



**SPECIAL MEETING  
OF THE RESTAURANT SUBCOMMITTEE  
OF THE ARCHITECTURAL COMMISSION**

**City of Beverly Hills**

**Conference Room 101**

**In-Person / Teleconference / Video Conference Meeting**  
455 North Rexford Drive  
Beverly Hills, CA 90210

**Thursday, September 8, 2022**

**9:00 AM**

*Pursuant to Government Code Section 54953, members of the Restaurant Subcommittee of the Architectural Commission and staff may participate in this meeting via a teleconference. Members of the public can participate in the meeting by using this link: <https://www.gotomeet.me/CBHCD/subcom> (no password required), or by phone at 1-866-899-4679 or 1-571-317-3116, Access Code #576-863-781. Written comments may be emailed to [commentAC@beverlyhills.org](mailto:commentAC@beverlyhills.org) and will be read at the meeting.*

**AMENDED SPECIAL MEETING AGENDA**

**1. Public Comment**

**2. RESOLUTION OF THE RESTAURANT SUBCOMMITTEE OF THE ARCHITECTURAL COMMISSION OF THE CITY OF BEVERLY HILLS AUTHORIZING PUBLIC MEETINGS TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND MAKING FINDINGS AND DETERMINATIONS REGARDING THE SAME**

Legislation (AB 361) was recently adopted allowing the Restaurant Subcommittee of the Architectural Commission to continue virtual meetings during the COVID-19 declared emergency subject to certain conditions, and the proposed resolution implements the necessary requirements.

**3. 433 NORTH CAMDEN DRIVE**

**Gravitas (PL2200401)**

Request for approval of an architectural review for existing plaza modifications to allow an outdoor dining area with landscaping, and Business Identification Signage. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Restaurant Subcommittee of the Architectural Commission will also consider finding the project exempt from further review under CEQA.

**4. 475 NORTH BEVERLY DRIVE**

**Cha Cha Matcha (PL2200402)**

Request for approval of an architectural review for façade modifications, a Sign Accommodation for multiple Business Identification Signs including a sign facing private property, and an outdoor dining area. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Restaurant Subcommittee of the Architectural Commission will also consider finding the project exempt from further review under CEQA.

**5. 447 NORTH BEVERLY DRIVE**

**POPS BAGELS (PL2200403)**

Request for approval of an architectural review for façade modifications, Business Identification Signage, and an outdoor dining area. Pursuant to the provisions set forth in the California

Environmental Quality Act (CEQA), the Restaurant Subcommittee of the Architectural Commission will also consider finding the project exempt from further review under CEQA.

**6. 443 NORTH CANON DRIVE  
NEGRONI (PL2200404)**

Request for approval of an architectural review for façade modifications, a Business Identification Sign, and an outdoor dining area. Pursuant to the provisions set forth in the California Environmental Quality Act (CEQA), the Restaurant Subcommittee of the Architectural Commission will also consider finding the project exempt from further review under CEQA.

**7. Adjournment**



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Mark Odell, Urban Designer

**Posted: September 7, 2022**



Pursuant to the Americans with Disabilities Act, the City of Beverly Hills will make reasonable efforts to accommodate persons with disabilities. If you require special assistance please call (310) 285-1126 (voice) or (310) 285-6881 (TTY). Providing at least forty-eight (48) hours advance notice will help to ensure availability of services.



