



**CITY OF BEVERLY HILLS
CITY COUNCIL
SPECIAL MEETING
April 09, 2008**

The Special Meeting of the City Council of Beverly Hills was held in the Council Chambers at 7:00 p.m.

PLEDGE OF ALLEGIANCE

A. ROLL CALL

Present: Councilmember Delshad, Councilmember Krasne, Councilmember Briskman, Vice Mayor Fenton, and Mayor Brucker
Absent: None

B. ORAL COMMUNICATIONS

1. TELEPHONE CALL-IN (310.285.1020) (Members of the public are invited to place telephone calls to comment on issues that do not appear on the evening's agenda. The City Council will take up to three telephone calls per meeting. Comments on the evening's agenda must be made in person as the item comes before the City Council.)

Due to technical difficulties, the telephone call-in was not available this evening.

2. AUDIENCE COMMENTS. Any person wishing to address the City Council on any matter not on the agenda may do so at this time. However, the State open meetings law (Government Code Section 54950 et seq.) prohibits the City Council from providing a detailed response or acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. If you wish to address the City Council at this time, please complete a speaker's card and give it to the City Clerk prior to the commencement of the meeting. Please use the microphone provided, clearly stating your name for the official record and courteously limiting your remarks to three (3) minutes so others may have the opportunity to speak as well.

1. Paul Bernstein thanked the City for the rapid response to the inquiry he made last evening regarding trees on Canon and Wilshire.

2. Larry Larson spoke about the Beverly Hills Courier and Beverly Hilton Hotel.
3. Rose Norton spoke about proposed changes to the southwest portion of the City in the General Plan.
4. Paul Krentzman expressed his concerns for the changes regarding increased density to the General Plan.
5. Ita Gordon read a letter from Marjorie Blight about the proposed increased FAR along Wilshire Boulevard.
6. Gloria Seiff commented about proposed changes to the General Plan FAR.
7. David Gordon spoke about increases to the City's revenues to offset expenses.
8. Ken Norrian commented about the General Plan and the number of projects being considered in the City.
9. Lori Goldman spoke about changing the FAR along Wilshire Boulevard.
10. Fern Seizer spoke about the General Plan and Beverly Hills as a livable City.
11. Bob Seizer mentioned proposed density on South Beverly Drive.
12. John Hiller asked the Council to respect the rights of the citizens that live in the southwest portion of the City.
13. Valerie Wisot spoke about proposed increases to the FAR along Wilshire in the General Plan.
14. Ben Alexander commented on increasing the FAR along Wilshire and South Beverly Drive.
15. Bruce Schwartz spoke about the potential General Plan rezoning.
16. Howard Fisher spoke about the proposed increased density along South Beverly Drive.
17. Victor Moss shared comments about the proposed increased density along South Beverly Drive and Wilshire Boulevard.
18. Ken Goldman spoke about Alternative 4 - increasing the FAR on South Beverly Drive and Wilshire Boulevard.

At the request of Mayor Brucker, Community Development Director Vince

Bertoni advised on the proposed land use process/scenarios for future consideration.

C. PUBLIC HEARING

TO SET:

None

TO CONSIDER:

This being the time and place set, a continued public hearing was held to consider:

1. CONSIDERATION OF PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A GENERAL PLAN AMENDMENT, ZONE CHANGE, ZONE TEXT AMENDMENT, SPECIFIC PLAN, DEVELOPMENT AGREEMENT AND ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED CONDOMINIUM PROJECT WITH ANCILLARY COMMERCIAL USES AT 9900 WILSHIRE (ROBINSONS-MAY SITE). Comment: The proposed project, located on an approximate 8-acre site near the intersection of Wilshire and Santa Monica Boulevards, would include the demolition of the existing vacant Robinsons-May Department store and the construction of more than 200 residential units in at least two separate buildings with maximum heights of up to 185 feet. Approximately 16,000 square feet of retail space is also proposed, which includes a 4,800 square foot restaurant. Parking would be provided in a subterranean garage. In addition to discussing the project as a whole, at this meeting the City Council will specifically consider draft resolutions amending the City's General Plan and adopting the 9900 Wilshire Specific Plan subject to conditions, and second reading of ordinances approving a development agreement for the project and approving a zone change and text amendment for the project. This meeting is a continuation from the Special City Council Meetings held on Tuesday March 11, 2008, Thursday March 20, 2008, Thursday March 27, 2008 and Thursday April 3, 2008.

The notice of the hearing was given as required by law and an affidavit to this effect is on file with the City Clerk.

The report of the Director of Community Development and the records of the Department of Community Development in this matter are made a part of the record of this hearing.

Speaking:

1. Myra Lurie, speaking on behalf of the School District, thanked the City Manager for the explanation of the mitigation plan for the School District for the proposed projects for the City. Ms. Lurie referred to a one-page

document that represents the standards they seek for the mitigation plan agreed upon.

Community Development Director Vince Bertoni provided a PowerPoint and staff report for the 9900 Wilshire Project. Mr. Bertoni spoke about modifications to the final design of the project, and then spoke about the revisions to the 9900 Wilshire Specific Plan and Conditions of Approval. He mentioned the resolutions and ordinances before the Council for consideration this evening.

