



Planning Commission Report

Meeting Date: March 24, 2011

Subject: **GATEWAY PROJECT:** Final Environmental Impact Report for a Request for a General Plan Amendment and Zone Change on three T-1 zoned properties and a Development Plan Review for the construction of a new three-story, 45-foot in height office building containing approximately 90,000 square feet of floor area and 274 parking spaces.

PROJECT APPLICANTS: Jeffrey Wilson, Maynard Brittan and Jeff Mirken

Recommendation: That the Planning Commission:

1. Conduct a public hearing and receive testimony regarding the project;
 2. Provide direction to staff as appropriate.
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REPORT SUMMARY

This report transmits the Final Environmental Impact Report ("FEIR") prepared in conjunction with entitlement applications submitted for three T-1 zoned parcels located at the City's western border located between North Santa Monica Boulevard and the C-3 zoned parcels fronting along South Santa Monica Boulevard ("Little Santa Monica"). (See map below, under project description). Each parcel is held under separate, private ownership. Two of the three property owners have submitted applications for a zone change from the existing T-1 to the C-3 zone; the third property owner has likewise proposed a zone change, but has also submitted applications for a development project. In addition to a discussion of the FEIR, this report sets forth a framework to discuss policy issues associated with the potential development of these three parcels.

BACKGROUND

LAND USE STUDY

On December 16, 2006, the City Council and Planning Commission held a joint Meeting to discuss the future development of the three subject parcels. (See Staff Report, Attachment B). This meeting represented the culmination of the "Gateway Land Use Study," which was directed to be prepared by the City Council in 2003 and available on the City's website¹. The Study was conducted in response to the proposed development of the middle T-1 zoned parcel. The City Council approved a contract for preparation of the Study in August of 2003. The cost of the study was borne by the three property owners. The study identified various development scenarios of the parcels as well as

¹ Website Address: <http://www.beverlyhills.org/files/GatewayFINALReport2011-22-2006.pdf>.

Attachments:

- A. Final EIR (under separate cover) Report
- B. Joint City Council/PC Report (12/19/16)
- C. Planning Commission Report (11/20/08)
- D. Executive Summary Table of Environmental Impacts
- E. Architectural Plans

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transportation/roadway improvements for the intersection of Wilshire/North Santa Monica/South Santa Monica Boulevard intersection.

The Staff Report recommended a rezone of the parcels to C-3 standards if the site area included all or most of the adjacent properties fronting along Little Santa Monica and a more limited C-3 (1.5:1 Floor Area Ratio) if adjacent properties were not included in a proposed development.

The Land Use Study did not result in any formal action or recommendation regarding proposed zoning or intersection improvements. However, the majority of the City Councilmembers at that time concluded that the three property owners should continue with the entitlement applications and processing including preparation of environmental documents and public hearings before the Planning Commission. Subsequent to the meeting, the owners of the other two T-1 zoned properties submitted applications for zone changes.

BROAD/MUSEUM CONCEPT

A Draft Environmental Impact Report was prepared to analyze the impacts associated with development of the properties and was circulated for public review as required by State Law. A Planning Commission meeting to discuss the DEIR was held on November 20, 2008. (Staff Report included as Attachment C). Prior to the hearing, the City received formal correspondence from representatives of Eli Broad advising that an additional alternative should be included in the DEIR analysis, one that included the development of a museum and foundation offices to be built by Broad. In addition, staff learned that there was agreement by Wilson, owner of "Parcel 2" (see Project Location Map, next page), to enter into a future lease with Broad to establish the museum on this property. Therefore, the museum concept was considered a viable project alternative and staff was obligated to include an analysis of its potential environmental impacts under State law.

Staff worked with Broad representatives to develop a basic understanding of project parameters towards a goal of amending the DEIR to adequately analyze potential impacts of the museum development. Ultimately, Broad ended discussions with staff and there is currently no plan for a museum development at this site. Due to the time taken to evaluate the Broad Museum concept, staff updated the DEIR to reflect current traffic counts, compliance with revisions to green house gas emission standards and other technical studies.

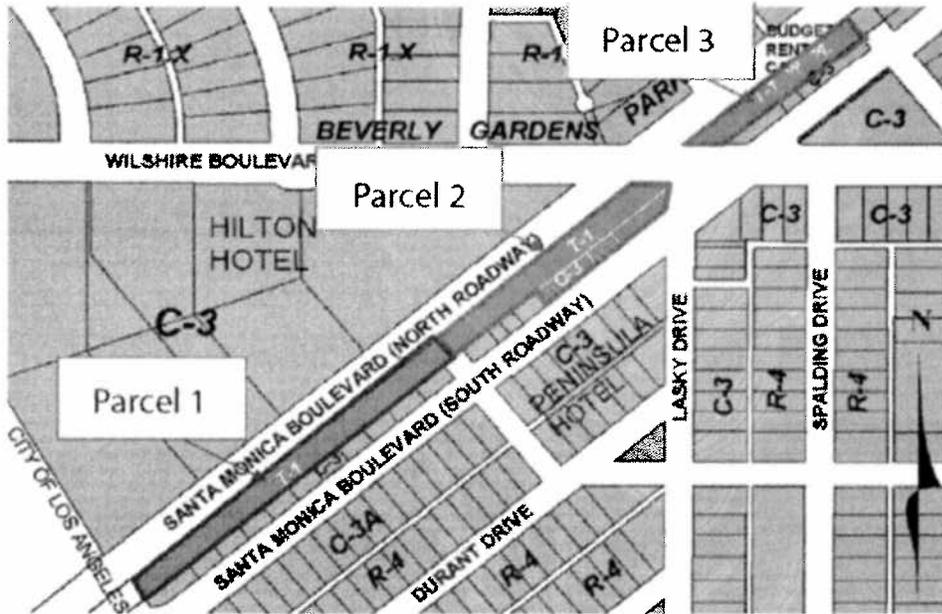
PROJECT DESCRIPTION

The proposed project involves the rezoning of three parcels totaling approximately 3.0 acres from the T-1 (Transportation Zone) to the C-3 (Commercial Zone), a General Plan Amendment to designate all three properties as Commercial - Low Density General, and development of an approximately 90,000-square foot office building on one of the three parcels. Each parcel is separately owned, as indicated below:

- PARCEL 1: Roxbury Managers, LTD, a California limited partnership
 9900 Santa Monica Boulevard
 Mr. Maynard Brittan, President
- PARCEL 2: Wilco LLC
 9848 Wilshire Boulevard
 Mr. Jeffrey Wilson

PARCEL 3: M2B2, LLC, a California limited liability company
 9817 Wilshire Boulevard
 Mr. Jeff Mirken

Project Location Map



A description of each of the parcels is provided in the table below:

Address	Parcel Number(s)	Approximate Area
9900 Santa Monica Blvd ("Parcel 1")	4328-001-023	55,757 sf (1.28 acres)
9844 Wilshire Blvd ("Parcel 2")	4328-001-001 4328-001-002 4328-001-003 4328-001-024	49,903 sf (1.15 acres) combined
9817 Wilshire Blvd ("Parcel 3")	4343-027-006	27,000 sf (0.62 acres)

PARCEL 1

PARCEL 1 EXISTING CONDITIONS: The 1.28-acre Parcel 1 property is the westernmost of the three properties; its western edge is adjacent to the boundary between the cities of Beverly Hills and Los Angeles. The parcel is partially paved and is otherwise vacant and unused. The parcel has approximately 920 feet of frontage on Santa Monica Boulevard.

PARCEL 1 PROPOSED PROJECT: General Plan Amendment to designate the property for Low-Density General Commercial uses and a Rezone to the C-3 classification. Since no development project is proposed, for the purposes of EIR analysis the site was assumed to be developed with a 3-story, 45-foot

in height commercial building with a 2:1 Floor Area Ratio containing 112,346 square feet of office floor area and 7,100 square feet of ground floor retail space providing 341 parking spaces.

In order to develop the site to the extent assumed in this analysis, two adjacent parcels that front on South Santa Monica Boulevard would need to be incorporated into the conceptual model project. These parcels would be necessary to give the project sufficient subterranean space to develop a viable parking garage, and to provide pedestrian access opportunities from Little Santa Monica (pedestrian access from North Santa Monica Boulevard is not practical or desirable from a safety, circulation or urban design perspective). The subject property owner currently has ownership of two lots on Little Santa Monica, so this is a reasonable assumption.

PARCEL 2

PARCEL 2 EXISTING CONDITIONS: The 1.15-acre Parcel 2 property comprises four assessor's parcels and is located just south of Wilshire Boulevard, between the two other properties that make up the project site. The largest of the parcels, which is aligned in a linear fashion with the other two properties, is zoned T-1, and the smaller parcels, which front on South Santa Monica Boulevard as well as Wilshire Boulevard, are zoned C-3. The T-1 area is vacant and undeveloped, although the northeastern portion is currently used for surface parking. The C-3 area is developed with three one-story commercial buildings totaling approximately 9,633 square feet. Primary access to the existing commercial uses is currently taken from South Santa Monica Boulevard. The property has approximately 590 feet of frontage on Santa Monica Boulevard, 95 feet of frontage on Wilshire Boulevard and roughly 283 feet of frontage on South Santa Monica Boulevard.

PARCEL 2 PROPOSED PROJECT: General Plan Amendment and Rezone similar to Parcel 1 for portion of property within the T-1 Zone. The project proposes a 3-story, 90,000 square foot office building with four levels of subterranean parking containing 274 parking spaces. As proposed, the project would be setback 6-feet from Wilshire Boulevard and 18-feet from the westerly portion of the project, at the intersection of Wilshire/North Santa Monica/South Santa Monica Boulevards.

PARCEL 3

PARCEL 3 EXISTING CONDITIONS: The 0.62-acre Parcel 3 property is entirely paved and is currently used for surface parking and rental car storage associated with the adjacent car rental operation. The parcel is the easternmost of the three properties, and has approximately 487 feet of frontage on Santa Monica Boulevard, 94 feet of frontage on Wilshire Boulevard and 50 feet of frontage on Linden Drive.

PARCEL 3 PROPOSED PROJECT: Similar to Parcel 1, Parcel 3 contemplates a General Plan Amendment and Rezone only – no development project is proposed at this time. For the purposes of analyzing potential impacts of the full buildout of this property under C-3 standards, the EIR assumed incorporation of the adjacent C-3 zoned parcels fronting along Little Santa Monica, which are held under common ownership with Parcel 3. The assumed buildout evaluated in the EIR is a 3-story, 45-foot in height commercial building with a 2:1 Floor Area Ratio containing 31,307 square feet of ground floor retail floor area and 41,920 square feet of office area located at the second and third floors. The analysis assumed 3-levels of subterranean parking containing 209 parking spaces.

Project Setting

The project site as a whole is bordered to the south and east by areas designated and used for commercial development. Directly adjacent to the south between the project site and South Santa Monica Boulevard are one- to three-story commercial structures with interspersed surface parking areas. The Peninsula Hotel and several office buildings lie to the south of the site across South Santa Monica Boulevard.

Areas to the north of Parcels 1 and 2 are also designated and used for commercial development, including restaurant and hotel (the Beverly Hilton) uses. To the north of Parcel 3 lies the linear Beverly Gardens Park; beyond the park are areas designated and used for single-family residences.

Directly east of the project site is a City parking structure on land also zoned T-1. The project site is bordered on the west by the boundary line between the cities of Beverly Hills and Los Angeles, and vacant land between north and south Santa Monica Boulevard beyond. Current conditions on the site and surrounding areas are illustrated in figures 2-3 and 2-4 above.

ENVIRONMENTAL REVIEW

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines², and the environmental regulations of the City. The City prepared an initial study and, based on the information contained in the initial study, concluded that there was substantial evidence that the Project might have a significant environmental impact on several specifically identified resources. Pursuant to Guidelines Sections 15064 and 15081, and based upon the information contained in the Initial Study, the City ordered the preparation of an environmental impact report (the "EIR") for the Project to analyze the Project's potential impacts on the environment. As indicated above, the DEIR was previously circulated for public review on November 3, 2008 for the required 45-day public comment period. The Planning Commission's meeting of November 20, 2008 allowed for added public testimony regarding the DEIR. In addition, the Planning Commission provided comments on the adequacy of the document and requested additional analysis to be included in the FEIR.

While each of the properties is individually owned and the City is processing each application independently, the EIR considers the development of all three parcels together as a single project. Since no development is proposed on Parcels 1 and 3, in order provide a reasonably conservative estimate of potential development that would be allowed under the requested C-3 zoning, models were developed to represent the maximum building size, allowed uses, site access, parking requirements and other basic elements of conceptual buildout. These models are the basis for this EIR's analysis of the potential environmental impacts of the development of these properties under the proposed new zoning.

The FEIR includes responses to all public comments as well as revisions to the document in response to Commission Comments. These are identified in Section 8 of the FEIR. Finally, the FEIR includes updated methodology and technical studies to ensure the data and conclusions of the report reflect appropriate information. Importantly, the study has been updated to reflect the current circulation pattern the intersection of North Santa Monica/Moreno/South Santa Monica. Parcel 1 property owner, Mr. Brittan, undertook the costs of improving this intersection in joint cooperation with the City of Los Angeles and

² The CEQA Guidelines and Statute are available online at <http://ceres.ca.gov/ceqa/guidelines>

our City's Transportation Division. Improvements allow for an east bound right turn onto North Santa Monica from South Santa Monica Boulevard that did not previously exist. Neither the response to comments or additional analysis resulted in the identification of any significant new impacts compared to those identified in the Draft EIR.