## Restaurant Subcommittee of the Architectural Commission Report

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**Meeting Date:** Thursday, September 8, 2022

**Subject:** **RESOLUTION OF THE RESTAURANT SUBCOMMITTEE OF THE ARCHITECTURAL COMMISSION OF THE CITY OF BEVERLY HILLS AUTHORIZING PUBLIC MEETINGS TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND MAKING FINDINGS AND DETERMINATIONS REGARDING THE SAME**

**Project Applicant:** City-Initiated

**Recommendation:** Staff recommends that the Restaurant Subcommittee of the Architectural Commission adopt the attached resolution

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### **RECOMMENDATION**

Staff and the City Attorney's office recommend that the Restaurant Subcommittee of the Architectural Commission adopt a resolution making the following findings so that meetings of the Restaurant Subcommittee of the Architectural Commission will be subject to the special Brown Act requirements for teleconference meetings: (1) the Restaurant Subcommittee of the Architectural Commission has reconsidered the circumstances of the COVID-19 state of emergency; (2) the state of emergency continues to directly impact the ability of the members to meet safely in person; and (3) state or local officials continue to impose or recommend measures to promote social distancing.

### **FISCAL IMPACT**

The proposed resolution allowing the Restaurant Subcommittee of the Architectural Commission greater flexibility to conduct teleconference meetings is unlikely to cause a greater fiscal impact to the City as the Restaurant Subcommittee of the Architectural Commission has been conducting such teleconference meetings for approximately 29 months.

### **INTRODUCTION**

Governor Newsom recently signed new legislation (AB 361) allowing the Restaurant Subcommittee of the Architectural Commission to continue virtual meetings during the COVID-19 declared emergency subject to certain conditions. These special requirements give the City greater flexibility to conduct teleconference meetings when there is a declared state of



## Restaurant Subcommittee of the Architectural Commission Report

Public Meetings Via Teleconference  
September 8, 2022

emergency and either social distancing is mandated or recommended, or an in-person meeting would present imminent risks to the health and safety of attendees.

### **BACKGROUND**

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California due to the spread of COVID-19. The Governor subsequently issued numerous executive orders suspending or modifying state laws to facilitate the response to the emergency. Among other things, these executive orders superseded certain Brown Act requirements and established special rules to give local public agencies greater flexibility to conduct teleconference meetings. Those special rules expired on September 30, 2021.

On September 16, 2021, in anticipation of then-imminent expiration of his special rules for teleconference meetings, the Governor signed AB 361. In key part, this bill amends the Brown Act to establish special requirements for teleconference meetings if a legislative body of a local public agency holds a meeting during a proclaimed state of emergency and either state or local officials have imposed or recommended measures to promote social distancing, or the body determines, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

AB 361 builds upon Executive Order ("EO") N-29-20, issued by the Governor on March 17, 2020, which relaxed the teleconferencing requirements of the Brown Act to facilitate virtual meetings during the COVID-19 declared emergency. EO N-29-20's provisions concerning public meetings applied through September 30, 2021.

AB 361 authorizes local agencies to continue meeting remotely without following the Brown Act's standard teleconferencing provisions if the meeting is held during a state of emergency proclaimed by the Governor and either of the following applies: (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the agency has already determined or is determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

EO N-29-20 required legislative bodies to make remote public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body, and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act. AB 361 adds new procedures and clarifies the requirements for conducting remote meetings as follows:

- **Public Comment Opportunities in Real Time:** A legislative body that meets remotely pursuant to AB 361 must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time. Although the agency may still ask for public comments to be submitted in advance, the agency cannot require public comments to be submitted in advance of the meeting. If an agency does not provide a timed public comment period, but takes public



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comment separately on each agenda item, it must allow a reasonable amount of time per agenda item to allow members of the public the opportunity to provide public comment, including time to “be recognized for the purpose of providing public comment.”

- **No Action During Disruptions:** In the event of a disruption that prevents the local agency from broadcasting the remote meeting, or in the event of a disruption within the local agency’s control that prevents members of the public from offering public comments using the call-in option or internet-based service option, AB 361 prohibits the legislative body from taking any further action on items appearing on the meeting agenda until public access to the meeting via the call-in or internet-based options is restored.
- **Periodic Findings:** To continue meeting remotely pursuant to AB 361, an agency must make periodic findings that: (1) the body has reconsidered the circumstances of the declared emergency; and (2) the emergency impacts the ability of the body’s members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing. These findings should be made not later than 30 days after teleconferencing for the first time pursuant to AB 361, and every 30 days thereafter.

### **DISCUSSION**

To continue to hold meetings under these special teleconferencing requirements, the Restaurant Subcommittee of the Architectural Commission needs to make two findings pursuant to Government Code Section 54953(e)(3). First, there must be a declared state of emergency and the Restaurant Subcommittee of the Architectural Commission must find that it has reconsidered the circumstances of such emergency. Second, the Restaurant Subcommittee of the Architectural Commission must find that such emergency continues to directly impact the ability of the Restaurant Subcommittee of the Architectural Commission’s members to meet in person. Alternatively, for the second finding, the Restaurant Subcommittee of the Architectural Commission must find that state or local officials continue to impose or recommend social distancing measures. These findings must be made within 30 days after the Restaurant Subcommittee of the Architectural Commission teleconferences for the first time under AB 361 and every 30 days thereafter.

The declared emergency is still in effect. Furthermore, the State of California and the County of Los Angeles have recommended measures to promote social distancing. The Centers for Disease Control and Prevention continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than 6 feet apart from others for longer periods of time. Additionally, the Los Angeles County Department of Public Health still encourages people at risk for severe illness or death from COVID-19 to take protective measures such as social distancing and, for those not yet fully vaccinated, to physically distance from others whose vaccination status is unknown. The County Health Department also continues to recommend that employers take steps to support physical distancing.



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Please note that AB 361 applies to all legislative bodies. As such, the Restaurant Subcommittee of the Architectural Commission will need to comply with the requirements of AB 361.

# **ATTACHMENT A**

## Resolution

RESOLUTION NO. AC-RS 02

RESOLUTION OF THE RESTAURANT  
SUBCOMMITTEE OF THE ARCHITECTURAL  
COMMISSION OF THE CITY OF BEVERLY HILLS  
AUTHORIZING PUBLIC MEETINGS TO BE HELD  
VIA TELECONFERENCING PURSUANT TO  
GOVERNMENT CODE SECTION 54953(e) AND  
MAKING FINDINGS AND DETERMINATIONS  
REGARDING THE SAME

WHEREAS, the Restaurant Subcommittee of the Architectural Commission is committed to public access and participation in its meetings while balancing the need to conduct public meetings in a manner that reduces the likelihood of exposure to COVID-19 and to support physical distancing during the COVID-19 pandemic; and

WHEREAS, all meetings of the Restaurant Subcommittee of the Architectural Commission are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Restaurant Subcommittee of the Architectural Commission conduct its business; and

WHEREAS, pursuant to Assembly Bill 361, signed by Governor Newsom and effective on September 16, 2021, legislative bodies of local agencies may hold public meetings via teleconferencing pursuant to Government Code Section 54953(e), without complying with the requirements of Government Code Section 54953(b)(3), if the legislative body complies with certain enumerated requirements in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.



2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency in response to the COVID-19 pandemic (the “Emergency”); and

WHEREAS, the Centers for Disease Control and Prevention continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than 6 feet apart from others for longer periods of time; and

WHEREAS, the Los Angeles County “Responding together at Work and in the Community Order (8.23.21)” provides that all individuals and businesses are strongly encouraged to follow the Los Angeles County Public Health Department Best Practices. The Los Angeles County Public Health Department “Best Practices to Prevent COVID-19 Guidance for Businesses and Employers”, updated on September 13, 2021, recommend that employers take steps to reduce crowding indoors and to support physical distancing between employees and customers; and

WHEREAS, due to the ongoing COVID-19 pandemic and the need to promote social distancing to reduce the likelihood of exposure to COVID-19, the Restaurant Subcommittee of

the Architectural Commission intends to hold public meetings via teleconferencing pursuant to Government Code Section 54953(e).

NOW, THEREFORE, the Restaurant Subcommittee of the Architectural Commission of the City of Beverly Hills resolves as follows:

Section 1. The Recitals provided above are true and correct and are hereby incorporated by reference.

