



## STAFF REPORT

**Meeting Date:** September 2, 2014

**To:** Honorable Mayor & City Council

**From:** Susan Healy Keene, AICP, Director of Community Development  
Ryan Gohlich, Senior Planner

**Subject:** Request by Councilmember Mirisch to discuss the process for modification of the Beverly Hilton Specific Plan for 9876 Wilshire Boulevard (Waldorf Astoria Hotel).

**Attachments:** 1. Specific Plan Excerpt

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### INTRODUCTION

Councilmember Mirisch requested this matter be placed on the City Council Study Session Agenda. This report presents information related to the Beverly Hilton Specific Plan, and outlines the process for reviewing changes to the project and Specific Plan. This information has been requested as a result of Specific Plan project modifications currently being processed by the Community Development Department.

### DISCUSSION

The Beverly Hilton Specific Plan was approved on April 29, 2008 after review by the Planning Commission and City Council, and allows for the construction of a new Waldorf Astoria hotel and two residential condominium towers on the existing Beverly Hilton site. The Specific Plan establishes the framework and parameters for development of the project, and also includes provisions for modifying the project beyond what was specifically approved in 2008. The Specific Plan contemplates a variety of potential project modifications, and categorizes the modifications based on significance. There are three categories of project modifications outlined in the Specific Plan, and each category has a defined review process. The three categories are described below in order from least significant to most significant, and excerpts from the Specific Plan are provided as Attachment 1 of this report.

**Modifications.** For the purposes of the Specific Plan, 'modifications' are considered to be the least significant form of project change and require no discretionary review. Examples of modifications described in the Specific Plan include the following, which are exempt from discretionary review by the City:

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- Relocation or alteration of ancillary uses, provided such relocation or alteration does not increase parking demand;
- Variations between the conceptual plans approved by the City Council and the final construction drawings prepared for permit issuance, provided the final construction drawings substantially conform to the plans approved by the City Council;
- Changes to the number and location of parking spaces, provided that the minimum number of required parking spaces continues to be satisfied;
- Changes to the configuration of the parking structure, provided that access points do not materially change;
- Changes to the locations of retail, restaurant, and open air dining uses within the hotel, provided that the changes do not increase parking demand;
- Substitution of similar types of plant species for use in the landscaping plan; and
- Minor changes to the site plan and building elevations, provided such changes do not materially alter the approved architectural style, modulation, or building height.

**Administrative Modifications.** For the purposes of the Specific Plan, 'Administrative Modifications' are more significant than a 'Modification' and require discretionary review. The Specific Plan calls for the discretionary review of Administrative Modifications to be carried out by the Director of Community Development, and relies on existing Municipal Code provisions for processing, public notice, and appeal procedures. Administrative Modifications that can be approved by the Director of Community Development include the following:

- Any changes that do not substantially alter the distribution, location, or extent or density of the uses and buildings permitted in the Specific Plan; and
- Changes to the site plan and building elevations that materially alter the approved architectural style or modulation of the buildings.

Similar to other discretionary actions, any decision rendered by the Director pertaining to an Administrative Modification is appealable within 14 days by any member of the public, or may be called up for review by the City Council within 30 days of the decision.

**Formal Amendments.** For the purposes of the Specific Plan, 'Formal Amendments' are required for significant departures from the Specific Plan, and require review by both the Planning Commission and City Council, in a manner similar to the original processing of the Specific Plan. A Formal Amendment is required for the following project changes:

- Modifications that would substantially alter the distribution, location, extent or density of the uses and buildings permitted in the Specific Plan;

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- Any increase in the total number of hotel guest rooms or residential units;
- Any increase in the overall floor area of the residential or hotel uses;
- Any increase in the total capacity of function rooms or areas; and
- A material increase in the maximum height of the buildings.