IMPACTS

The executive summary of the FEIR provides an overview of all environmental impacts that could result from project approval, including mitigation measures proposed to reduce these impacts. These impacts discussed below and a table summary of all impacts and mitigations is included as Attachment D to this report.

Significant and Unavoidable Impacts

Impact AQ-1 Temporary air pollutant emissions generated by construction activities associated with the concurrent buildout of all three parcels would be Class I, significant and unavoidable. This impact is both a project level impact and a cumulative impact that results when the project is considered in combination with other known proposed or approved development projects.

Impact T-1/T2 Traffic generated from development of Parcels 1, 2 and 3, when added to existing traffic conditions, would result in significant impacts at two of the 11 study area intersections based on the City of Beverly Hills significance criteria. Mitigation is available to reduce impacts at one of these intersections (Olympic/Spalding) to less than significant levels; however, mitigation is not feasible at one intersection (South Santa Monica Boulevard/Wilshire Boulevard). Therefore, the impact at that location would be Class I, significant and unavoidable. This impact is both a project level impact plus a cumulative impact that results when the project is considered in combination with other known proposed or approved development projects.

Noise In the event that the 9900 Wilshire and Beverly Hilton Revitalization Plan projects also undertake construction activity at the same time as the proposed project, the cumulative temporary construction noise impact from multiple construction sites adjacent to one another would result in a cumulatively significant impact.

Impacts Less than Significant

The FEIR concludes that impacts to the following environmental factors would be less than significant either with or without mitigation: Aesthetics, Cultural Resources; Hazardous Materials; Land Use and Planning; Noise; Public Services and Utilities.

PROJECT ALTERNATIVES

The California Environmental Quality Act requires Environmental Impact Reports to evaluate alternatives to the project being assessed by the report. The primary goal of evaluating alternatives is to explore whether there is another way to achieve the objectives of the project which might be better for the environment. The FEIR includes an evaluation of the following four alternatives:

- Alternative 1: No Project (no change to existing land uses);
- Alternative 2: Reduced Project (60% reduction in square footage)
- Alternative 3: Mixed-Use Project (Commercial/Residential)
- Alternative 4: Surface Parking with kiosk

The no project alternative would involve no change to the environment and is therefore considered environmentally superior overall. However, this alternative would not achieve any of the stated project objectives.

Among the alternatives, the Reduced Project is considered environmentally superior, as it would reduce impacts in most issue areas and would eliminate the unavoidably significant traffic and air quality impacts of the proposed project. The alternative would meet some of the project objectives, but would result in much less commercial space compared to the proposed project.

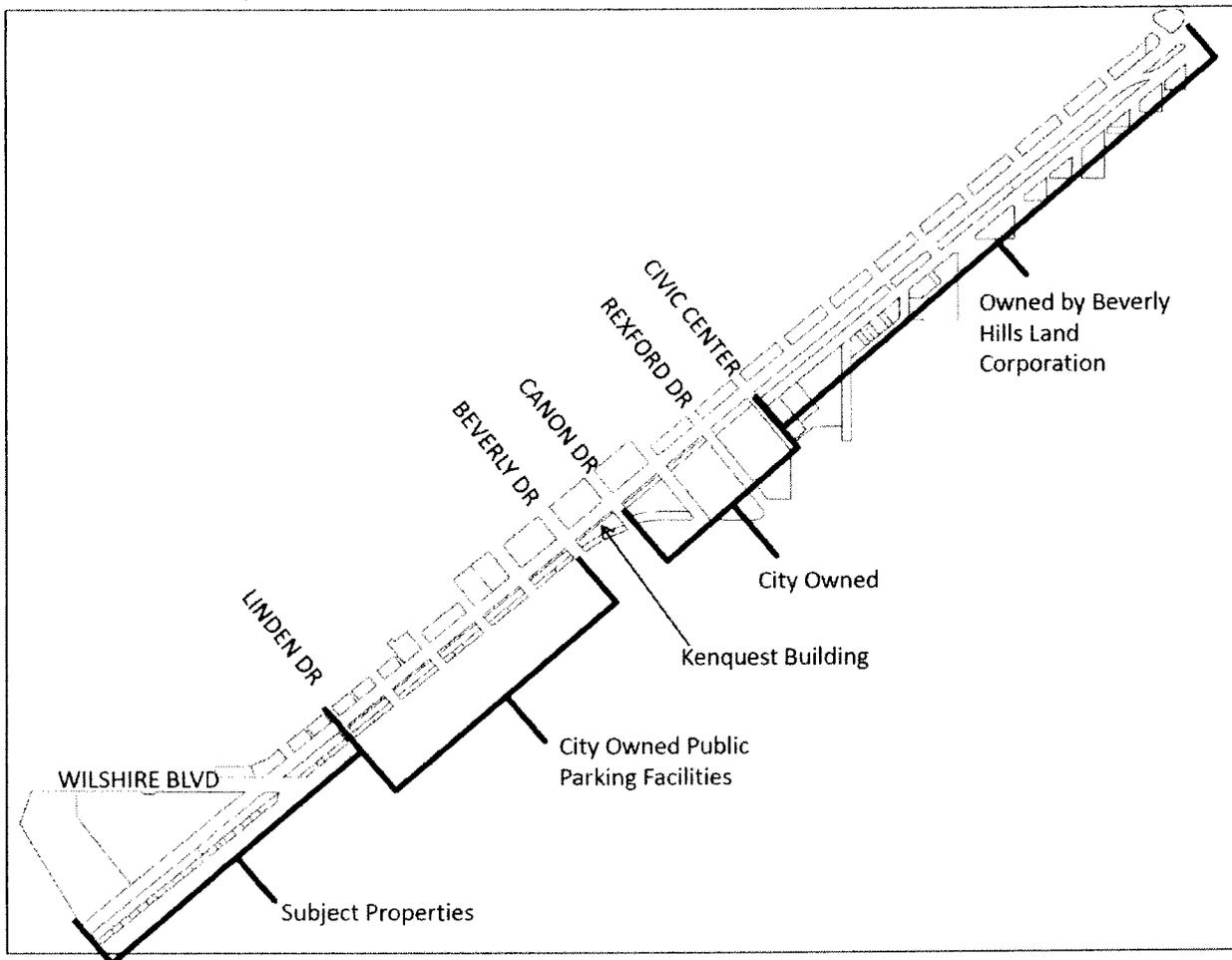
STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA regulations, when a public agency decides to approve a project that will cause one or more significant environmental effects, the agency shall prepare a statement of overriding considerations (SOC) which reflects the ultimate balancing of competing public objectives. Specifically, the public agency must find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

POLICY DISCUSSION

Future Use of T-1 Zoned Properties

T-1 zoned properties span the length of the City along the South Side North Santa Monica Boulevard as indicated on the map below:



The map identifies whether the parcels are owned by the City or a private entity. As identified by the map, with the exception of a portion of the property bounded by Beverly Drive and Canon Drive (the Kenquest Building), due to zoning regulations, no permanent structures have been developed on these parcels. City owned properties between Linden Drive and Beverly Drive are improved with 'temporary' parking facilities.

Those T-1 zoned parcels located east of Civic Center Drive are all owned by the Beverly Hills Land Corporation. In 2002, the property owner discussed the potential of developing these properties with 67 condominium units within two (one 2-story and one 3-story) buildings with the Planning Commission as a "Project Preview." No development applications for the proposal were ever submitted.

Although there has been discussion of development of the T-1 parcels for a variety of uses including parking, bus-only lane, bike path separated from traffic lanes, a green belt or other transportation use, the City Council has not acquired the land or stated any policies that would exercise any of these considerations. Any development of the subject parcels with structures would severely limit future City acquisition and use of the parcels. Absent a plan or policy direction (since 2002 when Wilson submitted his original application for a zone change on Parcel 2) it is difficult to assume the City is interested in acquiring these properties now or in the future.

Gateway Site

The properties are located near the City's western boundary and have been identified as a Gateway to the City in various studies, staff reports and public meetings. Parcel 1 is the first property within the City of Beverly Hills along the South side of North Santa Monica Boulevard. Whether or not the subject properties are considered "Gateway" or not, they are located at one of the City's main entrances adjacent to a regional intersection and are among the first seen properties by those coming into the City from the West.

As such, the Commission may wish to consider whether development of the site should be representative of a major entrance to the City. Planning Commission policy considerations for site development may include:

- Iconic architecture;
- Mass and scale (C-3 standards or other);
- Proposed use;
- Relationship to Little Santa Monica; and
- Relationship to adjacent land uses across North Santa Monica Boulevard.

South Santa Monica Boulevard

Any development of the subject T-1 zoned properties will likely influence the future development/redevelopment/renovation of those properties fronting along the north side of South Santa Monica Boulevard. While the buildings in this area are generally older, one story structures, they comprise an eclectic mix of retail, restaurant and commercial uses that lack available parking or a unified feel.

There is an opportunity to increase pedestrian activity through appropriate design and uses that could be catalyzed through the development of the subject T-1 properties. The redevelopment of Little Santa Monica as a pedestrian area/extension of the City's core retail and dining area may be furthered

through the development of the subject T-1 parcels. Typical considerations of pedestrian orientation focus on:

- Use (retail/dining/limited commercial)
- Pedestrian Access (appropriate sidewalk widths/entrance to buildings)
- Outward Development Design
 - Building setbacks - ground and other stories
 - Landscaping
 - Open Space
- Adequate Parking (located within a reasonable distance to the properties within the designated area)

Opportunities

If development of the site is to occur there are opportunities that could be included in a project to ensure that development is appropriate for the site and compatible with surrounding uses. The Planning Commission, by way of example, may wish to consider the following:

- Landscape Buffer/Green Space Setback – Development of the subject sites may include a setback along North Santa Monica Boulevard to be improved with a landscaped garden area.
- Additional Parking – Generally, properties fronting along Little Santa Monica Boulevard in the vicinity of the project site (and especially west of Wilshire Boulevard) provide less parking than current codes require. An opportunity exists for new development to provide parking beyond code requirements that could be utilized by surrounding residents and businesses.
- Dedication of Land – Although major alteration of the Santa Monica/Wilshire Boulevard intersections is not proposed, minimal transportation improvements have been identified by the City's Engineering Department, including improvements adjacent to the easternmost portion of Parcel 2, at the North Santa Monica/Wilshire/South Santa Monica Boulevard intersection. While plans have not been completely engineered, between 6 to 8-feet of dedication would allow for the desired improvement in this area. Additionally, 6-feet of dedication along the North Santa Monica Boulevard frontage could be desired to allow for the future construction of a sidewalk and parkway, which would allow for the planting of trees and the addition of street lights.
- Pedestrian/Bicycle Path along North Santa Monica Boulevard – While no formal plan currently exists that identifies dedication of portions of these properties for a bike lane or pedestrian path, development of the T-1 zones may consider whether either of these uses is appropriate.
- Pedestrian Connectivity to uses fronting along North Santa Monica Boulevard – Existing entitlements for the 9900 Wilshire property and Hilton call for dedicated open public space. Additional public/park space is located along the north side of North Santa Monica Boulevard, east of the Wilshire Boulevard intersection. Development of the T-1 zone may include improved pedestrian connectivity between the uses fronting along Little Santa Monica and North Santa Monica Boulevards.
- New Bus Shelter – Development of Parcel 2 could include the construction of a new bus shelter, exhibiting an architectural design compatible with any building constructed on the site.

- Open Space – Development should consider the inclusion of open space within the project. It may be appropriate for the Development of Parcel 2 to include an open space design element at the North Santa Monica/Wilshire/South Santa Monica Boulevard intersection.
- Pedestrian Orientation – Opportunities exist through design and use of development of these properties to increase the pedestrian oriented nature of South Santa Monica Boulevard.

Process

All three property owners have requested zone changes from the T-1 to the C-3 zone along with a commercial designation of the property within the City's Land Use Element of the General Plan. The C-3 Zoning District allows for: a floor area ratio of 2:1; a 3-story, 45-foot height limit; most commercial uses; and no setback requirements. Since these are legislative actions, any approval would be in the form of a resolution and recommendation to the City Council.

When evaluating the subject applications, the Planning Commission may first wish to consider the appropriateness of the requested General Plan Amendment and Zone Change at the subject location. If a majority of the Commission does not support the amendments, it would be appropriate to articulate those reasons and direct staff to prepare resolutions denying the applications.

If the Commission believes that changes to the existing land use designation and development standards applicable to the subject parcels are warranted, the next question would be to what extent is development appropriate and what standards should apply.

Recently, the City established an Overlay Zone in conjunction with changes to the City's regulations regarding medical uses. This model could be applied to the subject applications and the properties could be designated as "Gateway" parcels within the City's Land Use element. This General Plan Amendment could set forth a range of allowable height and density permitted, with a maximum height 3-stories and 45-feet and maximum allowable floor area of 2 times the size of the site (2:1 Floor Area Ratio).

