



**CITY OF BEVERLY HILLS  
CITY COUNCIL  
SPECIAL MEETING  
March 20, 2008**

The Special Meeting of the City Council of Beverly Hills was held in the Council Chambers at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**A. ROLL CALL**

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

**B. PRESENTATIONS**

None

**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.)

Due to technical difficulties, 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. Rose Norton mentioned the audio difficulties at the March 11, 2008 Special Meeting, and requested that the Director of Community Development provide bullet points of his report from that meeting.
2. J.A. Mirisch - City Clerk Byron Pope read Mr. Mirisch's congratulatory remarks regarding the Council into the record.
3. Frances Shloss spoke about the Council Installation meeting held on Tuesday March 18.

**D. 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, 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. This meeting is a continuation from the Special City Council Meeting held on Tuesday, March 11, 2008.

The notice of the 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 this evening.

Mayor Brucker described the evening format.

Allan Alexander, representing the applicant in this matter, stated they will complete their presentation from the March 11, 2008 meeting. Mike Wright, Economics Research Associates, provided a fiscal impact assessment of the

project; John McRitchie, Rudolph and Sletten, discussed demolition and excavation; Michael Palladino, Richard Meier & Partners Architects, provided additional information on the design of the project; and Chris Candy of Candy & Candy provided final remarks and answered questions about financing.

The gentlemen responded to the questions raised by the Council.

Mayor Brucker advised that he has established an Ad Hoc Committee, comprised of Councilmember Briskman and himself, on this project and mentioned they met with the applicants and addressed concerns regarding height, mass and bulk.

Councilmember Briskman confirmed there would be no net gain or loss and suggested the return of some of the lofts along Merv Griffin Way and provided the reasons why.

Director of Community Development Vince Bertoni briefly recapped the presentation from the March 11, 2008 meeting (due to no/poor audio). Mr. Bertoni reviewed the site plan, elevations from different directions, and the requested entitlements. He noted staff is prepared to answer questions raised by the City Council after the public comment.

Planning Commission Chair Noah Furie reiterated how the Commission arrived at the heights of the north and south buildings.

The Mayor then took public comment.

Speaking:

1. Magdalena Mirisch read a letter from her husband J.A. Mirisch about the project.
2. Gary Greene spoke about the project in comparison to the zoning and General Plan, and asked for this project to be voted on by the residents.
3. Arnold Rosenstein spoke to the merits of the project and endorsed the changes the Planning Commission made for the project.
4. Rose Norton spoke about the size of the project and the parking necessary to support it.
5. Dr. Woodrow Clark strongly opposed the proposed project. He asked the Council to place a moratorium on all large projects until the General Plan has been completed.
6. Max Salter spoke about the traffic concerns that have nothing to do with Beverly Hills, and spoke in support of the project.

7. Susan Berk, resident and consultant for Candy & Candy, read a letter of support into the record from resident Paul Bernstein and noted emails received from Erick Lax, and Karen Fulsberger.
8. David Rand, attorney speaking on behalf of the LA Country Club, spoke about the size and project shifts that will impact the Environmental Impact Report.
9. Ted Kahan noted the Golden Globes has been held annually at the Beverly Hilton for over 40 years and asked that the Council take this into account as the Council considers the approval of the 9900 Wilshire project.
10. Hamid Gabbay spoke about architecture in the City and his respect for the architects of this project.
11. Lee Pasternak spoke about the height and density of this project and is not in favor of approving it.
12. Robbie Anderson stated he is in support of the 9900 project as it has been recommended by the Planning Commission.
13. Alma Ordaz, resident and El Rodeo parent, expressed her concerns for this project.
14. Paul Krikorian stated the reasons he is full support of the 9900 Wilshire project.
15. Frances Shloss spoke about exceeding the 45 foot height limit and the appearance of the project.
16. Saul Leonard mentioned he sat on the General Plan Commercial Standards Committee and noted the 9900 Wilshire project is what they envisioned for this location.
17. Fran Berger, owner of the Farm Beverly Hills, expressed her support of the project.
18. Gerald Jebejian stated he does not think the project is appropriate for Beverly Hills.
19. Robert Weisman (member of the General Plan Commercial Standards Committee) - Joe Tilem read a letter of support into the record from Mr. Weisman.
20. Lisa Sockolov, resident, spoke in support of the project.
21. Jeffrey Best's letter of support for the project was read into the record by Councilmember Briskman.

22. Alan Kaye's letter of support was read into the record by Mayor Brucker.

23. Elise Sinay Spilker's letter of support was read into the record by Councilmember Briskman.

24. Donna Flade's letter indicating she is not opposed to the project, but is opposed to the height, scale and mass was read into the record by Councilmember Briskman.

25. Sean O'Donnell's (Chairman of the Board of the Chamber of Commerce), letter of support of the project was read into the record by Councilmember Briskman.

Mayor Brucker recessed the meeting at 10:00 p.m. and reconvened at 10:10 p.m. with all members present.

The Mayor asked for questions and concerns from the Council.

Vice Mayor Fenton stated that if the project is approved he does not want demolition to begin before the summer break; a defined truck traffic route in place (not on Wilshire Boulevard), create a construction management sub-committee, a point person available 24 hours a day, a point person in Building & Safety to handle any concerns and a decibel reader on the El Rodeo playground.

Councilmember Krasne spoke about the current scheduling of the upcoming meetings for the proposed projects and the need to be able to digest all the material that is being distributed. Ms. Krasne stated she would like to look at the parking and increase it for the amount of parking that will be needed. Councilmember Krasne indicated she will email her questions regarding the project to staff.

Councilmember Delshad asked questions about additional square footage being considered since the Planning Commission's recommendations, the actual FAR with the existing square footage, the alignment of Merv Griffin Way, and if the City has any control of Merv Griffin Way. Mr. Delshad had concerns about the 30 year calculations regarding income, use of gray water, parking, and protecting the Golden Globes.

Chris Gray, the City's Traffic expert from Fehr & Peers, responded to Councilmember Delshad's questions regarding the realignment of Merv Griffin Way and an additional turning lane and staff responded to the FAR and square footage questions.

Chief Financial Officer Scott Miller provided an update on the 30 year calculations in response to Councilmember Delshad's question.

Councilmember Briskman noted there were questions on fire suppression

mitigations and requested the Fire Marshal make a report at another meeting. Ms. Briskman requested a visual simulation of the 9900 Wilshire and Hilton projects to see their impact on each other and the surrounding area.

Mayor Brucker spoke about the compressed April meeting schedule and explained that if the project(s) were approved, it could allow for demolition to take place during the summer break without exposure to the school children. The Mayor had questions with respect to the air, noise and vibration monitoring, parking load, the modulation change to soften the south side, and the LA Country Club's concerns.

It was noted the Ad Hoc Committee will set a meeting with the applicant to discuss some of the questions raised.

**E. OTHER BUSINESS**

None

**F. ADJOURNMENT**

There being no further business, Mayor Brucker with the consent of Council, adjourned the meeting at 11:25 p.m. and continued this hearing for further deliberations to Thursday, March 27, 2008 at 5:00 p.m.

PASSED, Approved and Adopted  
this 15th 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.**