



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
SPECIAL MEETING  
March 11, 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 Krasne, Councilmember Fenton,  
Councilmember Briskman, Vice Mayor Brucker, and Mayor  
Delshad  
Absent: None

**B. PRESENTATIONS**

1. PROCLAMATION - in recognition of Girl Scout Week  
- Angeles Girl Scout Council

Mayor Delshad, with the assistance of Councilmember Briskman, presented a proclamation to the Angeles Girl Scout Council in recognition of the week of March 9 as Girl Scout Week.

Mayor Delshad acknowledged two special visitors, Mr. & Mrs. Longford and congratulated them on their award winning artwork.

**C. 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.)

None

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. Gila Michael spoke about the Mayor and thanked him for his year of service as Mayor.

**D. PUBLIC HEARING**

TO SET:

None

TO CONSIDER:

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

1. CONSIDERATION OF PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A GENERAL PLAN AMENDMENT, ZONE CHANGE, SPECIFIC PLAN, DEVELOPMENT AGREEMENT AND ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED CONDOMINIUM PROJECT AND ANCILLARY COMMERCIAL USES AT 9900 WILSHIRE (ROBINSONS-MAY SITE). Comment: The proposed project, located on an approximate 8-acre site at the intersection of Wilshire and Santa Monica Boulevards, would include the demolition of the existing vacant Robinsons-May Department store and the construction of 235 residential units in two separate buildings with maximum heights of 185 feet in 15 stories, and 161 feet in 13 stories. 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 with 803 spaces.

The notice of this hearing was published 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 record of the Community Development Department in this matter are made a part of the record of this hearing.

Community Development Director Vince Bertoni outlined the format of the public hearing this evening and provided the staff report. Mr. Bertoni reviewed the 9900 Wilshire Site Plan project for consideration this evening and presented a PowerPoint visual of the project specifics. He also reviewed the entitlements the applicant is requesting (General Plan amendment, zoning text and map amendment, 9900 Wilshire Specific Plan).

The Mayor recessed the meeting due to technical difficulties at 7:45pm (no sound from Cable or on the television).

The meeting reconvened at 8:10 p.m. with all Councilmembers present.

Director Bertoni summarized the presentation made before the recess, and continued describing the original 9900 Wilshire submittal by the applicant. He then reviewed the Planning Commission's deliberation issues and the revisions made by the applicant in the first and second revision. Director Bertoni noted the Planning Commission's recommendation and pointed out the Commission approval vote was 3 to 2.

Chief Financial Officer Dr. Scott Miller spoke about the total revenues that the City might receive from this project.

Ann Doehne, representative of Impact Sciences, reviewed the Draft Environmental Impact Report (DEIR) project alternatives and variations. Ms. Doehne noted the topics evaluated in the DEIR mentioned the six unavoidable impacts (aesthetics, air quality, historical resources, land use & planning, noise and groundborne vibration).

Steve Brown, transportation consultant from Fehr & Peers, reported on the traffic and air quality findings.

Mr. Deckman, Director of Air Quality Assessment Group, reviewed the significant impacts on air quality during construction of the project and the emissions estimate based on assumptions of worst case scenario during construction. He also reviewed the local wind pattern and the air quality mitigation measures.

Mayor Delshad mentioned Impact Sciences was hired as a consultant by the City, but all costs associated with the DEIR are borne by the applicant.

Mayor Delshad then took public comment.

Speaking:

1. Ilona Sherman mentioned a recent mailer that she received regarding the proposed project and the City Council and spoke to the importance of maintaining a certain level of dignity when expressing an opinion.
2. Joe Hirt spoke about traffic issue and suggested finding a solution to traffic problems at Wilshire and Santa Monica intersection prior to approval of any new projects in the area.
3. Eliot Finkel, City Treasurer, spoke about turning a commercial property into a residential zone.

4. Paul Supnick spoke in support of the 9900 Wilshire project as a unique gateway project into the City.
5. Barclay Perry, President of the Los Angeles Country Club, expressed opposition to the project.
6. Mitch Dawson mentioned the reasons he and his wife moved to the Wilshire corridor and suggested this project should be a part of the future of Beverly Hills.
7. Mike McRosky, LA Country Club, supports the design of the project but asked that the scale and height be reduced.
8. Stephen Shapiro shared the reasons he is in support of the project.
9. Cindy Duban, Co-PTA President of El Rodeo, asked that the Council take into consideration the health, safety welfare and education of the school when making their decision regarding this project.
10. Dave Loftus read a letter of support on behalf of Sherry Hackett.
11. Red Richmond, with her two young sons, expressed her opposition to the project.
12. Donna Garber stated she is a 50-year resident and would like the opportunity to live in a full-service condominium.
13. Gerald Jebejian stated the reason he opposes the project.
14. David and Ina Kagel stated their support of the project.
15. Ken Goldman, speaking on behalf of the Southwest Homeowners, explained why they are against the project.
16. Gail Silver read two letters into the record from Gary Hoffman and Warren Grant in favor of the proposed project.
17. Ronit Stone spoke about concerns for the students at El Rodeo during construction of the project.
18. Joe Tilem read a letter into the record from Joan Marcy urging the Council to approve this project.
19. Uri Pilichowski expressed gratitude to the Mayor and the City Council for their service to the community this year.
20. Bill Piazza spoke about the air quality of the project during construction.
21. Arthur Kassan, registered Civil Engineer and Traffic Engineer on behalf

of the LA Country Club, asked for a consideration to combine the analysis of the two proposed projects (Hilton and 9900 Wilshire).