A corresponding Zoning Overlay could be established for the subject properties that incorporate specific goals, objectives and development standards, similar to other overlay zones within the City. A property owner within this designation could then submit applications to take advantage of these regulations.

NEXT STEPS

It is recommended that the Planning Commission open the public testimony, provide direction to staff and continue the item to a date certain.

Alternatively, the Planning Commission may consider the following actions with respect to the application for Parcels 2, Wilson property:

- Direct staff to prepare a resolution recommending certification of the FEIR and approval of the project and associated Zone Change and General Plan Amendment to the City Council based on articulated findings; or
- Direct staff to prepare a resolution denying the project and associated Zone Change and General Plan Amendment based on articulated findings, with or without certification of the FEIR

As an alternative to the recommended action, with respect to Parcels 1 and 3, the Planning Commission may consider the following:

- Direct staff to prepare a resolution recommending certification of the FEIR and approval of the Zone Change and General Plan Amendment to the City Council based on articulated findings; or
- Direct staff to prepare a resolution denying the Zone Change and General Plan Amendment based on articulated findings, with or without certification of the FEIR

Report Reviewed By:

Jonathan Lait, AICP, City Planner

ATTACHMENT A

FINAL EIR (PROVIDED UNDER SEPARATE COVER)

ATTACHMENT B

JOINT CITY COUNCIL/PLANNING COMMISSION MEETING
OF DECEMBER 19, 2006



CITY OF BEVERLY HILLS
STAFF REPORT

Meeting Date: December 19, 2006
To: Honorable Mayor & City Council and Planning Commission
From: Mahdi Aluzri, Community Development Director
Subject: Gateway Land Use Study
Attachments:

1. Gateway Land Use Study
2. Zoning
3. General Plan Land Use Map
4. Circulation Element excerpt
5. August 29, 2006 KMA memorandum
6. General Plan Topic Committees extract
7. Notices
8. Correspondence received after production of Report Appendix F (Communications)

INTRODUCTION

This report transmits the Gateway Land Use Study and requests policy guidance regarding whether further development entitlements should be granted for the three T-1 zoned parcels located between the north roadway of Santa Monica Blvd. and the parcels fronting onto the south roadway of Santa Monica Blvd. between the western city limits and extending to Linden Drive on the east. (See context map below.)

BACKGROUND

In response to a rezoning and development application submitted by Jeffrey Wilson for the middle T-1 zoned parcel to allow the general commercial C-3 development at 45 feet and 2:1 FAR, staff recommended that a land use study of the three T-1 parcels and analysis of the complicated Wilshire/Santa Monica/Santa Monica intersection be undertaken to determine 1) whether portions of the T-1 parcels would be necessary for improvements to the intersection, and 2) what type of alternate development would be appropriate.

In August 2003, the City Council approved contracts between the City and EIP Associates (now EIP/PBS&J) and between the City and Parsons Associates to conduct these studies. The cost of the study has been fully funded by the three owners of the properties being studied, under separate contract between the City and the owners. The final report is attached.

Meeting Date: December 19, 2006

Description of T-1 zones and adjacent development

T-1 zoned parcels comprise the former railroad right-of-way located between, and running the length of, the north and south roadways of Santa Monica Blvd. between the east and west city limits. The parcels are zoned Transportation, with railroad and surface parking uses allowed. The General Plan designation on the Land Use Map is for Transportation. (B.H.M.C. 10-3.2302, General Plan Land Use Map, and excerpt from Circulation Element are attached.) The T-1 parcel located between N. Canon and N. Beverly Drives, and the three T-1 zoned properties in the Study area are privately owned. The City either owns or controls the balance of the T-1 zoned parcels.

In the Study area, the westernmost T-1 zoned parcel is unimproved and fenced and is owned by Maynard Brittan. The middle T-1 parcel is improved as a parking lot and is used by patrons of the Starbuck's Coffee shop situated adjacent to the eastern end of the middle T-1 parcel next to the intersection. Both properties are owned by Jeffrey Wilson. The easternmost T-1 parcel (east of the intersection) is improved as a parking lot, is used in conjunction with the adjacent Budget Rent-A-Car operation, and is owned by Jeffrey Mirkin.

These three long, narrow parcels (60 feet wide) are adjacent to a series of shallow, 40-foot deep parcels fronting onto the north side of "Little" Santa Monica Blvd. These adjacent parcels are zoned C-3 and allow general commercial development at 45 feet with a 2:1 Floor Area Ratio (FAR). With the exception of the newer, three-story commercial structure on the westernmost parcel at Moreno Dr., commercial development on these C-3 zoned properties generally consists of small, older one-story commercial buildings with no parking.

Context Map of Study Area



Land Use Study

The overall study was undertaken in two phases with the first evaluating the potential intersection improvements, and the second examining potential land uses, their transportation impacts, economic pro forma evaluation, and potential physical site development.

Phase One: Intersection Analysis (Santa Monica/Wilshire Boulevards)

In August 2004, Phase One was completed and was presented to a joint meeting of the City Council and Planning Commission. Phase One consisted of an analysis of five intersection improvement concepts to facilitate the flow of traffic through the complex Wilshire/Santa Monica/Santa Monica intersection. The analysis was intended to specifically focus on the improvements to this intersection as it relates to the potential development of the T-1 parcels, and what right-of-way implications such concepts might have on the potential development.

The five concepts analyzed were the following:

1. **At-grade widening of the Intersection to create additional through lanes and additional through turn lanes (no additional lane eastbound on Big Santa Monica Boulevard)**
2. Pedestrian over crossing (bridge) to separate pedestrians from the roadway on the heaviest pedestrian movements across Big Santa Monica Boulevard
3. **Santa Monica Boulevard grade separation (Santa Monica Blvd. under crosses Wilshire), including underground southbound lane turning right onto Wilshire heading westbound (heavy turning movement)**
4. Grade separated (underground tunnel lanes) eastbound lefts and southbound rights (two largest turning volumes)
5. **Minimal widening with minimal acquisition of right-of-way – three through lanes westbound approach to the Intersection (no additional lane eastbound on Big Santa Monica Boulevard), dual left turn lanes for both eastbound and westbound Wilshire Boulevard, and maintain southbound right-turn lane on Big Santa Monica Boulevard.**

Concepts 1, 3, and 5 were selected by the City Council and Planning Commission to be evaluated as part of the land use phase of the study, to represent a range of minimum and maximum improvements to the intersection.

Phase Two (Final Phase): Transportation Impact Analysis, Pro-Forma Analysis, Physical Site Development Concepts, Public Workshops

It was agreed among staff, consultants, and property owners that the two conceptual land use development scenarios to be studied for Phase Two, as called for in the contract scope of work, were the following:

- Scenario 1: Retail and Residential
(ground floor Retail and two stories of Residential above)
- Scenario 2: Retail and Office
(ground floor Retail and two stories of Office above)

Transportation Impact Analysis

Parsons, the traffic consultant for the study, completed a transportation impact analysis based on the two land use scenarios above. The purpose of the analysis was to evaluate the potential traffic impacts and proposed circulation of the two land use scenarios, at a 2:1 floor area ratio (FAR) development. Scenario 1 (Retail/Residential) is estimated to generate approximately 4,097 average daily trips. Scenario 2 Retail/Office) is estimated to generate approximately 5,344 average daily trips.

A key finding of the study indicates that the additional trip making attributable to the two land use scenarios will not change the levels of service at Big Santa Monica Boulevard and Wilshire Boulevard or at Little Santa Monica and Wilshire Boulevard. The additional trips contribute to a slight increase in delay at these intersections, with slightly more delay occurring under Scenario 2 (Retail/Office) than under Scenario 1 (Retail/Residential).

Pro-Forma Analysis

Keyser Marston Associates, Inc. (KMA) evaluated the development feasibility of the two land use scenarios, relying on current market conditions in the area and their experience with similar development proposals in the region. The analysis assumed a FAR of 2:1. To further understand the implications of the FAR on the land value, KMA also made projections of residual land value of a corresponding development at 1.5:1 FAR.

Scenario 1 (Retail/Residential) contemplates the development of 70,400 square feet of ground floor retail space and 167 residential units. The residential units are assumed to be a mix of one and two bedroom floor plans at 1,000 and 1,300 square feet, respectively. Parking would include an at-grade parking level and below grade parking level for the westerly parcel (Parcel 1) and two levels of below grade parking for the two easterly parcels (Parcels 2 and 3).

Scenario 2 (Retail/Office) contemplates the same 70,400 square feet of ground floor retail space and 202,100 square feet of office space. Parking would include an at-grade parking level and two below grade parking levels for Parcel 1 and three levels of below grade parking for Parcels 2 and 3.

The evaluation was based on conceptual development programming. No detailed architectural plans were developed as part of this study. The construction and development costs were standardized to provide for a consistent analysis.

The following tables are a summary of the land residual values for the T-1 parcels (combined):

Assuming a 2:1 FAR		
	Scenario 1: Retail/Residential	Scenario 2: Retail/Office
Total Value	\$41,462,000	\$28,667,000
Value Per Sq. Ft.	\$288	\$199

Assuming a 1.5:1 FAR		
	Scenario 1: Retail/Residential	Scenario 2: Retail/Office
Total Value	\$31,374,000	\$26,300,000
Value Per Sq. Ft.	\$218	\$183

The 1.5:1 FAR land value would be approximately 25% less than a 2:1 FAR for Scenario 1. For Scenario 2, the 1.5:1 FAR land value would be approximately 8% less than the 2:1 FAR land value.

The KMA report also separated the land residual values per parcel of ownership using the same two land use scenarios.

Physical Site Development Concepts

Gensler Architects completed physical site development concepts for the subject properties, using the two land use scenarios at 2:1 and 1.5:1 FARs. The maximum building heights are three-stories and 45 feet.

The existing surrounding buildings near the Wilshire/Santa Monica intersection are taller than the 45-foot Code height limit. Gensler's preferred approach to the development massing was to create a pedestrian zone surrounding this intersection; the building massing (height) is pushed away from the intersection to reduce the visual impact of the scale from the point of view of pedestrians and drivers, to allow space to open up and be experienced, and to allow for views to have more interest. The building massing at both sides and adjacent to the intersection would consist of single story retail space, at a height of 18 feet. The taller building massing pushed away from the intersection would consist of three stories at a height of up to 45 feet.

Subsequent to a presentation of these concepts to the property owners, the owners requested that an additional concept be evaluated utilizing a full three-story building height at the intersection. It was the opinion of the property owners that the upper level office space pushed away from the intersection would not provide for an economically feasible project development, given its visibility and Wilshire address. This additional analysis was outside of the contract scope of work between the City and EIP (primary consultant, Gensler and KMA are the sub consultants), however KMA has agreed that space massed along the Wilshire Boulevard frontage would command a greater lease price. (See August 29, 2006 KMA memorandum, attached.) The KMA scope of work evaluated the supportable land value for the initial development concepts, one of which assumed three stories of development at Wilshire Boulevard, similar to the subsequently developed High Articulation model developed by Gensler Assoc. KMA has made no determination as to what the property owners might determine constitutes an economically feasible project under any scenario, given that the actual land costs are not known or reflected in the analyses of the Development Scenarios. In the absence of this information, the consultants would also not be able to comment on the economic feasibility of utilizing the property as surface parking as the existing zoning permits.

Interface with the General Plan Update

While the General Plan update is underway, a number of development proposals requiring an amendment to the existing, adopted General Plan are also under review. Those requested amendments may or may not be consistent with the policies ultimately contained in the General Plan update. Until the day the City Council adopts the Draft General Plan update, it will not be possible to predict whether proposed projects will be consistent with it, only whether they are consistent with the existing General Plan or require an amendment.

The City Council will need to grant or deny such development proposals based on their best judgment at the time about the appropriateness of the amendment to the current General Plan. Such decisions do not constrain the City Council from a future decision on General Plan land use policy that would render such developments, if approved, legally non-conforming in the future. Alternately if a proposed project and amendment is denied, the City Council is not constrained from deciding in the future that the updated General Plan should accommodate such a proposal. As the General Plan update goes forward, City Council members will form their own impressions as to what they feel is appropriate for the Gateway Study area or any other area, and what they consider to be appropriate timing for any of the proposed General Plan amendments.

The recent direction of the City Council to include in the testing of generalized impacts of alternatives to the existing land use patterns in the City for the T-1 zones west of Wilshire/Santa Monica the scenarios of surface parking with landscaping, and a 2.5:1 FAR for commercial development. No alternatives for the T-1 zone east of the intersection were identified, however the north side of Little Santa Monica Blvd. is to be tested as mixed residential-commercial use at three stories.

General Plan Topic Committees

The City Council received recommendations from seven General Plan Topic Committees regarding issues and opportunities to be addressed in the update of the General Plan. Two of these committees, Commercial Standards and Circulation (Mobility) were directed to consider the future uses for Parcels 1 and 2. A third committee, Community Character, also reviewed this issue (although not specifically directed to do so by the City Council). Results from the Committees were somewhat mixed, as explained below.

