



## **PLANNING COMMISSION MINUTES**

*June 7, 2001*

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

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### **1. CALL TO ORDER**

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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 Council member John Duran.

#### **B. Oath of Office**

Councilmember John Duran conducted the Oath of Office for Barbara Hamaker.

#### **C. Roll Call**

Commissioners Present:

John Altschul, David Behr, Brad Crowe, Donald DeLuccio, Barbara Hamaker, Barbara Hewitt, and Brad Torgan

Commissioners Absent:

None.

Staff Present:

John Jalili, Interim Community Development Director; John Keho, Acting Planning Manager; Christi Hogin, Assistant City Attorney; Tim Foy, Senior Planner; Emmeline Elzin Harrigan, Associate Planner; Jack McGee, Contract Planner and Jennifer Diaz, Administrative Staff Assistant.

#### **D. Approval of Agenda**

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

Motion: Altschul      Second: Behr

Vote: All Ayes

**Motion passes**

#### **E. Posting of Agenda**

This 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.

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### **2. PUBLIC COMMENT**

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- A. Janet Cole**, West Hollywood, Congratulated Barbara Hamaker on her newly appointed seat as a Planning Commissioner and Thanked Councilmember Duran for appointing her to the Commission.

- B. **Lauren Meister**, West Hollywood, Welcomed Barbara Hamaker to the Planning Commission.

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### 3. ITEMS FROM COMMISSIONERS

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All of the Commissioners welcomed Barbara Hamaker to the Planning Commission.

Barbara Hamaker thanked Councilmember Duran for appointing her to the Commission.

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### 4. CONSENT CALENDAR

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**A. Minutes - April 19, 2001.**

**Action:** *Approve the Minutes of April 19, 2001 amending item 4.A to include the amendments made in the action approving the April 5, 2001 minutes and correcting item 9.A. comments of Ruth Mau to include "install on Holloway".*

Motion: Crowe            Second: Behr

Votes: All Ayes, noting the abstention of Commissioners Altschul and Hamaker.

**Motion passes**

**B. Minutes - May 3, 2001.**

**Action:** *Approve the Minutes of May 3, 2001 amending the action item on page 5 to read reference versus records.*

Motion: Altschul        Second: Behr

Votes: All Ayes, noting the abstention of Commissioner Hamaker.

**Motion passes**

**C. Capital Improvement Project:** *Government Code Section 65401 requires that the City's Planning Commission examine the Capital Improvements Plan (CIP) for consistency with the General Plan. A finding of consistency is required for the City Council to be able to adopt the CIP.*

**Planner:** *Tim Foy*

**Recommendation:** *Make a finding consistent with the General Plan.*

Action: Approve Item 4.C as presented.

Motion: Altschul        Second: DeLuccio

Votes: All Ayes

**Motion passes**

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### 5. EXCLUDED CONSENT CALENDAR

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None.

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## 6. COMMISSION CONSIDERATION

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**A. Creative Billboard Permit 01-25:** *Extend approval of a creative billboard for the Miller Beer Bottle sign.*

**Applicant:** *Infinity Outdoor*

**Location:** *8225 Sunset Blvd.*

**Planner:** *Jack McGee*

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

Jack McGee presented the staff report.

Jeff Haber presented the applicants report.

### **Public Comment**

1. **Hillary Selvin**, Los Angeles, Director of the West Hollywood Chamber of Commerce welcomed Barbara Hamaker to the Commission and, on behalf of the Chamber, spoke in support of the extension for the Miller Beer bottle.

**Action:** **Move approval of item 6.A. as presented.**

Motion: Altschul      Second: Torgan

Votes: All Ayes

**Motion passes**

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## 7. PUBLIC HEARINGS

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**A. Development Permit 2000-10, Demolition Permit 2000-04, Conditional Use Permit 2000-05, and Tentative Tract Map 2000-02**

**Applicant:** *Jacques Mashih*

**Location:** *849 West Knoll Drive*

**Planner:** *Emmeline Elzin Harrigan*

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

Emmeline Elzin Harrigan presented the staff report.

### **Public Comment**

1. **Marshall Davis**, West Hollywood, stated that the noise from the construction will be a legitimate hardship for him since he works from his home. He also believes the only the owner will profit from this project but not the neighborhood.

### **Commission Comments**

- A petition was received and the process does not appear complete and needs further examination.
- Another neighborhood meeting should be scheduled with the persons who signed the petition.

**Action: Continue to July 19, 2001 with another neighborhood meeting to include the individuals listed on the petition and on any letters.**

Motion: DeLuccio Second: Altschul

Votes: All Ayes

**Motion passes**

**B. Minor Conditional Use Permit 00-24 and Development Permit 00-58:** *Expand a six bed Senior Residential Care Facility to twelve beds and add two residential units.*

**Applicant:** *Simon Bassein*

**Location:** *1000 Sierra Bonita*

**Planner:** *Emmeline Elzin*

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

Emmeline Elzin Harrigan presented the staff report.

Simmon Bassein presented the applicant's report.

#### **Public Comment**

1. **Walter Fallon**, West Hollywood, reported on the months of construction of the inside of the site and the junk left around and on the roof of the building. He also commented on the persons living in the house that argue and disrupt the neighborhood and the current clutter on the property.
2. **David Chung**, West Hollywood, neighbor of the site and commented on the clutter that is in the yard and stated that the garage has been converted into living quarters.

Simmon Bassein presented a rebuttal.

**Action: Motion to close the public hearing.**

Motion: Crowe Second: Altschul

Votes: All Ayes

#### **Commissioner Comments**

- The clutter needs to be cleaned before consideration of approval
- Bond to ensure completion of the project
- No permit be issued until the property is completely cleaned
- Nothing is to be stored on the property or the garage area except for construction equipment
- A mechanical gate should be installed for the safety of the resident's
- Code Enforcement needs visit the residence and close the illegal unit
- The residence should be aesthetically pleasing for the residence living in the unit as well as for the surrounding neighbors

**Action: Deny the application**

Motion: Altschul      Second: Hamaker

Votes: Ayes: Hamaker, Altschul

Nays: Hewitt, Torgan, Crowe, Behr, DeLuccio

**Motion fails**

**Action: Approve Item 7.B. with the following conditions: 1) Bond of \$125,000.00, 2) No building permit shall be issued until the property is cleaned and satisfactory to the Planning Manager, 3) Eliminate section 10.4 unless required by state regulatory agency, and 4) Final landscape plan subject to approval of the urban designer, with emphasis of trees planted on the property.**

Motion: Crowe      Second: Behr

Votes: All Ayes

**Motion passes**

To consent calendar for approval on June 21, 2001.

- C. Development Permit 97-20 and Creative Sign Permit 97-09:** *A four month extension to allow the continued operation of the large screen video prior to the occupancy of the residential phase of the project.*

**Applicant:** Joseph Shooshani

**Location:** 8410 Sunset Boulevard

**Planner:** John Keho

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

John Altschul recused himself from the hearing.

John Keho presented the staff report.

Wayne Avrashow presented the applicant's report.

**Public Comment**

- 1. Sandi Margolis**, West Hollywood, neighbor of the site stated that the parking is horrendous due to the construction workers parking on DeLongpre. She also believes that the project is taking too long and the workers are not making progress and does not believe that the applicants should be given an extension until they progress in the construction.
- 2. Katherine Thulin**, West Hollywood, provided the Commission with back up material regarding the construction workers parking on the residential streets. She does not believe that neighbors should monitor where the employee's park. Ms. Thulin also read from her log of the goings-on at the beginning of the construction on July 11, 2000.

Joseph Shooshani presented a rebuttal.

**Action: Close the public hearing.**

Motion: Torgan            Second:        Hewitt

Votes:    All Ayes

**Commissioner comments**

- Six parking spaces need to be maintained to keep vehicles off the residential street
- Construction workers should not be parking on DeLongpre
- The original request required that a certificate of occupancy be issued by July 14, 2001 and sixteen months later the final inspections have not yet been done.
- The project is still months behind on a few deadlines from the last extension.
- To speed the construction up the jumbo-tron will need to be turned off.
- The jumbo-tron can be turned back on upon receipt of the certificate of occupancy for the residential property.

**Action: Deny extension of approval of Development Permit 97-20 and Creative Sign Permit 97-09**

Motion: Torgan            Second:        Hewitt

Votes:    Ayes:            Crowe, Hewitt, Hamaker, Torgan, Behr, DeLuccio  
          Noes:            None

**Motion passes**

***D. Variance 00-10, Development Permit 00-54, and Billboard Permit 000-53:***

*Request for a new billboard requiring a variance for being over the height limit.*

***Applicant:*** Gene Smith for Hamid Ravan

***Location:*** 8539 Sunset Blvd.

***Planner:*** Jennifer Davis

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

Katherine Jones, Long Beach, stenographer for the applicants.

Jennifer Davis presented the staff report.

John David Pereira presented the applicant's report.

**Public Comment:**

1. **David Klein**, West Hollywood, stated that the sign will negatively impact the view of surrounding residents.
2. **Peter McLaren**, Los Angeles, stated that the sign will block the view and sunlight into his home and requested denial of the billboard.
3. **Hank McCann**, Los Angeles, commented on the current signs and billboards on Sunset and how the City can beautify Sunset by removing the billboards. He also believes that the billboards should be turned off at midnight due to the energy crisis.
4. **Bob Knotek**, Los Angeles, stated that this billboard will block the views of neighbors and because of the energy crisis that this is not the time to be putting up more billboards.

5. **GiGi Verone**, Los Angeles, stated that the billboard will dominate the light coming into her home as well as the home of her neighbors and hopes that the commission will consider the staff's recommendation.
6. **Jean Mathison**, West Hollywood, stated that the boulevard is beginning to look like Branson Missouri - Cheap and it is time to stop putting up billboards.
7. **Michelle Hart**, Los Angeles, urged the Commission to uphold staff's recommendation.

Beau Palley presented a rebuttal.

**Action: Move to close the public hearing**

Motion: Altschul                      Second: Crowe

Votes: All Ayes.

**Commissioner Comments**

- Mr. Periera attempted to submit a document into the record for the said applications before the proceedings. This action was not legally correct and will not be entered into the record.
- The EIR will be affected if 4F is moved to an area that is not evaluated.
- The City does not tell any applicant what to provide as burden of proof for variances. This application does meet the goals and programs of the Sunset Specific Plan.

**Action: Move the staff recommendation and deny Variance 2000-10, Development Permit 2000-54, and Billboard Permit 2000-53.**

Motion: Altschul                      Second: Crowe

Votes: All Ayes

**Motion passes**

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**8. PUBLIC COMMENT**

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None.

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**9. ITEMS FROM COMMISSIONERS**

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**Hamaker** - Requested that the meeting be adjourned in memory of Michael Hughes.

**Behr** - Suggested sending a recommendation to the City Council regarding a moratorium on billboards.

**Crowe** - Stated the original intent of the Sunset Specific Plan was to eliminate billboards from the City and have a limited number on the Sunset Strip, but the billboard companies are trying to find loopholes to put up more billboards.

**DeLuccio** - Directed staff to agendize the issue at an upcoming meeting.

**Altschul** - Suggested a joint meeting with the Council.

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**10. ITEMS FROM STAFF**

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**A. Brown Act Training**

John Keho suggested having a re-fresher Brown Act Training class to the Commission.

Christi Hogin informed the Commission that a training will be held on Tuesday July 3, 2001.

John Keho invited the Commission to a training held by the Transportation Department on how the department prepares traffic analysis on Wednesday, June 20<sup>th</sup> at 7 P.M.

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**11. ADJOURNMENT**

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**Action: To adjourn in memory of Michael Hughes to the next regular meeting of the Planning Commission on Thursday, June 21, 2001, at the West Hollywood Park Auditorium, 647 N. San Vicente Boulevard.**

Motion: Crowe                      Second: Behr  
Motion carried by consensus of the Commission.

**PASSED, APPROVED AND ADOPTED THIS DAY OF 7-5, 2001.**

**CHAIRPERSON:** Donald De Luccis

**ATTEST:**  
**COMMUNITY DEVELOPMENT DIRECTOR:** Ray Rayson