



**PLANNING COMMISSION MINUTES**

**December 6, 2001**

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 6:30 PM.

**A. Pledge of Allegiance**

The Pledge of Allegiance was led by Susan Healy Keene.

**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; Tim Foy, Senior Planner; Terry Blount, Associate Planner, Jack McGee, Contract Planner; Elinor Aurthur, Contract Planner; and Jennifer Diaz, Administrative Staff Assistant.

**C. Approval of Agenda**

**Action: Approve the Agenda as presented.**

Motion: Crowe            Second: Altschul

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.** Katherine Thuline, West Hollywood, thanked the Commission for trying to shut down the jumbo tron at 8410 Sunset Boulevard and stated concerns of the large condominium complex on Delongpre.

**B.** Phil Gittelman, West Hollywood, spoke in opposition to the rooftop parking at the Kings Road parking structure due to additional noise it will create.

C. Grey LeCuyer, West Hollywood, stated the Desmond has made unapproved changes to the project.

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### 3. ITEMS FROM COMMISSIONERS

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Behr - Inquired about the Key Club's usage of the 9000 building on Sunset Boulevard.

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### 4. ITEMS FROM STAFF

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Susan Healy Keene - Introduced herself and gave a brief history of her professional career.

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### 5. CONSENT CALENDAR

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- A. *Minutes - October 18, 2001*
- B. *Minutes - November 1, 2001*

**Action: Approve the Minutes of October 18 and November 1, 2001.**  
Motion: Altschul      Second: DeLuccio  
Votes: All Ayes  
**Motion passes**

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### 6. EXCLUDED CONSENT CALENDAR

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None.

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### 7. COMMISSION CONSIDERATION

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- A. ***Adoption of Resolution of Intent for rezoning of the Cedars Sinai Parking Lot, pursuant to the West Hollywood Municipal Code, Section 19.78.020.***

Chair DeLuccio and Commissioner Crowe recused themselves from Item 7.A.  
Vice-Chair Behr opened the hearing.

#### **Public Comment**

1. Lauren Meister, West Hollywood, stated that she hopes the commission is considering rezoning the lot.
2. Hillary Selvin, Los Angeles, stated that the lot will be reviewed in the General Plan process and the rezoning will be part of that process and hopes that the Commission will allow the process to continue.
3. Jeffrey Haber, Los Angeles, stated that Chair DeLuccio and Commissioner Crowe should have recused themselves from the prior hearing on the Cedars Lot and also stated that the Commission is undertaking a process in the General Plan update.
4. Gerald DeSilva, West Hollywood, stated that Cedars should not have to down size on a unilateral basis and should be reviewed as part of the General Plan.
5. Gayathri Narayanan, West Hollywood, asked the Commission not to down zone the property.

6. Leslie Stearns, West Hollywood, asked that the property not be downzoned.

**City Attorney Comments**

Christi Hugin - There are not any legal requirements for a resolution of intent to be placed on the agenda and the item is in accordance with the Brown act. The resolution presented does not discuss any particular zoning and a decision on any part of the property is not to be made by the Commission. The Resolution of Intent, if adopted, will initiate a process that includes putting together proposals, complying with CEQA, a noticed hearing will be set to be heard by the Commission.

**Commissioner Comments**

Torgan - Stated that the direction given by the Commission was for two resolutions of intent. The first resolution would remove the hotel overlay and the second would change the zoning.

Altschul - The language in the resolution, which reads "to initiate an amendment to change the zoning", should read "to consider changing the zoning". If the Commission is going to move forward in the direction, language needs to open the process and not pre-determine the process.

Hamaker - Reminded the Commissioners of the fear and concern of the neighbors of the hotel overlay issue.

Behr - The neighbors are concerned about more than just the hotel overlay, they are concerned about anything that might be built on the property that will not fit into the neighborhood.

**Action: Adopt Resolution No. PC 2001-404 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENT TO INITIATE AN AMENDMENT TO THE LAND USE ELEMENT OF THE WEST HOLLYWOOD GENERAL PLAN AND THE OFFICIAL ZONING MAP TO CHANGE THE LAND USE DESIGNATIONS, OVERLAY DISTRICTS AND ZONING OF THE SHERBOURNE TRIANGLE LOCATED BETWEEN SAN VICENTE BOULEVARD AND SHERBOURNE DRIVE" with the following amendment: Change section 2 to address only consideration of removal of the hotel overlay zone.**

Motion: Torgan Second: None

**Motion Fails**

**Action: Defer consideration of zoning with respect to the Sherbourne Triangle to be included with the General Plan rewrite.**

Motion: Altschul Second: Hewitt

Votes: Ayes: Altschul, Torgan, Hewitt

Nays: Hamaker, Behr

**Motion Passes**

Chair DeLuccio and Commissioner Crowe re-joined the Commission.

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## 8. PUBLIC HEARINGS

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**A. Development Permit 01-29, Demolition Permit 01-14 and Tentative Tract Map 01-09: Demolish two existing duplexes, construct six condominium units and tentative tract map.**

**Applicant:** Farzad Shooshani/Shooshani Developers

**Location:** 914-920 West Knoll Drive

**Planner:** Elinor Aurthur

**Continued from November 1, 2001.**

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

Chair DeLuccio opened the public hearing.

Elinor Aurthur presented the staff report.

Wayne Avrashaw presented the applicant's report.

**Public Comment:**

1. Stephen England, West Hollywood, stated that he is a resident of the property and has not yet reached an agreement with the owner.
2. Mi Kyung An, West Hollywood, stated that she was denied a disability extension from Mr. Shooshoni despite letters from her Doctors.
3. Greg LeCuyer, West Hollywood, stated that developers are coming into the city and kicking out tenants and would like the Commission to help the tenants in any way they can.

Wayne Avrashaw presented a rebuttal of the public comments.

**Action: Close the Public Hearing.**

Motion: Crowe            Second: Altschul

**Motion passes by a consensus of the Commission.**

**Commissioner Deliberation**

Altschul - Recommended adding the following amendment to the Resolution: In addition to complying with the relocation assistance requirements of the Rent stabilization Ordinance, remuneration and/or duration of stay if applicable.

Agrees that the project is compatible with the neighborhood and the design is sensational.

Torgan - Would like staff to include a condition regarding the Evergreen Pear Trees.

Behr - Inquired about exhibit A of the Resolution. Stated that the applicant vacate use of the commercial parking use in 90 days.

**Action: Adopt Resolution No. PC 2001-396, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING DEVELOPMENT PERMIT 2001-29 AND DEMOLITION PERMIT 2001-14 and Resolution No. PC 2001-398, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2001-09 FOR THE PROPERTY LOCATED AT 914-920 WEST KNOLL DRIVE, WEST HOLLYWOOD, CALIFORNIA" with the following amendment: In addition to complying with the relocation assistance requirements of the Rent stabilization Ordinance, remuneration and/or duration of stay if applicable; include language regarding saving the Evergreen Pear Trees; and the applicant must vacate the use of the commercial parking use within 90 days.**

Motion: Altschul      Second: Crowe

Votes: All Ayes

**Motion Passes**

**B. Conditional Use Permit 2001-11: Tall Wall sign for the west side of the 9000 building.**

**Applicant:**      *Infinity Outdoor*

**Location:**      *9000 Sunset Boulevard*

**Planner:**      *Jack McGee*

**Continued from December 6, 2001.**

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

Chair DeLuccio opened the public Hearing.

Jack McGee presented the staff report.

Roberta Sponsler was available for questions.

**Public Comment**

1. Greg LeCuyer, West Hollywood, stated the billboard companies make a lot of money from advertisers and suggested that the City should try to make some kind of profit from the billboard companies for advertising products in the city.

**Action: Close the Public Hearing.**

Motion: Altschul      Second: DeLuccio

Votes: All Ayes

**Action: Adopt Resolution No. PC 2001-401, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING AN APPLICATION BY INFINITY OUTDOOR FOR CONDITIONAL USE PERMIT 2001-09 TO ALLOW A TALL WALL SIGN AT 9000 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA".**

Motion: Altschul      Second: DeLuccio

Votes: All Ayes

**Motion Passes**

**C. Creative Billboard Permit 2001-54: Use of a creative billboard for 6 months.**

**Applicant:** Regency Outdoor

**Location:** 8285-8295 Sunset Boulevard

**Planner:** Jack McGee

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

Chair DeLuccio opened the public hearing.

Jack McGee presented the staff report.

Bonnie Kingry presented the applicant's report.

**Action: Continue Item 8.C. to January 3, 2002.**

Motion: Torgan Second: Hewitt

Votes: All Ayes

**Motion Passes**

**D. Conditional Use Permit 2001-14: Nine-month required review of Conditional Use Permit 2000-11: Sale of alcoholic beverages for off-site consumption.**

**Applicant:** Roger Watson for WCDS, Inc.

**Location:** 8491 Santa Monica Boulevard (Sav-on)

**Planner:** Terry Blount

**Recommendation:** Receive and file staff report.

Chair DeLuccio opened the public hearing.

Terry Blount presented the staff report.

**Action: Close the public hearing.**

Motion: Behr Second: Hewitt

Votes: All Ayes

**Action: Receive and file the staff report.**

Motion: Altschul Second: Hewitt

Votes: All Ayes

**Motion passes**

**E. Modification of Environmental Mitigation Measures: Use of rooftop parking deck until 2:30 AM.**

**Applicant:** City of West Hollywood

**Location:** 8383 Santa Monica Boulevard (Municipal Parking Structure No. 1)

**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 presented the applicant's report.

**Public Speakers**

1. Al Lewis, West Hollywood, President of the Home Owners Association and Captain of the Neighborhood Watch, stated that one of the original architects voiced his concern about roof-top parking after 10:00 PM and also recommended and implemented the sound wall.

**Action: Close the public hearing.**

Motion: DeLuccio Second: Torgan

Motion passed by a consensus of the commission.

**Action: Move the Mitigation Monitoring Program for six months.**

Motion: Crowe Second: Altschul

**Motion withdrawn**

**Commission Deliberation**

Torgan - Concerned with the performance of standard used in the noise study of 70 decibels, which is a commercial district standard. Also stated that his experience with noise studies have been that noise levels of 61 decibels is highly disruptive to a persons sleep and the levels presented in the reports are above appropriate residential levels. Would like to see a program in place before a 6-month trial.

Crowe - Stated that the pilot program would have a 6-month follow up and a noise study would come back to the commission with a report showing that the project is working.

DeLuccio - Disagreed with a 6-month trial without a program in place.

Behr - Agreed that an operation plan should be in place before a 6-month trial is granted.

Hamaker - Inquired about who would be leasing the spaces and will there be businesses who want to lease a rooftop parking space.

Altschul - Stated that the Transportation has brought plans for what is being requested and the Commission is asking for plans for problems that may or may not arise.

Hewitt - Has concerns that employees working in the surrounding area will have to park in permit parking areas, and if they get towed the towing will be very noisy.

**Action: Re-open the public hearing**  
Motion: Behr Second: Altschul  
Votes: All Ayes

Chair DeLuccio re-opened the public hearing.

**Action: Continue to January 17, 2002 for the purpose of the Transportation Department to provide an operations/management plan for rooftop parking.**

Motion: Torgan Second: DeLuccio  
Votes: Ayes: Crowe, Behr, DeLuccio, Torgan  
Nays: Altschul, Hamaker, Hewitt

**Motion passes**

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**9. PUBLIC COMMENT**

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None.

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**10. ITEMS FROM COMMISSIONERS**

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None.

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**11. ITEMS FROM STAFF**

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None.

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**12. ADJOURNMENT**

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**Action: To adjourn to the next regular meeting of the Planning Commission on Thursday, January 3, 2002, at the West Hollywood Park Auditorium, 647 N. San Vicente Boulevard.**

Motion carried by consensus of the Commission.

PASSED, APPROVED AND ADOPTED THIS DAY OF February 6, 2002.

CHAIRPERSON: Donald M. De Luccio

**ATTEST:**  
COMMUNITY DEVELOPMENT DIRECTOR: [Signature]