22. Renalto Romano expressed support for the project.

23. Michael Hurdsen, speaking on behalf of the LA Country Club, stated he was asked by the Country Club to study the shade/shadow of the proposed project.

24. Dan Walsh, CEO of the Beverly Hills Chamber of Commerce, noted the Board of Directors and the Chamber support the 9900 Wilshire project.

25. Douglas Kazanjian, member of the LA Country Club, expressed opposition to the scale of the project.

26. Mark Armbruster, representing the LA Country Club, noted the Club is opposed to the project as proposed.

27. Chuck Alpert asked the Council to look at the demolition process for this project and the idea of an environmental monitor.

28. Arnold Seidel spoke in support of the project.

29. Dr. Matthew Finerman spoke on public health issues at the request of the leadership of three homeowners' associations and parents with children at the school that can be impacted by the project.

30. AJ Wilmer spoke in support of the project.

31. Kirk Reese showed boards with photos and drawing with renderings of how this project will affect the Country Club.

32. Gunther Shiff commented on the gateway aspect and the Chief Financial Officer's report.

33. Ruth Kraft expressed opposition to the project.

34. Darian Bojeaux, speaking on behalf of the Municipal League, spoke in opposition to the proposed project.

35. Ray Flade spoke in support of the City Treasurer's report and opposes this project.

36. Adrea Caren spoke about reaching a compromise between the residents and the developer.

37. Joan Seidel, former City Treasurer for 11 years, listed four major sources of revenue for the City, and urged the Council to support the project.

Councilmember Briskman read into the record the speaker slips of those who either did not wish to speak on the record, or left their wishes for submittal for the record.

Planning Commission Chair Noah Furie spoke about the Commission's process for this project. Chair Furie noted that the majority of the Commission supports the revised project and recommends unanimously the Council certify the Final Environmental Impact Report, adopt a Statement of Overriding Considerations and adopt a Mitigation Monitoring and Reporting program. Mr. Furie reviewed the mitigation measures noting the Commission asked that a provision to provide affordable housing for the residents be considered for this project. He also requested a school benefit fee separate from the other fees mentioned tonight for consideration. Mr. Furie asked the Council to accept the Planning Commission's recommendations for approval of a General Plan Amendment, Zone Change, Specific Plan, Development Agreement, and Environmental Impact Report.

Planning Commissioners Cole and Marks spoke about the minority opinions regarding height and mass. Commissioner Marks added additional remarks regarding the height and mass of the project and requested the Council to scale the project down a little.

Vice Chair Reims spoke about the requirements for an 8 acre site and its uniqueness, and the mass and scale. Commissioner Bosse addressed the residents' concern about air quality in the area of El Rodeo, the traffic on Whittier, the setback on Wilshire as it could affect El Rodeo. She noted with this project there will be less traffic and less impact.

In response to some questions raised about the school district, it was pointed out there is a Council liaison committee with the school district and concerns can be addressed there.

The Mayor recessed the meeting at 11:40pm to allow the applicant to set up their presentation. The Council reconvened at 11:45 p.m. with all members present.

Chris Candy made a PowerPoint presentation about Candy and Candy Company and provided an overview of the project. Richard Meier of Richard Meier & Partner Architects showed slides of the project and Michael Palladino presented a DVD rendering of the project and spoke about the project specifics. Dennis McGlade, landscape architect, provided landscape details for the project. It was noted the economic report of the presentation will be conducted at the next meeting.

In response to Mayor Delshad's question, City Attorney Wiener clarified this public hearing will be continued to March 20 at 7:00 p.m. for limited purposes of taking public comment from those who did not speak this evening, continuing the applicant presentation with regard to the financial issues, and Council's questions and deliberation.

The Council will send any questions they have to staff so they can be prepared to answer them at the continued meeting.

**E. OTHER BUSINESS**

None

**F. ADJOURNMENT**

There being no further business, Mayor Delshad with the consent of Council adjourned the meeting at 12:25 a.m. and continued the public hearing to Thursday, March 20, 2008 for limited public comment for those who did not speak this evening and the remaining presentation.

PASSED, Approved and Adopted  
this 1st day of April, 2008.

  
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**BYRON POPE, City Clerk**

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**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.**