The Circulation Committee studied the Santa Monica Boulevard corridor in its entirety, and felt that the right-of-way should be preserved for transportation purposes. The Committee also suggested that the City investigate the concept of an overpass or underpass at the intersection of Wilshire and Santa Monica Boulevards to separate east/west traffic movement from north/south traffic. The Committee also recommended that the City should retain the flexibility to use the railroad right-of-ways that parallel North Santa Monica Boulevard from Doheny Drive to the western City limit (currently publicly and privately owned) for transportation purposes.

The Commercial Standards Committee felt that if the property were to be developed at some time in the future, the allowable development standards should not exceed those that are currently permitted by Code (3 stories, 45 feet, and 2:1 Floor Area Ratio). The Committee also felt that additional height could be allowed for mixed-use development that includes residential uses, and that incentives should be provided for a unified development scheme that included both the C-3 and T-1 zoned parcels. The Committee recommended consideration of allowing parking encroachments below the sidewalk and initiation of a parking strategy to create additional parking in this area with public parking as one option (without reference to whether T-1 or C-3 parcels or both would be involved).

The Community Character Committee also reviewed this area in general, although the T-1 zoned parcels were not specifically part of its charge from the City Council. This Committee leaned toward enlivening the Little Santa Monica Blvd. area west of Wilshire Blvd. by bringing in more pedestrian uses such as a gallery district, particularly due to its

adjacency to the Peninsula Hotel and potential demand for local and tourist-oriented activities.

Extracts from the Committees' work are attached for further reference.

Public Workshops

The contract called for two public workshops for the area's adjoining residents and commercial businesses which were held on October 10 and 18, 2006. These workshops featured presentations by the consultant team and staff and included exhibits, a PowerPoint presentation, and facilitated discussion in order to explain the purpose of the Gateway Land Use Study and to enable participants to ask questions and communicate their issues regarding development of the properties. The notices were also sent to homeowner associations, School District, and anyone who had requested to be notified. Copies of the notices for the workshops are attached, as is the notice sent for the December 19, 2006 joint City Council/Planning Commission Study Session. The notices were sent to approximately 1,000 addresses in the area. A total of approximately 40-50 persons attended the meetings. Comments typically included a concern for lack of parking in the area, the need to upgrade and revitalize the area both from the Little Santa Monica Blvd. perspective as well as the appearance of the western gateway into the City, concern for any impact on nearby residential areas, and concern for future need of some or all of the property for future transportation improvements. Comments received at the workshops are summarized in Appendix E of the report, and written communications received as of production of this report are included in Appendix F.

DISCUSSION

The options for these three T-1 zoned parcels the City Council and Planning Commission may wish to discuss could include:

1. **No change.** Owners would continue to be able to improve the property for surface parking, making it available to any users the owner wished to rent it to, whether the public, area businesses, individual businesses such as auto dealers seeking storage for inventory, and, as specifically mentioned in the existing zoning, for staging for construction, film production, and similar purposes. Between expressed interest on part of area businesses at the workshops and the potential interest of auto dealers for auto storage there would seem to be demonstrated demand.

B.H.M.C. §10-3.2730.1 sets out regulations for use of property for for-sale auto storage, and § 10-3.2730.2 requires setbacks, landscaping, screening walls or hedges, lighting directed away from residential areas and maintenance for parking lots.

B.H.M.C. § 10-3.2351 established a Transportation overlay Zone (T-O) on the T-zoned properties. The T-O zone requires a review process that is partially duplicative of existing reviews (architectural review, plots plans), and permits small structures (275 sq.ft.) and other appurtenant facilities if existing prior to June 19 2001. The overlay zone was enacted to permit certain improvements on the T-1 zone adjacent to the Budget Rent-A-Car property to the east of the intersection.

If the City Council wished to leave the existing zoning in place, staff recommends minor modifications to permit placement of a small parking attendant booth on properties and repeal of the overlay zone which is largely duplicative of existing reviews. Any unimproved

properties proposing to be developed as parking lots would require architectural review in addition to the previously mentioned landscaping, setbacks, etc.

Pros: If the owner of the westernmost parcel chose to utilize the site for surface parking as the other two owners have done, the property would be improved. Significant improvements in the appearance along north Santa Monica Blvd. could be achieved via the landscaping and hedge or fence screening that would be required, which would undergo architectural review. Additional parking for some or all of the users described above would be available if the owner so chose. In the event the City wished to acquire the properties, future use of some portion or all of the lots for transportation, parking, landscaping or other purposes would not involve demolition of buildings.

Cons: The western property owner could elect not to improve the parcel, leaving an unsightly vacant lot along the western Santa Monica Blvd. gateway to the City. The additions to the economy of the city and recurring revenues to the municipal government that would result from commercial or commercial-residential development of any or all of the three parcels would not occur. To the extent that the T-1 owners already own or are able to acquire in the future the adjacent C-3 parcels, the significant improvements which could be made to the streetscape along Little Santa Monica Blvd. would be forgone.

2. Rezone at C-3 (2:1 FAR, three stories). Allow the same uses and amount of development on the T-1 zones as is permitted elsewhere in the City in C-3 zones. Such development would be subject to the same environmental impact assessment, including traffic generation and circulation, as well as the same discretionary reviews (Development Plan Review by the Planning Commission and Architectural Commission review).

Pros: Development would represent an improvement over an unimproved lot. While the Big Santa Monica Blvd. frontage of the T-1 zone would always be the "back" of a building, with alley functions (trash, delivery) accommodated either from within the building or from the Santa Monica Blvd. South street frontage (if adjacent parcels are acquired and included), attention to design and detailing can minimize this effect. There would be additions to the economy of the community and increased recurring revenues to the municipal government resulting from commercial development from further development of any or all of the three parcels. If additional parcels on Little Santa Monica Blvd. are acquired by T-1 parcel owners and unified developments are proposed, the opportunity for revitalization of Little Santa Monica Blvd. is enhanced.

Cons: Development of the parcels with structures would make acquisition by the City and use of the property difficult for future transportation, public parking or other improvements, (e.g., bus-only lane, bike path separated from traffic lanes, green belt), etc. As a comprehensive Santa Monica Blvd. corridor study has not been undertaken, it would be difficult to say whether it would be desirable in the future to acquire the property for any of these purposes. Since the T-1 lots are separate from the adjacent small parcels fronting onto Little Santa Monica Blvd. there is no way to avoid very long, narrow structures potentially being proposed. The owners of the two western T-1 parcels have a limited number of adjacent parcels fronting onto Little Santa Monica Blvd. While it would be logical to expect those parcels to be incorporated into any future development proposal (and the Study assumes this is the case), unless the zoning language stipulated it, there is nothing to compel inclusion of Little Santa Monica Blvd. parcels into any proposed development sites.

3. Rezone for C-3 (2:1 FAR three stories) only if site area includes all or most of the adjacent properties fronting onto Little Santa Monica Blvd., and rezone for C-3 at 1.5:1 FAR if not.

Pros: Same general advantages over leaving the properties zoned T-1, however a unified development that would revitalize all of Little Santa Monica Blvd. in this area (not simply limited frontage) would be incentivized.

Cons: Same general disadvantages of developing the T-1 zoned parcels instead of retaining existing zoning for surface parking.

4. Mixed residential-commercial zoning (ground floor retail and two partial levels of residential and two partial levels of office above). Staff would not recommend residential uses be permitted unless unified development with the parcels on Little Santa Monica Blvd. is involved, and the residential uses are massed toward Little Santa Monica Blvd., with office uses buffering the residential from traffic levels on Big Santa Monica Blvd.

Process

In the event the City Council indicates that the rezoning of one or more of the three T-1 parcels could occur, one of two procedures could be followed:

- 1) City undertakes to rezone the properties and amend the General Plan in the absence of a development application, or,
- 2) Individual property owners bring forward one or more development applications that include applications and fees for rezoning and General Plan amendment in addition to the development fees.

FISCAL IMPACT

No change in the zoning of the three T-1 zoned parcels would have any fiscal impact. Development of the westernmost parcel as surface parking would result in a very slight increase in municipal revenues. Rezoning to permit commercial development could result in significantly greater increased municipal revenues if construction occurred although these revenues have not been calculated.

RECOMMENDATION

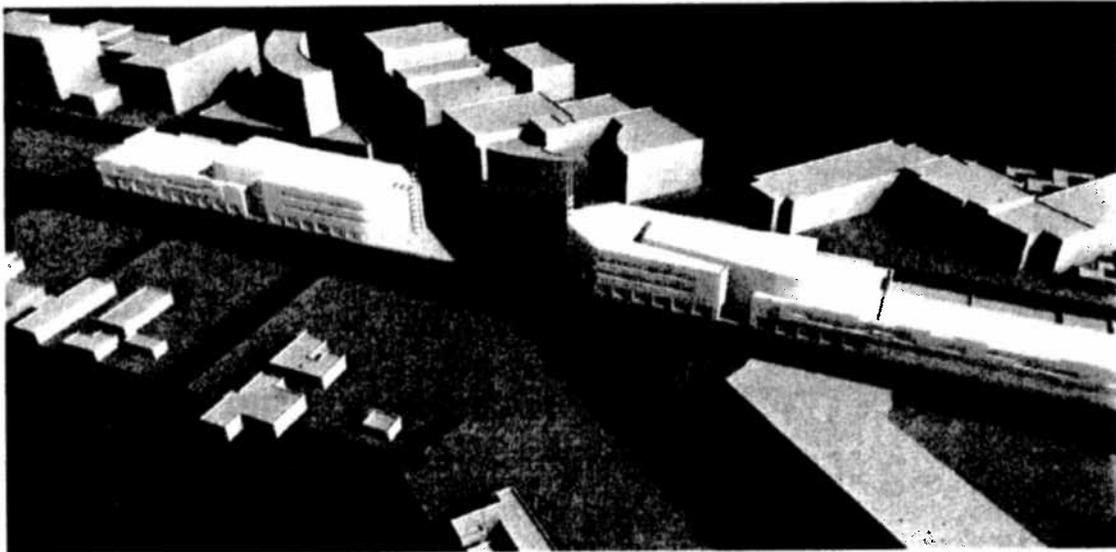
Staff recommends permitting rezoning of all three T-1 zoned parcels as outlined in 3. above, with C-3 commercial development permitted at 2:1 FAR and three stories provided the development sites include the all adjacent parcels fronting onto Little Santa Monica Blvd. Alternately, if all the adjacent parcels are not included, permit C-3 commercial development at 1.5:1 FAR and two stories.

Mahdi Aluzri 
Approved By



Bound Separately

City of Beverly Hills
GATEWAY LAND USE STUDY



EIP Associates, a division of PBS&J Planning & Urban Design
Gensler Architecture, Design and Planning
Parsons Transportation
Keyser Marston Associates Market and Fiscal Economics

November 22, 2006



ARTICLE 23. TRANSPORTATION ZONES (T-1, T-2)

10-3-2301: ZONES T-1 AND T-2 CREATED:

There is hereby created and established in the city transportation zones, designated zone T-1 and zone T-2. (1962 Code § 10-425)

10-3-2302: USES PERMITTED:

No building, structure, improvement, or premises shall be used, and no building, structure, or improvement shall be erected, constructed, altered, enlarged, or maintained on any lot or parcel of land in zone T-1 or zone T-2 except for the following purposes:

Railway transportation; and

Stations, depots, or other structures necessary or convenient for railway passengers, freight, or other strictly railroad or railway business in conjunction with railroad service conducted in such zones.

Additionally, surface parking shall be a permitted use on those properties designated for parking on the "T zone parking map" approved by the city council and on file in the department of planning and community development. For the purposes of this section, surface parking includes, without limitation, vehicular access to adjacent properties, and staging for construction, film production and similar purposes. (1962 Code § 10-425; amd. Ord. 97-O-2274, eff. 2-7-1997)

ARTICLE 23.5. TRANSPORTATION OVERLAY ZONE (T-O)

10-3-2351: T-O ZONE CREATED:

There is hereby created and established in the city a transportation overlay zone, designated T-O. (Ord. 01-O-2377, eff. 8-10-2001)

10-3-2352: PURPOSE AND INTENT:

The transportation overlay zone will be superimposed over the existing T zone. The transportation overlay zone establishes a process to allow limited expansion of the uses permitted on property located within the T zone in a manner that is consistent with the underlying zoning district and the elements of the general plan. (Ord. 01-O-2377, eff. 8-10-2001)

10-3-2353: DEFINITIONS:

For the purposes of this article, the following words and phrases shall have the following meanings:

ADJACENT TO THE C-3 ZONE: A site that shares a property line with a lot or parcel located in the C-3 zone.

