



PLANNING COMMISSION MINUTES Regular Meeting January 19, 2017

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

THE CITY OF WEST HOLLYWOOD HAS ADOPTED BRIEF SUMMARY AND ACTION MEETING MINUTES; WHICH PROVIDE A SUMMARY OF THE ACTIONS TAKEN AND POINTS OF DISCUSSION ONLY. ADDITIONAL COMMENTS OR DISCUSSION REGARDING ANY ITEM SUMMARIZED IN THESE MINUTES MAY BE OBTAINED BY VIEWING THE ARCHIVED VIDEOS OF THE PLANNING COMMISSION MEETINGS AT www.weho.org/weho-tv/other-city-meetings

1. **CALL TO ORDER:** Chair Aghaei called the meeting of the Planning Commission to order at 6:32 P.M.

2. **PLEDGE OF ALLEGIANCE:** Sybil Zaden led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Altschul, DeLuccio, Jones, Lightfoot, Vice-Chair Buckner, Chair Aghaei.

Commissioners Absent: None.

Staff Present: Rachel Dimond, Senior Planner, Jennifer Alkire, Acting Current and Historic Preservation Planning Manager, Lauren Langer, Acting Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Move New Business Item 11.A. – Design Review Subcommittee Appointment before Public Hearing Item 10.A.

ACTION: Approve the Planning Commission Agenda of Thursday, January 19, 2017 as amended. **Moved by Commissioner Altschul, seconded by Commissioner Jones and unanimously passes.**

5. **APPROVAL OF MINUTES.**

Yvonne Quarker, City Clerk stated the City Clerks Association of California has developed guidelines for official minutes for all governmental agencies. The City of West Hollywood has adopted the format for very minimal brief summary action minutes that all commissions, boards, as well as city council will now be following.

A. December 1, 2016

B. December 15, 2016

ACTION: Approve the Planning Commission regular meeting minutes of: 1) Thursday, December 1, 2016; and 2) Thursday, December 15, 2016, as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Jones and passes, noting Vice-Chair Buckner abstaining on the minutes of Thursday, December 15, 2016.**

6. PUBLIC COMMENT.

MICAH EL WOJKIELEWICZ, WEST HOLLYWOOD commented on the 2017 Council Candidate Forum for the City of West Hollywood.

LYNN HOOPINGARNER, WEST HOLLYWOOD, Vice-President of West Hollywood North Neighborhood Association, commented on non-compliance with zoning codes.

STEVE MARTIN, WEST HOLLYWOOD commented on the future and direction of the City of West Hollywood.

ROXANNE MC BRIDE, WEST HOLLYWOOD commented on the Eastside of West Hollywood and its future identity.

7. DIRECTOR'S REPORT.

John Keho, Assistant Director, Community Development Director presented the Director's Report.

He provided a three month review update on Catch Restaurant. He stated there have been three notices of violations: 1) no special event permit was procured for their opening night party; 2) outdoor smoking - no smoking operations plan; and 3) noise concerns.

Staff met with Catch Restaurant representatives and they have agreed to: 1) reposition all speakers on the patio, and reduce the base of the speakers, 2) agreed to hire extra security to deal with valet noise and paparazzi; 3) cap all processors by zone to reduce all speaker capacity; 4) post additional signs asking patrons to be quiet and respect the neighbors; 5) agreed to hire a local sound specialist to do an additional acoustical study; and 6) agreed to hourly sound checks; by standing in the driveways of residential properties on Rangely Drive.

Staff suggested the valet operation be moved from the street to inside the garage after midnight. Another review will take place in three months.

Commissioner Lightfoot questioned how Catch Restaurant could have valet parking on the street, when they specifically said at the public hearing that it would be inside the garage. She also questioned the retractable roof.

John Keho, Assistant Director, Community Development Director stated the valet parking plan was not conditioned as part of the action. Therefore, staff permitted them the on-street valet permit at that time. It is now being revisited and has moved back into the parking garage as a test.

8. ITEMS FROM COMMISSIONERS.

Commissioner DeLuccio clarified the reasoning of the denial for the zone text amendment regarding corporate rentals.

Commissioner Altschul wished Lynn Hoopingarner and Elyse Eisenberg Happy Birthday.

9. CONSENT CALENDAR. None.

The following item was heard out of order as part of the amended agenda:

A. Design Review Subcommittee Appointment.

The Planning Commission will consider filling the vacant seat of Roy Huebner on the Design Review Subcommittee, for a term ending June 30, 2017.

ACTION: Appoint: 1) Sue Buckner to the Design Review Subcommittee, for a term through June 30, 2017. **Moved by Chair Aghaei and unanimously carried.**

10. PUBLIC HEARINGS.

Commissioner Altschul recused himself from the meeting at this time; due to living within 500' of the proposed project site, located at 1114 N. Horn Avenue, West Hollywood, California.

Vice-Chair Buckner recused herself from the meeting at this time; due to living within 500' of the proposed project site, located at 1114 N. Horn Avenue, West Hollywood, California.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:15 P.M. AND RECONVENED AT 7:20 P.M.

A. 1114 N. Horn Avenue (Chalk Preschool):

Rachel Dimond, Senior Planner provided a verbal and visual presentation and background information as presented in the staff report dated Thursday, January 19, 2017.

Applicant is requesting a child day care center with a new proposed parking lot, with an outdoor playground. The existing building would be renovated with four classrooms on the first floor, an indoor play area, lounge and office space. On the second floor there would be administrative space with offices and a lounge.

She stated the school would accommodate seventy-three students in four class rooms, and would have full and half day programs. Drop-off times would be 7:30 a.m. to 9:30 a.m. for full programs, and 8:30 a.m. to 10:30 a.m. for half programs. Pick-up times would be 2:30 p.m. to 5:30 p.m. for full programs, and 11:30 a.m. to 12:30 p.m. for half programs.

Neighborhood concerns included noises from outdoor play area, traffic, pick up/drop off, limitations on other uses, sex offender proximity, and if this item is a permitted use in the Sunset Specific Plan.

Staff recommended conditions regarding noise: 1) outdoor play area shall not be used for outdoor play before 9:30 a.m. daily; 2) no outdoor amplified sound is permitted, teachers and staff are not permitted to utilize whistles, bells, or any amplified sound devices outside on the playground or in the parking lot; and 3) no more than 25 children may be outdoors in the play area at any time.

She detailed the traffic concerns and spoke regarding traffic comparisons between preschools, retail, restaurants, offices, and bars. She further clarified the parking lot situation and pick-up and drop-off requirements.

The commission questioned staff regarding prohibited future uses, outdoor music, adverse impacts on the school, advertising, alcohol and tobacco sales in proximity to the school, noise ordinance enforcement, daily trips, parking attendant, number of students per program, number of review periods, and total number of employees.

Commissioner Jones had no official disclosures.

Commissioner DeLuccio disclosed for the record he had a conversation with West Hollywood resident Jerome Cleary. Everything discussed was in the staff report.

Chair Aghaei disclosed for the record he had a conversation with West Hollywood resident Jerome Cleary. Everything discussed was in the staff report.

Commissioner Lightfoot had no official disclosures.

Chair Aghaei opened the public hearing for Item 10.A.:

DOUG OLEFF, LOS ANGELES, owner, Chalk Preschools, presented the applicants report. He spoke on the history of Chalk Preschool and detailed the location, parking requirements, outdoor play requirements, demographics, traffic impacts, and noise concerns.

BJOYN SCHRADER, CULVER CITY, architect, continued the applicants report. He spoke on the lack of preschools in the area, traffic concerns, and detailed the current sites condition.

ANGELA JOHNSON, PLAYA VISTA, Executive Director, Chalk Preschools, continued the applicants report. She detailed the number of classrooms, number of children on the playground, and drop-off times.

The commission questioned the applicant regarding traffic circulation; ingress and egress into the site, neighborhood meetings, parking concerns and parking attendant, school hours, demographics, and alternative playground area.

JEROME CLEARY, WEST HOLLYWOOD opposes staff's recommendation of approval.

LYNN HOOPINGARNER, WEST HOLLYWOOD, Vice-President West Hollywood North Residents Association, opposes staff's recommendation of approval.

OMAR HAFFAR, WEST HOLLYWOOD opposes staff's recommendation of approval.

RANDA HAFFAR, WEST HOLLYWOOD opposes staff's recommendation of approval.

JANE BATTISHUDA, WEST HOLLYWOOD opposes staff's recommendation of approval.

JANE KOLBECK, WEST HOLLYWOOD opposes staff's recommendation of approval.

JONNI WOOD, WEST HOLLYWOOD opposes staff's recommendation of approval.

ELYSE EISENBERG, WEST HOLLYWOOD opposes staff's recommendation of approval.

SIBYL ZADEN, WEST HOLLYWOOD opposes staff's recommendation of approval.

MYRA FRIEDMAN, WEST HOLLYWOOD opposes staff's recommendation of approval.

NEIL KOENINGSBERG, WEST HOLLYWOOD opposes staff's recommendation of approval.

JUSTIN PARKER, WEST HOLLYWOOD opposes staff's recommendation of approval.

MERLE W. HOPKINS, WEST HOLLYWOOD opposes staff's recommendation of approval.

JOHN NIENDORFF, WEST HOLLYWOOD opposes staff's recommendation of approval.

STEVE MARTIN, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding traffic, ingress and egress.

JAKE LA JOIE, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

AMANDA GOODWIN, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding traffic circulation and location.

MICHAEL WOJTKIELEWICZ, WEST HOLLYWOOD opposes staff's recommendation of approval.

JEANNE DOBRIN, WEST HOLLYWOOD opposes staff's recommendation of approval.

CYNTHIA BLATT, WEST HOLLYWOOD opposes staff's recommendation of approval.

VICTOR OMELCZENKO, WEST HOLLYWOOD opposes staff's recommendation of approval.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT OPPOSES STAFF'S RECOMMENDATION PROPOSING THE APPROVAL OF A CHILD DAY CARE CENTER LOCATED AT 1114 N. HORN AVENUE, WEST HOLLYWOOD, CALIFORNIA: 1) JOHN VALENTINE, SAM LOYOLA, KEITH OCONNELL, FARAH GRIFFIN, ZACHARY CRONIN, ALAN MILLER, TED ANDRE, SUSAN BRANT, SUSAN DUNLAP, CATHY WALDMAN, LAURA MARIE, BRUCE TENEBBAUM, ANN GOLDMAN, STACEY RICHARDS, PAUL RICHARDS, AYSON VAN, JESSIKA VAN, DAISY VAN.

DOUG OLEFF, LOS ANGELES, owner, Chalk Preschools, presented the applicants rebuttal. He spoke regarding traffic circulation, parking concerns, and commented on the supposed discrimination of families and children in West Hollywood.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:55 P.M. AND RECONVENED AT 9:00 P.M.

ACTION: Close public hearing for Item 10.A. **Motion carried by consensus of the Commission.**

The commission had issues and concerns regarding noise, traffic circulation and mitigation, parking ingress and egress, neighborhood compatibility, comparative use in relation to the General Plan, and demographics.

Commissioner DeLuccio moved to: 1) deny the application; and 2) return with a resolution of denial.

Seconded by Commissioner Jones.

ACTION: 1) Deny the application; and 2) bring back a resolution denying the request for a child day care center located at 1114 N. Horn Avenue, West Hollywood, California. **Moved by Commissioner DeLuccio, seconded by Commissioner Jones and passes, noting Commissioner Altschul and Vice-Chair Buckner recused.**

11. NEW BUSINESS.

A. Design Review Subcommittee Appointment.

The Planning Commission will consider filling the vacant seat of Roy Huebner on the Design Review Subcommittee, for a term ending June 30, 2017.

ACTION: 1) This item was moved and heard before Public Hearing Item 10.A. – 1114 N. Horn Avenue, West Hollywood, California as part of the amended agenda.

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update.

Jennifer Alkire, Acting Current & Historic Preservation Planning Manager stated the next regularly scheduled meeting for Thursday, February 2, 2017 has been cancelled.

15. PUBLIC COMMENT. None.

16. ITEMS FROM COMMISSIONERS. None.

17. ADJOURNMENT: Noting the cancellation of the Planning Commission meeting on Thursday, February 2, 2017, the Planning Commission adjourned at 9:15 P.M. to a regularly scheduled meeting on Thursday, February 16, 2017 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.**

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 2nd day of March, 2017 by the following vote:

AYES: Commissioner: Altschul, DeLuccio, Jones, Lightfoot, Acting Chair Buckner.

NOES: Commissioner: None.

ABSENT: Commissioner: Chair Aghaei.

ABSTAIN: Commissioner: None.



SUE BUCKNER, ACTING CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY