a Bel-Air resident, near the ongoing, seemingly never-ending projects at 360 Stone Canyon and being constructed by developer M&A Gabae (Mark & Arman Gabay). If you see signs like the ones pictured in your community, snap a photo and e-mail it to myopinion@bhcourier.com.



Homes on Line In Sister Cities

REAL ESTATE: Beverly Hills balks on L.A.-approved condos.

By **HANNAH MIET** *Staff Reporter*

It's a tale of two cities, but only one property.

Developer Terry Moore and a group of investors stelled out \$7 million in 2013 for three side-by-side multifamily buildings that are bisected by the border between Beverly Hills and Los Angeles. When Moore proposed demolishing the aging structures at 332-336 N. Oakhurst Drive to construct a single 31-unit condo building — four stories tall on the front Beverly Hills side and five stories tall on the back L.A. side, in compliance with each cities' zoning codes — he unwittingly became the focal point of a battle between the two cities.

The Los Angeles Department of City Planning approved the project about eight months ago — in

Real Estate: Condo Conversion Tough to Line Up

Continued from page 1

February. The Beverly Hills Planning Commission, on the other hand, came close to rejecting it after a tense, three-hour-plus hearing Oct. 8. Instead of an outright denial, however, the commissioners granted a continuance on the condition that Moore's team work with a subcommittee to dramatically overhaul the proposal, scaling it down to see if a more appropriate project can be achieved, said Ryan Gohlich, a senior planner for Beverly Hills.

The whole ordeal has exposed deeper tensions between the cities.

"It's all about Beverly Hills," said Beverly Hills Planning Commissioner Lori Greene Gordon at the October hearing. "It's not from [of the building], it's our view and I really concerns me that Los Angeles has that much say in what we in Beverly Hills can do with our property."

Beverly Hills Vice Mayor John Mirisch, who is not on the planning commission, also took a shot at his larger neighbor.

"Los Angeles has a checkered history of approving projects for political reasons," he said. "The fact that L.A. approved it has no bearing. [Beverly Hills] needs to do what's right for us."

For its part, the Los Angeles Department of City Planning said the decision is simple.

"This was a pretty straightforward project that [meets] zoning requirements," said City Planner Lucralia Ibarra.

Not the norm

If there's any place in it, this brand of discord is not the norm.

"In my experience with the cities in Southern California who straddle jurisdictional boundaries, there's usually a cooperative attitude about the land-use process," said David P. Waite, an attorney at Century City firm Cox Castle & Nicholson who deals largely with California Environmental Quality Act, or CEQA, lawsuits. "What's happening with the Oakhurst property is rare."

Moore, the developer, was shocked.

"We expected to be much further along in the entitlement process," he said. "But we're shuffling on back to the drawing board."

The hearing earlier this month was the lat-

est scene in the two-city drama surrounding the property.

A Beverly Hills neighborhood group, after failing in its appeal of L.A.'s approval of the project, filed a CEQA lawsuit against Los Angeles in Superior Court, alleging the city failed to adequately analyze the environment impacts of the project, including the historical significance of the dilapidated buildings, which were constructed by Edith Murtensen Northman, who built several gas stations and single-family homes in Los Angeles and Beverly Hills during the 1930s, according to the Los Angeles Conservancy's website.

The CEQA suit is scheduled to go to trial in June.

The situation is made complex because for about a three-block stretch the border does not run down the middle of the street but slices through the block; the front of a house that faces Oakhurst is in Beverly Hills while the back is in Los Angeles.

Two-thirds of Moore's Oakhurst property is in Los Angeles, where 24 of the 31 units are proposed. Because the majority of the property falls within its jurisdiction, Los Angeles was charged with preparing the environmental review of the property under CEQA. Its review found the structures on Oakhurst were not historic.

Northman's building on Oakhurst received no official designation, nor did the area it sits in. But the neighborhood group, Concerned Citizens of Beverly Hills/Beverly Grove, led by Steve Mayer (who has a post office box address in Beverly Hills but actually lives in Los Angeles) argued that it has the potential to be one. Concerned Citizens claims the surrounding area was identified as a "potential historic district" by the survey team for the 2014 Historic Resources Survey.

"We've been lambasted," Moore said. "I've been a developer in Los Angeles for 15 years, and it's never been this bad. It just takes this one guy [Mayer] who is a troublemaker and doesn't even live in the neighborhood. We've got a lot of support but that doesn't come up."

At the hearing earlier this month, Mayer suggested Moore convert the existing buildings into condos.

"These buildings are not historical; they are simply old," said Moore's land-use attorney, Elin Thompson of Sklar Kirsch's Century City office.



PHOTO BY CHERRY

Border Crossing: Condo project that straddles Beverly Hills and Los Angeles.

"They are in a state of disrepair. They are not up to code. The idea that we could slip some paint on them and do a condo conversion is frankly baseless and ludicrous."

Ibarra, L.A.'s city planner, said no historical information of substance was presented by Beverly Hills while it was doing its environmental analysis.

"Beverly Hills never went on record saying it would be a historic district, and we never got anything from them regarding the historic features of the building itself, except for a memo which didn't really identify any noteworthy events or people that would have raised it to a level of significance," Ibarra said. "So, it's on them."

Scaling back

The issue of historical significance was less important to the Beverly Hills Planning Commission than the issue of scale. Planning Commissioner Craig Corman, who will be part of the subcommittee working with the developer to revise the project, was much more concerned with the density of the project, which he said is inconsistent with the mostly two-story buildings on the surrounding blocks.

"Even if the area is not in a historic district, that doesn't mean its character shouldn't be protected," he said.

Corman said Moore's project would have to be scaled down drastically before it can be brought back to the commission. He did not specify how drastically, saying that it needed to be consistent with that block. The 300 block of Oakhurst has two-story buildings. Moore is

proposing four stories on the Beverly Hills side.

L.A.'s Ibarra said any major changes to the plan that was originally proposed to Los Angeles will require that the process start over there, too.

Meanwhile, Moore, who has developed 25 other condo projects in Los Angeles, is watching his property sit vacant while he waits to meet with the subcommittee to start redrafting a smaller project.

He's ready to compromise.

"It's not going to be the condo conversion that Mayer wants because, economically, we could never make that happen based on what we paid for the properties, and the fact that buildings are functionally obsolete," he said. "But we can alter the plan to something softer that fits in [the subcommittee's] minds."

He didn't specify how many stories or units he might propose.

The first meeting won't happen until after November, said Gohlich, the Beverly Hills planner.

Moore, whose vacant properties aren't generating income, filed under the Ellis Act in April of last year to evict tenants from the rent-controlled buildings as part of a condo conversion.

Moore paid the former Oakhurst residents' relocation fees, and all tenants were out by August.

"With a new development, you figure you will have a year with no income, but this seems like more like two years," he said, adding that he is shocked a project compliant with code and zoning rules would face this much opposition. "I've dealt with a lot, but never anything close to this. Ever."



Mirisch



Thompson

EXHIBIT H

AUDIENCE COMMENTS (04/19/16)

HONORABLE MAYOR AND COUNCILMEMBERS:

MY NAME IS STEVE MAYER, AND I WOULD LIKE TO ADDRESS AN ISSUE REGARDING THE OAKHURST PROJECT AT 332-336 NORTH OAKHURST.

LAST TUESDAY, THERE WAS A MEETING OF A SUBCOMMITTEE OF THE PLANNING COMMISSION, WHEREIN THE APPLICANT SUBMITTED REVISED CONCEPTUAL DRAWINGS FOR A PROPOSED CONDOMINIUM PROJECT.

THE MEETING WAS NOT TAPED, AND SINCE I WAS NOT ABLE TO ATTEND, I CANNOT TELL YOU PRECISELY WHAT OCCURRED.

WHAT I CAN TELL YOU IS THAT THERE IS CONSIDERABLE DIFFERENCE OF OPINION AS TO WHAT HAPPENED AT THE MEETING.

SOME BELIEVE THAT THE SUBCOMMITTEE EFFECTIVELY APPROVED THE REVISED DESIGN, AND IT CAN BE SUBMITTED TO THE FULL PLANNING COMMISSION.

OTHERS BELIEVE THAT THE APPLICANT WAS TOLD THAT HE COULD RETURN TO THE SUBCOMMITTEE, AT THE OPTION OF THE APPLICANT.

WHAT I WANT TO DO IS PREVENT IS A REPETITION OF THE L'ERMITAGE SITUATION AT LAST THURSDAY'S PLANNING COMMISSION MEETING.

MORE SPECIFICALLY I DON'T WANT THE APPLICANT TO HAVE ONE EXPECTATION, THAT HE HAD AN APPROVED REVISED CONCEPT, AND SPENDS A LOT OF MONEY BASED ON THAT.

PERHAPS I'M BEING PRESUMPTUOUS, BUT I DON'T BELIEVE THIS ITEM NEEDS TO BE AGENDIZED.

INSTEAD, WITH YOUR PERMISSION, I WISH TO SUBMIT A DRAFT OF A LETTER FOR THE APPLICANT TO THE SUBCOMMITTEE CHAIR...

... THAT HE CAN CRAFT TO HIS LIKING, TO PROVIDE SPECIFIC CLARIFICATION TO THE APPLICANT AS TO WHAT WAS DIRECTED AT THE SUBCOMMITTEE MEETING.

THE LAST THING I WANT IS FOR THE APPLICANT TO SPEND \$30,000 TO \$50,000 ON A COMPLETE SET OF DRAWINGS ON AN INCORRECT INTERPRETATION, BELIEVING HE HAD APPROVAL OF THE SUBCOMMITTEE.

IF THAT OCCURS, IT CREATES LIABILITY TO THE CITY AND AN IMPLIED OBLIGATION UPON THE PLANNING COMMISSION FOR THE MISINTERPRETATION.

IN ADDITION, I WANT THE LETTER TO MADE CLEAR THAT BEFORE THE APPLICANT RETURNS TO EITHER STAFF, OR APPEARS AGAIN BEFORE APPOINTED OFFICIALS, THAT THE PROPERTY HAS TO BE MAINTAINED TO THE CITY OF BEVERLY HILLS STANDARDS FOR UNOCCUPIED PROPERTIES.

IT IS A CESSPOOL ON THE ALLEY, AND IT IS OVERGROWN TO THE EXTENT THAT IT IS THREATENING THE STRUCTURES.

IF YOU WISH TO TAKE CONTROL OVER THIS MATTER, PLEASE FEEL FREE IF THAT IS YOUR INCLINATION.

BY HANDLING THIS MATTER IN MY SUGGESTED INFORMAL MANNER, HOWEVER, HOPEFULLY TIME IS SAVED FOR OTHER MATTERS.