GROSS AREA: The total area enclosed by the exterior walls of a building or structure or portion thereof, including all nonhabitable space. (Ord. 01-O-2377, eff. 8-10-2001)

10-3-2354: WHERE APPLICABLE:

A transportation overlay zone may be applied in the T zone for any site which is adjacent to the C-3 zone and has a minimum area of one-half (1/2) acre. (Ord. 01-O-2377, eff. 8-10-2001)

10-3-2355: USES PERMITTED:

All uses permitted and conditionally permitted in the T zone shall be permitted and conditionally permitted, respectively, in the T-O zone pursuant to the provisions set forth in article 23 of this chapter. In addition, the following uses shall be permitted in the T-O zone:

- A. Surface parking, subject to the restrictions set forth in section 10-3-2356 of this article. Any site area, as defined by this chapter, developed with surface parking pursuant to this provision may also include within the T-O zone a building, or portion of a building, with a gross area of two hundred seventy five (275) square feet, provided such building is used primarily to support the surface parking use.
- B. Any accessory structure located on the site area within the T-O zone, including, but not limited to, storage tanks, light standards, freestanding signs, landscape planters, and walls or fences, which was erected prior to June 19, 2001; provided such accessory structure is used primarily to support the surface parking use authorized by subsection A of this section and further provided the property owner submits a scaled plot plan to the department of planning and community development by August 19, 2001. Said plot plan shall be drawn to a reasonable scale and shall include such information as the director of planning and community development may reasonably require. (Ord. 01-O-2377, eff. 8-10-2001)

10-3-2356: RESTRICTIONS:

The following restrictions shall apply to development in the T-O zone:

- A. All restrictions applicable to the T zone;

B. All provisions of article 31 of this chapter;

C. No surface parking use shall be established, maintained, used, or occupied pursuant to subsection 10-3-2355A of this article unless the operator of the surface parking use and/or the owner of the lot or parcel on which the use is located or is to be located obtains approval from the architectural commission of a landscaping plan in accordance with the procedures set forth in article 30 of this chapter; and

D. No surface parking use or accessory structure shall be established, maintained, used, or occupied pursuant to subsection 10-3-2355A of this article unless the operator of the surface parking use and/or the owner of the lot or parcel on which the use is located or is to be located obtains approval from the director of planning and community development of a plot plan setting forth the layout of the surface parking use and the location of accessory structures on the lot or parcel. If, in the opinion of the director, the plot plan merits review by the planning commission, the director may refer such application to the planning commission for review. If the plot plan review accompanies an application for any other discretionary approval from the planning commission, the planning commission shall be the reviewing authority for the plot plan.

1. Findings: The director or planning commission may approve a plot plan for a surface parking use only upon finding:

a. That the site is adequate in size and shape to accommodate the surface parking use;

b. That the site is adequate in size and shape to provide adequate circulation for both pedestrian and vehicular traffic both on and off site.

c. The surface parking use is consistent with the elements of the city's general plan and purpose and intent of this article;

d. The surface parking use and all accessory structures, if any, maintain appropriate setbacks; and

e. The surface parking use and all accessory structures, if any, comply with all applicable provisions of this code.

2. Conditions: In granting approval for a plot plan for a surface parking use pursuant to this article, the director or planning commission shall impose such conditions on the approval which are reasonable and necessary to protect the health, safety and general welfare and to ensure the surface parking use is compatible with the intent and purpose of this article. Such conditions may pertain to one or more of the following:

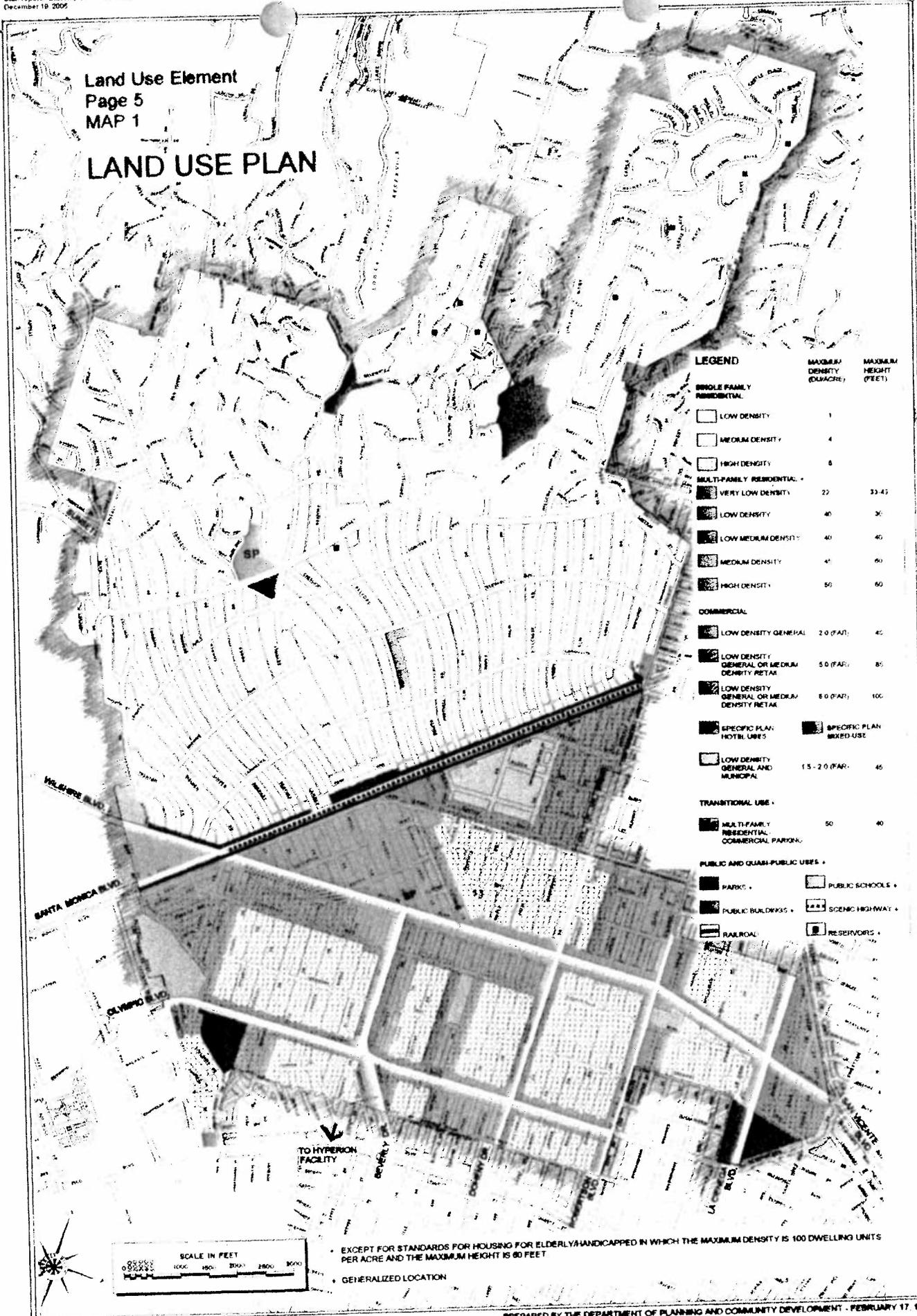
- a. Setbacks and buffers;
- b. Landscaping and maintenance;
- c. Vehicular and pedestrian traffic circulation and safety;
- d. Such other conditions as will promote orderly and efficient development in conformity with the intent and purpose of this article. (Ord. 01-O-2377, eff. 8-10-2001)

10-3-2357: PROCEDURES FOR APPROVAL:

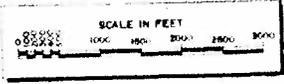
The procedure for applying the T-O zone to any properties located within the T zone shall be the same as described in article 39 of this chapter for zoning amendments. (Ord. 01-O-2377, eff. 8-10-2001)

Land Use Element
Page 5
MAP 1

LAND USE PLAN



LEGEND		MAXIMUM DENSITY (D/WACRE)	MAXIMUM HEIGHT (FEET)
SINGLE FAMILY RESIDENTIAL			
[Symbol]	LOW DENSITY	1	
[Symbol]	MEDIUM DENSITY	4	
[Symbol]	HIGH DENSITY	8	
MULTI-FAMILY RESIDENTIAL			
[Symbol]	VERY LOW DENSITY	22	33.45
[Symbol]	LOW DENSITY	40	36
[Symbol]	LOW MEDIUM DENSITY	40	40
[Symbol]	MEDIUM DENSITY	45	60
[Symbol]	HIGH DENSITY	60	60
COMMERCIAL			
[Symbol]	LOW DENSITY GENERAL	2.0 (FAR)	45
[Symbol]	LOW DENSITY GENERAL OR MEDIUM DENSITY RETAIL	5.0 (FAR)	85
[Symbol]	LOW DENSITY GENERAL OR MEDIUM DENSITY RETAIL	8.0 (FAR)	100
[Symbol]	SPECIFIC PLAN HOTEL USES		
[Symbol]	SPECIFIC PLAN MIXED-USE		
[Symbol]	LOW DENSITY GENERAL AND MUNICIPAL	1.5 - 2.0 (FAR)	45
TRANSITIONAL USE			
[Symbol]	MULTI-FAMILY RESIDENTIAL COMMERCIAL PARKING	50	40
PUBLIC AND QUASI-PUBLIC USES			
[Symbol]	PARKS		
[Symbol]	PUBLIC BLDGS		
[Symbol]	RAILROAD		
[Symbol]	PUBLIC SCHOOLS		
[Symbol]	SCENIC HIGHWAY		
[Symbol]	RESERVOIRS		



EXCEPT FOR STANDARDS FOR HOUSING FOR ELDERLY/HANDICAPPED IN WHICH THE MAXIMUM DENSITY IS 100 DWELLING UNITS PER ACRE AND THE MAXIMUM HEIGHT IS 60 FEET
GENERALIZED LOCATION



Circulation Element of Existing General Plan

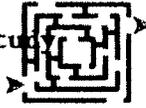
The Circulation Element of the General Plan outlines the City's desire to improve traffic efficiency and convenience, and acknowledges that traffic will remain a major concern in the area in years to come. At the time, development intensification in the Century City area in Los Angeles was under review. The Element discusses the role of mass transit and specifically addresses the railroad right-of-way as follows:

“Depending upon the type of system used and supporting distribution network proposed for Beverly Hills, the Wilshire corridor may well extend to Santa Monica Boulevard. Since the railroad right-of-way is already the most available location for east-west transportation improvement, it should be reserved and held for this purpose by the State of California at such time as it is no longer required for railroad freight use.

Under no circumstance, however, should such right-of-way be used to improve the regional transportation network unless the mechanism for regional land use control as described, or an acceptable alternative, is in place and operative.

Until that time, such right-of-way should be made available on an interim basis for local and/or regional use, for such purposes as linear park, bikeways, jogging trails, or parking. In addition, it is necessary to consider the other local impacts, such as the visual and noise characteristics of any transit proposal. If the transit system is to be expanded beyond the existing bus system, it is important that it be integrated into the community so as not to provide more efficient transportation at the expense of environmental quality.” (Circulation Element, Page 4)





KEYSER MARSTON ASSOCIATES
ADVISORS IN PUBLIC/PRIVATE REAL ESTATE DEVELOPMENT

MEMORANDUM

To: Mr. Woodie Tescher, Principal
EIP Associates

From: James Rabe
Cal Hollis

Date: August 29, 2006

Subject: Review of Wilson Comments dated June 26, 2006

Pursuant to your request, Keyser Marston Associates, Inc. (KMA) has reviewed the comments made by Mr. Jeffery Wilson in a letter to the City of Beverly Hills (City) dated June 26, 2006. KMA has also reviewed its files and we have reviewed the massing plans prepared by Gensler. This memorandum provides KMA's summary of the merits of the Wilson comments.

WILSON COMMENTS

In the letter, Mr. Wilson indicates that the City is considering two different massing studies that affect his property. One masses the office space on the second and third floors at the intersection of Wilshire Boulevard and Santa Monica Boulevard (High Articulation option). The other massing option pulls the office space back from the intersection (Low Articulation).

Mr. Wilson has attached several letters from brokers in the area that state that the rents for the office space massed at the intersection of Wilshire and Santa Monica will be higher than for office space that is pulled back from Wilshire Boulevard.

Mr. Wilson also states, "Also enclosed for your review is attachment #5 of the KMA report showing the office's net operating income on my property. As you can see, by using the rental rates that the commercial brokerage companies are projecting for the second and third floors setback off Wilshire Boulevard, there would be a rental reduction of approximately \$720,000 in net operating income what would have to be deducted

To: Mr. Woodie Tescher, EIP Associates
Subject: Review of Wilson Comments dated June 26, 2006

August 29, 2006
Page 2

from the KMA computation they did on the study of my property. With this loss of income, there is no way I could economically develop my property."

REVIEW

As we stated in our March 15, 2006 memorandum, "KMA's scope was to evaluate the supportable land value for the alternative development schemes, which is what we have done. We have made no conclusion as to what constitutes feasibility in the context of these development alternatives. Ultimately, the property owners will determine what constitutes a feasible project." This is still the case, KMA is making no determination as to what constitutes a feasible project for these specific developers given their specific opportunity costs.

That being said, KMA generally agrees that the Low Articulation option that moves development away from Wilshire Boulevard will generate a lower rent and a lower supportable land value than was shown in the previous KMA analysis. When KMA conducted its analysis, the massing diagrams and development potential assumed three stories of development at Wilshire Boulevard, similar to the High Articulation option. While we examined generic projects, we did take into account the orientation toward Wilshire Boulevard. Had the massing been pulled back at that time, KMA would have used lower rental rates for the office space.

