



PLANNING COMMISSION MINUTES
Regular Meeting
November 1, 2012

West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California 90069

1. **CALL TO ORDER:** Acting Chair DeLuccio called the meeting of the Planning Commission to order at 6:35 P.M.
2. **PLEDGE OF ALLEGIANCE:** Lauren Meister led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Aghaei, Altschul, Bernstein, Huebner, Yeber, Acting Chair DeLuccio.

Commissioners Absent: Chair Buckner.

Staff Present: Laurie Yelton, Associate Planner, David DeGrazia, Acting Current and Historic Preservation Planning Manager, Lauren Langer, Acting City Attorney, and David Gillig, Commission Secretary.
4. **APPROVAL OF AGENDA.**
ACTION: Approve the Planning Commission Agenda of Thursday, November 1, 2012 as presented. **Moved by Commissioner Altschul, seconded by Commissioner Yeber and unanimously carried; notating Chair Buckner as absent.**
5. **APPROVAL OF MINUTES.**

A. **September 20, 2012**

ACTION: Approve the Planning Commission Minutes of Thursday, September 20, 2012 as presented. **Moved by Commissioner Bernstein, seconded by Commissioner Altschul and unanimously carried; noting Chair Buckner as absent.**
6. **PUBLIC COMMENT.**
COLE HOLBROOK, WEST HOLLYWOOD, commented regarding on-going noise issues in the neighborhood, and stated Larrabee Street was recently closed off for a Go-Go Boy night. He had concerns with noise concerning Eleven and the proposed rave parties they are throwing in the old Larrabee Sound Studio parking lot next to a residential apartment building known as Mediterranean Village. He voiced concerns regarding additional noise issues emanating from Le Petit Ermitage Hotel on Cynthia Street as well as their valet service.

Commissioner Altschul requested the Community Development Director look into La Petit Ermitage conditions of approval and what they are entitled to do regarding music and their valet service. He also requested Eleven's special event usage be looked into.

Acting Chair DeLuccio requested a status report at the next meeting on Thursday, November 15, 2012, regarding these alleged issues.

LAUREN MEISTER, WEST HOLLYWOOD, stated she is currently acting President of West Hollywood West Residents Association. She updated the commission on the recently filed lawsuit with the City of West Hollywood regarding 8564 – 8590 Melrose Avenue, West Hollywood, California.

7. ITEMS FROM COMMISSIONERS.

Commissioner Yeber commented on and provided an update regarding the recent American Planning Association's State Conference held in Rancho Mirage, California. He thanked the City Attorney for giving the structure and the foundation for our meetings.

Acting Chair DeLuccio commented on the recent American Planning Association's State Conference held in Rancho Mirage, California

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. 310 N. Huntley Drive, 8511 Beverly Place and 8561 Beverly Place (Maimonides Academy):

Laurie Yelton, Associate Planner, provided an oral and visual presentation and background information as presented in the staff report dated Thursday, November 1, 2012.

She stated the applicant is requesting to amend the existing conditional use permit to (1) remove the permit expiration date (November 17, 2012); and (2) determine that the biennial review required in Condition 1.5 of Resolution No. PC 02-453 is no longer required and to remove condition 1.5.

Condition 1.5 states, *"The Director of Community Development shall conduct a review of this CUP every two (2) years until 2012 to verify that the school is in compliance with all the conditions of approval. These reports shall be presented to the Planning Commission as a "receive and file" item. The Planning Commission shall determine by November 16, 2012 if any further regularly scheduled review shall be provided to the Planning Commission."*

The Maimonides Academy has been in operation for 37 years (and operating under a CUP for 26 years) and remains in good standing with the City of West Hollywood.

There have been no violations of the Academy's conditional use permit, and the request does not include any new development, change in enrollment, or change in school operations.

Staff does not believe that any further regularly scheduled reviews are required for the Maimonides Academy under Resolution No. PC 02-453 and sees no need for a permit expiration date.

Staff supports the Maimonides Academy's request to remove the permit expiration date and determine that biennial review is no longer required.

Acting Chair DeLuccio opened the public hearing for Item 9.A.:

D.J. MOORE, LOS ANGELES, Latham & Watkins, applicant's representative, presented the applicant's report. He detailed Maimonides Academy location, school programming and organizational structure. He spoke regarding the addition of the new Upper School on La Cienega Boulevard (Los Angeles), underground and at-grade parking, Lower School conditional use permit, and the current requested conditional use permit modifications.

He stated there are no other private schools within the City of West Hollywood that require an expiration provision in their conditional use permits. The Municipal Code contains broad provisions that allow the Community Development Director or the Planning Commission to call the school up for a review of its conditional use permit if any violations are noted. There have been no complaints, and no violations of the conditional use permit in city records.

He detailed community outreach of Maimonides Academy, which includes landscaping, sidewalk lighting and security camera access. There was no neighborhood opposition to the approval of the Upper School building in 2010 (Los Angeles).

