

**CITY OF WEST HOLLYWOOD  
PLANNING COMMISSION  
MINUTES**

**JANUARY 4, 1996**

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

**I. CALL TO ORDER**

The regular meeting of the Planning Commission was called to order at 6:30 p.m. by Commissioner Litz.

**A. Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Litz.

**B. Roll Call**

Commissioners Present:

David Behr, Brad Crowe, D'Lynda Fischer, Thomas Jones, Jeff Lambert, James Litz, Stephen Smith

Staff Present:

Lisa Heep, Planning Manager and Acting Community Development Director; Teresa Kozlowski, Assistant Planner; Tim Foy, Associate Planner; Bob Meyer, Senior Code Enforcement Officer; Think Tran, Administrative Staff Assistant

Others Present:

Chris Joseph and Michael Meyer (Beverly West Square EIR Consultants)

**C. Approval of Agenda**

**Action: To pull item 3A and approve the Agenda, as amended.**

Motion: Crowe

Second: Lambert

Votes: All Ayes

Motion carried.

**D. 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.

**II. ITEMS FROM CITIZENS**

- a. **G. Bruce Traub**, West Hollywood, commented on the Draft Environmental Impact Report; he stated that one year ago that Mary Werle expressed her concern regarding the Chasens site; she circulated a petition, particularly to Rosewood Avenue residents; the petition requested that there be no re-zoning of residential lots on south--side of Rosewood Avenue, that the current parking lots on Beverly remain as surface parking lots (as promised by the County), and height limits remain at 35 feet (as stated in General Plan). She was a sick woman when she circulated the petition; the last petition was dated March 16, ten days prior

to her death. The petitions were handed to him by Ms. Werle's daughter, and then delivered to the City Clerk, for distribution to Planning Commission and City Council. He inquired about these petitions; and suggested that they be included in all future packets relating to the Chasens property. The addresses range from 9039 Rosewood to 8815 Rosewood.

Commissioner Behr inquired about the petitions. Ms. Heep commented that this information will be included when formal discussion of this item commences.

b. **Jeanne Dobrin**, West Hollywood, commented about the appeal by Michael Baker (a resident on Alta Loma Road) and Sunset Marquis regarding outdoor alcohol service.

### **III. CONSENT CALENDAR**

None.

### **IV. EXCLUDED CONSENT CALENDAR**

#### **A. Minutes, December 21, 1995.**

The Commission directed staff to amend to the minutes:

- page 4, the amendment to Resolution PC 95-47, regarding a glass door should be changed to glass panel/window
- and, page 4, Item 8b, "previous Casablanca site" be changed to "corner of De Longpre and Harper Avenues."

**Action: To approve the Minutes from December 21, 1995.**

Motion: Fischer

Second: Crowe

Votes: All Ayes

Motion carried.

### **V. PUBLIC HEARINGS**

#### **A. Residential Care Facility (Conditional Use Permit 95-18)**

Request to convert a residential rental property to a residential care facility for nine clients.

**Applicant:**

Raissa Gamburd

**Location:**

825 Larrabee Street

**Case Planner:**

Teresa Kozlowski

**Recommendation:**

Approve the proposed resolution.

Ms. Kozlowski presented the staff report. The resolution has been given the number PC 96-01.

The Commission discussed the following topics:

- type of residential use (single family house vs. multiple units)
- residential fees
- issuance of State license before the issuance of City permits
- verification of number of clients
- licensing of attendants



impacts could not be mitigated (traffic, air quality and noise); comment period ends January 25, 1996, all comments made will be addressed in the Final EIR, and petitions were not included (around 400, large percentage are residents).