With respect to the two massing plans, it is our view that the option with a single level of retail at the Wilshire Santa Monica intersection will generate higher retail rents than will the option with three levels at the intersection. The single story of retail will allow that retail space to have greater visibility, and therefore, command a higher rent than if it is the ground floor of a three story building. We do not believe, however, that this will offset the loss in rent that will occur from setting back the office space as shown in the Low Articulation option. In addition, the office space in the Low Articulation option appears to have less efficient floor plates than does the High Articulation option.

CONCLUSION

KMA has not undertaken additional market analysis, nor have we prepared new pro forma analyses. In that context, we cannot comment on the financial statements that Mr. Wilson has made. We do agree that the Low Articulation option will generate less rent and a lower supportable land value than High Articulation option. Further, since the High Articulation option is similar to the massing schemes that KMA was provided when it conducted its analysis, the supportable land value associated with the Low Articulation option would be less than that shown in the KMA analysis.

EXCERPTS FROM GENERAL PLAN TOPIC COMMITTEE RE: PARCELS 1 & 2 (2004)

CIRCULATION COMMITTEE

Committee Charge:

Acknowledging the implications of the City's geographic position in the western part of Los Angeles County and shall address, at a minimum:

- *The regional setting and mobility within it*
- *Street functioning of arterial, collector and local streets and their intersections*
- ***Santa Monica Blvd. Corridor In Los Angeles County and In Beverly Hills***

Summary of the themes, priorities and recommendations of the 2003 Circulation Committee's update of the General Plan

The recommendations of the 2003 Circulation Committee focus on balancing the desire to improve the flow of regional "through traffic" to preserve and enhance residential areas while not improving traffic flow so much as to attract new, increased "through traffic" to fill the void. Major emphasis for traffic enhancements relate to utilizing and improving upon the latest technology in traffic management and the implementation of a shuttle bus/circulator to minimize employee and resident reliance on vehicles to shop, work and transport students within the City. In comparison to the 1977 Circulation Element, the Committee's recommendations cover the following topics:

1. ***In regard to land-use decisions, the railroad right-of-way parcels #1 and #2 along the south side of North Santa Monica between the City border and Wilshire should be preserved for transportation purposes.***
2. ***The City should reconsider the concept of "cut and cover" or a tunnel under North Santa Monica Blvd. for regional, "through traffic" traveling east and west through the City.***
3. ***The majority of public transit should remain on Wilshire Blvd. (over Santa Monica Blvd.), as Wilshire is a commercial corridor.***
4. ***Either in conjunction with a study of the "cut and cover" concept or separately, the City should evaluate a grade separation at the intersection of Wilshire and Santa Monica Blvd. that separates east/west and north/south traffic as well as pedestrian crossings at the intersection.***

Public transit (e.g., buses) for commuters should continue to primarily remain on Wilshire Blvd., as it a commercial corridor. ***Railroad right-of-way parcels 1 and 2 at the western end of the City along Santa Monica Blvd., should be preserved for transit purposes.***

STUDY TOPIC

*Santa Monica Blvd. Corridor in Los Angeles County
and Beverly Hills*

Discussion Background

- Beverly Hills is a major employment center surrounded by a larger, Westside employment center within Los Angeles, the second largest City in the United States.
- Local development may generate traffic, but it does not have a significant impact on regional traffic.

- Population growth will continue regardless of development within the City.

Circulation Committee Recommendations

1. Traffic flow on North Santa Monica Blvd. should be improved. It should not remain as is. Travel time through Beverly Hills within the corridor should be decreased.
2. North Santa Monica Blvd. should be designed for through traffic while South Santa Monica Blvd. should be designed for local traffic.
3. **The City should investigate the concept of an overpass or underpass at the intersection of Wilshire and Santa Monica Blvds. to separate east/west traffic movement from north/south traffic movement. At the same time, the City should determine the feasibility of a grade separation for pedestrians crossing the intersection of North Santa Monica Blvd. and Wilshire Blvd. The feasibility study should take into account the number of pedestrians crossing through the intersection, the amount of time provided to pedestrians for crossing the street and, the impact of pedestrian crossings on the traffic flow.**
4. The City should consider acquisition of North Santa Monica Blvd.
5. Bicycle lanes should not be provided on North Santa Monica Blvd. Off-street bicycle lanes are appropriate within the corridor to connect the West Hollywood and Santa Monica Transit Parkway bicycle lanes through Beverly Hills.
6. Walkers, runners and bicycle riders in Beverly Garden Park should be directed to the street corners for crossing the street, rather than cross mid-block where the paths currently end. Moreover, along all arterials including Santa Monica Blvd., the City should consider safety lighted crosswalks to advise drivers of people crossing the streets.
7. The City should study various concepts to facilitate through traffic on North Santa Monica Blvd. including, for example, "cut and cover," reversible lanes and peak-hour turn restrictions. Strong concerns were raised about this recommendation if it resulted in a negative impact on Beverly Gardens Park and/or the removal of the five Santa Monica parking structures without the provision for additional replacement parking elsewhere. Such an improvement, on the other hand, would remove regional through traffic from surface streets.
8. The City should evaluate the combination of signal, signage and lane modifications with the goal of improving the flow of traffic on North Santa Monica Blvd. Moreover, the City should evaluate the impact of new, longer turn pockets for eastbound and westbound traffic turning north and south. North/south traffic should be focused onto signalized streets. Right turn restrictions should be created on select streets for westbound traffic turning north. Turn only lanes should be considered on blocks that do not have bus stops. These measures are intended to facilitate east/west traffic while limiting traffic in the residential area north of North Santa Monica Blvd. If feasible, where the right-of-way is available, North Santa Monica Blvd. should be widened provided there is no impact on the adjacent churches and, if the parking structures were to be removed, replacement parking is provided. If North Santa Monica Blvd. were to be widened by one lane, City engineers advise that the additional lane would be for westbound traffic based on traffic demand and coordination with the new Santa Monica Transit Parkway.
9. The elimination of parking on South Santa Monica Blvd. will improve the flow of local traffic to Beverly Hills destinations. It is recommended that the elimination of parking be considered as long as additional, alternative, replacement off-street parking can be provided. With or without this improvement, South Santa Monica Blvd. should serve as a local street for access into the City's business district.

10. ***The City should retain the flexibility to use the railroad right-of-ways that parallel North Santa Monica Blvd. from Doheny Drive to the western City limit (currently publicly and privately owned) for transportation purposes.***
11. Traffic safety measures should be implemented including enhanced police enforcement. In addition, the City should address driver civility and consider the provision of additional red light photo enforcement to assist the Police within the corridor.
12. Private development within the corridor should be coordinated among the Cities of West Hollywood, Los Angeles and Beverly Hills to decrease construction impacts (e.g., noise, air quality and traffic) on drivers.
13. The City should study and evaluate extending the west end of Charleville Blvd. across South Santa Monica Blvd. into North Santa Monica Blvd. for westbound-only traffic a) after the construction is complete for the Santa Monica Transit Parkway and b) providing there are no unintended adverse impacts and there is value to allowing drivers to exit the southwest area of the City directly onto North Santa Monica Blvd. The western Charleville Blvd. extension would provide residents with an alternative to Wilshire Blvd. and direct access to North Santa Monica Blvd. The purpose of this recommendation is to provide residents with an added route out of the residential area and access to both North and South Santa Monica Blvds. Extending Charleville Blvd. may increase traffic on the street.
14. It is recommended that the City support public (bus) transit and particularly the Rapid (Red) Bus program. Wilshire Blvd. should remain as the major route for public (bus) traffic; it is appropriate to maintain the current volume of bus traffic on North Santa Monica Blvd. Existing facilities for the transit-dependent (e.g., restrooms) should continue to be maintained. The City should evaluate any potential negative impacts of increased bus traffic on North Santa Monica Blvd. Increased bus traffic on North Santa Monica could negatively impact residences north of Santa Monica Blvd. and add to the congestion on the street.
15. Bus turnouts should be provided on North Santa Monica Blvd. where feasible, with a large one at or near the intersection of Wilshire and Santa Monica Blvds. However, strong concern exists if the addition of bus turnouts requires removal of the parking structures without the provision for replacement parking and/or if it requires any of Beverly Gardens Park.
16. Traffic to and from the high school should be reduced through the implementation and student use of a local, intra-City shuttle service.
17. The City should evaluate alternative street capacity enhancements such as congestion pricing and mass transit.

Justification for the Committee's recommendations:

The Circulation Committee believes the proposed recommendations will accomplish the following four objectives:

- The proposed recommendations and/or the evaluation of potential traffic improvements will facilitate the flow of traffic through the City quickly without increasing the impact on residents and businesses,
- The proposed recommendations will reduce the impact of through traffic on residents and businesses,
- The proposed recommendations will result in making South Santa Monica Blvd. safer for businesses and people, and
- The proposed recommendation will protect residential areas from pass-through traffic.

Implications of the Committee's recommendations:

The implications of the proposed recommendations are as follows:

- If improvements are not made, residents' travel through the City will be impeded,
- The City will be able to better address residential traffic improvements,
- It may be difficult to obtain funding,
- Pass-through traffic will be reduced in residential areas, and
- The community will experience short-term disruption during construction.

Resources needed for the Committee's recommendations:

To accomplish the proposed recommendations, the following resources have been identified as necessary:

- Police and parking enforcement,
- Additional Police presence,
- Researching and testing of traffic calming procedures,
- Funding inclusive of consultant studies, engineering and design, and construction (traffic and parking fines and red-light photo enforcement should be increased to cover cost of Police)
- Motivated, purposeful, unrelenting local City leadership

COMMERCIAL STANDARDS COMMITTEE

Committee Charge

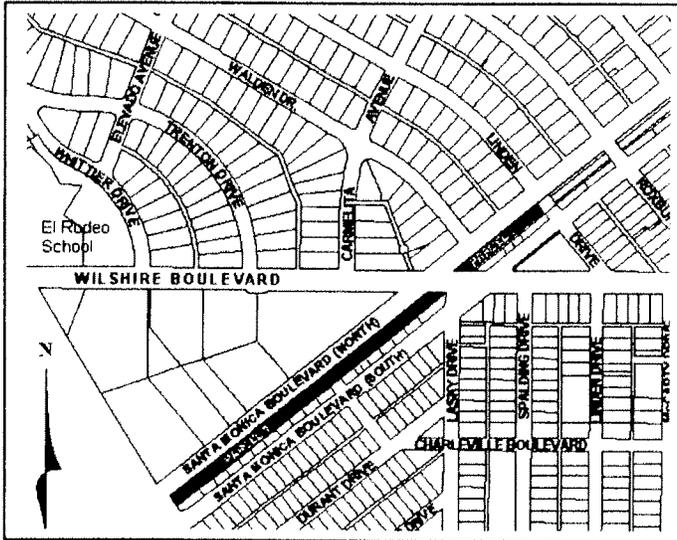
The City Council's charge to the Commercial Standards Committee provides specific direction to consider the character, role and function of areas of the City zoned for commercial uses in the present context as well as the future. At a minimum, the Committee was directed to include the following issues in its discussions:

- The character, role and function for the community of the range of commercial uses currently permitted (e.g., retail and non-retail, hotels, service uses, local entertainment opportunities, retail character, mixed residential/commercial use, etc.).
- Commercial "areas" that are not characterized by single commercial streets surrounded by residential uses, including the Business Triangle, C-5 zone (old Industrial Area), and Robinson's/Hilton area.
- Parking management (in lieu, municipal parking).
- Development opportunities that will benefit the community.
- Older, less economically competitive commercial buildings.
- **Former railroad right-of-way (westerly, Parcels 1 and 2).**

Development scenarios for the Robinsons-May/Hilton Hotel site and Parcels 1 and 2 were evaluated and recommendations made for their future redevelopment. For the Robinsons-May/Hilton Hotel site, these include housing and commercial potential at increased densities as this site does not directly abut residential uses. **For Parcels 1 and 2, the CSC recommended that the site be developed in accordance with the currently allowable development standards.** The CSC also recognized that these "Gateway" sites are underutilized and could be developed with significant architecture.

- The area located on the north side of Little Santa Monica Boulevard, west of Wilshire and east of Moreno Drive (Parcels 1 and 2) ***should not be developed at a higher density than 3 stories and 2:1 FAR.***

Former Railroad Right-of-Way (Parcels 1 and 2)



Existing allowable uses for these privately-owned, currently vacant, undeveloped parcels is limited to open space, transportation and surface parking. The property is zoned T-1, abuts a C-3 zone, and is in close proximity to two major hotels, the high school, and older buildings with small-scale local-serving retail businesses along Santa Monica Boulevard. Parking in this area is in short supply. The parcel includes lots with a very shallow 60-foot depth, which allows for limited access from both the north and south roadways. Its proximity to the City's border and future Santa Monica Boulevard roadway improvements further complicates the development opportunities.

Uses/Opportunities

- Create incentives to encourage the unified development of the parcels on Little Santa Monica Boulevard with the T-1 zoned property behind it.
- Allow mixed-use development.