Requests for project modifications are reviewed against the Specific Plan and the above criteria, and are processed accordingly. The project modifications currently being reviewed by the Community Development Department include the following:

- Refinements to the architectural design of the podium and new hotel tower;
- Inclusion of a mezzanine within the first floor of the podium resulting in no net increase in floor area from that approved in the Specific Plan;
- A 2,408 square foot outdoor dining area resulting in no net increase in floor area from that approved in the Specific Plan;
- Reconfiguration of meeting and function rooms that will not result in an overall increase in meeting or function room capacity;
- Changes to the heights of each floor of the new hotel resulting in an overall height increase of approximately 4 feet;
- Implementation of a graywater system that will use water recycled from the hotel to reduce total water demand from the project; and
- Phasing of the off-site right-of-way improvements along Wilshire Boulevard and Santa Monica Boulevard, including streetscape and landscape improvements.

### **FISCAL IMPACT**

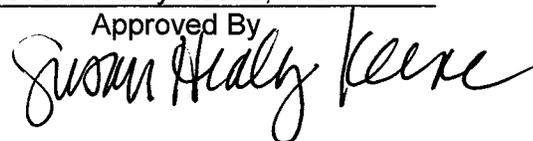
No fiscal impact will result from the City Council's review of the modification procedures set forth in the Specific Plan.

### **RECOMMENDATION**

Staff recommends that the City Council discuss the processing requirements for changes to the Specific Plan, and provide staff with direction as appropriate.

Susan Healy Keene, AICP

Approved By



**ATTACHMENT 1**  
**SPECIFIC PLAN EXCERPT**

## 5.4 AMENDMENTS TO THE SPECIFIC PLAN

Formal amendments ("Amendments") to the Specific Plan require the review by both the Planning Commission and the City Council. Amendments are governed by the provisions of Section 65450 et seq. of the California Government Code and require compliance with specific notice and public hearing requirements. An amendment to the Specific Plan shall be required for (a) proposed modifications that would substantially alter the distribution, location, extent or density of the uses and buildings permitted in the Specific Plan, including (i) any increase in the total number of hotel guest rooms or residential units, of the overall floor area of the residential or hotel uses, or (ii) any increase in the total capacity of function rooms or areas or (b) a material increase in the maximum height of the buildings.

Notwithstanding the foregoing, the Director may, without the review and approval of the Planning Commission or the City Council, approve administrative modifications to the Specific Plan that do not substantially alter the distribution, location, extent or density of the uses and buildings permitted in the Specific Plan. An Administrative Modification shall be required with respect to changes to the site plan and building elevations that would materially alter the approved architectural style or modulation of the buildings. An Administrative Modification shall be processed pursuant to the procedures set forth in Article 36 of Chapter 3 of Title 10 of the Municipal Code for "Minor Accommodations to Certain Development Standards". The applicant or any person aggrieved by any decision regarding an Administrative Modification may appeal to the City Council as provided in Section 10-3-3604 of the Municipal Code (or any successor provision).

Notwithstanding anything to the contrary in this Section, the following modifications to the Specific Plan shall not require a formal amendment to the Specific Plan or an Administrative Modification: (a) the relocation or alteration of ancillary uses provided the Director determines that the relocation or alteration does not increase parking demand, (b) variations between the conceptual plans set forth in Chapter 8.0 and the final construction documents for the Specific Plan Area development, provided the final construction documents substantially conform to the conceptual plans set forth in Chapter 8.0; (c) changes to the number and location of the residential and hotel parking spaces in the subterranean parking structure, provided that the subterranean parking structure includes a sufficient number of parking spaces to satisfy the parking requirements in Section 4.3 of Chapter 4.0; (d) changes to the configuration of the subterranean parking structure, provided that the access points to the subterranean parking structure do not materially change and do not present any safety issues; (e) changes to the locations of the permitted retail and restaurant uses within the hotel buildings provided that the Director determines that the changes do not increase parking demand; changes to the location of open air dining areas provided that the Director determines that the changes do not increase parking demand; (f) the substitution of similar types of plant species in the landscaping plan; or (g) minor changes to the site plan and building elevations, provided such changes do not materially alter the approved architectural style, modulation or height of the buildings.