Allan Alexander, representing the applicant, addressed the Council on some requested modifications to the language in the documents.

Following discussion, it was agreed to modify Condition No. 79 to read that any decision rendered by the Director pursuant to the authority set forth in the Specific Plan, may be appealed to the City Manager.

The Councilmembers asked questions and made comments.

Councilmembers Krasne and Delshad suggested that the City, under certain conditions, be able to share in the profits of the sale of the condominiums. Consensus was not reached on this.

MOVED by Vice Mayor Fenton, seconded by Councilmember Briskman to adopt the resolution entitled:

RESOLUTION OF THE CITY COUNCIL AMENDING THE GENERAL PLAN TO ENCOURAGE A GATEWAY DEVELOPMENT FOR THE CITY OF BEVERLY HILLS INCLUDING LUXURY RESIDENTIAL CONDOMINIUMS, PUBLIC GARDENS, AND ANCILLARY COMMERCIAL USES FOR THE PROPERTY LOCATED AT 9900 WILSHIRE BOULEVARD (THE FORMER ROBINSONS-MAY DEPARTMENT STORE SITE).

Ayes: Councilmember Delshad, Councilmember Briskman, Vice Mayor Fenton, and Mayor Brucker

Noes: Councilmember Krasne

CARRIED

ADOPTED RES#08-R-12498

MOVED by Councilmember Briskman, seconded by Vice Mayor Fenton to adopt the resolution entitled:

RESOLUTION OF THE CITY COUNCIL ADOPTING A SPECIFIC PLAN FOR A GATEWAY DEVELOPMENT TO THE CITY OF BEVERLY HILLS INCLUDING LUXURY RESIDENTIAL CONDOMINIUMS, PUBLIC GARDENS, AND ANCILLARY COMMERCIAL USES FOR THE PROPERTY LOCATED AT 9900 WILSHIRE BOULEVARD (THE FORMER ROBINSONS-MAY DEPARTMENT STORE SITE).

Ayes: Councilmember Delshad, Councilmember Briskman, Vice Mayor Fenton,
and Mayor Brucker
Noes: Councilmember Krasne

CARRIED

ADOPTED RES#08-R-12499

MOVED by Councilmember Delshad, seconded by Vice Mayor Fenton to
adopt the ordinance entitled:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS ADDING THE 9900
WILSHIRE SPECIFIC PLAN ZONING TO THE CITY OF BEVERLY HILLS
MUNICIPAL CODE, AND APPLYING THE 9900 WILSHIRE SPECIFIC PLAN
ZONING IN CONJUNCTION WITH THE PROPOSAL TO DEVELOP
LUXURY RESIDENTIAL CONDOMINIUMS, PUBLIC GARDENS, AND
ANCILLARY COMMERCIAL USES, FOR THE PROPERTY LOCATED AT
9900 WILSHIRE BOULEVARD (THE FORMER ROBINSONS-MAY
DEPARTMENT STORE SITE).

Ayes: Councilmember Delshad, Councilmember Briskman, Vice Mayor Fenton,
and Mayor Brucker
Noes: Councilmember Krasne

CARRIED

ADOPTED ORD#08-O-2545

MOVED by Councilmember Delshad, seconded by Councilmember Krasne to
delay the Development Agreement for two weeks and direct the
Ad Hoc Committee to renegotiate to allow the City to share in the
profits of the sale of the condominiums.

Ayes: Councilmember Delshad, and Councilmember Krasne
Noes: Councilmember Briskman, Vice Mayor Fenton, and Mayor Brucker

FAILED

MOVED by Mayor Brucker, seconded by Councilmember Briskman to adopt
the ordinance entitled:

AN ORDINANCE OF THE CITY OF BEVERLY HILLS APPROVING A
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS
AND PROJECT LOTUS, LLC FOR CONSTRUCTION OF LUXURY
RESIDENTIAL CONDOMINIUMS, PUBLIC GARDENS AND ANCILLARY
COMMERCIAL USES, IN ACCORDANCE WITH THE 9900 WILSHIRE

SPECIFIC PLAN FOR PROPERTY AT 9900 WILSHIRE BOULEVARD (THE
FORMER ROBINSONS-MAY DEPARTMENT STORE SITE).

Ayes: Councilmember Briskman, Vice Mayor Fenton, and Mayor Brucker
Noes: Councilmember Delshad, and Councilmember Krasne

CARRIED

ADOPTED ORD#0800-2546 AG#110-08

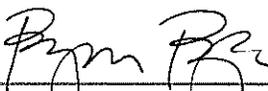
D. OTHER BUSINESS

None

E. ADJOURNMENT

There being no further business, Mayor Brucker, with the consent of Council,
adjourned the meeting at 9:40 p.m.

PASSED, Approved and Adopted
this 3rd day of June, 2008.



BYRON POPE, City Clerk

BARRY BRUCKER, MAYOR

**This meeting was broadcast on live television, on City of Beverly Hills municipal
government television access Channel BHN/10 Time Warner Cable.**