Development Potential

- For the T-1 zone: if NOT used for transit purposes, allow development consistent with C-3 standards of 45-foot height and 2:1 FAR.
- Provide incentives for unified development (i.e., the concurrent development of both the C-3 and T-1 zoned parcels).
- Allow additional height as an incentive for mixed-use development that includes residential uses.
- Closely review the proposed architectural treatment for the building elevations facing both Santa Monica Boulevard roadways as this is a critical intersection with Wilshire Boulevard and serves as a gateway to the City. A minority felt that additional height and density above what is currently permissible should not be allowed in this area due to small lot sizes and visual impacts that taller buildings might create for this low-scale corner.

Parking Supply

- To maximize parking opportunities in an area with a noticeable shortage, consider allowing parking encroachments below the sidewalk.
- Initiate a parking strategy or program for additional parking in this area. The City should consider providing public parking as one of the options.
- Consider mixed-use as a potential use for Parcels 1 and 2 under a unified development plan (for the C-3 and T-1 lots).

COMMUNITY CHARACTER COMMITTEE (DISCUSSED, BUT WAS NOT PART OF ITS CHARGE)

Sub-Area 10: Peninsula Hotel Area

Existing Conditions: This area is very linear and somewhat isolated; not an area pedestrians would casually walk. Parking is scarce. The scale is low and several charming building designs provide good pedestrian character. While the Peninsula Hotel defines the area, virtually none of the development in the area relates to the hotel. Most lots on the north side of Little Santa Monica Boulevard are shallow (40' in depth). ***The former railroad right-of-way is currently zoned for transportation purposes only. If the properties were developed, vehicular access would be difficult as it would not be possible from the north roadway of Santa Monica Boulevard.***

Rationale for Future Vision: This area has potential as a gallery or art district. Uses should be considered to capture business from the hotel and enliven this area. New buildings should follow the area's small-town charm as well as the architectural sophistication of the I.M. Pei-designed Creative Artists building. At the same time, concerns were expressed about how this area will be affected by the Santa Monica Boulevard roadway improvements underway in Los Angeles since the area could become more traffic intensive and no longer appropriate for pedestrian activity.

Objectives:

Uses:

- Encourage pedestrian-oriented uses.
- Consider developing an art district on both sides of Little Santa Monica Boulevard and promote the use of public art.
- Retain the small-scale, walkable character by encouraging small cafes, bookstores and small-scale uses.

Physical Form:

- ***Consider ways to protect pedestrians from the traffic on Little Santa Monica Boulevard, especially as the roadway improvements may create more intense traffic patterns.***

Sub-Area 10: Peninsula Hotel Area (continued)

- Consider allowing a pedestrian bridge leading from the existing Robinsons-May site to the area for pedestrian safety and better access.
- Encourage the theme of pedestrian-oriented charm and quality architecture.
- Lasky Drive: Retain and enhance the character created by uses such as Maison 140 (boutique hotel).

Streetscape:

- Maintain consistency with other streetscape plans by adding appropriate trees, landscaping and lighting.

Areas of Potential Conflict Between General Plan Topic Subcommittees:

The Traffic and Circulation Topic Committee had different views as to how Little Santa Monica Boulevard should be treated. While Community Character felt it should be more pedestrian-oriented, others felt it should be used more for transit purposes by reducing the number of traffic signals and removing the street parking.



Attachment 7
Staff Report: Gateway Land Use Study
December 19, 2006

Notices

October 10 2006
October 18, 2006
December 19, 2006



10/10/10



CITY OF BEVERLY HILLS

NOTICE OF PUBLIC WORKSHOP MEETING

DATE: MEETING DATE: Tuesday, October 10, 2006
TIME: MEETING TIME: 7:00 p.m.
LOCATION: Municipal Gallery
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, California 90210

You are invited to participate in a workshop to be held on Tuesday, October 10, 2006, to present the results of an **intersection analysis and land use study of the area adjacent to the intersection of Wilshire and Santa Monica Boulevards** (see Context Map).

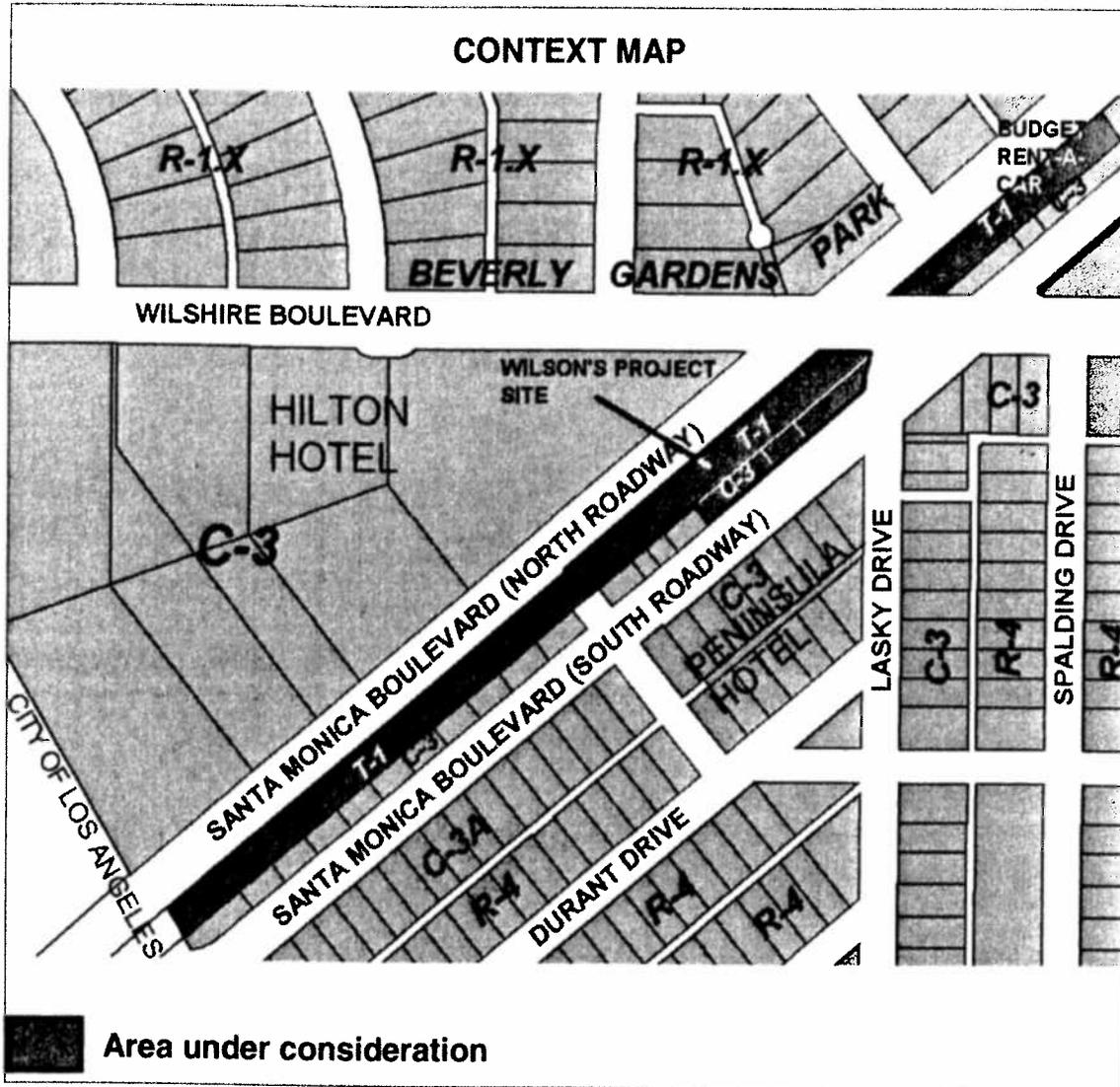
The purpose of the workshop is to provide you an opportunity to express your views regarding potential development of the three properties shown on the Context Map as zoned as "T-1," and provide input regarding preferred development options.

In response to a request by property owners of the parcels marked "T-1" to change the zoning of these properties to zoning which would allow commercial development, the City Council undertook a study of both an intersection improvement analysis, and a land use study, known as the "Gateway Study." The study has been funded by the property owners, with consultants selected and coordinated by the City. The property owners are seeking zoning which would permit a Floor Area Ratio of 2:1 and a height limit of three stories/45 feet, which is the general commercial zoning elsewhere in the City. "T" zoned parcels extend the length of the City along the south side of Santa Monica Blvd. (North) from the eastern to western city limits. These parcels were formerly used as a railroad right-of-way. Their zoning currently allows surface parking and railroad uses. The three parcels that are the subject of the Gateway Study are the westernmost and are privately owned.

At the workshop you will hear a presentation by City staff and consultants describing the intersection analysis which focused on the improvements of the Santa Monica/Wilshire intersection as it relates to the potential development of the T-1 parcels, and what right-of-way implications such concepts might have on the potential development. You will also learn about the two conceptual land use development scenarios that were analyzed:

- Scenario 1: Retail and Residential
(ground floor Retail and two stories of Residential above)

- Scenario 2: Retail and Office
(ground floor Retail and two stories of Office above)



A reference copy of a September 5, 2006 status report to the City Council titled, "Gateway Land Use Study Update" is available in the Information Desk of the Beverly Hills Public Library at 444 N. Rexford Drive and on the City's website at www.beverlyhills.org. Further information is available in the Community Development Dept./Planning Division at 455 North Rexford Drive, Room G-40, Beverly Hills, CA 90210 or by calling (310) 285-1123.

Audrey Arlington

NAME Audrey Arlington
TITLE Principal Planner

Dated: September 26, 2006



CITY OF BEVERLY HILLS

NOTICE OF PUBLIC WORKSHOP MEETING

DATE: MEETING DATE: Wednesday, October 18, 2006
TIME: MEETING TIME: 7:00 p.m.
LOCATION: Room A/City Council Chambers
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, California 90210

You are invited to participate in a workshop to be held on Wednesday, October 18, 2006, to present the results of an intersection analysis and land use study of the area adjacent to the intersection of Wilshire and Santa Monica Boulevards (see Context Map).

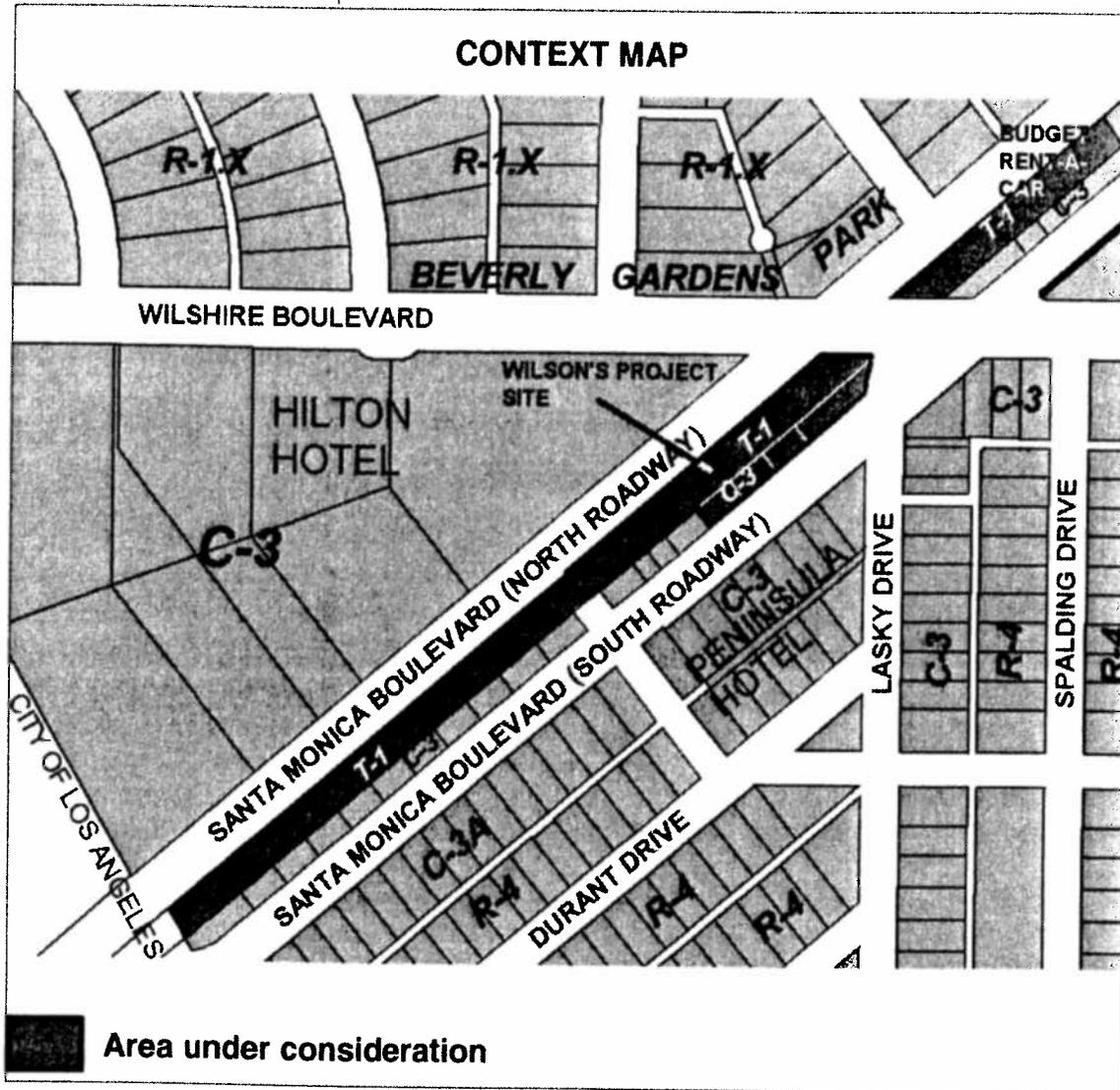
The purpose of the workshop is to provide you an opportunity to express your views regarding potential development of the three properties shown on the Context Map as zoned as "T-1," and provide input regarding preferred development options.

In response to a request by property owners of the parcels marked "T-1" to change the zoning of these properties to zoning which would allow commercial development, the City Council undertook a study of both an intersection improvement analysis, and a land use study, known as the "Gateway Study." The study has been funded by the property owners, with consultants selected and coordinated by the City. The property owners are seeking zoning which would permit a Floor Area Ratio of 2:1 and a height limit of three stories/45 feet, which is the general commercial zoning elsewhere in the City. "T" zoned parcels extend the length of the City along the south side of Santa Monica Blvd. (North) from the eastern to western city limits. These parcels were formerly used as a railroad right-of-way. Their zoning currently allows surface parking and railroad uses. The three parcels that are the subject of the Gateway Study are the westernmost and are privately owned.

At the workshop you will hear a presentation by City staff and consultants describing the intersection analysis which focused on the improvements of the Santa Monica/Wilshire intersection as it relates to the potential development of the T-1 parcels, and what right-of-way implications such concepts might have on the potential development. You will also learn about the two conceptual land use development scenarios that were analyzed:

- Scenario 1: Retail and Residential
(ground floor Retail and two stories of Residential above)

- Scenario 2: Retail and Office
(ground floor Retail and two stories of Office above)

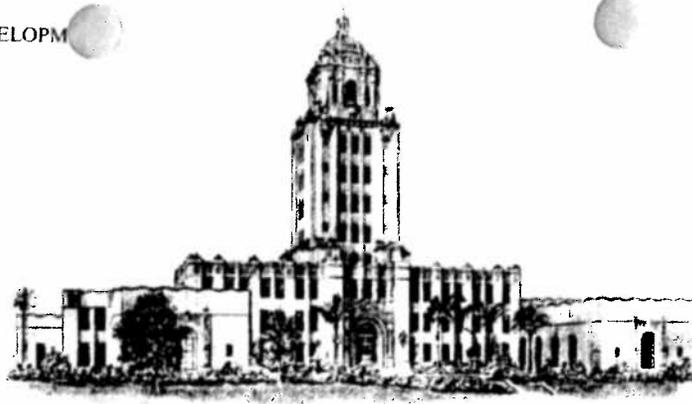


A reference copy of a September 5, 2006 status report to the City Council titled, "Gateway Land Use Study Update" is available in the Information Desk of the Beverly Hills Public Library at 444 N. Rexford Drive and on the City's website at www.beverlyhills.org. Further information is available in the Community Development Dept./Planning Division at 455 North Rexford Drive, Room G-40, Beverly Hills, CA 90210 or by calling (310) 285-1123.

Audrey Arlington

NAME Audrey Arlington
TITLE Principal Planner

Dated: October 3, 2006



CITY OF BEVERLY HILLS

NOTICE OF PUBLIC MEETING

Gateway Land Use Study

DATE: MEETING DATE: Tuesday, December 19, 2006

TIME: MEETING TIME: 2:00 p.m.

LOCATION: City Council Chambers
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, California 90210

A joint meeting of the City Council and Planning Commission is scheduled for 2:00 p.m., Tuesday, December 19, 2006, at which the results of an intersection analysis and land use study of the area adjacent to the intersection of Wilshire and Santa Monica Boulevards (see Context Map) will be presented, and informal direction sought from the City Council regarding future rezoning of three **T-1** zoned parcels. City Council meetings are broadcast live on BHTV Channel 10 and webcast from www.beverlyhills.org.

Any change to the zoning and allowable development on the **T-1** zoned parcels would require a formal application which would undergo formal public review by both the Planning Commission and City Council at future public hearings.

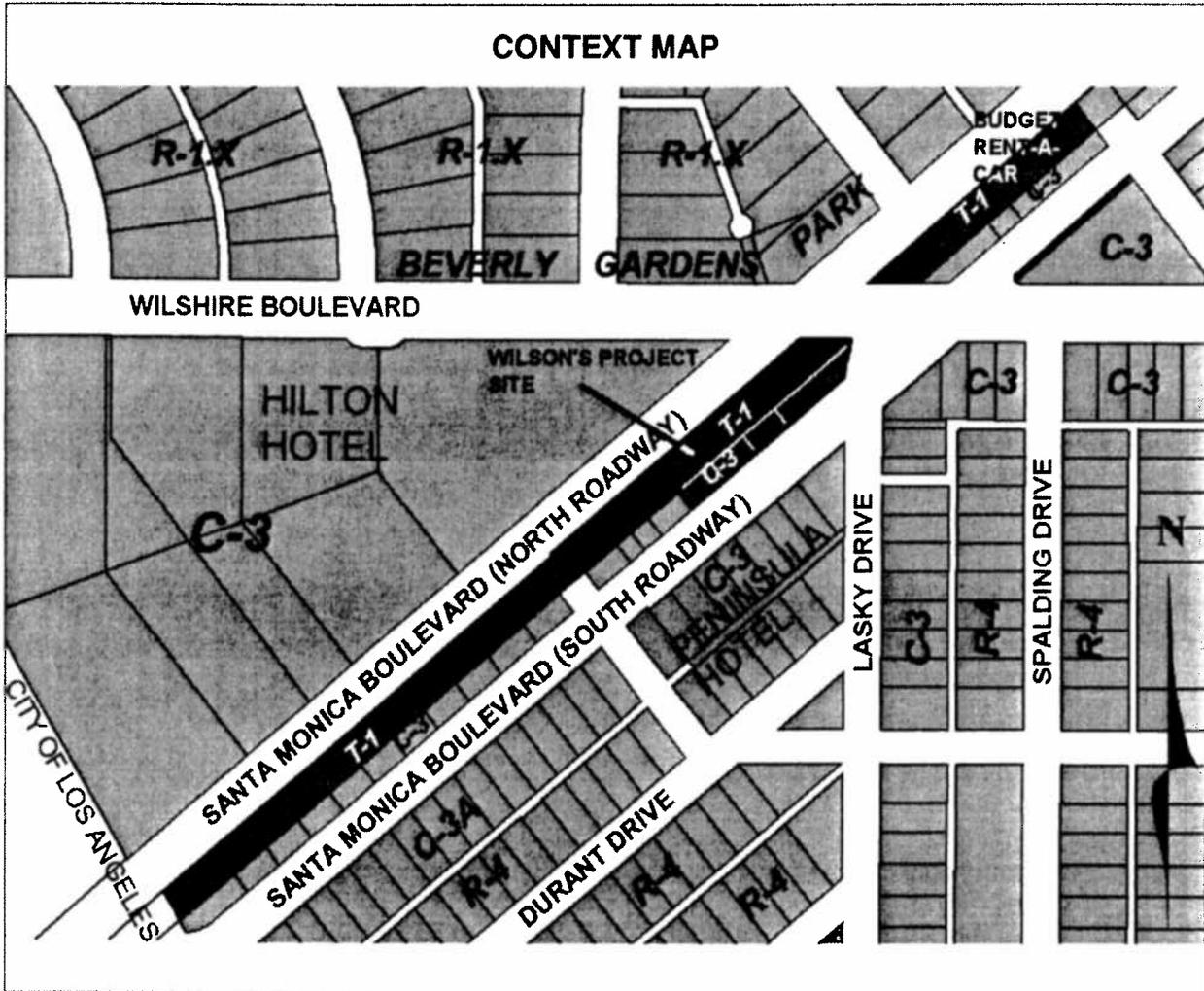
Two public workshops were previously held on this matter on October 10 and 18, 2006. Input received from the public at those workshops and other communications will be forwarded to the City Council and Planning Commission.

In response to a request by property owners of the parcels marked "**T-1**" to change the zoning of these properties to allow commercial development, a study was undertaken of both an intersection improvement analysis, and a land use study, known as the "Gateway Land Use Study." The study has been funded by the property owners, with consultants selected and coordinated by the City. The property owners are seeking zoning which would permit a Floor Area Ratio of 2:1 and a height limit of three stories/45 feet, which is the general commercial zoning elsewhere in the City. "**T**" zoned parcels extend the length of the City along the south side of Santa Monica Blvd. (North) from the eastern to western city limits. These parcels were formerly used as a railroad right-of-way. Their zoning currently allows surface parking and railroad uses. The three parcels that are the subject of the Gateway Study are the westernmost and are privately owned.

The presentation by City staff and consultants will describe the intersection analysis which focused on the improvements of the Santa Monica/Wilshire intersection as it relates to the

potential development of the T-1 parcels, and what right-of-way implications such concepts might have on the potential development. Two conceptual land use development scenarios that were analyzed will be described:

- Scenario 1: Retail and Residential
(ground floor Retail and two stories of Residential above)
- Scenario 2: Retail and Office
(ground floor Retail and two stories of Office above)



A reference copy of a September 5, 2006 background report to the City Council titled, "Gateway Land Use Study Update" is available in the Information Desk of the Beverly Hills Public Library at 444 N. Rexford Drive and on the City's website at www.beverlyhills.org. The staff report for the December 19, 2006, meeting will be available at these locations on or about December 15, 2006. Further information is available in the Community Development Dept./Planning Division at 455 North Rexford Drive, Room G-40, Beverly Hills, CA 90210 or by calling (310) 285-1123.

Audrey Arlington
Audrey Arlington
Principal Planner

Dated: December 6, 2006

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

From: croot@att.net [mailto:croot@att.net]
Sent: Thursday, December 14, 2006 3:54 PM
To: WebCBH MAYORANDCITYCOUNCIL
Subject: Website Feedback/Comments

Website Feedback/Comments

Name: Charles Root

Email: croot@att.net

Question: My name is Charles Root and I am a second generation owner of a four unit store front building on Little Santa Monica Blvd. (9919, 9921, 9923, and 9925). This building has been owned by the Root Family for nearly sixty (60) years. I would urge you to consider the following before voting to rezone the land between Big and Little Santa Monica Blvd. west of Wilshire (currently zoned T-1).

There are three critical area problems that must be resolved before any rezoning can reasonably be considered:

1. Parking
2. Local Traffic Flow
3. Through City Traffic Flow

PARKING

• Little Santa Monica Blvd. from Wilshire to the city's western border is the only area in the city's business district that does not have a Public Parking structure within a quarter mile (see note 1)

• Other than on-street parking, Public Parking is non-existent. The existing businesses require accessible Public Parking at rates commensurate with those in existing city parking lots and current metered rates (see note 2)

• Additional development will increase pressure for existing on-street spaces

o People would rather park on the street than in an underground structure

o Costs for on-street spaces will likely be lower

• The elimination of even the inadequate on-street parking is a possible future traffic expediting measure (see note 3)

• Any solution to this problem may require use of some of the T-1 zoned land

LOCAL TRAFFIC

The Gateway Land Use Study Update addresses the question of development of the T-1 zoned land on area traffic. The results show:

• If nothing is done area traffic will go from terrible to even worse

• Several traffic flow improvements are recommended for consideration before rezoning would be practical

• The appropriate recommendation must be implemented before any zoning change

THROUGH CITY TRAFFIC

The question of through city traffic on Big Santa Monica is now being addressed by city planners (see note 4). Possibilities range from widening the surface road to placing the road underground throughout the city.

- o Most of the possible solutions would require some use of the T-1 space (see note 5)
- o From enough to add a lane
- o To use of the entire T-1 space throughout the city (see note 6)

Let me again urge you to not consider rezoning the current T-1 zoned area until all of these problems are resolved.

Thank you for your consideration in this matter.

Sincerely,

Charles A Root

NOTES:

1. CIRCULATION ELEMENT WHITE PAPER NO. 6, RELATIONSHIP OF PARKING SUPPLY AND TRAFFIC CIRCULATION AND THE POTENTIAL FOR ALTERNATIVES TO AUTO USE IN THE BUSINESS TRIANGLE
2. Draft Summary of Preliminary Draft Land Use Alternatives Proposed by Planning Commission August 10, 2006
3. Final Report General Plan Circulation Committee Report and Recommendations January 2004, Study Topic: Santa Monica Blvd. Corridor in Los Angeles County and Beverly Hills "Recommendation 9
4. Subarea No. 3 Land Use Policy Formulation: Wilshire/ Santa Monica Boulevards Triangle - August 10, 2006
5. CIRCULATION ELEMENT WHITE PAPER NO. 3, SANTA MONICA BOULEVARD CORRIDOR
6. Final Report General Plan Circulation Committee Report and Recommendations January 2004, Study Topic: Santa Monica Blvd. Corridor in Los Angeles County and Beverly Hills "Recommendation 10

All of the above cited documents are available on the City of Beverly Hills Web Site.

Resident: No

Business: Yes

Visitor: No