The Commission discussed:

- impact on Doheny
  - traffic impact from Beverly Blvd. on neighborhood
  - tandem parking spaces/compact parking spaces
  - parking numbers are incorrect
- a. **Donald DeLuccio**<sup>\*</sup>, commented that a steering committee was formed to monitor the Beverly West Square project; the testimony tonight presents some of the views, questions and responses; we are not opposed to development of the property but are concerned about the size and effects of this project; and throughout the report the size given for the project is 94,500 square feet, however, it is at least 335,000 square feet when taking into account all four levels and this number should be use to study the impacts.
- b. **Joyce Hundal**<sup>\*</sup> (given time by Carl Cronin), commented on traffic impacts; the DEIR does not address the AM peak LOS; does not address the impact on us but suggest traffic diverters to control Doheny traffic onto residential streets; the intersection of these streets (Rosewood, Ashcroft, Dorrington and Rangely) with Robertson Blvd., is not analyzed at all; the LOS diagrams do not include Ashcroft, Dorrington, Rangely nor Almont north of Beverly Blvd., these five intersections will be the only access left to the residents because Doheny Drive will be impenetrable; the DEIR does not consider the safety, quiet and reasonable access of the neighborhood; requests a Comprehensive Neighborhood Study with full participation of the residents, including an analysis of Robertson Blvd. and potential for substantial adverse effects; the future traffic distribution cannot be adequately predicted by the type of analysis used, since the number of future pre-projects and their trips will have an effect on distribution of traffic; study does not take into account those system-wide changes before adding project traffic; a gravity model should have been used to assess the new trips between zones; the DEIR assumes the future trips to be the same as the present trips, which is misleading; the study should have use the Highway Capacity Manual method rather than the Circular 212 methodology; it is critical that we know what the true levels of service in the intersections are now and in the future; and we request that a study using the gravity model be amended into the DEIR.
- c. **Tom Wilson**<sup>\*</sup> (given time by Luis Marquez), commented on traffic; it is unclear in the DEIR whether the City of Beverly Hills would be willing or able to mitigate the Doheny/Burton Way or the Doheny/Third Street intersections; Caltrans agreement on the critical mitigations at Santa Monica Blvd. and Doheny Drive is required before any of the proposed split phasing of the lights can be installed, but will the agree; the DEIR does not evaluate the consequences of these unmitigated intersections; the potential impact which would affect the Doheny/Beverly intersection is the way the added northbound lane is dropped-off at Rosewood, forcing the northbound land on Doheny Drive; how will the delivery trucks be able to turn into the garage entry on Doheny Drive without bringing the northbound lane on

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<sup>\*</sup> Member of West Hollywood West Residents Association (read from submitted "Summary of Testimony")

Doheny Drive to a standstill; and this could further degrade the Beverly/Doheny intersection, increasing the troubled intersections from 3 to 4 of the five signalized Doheny intersections.

- d. **Steve Mathis**\* (given time by James Hancock), commented that WHWRA requests the following be incorporated in the amended DEIR: a) the agreement/non-agreement of Caltrans to the split phasing of the lights on the Doheny/Santa Monica intersection, in writing, b) the agreement/non-agreement of the City of Beverly Hills to mitigate the Burton Way/Doheny and Third Street/Doheny intersections, in writing, c) the adequate and proper evaluation of the impacts of the two (Doheny/Burton Way and Doheny/Third Street) intersections if unmitigated or the three (including Doheny/Santa Monica) intersection if unmitigated, d) the adequate and proper evaluation of the impact of the possible merging bottleneck on Doheny just north of the Doheny/Beverly intersection, and its effect on Rosewood Avenue access, e) the delaying effect of the service trucks accessing the Doheny project entrance, f) the adequate and proper evaluation of the impact of the above on emergency vehicle access, and g) the impacts of all of the above be incorporated into the requested Comprehensive Neighborhood Traffic Study, to be included with the amended DEIR; MTA--enforced Congestion Management Plan requirements for adequate transit analysis are not provided; construction vehicle routing may blow dust onto the streets, which in the DEIR state this dirt may be contaminated due to the gas station which previously operated on this site; the DEIR does not address the noise impacts of the increased traffic or large delivery trucks; trucks also cause the ground to shake, which was not taken into consideration; and that this topic should be revisited using more proper methodologies.
- e. **Dennis R. Powell**\* (given time by Jay Jasper), commented he has lived at this location for nine years; the DEIR did not address noise and traffic substantively; when Chasens was in operation, he would be awoken to bottle-crashing noises, as they were dumped; concerned that the project being much larger than Chasens, that there would be a larger problem; and noise associated with music, 24-hour operations, raucous behavior; and traffic.
- f. **Nina Parkensen**\* (given time by John Callari), commented on geotechnical/groundwater section; expressed concern regarding groundwater quality problems at the site originating from offsite sources (as stated in the DEIR) and its nature, method to clean the water, and will the EPA be involved; there is current seepage today on Rosewood, Ashcroft, Dorrington and Bonner; what will happen with the subterranean parking; what is the long-term and short-term impacts of the unstable excavation walls due to shallow groundwater conditions; what will happen to the surrounding to the surrounding properties when the water table rises; and concerns with the "permanent relief system" (pumps) described in the DEIR.
- g. **Anita Goswami**\* (given time by Albert Mello), commented on the change of zoning from residential with parking overlay to commercial and their concern that the DEIR does not provide a long-term perspective of this intrusion into the residential neighborhood; the height of the building was measured at its lowest point on the Doheny side of the property, and not on the Beverly side, which is 10 feet lower; the Beverly midpoint should be used for height measurements; standard for lighting and security (who defines this?); multiple conditional

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\* Member of West Hollywood West Residents Association (read from submitted "Summary of Testimony")



use permits for alcohol; in summary, the WHWRA finds that the DEIR has indicated an enormous negative impact on traffic and neighborhood; therefore, we request that a Comprehensive Neighborhood Study with the full participation of the residents of the proposed project's impact which would include: adequate and proper traffic and access evaluation utilizing appropriate methodologies; adequate and proper evaluation of signalized and unsignalized intersections; agreement/non-agreement of other public entities regarding mitigation; adequate assessment of the impact of mitigations and of non-mitigation; full address of noise and dumpster issues including analysis and mitigation plans; full address of issues relating to groundwater in a separate section; evaluation of other items as identified above; and all of the above be incorporated in the amended DEIR.

- h. **Adam Gilbert**, West Hollywood, commented that he is in favor of development on this property, but is concerned after looking at the DEIR; the project is four times as large as the House of Blues; there will be a five-fold increase in number of cars entering/exiting property; 100% increase of cars on Rosewood Avenue; the neighborhood should be asked what is appropriate regarding traffic for residential streets; there are currently only three homes on the south-side of Rosewood, of which one will be taken away; the Master Plan is to preserve single-family residences; concerned regarding height of project will prevent any plans for building skylights for his home; and noise levels will be very high during construction.
- i. **Carol B. Rodriguez**, West Hollywood, commented that she has lived on Rosewood for forty years; this will be the worse project; Rosewood is currently used by many commercial vehicles; the residents of this street will suffer most from traffic all-night and all-day long; and suggested that the applicant choose the soon-to-be-vacated Broadway department store at the Beverly Center as their project site.
- j. **Carlos Veach**, West Hollywood, commented that he has lived here for 49 years; the DEIR states that there will be problems; foresense would tell you that the project does not belong; after the project is developed, there will be no opportunity for mitigation of impacts; he is not anti-development, but the project is too large; this area has been a swamp; the watertable is currently at three feet under his home, because Beverly Hills has stopped pumping the water.
- k. **Chev Kevorkian**, West Hollywood, commented that he has lived here for 15 years; this is a premier neighborhood, and that possibly we could ask the applicant to purchase these properties; he is not opposed to development, but this project is too large; currently the streets are already busy, this will increase when businesses are open 24 hours; and the water table should also be a concern for the developer.
- l. **Harald R. Hahn**, Los Angeles, (Burton Homeowners Association), commented that the DEIR does not adequately answer some concerns; height measurements should be made from the midpoint of Beverly Boulevard (not Doheny, as stated in the DEIR), toxic waste removal problems may occur, for example, at the southwest corner of Third Street and Robertson Blvd. where a gas station had been, and now only surface parking is allowed; traffic counts are not reflective of current conditions and conflicts with other recent studies such as the Cedars-Sinai expansion; possible reflection into the adjacent neighborhoods; and is resentful about receiving the DEIR during holiday season.

- m. **Irvin Jaffe**, West Hollywood, commented that he owns a lamp store next door to the site; he is not anti-development; is concerned that the project is too large and traffic will be drastically affected; where his employees and customers will park during construction; and will be studying the DEIR and sending comments.
- n. **Kurt Haber**, Beverly Hills, commented that he is concerned with the construction time hours, hours of construction should not begin until 8 a.m., and concern regarding nightclubs and noise.
- o. **Rod Roberts**, West Hollywood, commented that he lives directly behind the project, this will be "overkill" for the neighborhood; this neighborhood does not need additional supermarkets and drugstores; there should be concern for the children of which he has two girls and their quality of life; he is not anti-development, and that a project should be built that would "work" for the area.
- p. **Julie Popp**, West Hollywood, commented that she lives behind Eclipse Restaurant and experiences daily problems with noise and trash, concern that she will have more personal expenses due to increase in traffic and alcohol consumption (a drunk driver hit her car); the DEIR should take into consideration these types of impacts; and that she had difficulty parking in front of her home.
- q. **Brian Meisel**, Los Angeles, commented that he lives in a neighborhood where he can take walks with his wife, and is concerned with traffic on Doheny Drive.
- r. **Jeanne Dobrin** (given time by Harry C. Manger), West Hollywood, commented that she is concerned with the diverter situation because it may cause accidents; the Transportation Commission has recommended that Cynthia, Vista Grande and Dicks Streets may make left turns onto Doheny Drive from 4-7pm, but Transportation staff has recommended that this be changed; the DEIR does not take this issue into its study; she contacted the council deputy for Los Angeles Councilmember Feuer regarding this project and he stated that they would not be interested since the project site is in West Hollywood; the DEIR did not address morning traffic; and supports the opinions of WH West Residents Association.
- s. **Bijan Dardashti**, Beverly Hills, commented that the project magnitude is not architecturally compatible with adjacent properties and is an atrocity; he is an architect and is pro-development but he finds this disagreeable.
- t. **Kathleen Sonnert**, West Hollywood, commented that this project would impact this neighborhood more than the Ma Maison Sofitel project did for that surrounding neighborhood; the sunlight will be cut-out; there has been crimes and "bums" who frequent the neighborhood; this project will ruin the neighborhood; and we are the voters and "we don't want it."
- u. **Dan Berkowitz**, Los Angeles, commented that there have been burglaries that occur during the day; the human factor should be considered; when the Four Seasons was built, there were problems with street cleaning, dirt and dust; although this may increase employment opportunities, there should be other considerations; and that the City has already prepared for this by placing no parking signs on Wetherly Drive.

- v. **Sue Veyna**, Los Angeles, commented that she had lived behind the Four Seasons Hotel for four years; although stated in the original plan that deliveries would be made underground, all were made on the street; parking problems during special events; litter; shaking of building from parties; night-time noise from Chasen's; and "homeless people" wash their clothes and bodies.
- w. **Alfred Haber**, Beverly Hills, commented that the crime rate where he lives is tremendous; and expressed his concern that this project will increase the number of crimes.

Commissioner Behr inquired about the weekend and weekday peak hours. Mr. Michael Meyer responded that peak hours varied depended on the intersection, but generally, were 1-3 pm on weekends and 4-6 pm on weekdays.

Commissioner Behr inquired about the number of trips generated from Chasens. Mr. Michael Meyer responded that this was based on average restaurant trip generation numbers.

Commissioner Behr inquired about Doheny Drive and usage of lanes and diversion of traffic into residential neighborhoods and street parking in Beverly Hills. Mr. Michael Meyer responded that the project does not request that Beverly Hills remove the street parking and that there will be still one lane of traffic on the west-side of this street. Commissioner Behr inquired about cars making a left turn from Doheny Drive onto Beverly Blvd. or residential streets. Mr. Meyer responded that these cars would make a left turn from the median lane.

Commissioner Behr inquired whether there is consideration into the removal of parking by the Cities of Los Angeles and Beverly Hills, when there is a need for parking; the City charges a fee of \$20,000 per public parking space removed.

Commissioner Behr commented that he was surprised that there was no neighborhood preservation analysis in the EIR, since in the General Plan there were objectives for neighborhood preservation; this needs to be analyzed to determine if this project conflicts with these objectives.

Commissioner Behr inquired about waterproofing if whether this is done in de-watering.

Commissioner Crowe stated that as part of the amended DEIR, there should be a study on the watertable and its impacts.

Commissioner Jones stated that there should be further analysis regarding the impacts on the residential neighborhood.

Commissioner Litz stated that comments should be addressed to Tim Foy, City of West Hollywood, 8300 Santa Monica Boulevard, West Hollywood, California, 90069 or faxed to (213) 848-6569, and reiterated that the deadline for submittal of comments is January 25, 1996.

Commissioner Behr commented about the variance application for 780 square feet and that there should be some analysis made based on the actual allowed heights, and the impacts on the neighborhood.

Commissioner Crowe commented that his property does not get direct sunlight at any time during the day, and his backyard is wet year-round due to the shade from Ma Maison Sofitel



and Sephardic Hebrew Academy; and suggested that this neighborhood be studied regarding impacts from shade.

Commissioner Litz stated that he would like staff to place on the City Channel an announcement regarding the circulation of the EIR and written comments will be received until January 25, 1996.

**Action: To close the public hearing.**

Motion: Crowe

Second: Smith

Votes: All Ayes (Fischer abstained)

Motion carried.

## **VI. COMMISSION CONSIDERATION**

None.

## **VII. ITEMS FROM CITIZENS**

None.

## **VIII. ITEMS FROM COMMISSIONERS**

- a. Commissioner Behr stated that the conditional use permit applications for alcohol for this project should contain a plan where alcohol is placed; the conditional use permits should be heard individually; and that these permits should be applied by the actual person applying for the permit rather than the developer.
- b. Commissioner Litz inquired about recent appeals, such as for U-Wash Doggie; Ms. Heep responded that the only appeal filed was for the minor conditional use permit for Basix Cafe.
- c. Commissioner Litz commented that any complaints should be submitted in writing to the Planning Manager; and can be faxed to (213) 848-6475.

## **IX. ITEMS FROM STAFF**

### **A. Report to the Planning Commission on Conditional Use Permit reviews.**

Mr. Bob Meyer presented the staff report; there were some resolutions (Roxbury and Pacific Hills School), included that were not signed and/or incorrect, but the correct resolutions were used for the reviews.

The Commission discussed the following:

- changes in permits for Replay Country Store Restaurant would be heard by the Planning Commission
  - security, status of project and signage at 1145 Horn Avenue
  - the resolution for Replay Country Store in the packet was incorrect
  - Ubatuba was a change in name, and is currently Basix.
- i. **Jeanne Dobrin**, West Hollywood, commented that she had contacted the ABC about the use of their alcohol license regarding E. Cioccolota, Carneys' and Mars Restaurants; signs

at Sunset Marquis Hotel; Mary Sweeney (Basix) and the opening of a new restaurant with lesser parking requirement; and inquired about Pacific Design Center restaurants that are allowing the sale of alcohol for off-site consumption.

The Commission inquired about the enforcement of nuisances by patrons of businesses. Mr. Meyer stated that it is difficult to manage patrons off-site; there are some requirements for business on-site, such as signage.

- ii. **Sybil Zaden**, West Hollywood, commented that there the sign at 1145 Horn Avenue is still at the front; the area is not safe; and the security is not present.

Ms. Heep read into the record a memorandum from Ms. Kozlowski regarding Tatiana Deli; Commissioner Behr expressed concern regarding trash at this site.

Commissioner Behr requested a copy of the SCUP for the Roxbury.

Commissioner Litz inquired about the vacant lot between "Don't Panic" and "Faulkners Restaurant"; Mr. Meyer stated that the owner has until January 9, 1996 to discuss with the Planning staff to discuss compliance and commented on the process to pursue misdemeanor charges.

- B. Ms. Heep commented on the American Planning Association National Conference and the current budget.

## **X. ADJOURNMENT**

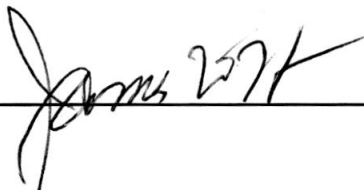
**Action: To adjourn to the next meeting of the Planning Commission on Thursday, January 18, 1996 from 6:30 pm until completion at the West Hollywood Park Auditorium at 647 N. San Vicente Boulevard in West Hollywood.**

Motion: Crowe  
Votes: All Ayes

Second: Lambert  
Motion carried.

**PASSED, APPROVED AND ADOPTED THIS DAY OF JANUARY 18, 1996.**

CHAIRPERSON: \_\_\_\_\_



COMMUNITY DEVELOPMENT DIRECTOR: \_\_\_\_\_

