



# Planning Commission Report

---

**Meeting Date:** August 4, 2011

**Subject:** **Ownership Transfer of City Parking Facilities**  
Request for the Planning Commission to make a finding of consistency with the General Plan to allow for the transfer of ownership of certain parking facilities from the City to the City of Beverly Hills Parking Authority.  
PROJECT APPLICANT: City of Beverly Hills

**Recommendation:** That the Planning Commission:

1. Conduct a public hearing and receive testimony on the project; and
2. Adopt the attached finding of consistency with the General Plan.

---

## REPORT SUMMARY

This report outlines a request for the Planning Commission to make a general plan consistency finding for the ownership transfer of City parking facilities to the Beverly Hills Parking Authority. As described below, this transfer will have finance and accounting benefits. The transfer will not impact the current day to day operations of the parking facilities.

Attachment(s):  
A. Draft Finding

Report Author and Contact Information:  
Ryan Gohlich  
(310) 285-1194  
[rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org)

## **BACKGROUND AND PROJECT DESCRIPTION**

Over the past 30 years, some of the publicly owned parking structures in the City have been owned by the Beverly Hills Parking Authority and some have been owned by the City. At various times, ownership of various parking structures has been transferred between the two entities. Currently, the Parking Authority owns the parking facility at 240 N. Beverly Drive/241 N. Cannon Drive (the Beverly-Canon Gardens/Montage parking) and the City owns the remaining parking facilities. In approximately 1975 the City created its current parking enterprise fund; however, the current fund functions as a quasi-enterprise fund that is still technically part of the City's general fund. Consequently, the costs and revenues associated with the City's parking facilities cannot be easily separated from the City's general fund, which results in accounting difficulties. Allowing ownership of the parking facilities to be consolidated under the City of Beverly Hills Parking Authority will allow for the parking facilities to be operated as a true enterprise that is separate from the City's General Fund. Additionally, the City's parking facilities are regularly used as collateral in the issuance of bonds, and the transfer of ownership will allow for easier realignment of collateral (the parking facilities) as property values increase and outstanding bond balances decrease over time.

The parking facilities that will be affected by the transfer are as follows:

1. 221 North Crescent Drive;
2. 333 North Crescent Drive;
3. 321 South La Cienega Boulevard;
4. 9361 Dayton Way;
5. 440 North Camden Drive;
6. 461 North Bedford Drive;
7. 9510 Brighton Way;
8. 216 South Beverly Drive;
9. 438/439 North Beverly Drive;
10. 345 North Beverly Drive;
11. 455 North Crescent Drive; and
12. Santa Monica 5 Metered Parking Facilities.

Given their unique functions, the Civic Center parking structure that serves the police department, library and city hall, and the 9333 Third Street parking structure, which serves the City's buildings on Foothill Road, will not be transferred to the Parking Authority.

## ANALYSIS

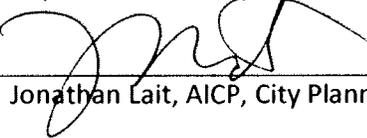
Pursuant to Government Code §65402<sup>1</sup>, no real property shall be acquired or disposed of without findings of consistency with the General Plan first being made. Although the City Council takes the final action to determine whether to approve the transfer of property, the transfer must first be found to be consistent with the General Plan. Because the Planning Commission has jurisdiction over findings of General Plan consistency, the Commission must forward its findings to the City Council prior to final action being taken on the item.

The proposed transfer of ownership will not result in any changes to the current day to day operations of the parking facilities, will not result in any land use changes, and allows the City to continue to operate in a streamlined and fiscally prudent manner (General Plan Policy ES 1.1<sup>2</sup>). Therefore, the transfer of ownership is consistent with the City's General Plan.

## NEXT STEPS

It is recommended that the Planning Commission adopt the attached finding and direct staff to report to the City Council the Planning Commission's finding that the transfer of City parking facilities to the Beverly Hills Parking Authority is consistent with the General Plan.

Report Reviewed By:



---

Jonathan Lait, AICP, City Planner

I:\Planning\Ryan Gohlich\PC\Parking Facility Ownership Transfer\Parking Facility Ownership Transfer - 8-4-2011 Staff Report.doc

---

<sup>1</sup> **Government Code §65402:**

(a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

<sup>2</sup> **ES 1.1 Fiscal Prudence.** The first key to economic sustainability is the efficient use of resources by an effective and streamlined local government with the ongoing mission of providing the residents and community with superb value for money.

# ATTACHMENT A

## Draft Finding

### DRAFT FINDING

---

#### General Plan Consistency

1. *The transfer of certain parking facilities to the Beverly Hills Parking Authority is consistent with the City's General Plan.*

The proposed transfer of ownership will not result in any land use changes, and allows the City to continue to operate in a streamlined and fiscally prudent manner as directed by the General Plan (General Plan Policy ES 1.1). Therefore, the transfer of ownership is consistent with the City's General Plan.