Section 2. The Restaurant Subcommittee of the Architectural Commission hereby determines that, as a result of the Emergency, meeting in person presents imminent risks to the health or safety of attendees.

Section 3. The Restaurant Subcommittee of the Architectural Commission shall conduct its meetings pursuant to Government Code Section 54953(e).

Section 4. Staff is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. The City has reconsidered the circumstances of the state of emergency and finds that: (i) the state of emergency continues to directly impact the ability of the members to meet safely in person, and (ii) state or local officials continue to impose or recommend measures to promote social distancing.

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Section 6. The Secretary of the Restaurant Subcommittee of the Architectural Commission shall certify to the adoption of this Resolution and shall cause this Resolution and her certification to be entered in the Book of Resolution of the Restaurant Subcommittee of the Architectural Commission of this City.

Approved as to Form and Content:

Adopted: September 8, 2022

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Mark Odell, Urban Designer  
Community Development Department

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Jennifer Schreiber, Chair  
Restaurant Subcommittee of  
the Architectural Commission



RENDERING 1 - DAYTIME | 009

**Camden Restaurant**  
433 N Camden Dr, Beverly Hills, CA 90210  
June 2022



RENDERING 2 - DAYTIME | 009.1

**Camden Restaurant**  
433 N Camden Dr, Beverly Hills, CA 90210  
June 2022

**KELLY**  
ARCHITECTS



RENDERING 1 - NIGHTTIME | 010

**Camden Restaurant**  
433 N Camden Dr, Beverly Hills, CA 90210  
June 2022

**KELLY**  
ARCHITECTS



PROPOSED NEW EXTERIOR ELEVATION



(E) EXTERIOR ELEVATION

NEW 'HALO STYLE' BACKLIT  
ACRYLIC SIGNAGE: HUNTER  
GREEN WITH LIDO GREEN

NEW WHITE OPAQUE  
VINYL DECALS

CUSTOM PINK CORIAN  
TABLES WITH HUNTER  
GREEN STEEL BASES.

EXTERIOR TO BE REPAIRED  
AND REPAINTED TO MATCH.

MULLIONS TO BE PAINTED:  
HUNTER GREEN

MULLIONS TO BE PAINTED:  
HUNTER GREEN

NEW WHITE AND PINK  
UMBRELLAS. FADE RESISTANT  
SUNBRELLA FABRIC

NEW PATIO FURNITURE:  
WOVEN RATTAN BISTRO CHAIR  
IN SATIN WATER GREEN

EXISTING HANDRAIL TO BE  
PAINTED HUNTER GREEN

FINISHED PLYWOOD  
HANDLES TO REPLACE  
EXISTING WOOD HANDLES





PROPOSED SIGNAGE LOCATION



**VINYL GRAPHIC**  
TO BE PRINTED IN WHITE  
APPLIED DIRECTLY TO  
GLASS FROM INTERIOR



SHEET #: **A5.01**  
SHEET NAME: **EXTERIOR VIEW**

PROJECT:  
ISSUE: EXTERIOR PLANNING REVIEW  
DATE: 2022-07-05  
SCALE: NTS

**POP'S BAGEL**  
**447 N BEVERLY DRIVE**  
BEVERLY HILLS, CA 90210

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Los Angeles CA 90021  
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SHEET #:

A5.00

SHEET NAME:

EXTERIOR  
VIEW

PROJECT:

ISSUE: EXTERIOR PLANNING REVIEW  
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**POP'S BAGEL**  
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IMAGE 3



IMAGE 2



AREA PHOTO PLAN  
N.T.S.



IMAGE 1

SHEET #:  
**A5.02**

SHEET NAME:  
**(E) SITE  
PHOTOS**

PROJECT:  
ISSUE: EXTERIOR PLANNING REVIEW  
DATE: 2022-07-05  
SCALE: NTS

**POP'S BAGEL**  
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MONTAGE



PERSPECTIVE RENDERING



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