Commissioner Altschul questioned if water studies were done regarding the subterranean garage.

Commissioner Yeber questioned the rationale of the removal of the expiration date and the biennial review.

D.J. MOORE, LOS ANGELES, Latham & Watkins, applicant's representative, stated it is more of an administrative burden for the applicant and staff. He reiterated the school has had no complaints or violations in the last ten years.

LAUREN MEISTER, WEST HOLLYWOOD, Acting President, West Hollywood West Residents Association, stated they are not opposing this application. They feel over the last ten years, the school has proven that they want to have a relationship with the neighborhood and they have put forth every best effort to do so. As long as the school is not asking for anything different than what the other private schools in West Hollywood would have, they do not oppose this.

Commissioner Aghaei requested clarification if any of the other schools in the West Hollywood area have conditions imposed in which they have to return every ten years for review.

Laurie Yelton, Associate Planner, stated for the record no schools have expiration dates.

Commissioner Yeber questioned the location of the other private schools in West Hollywood and their relationship with the residential neighborhoods. He requested clarification on the process for bringing a conditional use permit back for a review.

Commissioner Bernstein confirmed with Lauren Meister if there was in fact a problem with Maimonides Academy, if this is sufficient and adequate.

LAUREN MEISTER, WEST HOLLYWOOD, Acting President, West Hollywood West Residents Association, stated they are aware of the abilities to have a conditional use permit revoked if there are any issues. They are comfortable with the process for relief if needed.

ACTION: Close public hearing for Item 9.A: **Motion carried by consensus of the Commission.**

Commissioner Bernstein stated he is not comfortable with specifically disadvantaging parochial schools over independent schools. Most schools are located in residential areas. He stated his support of staff's recommendation.

Commissioner Bernstein moved to: 1) approve staff's recommendation.

Seconded by Commissioner Aghaei.

Commissioner Aghaei stated his absence when this was originally heard before the commission. It appears that Maimonides Academy has abided by the conditions originally set forth and they have developed a relationship with the neighborhood. He stated his encouragement and by the mechanism in place if issues happen to arise again. It would be beneficial to move this forward.

Commissioner Huebner stated Maimonides Academy has demonstrated their compliance over the years. He stated his support.

Commissioner Altschul stated if the neighbors are happy, we can move this forward.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 12-1031 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A REQUEST TO REMOVE THE PERMIT EXPIRATION DATE IN RESOLUTION NO. PC 02-453 AND DETERMINING THE BIENNIAL REVIEW IS NO LONGER REQUIRED FOR THE MAIMONIDES ACADEMY, LOCATED AT 310 N. HUNTLEY DRIVE, WEST HOLLYWOOD, CALIFORNIA, 8511 BEVERLY PLACE, WEST HOLLYWOOD, CALIFORNIA, AND 8561 BEVERLY PLACE, WEST HOLLYWOOD, CALIFORNIA;" and 3) Close Public Hearing Item 9.A. **Moved by Commissioner Bernstein, seconded by Commissioner Aghaei, and unanimously carried, noting Chair Buckner as absent.**

10. NEW BUSINESS. None.

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

A. Planning Manager's Update.

David DeGrazia, Acting Current and Historic Preservation Planning Manager, provided an update of upcoming projects.

ACTION: Cancel the Planning Commission meetings of Thursday, December 20, 2012 and Thursday, January 3, 2013. **Motion carried by consensus of the Commission.**

14. PUBLIC COMMENT. None.

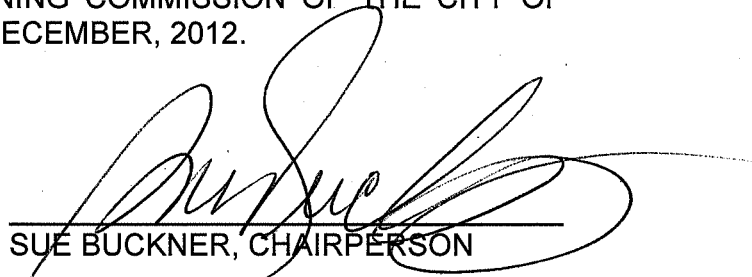
15. ITEMS FROM COMMISSIONERS.

Commissioner Bernstein requested when the staff report regarding cell towers comes before the Commission, if it could include a synopsis of the federal law and the parameters the commission is able to operate within.

Commissioner Yeber requested clarification and an update of some of the big projects staff is working on, coming up in the next five and ten years.

16. ADJOURNMENT: The Planning Commission adjourned at 7:10 P.M. to the next regularly scheduled meeting which will be on Thursday, November 15, 2012 beginning at 6:30 P.M. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST HOLLYWOOD ON THIS 6TH DAY OF DECEMBER, 2012.



SUE BUCKNER, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY