



PLANNING COMMISSION MINUTES

May 16, 2002

West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood, California 90069

1. CALL TO ORDER

Chair DeLuccio called the meeting of the Planning Commission to order at 6:35 PM.

A. Pledge of Allegiance The Pledge of Allegiance was led by Hillary Selvin.

B. Roll Call

Commissioners Present: John Altschul, David Behr, Brad Crowe, Donald DeLuccio, Barbara Hamaker, Barbara Hewitt and Brad Torgan.

Commissioners Absent: None

Staff Present: Mark Persico, Community Development Director; Susan Healy Keene, Planning Manager; Christi Hogin, Assistant City Attorney; John Keho, Senior Planner; Tim Foy, Senior Planner; Emmeline Elzin Harrigan, Associate Planner; and Jennifer Diaz, Administrative Staff Assistant.

C. Approval of Agenda

Action: Approve the Agenda with the following amendments: move the Consent Calendar Items to the Excluded Consent Calendar.

Motion: Behr Second: Hewitt

Vote: All Ayes

Motion passes

D. Posting of Agenda

The agenda was posted at City Hall, the Community Development Department counter, West Hollywood Library on San Vicente Boulevard, Plummer Park, and the West Hollywood Sheriff's station.

2. PUBLIC COMMENT

A. Bruce Traub, West Hollywood, commented on a duplex development located at 702 Huntley and stated that it looks like a box and has no creativity. He recommended the Commissioners drive by the site and look at the project before approving something similar to it.

B. Catherine Hahn, West Hollywood, encouraged residents to participate in the Park Master Plan meeting on Saturday, May 18th.

3. ITEMS FROM COMMISSIONERS

None.

4. ITEMS FROM STAFF

Susan Healy Keene - Gave an update on City Council and Planning Commission Agenda Items.

Mark Persico - Gave an update on the Director's Hearing of May 14, 2002.

5. CONSENT CALENDAR

Moved to Excluded Consent Calendar.

6. EXCLUDED CONSENT CALENDAR

A. Minutes - April 18, 2002

Action: Approve the Minutes of April 18, 2002 with the following amendments: to page 4, Commissioner Behr's comments, change the word "making" to "make".

Motion: Behr Second: DeLuccio

Votes: All Ayes, noting the abstention of Commissioner Altschul

Motion Passes

B. Minutes - May 2, 2002

Tabled to May 30, 2002 for further details on Item 8.5.

7. COMMISSION CONSIDERATION

None.

8. PUBLIC HEARINGS

A. Demolition Permit 2002-04 and Tentative Tract Map 2001-20: Tentative Tract Map for the conversion of a 16-unit apartment building into a 16-unit condominium and a Development Permit to waive design standards for multi-unit buildings.

Applicant: CLG Investments, LLC

Location: 9231-9245 1/2 Doheny Road

Planner: John Keho

Recommendation: Continue to June 6, 2002.

Action: Continue to June 6, 2002.

Motion carried by a consensus of the Commission.

B. Modification of Project Approval as Memorialized in Resolution No. 95-1395:

Permit rooftop parking until 2:00 A.M.

Applicant: City of West Hollywood

Location: 8383 Santa Monica Boulevard

Planner: Tim Foy

Recommendation: *Conditionally Approve the request subject to the findings and conditions in the proposed resolution.*

Chair DeLuccio opened the public hearing.

Tim Foy presented the staff report.

Vit Vittatoe, Parking Manager, and Stan Bachniak, representing the valet company, were available for questions.

Action: Close the Public Hearing.

Motion carried by a consensus of the Commission.

Commission Comments/Deliberation:

Torgan - Stated that he received an e-mail from a concerned citizen about the parking.

Behr - The traffic study is not accurate because it was not conducted at times that the roof was occupied during night hours.

Crowe - A noise study should be conducted during the hours the parking lot is in use for parking during evening hours.

DeLuccio - Encouraged a study be conducted during typical use of the rooftop parking within the next six months. Would like an expert conducting the report to be present at the next hearing. Add into the parking agreement, "No entrance to rooftop parking after 10:00 PM".

Torgan - Ambient noise levels need to be reported to the Commission between the hours of 10:30 PM and 2:30 AM for the next hearing.

Behr - Inquired on how the permits are sold for rooftop parking.

Action: Approve the request and adopt Resolution No. PC 2002-430:"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD MODIFYING THE PROJECT APPROVAL OF MUNICIPAL PARKING STRUCTURE NO. 1 AT 8383 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA."

Motion: Altschul **Second:** DeLuccio

Votes: All Ayes

Motion Passes

C. Demolition Permit 2001-25: Request to demolish two vacant structures.

Applicant: Cedars-Sinai Medical Center

Location: 354-366 Sherbourne Drive

Planner: John Keho

Recommendation: Conditionally approve the request subject to the findings and conditions in the proposed resolution.

Chair DeLuccio opened the Public Hearing.

John Keho presented the Staff Report.

Jeff Haber, Latham & Watkins, presented the applicant's report.

Public Comment

1. Lauren Meister, West Hollywood, spoke in opposition of the application.
2. AnnMarie Isleib, West Hollywood, spoke in opposition of the application.
3. Chris Isleib, West Hollywood, spoke in opposition of the application.
4. Art Lawrence, Los Angeles, spoke in support of the application.
5. Hillary Selvin, Los Angeles, spoke in support of the application.
6. Michael Hirschfeld, West Hollywood, spoke in support of the application.
7. Gerald De Silva, West Hollywood, spoke in support of the application.
8. Joel Becker, West Hollywood, spoke in opposition of the application.
9. Dan Siegel, West Hollywood, spoke in opposition of the application.
10. Andrew Robin, West Hollywood, spoke in opposition of the application.
11. Todd Lieberman, West Hollywood, spoke in opposition of the application.
12. Victoria Cuyugan, West Hollywood, spoke in opposition of the application.

Jeff Haber presented a rebuttal.

Action: Close the Public Hearing.

Motion: Torgan Second: Altschul

Motion passes by a consensus of the Commission

Commission Deliberation

Torgan - Disclosed that he is a partner with a law firm of which Cedars is a client, however he is not required to recuse himself.

Hewitt - Cedars has lived up to the Ellis Act, the Commission can not force Cedars to re-habitat or re-model the homes. The dilapidated property is negative for the neighborhood.

Torgan - The hearing before the Commission is disfuncory because, in most cases, a Demolition Permit is submitted concurrent with a temporary/permanent use permit for the use the Demolition Permit will replace. The City Council granted a discretionary permit for the new use that the Commission would normally had the opportunity to look at in combination with the Demolition Permit. Denying the Demolition Permits has the legal effect of forcing Cedars to stay in the rental housing business, which is a violation of State Law.

Crowe - The action of the City Council limits what the Planning Commission can do to the two findings set forth in the staff report. The Commission is limited to placing conditions on demolition and construction of the site for which the Demolition Permit is being issued.

Some conditions that relate to the application that can preserve and enhance the integrity of the neighborhood are: *Change the word construction to the word demolition throughout the resolution; to section 3.12, add language pertaining to the discharge of the pollutants; to section 3.7, item l, change to read "Describe demolition period security measures including any fencing, lighting, and on-sight security and/or camera surveillance to eliminate or reduce loitering, trespassing and vandalism"; to section 3.7, add item p to read "Specify the nature and extent of mitigation measures for noise, air-borne dust, and debris screening to be erected and fully employed to protect the adjacent properties."; to section 3.3, add "No equipment staging or start-up, materials deliveries or personnel arrivals before 8:00 AM Monday through Friday. To report violations to the City of West Hollywood by calling the Code Compliance Hotline at (323) 848-6516."; and to section 3.4, change to read "The on-site demolition manager be present on-site at all times during demolition."*

Behr - Concerned with approving a demolition for a temporary use and to allow a demolition based on an Ellis Act will allow for ramifications.

DeLuccio - The findings of demolition for a temporary use and satisfying public need is missing from the staff report. Landscaping in front of the units should have been put in place years ago. The buildings should be demolished when there is a plan for the property.

Action: Approve and adopt Resolution No. PC 2002-424, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING DEMOLITION PERMIT 2001-25 ON AN APPLICATION BE CEDARS-SINAI MEDICAL CENTER, LOCATED AT 354-366 SHERBOURNE DRIVE, WEST HOLLYWOOD, CALIFORNIA, including the above italicized amendments."

Motion: Altschul Second: Hewitt

Votes: Ayes: Altschul, Hewitt, Torgan, Crowe, Hamaker, Behr

Nayes: DeLuccio

Motion Passes

D. Development Permit 2001-52 and Demolition Permit 2001-37: Demolish three apartment buildings containing eight dwelling units and construct an 18 unit apartment building with the Courtyard Housing Standards.

Applicant: Varoosh Saroian

Location: 1042-1050 Edinburgh Avenue

Planner: Emmeline Elzin Harrigan

Recommendation: Conditionally approve the request subject to the findings and conditions in the proposed resolution.

Christie Hogin - The public hearing notice was unclear to whether the application was for a condominium or apartment building.

Action: Continue to a date uncertain.
Motion: Altschul Second: Torgan
Carried by a consensus of the Commission

9. PUBLIC COMMENT

None.

10. ITEMS FROM COMMISSIONERS

Behr - Add to discussion of the Zoning Ordinance Clean up on May 30th, parking requirements and compact parking spaces.

11. ITEMS FROM STAFF

None.

12. ADJOURNMENT

Action: Adjourn to the next Special meeting of the Planning Commission on Thursday, May 30, 2002, at the West Hollywood Park Auditorium, 647 N. San Vicente Boulevard.

Motion carried by a consensus of the Commission.

PASSED, APPROVED AND ADOPTED THIS DAY OF 8-1, 2002.

CHAIRPERSON: Donald DeLucio

ATTEST:
COMMUNITY DEVELOPMENT DIRECTOR: [Signature]