

1 **CITY OF WEST HOLLYWOOD PLANNING COMMISSION**

2 **THURSDAY, MARCH 3, 2011 AT 6:30 PM**

3 **P R O C E E D I N G S**

4 **CHAIR YEBER:** Good evening. We're going to start
5 this meeting in about two minutes, so if everyone will
6 take their seats.

7 And if you are planning to speak tonight, please
8 turn in a speaker slip to Mr. David Gillig. We'll
9 need that in advance.

10 And could I ask Lauren Meister to join us or lead
11 us in the Pledge of Allegiance, since we haven't seen
12 you in a while?

13 **LAUREN MEISTER:** Good evening.

14 (Pledge of Allegiance)

15 **LAUREN MEISTER:** Thank you.

16 **CHAIR YEBER:** Thank you, Ms. Meister. David, can
17 I have a roll call?

18 **COMMISSION SECRETARY GILLIG:** Good evening.
19 Commissioner DeLuccio?

20 **COMMISSIONER DELUCCIO:** Here.

21 **COMMISSION SECRETARY GILLIG:** Commissioner
22 Hamaker?

23 **COMMISSIONER HAMAKER:** Here.

24 **COMMISSION SECRETARY GILLIG:** Commissioner
25 Buckner?

1 **COMMISSIONER BUCKNER:** Here.

2 **COMMISSION SECRETARY GILLIG:** Commissioner
3 Bernstein?

4 **COMMISSIONER BERNSTEIN:** Here.

5 **COMMISSION SECRETARY GILLIG:** Commissioner
6 Altschul?

7 **COMMISSIONER ALTSCHUL:** Here.

8 **COMMISSION SECRETARY GILLIG:** Vice-Chair
9 Guardarrama?

10 **VICE-CHAIR GUARDARRAMA:** Here.

11 **COMMISSION SECRETARY GILLIG:** Chair Yeber?

12 **CHAIR YEBER:** Here.

13 **COMMISSION SECRETARY GILLIG:** And we have a
14 quorum.

15 **CHAIR YEBER:** Great. Approval of the Agenda. We
16 have a request to move item 9B to the consent
17 calendar, unless we have speakers on that.

18 **COMMISSION SECRETARY GILLIG:** We have one
19 speaker.

20 **CHAIR YEBER:** One speaker. All right. So how
21 about if we move that to 9A, and so that we can get
22 that one out of the way?

23 **COMMISSIONER DELUCCIO:** I'll make a motion --

24 **COMMISSIONER GUARDARRAMA:** If the speaker can
25 speak right now; we can still do it.

1 **CHAIR YEBER:** Well, let's just let -- we'll just
2 go through the normal --

3 **COMMISSIONER DELUCCIO:** Who is -- David, who's
4 the speaker? Is it the applicant?

5 **COMMISSION SECRETARY GILLIG:** No.

6 **CHAIR YEBER:** Okay. Why don't --

7 **COMMISSIONER DELUCCIO:** I'll make a -- I'll make
8 a motion that we move 9B to 9A and motion to adopt the
9 agenda.

10 **CHAIR YEBER:** Do I have a second?

11 **COMMISSIONER BUCKNER:** Second.

12 **CHAIR YEBER:** Any objections?

13 **COMMISSIONER BUCKNER:** No.

14 **CHAIR YEBER:** All in favor?

15 (All members present state, "Aye".)

16 **CHAIR YEBER:** Seeing no objections, the
17 agenda passes. Approval of the minutes from
18 February 3rd, 2011. Is there a motion to approve
19 the minutes?

20 **COMMISSIONER HAMAKER:** Move to approve.

21 **COMMISSIONER DELUCCIO:** Second.

22 **CHAIR YEBER:** All in favor?

23 (All members present state, "Aye".)

24 **CHAIR YEBER:** Any objections?

25 **[COMMISSIONER BERNSTEIN]:** Please note my

1 abstention.

2 **CHAIR YEBER:** Okay. So noted. All right.
3 We'll move on to public comment. I have two
4 speakers, starting with Lauren Meister, followed
5 by Steve Martin. Thanks again for leading us.

6 **LAUREN MEISTER:** Good evening, Commissioners.
7 Lauren Meister, resident of West Hollywood. You
8 spend a lot of time reading staff reports and
9 listening to the public and deliberating when you
10 have a public hearing regarding a CUP.

11 Residents such as myself also spend a lot of
12 time preparing in order to articulate the
13 community's feeling and communicate our issues.
14 I've discovered that all of our hard work is for
15 nothing because now, behind closed doors,
16 Planning Staff is changing conditions of CUPs at
17 their discretion, without your input, without the
18 community's input, and due process and public
19 hearings have become a farce; for example,
20 Craig's Restaurant on Melrose.

21 This is a symptoms of the ills of City Hall
22 and this can only be cured with a change starting
23 at the top. John Damico and Steve Martin have a
24 real chance of making that happen, and I hope the
25 community will get out and vote on March 8th. We

1 need to vote for change. We need to vote for
2 transparency in government and vote for a city
3 that respects its residents, respects its
4 commissioners, respects the public process. Vote
5 March 8th. Vote John Damico and Steve Martin and
6 vote no on Measure A. Thank you very much.

7 **CHAIR YEBER:** Thank you. Thank you. Mr.
8 Martin?

9 **MR. MARTIN:** Thank you, Lauren. Steve
10 Martin, West Hollywood. Apparently a flyer is
11 being sent out to all renters indicating that
12 John Dimico is no friend of West Hollywood
13 renters. But I want to tell you who really isn't
14 a friend of West Hollywood renters; all of the
15 incumbents: John Heilman, Abbe Land, and Lindsey
16 Horvath.

17 Over the last five years we have witnessed a
18 barrage of demolition of rent-controlled units to
19 make way for luxury condos, and our City Council
20 has done nothing to help tenants.

21 Myself and a number other people in the
22 community have been arguing and pleading and
23 coming before this Commission and the City
24 Council and the general plan asking that the City
25 repeal the incentives that encourage the

1 destruction of rent-controlled units. Those
2 pleas have fallen on deaf ears because we have
3 the best city council money can buy. And that's
4 not my quote; that's Jean Dobrin's.

5 Our City Council is bankrolling this campaign
6 by developers. And if you don't think so, ask
7 where John Heilman, Abbe Land, and Lindsey
8 Horvath's campaign headquarters are. They're at
9 the [Caston] project, the project that this
10 Commission said was too big because it's 10
11 stories on Santa Monica. It's the same project
12 that our own transportation department said would
13 cause gridlock on three intersections.

14 But money talks at City Hall and that's why
15 our City Council approved the Caston project,
16 despite the incredible impacts it will have that
17 will be adverse to the quality of life of this
18 city.

19 Tenants in West Hollywood don't have friends
20 at City Hall. No one cares. If you're a low-
21 income person in a building that's being
22 demolished, and right now there's five buildings
23 where people have received notices that they're
24 being [L-S'd] out. You don't get to the top of
25 the line for rent stable -- or for affordable

1 housing. If you're not -- if you're not on the
2 list, it's -- you're out of luck.

3 But right now we have a number of -- we've
4 got over 100 people who face eviction, including
5 people on Olive because the City Council, John
6 Heilman and Abbe Lane in particular, voted for
7 the Sunset Time which is allowing all the rent-
8 controlled units on the east side of Olive to be
9 demolished to make way for rent-controlled
10 housing.

11 That's not leadership. That's not leadership
12 that protects the diversity of this community.
13 Our renters, this entire community, deserves
14 better. Thank you so much.

15 **CHAIR YEBER:** Thank you. All right. With
16 that, we'll move onto items from Commissioner.
17 Commissioner Guardarrama.

18 **VICE-CHAIR GUARDARRAMA:** Many of you already
19 know this. But for those of you that don't,
20 tonight is my last Planning Commission meeting.
21 I have resigned from the Planning Commission
22 effective tomorrow because I've taken a job
23 practicing law that is not compatible with this
24 particular appointment.

25 But I wanted to thank everybody for a

1 marvelous and challenging eight years. The
2 Commissioners that are still on this Commission
3 when I first came onboard that helped me so much,
4 Commissioner Altschul and Barbara Hamaker and
5 Donald DeLuccio, and then all the new
6 Commissioners, Sue Buckner and Allen Bernstein
7 and our Chair, Marc Yeber. And many
8 Commissioners that are no longer on this
9 Commission that also helped me out.

10 And I'd also like to thank the late [Sal
11 Guarriello] for appointing me and giving this
12 opportunity to a 28-year-old. That was amazing.
13 Thank you, Sal. And also to Lindsey Horvath for
14 keeping me onboard after Sal died.

15 And I also wanted to thank our marvelous
16 planning staff for making this very easy on me
17 and to our great City Attorney, Mike Jenkins, and
18 Assistant City Attorney, Christi Hogan, for being
19 so fantastic and so supportive of me. So thank
20 you.

21 **CHAIR YEBER:** Thank you. Commissioner
22 Buckner.

23 **COMMISSIONER BUCKNER:** I just wanted to tell
24 Commissioner Guardarrama that I'm going to miss
25 you a lot and I wish you really a great

1 experience in your new job. I look forward to
2 connecting up with you downtown.

3 **CHAIR YEBER:** Commissioner Bernstein?

4 **COMMISSIONER BERNSTEIN:** I want to echo those
5 thoughts and just say how much I'm going to miss
6 having you here. And I also just want to say,
7 since you may be watching, that I'm sad that Jean
8 Dobrin isn't here tonight. I hope she is doing
9 well and will be back here soon.

10 **CHAIR YEBER:** Commissioner Altschul?

11 **COMMISSIONER ALTSCHUL:** Yeah. I too am very
12 sad that Joe is leaving the Commission. It seems
13 that eight years went by very, very fast. And
14 your service here was brilliant, congenial,
15 intellectually marvelous, and just such a joy to
16 be able to serve on this Commission with you.
17 And lots of good luck in your new job and hope to
18 see you around city activities quite frequently.

19 Also, with respect to what Lauren said about
20 changing CUPs, I believe she was referring to
21 circulation and valet parking in an alley behind
22 the restaurant that used to be Figaro's. And
23 when -- in one of its prior iterations right
24 after Figaro's, there were heated discussions
25 about using that alley for -- for circulation and

1 for the res -- the various restaurants on that
2 block.

3 So I was wondering if we could please
4 agendize a review of that situation and take a
5 look to see whether or not it's appropriate at
6 this point.

7 **JOHN KEHO:** I can certainly give you an
8 update on what that change was today.

9 **COMMISSIONER ALTSCHUL:** Well, along with the
10 update, could we please agendize it so we can
11 discuss it to see if it's appropriate?

12 **JOHN KEHO:** Sure.

13 **CHAIR YEBER:** Commissioner Hamaker?

14 **COMMISSIONER HAMAKER:** I'm thrilled for you,
15 Joe. I think it's going to be wonderful. But
16 I'm really going to miss you a lot. And you have
17 just been a wonderful Commissioner and a joy to
18 know. So very, very best to you.

19 **CHAIR YEBER:** Commissioner DELUCCIO?

20 **COMMISSIONER DELUCCIO:** You've been a
21 wonderful Commissioner from day one, Joseph. You
22 were up and running from the beginning. You're
23 so -- you're very modest. And I'm just a little
24 disappointed. I thought you were going to be a
25 lifer like Commissioner Altschul and myself.

1 **CHAIR YEBER:** Commissioner Guardarrama?

2 **VICE-CHAIR GUARDARRAMA:** I realized that I
3 forgot to thank a couple members of the public
4 that always come to Commission meetings and
5 always say thoughtful comments. I can think of
6 many off the top of my head. Jeanne Dobrin, your
7 comments and your presence were always helpful.
8 Though we may not always agree, they were very
9 helpful.

10 And also members of the public like Lauren
11 Meister and Steve Martin and Tom DeMille and a
12 lot of other members of the public, Ed Buck, that
13 would come and give their opinion. We listened
14 all the time, though we may not always agree.
15 Thank you.

16 **CHAIR YEBER:** All right. Well, everyone has
17 pretty much said what I was thinking. But I did
18 want to focus on something that Commissioner
19 Altschul said about the congeniality that's been
20 expressed by Commissioner Guardarrama.

21 One of the things that struck me when I
22 joined four years ago was the level of grace and
23 fairness that you seem to approach every issue.
24 And that makes a big difference. And I want to
25 thank you for that. I want to thank you for

1 serving as Vice Chair. I know you made my job a
2 little easier because we were able to consult on
3 a couple of issues to help, you know, move the
4 process along and -- and make sure it was clear
5 and understandable, not only for this body but
6 also for the public, so.

7 But congratulations, mazel tov. Good luck.
8 And I hope you will stay involved in the City.

9 With that, we will move to -- we have nothing
10 on the consent calendar. We'll move to our first
11 public hearing. Does staff want to make a brief
12 presentation since it seems like this is not a
13 controversial issue and we only have one speaker?

14 **ANTONIO CASTILLO:** Sure. Good evening,
15 Chairperson Yeber and Members of the Commission.
16 The item before you this evening is a request to
17 convert an existing rental housing building into
18 a condominium, property located at 1031 North
19 Crescent Heights Boulevard.

20 The building was built in '89 and consists of
21 a two-story, 15-unit apartment building above
22 semi-subterranean garage. The property was
23 developed with individual open spaces, balconies,
24 terraces, and a common open space within the
25 rear, rear yard area consisting of a swimming

1 pool and a patio area.

2 The proposal does not include any physical
3 changes to the building or site. And the
4 property owner has indicated that there are no
5 immediate plans to sell the property and intends
6 to maintain it as rental units.

7 It is staff's assessment that the development
8 is well designed, it is complimentary to the
9 context of the neighborhood, and meets the
10 development standards with the exception of the
11 open space. The building is as nearly in
12 conformance with the minimum open space
13 requirements as is practical without substantial
14 modifications to the building and site.

15 Therefore, the staff recommends approval of
16 the project as conditioned in the attached
17 resolutions for the development permit as well as
18 the tentative tract map.

19 **CHAIR YEBER:** Thank you. Are there any
20 disclosures regarding this particular property
21 from the Commission?

22 Okay. Seeing none? Any questions for staff?

23 All right. And we have only one speaker. Is
24 that the applicant? Mr. King? Are you the
25 applicant?

1 **MICHAEL KING:** No, I'm not.

2 **CHAIR YEBER:** Okay. So three minutes?

3 **MICHAEL KING:** I won't need that much.

4 **CHAIR YEBER:** Okay. State your name and city
5 of -- city of residence.

6 **MICHAEL KING:** Yes. My name's Michael King.
7 I live in West Hollywood. I'm a 24, 25-year
8 resident of the City. For a number of years, I
9 lived about four blocks from this particular
10 building. And the reason I'm here today is to
11 ask you to approve it. I fear if you don't that
12 the current owner will be tempted, even though he
13 states otherwise, the current owner may be
14 tempted to sell the property to somebody who will
15 develop it. And we have a lot of developments in
16 the city now that are three and four stories and
17 going taller, and we certainly don't want that in
18 any of our neighborhoods.

19 So please go ahead and approve this. Thank
20 you.

21 **CHAIR YEBER:** Thank you. David, we have no
22 other speakers on this item?

23 **COMMISSION SECRETARY GILLIG:** None.

24 **CHAIR YEBER:** Okay. So with that, we'll
25 close the public hearing as long as there's no

1 objection. And there's a question from
2 Commissioner Altschul.

3 **COMMISSIONER ALTSCHUL:** No, not a question.

4 I would move --

5 **CHAIR YEBER:** Comment.

6 **COMMISSIONER ALTSCHUL:** -- the staff
7 recommendation.

8 **VICE-CHAIR GUARDARRAMA:** Second.

9 **CHAIR YEBER:** Okay. All in favor?

10 (All members present state, "Aye".)

11 **CHAIR YEBER:** Anybody opposed? All right.

12 So passes unanimously.

13 All right. So we'll move on to the
14 conditional use permit, development permit for
15 1317 Crescent Heights Boulevard. We'll start
16 with a staff report.

17 **JOHN KEHO:** Thank you, Chair and
18 Commissioners. As Adrian's getting situated, I
19 just wanted to first off acknowledge to the
20 Commissioners that this is a very complicated
21 case. There's a lot of issues involved in this
22 project.

23 The first complication is that this facility
24 is a nonconforming use. The temple was built
25 many, many years ago under county regulations

1 and, therefore, it doesn't have a conditional use
2 permit that the City has issued. So, therefore,
3 it's nonconforming to City requirements for not
4 having a conditional use permit.

5 Because the applicants want to build a
6 parking structure on the property, they have to
7 first get a conditional use permit to come into
8 compliance. By obtaining a conditional use
9 permit, the City now will have the ability to add
10 land use regulations that regulate the operations
11 of the facility, including the proposed garage
12 and the banquet facilities.

13 And what staff has proposed -- has proposed
14 before you is a resolution that includes
15 regulations of the garage and banquet facilities
16 and the establishment during construction, after
17 the garage is built, and we're also proposing now
18 tonight conditions that would regulate the
19 establishment prior to construction of the
20 garage.

21 Another complication involved in this project
22 has to do with the fact that it's a religious
23 facility and it doesn't fall neatly into the
24 categories that the Planning Commission is used
25 to reviewing. It's -- you know, the City

1 typically deals with either residential
2 properties or commercial properties.

3 This is a religious land use, and the City
4 allows religious land uses to be developed in
5 both residential and commercial zones. So it
6 doesn't really fall under the traditional
7 categories of those two standards.

8 That leads to the complication of what
9 development standards apply to something such as
10 the addition of a parking garage on this
11 facility. So what we do is we apply the
12 development standards of the residential zone
13 where appropriate, such as height limitations and
14 setbacks. And then we use other portions of the
15 zoning ordinance to regulate it such as the
16 development standards for parking structures.

17 So again, it's kind of a interesting use
18 since it doesn't fall into our typical neat
19 categories.

20 So that's kind of just a overall kind of
21 acknowledging the complications with this
22 project. And I'm going to turn the item over to
23 Adrian to go over the staff report.

24 **CHAIR YEBER:** Thank you.

25 **ADRIAN GALLO:** Thank you, Chair Yeber, and

1 good evening, Commissioners. The proposal before
2 you this evening is for the property located at
3 1317 Crescent Heights Boulevard, the Iranian
4 American Jewish Center. The applicant is
5 proposing to construct a three-level parking
6 structure, one level below grade and two above.

7 The subject site is the northern most parcel
8 of the temple at the northwest corner of Fountain
9 Avenue and Crescent Heights Avenue. The
10 development in this area consists mostly of high
11 density, multifamily structures from two to seven
12 stories in height.

13 The temple has existed prior to the City's
14 incorporation and is considered legal and
15 nonconforming. As John mentioned, the parking
16 structure addition which would require the
17 applicant to obtain a conditional use permit to
18 legalize the existing [religious] facility.

19 The parking structure would provide 101
20 onsite parking spaces. The increase in parking
21 would bring the facility closer to compliance
22 with current parking standards. The
23 representatives of the facility state that the
24 structure is needed to alleviate parking and
25 noise issues that have been reoccurring concerns

1 of the neighborhood community.

2 Although the project is providing additional
3 parking, no increase in attendance is expected
4 because Neman and Sapper Hall will remain with
5 the same occupancy.

6 This project is part of an institutional use
7 in an otherwise multifamily residential district.
8 As such, the project respects a character of
9 existing properties in the immediate area to the
10 use of similar setbacks, building arrangements,
11 buffer yards, and the avoidance of (inaudible)
12 [building scale].

13 The application as proposed will not have
14 substantial adverse impacts on the environment
15 and is categorically exempt from the requirements
16 of [SEQUA] pursuant to the [info] exemptions of
17 the guidelines.

18 A traffic and circulation assessment of the
19 proposed parking structure was conducted by the
20 City's Long Range and [Mobility] Planning
21 Division. The assessment focused on the
22 potential offsite traffic impacts of the proposed
23 parking structure and its interface with the
24 public right-of-way. It is anticipated that the
25 size and arrival patterns for the events held at

1 the IAJC will remain the same even with a garage.
2 Therefore, there will not be an increase in
3 traffic and significant impacts at adjacent
4 intersections are not expected.

5 After having considered all of the concerns
6 expressed by the neighbors, staff has concluded,
7 with heavy conditioning, the potential adverse
8 impacts of the proposed parking structure should
9 be prevented -- should prevent -- be prevented or
10 significantly mitigated.

11 The applicant has provided an events
12 operations plan that seeks to build a
13 relationship -- a relationship with its
14 residential neighbors that is both transparent
15 and verifiable. The permit will be reviewed six
16 months after the issuance of a certificate of
17 occupancy. This particular condition will
18 provide ample opportunity for the neighbors to
19 report unforeseen negative impacts resultant from
20 this permit.

21 And therefore, staff recommends conditional
22 approval of the request because the proposal
23 would provide additional onsite parking for
24 current and future visitors of IAJC, enclose the
25 parking, and locate the loading zone and visitor

1 drop off and pick up inside the parking
2 structure.

3 Furthermore, the conditions placed on the
4 project will help protect the integrity of their
5 residential neighborhood while allowing the IAJC
6 to operate.

7 After consulting with legal counsel, staff
8 has amended the following conditions, 1.1 and
9 14.1, and added section 15 regarding operations
10 of a religious facility before construction
11 begins. These additions were forwarded to you
12 earlier today and a hard copy was provided before
13 the meeting.

14 Additional comments have been placed for
15 public review.

16 Thank you. And I'm available for any
17 questions you have.

18 **CHAIR YEBER:** Thank you, Adrian.
19 Commissioner Altschul?

20 **COMMISSIONER ALTSCHUL:** The conditions with
21 respect to the operations of the facility itself
22 just arrived today. And I notice on the agenda
23 for April the 7th, there's a proposed zone text
24 amendment for banquet facilities in residential
25 areas, under which I assume this facility falls.

1 So is it not either premature or putting the
2 cart before the horse to hear conditions of
3 operation of the banquet hall itself prior to a
4 discussion and adoption or non-adoption of the
5 zone text amendment regarding the same subject?

6 **JOHN KEHO:** No, because the applicant has an
7 application for your review at this moment in
8 time and they are applying for a conditional use
9 permit. And so that gives us the ability to
10 establish these conditions.

11 What the point of the zone text amendment
12 would be would be to address facilities in
13 residential zones that don't have a CUP and
14 aren't moving forward with any project. And so
15 that would allow us to require them to come into
16 compliance as well.

17 **COMMISSIONER ALTSCHUL:** So in other words, if
18 this were adopted tonight it would be totally
19 dispositive of this location and this facility
20 and the zone text amendment coming forth in a
21 month addresses every other possible facility?
22 And I see a nod of the head.

23 **JOHN KEHO:** Right. Presuming that the
24 applicants accept and acknowledge the conditions
25 of this permit.

1 **MICHAEL JENKINS:** That's exactly right.

2 **COMMISSIONER ALTSCHUL:** Have the conditions of
3 this permit been discussed with the applicants?

4 **JOHN KEHO:** Yes.

5 **COMMISSIONER ALTSCHUL:** And have they accepted
6 and -- accepted and acknowledged them as you just
7 said?

8 **JOHN KEHO:** They certainly acknowledged them.
9 They've accepted some of them. I think they might be
10 in disagreement with some of the others.

11 **COMMISSIONER ALTSCHUL:** Okay.

12 **CHAIR YEBER:** (Inaudible)

13 **COMMISSIONER BUCKNER:** Would this -- excuse me.

14 **CHAIR YEBER:** Go ahead.

15 **COMMISSIONER BUCKNER:** Would this project be
16 subject to all the conditions or whatever governing
17 restrictions and -- from the zone text amendment or
18 will they be excluded because they're getting their
19 CUP prior to the zone text amendment?

20 **MICHAEL JENKINS:** The zone text amendment as
21 contemplated does not establish any conditions.

22 **COMMISSIONER BUCKNER:** Right.

23 **MICHAEL JENKINS:** All it does is require that
24 facilities in residential zones that do not have a
25 conditional use permit obtain one.

1 **COMMISSIONER BUCKNER:** Okay.

2 **MICHAEL JENKINS:** The reason it doesn't have any
3 specific criteria is because these are case-by-case
4 determinations based on the specific characteristics
5 of each individual facility. And so it's very
6 difficult, if not impossible, for us to conceptualize
7 conditions that could apply with equal force across
8 the board.

9 Consequently, all it does is say that if there is
10 a facility, banquet facility, in a residential zone
11 that does not have a CUP, it must obtain one, at which
12 time it would be subject to a public hearing and the
13 imposition of conditions that would be suitable for
14 that facility.

15 As John indicated, in this instance, we have a
16 conditional use permit application before us tonight,
17 which would, therefore, vitiate the need for a
18 subsequent application under that ordinance.

19 **COMMISSIONER BUCKNER:** Thank you for the
20 clarification.

21 **CHAIR YEBER:** Donald?

22 **COMMISSIONER DELUCCIO:** What do I have before me
23 this evening? You said I have another resolution?

24 **ADRIAN GALLO:** You have revised -- additional
25 conditions.

1 **COMMISSIONER DELUCCIO:** I have revised conditions
2 -- and what -- there's a whole -- there's like pages
3 of them or just a couple?

4 **ADRIAN GALLO:** It's one page, back and front.

5 **COMMISSIONER DELUCCIO:** Okay.

6 **ADRIAN GALLO:** There's a memo attached to it.

7 **COMMISSIONER DELUCCIO:** What is -- can you just
8 like maybe read into the record, briefly, the key
9 emphasis of what these conditions are, what they have
10 to do with?

11 **ADRIAN GALLO:** Sure. We amended condition 1.1,
12 which added language that requires the applicant to
13 accept the approval or not -- the approval within 90
14 days of adoption of the resolution.

15 Condition 14.1 added specific parameters for the
16 director to look at the operations plan submitted by
17 the applicant during the construction phase of the
18 project.

19 Section 15 is completely new. It wasn't in the
20 previous resolution. This section talks about
21 operation of the facility the moment we approve the
22 project, with hours of operation as well. But that's
23 up to the Commission to decide.

24 **COMMISSIONER DELUCCIO:** Well, what are the --
25 what is the conditions that you're proposing right

1 now? Once this gets approved, up until the time it
2 gets -- construction begins, correct? Are you
3 proposing hours of eight a.m. to 10 p.m.?

4 **ADRIAN GALLO:** So currently the resolution that
5 was in the packet only had to do with hours when the
6 garage was built. The revised resolution -- the
7 additional conditions address operation hours as of
8 today if the CUP is adopted.

9 **JOHN KEHO:** And those are all listed on 15.7 on
10 the back side. And it actually shows three different
11 possibilities. One proposes hours as the applicant
12 would request. The second shows hours that were being
13 contemplated when the City Council was considering a
14 business license for the establishment. And a third
15 one is another alternative that could be added to
16 encourage them to build the parking garage more
17 quickly than otherwise by allowing them to have hours
18 of operation as proposed by the applicant if they
19 build the parking garage within one year. If they
20 don't build it within one year, then the hours would
21 be more restrictive.

22 **COMMISSIONER DELUCCIO:** Okay. That's helpful to
23 know this. I have another question actually. This
24 piece of property where they want to build the parking
25 structure, it's currently zoned R4?

1 **ADRIAN GALLO:** Correct.

2 **COMMISSIONER DELUCCIO:** Does it have a parking
3 overlay designation on it?

4 **ADRIAN GALLO:** It does not.

5 **COMMISSIONER DELUCCIO:** So how can they build a
6 parking structure?

7 **JOHN KEHO:** The parking goes with the use. So
8 the religious facility can have parking. And so it
9 doesn't need an overlay to build parking for religious
10 use. The zoning ordinance talks about parking
11 structures. And it says, parking structures for
12 residential or non-residential uses, so the park -- so
13 the zoning ordinance contemplates parking structures
14 in residential zones.

15 It is true that it's extremely rare for a parking
16 structure or residential zone to be built beside a
17 building because normally our properties are so small
18 the parking structures are built below, and so the
19 residential units are on top. There is at least one
20 residential building on, I think it's Larrabee, where
21 there is a parking structure built beside the
22 building.

23 So, you know, we don't have that many large
24 projects in which parking can just be built by the
25 site. So that's why they can build a multi-level

1 structure without a building on top of it.

2 **COMMISSIONER DELUCCIO:** I only can ask questions.

3 **CHAIR YEBER:** Okay. Anybody else have questions
4 at this point? I just have a couple questions,
5 clarifications.

6 In the staff report on 7/11, it says, this is the
7 paragraph below that picture on the staff report,
8 second sentence, as such, neither the City's
9 commercial nor its residential design guidelines seem
10 to strictly apply to the building design in this
11 particular case.

12 If you could clarify, Adrian or John, what -- how
13 did you -- what design guidelines were used then to
14 determine that this is appropriate?

15 **JOHN KEHO:** I'll start talking and if Todd want -
16 - our urban designer, contract urban designer, he may
17 want to comment as well.

18 **CHAIR YEBER:** Okay.

19 **JOHN KEHO:** But basically we take a look at the
20 existing building, try to make sure it's compatible
21 with the existing building and look at the scale and
22 compatibility with the surrounding neighborhood.

23 What we're talking about in neither the
24 commercial or residential guidelines because those are
25 talking about a particular type of land use. So the

1 residential guidelines are saying, if you're building
2 a residential building, let's make it look like a
3 residential building. Or the commercial guidelines
4 talk about we want to have transparency and openness
5 on the ground floor so you can see into the -- into
6 the store.

7 This is a religious facility, which doesn't do
8 that. And it -- not only is it a religious facility,
9 this is the garage component of that. So the
10 guidelines don't apply strictly. But that's what we
11 did is we take a look at how this is designed, does it
12 kind of go with the existing building, and how does it
13 impact the adjacent -- the adjacent buildings.

14 **CHAIR YEBER:** Okay. I was wondering, do we --
15 does our contract urban designer need to chime in from
16 an urban design standpoint? We'd normally hear from
17 someone at this point.

18 **JOHN KEHO:** Sure, we see if he has anything.

19 **CHAIR YEBER:** And while you're situating, I'll
20 ask Adrian another question.

21 Adrian, it says that currently it stage -- it can
22 fit 51 cars. Is that in actual spaces or does that
23 include the valet attended, you know, the stacking,
24 the full-on stacking?

25 **ADRIAN GALLO:** Let me check really quick.

1 **CHAIR YEBER:** Okay. Thank you. Mr. Gish?

2 **TODD GISH:** Commissioner -- or Chair Yeber and
3 Commissioners, thank you. Am I answering a question,
4 or?

5 **CHAIR YEBER:** Well, if you just want to speak
6 real quickly from an urban design standpoint. We
7 usually do get, you know, projects of this nature, we
8 get someone to chime in on the urban design aspects at
9 this stage.

10 **TODD GISH:** All right. In terms of the City's
11 design guidelines, that was a paragraph that I wrote
12 that I was looking at essentially the City's
13 residential guidelines. And it's not a residential
14 project. But there are -- there is reference in the
15 City's residential design guidelines about parking
16 structures and maintaining neighborhood features. And
17 so those were the portions of the residential
18 guidelines that I was looking at, and parking design,
19 and the visual impact of parking.

20 So I looked at the residential guidelines that
21 applied to this part of the project, and that's --
22 that's what I used.

23 In terms of -- of compliance, the design of the
24 parking structure with the horizontal banding, that
25 parapet with the square dentals along it, as well as

1 the -- sort of a similar fascia parapet along the
2 assembly hall and sort of a similar treatment on that
3 tower. All is, in general -- generally fits with
4 similar fascias and parapet treatments of existing
5 buildings along the street.

6 So I found that to be in general compliance, as
7 well with varying setbacks of the different facades of
8 the complex.

9 In terms of the parking design relative to the
10 guidelines, I interpret the treatment of that parking
11 structure to be integral with the design of the
12 overall complex.

13 And in terms of the visual impact of parking, I
14 interpret that design to be partially in compliance
15 with minimizing adverse visual impacts of parking
16 areas and garage openings with the exception of the
17 sort of size of -- of the parking entrance. My read
18 is that that opening could be made smaller, at least
19 lower. I'm not sure what the minimum required
20 headroom is, but it seems awfully tall in terms of
21 sort of a big, dark, opening on the street. So that
22 would be a suggested revision from an urban design
23 standpoint.

24 **COMMISSIONER HAMAKER:** But doesn't it -- excuse
25 me. But doesn't it have to be for loading large

1 trucks and --

2 **CHAIR YEBER:** Right.

3 **COMMISSIONER HAMAKER:** -- vehicles too?

4 **ADRIAN GALLO:** Correct, Barbara.

5 **COMMISSIONER HAMAKER:** Yeah. Thank you.

6 **CHAIR YEBER:** Okay.

7 **TODD GISH:** Okay. So then I'll withdraw that. I
8 don't know what the minimum -- if it's currently at
9 the -- at its absolute.

10 **CHAIR YEBER:** Minimum for the trucks for loading
11 and unloading.

12 **TODD GISH:** If it is, then it couldn't be reduced
13 --

14 **CHAIR YEBER:** Okay.

15 **TODD GISH:** -- from that standpoint.

16 **CHAIR YEBER:** All right. Go ahead.

17 **COMMISSIONER ALTSCHUL:** You indicated, John, that
18 the, as I heard it, that the conditions that you're
19 proposing seem to rise and fall on the acceptance of
20 these conditions by the applicant. So if the
21 Commission decides that some of these conditions are
22 not acceptable to us or needed to be modified to be
23 acceptable to the City's processes, then can the
24 applicant say, no, we don't accept these and the whole
25 thing topples without the applicant having to appeal?

1 **JOHN KEHO:** I'm maybe not quite following you.
2 But what I was referring to is we have a standard
3 condition on every permit that says the permit's not
4 effective until the owners of the property acknowledge
5 acceptance of all the conditions in the permit and
6 record it on the property. So that's what I was
7 referring to is that they -- once the City approves a
8 permit with all these conditions, they may not like
9 one or two of them, but in order to take advantage of
10 the permit, they have to acknowledge and accept them,
11 and record it to the county, and then it's valid.

12 **COMMISSIONER ALTSCHUL:** So if they don't like one
13 or two of these conditions, maybe --

14 **JOHN KEHO:** They would need to appeal it.

15 **COMMISSIONER ALTSCHUL:** They appeal it?

16 **JOHN KEHO:** Right.

17 **CHAIR YEBER:** Adrian, I have just one more
18 question. On page five of 11, it -- and you mentioned
19 it through your presentation about this notion that
20 this project gets them closer to compliance.

21 And I was wondering if you were able to put
22 something -- I mean, closer is sort of a -- kind of
23 this nebulous thing. What are we talking about? I
24 mean, are they 50 percent closer? Are they 75 percent
25 closer? I mean, can you attach something to it so

1 that we know what we're dealing with when you say,
2 make a turn like -- you know, make a statement like
3 that? Are they slightly closer just because, you
4 know, they're -- they're enclosing, you know, their
5 minimizing disruption to the neighborhood?

6 **ADRIAN GALLO:** Currently the site has 51 marked
7 spaces. Based on the calculations of the temple in
8 terms of the fixed seats inside of the --

9 **COMMISSIONER ALTSCHUL:** -- synagogue.

10 **ADRIAN GALLO:** -- synagogue, the number of
11 parking spaces required based on the fixed seats, the
12 revised parking count based on the parking structure
13 would bring them closer to that count. I'd have to do
14 the math right now to figure out what the actual count
15 would be based on the number of fixed seats.

16 **JOHN KEHO:** And so what we're talking about is
17 being -- becoming closer to compliances. They don't
18 have enough parking spaces. They don't meet our code
19 requirements for parking. So this particular project
20 is adding these additional parking spaces. And so the
21 deficit of parking spaces is becoming smaller. And so
22 just from a conceptual standpoint, that's what the
23 City would want to happen. We'd want a nonconforming
24 use that has a deficit of parking conceptually to add
25 more parking spaces.

1 **CHAIR YEBER:** So is the parking the only thing
2 that makes them closer to compliance or is there some
3 other issue that's tied to this?

4 **JOHN KEHO:** The CUP makes them -- obtaining the
5 condition use permit it [helps] -- makes them
6 compliant.

7 **CHAIR YEBER:** Okay. So those two issues --

8 **JOHN KEHO:** Right.

9 **CHAIR YEBER:** -- bring them closer to compliance?

10 **JOHN KEHO:** Right.

11 **CHAIR YEBER:** Commissioner Altschul?

12 **COMMISSIONER ALTSCHUL:** The Business License
13 Commission has attached certain conditions, I believe,
14 to their business license. I understand that they're
15 not in compliance with several, if not more than
16 several, of those conditions. Is that -- could you
17 assess the condition -- the status of that?

18 **MICHAEL JENKINS:** The Business License Commission
19 took an action to add conditions to the license. That
20 action was appealed to the City Council. While that
21 appeal was pending in front of the City Council, the
22 applicant withdrew its application for the -- with --
23 what it did, technically, was it surrendered its
24 business license, asserting that it did not need a
25 business license for public eating on the ground, that

1 it was not serving the public.

2 Consequently, that license is not in effect
3 depending on who you talk to, I guess. The City took
4 the position that the license remains in effect. But
5 I would -- I would say that at this point that's an
6 issue currently in dispute. In the meantime, this
7 application for the parking structure and for a
8 conditional use permit was in process and coming
9 forward before the Planning Commission. Consequently,
10 your staff determined that the conditions that had
11 been presented to the Business License Commission and
12 the City Council on appeal would appropriately be
13 presented to you in the context of this CUP, insofar
14 as they do relate to the regulation of a land use.
15 That's why those conditions are being presented to
16 you. They are virtually the same as the conditions
17 that were being presented in the context of the
18 business license, and, in my judgment, more
19 appropriately presented in the context of a CUP.

20 So I would say that the business license is in
21 limbo at the present time. And if the Planning
22 Commission's -- if the Planning Commission were to
23 approve this CUP, subject to whatever conditions you
24 determine to be appropriate, it would moot the
25 business license dispute.

1 **COMMISSIONER ALTSCHUL:** Okay. One more follow-up
2 to that, Mike. It -- I just can't seem to get my
3 hands around or arms around the concept of the CUP
4 attaching to the garage and then from the garage
5 moving through the portico into the main business
6 structure activity.

7 In the years that I've been familiar with this,
8 the CUP attaches to the activity and not to the
9 parking. So how does this differ? And why is this
10 either a preferred or not so preferred a way? Or is
11 it just a mechanism to get the thing moving and going
12 and it doesn't make any difference whether the CUP is
13 generated by the primary activity or by the garage?

14 **MICHAEL JENKINS:** Commissioner Altschul, let me -
15 - I don't think that you and I see this differently.
16 And so perhaps it's just a function of our not
17 explaining it well enough. Because it -- from the
18 sound of your question, it seems to me as though we
19 see it virtually the same. So let me try, then if I
20 haven't answered your question, let me know and I'll
21 try again.

22 The synagogue, at the present time, is
23 nonconforming for one reason; it lacks a conditional
24 use permit. It may continue to operate without a
25 conditional use permit as a nonconforming use forever.

1 However, under our code, it may not expand or
2 intensify. In other words, it is fixed like a
3 snapshot. It can only do what it was doing at the
4 time the City adopted its zoning ordinance and
5 rendered it legal nonconforming.

6 The synagogue has expressed a desire to build
7 this parking structure. Our code does not allow it to
8 expand or intensify its operation by constructing a
9 structure as long as it is nonconforming. Hence, in
10 order for it to be eligible to expand, it must become
11 conforming. And there's only one way that it can do
12 that. And that's by the approval of a conditional use
13 permit.

14 The conditional use permit is for the entirety of
15 the use, the synagogue and in -- in the end, the
16 parking structure, but the -- the -- globally, the
17 entire activity. It legalizes that activity so that
18 it's no longer legal nonconforming. It would then be
19 fully conforming if the CUP were approved.

20 Once it's conforming, it's then in a position to
21 ask you for an intensification in the form of the
22 construction of a parking structure. And what we have
23 done here tonight is joined those two things together
24 in a single application. So you are, in effect,
25 concurrently considering both things.

1 Does that answer your question?

2 **COMMISSIONER ALTSCHUL:** Yes, but it leads to one
3 more question. If we're bringing it up to conforming
4 status and the main activity here that we're
5 discussing is a social hall or a banquet facility,
6 which I suppose or propose is an assembly use which
7 requires 28 spaces per 1,000 square feet, the last I
8 recall, how in the world would a 50-some-odd space
9 garage accommodate making that conforming?

10 **MICHAEL JENKINS:** I'm going to let John first
11 respond to that.

12 **JOHN KEHO:** And how we've handled those
13 situations is, as we talked about, we're bringing it
14 more into conformance. So it's in conformance about
15 the use that has a CUP, so it's in total conformance
16 with that. However, the structure, other components
17 of it, might remain noncompliant.

18 For example, I think there are some setbacks on
19 the back that aren't compliant 'cause it was built
20 before cityhood. So we can't -- we're not going to
21 bring the building into compliance by making them
22 carve away at the back of the building to meet current
23 setback requirements. And for the parking, we don't
24 make them meet the full requirement of parking spaces;
25 we hope the site has the ability to bring it more into

1 compliance.

2 **MICHAEL JENKINS:** And allow me to supplement that
3 before your next question by making this observation.
4 The -- the ac -- the structure may be nonconforming as
5 to standards in certain respects and the use is
6 nonconforming as a nonconforming use. Those are two
7 different categories of nonconformity, use
8 nonconformity and structure nonconformity.

9 The CUP would eliminate the use nonconformity.
10 It would make it a conforming use because we require
11 that institutional uses in residential zones have a
12 CUP. Why? We require them to have a CUP so that we
13 can impose reasonable conditions to assure conformity
14 with the surrounding residential neighborhood. That's
15 very typical in a zoning ordinance where you have
16 institutional uses that are commonly associated with
17 residential uses.

18 And for the history of zoning in this country,
19 it's always been believed that certain activities of
20 an institutional nature, schools, churches, belong in
21 the midst of residences, and that's why they're
22 allowed in residential zones.

23 So the CUP addresses the use nonconformity. It
24 doesn't cure the structural nonconformity in its
25 entirety. As John indicated, it simply brings the

1 structure closer, as close as they can get it onsite,
2 to our parking requirements.

3 **COMMISSIONER ALTSCHUL:** So would that then lead
4 to the conclusion that if you give the CUP to the
5 garage before you address the CUP to the main facility
6 and its uses, then you're getting around or obviating
7 the need to have current standards apply because
8 you're not giving the CUP first to the social hall
9 itself?

10 **MICHAEL JENKINS:** I fear we are engaged in a
11 chicken-and-egg sort of a discussion.

12 **COMMISSIONER ALTSCHUL:** Right.

13 **MICHAEL JENKINS:** We're not giving a CUP for the
14 garage. What we are -- what has been applied for and
15 what is before you is a conditional use permit for the
16 synagogue, as an activity, as a use in a residential
17 zone.

18 What is in front of you for the garage is, in
19 effect, a development permit which is a permit that is
20 required for the construction of this structure. So
21 you're not giving them a CUP for the garage. The CUP
22 legalizes the activity, and the development permit
23 grants the garage.

24 Now, if -- does that -- does that make sense?

25 **COMMISSIONER ALTSCHUL:** Yes. But again, they

1 wouldn't need a CUP to legalize the activity of a
2 synagogue. But since the synagogue has morphed into
3 either a party hall, a nightclub, or whatever else you
4 might want to call it, then it needs a CUP.

5 **MICHAEL JENKINS:** Actually, no. And in this --
6 well, actually no. The synagogue, to become
7 conforming, would require a CUP if it had no banquet
8 hall at all. The existence of the banquet hall does
9 not play a role in that. A religious facility of any
10 kind, with or without a banquet hall, needs a CUP in a
11 residential zone to be conforming.

12 The fact that there is a banquet hall that is
13 being used for banquets in the manner that it's being
14 used simply has created some other issues that are
15 addressed or proposed to be addressed in some of the
16 operating conditions.

17 **COMMISSIONER ALTSCHUL:** Okay. I promise this is
18 my last question.

19 **MICHAEL JENKINS:** You can ask as many questions
20 as you like. We're here at your pleasure.

21 **COMMISSIONER ALTSCHUL:** Thank you. So John keeps
22 using the term more conforming.

23 **MICHAEL JENKINS:** I didn't hear that. I'm sorry.
24 The term what?

25 **COMMISSIONER ALTSCHUL:** More conforming.

1 **MICHAEL JENKINS:** More conforming.

2 **COMMISSIONER ALTSCHUL:** That this is going to
3 bring it into a more conforming --

4 **MICHAEL JENKINS:** Structurally. From the point
5 of view of compliance with standards.

6 **COMMISSIONER ALTSCHUL:** What is the advantage of
7 having it more conforming rather than totally
8 conforming?

9 **MICHAEL JENKINS:** There are some structures that
10 cannot achieve 100 percent conformity with standards
11 either because of their current situation, as John
12 indicated, they may violate setbacks and it would
13 require massive demolition in order to make them
14 completely conforming, or there's insufficient square
15 footage on the property. In this instance, the
16 applicant has -- has come up with a plan for a
17 structure that is -- that works on that site and it
18 can't hold any more spaces than it holds. So that's
19 the problem.

20 The only way to make it more -- 100 percent
21 conforming is if they had more land, but they don't.
22 And we have certain parameters in terms of setbacks,
23 height, that they have to operate in. And so this is
24 the maximum number of spaces that they could achieve,
25 given what they've got to work with.

1 And as was indicated by -- by our staff, it gets
2 them closer because it provides more spaces onsite
3 than exist there today to help meet the demand.

4 **COMMISSIONER ALTSCHUL:** So the philosophy is
5 better to be more conforming than not more conforming
6 because you can't achieve the goal of totally
7 conforming?

8 **MICHAEL JENKINS:** I'd agree with that.

9 **COMMISSIONER ALTSCHUL:** Okay. Thank you. And
10 thank you for your indulgence.

11 **CHAIR YEBER:** I actually have a question, 'cause
12 this was sort of a discussion that I had with the
13 planning manager earlier regarding this, because you
14 said that the condition -- the CUP runs with the
15 entire facility. And, yet, on page nine of 11, it
16 states otherwise, and that it's only running with the
17 banquet and social halls, not necessarily the school
18 or --

19 **JOHN KEHO:** Right, because those are other
20 entities.

21 **CHAIR YEBER:** Right.

22 **JOHN KEHO:** So the conditional use permit is for
23 the religious organization that operates the full
24 building. They operate the entire facility.

25 **CHAIR YEBER:** The entire facility, including the

1 school?

2 **JOHN KEHO:** Well, the CUP is for the primary
3 occupant of --

4 **CHAIR YEBER:** Which is the IAJC?

5 **JOHN KEHO:** IAJC. They may sublet to other
6 tenants --

7 **CHAIR YEBER:** Right.

8 **JOHN KEHO:** -- that have been there for years and
9 years and years. And so the CUP is for the religious
10 facility, it's not dealing -- because those sublessees
11 aren't applicants. They're not doing anything to
12 their uses that are requiring any changes. So they're
13 just a tenant per se.

14 **CHAIR YEBER:** So if a new tenant were to come in
15 --

16 **JOHN KEHO:** -- and wanted to --

17 **CHAIR YEBER:** -- that required a CUP, so it would
18 be a CUP --

19 **JOHN KEHO:** Then they -- then they would need to
20 apply for a CUP for themselves.

21 **CHAIR YEBER:** A CUP that would be on top of the
22 CUP for the entire --

23 **JOHN KEHO:** In addition to.

24 **CHAIR YEBER:** -- facility?

25 **JOHN KEHO:** Sure.

1 **CHAIR YEBER:** Okay.

2 **COMMISSIONER BUCKNER:** The school doesn't use a
3 CUP now?

4 **COMMISSIONER BERNSTEIN:** I had a question.

5 **CHAIR YEBER:** Go ahead, Commissioner Bernstein.

6 **COMMISSIONER BERNSTEIN:** Yeah. Mike, I just
7 wanted to clarify, given the disputed business
8 license, and my guess that we'll be hearing testimony
9 about that.

10 **MICHAEL JENKINS:** I hope not.

11 **COMMISSIONER BERNSTEIN:** What is the legal
12 relevance of the uncertain status of the business
13 license to what we are going to be considering
14 tonight?

15 **MICHAEL JENKINS:** None.

16 **COMMISSIONER BERNSTEIN:** Okay. And then just one
17 other question about that.

18 **MICHAEL JENKINS:** And -- and consequently, I hope
19 we're not going to hear anything about that.

20 **COMMISSIONER BERNSTEIN:** Thank you. A CUP
21 wouldn't cover a public eating license. Wouldn't that
22 be what the purpose of a business license is? Because
23 there's a condition here --

24 **MICHAEL JENKINS:** A business -- a business
25 license is required for public eating. The dispute,

1 in part, centers around whether or not this is a
2 facility that provides public eating.

3 The applicant, when it surrendered its license to
4 the City, took the position that it was not a business
5 that served the public, but, in fact, it only served
6 food in connection with its own activities.
7 Consequently, the -- one of the conditions that's
8 being proposed endeavors to reflect that by -- by
9 stating that the banquet halls are restricted to
10 activities associated with and tradi -- well,
11 traditionally associated with a synagogue. That's
12 15.2. To make it clear that it's not a place that
13 rents itself out for -- to the general public for
14 parties in the same way that a banquet facility in a
15 commercial zone is permitted, such as a hotel or a
16 restaurant.

17 And 15.3 is, if that's where you are heading --

18 **COMMISSIONER BERNSTEIN:** Yeah.

19 **MICHAEL JENKINS:** -- with your question. As I
20 read it and understand it, is designed to further
21 affirm that point, that this is not a commercial
22 banquet facility that holds itself open and available
23 for rental for any party or banquet, that anybody out
24 there in the world wishes to hold, that it -- that
25 this is a synagogue and that it's facilities must be

1 used in a manner that is consistent with the mission,
2 the religious mission of the synagogue.

3 And so what they're saying is that it doesn't --
4 they can't do anything that would require a public
5 eating license because that would make it a commercial
6 operation that opens its doors to the public. And
7 that's not what it is and not what it's proposing to
8 be.

9 **COMMISSIONER BERNSTEIN:** But correct me if I'm
10 wrong. If I'm reading this right, that only would
11 apply to pre-construction and what you're describing
12 would seem to be relevant for the entire life of the
13 enterprise.

14 **JOHN KEHO:** No, we've added that in the new con -
15 - in the new conditions. Well, it does say pre-
16 construction --

17 **COMMISSIONER BUCKNER:** (Inaudible)

18 **MICHAEL JENKINS:** The heading in 15.0 is
19 misleading, and you've raised a good point. We might
20 want to --

21 **COMMISSIONER BERNSTEIN:** So we can make sure that
22 it's in all of the condi -- all the way through.

23 **MICHAEL JENKINS:** We want to make -- let's make
24 that clear right now that if -- if 15. -- 15.1 --

25 **JOHN KEHO:** The public eating license is 15.3.

1 **MICHAEL JENKINS:** Right. But some of these
2 conditions only apply in the preconstruction period.
3 For example, portions of 15.1 and --

4 **COMMISSIONER BUCKNER:** Fifteen point four should
5 also --

6 **MICHAEL JENKINS:** No. Most of these will remain
7 in effect afterwards. And so we really should
8 probably change the title in 15.0, and we can work on
9 that while you're hearing testimony.

10 **COMMISSIONER BUCKNER:** 15.5 also, most of it.

11 **MICHAEL JENKINS:** Right. We will work on that
12 and get back to you after you've heard the testimony
13 relative to which ones of these are limited to
14 preconstruction and which ones would remain in effect
15 after the structure's in place.

16 **COMMISSIONER BERNSTEIN:** Thank you.

17 **CHAIR YEBER:** Commissioner Hamaker?

18 **COMMISSIONER HAMAKER:** Yeah. This is a question
19 for Mike Jenkins. Mike, back up to about 10 minutes
20 ago when you were talking about a snapshot in time
21 where use cannot be intensified when the zoning
22 ordinance was written.

23 According to a lot of the correspondence in the
24 staff report, there -- and I don't know when the
25 zoning ordinance was written. But the en -- there has

1 been an incredible intensification of use. And so I'm
2 wondering why that intensification of use does not
3 apply in this case or does apply in this case.

4 **MICHAEL JENKINS:** Well, I'll let John go first.

5 **JOHN KEHO:** I know there's been some discussion
6 about some remodeling that took place in the past at
7 that location, and was that an intensification.

8 The permits for -- that they applied for back in
9 2000, I think it was or sometime in that time period,
10 show that there was a banquet facility in the
11 structure. And so the proposal was just to rearrange
12 the banquet facility in the structure. So that was
13 not considered an intensification since that use was
14 already there. So there was no -- so there's no
15 purporting to the city staff that they were changing
16 the operations or doing anything like that, that it
17 was just, this is how the building had been for, you
18 know, 40 years. We're now remodeling it. So that's
19 what was approved.

20 **MICHAEL JENKINS:** And let me just add to that
21 comment that I may have inadvertently used a word that
22 I should not have used, and that created some
23 confusion for you. Here's exactly what the zoning
24 ordinance says: a nonconforming use shall not be
25 enlarged or increased to occupy a greater floor area

1 or portion of the site than it lawfully occupied
2 before becoming a nonconforming use.

3 It doesn't talk about intensification.

4 Consequently, the fact that they may be more
5 successful in the last couple of years in terms of the
6 number of parties or the number of people being
7 attracted would not -- would not implicate this.

8 The structure itself may not be expanded either,
9 but the code does not use the word intensification.
10 And in that regard I apologize for having misled you.

11 **COMMISSIONER HAMAKER:** Okay. I understand now.
12 So you're talking about structure and I was referring
13 to the actual --

14 **MICHAEL JENKINS:** That's right.

15 **COMMISSIONER HAMAKER:** -- intensification of
16 these? I have another question. Because there was --
17 there's a lot of correspondence about the structure as
18 it appears in above ground inline with apartments
19 around, I see that the renderings are -- do not
20 address the surrounding neighborhood; they're in
21 limbo. And I was expecting actually a massing model
22 so that we could see how the above-ground structure
23 was affecting the surrounding apartment buildings.
24 Was that not required in this case? There's no visual
25 comparison available.

1 **JOHN KEHO:** Sorry. I guess we don't have a model
2 at this time.

3 **COMMISSIONER ALTSCHUL:** The condition that talks
4 about who uses the facility, the banquet facility, and
5 it kind of infers in its language that it is only
6 people that are associated or affiliated with this
7 particular congregation.

8 Nevertheless, there's I think going to be
9 testimony and written evidence shown that they are
10 appealing to, at least, people who are not affiliated
11 with this congregation or affiliated with other
12 congregations. Does this condition either anticipate,
13 allow, or not anticipate and not allow, a member of a
14 congregation in Pomona from coming here and having
15 their party here?

16 **MICHAEL JENKINS:** Your question touches on
17 probably what I consider to be the most difficult area
18 of all in this particular matter; and that is, the --
19 the degree to which the City may regulate a religious
20 activity. What constitutes an activity that is
21 traditionally associated with a synagogue that is
22 within its mission?

23 I can give you numerous examples of functions
24 that don't and that clearly fall on the other side of
25 the line. And I think we could all come up with

1 examples of such activities that are clearly
2 unrelated. And then there are activities that we can
3 all agree are clearly within the scope.

4 It's those that are closer to the line that are
5 more difficult to ascertain. For example, if a -- if
6 a nonmember of the synagogue approached the rabbi and
7 asked if they could have their wedding or their
8 child's Bar Mitzvah at the synagogue and it were a
9 traditional, I'll use the phrase lifecycle event of
10 the Jewish faith, would it be permissible in this
11 synagogue?

12 If I were asked that question, I would say yes.
13 That's where I would fall on that side of it.

14 If -- if -- well, let me just leave it there. I
15 think that there are going to be examples, there are
16 going to be situations that come up that come in that
17 gray area, and that's a function of implementation and
18 enforcement on the part of the City.

19 I also can tell you that we have struggled
20 mightily to come up with wording that addresses this
21 issue and tries to constrain the activity without
22 constraining it excessively and without unduly
23 interfering with what constitutes an activity
24 traditionally associated with a synagogue. And it's
25 not been easy and it's not going to be an empirical or

1 scientific exercise where we'll be able to determine
2 in every single instance there may be circumstances
3 where we have to make judgment calls.

4 But the answer to your question is, I think I
5 would probably conclude that a lifecycle event of the
6 Jewish faith by a nonmember, if permitted in the
7 synagogue, would probably be permitted.

8 **COMMISSIONER ALTSCHUL:** But we are able to
9 confine it to the Jewish faith since this is Jewish
10 space?

11 **MICHAEL JENKINS:** That -- that's our -- that's
12 our goal here. But I've got to tell you that I know
13 of many churches that make their facilities available
14 to Jewish congregations that don't have facilities big
15 enough to handle the High Holy Day religious services.
16 And that level of cooperation between religious
17 institutions is very common.

18 And so I'm not sure I can sit here tonight and
19 guarantee to you that if a local church needed a
20 larger facility for a Christian service, that that
21 wouldn't be permissible.

22 On the other hand, I think it would be fair to
23 say that we would look very, very closely at evening
24 events that involve large numbers of people, dancing,
25 music, and alcohol that weren't associated with a

1 religious activity.

2 **COMMISSIONER ALTSCHUL:** But it could be a non-
3 Jewish religious activity --

4 **MICHAEL JENKINS:** Well, we've --

5 **COMMISSIONER ALTSCHUL:** -- and we might have to
6 give it a pass.

7 **MICHAEL JENKINS:** We haven't addressed that
8 question. And, frankly, it hasn't come up yet. And
9 they've -- they -- as far as I know that's not
10 something that they've done. It's not one of the
11 examples of the types of activities that we've been
12 concerned about in the past. We have our code
13 compliance manager here; maybe he knows. Have we ever
14 had something like that?

15 To date we're not aware of that, that type of
16 activity. But again, the language -- the language is
17 necessarily imprecise, but it says activities
18 traditionally associated. That's what we're trying to
19 confine the activities in the facility to.

20 **COMMISSIONER ALTSCHUL:** And we don't have a
21 situation where for every event they have to get a
22 permit --

23 **MICHAEL JENKINS:** No, they don't.

24 **COMMISSIONER ALTSCHUL:** -- once we give a CUP?

25 **MICHAEL JENKINS:** That's correct.

1 **COMMISSIONER ALTSCHUL:** So you say we're going to
2 take a very close look at it. Any look that we're
3 going to take, and any event that they have there will
4 have to probably be after-the-fact, won't it?

5 **MICHAEL JENKINS:** Could be. It depends.
6 Sometimes we know in advance. Sometimes neighbors
7 tell us what's going on. Sometimes we see a flyer or
8 sometimes we obtain information, and, yet, sometimes
9 it would be after-the-fact.

10 **COMMISSIONER DELUCCIO:** Can I jump in here?
11 Isn't there a condition where on a monthly --

12 **JOHN KEHO:** Right.

13 **COMMISSIONER DELUCCIO:** -- basis they're going to
14 give you a list of upcoming events?

15 **JOHN KEHO:** Right. We do have condition 12.6,
16 says a representative from the IAJC shall submit
17 notice to the code compliance manager for staff each
18 month of all banquet and dinner events to be held on
19 the premises for that month.

20 **CHAIR YEBER:** Okay. Are there any other
21 questions at this time? We'll have more opportunity
22 after -- after the public testimony.

23 Before I move on, though, I'd like to do
24 disclosures starting with Commissioner Hamaker.

25 **COMMISSIONER HAMAKER:** I have been to the parking

1 lot. I got my signals crossed with the meeting,
2 actually. So I have not been inside of the hall. So
3 I did not meet with the applicant. I have met with
4 some of the neighbors. That's it.

5 **CHAIR YEBER:** Commissioner DELUCCIO?

6 **COMMISSIONER DELUCCIO:** Yeah. I requested a site
7 visit. So I did meet with Kate Bartolo and Michael
8 Lewis; they're part of the applicant's team. And I
9 did meet with several of the neighbors also just to
10 see, and they requested a meeting and I met with them.

11 **CHAIR YEBER:** Commissioner Guardarrama?

12 **VICE-CHAIR GUARDARRAMA:** I met with the applicant
13 last Wednesday and I toured the facility and we
14 discussed matters that are contained in the staff
15 report and supplemental materials.

16 **CHAIR YEBER:** Commissioner Altschul?

17 **COMMISSIONER ALTSCHUL:** I've had several
18 conversations with Ms. Bartolo.

19 **CHAIR YEBER:** Commissioner Bernstein?

20 **COMMISSIONER BERNSTEIN:** I have visited the site.
21 I have had conversations with the applicant's
22 representatives. I have had conversations with
23 neighbors in which we have discussed matters contained
24 within the staff report and supplemental material.

25 And I think I should also disclose that I am a

1 trustee of Congregation Kol Ami, only because it is
2 mentioned at points in some of the material we have.
3 We are not affiliated in any formal way with this
4 congregation. I'm unaware that we have taken any
5 action regarding this, but I just thought I should
6 mention that.

7 **CHAIR YEBER:** Commissioner Buckner?

8 **COMMISSIONER BUCKNER:** I too have had several
9 conversations, phone conversations with the
10 applicant's representative, Ms. Bartolo. I received
11 an e-mail and wasn't able really to engage in any kind
12 of dialogue through e-mail with Ric Abramson. Other
13 than that, I haven't had any contact with any --
14 anybody on either side. And the discussions with Ms.
15 Bartolo related to matters in the staff report and
16 supplemental materials that were provided by staff and
17 the applicants.

18 **CHAIR YEBER:** And I too met with the applicant,
19 specifically Ms. Bartolo, met her at the facility to
20 discuss matters contained in the report and
21 supplemental materials. I also extended the same
22 courtesy and time to the neighbors, a group of
23 neighbors, also discussing issues that were contained
24 in the report and supplemental materials.

25 So with that, we have a number of speakers.

1 Okay. Yeah, why don't we do that? There's been a
2 request to take a quick break, a five-minute break,
3 before we move on to public testimony. We'll start
4 with -- yes, Ms. Bartolo?

5 **KATE BARTOLO:** Is it possible -- excuse me. One
6 of the -- two of the speakers, one is Rabbi Huttler,
7 and he's a congregation member who needs to visit --
8 or visit a congregation member who is in mourning. Is
9 it possible for him to speak? And Jane Tavyev and her
10 husband, Arash Ashe, because Jane is ill and she and
11 her husband drove together. Is it possible to speak
12 before the break? And I'm sorry to ask, it's just
13 they have to leave.

14 **COMMISSIONER ALTSCHUL.** No.

15 **COMMISSIONER DELUCCIO:** Can they speak when we
16 come back?

17 **COMMISSIONER BUCKNER:** It's five minutes. First
18 ones?

19 **CHAIR YEBER:** I mean, we're -- I'm willing to
20 have --

21 **COMMISSIONER ALTSCHUL:** Yeah.

22 **CHAIR YEBER:** -- them speak first when we come
23 back.

24 **COMMISSIONER ALTSCHUL:** Yeah.

25 **CHAIR YEBER:** I'd rather put all the public

1 testimony together.

2 **KATE BARTOLO:** I understand. I do understand.

3 **CHAIR YEBER:** So if they can wait just five
4 minutes.

5 **KATE BARTOLO:** Okay. Thank you.

6 **CHAIR YEBER:** Please do not discuss this item
7 with the commissioners; it's in open testimony right
8 now. Thank you.

9 (Recess)

10 **CHAIR YEBER:** If I could get everyone to resume -
11 - return to their seats; we have quite a long meeting
12 ahead of us.

13 (Inaudible) cordial and efficient manner as
14 possible. We realize this is a very contentious
15 issue. And we're hoping that when you come to the
16 podium you leave your emotions as best as you can at
17 the seat -- at your seat and be respectful, each side
18 be respectful. I ask there's no clapping. This is
19 not a competition. It's not who's going to win.

20 We're trying to come to a resolution where
21 everyone can be happy here. We're going to do two
22 minutes for all speakers, except the applicant will
23 have two -- 10 minutes. That applicant includes the
24 applicant's -- all the applicant's consultants, all
25 the board -- all the board members that are here, any

1 directors, any officers, anybody associated with IAJC,
2 okay.

3 If you are -- fit any of those categories, you
4 are part of the applicant's 10 minutes, five minutes
5 rebuttal at the back end.

6 Again, I really request that everyone be
7 respectful and let's try to get through as much of
8 this as possible in a very civilized fashion as
9 possible.

10 So with that, I'm going to ask the applicant's
11 representatives to come up and start us off.

12 **KATE BARTOLO:** Might we still talk -- have Rabbi
13 Huttler come up and Jane --

14 **CHAIR YEBER:** Oh, yeah --

15 **KATE BARTOLO** -- Tarvyev if it's possible.

16 **CHAIR YEBER:** -- you wanted to have those -- yes,
17 by all means.

18 **KATE BARTOLO:** Yes, please. And they can speak
19 for just one minute.

20 **CHAIR YEBER:** Sure, that's fine.

21 **RABBI HUTTLER:** Thank you very much. My name is
22 Rubin Huttler, and I am the Orthodox Rabbi of S. Jacob
23 Congregation which is located at 7659 Beverly
24 Boulevard. I have been rabbi there for 40 years. I
25 have conducted many religious cultural services during

1 my tenure at S. Jacob. And I respectfully submit that
2 Jewish religious services are linked to cultural
3 traditions of our -- of our people.

4 I heard a few minutes ago that there was some
5 concern about the mission of the synagogue. And I
6 want to say clearly that when you talk about a wedding
7 or a Bar Mitzvah or any religious service, you can't
8 separate the religious aspect, meaning the ceremony
9 which takes place under the Hukbo, when to marry the -
10 - when the couple gets married, from the festivities
11 that take place afterwards; it's all one thing.

12 And this is historically true. If you look into
13 the history of people, you will see that this is how
14 the weddings were conducted and other services as
15 well? So the mission is truly not only a religious,
16 but a cultural one as well. And I would say the
17 cultural really is part of the religious.

18 And if we deviate from these practices, then we
19 put [into jeopardize] the very essence of the ceremony
20 and the celebration.

21 I, therefore, respectfully urge the Commission to
22 give every consideration to the Iranian American
23 Jewish Center which has become one of the most
24 important centers for this -- for these religious
25 cultural celebrations, to allow them to continue to

1 host these important religious cultural events. Thank
2 you. I think that means I'm not supposed to talk
3 anymore.

4 **CHAIR YEBER:** That's fine.

5 **RABBI HUTTLER:** Thank you very much.

6 **CHAIR YEBER:** Thank you very much. Kate, who was
7 the next one that needed to speak due to an illness?

8 **JANE TAVYEV:** Hi. My name is Jane Tavyev. This
9 is my husband, Arash Ashe. We live in Los Angeles.
10 We were married nearly a year ago, March 14th, at the
11 -- we had our -- and I understand a lot of commotion
12 has come up because our ceremony was at Greystone and
13 our reception was at the IAJC. The idea being that
14 perhaps our reception was not a religious event.

15 We are both Jewish. We live at Jewish Life here
16 in Los Angeles. We're both physicians in the Jewish
17 Hospital at Cedar Sinai.

18 We -- our reception had our rabbi and our cantor,
19 who I brought from Houston where I just moved from
20 recently. We had many religious aspects to our
21 reception, including the [Halla] cutting. The rabbi
22 and cantor did a ceremony where the wine was mixed to
23 represent the mixing of our families. We had probably
24 the longest Hora you've ever seen.

25 The reason why we didn't have our ceremony at the

1 IAJC is because my husband's father passed away about
2 four and a half years ago, and his memorial, also a
3 Jewish event, was held in the synagogue portion of the
4 IAJC, and it was understandably too painful for him to
5 have both his wedding and his father's memorial
6 service in the same space.

7 So we used Sapper Hall for our -- for our
8 cocktail hour, which we needed that space rather than
9 the foyer since we had about 380 people at our
10 wedding. And then we had dinner, Hora, everything, in
11 Neman Hall.

12 So I think I'm just here to contest, at least on
13 -- from my own experience, that our event, I know, has
14 come up in question, and, certainly, it was definitely
15 very Jewish all the way through.

16 **CHAIR YEBER:** Thank you. There's a question from
17 a Commissioner if you have one more minute.

18 **JANE TAVYEV:** Yes.

19 **COMMISSIONER HAMAKER:** Hi. Can I just ask you
20 the time frame, when your event started and how long
21 it lasted and when it ended, and what day of the week
22 it was?

23 **JANE TAVYEV:** The event was on a Sunday.

24 **MR. ASHE:** It was on a Sunday. The -- I think at
25 the Iranian Jewish Federation we gathered around 5:30

1 or six. I think most people left by 10:30 or 11, but
2 it ended completely by 12.

3 **JANE TAVYEV:** We started, of course, a smidge
4 late with our ceremony, but.

5 **CHAIR YEBER:** Thank you.

6 **COMMISSIONER HAMAKER:** Thank you very much.

7 **CHAIR YEBER:** Thank you. Ms. Bartolo?

8 **KATE BARTOLO:** Kate Bartolo, resident of West
9 Hollywood, representing --

10 **CHAIR YEBER:** Would you -- just quick question
11 just so we know how you're going to organize this. Is
12 this, you're going to use the entire 10 minutes or are
13 you going to split it with other --

14 **KATE BARTOLO:** The entire 10 minutes.

15 **CHAIR YEBER:** Okay. Great. It's your soap box.

16 **KATE BARTOLO:** -- resident of West Hollywood,
17 representative of the applicant. First, I want to
18 commend Joe Guardarrama and we're very sorry to see
19 him leave. And if John Altschul made the level of
20 commendations and compliments, I think that's
21 remarkable indeed. So kudos to you, and there is life
22 after Planning Commission.

23 Why the temple? The temple is -- was chosen
24 because it was in the original form. It was -- the
25 synagogue was built in the 1950s, because it was

1 centrally located and it was a non -- legally
2 nonconforming use. It was more a bund at the time it
3 was taken over as a synagogue, it was Temple Beth El
4 and it literally had fallen into such a low level of
5 participation and membership they had to almost start
6 from scratch; and they have built something out of
7 nothing since the late 1990s.

8 So why the temple here? It's an R zone; many
9 religious facilities are. There's a school,
10 auditorium, social hall since the 1960s. This is a
11 picture of the synagogue that was built in the 1950s,
12 which I think is a candidate for historic designation.

13 These are examples of the social halls that
14 currently exist there and were approved in the 1960s,
15 and more recently in a remodel basis in the City of
16 West Hollywood.

17 So what is this garage? This garage is for the
18 purpose of adding 50 new parking spaces. It is 23
19 feet high. It is 17 feet high on the west side of the
20 wall that is facing the parking -- facing the
21 residents that are adjacent in the apartment building
22 north. It is 21 feet high closer to Crescent Heights.

23 The site is also an allowable R4 use, has -- it
24 could potentially have four stories and 45 feet with
25 the same five-foot setback, were it built for these

1 other uses.

2 I think one of the unique characters that we need
3 to look at at West Hollywood is that virtually every
4 site in West Hollywood abuts residential, whether it's
5 commercially zoned or whether it's residentially
6 zoned.

7 Now, why build this garage? The purpose of the
8 garage is for additional parking, but it's to stem
9 neighborhood impacts. If you look on the drive in, if
10 you see the ingress/egress, and it's really not, I'm
11 sorry, blown up sufficiently.

12 But the way that we have designed it is that when
13 you drive in, we're addressing one of the major areas
14 of impact, which is, if you go to the left, it has a
15 capacity for truck loading and unloading in the far
16 west side furthest from residential of the site, to
17 have vendors load and unload in a hermetically sealed
18 physical structure.

19 The purpose of it originally was more parking,
20 and it's been designed now, over five years of work
21 with the City and at the desire of the temple, to stem
22 neighborhood impacts, to serve as a sound buffer. And
23 they're making a major investment for that purpose.

24 The design has been fully vetted by the staff,
25 again, over -- on and off for five years. This is the

1 second site that had been proposed originally. It's
2 gone through design review. It was one of the last
3 projects approved by John Chase.

4 What we're asking that you focus on now is on
5 mitigating on measures that mitigate the noise impacts
6 but not on undue restrictions on the events
7 themselves. The events -- the -- excuse me. The
8 impacts, as we see it, are twofold. And it's really
9 based on a review of all the complaints filed with
10 code compliance over the last three years.

11 Most of the complaints have come regarding noise
12 from vendors loading and unloading. Secondly, by 50
13 percent reduction, it was noise from patrons exiting
14 mainly while waiting for valets.

15 The proposed structure and staff conditions for
16 during construction set strict measures on this. The
17 garage, we believe very strongly, is the solution; it
18 is not the problem. The CUP is the solution, not the
19 problem. This is very critical. It is the first time
20 the City will actually have control over how this site
21 and its uses and activities are regulated. That is a
22 game changer.

23 The temple recognizes the terrible result of the
24 breakdown in communication that's occurred, and they
25 do take some of the responsibility for it and it has

1 not helped in the relationships. There have been
2 substantial changes that have occurred in the last
3 several years that now more recently are going to be,
4 I think set a new direction. And what we hope is that
5 after we get past this, we can set up a new
6 relationship with the staff.

7 The bottom line, though, it has to be
8 acknowledged, this is a legal, nonconforming use. To
9 authorize the parking structure, the City has
10 determined it needs a change in use. Now CUP is
11 needed. Again, the first time it's going to be
12 meaningfully regulated.

13 The original county construction, and you have
14 heard, I think, a flurry of accusations on this, were
15 contending that perhaps there were regulations in
16 place; that is not the case. It was approved through
17 permitting. And then it was in the 1960s, there were
18 no regulations on hours and it approved social hours.

19 Now, here's what the CUP won't do. It's not
20 going to increase occupancy in the property. It's not
21 going to increase the frequency or attendance. It's
22 not going to increase site area as has been pointed
23 out, and it's going to be less than half the height as
24 what -- of what is legally allowed were an apartment
25 building be constructed.

1 What the CUP will do, it's going to establish
2 standards for compliance, a series of conditions where
3 none exist, 'cause previously no hours exist because
4 the public eating license as has been discussed is in,
5 quote, limbo, we believe it not to be applicable
6 because it doesn't meet the standards for a public
7 eating license.

8 The conditions preconstruction, the -- we have
9 concerns about loading and unloading in terms of in
10 front of the temple because it's become the solution.
11 There are some rare instances, there are instances
12 where people -- vendors have to leave at the end of an
13 evening, they have to wait until the end, but -- that
14 is a concern. But I will tell you, the other
15 conditions, after review today, they were just
16 introduced, are acceptable to us.

17 The key is to be able to continue the already
18 volunteered hours that are part of those conditions as
19 recommended by staff. Why these hours? Rabbi Huttler
20 touched on it; other rabbis will as well.

21 Cultural and religious, from everything that I
22 have investigated, and I started out as a skeptic, I
23 have concluded, after talking to rabbis, scholars, who
24 are conservative, orthodox, that cultural and
25 religious in this context is absolutely inseparable.

1 The Federation serves a diverse membership,
2 orthodox, conservative, Ashkenazi, Sephardic, from
3 regions and continents all over the world, from Middle
4 East to Africa to Eastern Europe, Russia part of
5 Eastern Europe. And so they come together. They have
6 all different cultures. They have all different
7 rights and tradition that accrue from that. And one
8 cannot separate their ethnic, cultural traditions from
9 their observance of religion.

10 The late night hours tend to be more Sephardic,
11 but the Ashkenazi, particularly the Russians, also
12 tend to follow the late night hours. Sundown
13 weekdays, the purpose of starting at -- after dark --
14 and weddings do occur very frequently in particularly
15 in the orthodox community, on weekdays. And they --
16 because people have to come from work, they may need
17 to start and go home, pick up the kids, pick up the
18 husband or wife, dress. They need the time in LA for
19 drive time.

20 Saturday after sundown, under orthodox tradition,
21 you can't even start preparing for the event and get
22 in the car until 72 minutes after sundown. In the
23 summer, obviously it's starting later.

24 Now, the concern's been raised about event types.
25 Let me give you an example of one that I attended the

1 other night. Mr. and Mrs. [Kay] were honored. And I
2 think some of the people here will want to mention
3 this. Very briefly, it was a fundraiser for Hatzola.
4 It was serving the Jewish community. It's a group
5 that -- it's a global group, several chapters
6 throughout the world, for 45 years. They provide
7 emergency medical assistance to the Jewish community,
8 taking patients to the hospitals. It serves in
9 adjacent neighborhoods to West Hollywood and portions
10 of West Hollywood.

11 The meeting, I was very pleased to note, was
12 literally wall-to-wall rabbis. By some estimates, the
13 numbers were up to 75 rabbis.

14 So the issue is, that was a purely non-profit
15 event and it was an event that benefited the Jewish
16 community. The funds in this -- for anything raised
17 after very high expenses for maintenance, go directly
18 into actually helping people. And I've seen and
19 personally reviewed the books for the charitable
20 events and it's quite extensive and impressive. And
21 at another time or if you have questions, I can follow
22 up and give that to you.

23 Now, we can also show you comparable religious
24 facilities. We reviewed eight religious -- Jewish
25 religious facilities, all comparable to a certain

1 degree with -- but mainly with social hall use. Many
2 others exist, but these are the closest proximity,
3 closest comparison. There are four that are located
4 in residential zones, all about residential. Most of
5 their standards are comparable to the temple. Most
6 have comparable hours. Nessah, in Beverly Hills, is
7 the most restrictive; it is Beverly Hills, not West
8 Hollywood; though another one has far less
9 restrictive. And, but they can be open 'til 11 a.m.,
10 and episodically one a.m.

11 Temple Israel volunteered to have some reductions
12 not required by city valet ordinance. They also have
13 open rooftop parking without any eight-foot wall noise
14 wall and it is a football-size field, open parking lot
15 that surrounds a series of multifamily R uses.

16 In Kol Ami, that's the only West Hollywood
17 facility comparable. It limits hours on rooftop but
18 not in the interior, and the interior is sometimes
19 used as a [Polish] social reception.

20 The neighborhood complaints over the years, what
21 code compliance has found, they'd inspect the site
22 within five minutes of the complaint and would find no
23 observance.

24 As it relates to <39:21>, we're not saying that
25 you have to follow <39:23>. It's not a prescriptive.

1 But there are guidelines in structures that deal with
2 that.

3 Finally, if I can just suggest that we ask that
4 you accept the staff resolution, as it represents five
5 years of exhaustive negotiation and we've worked
6 together. And I thank you very much, and I'm here for
7 any questions.

8 **CHAIR YEBER:** Thank you. Yes. Are there any
9 questions for the applicant at this point? Maybe at
10 the backend, Kate?

11 **KATE BARTOLO:** That's just fine. Thank you.

12 **CHAIR YEBER:** Okay. Great.

13 **KATE BARTOLO:** Oh, also, if you have any
14 questions separately about valet parking or about
15 landscaping, we have two of the people here who can
16 answer those questions.

17 **CHAIR YEBER:** Thank you. All right. Our next
18 speaker will be Rubin Huttler, followed by Marla
19 Miller.

20 **ERIN ANDERSON:** He's the gentlemen who spoke
21 first, so we can pass him.

22 (All members present state, "Aye".) Oh, Rubin -
23 - all right. Not Rabbi --

24 **ERIN ANDERSON:** I think that was Rabbi Huttler.

25 **CHAIR YEBER:** No. I also have a Rabbi Reuben

1 Milikan.

2 **ERIN ANDERSON:** That would be somebody else.

3 Sorry.

4 **CHAIR YEBER:** All right.

5 **JOHN KEHO:** Chair?

6 **CHAIR YEBER:** Yes?

7 **JOHN KEHO:** Did you indicate the time that
8 everyone was getting?

9 **CHAIR YEBER:** Yes, two minutes. Two minutes.

10 **RABBI MILIKAN:** Good evening, ladies and
11 gentlemen. I'm Rabbi Reuben Milikan. I am Persian,
12 of course; you can take it from my accent. I have
13 been here for many years. I must tell you that the
14 lady have spoken very eloquently, and these are the
15 things that even though I don't know her, these are
16 the things that I believe would apply.

17 The -- having your structure, parking structure,
18 at that location would be beneficial to the community
19 as well as to the members of the temple. Now, I would
20 say, look at the other temples, Temple Sinai on
21 Wilshire is -- all around is neighborhood with a lot
22 of great apartments. You go to Temple Sephardic right
23 next to it, the same way; they built underground
24 structure and people park and everyone at peace.

25 So, therefore, I think also with the economy that

1 we have these days, it would be recommended to have
2 such a structure built. And the temple is actually
3 not running the bulls, making noises, it's a facility,
4 a cultural facility that will help the community for
5 better being.

6 So, therefore, I believe very much that looking
7 at the other temples that are structured in and among
8 community, the structure should be built, and I
9 believe that all those neighbors who are living close
10 at proximity of that neighborhood eventually will have
11 a better life and better days. Thank you very much.

12 **CHAIR YEBER:** Thank you.

13 **RABBI MILIKAN:** Any questions?

14 **CHAIR YEBER:** No. Thank you very much.

15 **RABBI MILIKAN:** Thank you. Good night.

16 **CHAIR YEBER:** Marla Miller followed by Fred
17 [Golbar].

18 **MARLA MILLER:** Hi. I have lived at 1341 North --

19 **CHAIR YEBER:** State your name for the record,
20 please.

21 **MARLA MILLER:** Marla Miller.

22 **CHAIR YEBER:** Thank you.

23 **MARLA MILLER:** And I've lived next door to the
24 temple for almost 40 years I've been in that building.
25 And the last six years have been a living hell since

1 Neman Hall was built and turned into a commercial
2 banquet facility, and it acts way more like a
3 nightclub.

4 I -- we -- all of our neighbors, all of the Jews
5 -- and I am Jewish and I'm religious, welcome
6 services. We want them to have religious Bat
7 Mitzvahs, Bar Mitzvahs, Brit Milahs. But there's no
8 reason that they should go on past 10 p.m.

9 The rabbi spoke about parties beginning after
10 sundown on Shabbat, which is true. But the IAJF's
11 parties don't have any religious ceremony; the parties
12 just start around nine o'clock. They usually start
13 about four hours after sundown, not even close to
14 sundown, and there's usually no religious ceremony
15 prior to the party.

16 We have begged the IAJF for years to hire a
17 security guard to monitor the lot because the LA USD
18 school students with their blaring radios, you have
19 these parties, the extreme noise from the daycare,
20 drunks from the par -- you know, everything. Anyhow,
21 they told us it was too expensive. We asked for more
22 than the 10 to 12 valets that they have every night;
23 that was too expensive. But now they're offering to
24 do it once the parking lot is built. So how can they
25 afford it then unless there are more parties?

1 The other thing, we -- I cannot, along with the
2 other Jews in my building, cannot observe our Shabbat
3 because of the extreme loading and unloading in the --
4 what is required for these massive setups.

5 There's five to six parties every single week.
6 What other church or temple has got 10 to 12 valets
7 every night and five to six parties a week that go on
8 'til two a.m. Thank you.

9 **CHAIR YEBER:** Thank you.

10 **COMMISSIONER DELUCCIO:** Have a quick question.

11 **CHAIR YEBER:** Question.

12 **COMMISSIONER DELUCCIO:** Just real quick. Where
13 are they doing the loading and unloading?

14 **MARLA MILLER:** Well, recently, now they've been -
15 - ever since the Business License Commission, which
16 I'm not supposed to bring up, they -- there was a very
17 short lull in the party activities when the loading
18 and unloading finally got moved to the curbside
19 designated loading zone. They used to have about --

20 **COMMISSIONER DELUCCIO:** Where's it currently
21 being done?

22 **MARLA MILLER:** Now it's being done in the loading
23 zone, but it's --

24 **COMMISSIONER DELUCCIO:** Okay. Thank you. You
25 answered my question.

1 **COMMISSIONER BERNSTEIN:** Can I ask a question?

2 **CHAIR YEBER:** Yes. Ms. Miller, one more
3 question.

4 **MARLA MILLER:** I'm sorry.

5 **COMMISSIONER BERNSTEIN:** Could you briefly expand
6 on what you meant when you say that they behave more
7 like a nightclub than a religious organization?

8 **MARLA MILLER:** What I mean is that most other --
9 I mean, I've gone to temple my whole life. Any other
10 temple or church in West Hollywood, even the Shoshu
11 temple up the street, they don't have that kind of
12 loading and unloading with chairs going in and out
13 daily, trees, couches, anything. It's like a fantasy.
14 I have pictures that I've submitted, a fantasy
15 fairyland, huge -- and it doesn't matter; chandeliers.

16 The other thing I was going to say, that when
17 asking for these type of hours 'til 1:30 in the
18 morning, for ceremonies for a Brit Milah is a
19 circumcision for an infant child, an infant little
20 boy.

21 **COMMISSIONER BERNSTEIN:** I'm also Jewish. I'm
22 familiar with the service.

23 **MARLA MILLER:** Oh, I'm sorry.

24 **COMMISSIONER BERNSTEIN:** I was just curious about
25 --

1 **MARLA MILLER:** So what I meant is that --

2 **COMMISSIONER BERNSTEIN:** -- the nightclub
3 reference.

4 **MARLA MILLER:** -- anything that's where they
5 require --

6 **COMMISSIONER BERNSTEIN:** And, actually, you've
7 answered that. Thank you very much.

8 **MARLA MILLER:** Oh, I'm sorry.

9 **COMMISSIONER BERNSTEIN:** Thank you.

10 **CHAIR YEBER:** Thank you. Okay. So Fred Golbar
11 followed by Ann Thorne. If you can actually, if I
12 call your name, go ahead and stage or queue behind the
13 current speaker; it'll make this go quicker. Thank
14 you.

15 **MR. GOLBAR:** Good evening, Commission. My name
16 is Fred Golbar. I'm a member of the board of Jewish
17 Federation, acting as CO-CFO.

18 **CHAIR YEBER:** Is that for the -- is this the
19 Jewish Federation or for the --

20 **MR. GOLBAR:** For the Jewish Federation.

21 **CHAIR YEBER:** Separate from the IAJ -- IAJC?

22 **MR. GOLBAR:** Jewish Federation is IAJC [Israel].

23 **CHAIR YEBER:** Oh, you're on the board of the
24 IAJC?

25 **MR. GOLBAR:** Yes.

1 **CHAIR YEBER:** Okay. I can't have you speak. It
2 was part of that 10 minutes; that's what I mentioned
3 at the beginning. If you're a board member of the
4 IAJC, you're part of the applicant's team. So I can't
5 have you speak. I'm sorry.

6 **MR. GOLBAR:** Okay.

7 **CHAIR YEBER:** Okay. Thank you. Ann Thorne
8 followed by Brittney Verna.

9 **ANN THORNE:** My name is Ann Thorne. I have lived
10 at 1340 Crescent Heights Boulevard, which is across
11 the street from the center, for 25 years. I have
12 complained numerous times about the extreme noise due
13 to the nightly parties. I have been told by the IAJF
14 to move if I don't like the noise.

15 I live between the Buddha Temple and the Iranian
16 Temple. The Buddha Temple is respectful of the
17 neighborhood and cares about their neighbors. They
18 just celebrated the Buddhist New Year which goes on
19 until four a.m. in Thailand, but closed at 10 p.m.
20 here, and we never heard a sound because they showed
21 respect.

22 The last thing that the IAJF needs is a parking
23 garage. They have more parking than any other temple
24 or church and they have enough parking for their
25 religious needs. The parking garage would only

1 increase the parties, traffic, and extreme nuisance.

2 The center should be treated like the other
3 religious institutions in West Hollywood and not like
4 a nightclub. Thank you.

5 **CHAIR YEBER:** Thank you. Brittney Verna followed
6 by Rabbi Ira Rosenfeld.

7 **BRITTNEY VERNA:** Hi. My name is Brittney Verna,
8 and I live at 1341 North Crescent Heights, and I've
9 attended these meetings in which the IAJF have told me
10 and other members to move if we don't like their late
11 night parties.

12 I'm sad that many of my friends and neighborhoods
13 were forced and bullied to move. We have asked the
14 center to operate as other religious facilities in
15 West Hollywood instead of operating as a nightclub,
16 but we are ignored.

17 There is hardly ever a religious ceremony held at
18 the center, but nightly non-religious receptions,
19 fundraisers, and parties that are held there
20 throughout the week. The parties usually start after
21 nine p.m. and continue until two, maybe three a.m.

22 I read Rabbi Rosenfeld's letter, which was the
23 same letter that was written by the IAJF a month
24 before. And we'd like to point out that the wedding
25 that has a last dance at 1:30 a.m. is not a religious

1 law; it is something that the party planner planned.
2 There are no religious laws that would justify the
3 nightclub hours that they demand and that they
4 continue to go by. The loud base drum that wakes me
5 up every night, as do the drunks leaving at two to
6 three a.m., the huge trucks that are constantly
7 loading and unloading and the amount of traffic
8 created by over 400 people coming in and out of our
9 street right by my house to party every night is
10 outrageous and should not be allowed in this
11 residential neighborhood.

12 The IAJF is so disruptive and so disrespectful to
13 its neighbors in our community, while the Buddhist
14 Temple two doors down from our building up the street
15 has blended into the community and we have no issues
16 with them.

17 Please treat the IAJF like the other religious
18 organizations in West Hollywood instead of giving them
19 special treatment that they are demanding. Thank you.

20 **CHAIR YEBER:** Thank you. Rabbi Ira Rosenfeld,
21 followed by Sheri Lin.

22 **RABBI ROSENFELD:** Good evening. I thank you for
23 giving me the opportunity to speak. My name is Rabbi
24 Ira Rosenfeld. I'm the rabbi and spiritual leader for
25 Hollywood Temple Beth El and also for the American

1 Iranian Jewish Center.

2 I just feel compelled to make a few brief
3 comments. Hollywood Temple Beth El, as you know, has
4 been there since the 1920s. The current building has
5 been there since the 1950s. And the American Jewish
6 Federation has owned the building for nearly 14 years
7 now.

8 And all this time we tried to represent positive
9 values and community outreach. I can't speak for
10 every conversation people had with individuals there.
11 And, you know, it's possible that there were things
12 said that were not as positive as we would like to be.

13 But the issue here is the parking structure. And
14 this is something that we voluntarily decided to do,
15 to a large extent, to alleviate the protests that
16 we're hearing this evening about the neighbors --
17 about noise. So this seems to be a way to get around
18 the issue that everyone is mentioning. And I'm
19 somewhat surprised that it's coming under the scrutiny
20 that it has.

21 The other issues mentioned is for a different
22 evening. But right now we're talking about trying to
23 alleviate the noise issues through building this
24 structure.

25 And again, as the other rabbi mentioned earlier,

1 we're getting into a very gray area when we talk about
2 religion and culture; they're very closely meshed.
3 And to try to separate the two is, and I don't want to
4 say discriminatory, but possibly borderline. You
5 know, I point out with many Christian organizations
6 they have midnight mass, they have events that are
7 very early and very late. So to try to quantify what
8 times religious events should take place is very
9 tricky. And that's why we have voluntarily decided to
10 build this structure to alleviate the noise issue to
11 make it safer. And I hope that this is something that
12 we'll be able to push through and I hope that it will
13 cause a more positive relationship for everybody in
14 the area in the future. Thank you.

15 **CHAIR YEBER:** Rabbi, excuse me. There's a
16 question from one of the commissioners.

17 **RABBI ROSENFELD:** Sure.

18 **COMMISSIONER BERNSTEIN:** Rabbi, I'm just curious.
19 If you don't mind, I have a question about religious
20 celebration. For instance, things like weddings and
21 Brit Milahs seem clear what the religious connotation
22 is. If the teenagers in the congregation have a
23 dance, is that a religious celebration or is --

24 **RABBI ROSENFELD:** That's a great question. I
25 mean, you're getting into the very gray area we're

1 talking about. Look, a big part of any religious
2 organization is a certain amount of outreach and
3 trying to bring in new people.

4 As mentioned earlier, part of the problem with
5 Hollywood Temple Beth El is that the older
6 congregations were slowly dying off and there weren't
7 new people brought in.

8 So part of what any temple or any religious
9 organization does is to try to attract the youth and
10 try to attract new people to come in. Obviously, we
11 don't want to make it into a nightclub. But if we can
12 provide events that always have a Jewish component
13 with them, is it strictly a religious event? Is it a
14 service? No. But if we have a singles even or
15 something like that, clearly there's going to be
16 Jewish content. And the goal is to help to build the
17 membership at the temple. So is it directly
18 religious? Not necessarily. But will there be
19 blessings said? Will there be Jewish things
20 discussed?

21 So and, you know, it certainly could be argued
22 that it is a religious event, at least to some extent.
23 I'm not going to say it's strictly. But clearly,
24 that's part of, you know, what any religious
25 organization, any temple, any church does.

1 **COMMISSIONER BERNSTEIN:** Rabbi, thank you for
2 offering your perspective.

3 **RABBI ROSENFELD:** Thank you.

4 **CHAIR YEBER:** Thank you. Can I just remind
5 everyone to put your cell phones on silent or vibrate
6 so that we're not interrupted?

7 Our next speaker is Sheri Lin, followed by Harry
8 -- I'm sorry, I'll mispronounce this -- Reb --
9 Rebhuhn.

10 **HARRY REBHUHN:** Close enough.

11 **CHAIR YEBER:** Okay.

12 **SHERI LIN:** Hi. Sheri Lin, resident West
13 Hollywood. I'm president of the Homeowners
14 Association, 1328 Havenhurst. That's the piece of
15 property that is just west to the proposed parking
16 lot.

17 Our Homeowners Association is adamantly opposed
18 to the staff recommendations in two regards. And
19 there are two issues here. There's the parking
20 structure and then there's the hours of operation, and
21 the two intersect to create problems that the
22 neighborhood is experiencing.

23 Owners in my building, we do not want a parking
24 structure that is open air right next to our building,
25 with flood lights that'll be going on 'til 1:30 to

1 2:30 in the morning. We don't want the car exhaust.
2 We don't want the noise. It's completely unfair to us
3 property taxpaying residents of West Hollywood. We
4 did not buy into that condominium complex with the
5 knowledge that a three-story parking structure was
6 going to be built. We're -- our property values are
7 going to decrease and that's -- it's not fair and it's
8 not okay.

9 The open-ended part of the parking, that's the
10 problem. Perhaps the parking structure can be all
11 underground, okay.

12 The operating hours, if the operating hours were
13 as what City Council had suggested that they be, a lot
14 of these issues wouldn't be here. And those operating
15 hours are consistent with other religious
16 organizations in the city. So I'm really curious to
17 know why staff feels that the applicant's hours should
18 be allowed versus what the business license and City
19 Council recommended, why should IAJF be allowed
20 different hours than other religious organizations in
21 West Hollywood? It's just another unfair fact. Thank
22 you.

23 **CHAIR YEBER:** Thank you. Harry, followed by
24 Grafton Tanquary.

25 **HARRY REBHUHN:** Harry Rebhuhn. I'm the attorney

1 for Crescent Management, which owns the apartment
2 building adjoining the northern parking lot. There's
3 a big word that has to be spoken that nobody has
4 mentioned, which is variance. In a residential zone
5 where two structures are in the same lot, they have to
6 be separated by a minimum distance of six feet. In
7 this case the separation is zero feet from the
8 proposed garage. That's inconsistent with residential
9 zoning which is what governs.

10 If that is to be changed or deviated from, the
11 applicant should be seeking a variance, should make
12 the evidentiary showing to get a variance, and it
13 should be decided on that basis. There's been no
14 application for a variance and there's been no
15 evidence presented supporting it.

16 Rooftop parking permissible in commercial zones
17 categorically prohibited in all residential zones in
18 West Hollywood. I don't know how it's justified. I
19 don't know how you can put rooftop parking that's 10
20 feet away from the windows of -- the bedroom windows
21 of adjoining apartment dwellers. But if that's to be
22 allowed, again, a variance is the mechanism and there
23 has to be a showing that there's some unique feature
24 of this property, such as topography, which denies
25 this property user the ability to make the same use of

1 his property that neighboring properties enjoy.
2 There's been no application for a variance. There's
3 been no evidentiary showing for a variance.

4 Now let's get to the issue of setback. I believe
5 the position taken by the applicant is that it's
6 permissible to apply commercial zoning to justify
7 these things as opposed to simply applying the
8 designated zoning and seeking a variance.

9 This is -- essentially can be characterized as a
10 commercial building. It's a three-story parking
11 structure serving two banquet halls. And the minimum
12 separation between a commercial building adjoining a
13 residential zone is 15 feet, not the 10 feet provided
14 for by the staff. Again, your -- this is a violation
15 of governing and zoning.

16 If you're going to pick and choose between
17 residential and commercial, which is completely
18 improper to begin with, at a --

19 **CHAIR YEBER:** Mr. Rebhuhn, your time is up.

20 **HARRY REBHUHN:** Thank you.

21 **CHAIR YEBER:** Okay. Thank you. Grafton,
22 followed by Tim Riley.

23 **GRAFTON TANQUARY:** Good evening. I'm Grafton
24 Tanquary. I live at 1287 North Crescent Heights,
25 which is immediately south of the center. I think

1 everyone, including the Commission and the members of
2 IAJF, should understand that we neighbors who object
3 to building the structure are not critical of the
4 activities of the center and of the foundation itself.
5 I think their programs for outreach are very
6 commendable. However, we do believe that they're
7 inappropriate in a residential area, especially
8 Crescent Heights.

9 You have had sufficient evidence given you --
10 submitted to show that a number of occasions the late
11 night parties at the center have caused noise and
12 traffic congestion in the early morning hours,
13 sufficient to ny -- to deny our right to enjoy a quiet
14 life in a residential area. We, therefore, feel that
15 there must be reasonable limits placed upon the hours
16 of operation at Neman and Sapper Halls.

17 We do agree with Mr. [Ganz's] letter to the
18 effect that the center should be treated the same as
19 other religious organizations in the city, and, in
20 effect, that's all we ask.

21 You were told earlier that the IAJF Synagogue in
22 Beverly Hills, Temple Nessah, has a banquet room, but
23 does not operate past 11 o'clock. Kate mentioned that
24 was Beverly Hills, this is West Hollywood. I object
25 to -- I think we ought to be treated in West Hollywood

1 the same way that the people in Beverly Hills are
2 treated.

3 In West Hollywood, the church, the Methodist
4 church at Fountain and Crescent Heights, was sued some
5 time ago by its neighbors and, as a result, the City
6 imposed a 10 o'clock curfew on the use of its meeting
7 hall, limited the number of persons who could attend,
8 and required that it be used only for non-profit
9 organizations. There are similar limitations at
10 Temple Kol Ami and the Buddhist Temple in north --
11 north of the center.

12 In contrast, the staff is operating -- is
13 treating this as a nightclub, and I -- we object to
14 that. Thank you very much.

15 **CHAIR YEBER:** Thank you. Tim Riley, followed by
16 Benjamin Chang.

17 **TIM RILEY:** Chairman Yeber, Honorable
18 Commissioners, Tim Riley, land use consultant
19 representing Crescent Management.

20 Again, parking structures in residential zones,
21 rooftop parking in residential zones are not allowed
22 in your code. And you need to -- we would hope that
23 you would consider a variance and try to adopt
24 variance findings before proceeding for this garage.

25 Also, if you're going to establish a parking

1 garage in a residential zone, you need a parking
2 overlay district. And you can do that in a
3 residentially zoned property when it is contiguous to
4 a commercial site or property, and that is not the
5 case here.

6 Banquet facilities, in your code, are not allowed
7 uses in any residential zone. In fact, if you looked
8 at your code, it's not even allowed use in most
9 commercial zones, except for the Pacific Design
10 Center. And what happened before, the county approved
11 -- when it approved a zone exception case, it approved
12 a social hall which is not a banquet hall. And so to
13 leap from social hall to banquet hall is a real
14 stretch and is not compatible with your zoning, and,
15 therefore, should not be allowed. In fact, it seems
16 that the IAJC converted their Neman Hall to this
17 banquet facility without any of the proper permits
18 from the City. And there's, in fact, no record of the
19 building permit that this occurred back six or seven
20 years ago.

21 Also, we feel that the -- this project requires
22 an environmental review far more significant than a
23 categorical exemption. You have issues of traffic,
24 noise, and air quality impacts that have not been
25 addressed.

1 And also, the fire department of Los Angeles
2 County has not yet reviewed any plans. In fact, they
3 say -- and I handed out e-mails to the effect. They
4 say that the applicant's plans have not been submitted
5 to them for review. Thank you.

6 **CHAIR YEBER:** Thank you. Benjamin Chang,
7 followed by Ebon Alabastur.

8 **BENJAMIN CHANG:** Hi. My name's Benjamin Chang.
9 I'm sorry, I'm little bit sick. I try to make this
10 brief.

11 I just celebrated Chinese New Year couple weeks
12 ago. The Chinese New Year will be celebrated for the
13 15 day. Originally and the traditional way of
14 celebrating the Chinese New Year, we will have
15 firecrackers all through the day through the midnight
16 and early morning.

17 But because we understand that we moved to United
18 States and that is not allowed and that is a part of
19 culture, we cannot force our culture into United
20 States, and say, well, you know, we only do this once
21 a year for 15 day and then we have firecracker all
22 through the night, all through the day. But that's
23 our culture, so you have to accept as.

24 So, you know, I live in Havenhurst. And then
25 sometime in the morning or at night, I hear this

1 noise. I go where -- where this come from? So I walk
2 around the street and I find it's from the temple.
3 And I go, oh, wow, you know, [they still can] party
4 here.

5 But, you know, I been listening to them for many
6 of times. And then [they always] bring [out their]
7 culture, their religion, and that's how they live
8 their life.

9 But I was thinking, what, this how you live your
10 life in another part of the country, but we're -- you
11 decide to move to United States. We need to blend in.
12 We need to respect other peoples' culture also. So
13 that's my opinion, and I thank you.

14 **CHAIR YEBER:** Thank you. Ebon, followed by
15 Michael [Sirjani].

16 **EBON ALABASTUR:** Yeah. Abon Alabastur, Sephardic
17 Jew, City of West Hollywood.

18 The [Talmud] or book of law states [dina-de-
19 macuta-dina] which translates to the law of the land
20 as when we are living in non-Jewish nations, we have
21 to abide by the laws therein. This is what the Dalai
22 Llama was told when he asked how the Jewish people
23 survived at Diaspora; you have to blend in.

24 Now, going to the Neman Hall. It's an illegal
25 use conversion from an education meeting center to

1 Neman Banquet Hall. Neman Hall was dedicated March
2 2004, as memorialized in the Jewish Journal, March
3 18th, 2004. The Planning Commission does not have any
4 permits on file regarding this million dollar
5 improvement and conversion. There is a permit on file
6 from the year 2000, for a kitchen. It replaced a
7 rudimentary kitchen that served the meeting hall.

8 The 1955 survey map does not show the kitchen
9 which encroaches the 18-foot fire lane on the west
10 side of the property. Also, the remaining fire lane
11 has been converted to a play area for the day school.
12 Google Maps show the additional structures that is --
13 additional structures have been erected encroaching
14 the remaining portion of that fire lane.

15 Should a parking garage be built at 1317 Crescent
16 Heights, there is a real fire safety hazard for both
17 the partygoers and the residents of Havenhurst Drive,
18 1308 Havenhurst, 30 units; 1328 Havenhurst, 18 units;
19 1316 Havenhurst, 28 units; all within a 30-foot
20 projection of the kitchen for Neman Hall. The
21 proposed garage blocks fire vehicles from serving the
22 east side of these residential structures.

23 Requests to Nancy Rodeheffer from the Los Angeles
24 County Fire Department regarding the proposed 1317
25 Crescent Heights development has resulted in her e-

1 mail dated 3/3/11, that they have not gotten any
2 submittals regarding same. Where is the fire
3 department's approval of this garage?

4 **CHAIR YEBER:** Thank you.

5 **EBON ALABASTUR:** Thank you. Michael Sirjani,
6 followed by [Shalla Javdin].

7 **MICHAEL SIRJANI:** Commissioners, I'm here to
8 answer any questions regarding parking operations, not
9 to speak; that's why I submitted a slip.

10 **CHAIR YEBER:** Okay. Thank you.

11 **MICHAEL SIRJANI:** Thank you.

12 **CHAIR YEBER:** Shalla?

13 **KATE BARTOLO:** Shalla Javdin is unable to speak.
14 She is actually the president of the IAJF.

15 **CHAIR YEBER:** Okay. Thank you. Allen Nazrine --
16 Nazarian, followed by Andy [Cormarian].

17 **ALLEN NAZARIAN:** Hello, Planning Commission. My
18 name is Allen Nazarian, member of West Hollywood, 1230
19 Horn. Traffic in that area is unbelievable. I do a
20 commute every day from work, so I hate traffic. It's
21 interesting the irony in this situation, where in my
22 area where I live there's all this going on, the City
23 Council, and all the hubbub regarding traffic and
24 parking and noise, and we all want parking. We want a
25 parking structure. We want that huge gym to be built

1 with more parking.

2 But here, the irony is that the neighbors don't
3 want parking. I'm baffled. They don't want parking.
4 They do want parking, but not for the synagogue. It's
5 interesting to point that out.

6 But the cities, in my opinion, their goal should
7 be to create a win-win situation. The Jewish Center
8 has a right to be there; it's purchased the property.
9 It can't just close up shop and go ahead and maybe
10 sell it to a developer, build a big condominium
11 building, you know. I'm sure that would cause a lot
12 more headaches.

13 I think there is a win-win situation here between
14 the neighbors and the Jewish Center. It's right here
15 in front of us. It says parking garage, which doesn't
16 even look like a parking garage. This is not a
17 parking garage. This is -- it looks like just an
18 entrance into some Batman cave. This is not a parking
19 garage. A parking garage typically three stories
20 high.

21 So we've com -- the Jewish Federation has
22 compromised. It's -- it's putting up the money. It's
23 raising the money by having these Bar Mitzvahs and
24 weddings and it's going into the betterment of this
25 neighborhood.

1 It's going to -- it's a win-win situation. By
2 curbing the hours, it's not going to allow for the
3 Jewish Center to be able to raise this money to
4 provide the parking that both the neighbors and the
5 center need to co-exist. Thank you.

6 **CHAIR YEBER:** Thank you. Andy, followed by Talia
7 Shulman-Gold.

8 **KATE BARTOLO:** I'm so sorry. He's also on the
9 board. We really didn't anticipate this. I'm sorry.
10 Some people can't speak.

11 **CHAIR YEBER:** Okay. Thank you. Talia Shulman-
12 Gold, followed by Dr. Don Stewart -- Studt.

13 **TALIA SHULMAN-GOLD:** Good evening, Commissioners.
14 My name is Talia Shulman-Gold. I'm a resident of Los
15 Angeles and I'm the Western Regional Director of
16 CAMERA, the Committing for Accuracy in Middle East
17 Reporting in America, an educational non-profit
18 organization that educates the public about Jewish
19 life history, as well in the Middle East.

20 And I am here to attest tonight that in my
21 experience the IAJF does not function as a nightclub.
22 It also functions as a vibrant center for Jewish
23 programs on culture and history and Jewish life. And
24 in the past year CAMERA has partnered with the IAJF to
25 organize these Jewish cultural and educational

1 programs, all of which have been held at the IAJF
2 building. And these programs have drawn in Jews from
3 every walk of life and from every sector of the Los
4 Angeles Jewish community. Jews who seek to enrich and
5 broaden their knowledge and understanding of Jewish
6 life, culture, Israel, and the Middle East.

7 And these programs, I might add, which are
8 usually held on weeknights, by necessity, sometimes
9 continue well beyond 10 p.m.

10 CAMERA and the IAJF plan on continuing their
11 collaboration in the coming months. And the use of
12 the IAJF building for CAMERA's educational and
13 cultural programs is vital and indispensable. And
14 IAJF's new parking structure will facilitate parking
15 for the countless numbers of West Hollywood and Los
16 Angeles residents who currently attend and enjoy our
17 programs regularly. Thank you very much.

18 **CHAIR YEBER:** Thank you.

19 **COMMISSIONER HAMAKER:** Excuse me. Could I ask
20 for your name again? Talia?

21 **TALIA SHULMAN-GOLD:** Talia Shulman-Gold.

22 **COMMISSIONER HAMAKER:** Thank you.

23 **CHAIR YEBER:** Thank you. This is Dr. Don --

24 **DR. DON STUDDT:** My name is Dr. Don Studt. I've
25 been a resident here for about 85 years, and I'm very

1 concerned about what will happen to my investment here
2 on Havenhurst. I have attended every hearing on this
3 matter since January of '09. And my letter that I
4 wrote for the February 3rd meeting last month stated
5 that I've never been opposed to having a synagogue or
6 church as neighbors. The prior synagogue congregation
7 were neighbors, not enemies. I personally have never
8 heard of any complaints about them, for they fully
9 respected their residential setting.

10 This is quite a contrast to IAJC's noisy, loud,
11 late hours festivities, traffic congestions, which my
12 tenant -- the tenants in our complex all complain
13 about. Their website states they need this garage for
14 parking for their congregation, but it's quite evident
15 they do not need a new garage to accommodate the small
16 congregation which already has quite adequate parking.

17 When the hearing was canceled last month for
18 which I was here, I did start to re-study all the many
19 documents and letters written by law-abiding citizens.
20 After simulating this information, I left no doubt in
21 my mind that IAJC's intention for the garage is that
22 these facilities be used as a commercial, money-making
23 venture.

24 I am now appalled that any religious group such
25 as IAJC show such a blatant disregard for the laws of

1 the city by obviously misrepresenting the intended use
2 of their facilities.

3 I also mention that the view from my complex, all
4 the windows and the porch, face the new proposed
5 garage. Just place yourself in that condo, and you
6 realize what a blight that would be and a hardship on
7 us people who are already invested in that area.

8 Thank you.

9 **CHAIR YEBER:** Thank you. Mike Nazarian, followed
10 by Nahid Oberman.

11 **KATE BARTOLO:** I'm sorry, Mr. Nazarian is on the
12 board.

13 **CHAIR YEBER:** Okay. And what about Mr. -- Ms.
14 Oberman?

15 **NAHID OBERMAN:** My name is Nahid Pirnazar
16 Oberman. I'm a lecturer at UCLA teaching history and
17 culture of Iranian Jews. Hollywood Temple Beth El has
18 been my spiritual home since I was a foreign exchange
19 student at Fairfax High School. My children have gone
20 to Hebrew School there. I have had every event on my
21 -- cycle on my life except my wedding has happened
22 there. And I feel very attached to this place.

23 And I'm here to respectfully say that because I
24 have been attending all these meetings and have seen
25 their -- the effort of the Iranian Jewish Federation

1 to accommodate the complaints of the neighbors, I was
2 at the meeting where the architects were talking,
3 where they were talking about the noise, whatever they
4 said we'll accommodate you.

5 And honestly, I think this parking lot is being
6 built by the extra pressure on them to accommodate the
7 issue of noise and the traffic jam. But let's look at
8 it. You cannot, you know, demolish the temple.
9 There's a mall up on the Crescent Heights and Sunset,
10 both sides. So traffic is growing. But we have to
11 accommodate each other.

12 And please compare other temples like Valley
13 (inaudible), Sephardic Temple, and others. We cannot
14 go ahead and say why are you finishing at 10 o'clock
15 while you see they are trying to accommodate you. I
16 wonder how those people are treating that.

17 One more point that I would like to mention is
18 the issue of respect. I don't think any event has
19 happened in this temple to call it nightclub. So
20 that's very respect -- disrespectful that everybody's
21 trying to use that.

22 And the other one is the issue of non-Jewish
23 Events there -- sorry; I just finish my sentence -- is
24 that this is a house of worship; it should be open to
25 any faith and ethnicity, otherwise, we're racists

1 unless -- as long as it is for socials, communal
2 services, and philanthropics. Thank you.

3 **CHAIR YEBER:** There's a question for you?

4 **COMMISSIONER ALTSCHUL:** Yes. And may I please
5 have your name again?

6 **NAHID OBERMAN:** I said Nahid. My maiden name is
7 Pirnazar, P-I-R-N-A-Z-A-R. And my married name is
8 Oberman, O-B-E-R-M-A-N. I'm a lecturer at UCLA.

9 **COMMISSIONER ALTSCHUL:** And I think it's
10 marvelous and exemplary that you lecture in Iranian
11 Jewish culture.

12 **NAHID OBERMAN:** With a lot of pride.

13 **COMMISSIONER ALTSCHUL:** But I would suggest and
14 hope that perhaps you would consider lecturing at this
15 congregation in American and other cultures than
16 Iranian Jewish cultures and how, when I assume that
17 most of the Iranian Jewish people that are here in
18 America --

19 **NAHID OBERMAN:** Mm-hmm.

20 **COMMISSIONER ALTSCHUL:** -- came because they said
21 to them in Iran, we don't like what you do. And here
22 we're hearing people say that the Iranian Jewish
23 temple says to them, if you don't like what we do and
24 you don't [recognize], you move.

25 **NAHID OBERMAN:** That is absolutely wrong if they

1 say that.

2 **COMMISSIONER ALTSCHUL:** Well, would you please --

3 **NAHID OBERMAN:** Maybe one individual has said

4 that.

5 **COMMISSIONER ALTSCHUL:** Would you -- would you
6 please investigate that, and if, in fact, even if it's
7 a little bit true use some of your efforts to help
8 educate --

9 **NAHID OBERMAN:** By all means.

10 **COMMISSIONER ALTSCHUL:** -- your own people?

11 **NAHID OBERMAN:** By all means.

12 **COMMISSIONER ALTSCHUL:** Thank you.

13 **NAHID OBERMAN:** If I am allowed to, in fact,
14 today my lecture was about this, the Iranian's who
15 came here at Sinai Temple in 1978.

16 **COMMISSIONER ALTSCHUL:** Unfortunately -- I wish
17 we could engage in this discussion --

18 **NAHID OBERMAN:** Sure. No problem.

19 **COMMISSIONER ALTSCHUL:** -- but we can't.

20 **NAHID OBERMAN:** Some other time.

21 **COMMISSIONER ALTSCHUL:** But please teach our own
22 how to be respectful.

23 **NAHID OBERMAN:** I think they are. Maybe some
24 individual are both sides are not. The --

25 **COMMISSIONER ALTSCHUL:** Nobody should be.

1 **NAHID OBERMAN:** The disrespectfulness comes from
2 both sides.

3 **COMMISSIONER ALTSCHUL:** Thank you.

4 **NAHID OBERMAN:** I'm sorry.

5 **CHAIR YEBER:** Thank you so much.

6 **NAHID OBERMAN:** Thank you.

7 **CHAIR YEBER:** Monsieur [Parcy], followed by Elahe
8 Bor -- Borokhim. And again I apologize if I'm
9 butchering peoples' names.

10 **KATE BARTOLO:** I'm sorry, they had to leave.

11 **CHAIR YEBER:** Which one had to leave, Kate?

12 **KATE BARTOLO:** [Farcy].

13 **CHAIR YEBER:** Parcy did, okay.

14 **KATE BARTOLO:** Farcy.

15 **CHAIR YEBER:** Okay. Thank you.

16 **ELAHE BOROKHIM:** Good evening, my name is Elahe
17 Borokhim. And I'm very much involved in a volunteer
18 program at Iranian American Jewish Federation that
19 helps the individual in our community to learn and be
20 educated about health issues.

21 In this center, it is not all about parties. It
22 is not all about music. It's all about -- also very
23 much about education, prevention, treatment, and
24 offering the individuals in our community services
25 that will actually enhance their lives,

1 psychologically, medically, socially.

2 So it is rather important for all of us to
3 realize that the existence of this center is not only
4 for engagement in religious events because we believe
5 that education is also part of religious event. It is
6 also very much important to make sure that our youth
7 is aware of illnesses that can be prevented, our
8 premarital tests are being done to prevent genetic
9 diseases such as I -- HIBM.

10 Iranian American Jewish Federation was the reason
11 for the HIBM testing to be available. They were
12 advocates to make sure that this test was being paid
13 with -- by insurance companies.

14 It is extremely important for all of us to work
15 with each other. Just as much as we want to
16 accommodate the neighbors, we hope that they would
17 understand why we need to exist. Thank you.

18 **CHAIR YEBER:** Thank you. I have a speaker, we
19 can't figure out the name, who resides on Holt. I
20 want to say [Pariss]. [Parise]. Does anyone here
21 reside -- huh?

22 **UNIDENTIFIED SPEAKER:** (Inaudible - microphone
23 inaccessible)

24 **CHAIR YEBER:** Possibly. Not the one that I just
25 called. This is a first name it looks like.

1 **KATE BARTOLO:** Spell it? I'm sorry. If you
2 can't read it --

3 **CHAIR YEBER:** P-A-R-I, it looks like S-C. It
4 doesn't make sense, so. Does anyone here live on
5 Holt?

6 **ERIN ANDERSON:** Oh, it was his wife.

7 **KATE BARTOLO:** It was his wife, not him.

8 **CHAIR YEBER:** Huh?

9 **ERIN ANDERSON:** It was the wife of the gentleman
10 who already left.

11 **CHAIR YEBER:** Okay. Lana Branover, followed by
12 David Yocum.

13 **LAURA BRANOVER:** Hello. My name is Lana
14 Branover. Full name's [Elana] Branover. Come from
15 former Soviet Union. And as many Jews that came from
16 Soviet Union in the late '70s had nothing to do with
17 the Jewish religion, was introduced here and we're
18 very proud to be part of Jewish community in Los
19 Angeles in West Hollywood.

20 And this temple had played a huge role in my life
21 and the life of my family and friends. My children
22 and Bar and Bat Mitzvahs in the temple. Many friends
23 had other religious ceremonies, as well as cultural
24 there.

25 And, you know, I've heard a phrase here which I

1 think is very important when you're saying serving the
2 public. I think there's a huge Russian Community in
3 West Hollywood that, up 'til this day, I mean, just
4 less than a year ago, I was at the wedding at this
5 temple for the daughter of my friends.

6 Also a little bit shocking was to hear the word
7 or phrase blend in. The last time I've heard that was
8 in the Soviet Russia when we had to blend in because
9 we could not, you know, be ourselves. I thought that
10 the great thing of America, as well as West Hollywood,
11 was a culture of diversity. You know, the blend in is
12 fine, but we still want to be ourselves, right. And
13 we can embrace each other cultures. You know, we're -
14 - we heard about other churches, which is great, and,
15 you know, what they do is part of, you know, what we
16 are here for. But, you know, we are all going to be
17 as we are and, you know, I don't think we can point at
18 our neighbors or anybody else to be just like I am.
19 Thank you.

20 **CHAIR YEBER:** Thank you. David Yocum, followed
21 by Ric Abramson.

22 (Clapping)

23 **UNIDENTIFIED AUDIENCE MEMBER:** Stop clapping.
24 Stop clapping.

25 **DAVID YOCUM:** Hi. I'm David Yocum. I live at

1 1287 North Crescent Heights Boulevard in West
2 Hollywood. In addition to the late hours of the
3 parties at the center --

4 (Commotion)

5 **CHAIR YEBER:** Excuse me.

6 **DAVID CARLAT:** This guy just threatened me.

7 **SHERIFF'S DEPUTY:** I want you to come over here,
8 please.

9 **KATE BARTOLO:** David, please.

10 **DAVID CARLAT:** He just threatened me.

11 **KATE BARTOLO:** David.

12 **DAVID YOCUM:** Want me to hold on?

13 **CHAIR YEBER:** Okay. We'll start -- can you re-
14 start that time for me, please.

15 **UNIDENTIFIED FEMALE SPEAKER:** Please disallow the
16 clapping.

17 **CHAIR YEBER:** Okay.

18 **UNIDENTIFIED FEMALE SPEAKER:** That's what started
19 it.

20 **COMMISSIONER ALTSCHUL:** What's the problem?

21 **CHAIR YEBER:** Okay. You may resume, Mr. Yocum.

22 **DAVID YOCUM:** Okay. Sorry. So back to the
23 issues of mutual respect. I mean, I think West
24 Hollywood is all about wanting to invite diversity.
25 But, you know, I think we have had so many late night

1 parties that the neighbors have been plagued by the
2 sheer volume at the activity and noise at night. I
3 mean, Fountain and Crescent Heights are already pretty
4 congested. And when the lanes are blocked and the
5 City employees and other things, as referenced in one
6 of the memos I read tonight are needed at almost all
7 these events, that's the issue. It's not about
8 training or helping people. It's about, you know, a
9 reasonable time to end at night and end on the
10 weekends, so people who are in the surrounding area
11 can enjoy their right to their own home and their own
12 quiet.

13 You know, at break I was walking out and I
14 noticed on the West Hollywood 25th Anniversary poster,
15 two of the things it highlights hugely is respect and
16 support for the people and the quality of residential
17 life. And we're asking for your help as the citizens
18 of West Hollywood. Thank you.

19 **CHAIR YEBER:** Thank you. Ric Abramson, followed
20 by Lynn Russell.

21 **RIC ABRAMSON:** Ric Abramson, city of West
22 Hollywood. I'm a little concerned about what has been
23 put before you this evening to consider. I've sort of
24 been referring to this as a square peg in a round hole
25 because I think while the -- you know, I think both

1 sides of the issue feel very passionate about their
2 position, I really do think there is a solution here.
3 And I wish that there had been more discussion about
4 solutions instead of what everybody must have.

5 I would, though, like to say that I'm a little
6 troubled by this sort of doctrine of more conforming
7 that's been brought up tonight. Clearly the code does
8 preclude any rooftop parking, as an example, in a
9 residential zone; it's black and white. It says,
10 rooftop parking shall only occur in a commercial or PF
11 zoning district, period. And, yet, we have rooftop
12 parking here.

13 That's clearly creating impacts. We're taking
14 impacts that were once at surface level, noise, what
15 have you, and now we're moving them 20 feet into the
16 air right adjacent to a bedroom window and saying that
17 there's no additional impact. It really doesn't make
18 sense.

19 I think Mr. Ruben brought up certain setback
20 issues that are black and white in the code. When you
21 have an accessory use in a residential zone, it has to
22 have a six foot setback; that's not here in this case.

23 So there either should be, in my mind -- well,
24 let me say this. In the code it states how to do a
25 residential parking structure in a residential zone.

1 It's called a PK overlay and it's very specific.
2 That's not what's happening here. And in order to do
3 so it would take a zone change and other things.

4 So what's before you is not making sense, and,
5 ultimately, it's going to require some sort of
6 variance or zone change or other action to really make
7 the findings for this type of structure. Thank you.

8 **CHAIR YEBER:** Thank you. Lynn Russell, followed
9 by Joubin Eshaghian.

10 **LYNN RUSSELL:** Good evening, Commissioners. Lynn
11 Russell, West Hollywood. I actually have a birds-eye
12 view of the activities of what goes on here from the
13 sixth floor of the building up the street on Crescent
14 Heights. And it really doesn't seem to matter how
15 this facility is dressed up to be presented as a
16 panacea. The proposal seems as disingenuous as the
17 original remodel back in 2000.

18 In the run up to this magical parking facility
19 establishment, virtually the entire congregation and
20 its powers that be have found themselves incapable of
21 respecting the community in which they have landed a
22 commercial entertainment party facility cloaked in
23 religious innuendo.

24 Similarly, they have shown equal disre --
25 disregard for the code compliance and other laws of

1 West Hollywood. Above all, they have acted with a
2 very heavy hand devoid of common sense.

3 For whatever reason the city's parking
4 enforcement, traffic control, and code compliance have
5 demonstrated a lack of ability or sheer gumption to
6 really constrain their misbehavior.

7 Just two nights ago I witnessed two hours of
8 virtual mayhem, horns honking, fender benders, and so
9 forth, with a city vehicle standing by almost
10 powerless to do anything about it until the sheriff
11 arrived.

12 The ingress and the egress of this facility will
13 not change with a parking turtle shell over the
14 problem. It is simply inappropriate and
15 uncontrollable. I would suspect that not a single
16 member of this Commission or even the City Council
17 could tolerate the slippery nuisance in their own
18 community.

19 Additionally, given the question -- the questions
20 posed, with all due respect to the Commissioners this
21 evening, I'm not really confident that the Commission,
22 at this particular point, is in a position to
23 understand the full dynamics that are in play here.

24 Please deny this proposal -- proposed parking
25 structure and the conditional use permit. Thank you.

1 **CHAIR YEBER:** Ms. Russell, there's a question for
2 you from one of the Commissioners.

3 **COMMISSIONER BERNSTEIN:** Ms. Russell, could you
4 briefly expand on something? You suggest that -- you
5 used the phrase religious innuendo, and it's one of
6 the issues we're going to have to be discussing. And
7 we've actually heard fairly consistent testimony that
8 would make it seem like there is a pretty clear
9 religious connotation to a lot of these things. Why
10 did you use the term innuendo?

11 **LYNN RUSSELL:** Certainly not in a -- in a -- in
12 any disrespectful way. But it just seemed as though
13 they -- everything seems to be stretched to the
14 absolute limit to -- to justify the behavior. And at
15 no time have I ever really seen them trying to
16 accommodate the area that we live in.

17 So I guess it was sort of a loose term of
18 innuendo. I didn't mean to suggest that they have
19 religious innuendo, but it was kind of a term of
20 descriptive adjective, perhaps.

21 **COMMISSIONER BERNSTEIN:** That's clear. Thank
22 you. .

23 **LYNN RUSSELL:** Okay.

24 **COMMISSIONER BERNSTEIN:** Yeah.

25 **LYNN RUSSELL:** I hope.

1 **CHAIR YEBER:** Thank you. Joubin Eshaghian --

2 **JOUBIN ESHAGHIAN:** Good evening.

3 **CHAIR YEBER:** -- followed by Cantor Harris, I
4 believe.

5 **JOUBIN ESHAGHIAN:** Good evening. My name is
6 Joubin Eshaghian. I live on 271 North Kenter Avenue,
7 Brentwood. I have used the services of the synagogue,
8 this culture center, many times. I have never seen
9 any issues, any loud noises. There has always been
10 full supervision inside, outside.

11 Also, Crescent Heights and Fountain Avenue is a
12 highly traffic area. The noise that's created by the
13 cars driving up and down, up and down, is -- far
14 exceeds any noise coming from the center.

15 The center is a benefit of the -- to the society.
16 After being there for many years, for 50, 60 years,
17 adding a few parking spot is not much to ask. Adding
18 the parking structure, if anything, it reduces the
19 noise and it provides more park -- offsite parking for
20 the neighbors, whereas, the residents, people coming
21 here, they have to use offsite parking right now.
22 Also reduces public -- creates safety for the people,
23 older generations who have to park close. You know,
24 right now, a lot of them, the senior citizens, they
25 have to park across the street. Women and children,

1 they have to walk, in the day -- you know, dark times
2 to go back and forth.

3 I think it's a benefit to everyone, and they have
4 always been respectful to all the neighbors. Thank
5 you.

6 **CHAIR YEBER:** Thank you. Cantor Harris, followed
7 by our last speaker, Bruce Roberts (sic).

8 **CANTER HARRIS:** Hello, and good evening,
9 Commissioner and Panel. I'm Cantor Harris, Shore End.
10 I very gratefully served as Jewish clergy for
11 Hollywood Temple Beth El for over a year up until
12 December 31st. And I still have many friends and
13 colleagues at the -- at the center.

14 During the time that I worked there, I worked not
15 only with Hollywood Temple Beth El, which is the
16 smaller Ashkenazi group, but I also worked closely
17 with the Sephardic group known as the Iranian Jewish
18 American Federation.

19 There are so many issues on the table here
20 tonight that I'm afraid I might try to address all of
21 them and meet none of them. And so I'm going to
22 respond first, please, to a couple things that I
23 heard. First of all, the term adequate parking and
24 people saying that they already have adequate parking.
25 And I don't think it's a question of whether it's

1 adequate parking. I think it's a question of whether
2 or not -- whether or not there's going to be parking
3 that will be beneficial to both the center as well as
4 the neighborhood.

5 The noise complaint that is coming from the
6 neighborhood, by and large is about the noise that
7 comes from the parking lot. The parking lot is an
8 open area. If you put the cars down underground and
9 into a parking facility, granted, absolutely, if there
10 has to be a variance, there has to be a variance, if
11 you have to meet certain code, I know a lot about the
12 codes, you got to meet the codes. So that's not the
13 issue either.

14 The issue is whether or not the neighbors want
15 this place to exist in the first place. And if the
16 people around don't want the place to exist in the
17 first place, they're going to find every reason they
18 can for it not to exist.

19 Now, I know the people here very well for almost
20 a year and a half. The whole concept of Kehila, which
21 is community, which is one of [Amudeum], and Amud is a
22 stand. It could be a pillar -- I'm beeped; I know.
23 I've been beeped by many rabbis, why shouldn't I be
24 beeped by you.

25 Now, I just want you to know that Kehila is a

1 sacred -- is sacred and there are many different ways
2 to celebrate Judaism; sometimes it's with serious
3 prayer and sometimes it's with celebration. You're
4 going to get the whole gamut of life at this
5 community. Some of it's going to be noisy inside.
6 And whoever said what they think is going on inside,
7 and they don't know what's going inside that place
8 anymore than I know what's going inside her room and
9 how is she -- she is celebrating Shabbat. I don't
10 know how she is celebrating Shabbat and she doesn't
11 know how these people are celebrating in their
12 religious way.

13 So that's all I want to say. Thank you for
14 taking the extra time to hear me. God bless you all.

15 **CHAIR YEBER:** Thank you.

16 (Applause)

17 **UNIDENTIFIED FEMALE SPEAKER:** No. No clapping.

18 **CHAIR YEBER:** Please. Okay. Our last speaker,
19 Bruce Robertson.

20 **BRUCE ROBERTSON:** Bruce Robertson, city of West
21 Hollywood. As many of you know, I attend these
22 meetings pretty regularly just because I'm interested.
23 I don't live in the neighborhood, but I think it's
24 been well established that the temple has not been an
25 ideal neighbor.

1 I also think that the parking structure is
2 beautiful and I think it should absolutely be approved
3 because I think it will do nothing but reduce the
4 noise for the neighbors. I have to say, if it's open-
5 ended, that I would have concerns about exhaust or
6 lights coming into a unit near me if I lived there.
7 But, you know, certainly that could be considered.

8 As to the hours that staff is recommending, I
9 certainly think that because of the previous behavior
10 of the temple, and it's not just the temple, I'm just
11 not trying to blame them, I really believe that this
12 body should go with the City Council hours or, you
13 know, the hours that were suggested by the Business
14 License Commission just less than a year ago, until,
15 you know, the temple can maybe prove itself, that they
16 are willing to be good neighbors and respect.

17 A couple of other things. If there are events
18 that need to be held and they need to be 12 or one or
19 two or three or four o'clock in the morning, the City
20 has an avenue for that; it's called a special event.
21 They can apply for 12 special events a year and extent
22 those hours.

23 Another suggestion is, what if you were to
24 condition this permit so that the temple was to set up
25 a line, and I know this has been done with previous

1 businesses, the Argyle Hotel in particular, that -- a
2 complaint line that would be answered during all hours
3 of operation that the residents could call and say,
4 look, you guys are being noisy, tone it done. And
5 also, possibly a sound engineer. Thank you.

6 **CHAIR YEBER:** Thank you. That was our last
7 speaker. There's been a request to take another five-
8 minute break to -- oh, yeah, Kate, actually, why don't
9 we let you come up and do your --

10 **KATE BARTOLO:** I can wait. It's okay.

11 **CHAIR YEBER:** To rebuttal?

12 **KATE BARTOLO:** Yeah, I can wait.

13 **CHAIR YEBER:** Huh?

14 **KATE BARTOLO:** Take a break.

15 **CHAIR YEBER:** No, no, no. Let's do your
16 rebuttal, and then we'll take a break after all the
17 public testimony is complete.

18 **KATE BARTOLO:** There's been a lot of focus on
19 this being a nightclub. What I will readily concede
20 is over the last several years the impacts were
21 substantially more than they should have been. The
22 events were going very late, people were lingering
23 outside talking, and as is common with people who are
24 standing on a street that's a major arterial street,
25 not fully cognizant it was a residential neighborhood.

1 Those problems are being dealt with, not fully.
2 They haven't all been solved. But they are major
3 changes, among which includes reduced hours of
4 operation, better control of exiting. We did six
5 reviews of events, beginning and end. Our observation
6 was that the valet parking in the beginning was a mess
7 and it could have been handled better throughout, and
8 that a better job can be done in terms of handling the
9 -- preventing the impacts that come from neighbors.
10 That's why we're bringing in Michael Sirjani who
11 represents the City of West Hollywood and all of its
12 parking lots. And as he said in his first meeting to
13 the IAJF board, don't hire me if you don't want to be
14 held to a higher standard because I am held to a
15 higher standard.

16 They will be increasing valet parking staffing.
17 They already have security guards at the event. The
18 rooftop will be used as a last resort. And the hours,
19 to talk about it, they do differ fundamentally from
20 reformed. They have shaved it. They are working on
21 it. But here's one of the things that needs to be
22 addressed. In the last three years, two to three
23 times a week, it's an average, there have been events.
24 This February that has intensified, three point three
25 times per week. That, however, is going to be offset

1 by Passover and a Persian holiday, which means that
2 the center will be essentially dark through March and
3 April.

4 So the problem is it's not feasible to limit the
5 events per week because it's on average that I'm
6 sharing that with you.

7 With regard to parking, we already have open
8 (inaudible) parking. The -- there will literally be
9 less open parking spaces under this garage. There
10 will be an eight-foot high sound wall. There won't be
11 pointing flood lights. We've never -- what is
12 important about parking is to know this, they've never
13 had to actually cancel an event because of a lack of
14 offsite parking. They have ample -- or excuse me --
15 onsite parking. We have ample access to offsite
16 parking, but some of that offsite parking has actually
17 created problems where people are actually having to
18 walk up and down on Crescent Heights Boulevard, and
19 particularly late at night back to their cars, they're
20 chatting, they're going in groups. Under our new
21 valet plan, that will end.

22 The research on synagogues is interesting. One
23 of the things it yielded is they all advertise about
24 the availability, not just to their congregation, with
25 one exception that is -- has a policy of limiting it

1 to congregation, but they still advertise. And they
2 also -- the research has yielded they're almost all
3 called social halls. So the differentiation between
4 social hall and banquet hall on the websites of these
5 other facilities is really indistinguishable.

6 As it relates to planning issues, if there are
7 issues that need to be addressed by planning and --
8 excuse me -- during the permitting process, such as
9 fire department compliance, that is part of the plan
10 check process.

11 I think planning staff has amply demonstrated and
12 provided extraordinary, actually excruciating
13 oversight and review on whether a variance is needed
14 and what the compliance standards are. My new line
15 is, after representing this group I could, based on
16 all that we've gone through in terms of working with
17 planning staff, I could be a contortionist in Cirque
18 do you Soleil. So these issues have been addressed
19 ably.

20 The rooftop particularly is not prohibited. It
21 is not called out. What is called out is it says you
22 can do commercial, but it doesn't restrict you from
23 doing rooftop in a residential zone. It then goes on
24 to tell you how to design in a residential zone
25 rooftop parking that is adjacent to residential.

1 CUP is the solution. The garage is the solution.
2 The special events, I understand the idea. It's
3 a creative idea. But one of the difficulties is a lot
4 of these events are planned up to a year in advance.
5 The -- one of the conditions is there will be a
6 complaint line.

7 Finally, on RLUIPA, the issue of the federal ex -
8 - the federal law. It is not a law that is
9 prescriptive, per se. It doesn't say you -- they
10 totally -- the federal law usurps the ability to have
11 a city try to control impacts. But what it does say,
12 and a religion here is defined by any exercise of
13 religion whether or not compelled by or central to a
14 system of religious beliefs, three main provisions,
15 substantial burden, local zoning has to pick the least
16 restrictive means of furthering govern -- government
17 interest, which I believe is the garage, equal terms,
18 it has to treat religious institutions on equal terms
19 with non-religious institutions and religious
20 institutions. And the fact is that most of those abut
21 residential, and then nondiscrimination, forgetting
22 discrimination on the basis of religious denomination.
23 Thank you.

24 **COMMISSIONER DELUCCIO:** We have questions.

25 **CHAIR YEBER:** We have a couple questions for you.

1 **COMMISSIONER HAMAKER:** Kate, I have a question
2 for you.

3 **KATE BARTOLO:** Yes.

4 **COMMISSIONER HAMAKER:** Why are you not putting a
5 roof on the rooftop on the second story of the garage?

6 **KATE BARTOLO:** The cost is very substantial. And
7 what they've done is they've mitigated the impact
8 through a seven-foot sound wall. The rooftop parking
9 is going to be used as a last resort. The plan for
10 parking for valet is going to be through Coast
11 Parking, the new -- the new-to-be-hired, and there's a
12 contract finalized, parking. It will start -- parking
13 will start in lot A in the basement, it'll go to the
14 ground floor, it'll then go over to lot B, which has
15 80 car parking. And then when and if those are filled
16 only, it will go to the rooftop.

17 **COMMISSIONER HAMAKER:** Thank you.

18 **COMMISSIONER DELUCCIO:** I'm -- she --

19 **KATE BARTOLO:** And also -- what?

20 **COMMISSIONER DELUCCIO:** She asked a question --
21 excuse me.

22 **KATE BARTOLO:** They also -- it only goes 17 foot
23 high in parts and 21 feet high. So it really isn't a
24 shadowing issue. They're going to see a wall of green
25 as distinguished from an apartment building they'd be

1 looking into bedrooms.

2 **COMMISSIONER HAMAKER:** It's not the view I'm
3 concerned about, it's the noise.

4 **KATE BARTOLO:** It'll handle the -- also only by
5 valet driving to there and from there.

6 **COMMISSIONER DELUCCIO:** I have a question maybe
7 for staff afterwards when we come back. Can you let
8 me know what the business license hours were, 'cause I
9 don't have the information in front of me? Thank you.
10 I know we're not going to discuss the business
11 license. I just want to know what the hours were that
12 they proposed.

13 **CHAIR YEBER:** Do you have a question for Ms.
14 Bartolo?

15 **COMMISSIONER DELUCCIO:** No, I don't. Thank you.

16 **CHAIR YEBER:** Anybody else? Thank you. All
17 right. We're going to take a five-minute break.

18 Again, remind everyone not to approach the
19 Commissioners regarding this issue since the hearing
20 is still open. Thank you.

21 (Recess)

22 **CHAIR YEBER:** I'd like to get the meeting going.
23 We still have a lot more to do before the evening's
24 over.

25 All right. I'd like to start -- start before we

1 get into Commissioner deliberation, now that we've
2 heard testimony, does -- do any of the Commissioners
3 have further questions of staff at this point?

4 **COMMISSIONER ALTSCHUL:** Well, Donald had one.

5 **COMMISSIONER DELUCCIO:** Can you tell us what the
6 business license hours were?

7 **ADRIAN GALLO:** Yes, Donald.

8 **COMMISSIONER DELUCCIO:** Thank you.

9 **ADRIAN GALLO:** From the Business License
10 Commission, the hours imposed on IAJC were as follows:
11 Sunday through Thursday, six a.m. to 10 p.m.; Friday,
12 Saturday, and the day prior to a city holiday, six
13 a.m. to 12 a.m.

14 **COMMISSIONER DELUCCIO:** So those are the same
15 ones that the City Council took up on consideration,
16 and that's in resolution of the 15.7 this evening?

17 **ADRIAN GALLO:** Correct.

18 **COMMISSIONER DELUCCIO:** Okay. Thank you.

19 **CHAIR YEBER:** Okay. In listening to -- I first
20 want to thank everyone for coming out. Some of you
21 came out three times for this, and I apologize. But
22 we finally were able to hear everyone who wanted to
23 speak on this. So I want to thank everyone for coming
24 out and speaking, you know, for the most part in a
25 respectful, civilized manner. I really appreciate it.

1 It helped me in terms of my thinking about this.

2 I want to get a consensus from the Commission
3 before we move on to detailed deliberation. In
4 general, is there an objection to -- is there an
5 objection conceptually to a garage? Because I think
6 if we don't answer that -- if we -- if we don't answer
7 that question first, we're going to be all over the
8 place. And I'd like to know if there's a general
9 objection in a conceptual fashion to having a garage
10 on this particular piece of property, and then we can
11 move on to the particulars of the other issues.

12 **COMMISSIONER ALTSCHUL:** I don't see an objection
13 to having a garage, conceptually.

14 **COMMISSIONER BERNSTEIN:** I agree with
15 Commissioner Altschul

16 **COMMISSIONER BUCKNER:** My objection to a garage
17 would not be based on conception.

18 (Laughter)

19 **COMMISSIONER BUCKNER:** It's -- you know, I
20 understand that there's a garage and I understand --

21 **COMMISSIONER ALTSCHUL:** How do you conceive a
22 garage?

23 **COMMISSIONER DELUCCIO:** No. I guess what we're
24 saying is conceptual -- Sue, I conceptually am okay
25 with the garage on the site. And I guess what I'm

1 saying is not necessarily accepting of what their --
2 this particular proposal of a garage. But I am
3 amenable to a garage on the site conceptually.

4 **CHAIR YEBER:** Okay. How about the other
5 Commissioners? Commissioner Hamaker? Commissioner
6 Guardarrama?

7 **VICE-CHAIR GUARDARRAMA:** I agree.

8 **CHAIR YEBER:** All right. So that gets the big
9 hurdle out of the way, okay. So now I would like to -
10 - I believe Commissioner Altschul would like to help
11 us frame the rest of the discussion.

12 **COMMISSIONER ALTSCHUL:** Thank you. I think we
13 have an institution that I -- as I had gathered, was
14 put up in the 1920s, and this current main building
15 was done in the 1950s. That's, you know, anywhere
16 from 60 to 80 years ago. And up until not too long
17 ago, there was never a peep about the operation of the
18 religious activities that went on there.

19 Just in the last few years when this edifice was
20 struggling and needed some rejuvenation and I know it
21 did, and it's perfectly reasonable to expect that
22 something needed to be done and had to be done to give
23 some life to it and to make it -- and to make it a
24 viable -- make it a viable space and a viable Jewish
25 space, and it's wonderful that that happened.

1 It's not so wonderful that it had to be done at
2 the expense of the quality of life of some of the
3 neighbors. It's also quite obvious that the Beverly
4 Hills synagogue, which I believe is on Rexford, quite
5 apparently does not allow this kind of thing and the
6 members of this congregation respect, quite dutifully,
7 Beverly Hills' restrictions on these things, so they
8 brought it over here.

9 Whether or not it was handled correctly by them,
10 whether or not it was handled correctly by the City,
11 we find ourselves now in a predicament where we need
12 to resolve it and we need to make it work because we
13 need to work -- make it work in everybody's best
14 interests.

15 I think it's abhorrent that there is this push-
16 pull between the two different factions and that this
17 push-pull has gone on for far too long. The City, I
18 think, has done a wonderful job recently in trying to
19 come to a meeting of the minds and trying to come to a
20 solution. And, of course, as we learn somewhere in
21 the Bible, the best solution is where everybody is
22 equally unhappy.

23 And I do believe that the people who are
24 operating this facility have not done it in the best
25 of good faith. And, you know, I do think that the

1 neighbors have been put to -- put to a lot of trouble
2 and put to a lot of aggravation in trying to get the
3 thing to where it can be livable.

4 Crescent Heights, on the other hand, is not some
5 little street like [Glockalema] in West Hollywood that
6 nobody knows it's there, but it is and it has nothing
7 but residences on it. Crescent Heights, sooner or
8 later will probably have a Walgreen's at Santa Monica.
9 Crescent Heights is one of the widest streets in West
10 Hollywood. Crescent Heights is the preferred route to
11 get to and from the valley.

12 So everybody who is here who is complaining about
13 traffic and noise and so forth has been used to the
14 entrance and exit for Laurel Canyon for at least my
15 entire lifetime here.

16 So come on, you know, there is -- there's got to
17 be a little give on both sides. And I think this
18 garage, which then precipitates a CUP, and I know that
19 most of the people here don't speak CUP. I didn't
20 speak CUP either, and I still don't speak it fully;
21 still learning.

22 But CUP means you have more control. CUP means
23 there is a higher standard of respect for the rules
24 that exist with respect to the use of the land. And
25 that's a simple concept.

1 Without a CUP, you don't have a guideline, you
2 don't have a Bible, and you don't have parameters in
3 which you can say, you've exceeded these parameters or
4 congratulations, now you've been staying within these
5 parameters. And that's -- that, I think, is our
6 function tonight.

7 And if we do come up with a CUP and say, okay,
8 congregation, here's your CUP, you've applied for it,
9 congratulations, mazel tov. And the City's going to
10 give it to you. City, congratulations, mazel tov.
11 Okay, now we're on the same page.

12 I think Ms. Bartolo said all of the conditions
13 that -- and correct me if I heard this wrong. All of
14 the conditions that were recommended by the staff for
15 the CUP, with the exception of the removal of the
16 rental stuff on the same -- the next morning, rather
17 the same night, was acceptable; is that correct?

18 **KATE BARTOLO:** Yes. The -- we're expressing
19 concern about the 10 p.m., but we're trying to adhere
20 --

21 **COMMISSIONER ALTSCHUL:** Well, you just answered
22 my questions.

23 **KATE BARTOLO:** Yes.

24 **COMMISSIONER ALTSCHUL:** To repeat it, she said,
25 all of the recommendations of staff for the

1 conditions, with the exception of putting over the
2 rental pickups until the morning after were acceptable
3 to the organization and to the applicant.

4 So, therefore, I would move that a CUP be granted
5 with all of the conditions recommended by the staff in
6 place and with -- and also with -- let's see. How do
7 we -- how do we cut this thing in half to make
8 everybody unhappy -- with on -- well, that's too
9 subjective. I think -- I think I would be in favor of
10 putting it over 'til the next day.

11 There is no rental company that's going to use
12 their stuff from midnight until eight in the morning
13 someplace else.

14 So who is this a burden on to pick up the stuff
15 the next day? Nobody. What happens if the rental
16 company charges an extra pickup charge for having to
17 come back the next morning? You pass it on to the
18 customer; that's not unreasonable to keep that kind of
19 nose of loading tables and chairs and all this stuff
20 from happening after midnight.

21 So I think I would move the -- I would move the
22 CUP, including the garage and all of the conditions
23 that the staff recommends with the pickups on the next
24 morning.

25 **VICE-CHAIR GUARDARRAMA:** Commissioner Altschul --

1 **COMMISSIONER ALTSCHUL:** Yes.

2 **VICE-CHAIR GUARDARRAMA:** -- I have a question.

3 **COMMISSIONER ALTSCHUL:** Yes.

4 **VICE-CHAIR GUARDARRAMA:** With regard to condition
5 15.7, which hours are you suggesting?

6 **COMMISSIONER ALTSCHUL:** I would -- what is 15.7?
7 Remind me.

8 **VICE-CHAIR GUARDARRAMA:** It's the -- it's our
9 choice between hours - where the first set is more
10 permissive and the second set is more stringent.

11 **COMMISSIONER ALTSCHUL:** Well, I would think
12 Monday to Thursday, the difference between 10 o'clock
13 and midnight is 11. So let's do it from eight a.m. to
14 11 p.m. --

15 **COMMISSINER DELUCCIO:** And what about weekends?

16 **COMMISSIONER ALTSCHUL:** -- Monday through
17 Thursday, and the weekends from eight a.m. to 12:30.

18 **COMMISSIONER DELUCCIO:** Would you make that one
19 o'clock on weekends?

20 **COMMISSIONER ALTSCHUL:** You want to go for 1:45 -
21 - no, 12:30.

22 **COMMISSIONER DELUCCIO:** 12:30.

23 **COMMISSIONER ALTSCHUL:** 12:30. 12:30.

24 **COMMISSIONER DELUCCIO:** I'll second that.

25 **JOHN KEHO:** I'd just like to point out on the

1 third of those three there was incentive to get the
2 parking structure built earlier. I didn't know if you
3 wanted that incentive of --

4 **COMMISSIONER ALTSCHUL:** Say again, please.

5 **JOHN KEHO:** Of the three choices, the third one
6 has an incentive to get the parking structure built
7 earlier than --

8 **COMMISSIONER ALTSCHUL:** Oh, absolutely.

9 **COMMISSIONER DELUCCIO:** No, I -- my understanding
10 is these would be the -- you're recommending these,
11 Commissioner, also as being the hours, correct?

12 **COMMISSIONER ALTSCHUL:** What the third one is is
13 a disincentive.

14 **JOHN KEHO:** This -- this is on the -- 15.7 are on
15 the hours before the parking structure gets built.
16 15.7 is before the parking structure gets built.

17 **COMMISSIONER DELUCCIO:** I -- I think the
18 Commission's also intent, if I understand is --

19 **COMMISSIONER ALTSCHUL:** Well, I would suggest the
20 hours that I stated and then a disincentive that if it
21 doesn't get built within one year that the parking --
22 that the hours be reduced an hour.

23 **KATE BARTOLO:** If I could just, point of
24 clarification on our position. We were willing to go
25 with the strong incentive, which is the third, which

1 is that they would be -- the staff was recommending
2 the hours we had requested for a period of one year.
3 And if the garage has not begun, the hours are reduced
4 to the opening hours -- or operating hours the City
5 Council was considering.

6 So I just want to have that as a point of
7 clarification our --

8 **COMMISSIONER HAMAKER:** And what hours are you --

9 **KATE BARTOLO:** -- acceptance of that.

10 **COMMISSIONER HAMAKER:** What hours are you
11 requesting?

12 **KATE BARTOLO:** Until midnight Monday through
13 Friday and 1:30 Saturday, and one a.m. on Sunday.

14 **COMMISSIONER HAMAKER:** And are those closing
15 hours --

16 **KATE BARTOLO:** That was what staff had
17 recommended as an incentive.

18 **COMMISSIONER HAMAKER:** Those closing hours are
19 when the doors are locked?

20 **KATE BARTOLO:** That is when the events are over.
21 And there are also conditions that say that you have
22 to start serving alcohol a half hour before, music
23 stops 15 minutes before, announcements are made that -
24 -

25 **COMMISSIONER ALTSCHUL:** And, Ms. Bartolo --

1 **KATE BARTOLO:** -- are very clear at the end of
2 the evening.

3 **COMMISSIONER ALTSCHUL:** Ms. Bartolo --

4 **KATE BARTOLO:** Yes.

5 **COMMISSIONER ALTSCHUL:** -- you can always come
6 back and ask for more. But I think a demonstration of
7 goodwill is to accept something like this, which the
8 Council has indicated a predisposition for. And come
9 back and see us in a year and bring -- or cause none
10 of these neighbors to come here, and I suspect you'll
11 get what you want.

12 But, you know, I think to stick your toe in the
13 water and to sort of crawl before you swim is not such
14 a bad idea. And who cannot end a party at those
15 particular hours? It can be done and it's not
16 unreasonable. After all, if you couldn't ever hold
17 your party in Beverly Hills, you come here and we let
18 you hold your party and the neighbors give a little
19 bit, you know. Please try.

20 **KATE BARTOLO:** We've already given is the
21 challenge here. There were -- frankly, there wasn't
22 excessive hours before.

23 **COMMISSIONER ALTSCHUL:** You've given and you've
24 given a lot.

25 **KATE BARTOLO:** We have given a lot, honestly.

1 **COMMISSIONER ALTSCHUL:** But you've given a lot of
2 grief in addition.

3 **KATE BARTOLO:** Well, there was grief based on the
4 --

5 **COMMISSIONER ALTSCHUL:** There -- you yourself --

6 **KATE BARTOLO:** -- prior hours.

7 **COMMISSIONER ALTSCHUL:** You yourself have
8 admitted that there was a lot of grief.

9 **KATE BARTOLO:** Yes, and those hours have been
10 changed voluntarily. And we're asking for these
11 reduced hours. And the permanent hours have a slight
12 variation, but they're actually slightly longer.

13 **COMMISSIONER ALTSCHUL:** Again, we can look at
14 this in six months. We can look at this in a year.
15 It depends on whether or not you've got shovels in the
16 ground.

17 **KATE BARTOLO:** The fundamental challenge we have
18 right now is that a lot of events are planned up to a
19 year in advance: they are weddings, they are
20 ceremonies, they -- celebrations. We have contractual
21 obligations. It is a grave concern. We have been
22 advertising for a very long time. There are a lot of
23 negotiations underway that we've been making certain
24 representations. They're planning on going with us.
25 It creates very, very significant negative impacts --

1 **COMMISSIONER ALTSCHUL:** I understand.

2 **KATE BARTOLO:** -- to truncate at --

3 **COMMISSIONER ALTSCHUL:** I understand.

4 **KATE BARTOLO:** -- this juncture.

5 **COMMISSIONER ALTSCHUL:** I understand. And there
6 are ways to renegotiate, to explain to people that you
7 have certain constraints that the municipality has put
8 on your and please work with us and we'll give you X-Y
9 incentives, and please don't make one of them a shrimp
10 cocktail.

11 **KATE BARTOLO:** I can only tell you I spend hours
12 and hours and hours internally working with people --

13 **COMMISSIONER ALTSCHUL:** I understand --

14 **KATE BARTOLO:** -- to really --

15 **COMMISSIONER ALTSCHUL:** -- and I know you have.

16 **KATE BARTOLO:** -- push on the hours. And --

17 **COMMISSIONER ALTSCHUL:** This is my
18 recommendation.

19 **KATE BARTOLO:** I understand.

20 **COMMISSIONER DELUCCIO:** And I'm going to second
21 your motion. And there will be a six-month review;
22 that's one of the conditions in here.

23 I'm hearing from the neighbors, I'm not hearing
24 support for any hours longer than the ones we're going
25 to grant you. I actually did throw out even another

1 hour, and I'm hearing -- I'm hearing resistance from
2 the residents here. So I -- you are getting a -- it
3 looks like you may get a CUP this evening. There will
4 be a review in six months. And I just think this is
5 the best we can do at this time.

6 We have to take into consideration not only the
7 business operations but also the residents.

8 **KATE BARTOLO:** The fundamental issue --

9 **COMMISSIONER DELUCCIO:** And I cannot walk out of
10 here this evening if I give you any longer hours. I
11 would not walk out in good conscience.

12 **JOHN KEHO:** Chair?

13 **COMMISSIONER DELUCCIO:** I feel this will be --

14 **COMMISSIONER ALTSCHUL:** I would --

15 **COMMISSIONER DELUCCIO:** I feel this will be the
16 way to mitigate the impacts with the --

17 **KATE BARTOLO:** But the problem --

18 **COMMISSIONER DELUCCIO:** -- parking structure.

19 **KATE BARTOLO:** -- fundamentally --

20 **JOHN KEHO:** Chair, I --

21 **KATE BARTOLO:** -- is that we're giving up legally
22 nonconforming standards --

23 **CHAIR YEBER:** Wait. Can I -- can we -- yes?

24 **COMMISSIONER ALTSCHUL:** You're voluntarily giving
25 them up.

1 **CHAIR YEBER:** Commissioner Altschul. Yes?

2 **JOHN KEHO:** Yeah. I'm just wanting to make sure
3 we're clear on the hours. So I was wondering if you
4 can repeat -- so this is --

5 **COMMISSIONER DELUCCIO:** Well, I'm getting the
6 hours of being Sunday through Thursday, eight a.m. to
7 11 p.m.; Friday, Saturday, and Sunday, eight a.m. to
8 12 midnight. Those are the only hours I think we're
9 recognizing at this time in the permit going forward.
10 We're not making a distinction between what's, you
11 know, between preconstruction, construction, and after
12 construction.

13 **JOHN KEHO:** Okay. That's --

14 **COMMISSIONER DELUCCIO:** Then it'll be --

15 **COMMISSIONER BERNSTEIN:** That was --

16 **JOHN KEHO:** -- what I wanted to clarify.

17 **COMMISSIONER BERNSTEIN:** That was not the motion,
18 though. The motion was 'til 12:30. It wasn't 'til
19 midnight.

20 **COMMISSIONER DELUCCIO:** Is it to 12 -- John, are
21 you fine with 12:30?

22 **COMMISSIONER ALTSCHUL:** Yes.

23 **COMMISSIONER DELUCCIO:** Then 12 -- then that's
24 fine, I'm fine with that too then.

25 **COMMISSIONER ALTSCHUL:** And --

1 **COMMISSIONER BUCKNER:** I need clarification too,
2 because I thought earlier in the hearing we were
3 trying to get some clarification about the
4 preconstruction or whether these conditions are going
5 to apply beyond the preconstruction during the
6 operation once the facility is built.

7 **COMMISSIONER ALTSCHUL:** And my comment on that,
8 which we could make part of the motion, is that
9 instead of making an incentive to give them an
10 additional hour, use these hours as the base, and if
11 they don't start construction within the one year,
12 take an hour off of that as a disincentive.

13 **COMMISSIONER DELUCCIO:** I just -- I don't know if
14 I can support that at this time. I think it -- I
15 would just go with what you recommended initially as
16 the hours and --

17 **COMMISSIONER ALTSCHUL:** Look, the idea is the --
18 if the garage is good, make them build it. The only
19 way they're going to build it is to give them either
20 an incentive on the early hour morning, an early hour
21 morning closing, or take an hour away. But either way
22 you're going to -- either one of those ways you're
23 going to get that garage built.

24 **COMMISSIONER DELUCCIO:** So the incentive would be
25 if they don't build it in one year the hours would be

1 scaled back Sunday through Thursday from eight to 10
2 p.m.; Friday, Saturday, and Sunday would be scaled
3 back from eight to 12 midnight instead of 12:30.

4 Would you be fine with that?

5 **COMMISSIONER ALTSCHUL:** Yes. And that's not an
6 incentive. It's a disincentive.

7 **COMMISSIONER DELUCCIO:** Disincentive, exactly.

8 **COMMISSIONER BUCKNER:** Okay. I'm also hearing
9 two different Commissioners, one saying to start the
10 building of the garage and another one saying to get -
11 - go a little bit further. I mean, does that mean
12 stick a shovel in the --

13 **COMMISSIONER ALTSCHUL:** You can't finish this
14 thing in a year.

15 **COMMISSIONER BUCKNER:** No, you can't finish it.
16 But what does it mean to start it? They have to just,
17 you know --

18 **COMMISSIONER ALTSCHUL:** Once it's started --

19 **COMMISSIONER BUCKNER:** -- break ground?

20 **COMMISSIONER ALTSCHUL:** Once it's started --

21 **COMMISSIONER BUCKNER:** So they could break ground
22 the day before the year's up? I mean, like what are
23 we talking?

24 **COMMISSIONER DELUCCIO:** I guess --

25 **CHAIR YEBER:** Wait. If I can get clarification

1 from staff. What was the intention with the incentive
2 to --

3 **JOHN KEHO:** The inten --

4 **CHAIR YEBER:** -- expedite the construction of the
5 garage?

6 **JOHN KEHO:** Right. The intention was that the
7 parking garage would be able to solve some of the
8 problems. So try to get the garage built sooner
9 rather than later. And so the idea was they would
10 need to take out a building permit, gone through the
11 entire plan check process, had their plans reviewed,
12 have the commitment that they have the funding
13 available, and they take out the building permit, so
14 that way they're moving forward on the project.

15 **CHAIR YEBER:** And based on what's being proposed
16 here, what if they can't build it? Let's say
17 hypothetically the county fire department says you
18 can't build this particular garage --

19 **MR. KEHO:** They can --

20 **CHAIR YEBER:** -- based on this configuration or
21 strategy?

22 **JOHN KEHO:** Well, they can -- sometimes this
23 happens. For other projects it's happened where they
24 haven't been able to build the exact building that the
25 Planning Commission saw or was approved, and so they

1 do minor changes and that might solve the problem.

2 If it's a significant change, they might have to
3 come back to the Planning Commission and get one of
4 the conditions changed to accommodate that, or --

5 **CHAIR YEBER:** I sort of feel like we're putting
6 the cart before the horse here because I sort of feel
7 like the garage is incredibly flawed as a feasible
8 structure on this site. I have a problem with the
9 rooftop parking in its entirety, okay, even with a
10 seven-foot or an eight-foot sound wall. I don't know
11 how the fire department would conceivably say that
12 they have access to the rear of the property or what
13 we considered the western edge, especially where the
14 kitchen is because that's where the -- a fire would
15 most likely start. There's no access to it.

16 So I'm troubled that we would even --

17 **JOHN KEHO:** Sure.

18 **CHAIR YEBER:** -- have this discussion at this
19 stage with a plan or design that is quite flawed at
20 this point.

21 **COMMISSIONER HAMAKER:** Not to mention the
22 setbacks that were discussed.

23 **COMMISSIONER ALTSCHUL:** Well --

24 **CHAIR YEBER:** Right.

25 **JOHN KEHO:** The setbacks aren't an issue, 'cause

1 this is -- just think of this as an addition to a
2 building. You don't put a setback between, you know,
3 your building and an addition that's -- this is an
4 addition onto the religious facility, so there's no
5 setback requirement.

6 **COMMISSIONER HAMAKER:** The setback to the
7 apartment --

8 **CHAIR YEBER:** Wait a minute. Is it two separate
9 parcels or one parcel?

10 **JOHN KEHO:** They have to eliminate any lot lines
11 because it is now considered one building. It's one
12 building.

13 **CHAIR YEBER:** No. But currently is it -- is the
14 parking on a separate parcel from Neman Hall?

15 **JOHN KEHO:** I guess I don't know about that.

16 **ADRIAN GALLO:** Yes.

17 **CHAIR YEBER:** It is. So they're going to have to
18 tie the lots together.

19 **JOHN KEHO:** Right.

20 **ADRIAN GALLO:** They're already tied.

21 **CHAIR YEBER:** They're tied on -- okay.

22 **COMMISSIONER HAMAKER:** I'm talking about the
23 setback on the northern edge where it abuts the
24 apartment building.

25 **COMMISSIONER ALTSCHUL:** Well, I don't think it's

1 our job here to design the garage. If there is a --
2 if there is a bump in the road, it's staff's job to
3 take care of it. If it needs to come back here for
4 something, it will.

5 **COMMISSIONER HAMAKER:** So we're not approving --

6 **COMMISSIONER ALTSCHUL:** We're just giving an
7 entitlement.

8 **COMMISSIONER HAMAKER:** -- anything -- okay.

9 **COMMISSIONER ALTSCHUL:** We're not --

10 **COMMISSIONER HAMAKER:** Okay. Thank --

11 **COMMISSIONER ALTSCHUL:** We're not cutting the
12 corners and designing -- and designing, you know, the
13 building.

14 **CHAIR YEBER:** Again, we haven't resolved the
15 rooftop parking. And there was some testimony made
16 today that was compelling enough to tell me that, you
17 know, this is not appropriate in this residential
18 zone. So you're saying to basically move forward, you
19 know, on that aspect.

20 **COMMISSIONER ALTSCHUL:** Right. And there is --
21 there are examples of rooftop parking abutting
22 residential where the neighbors thought the world was
23 going to come to an end but never did.

24 **CHAIR YEBER:** But five feet? I mean --

25 **COMMISSIONER ALTSCHUL:** It's close --

1 **CHAIR YEBER:** -- I think this is an extreme.

2 **COMMISSIONER ALTSCHUL:** It's as close as that, if
3 not closer, at the Kings Road garage.

4 **CHAIR YEBER:** Okay. So you're saying it's okay
5 that we should perpetuate those kind of laws?

6 **COMMISSIONER DELUCCIO:** Chair Yeber, didn't it
7 come before design review?

8 **CHAIR YEBER:** I was not on --

9 **VICE-CHAIR GUARDARRAMA:** I was there.

10 **CHAIR YEBER:** I was not at this particular design
11 review.

12 **COMMISSIONER DELUCCIO:** Okay. But how does
13 design -- obviously -- did design review feel about
14 it?

15 **VICE-CHAIR GUARDARRAMA:** I was there in place of
16 Chairman Yeber. The Design Review Committee looked at
17 the design and, in general, found it compatible with
18 the neighborhood and with the building that it will be
19 attached to.

20 **COMMISSIONER DELUCCIO:** Thank you.

21 **COMMISSIONER ALTSCHUL:** Perhaps you would want to
22 consider a setback on the roof so that the parking on
23 the roof does not go wall-to-wall or the full -- the
24 full area of the lot line. And they have already
25 volunteered reduced hours on the rooftop parking.

1 **CHAIR YEBER:** Would someone like -- else to chime
2 in? I haven't heard from Commissioner Hamaker on
3 this.

4 **COMMISSIONER HAMAKER:** On the rooftop?

5 **CHAIR YEBER:** Just in general on this item, on
6 the resolution that's on the table right now. We -- I
7 don't -- I'm not even clear we have a second on
8 Commissioner Altschul's --

9 **COMMISSIONER DELUCCIO:** I made a second on it,
10 yes --

11 **CHAIR YEBER:** Second. So we --

12 **COMMISSIONER DELUCCIO:** -- for discussion.

13 **CHAIR YEBER:** -- have -- we have -- we do -- so
14 basically --

15 **COMMISSIONER BUCKNER:** We have to discuss the
16 motion.

17 **CHAIR YEBER:** Okay. So we basically, if I
18 understand correctly, you're -- you're asking for us
19 to move forward on the resolution as stated with a few
20 stipulations. There's been a second. So the floor is
21 now open and to discussion.

22 **COMMISSIONER HAMAKER:** Well, I'm a little
23 concerned. I don't think I've ever voted on a parking
24 garage where I didn't know what I was voting on. So I
25 don't understand what it is actually that we're

1 considering here. A setback? No setback? Roof? No
2 roof? Are we just saying a generic parking garage and
3 staff will figure it out later?

4 **COMMISSIONER DELUCCIO:** No, it's the parking lot
5 that's in the plans.

6 **COMMISSIONER ALTSCHUL:** There's a design --

7 **COMMISSIONER HAMAKER:** Okay. So I have problems
8 with the parking lot that's in the plans. I have
9 great concerns about the setbacks and the rooftop,
10 open rooftop right, you know, abutting a neighbor's
11 window. It's crazy.

12 **CHAIR YEBER:** Okay. Anybody else? Commissioner
13 Bernstein, you've been silent so far.

14 **COMMISSIONER BERNSTEIN:** I have been; this has
15 moved so quickly.

16 I -- although fundamentally most of the elements
17 in the motion are things I can support, I wish we
18 hadn't gone to motion before having much deliberation.
19 We still don't have staff's input on how the
20 conditions laid out in point 15 should be brought up.
21 I think there are real questions. I think the
22 structure for the parking is compatible, but I share
23 Commissioner Hamaker's concerns about rooftop versus -
24 - versus covered, some concerns about the lighting,
25 and just the feasibility of designing a parking

1 structure that is more enclosed.

2 I also, I have to say, the conditions for the
3 hours that we are approving, are more restrictive than
4 what the community already has right now. And I am
5 not supportive yet of having punitive conditions laid
6 upon that, when, in reality, we're already pulling
7 back the hours of operation. So that's an element
8 that I'm uncomfortable with.

9 Although I would also say I'd like to approve
10 something. I think that the garage can be redesigned
11 and brought back for approval. But fundamentally I'm
12 in favor of what we're trying to do here tonight.

13 **COMMISSIONER DELUCCIO:** What are the hours you
14 are looking at? I'm sorry. I'm not clear. If I can
15 ask, what hours are you speaking about?

16 **COMMISSIONER BERNSTEIN:** If we go with 11 p.m.,
17 on weeknights, and 12:30 on weekends, that's already
18 more restrictive than what the -- is being described
19 as I believe the --

20 **COMMISSIONER DELUCCIO:** 'Cause they have midnight
21 during -- they had midnight during the week and then
22 on weekends they had one or 1:30. So we --

23 **COMMISSIONER BERNSTEIN:** We already are being
24 more restrictive than that. I don't see the point of
25 adding a punitive thing if groundbreaking or some

1 benchmark doesn't occur within a year; even if it
2 doesn't, although I'd like it to because I think -- I
3 think it would be helpful to have the parking
4 structure, I still -- I would just keep the hours
5 where they are. I wouldn't -- I wouldn't bump them
6 down even further.

7 **COMMISSIONER DELUCCIO:** No, I -- I did second the
8 motion for discussion, but I sort of tend to agree
9 with you on that portion. Though I do think the
10 hours, that they need to be scaled back a little bit,
11 but not scaled back even further. 'Cause let's face
12 it, if there's an issue, it's going to come back to us
13 anyway.

14 **COMMISSIONER ALTSCHUL:** And I think these are the
15 -- these are a little bit more lenient than what the
16 Business License Commission recommended and what the
17 Council indicated that they would -- that they would
18 go for. And let's remember, you can always come back
19 for more; it isn't easy to impose less.

20 **CHAIR YEBER:** Commissioner Buckner?

21 **COMMISSIONER BUCKNER:** I think that when it's all
22 said and done, that the parking garage will probably
23 help the situation. Whether it's this particular
24 garage with this construction with the open roof, I
25 have some of those same concerns. But I think the

1 garage is a good solution to some of the noise
2 problems. I think it will abate a lot of the noise.
3 It'll keep a lot of the traffic -- people will be, you
4 know, not walking down the street at 1:30 in the
5 morning and so forth.

6 Personally I think that what I'm hearing from the
7 neighbors is that the hours that the -- that they're
8 operating on now is an issue at 1:30. I am supportive
9 of scaling back the hours. I think it's a good
10 compromise with the neighbors. And I think eight a.m.
11 to 11 p.m., on Sunday through Thursday, and Friday and
12 Saturday, eight a.m. to 12:30 is reasonable. And
13 let's see how it goes.

14 And after the garage is built and it's quieter,
15 maybe we can give them longer hours because it won't
16 be impacting the community as much. That's my view.

17 **CHAIR YEBER:** Commissioner Guardarrama?

18 **VICE-CHAIR GUARDARRAMA:** I live immediately
19 adjacent to very bad neighbors. They come home at
20 three and four in the morning and -- on any given
21 night of the week, including those that I have to get
22 up and go to work the next day. So I'm very, very
23 sympathetic to what it's like to live right next door
24 to a neighbor that keeps you awake when you have to go
25 to work.

1 That being said, I believe that Commissioner
2 Altschul's suggestion is a great way of meeting
3 everyone's needs; 11 o'clock on the weekdays, 12:30 on
4 the weekends, that should be relatively enough so you
5 can have your parties and celebrations and also give
6 respect to the neighbors that live immediately
7 adjacent next to you.

8 This particular parking structure came before us
9 at design review. It's fully enclosed along the sides
10 and has to have ventilation to prevent sound from
11 escaping; all loading and unloading is going to take
12 place inside of the parking structure.

13 So I think a lot of the problems that are
14 happening now are going to be abated, and that's why
15 I'm supportive of the motion.

16 You know, we didn't get to be the architect on
17 this project. We are simply the body that says yes or
18 no to the application that's in front of us, and we're
19 not designing this particular structure.

20 So what we have before us is something that's
21 going to go a long way to fix the problem, and that's
22 why I'm supportive of it.

23 **CHAIR YEBER:** Okay. Yes?

24 **COMMISSIONER DELUCCIO:** [I know to] shut up. I
25 do have -- I have a couple questions actually. I know

1 it's getting late. The applicant expressed that they
2 would use the, you know, the top portion, the third
3 level of the parking structure, the surface portion as
4 a last resort. Is that -- is that -- you don't need
5 to, you know, tell me now. But is that conditioned in
6 here somewhere or would that be an operational -- an
7 operation plan?

8 **ADRIAN GALLO:** Operations plan.

9 **COMMISSIONER DELUCCIO:** Okay. So that I strongly
10 urge that that be put into an operation plan.

11 And as far as a six-month review, that would be
12 after the structure is built, John, or have they -- is
13 it after approval of this permit this evening? The
14 six-month review.

15 **JOHN KEHO:** I'll try to find that condition.

16 **COMMISSIONER DELUCCIO:** Okay.

17 **ADRIAN GALLO:** Donald, the commission reads six
18 months after the C of O is issued for the building.

19 **COMMISSIONER DELUCCIO:** After the what?

20 **ADRIAN GALLO:** Certificate --

21 **COMMISSIONER DELUCCIO:** Certificate of approval -

22 -

23 **ADRIAN GALLO:** -- occupancy for the parking
24 garage.

25 **COMMISSIONER ALTSCHUL:** After it opens.

1 **COMMISSIONER DELUCCIO:** Got you. Okay. Thank
2 you.

3 **COMMISSIONER HAMAKER:** I'd like to say something
4 if I could.

5 **CHAIR YEBER:** Yeah, Commissioner Hamaker.

6 **COMMISSIONER HAMAKER:** I really appreciate
7 everybody coming tonight, especially the people from
8 the temple. I understand how important this is to
9 you. And I believe that the bad behavior of the
10 people that attend the events is not your -- you
11 people aren't doing it. It's not your fault.

12 However, this is our staff report. And there are
13 hundreds and hundreds of people who have been affected
14 by years of abuse from the people who attend your
15 events. And I would bet that most of you have not
16 read these. And it's heartbreaking.

17 Home is the most important place in the world.
18 Each one of us when we leave here tonight, are going
19 to go home. It's 10 o'clock now. Hopefully I'm going
20 to get home at 11 o'clock, I'm going to close my door,
21 and it's going to be quiet.

22 If I had to go home and listen to three hours of
23 people going in and out of cars and honking horns and
24 dishes clattering and things like that for six years,
25 I -- I'd be pretty angry. And so that's what this

1 reflects.

2 And as a resident of West Hollywood, the one
3 thing that we have always done is protect the quality
4 of life of our residents. Most of you are not our
5 residents. You -- you attend a synagogue here that is
6 a wonderful place, and I'm very, very happy that you
7 have it.

8 However, there were three educators who spoke
9 tonight very eloquently about what they do for the
10 Persian community in America. And what I would like
11 to hear from them is to have a goal to build kindness
12 and respect and decency into the fabric of the people
13 that attend your events, because I have not heard
14 that.

15 Hundreds and hundreds of West Hollywood residents
16 have been held hostage to your events. And we would
17 like --

18 **UNIDENTIFIED AUDIENCE MEMBER:** (Inaudible -
19 microphone inaccessible)

20 **CHAIR YEBER:** Excuse me. Please.

21 **COMMISSIONER HAMAKER:** Excuse me. This is my
22 time to speak. And we would like to have some respect
23 given back to our community because they are very,
24 very angry.

25 And I -- I appreciate what you do. Nothing I say

1 has anything to do with your religion or any -- you
2 could be Methodist. You could be Catholic. You could
3 be Buddhist. You could be whatever. It doesn't
4 matter what you are. I respect what you do. It's the
5 activities of the people attending your event and the
6 chaos that it brings into other human beings' lives
7 that we are talking about here. So that's really what
8 I wanted to say. Thank you.

9 **CHAIR YEBER:** Well, I sort of want to echo
10 something similar. I was actually -- I'm more
11 troubled that there wasn't more of a outreach from the
12 IAJC to the community. You would think a religious,
13 cultural-based, community-based organization would be
14 the first type of organization that would reach out to
15 the community and be an integral part.

16 And I was also amazed and appalled by some of the
17 comments that were written by the neighbors and some
18 of the suffering that they have gone through in the
19 last couple of years.

20 I really think that there needs to be some
21 leadership on part of IAJC to get together and try to
22 mediate and diffuse some of this problem. I can
23 support further activity and a garage, parking garage
24 on this site. I just -- I have trouble supporting
25 this particular scheme as it is proposed to us at this

1 point. And I think for me the rooftop parking is a
2 deal breaker and it has been from early on. And I
3 wish it could be redesigned in a way that would not in
4 any way bring further impact on the neighborhood.

5 And I appreciate that you're reducing impact on
6 one level, but now you're creating a new one with
7 rooftop. Even if it's occasional, I don't think I
8 want to see the residents subjected to that. They've
9 been subjected to it enough. So therefore, I can't
10 possibly support the motion as it stands right now.

11 **COMMISSIONER DELUCCIO:** I have one last question.
12 Is there a condition in there for a complaint line?

13 **COMMISSIONER BERNSTEIN:** Yes.

14 **COMMISSIONER ALTSCHUL:** Yes.

15 **COMMISSIONER DELUCCIO:** Okay. Thank you.

16 **CHAIR YEBER:** Commissioner Altschul?

17 **COMMISSIONER ALTSCHUL:** Let's look at tonight and
18 let's look at this particular process which hasn't
19 culmina -- which hasn't really come to a starting
20 point until just in the last couple of days. That the
21 abili -- that the willingness and the desire to get a
22 CUP is, in fact, a huge community outreach and it's
23 going to solve many more problems and it won't create
24 any new ones.

25 And for an organization that has sat and dug in

1 its heels for years and years and years, saying we
2 don't need to live by the rules or we don't want to
3 live by the rules, to come and say, please, we'll take
4 the rules, give us, you know, something that we can
5 work with, is a tremendous step forward, and I think
6 we need to recognize that.

7 And I think -- I don't like to disagree or
8 disavow the statements of somebody else who's sitting
9 up here. But I think the concept of that there hasn't
10 been any decency or that there's been some lack of
11 decency on the part of the people that are running
12 this organization is abhorrent. Of course there has.
13 Everybody is decent in this whole thing. They want to
14 have a successful synagogue and they want to have a
15 successful organization that teaches the precepts of
16 the Judeo Christian ethic and we want to have the same
17 thing in our quality of life. So there's no
18 difference here.

19 And in order to have a party, you need to have
20 some decent hours. Unfortunately, you can't have it
21 until four or five or six in the morning because it's
22 in a residential neighborhood. If it were out in the
23 middle of wherever, you could.

24 But we all have to deal with what there is. And
25 I think the members of this organization are starting

1 and making a great deal of effort to bend over
2 backwards to meet us more than halfway. So thank you
3 all.

4 **COMMISSIONER HAMAKER:** Excuse me, John. I just
5 want to ask John, were you suggesting that I was
6 saying that the temple wasn't decent?

7 **COMMISSIONER ALTSCHUL:** I thought I heard you say
8 that.

9 **UNIDENTIFIED FEMALE SPEAKER:** Yes (inaudible).

10 **COMMISSIONER HAMAKER:** I -- no, I wasn't. I was
11 asking them to teach the people that attend their
12 events to have -- teach decency to the people that
13 attend their events who are offending the neighbors.

14 **COMMISSIONER ALTSCHUL:** People that attend their
15 events, they are co-congregants.

16 **COMMISSIONER HAMAKER:** Well, they're -- they are
17 the people that are documented in here.

18 **COMMISSIONER BERNSTEIN:** May I?

19 **CHAIR YEBER:** All right. That's a discussion --

20 **VICE-CHAIR GUARDARRAMA:** Can I call a question?

21 **COMMISSIONER BERNSTEIN:** May I?

22 **CHAIR YEBER:** I'd like to hear from Commissioner
23 Bernstein and Buckner and then --

24 **COMMISSIONER ALTSCHUL:** Anybody, he can call the
25 question if he wants. Takes precedence.

1 **VICE-CHAIR GUARDARRAMA:** Want to call the
2 question?

3 **CHAIR YEBER:** Okay. The question's been called.

4 **COMMISSIONER BERNSTEIN:** We haven't even
5 clarified the -- we haven't clarified item 15 yet.

6 **COMMISSIONER ALTSCHUL:** You vote on the motion --

7 **VICE-CHAIR GUARDARRAMA:** Wait. What haven't we
8 clarified?

9 **COMMISSIONER ALTSCHUL:** You take the -- is there
10 a second --

11 **CHAIR YEBER:** Is there a --

12 **COMMISSIONER ALTSCHUL:** Second to the motion to
13 call the question.

14 **CHAIR YEBER:** Is there --

15 **VICE-CHAIR GUARDARRAMA:** It's not going to pass
16 (inaudible).

17 **CHAIR YEBER:** Okay. Are you withdrawing your --

18 **VICE-CHAIR GUARDARRAMA:** Yes. Yes.

19 **CHAIR YEBER:** Okay. All right. Resume,
20 Commissioner Bernstein.

21 **COMMISSIONER BERNSTEIN:** I just am so sad that
22 Joe's leaving, I don't want to go home yet. I want to
23 stay a little bit longer.

24 I -- actually to add to something that Joe said.
25 I do not believe, having read the hundreds of letters,

1 that the problem is as much the attendees at the event
2 as it is the trucks and things. I think that's the
3 biggest problem. And I just would remind every, as
4 Joe said quite well, the creation of this garage will
5 do a huge amount to alleviate what is clearly the
6 biggest and most consistent problem.

7 And we do not, as Mike and John explained, we do
8 not hold all the cards here. We need to find a way to
9 condition this so that it gets done because that's the
10 biggest problem in the community is the trucks doing
11 all the drop off and pickup. John had some very good
12 suggestions on how to minimize some of the impacts.

13 I just think we have to, in my opinion, maintain
14 a focus on getting something passed here tonight
15 because we need to improve the community to the best
16 that we can, and that is getting the pickups and drop
17 offs off of the street and into an enclosed structure.
18 I share some of Mark's concerns about the parking
19 structure. I don't totally know the answer to that.
20 I have some questions about some of the conditions.
21 But I don't want us to lose site of the fact that we
22 not only need to pass something tonight in my opinion,
23 but we need to pass something for the temple, who, as
24 John pointed out, are showing good faith by agreeing
25 to consider a CUP we'll live with.

1 **CHAIR YEBER:** Commissioner Buckner?

2 **COMMISSIONER BUCKNER:** I still don't know what
3 we're approving because these conditions, as they --
4 as I read them, they only apply to preconstruction.
5 And I think our city attorney was going to clarify
6 that for the Commission, and I haven't hear yet what -
7 - how that is, because I would not be comfortable if
8 this only applies to preconstruction .

9 **JOHN KEHO:** Sure.

10 **MICHAEL JENKINS:** Well, I think that what we
11 should do, perhaps, is we have a housekeeping chore
12 here, is we need to walk you through the conditions as
13 they will be changed based on the motion. And in
14 doing so, we can identify which conditions are limited
15 to the preconstruction period and those which will be
16 in effect post construction of the structure, and
17 staff is prepared to do that.

18 And maybe we should do that now.

19 **COMMISSIONER BUCKNER:** It's the one that's
20 preconstruction, frankly --

21 **MICHAEL JENKINS:** Right.

22 **COMMISSIONER BUCKNER:** -- 15.1.

23 **MICHAEL JENKINS:** Maybe we can do that now
24 because there's several other conditions that we need
25 to address, including 11.5. And so -- and I have one

1 very minor language change that's non-substantive in
2 1.1, that I'd like to include. And it's simply moving
3 the 90-day clause from the second sentence into the
4 first sentence. And that shouldn't trouble anyone.

5 But with that maybe John or Adrian can walk you
6 through the rest of the conditions.

7 **COMMISSIONER BUCKNER:** I also have a question
8 because the representative, Ms. Bartolo, apparently
9 was not happy with our conditioning the hours. So we
10 don't know that they're going to agree to it anyway,
11 right?

12 **COMMISSIONER DELUCCIO:** It's up to us now to
13 decide what we want.

14 **COMMISSIONER BUCKNER:** Okay, that's fine.

15 **COMMISSIONER DELUCCIO:** We've heard from them,
16 so.

17 **COMMISSIONER BUCKNER:** All right.

18 **JOHN KEHO:** Sure. So on the resolution that's in
19 the packet, the full resolution, 11.5 were the hours
20 of operation. And so that had been divided in three
21 different categories. Based on the motion, there's
22 now only two categories where it's -- and I wrote down
23 Sunday through Thursday, eight a.m. to 11 p.m.; and
24 Friday and Saturday, eight a.m. to 12:30 p.m.

25 And then if construction doesn't occur within one

1 year, then the hours would be reduced to eight to 10
2 and eight to midnight. And so that's the change to
3 11.5.

4 In the conditions that we handed out to you on a
5 separate piece of paper, we had condition 15 talking
6 about operations of the religious facility
7 preconstruction. So the preconstruction would only be
8 15.1, 15.5. Those would be the only ones that would
9 be precon -- preconstruction, 'cause the rest would be
10 permanent, which would be 15.2, 15.3, 15.4, 15.6, and
11 15.7 is gone 'cause we already talked about the hours
12 of operation, and 15.8, and 15.9.

13 **COMMISSIONER DELUCCIO:** Is 14.1 okay? Is that --
14 'cause that's one you handed out tonight also.

15 **JOHN KEHO:** 14.1 --

16 **COMMISSIONER DELUCCIO:** Is that --

17 **JOHN KEHO:** Right, that's a construction period,
18 that's --

19 **COMMISSIONER DELUCCIO:** Uh-huh. Okay.

20 **JOHN KEHO:** That's having them submit a plan to
21 us how it operates during the construction period.

22 **MICHAEL JENKINS:** But you should perhaps make
23 clear that the operation plan, you'll note that it
24 says -- it includes hours.

25 **JOHN KEHO:** Excluding the hours.

1 **MICHAEL JENKINS:** So we would exclude that if
2 your intention is that the hours set forth in 11.5
3 would apply across the board during preconstruction,
4 the construction, and the post-construction period, if
5 that's your intent.

6 **COMMISSIONER DELUCCIO:** Yes.

7 **COMMISSIONER ALTSCHUL:** That means the hours take
8 effect immediately.

9 **JOHN KEHO:** And stay all the way through --

10 **MICHAEL JENKINS:** Upon their acceptance of the
11 CUP.

12 **COMMISSIONER DELUCCIO:** Mm-hmm. Okay.

13 **COMMISSIONER BUCKNER:** Mike or John, I would
14 also, on item 15.5, the -- I think that the condition
15 that they employ a security staff to monitor the
16 parking lot and people coming, be prevented from
17 loitering in the parking lot making noise when
18 entering/exiting, that could easily be a condition
19 that should exist beyond. They should have security
20 in the lot or in the -- or in the structure and they
21 should be responsible from keeping people from
22 creating noise entering and leaving the events.

23 **JOHN KEHO:** So to do that we would need to add
24 monitor the -- staff to monitor the parking lot and
25 parking garage so it would be for both. That's --

1 **COMMISSIONER BUCKNER:** I would prefer that.

2 **VICE-CHAIR GUARDARRAMA:** Now I'd like to call the
3 question.

4 **CHAIR YEBER:** Is there a second?

5 **COMMISSIONER ALTSCHUL:** Second.

6 **COMMISSIONER DELUCCIO:** For what?

7 **VICE-CHAIR GUARDARRAMA:** Call the question.

8 **COMMISSIONER ALTSCHUL:** All those in favor of
9 calling --

10 **CHAIR YEBER:** All those in favor of calling the
11 question say aye.

12 **COMMISSIONER BUCKNER:** Aye.

13 **COMMISSIONER ALTSCHUL:** Aye.

14 **VICE-CHAIR GUARDARRAMA:** Aye.

15 **COMMISSIONER HAMAKER:** Aye.

16 **CHAIR YEBER:** All opposed?

17 **COMMISSIONER BERNSTEIN:** Nay.

18 **CHAIR YEBER:** Nay.

19 **COMMISSIONER DELUCCIO:** Nay. I think Alan had
20 something he want --

21 **CHAIR YEBER:** What did you have?

22 **COMMISSIONER DELUCCIO:** I think Alan wanted to
23 make one more comment, then I'll be --

24 **COMMISSIONER ALTSCHUL:** Take a roll call.

25 **COMMISSIONER DELUCCIO:** -- happy to call the

1 question.

2 **CHAIR YEBER:** Let's do a roll call.

3 **COMMISSIONER DELUCCIO:** Okay.

4 **CHAIR YEBER:** Can you do a roll call on calling
5 the question?

6 **MICHAEL JENKINS:** It takes a two-thirds vote.

7 **CHAIR YEBER:** It takes a two-thirds vote?

8 **MICHAEL JENKINS:** Yes.

9 **COMMISSIONER DELUCCIO:** That doesn't pass.

10 **CHAIR YEBER:** Okay.

11 **COMMISSIONER DELUCCIO:** Alan?

12 **COMMISSIONER BERNSTEIN:** Yeah. I'd like to ask
13 the motion makers to consider some amendments to the
14 motion. I notice that 11.5 is constructed as though
15 the weekdays Monday through Wednesday and the weekend
16 is Thursday through Sunday. Given the religious
17 observation of Friday night to Saturday night and the
18 ample demonstration that there are major lifecycle
19 events that take place on Thursday night and Sunday
20 night, I think it's important to condition the hours
21 so that Thursday through Sunday have the more liberal
22 hours and Monday through Wednesday have the more
23 restrictive hours, which is not how it's conditioned
24 right now.

25 **COMMISSIONER HAMAKER:** So what are you asking?

1 **COMMISSIONER BERNSTEIN:** I'm asking for the
2 motion makers to amend their motion so that the temple
3 doesn't -- I mean, clearly the temple will lose the
4 ability --

5 **COMMISSIONER HAMAKER:** No. I mean, give specific
6 hours.

7 **COMMISSIONER BERNSTEIN:** That -- well --

8 **COMMISSIONER HAMAKER:** What do you want?

9 **COMMISSIONER BERNSTEIN:** What I'd really like is
10 Monday through Wednesday to go to 11:30 rather than
11 11, and for Thursday through Sunday to go to 12:30.

12 **COMMISSIONER DELUCCIO:** I don't know if I can go
13 with 11:30 Monday through Wednesday right now. I
14 don't know. John, you made the motion.

15 **COMMISSIONER ALTSCHUL:** I don't -- I don't
16 understand what lifecycle events are typically on
17 Thursdays.

18 **COMMISSIONER BERNSTEIN:** Weddings.

19 **COMMISSIONER BUCKNER:** No.

20 **COMMISSIONER ALTSCHUL:** I've never been to a
21 Thursday night wedding.

22 **VICE-CHAIR GUARDARRAMA:** Yeah. But the reason we
23 were wanting to reduce the hours to 11 o'clock is not
24 so people could, you know, have their weddings. It's
25 so that the people that live right around there can go

1 to sleep and be productive at work the next day.

2 **COMMISSIONER BERNSTEIN:** So let's leave Monday
3 through Wednesday at 11. I'm -- that's a much smaller
4 --

5 **COMMISSIONER DELUCCIO:** Okay.

6 **COMMISSIONER BERNSTEIN:** -- point to me. The
7 point is, they have booked wedding -- I don't see why
8 they're going to accept this if they have already
9 booked weddings for the next year on Thursday nights
10 and Sunday nights. The people who came up and talked
11 to us about their wedding got married on a Sunday.

12 **VICE-CHAIR GUARDARRAMA:** You mean the doctors who
13 were sick and had to leave early?

14 **CHAIR YEBER:** Yes.

15 **VICE-CHAIR GUARDARRAMA:** Okay.

16 **COMMISSIONER BERNSTEIN:** I also just wanted to
17 make note that condition 12.6 is structured sort of
18 oddly in that on the first of the month they will give
19 all their events for the month. And perhaps it could
20 be worded in a way that gives a little bit more
21 advance notice to code compliance than literally day
22 of notification for the month.

23 **COMMISSIONER DELUCCIO:** That's -- I'm okay with
24 that. Are you okay, John? [They want to] re-word
25 that.

1 **COMMISSIONER ALTSCHUL:** Well, perhaps -- yes, of
2 course. But, you know, let's give it some -- let's
3 give it some specifics. Maybe on the 15th of the
4 month they will give notice for the following month.

5 **JOHN KEHO:** We were suggesting the 15th, on the
6 15th of the month for the following month.

7 **COMMISSIONER DELUCCIO:** Yeah. Yeah.

8 **COMMISSIONER ALTSCHUL:** That's just what I said.

9 **JOHN KEHO:** Okay.

10 **COMMISSIONER DELUCCIO:** Anything else?

11 **COMMISSIONER BERNSTEIN:** So is the answer to the
12 Thursday through Sunday no or --

13 **COMMISSIONER ALTSCHUL:** I say no.

14 **COMMISSIONER DELUCCIO:** I say no right -- yeah.

15 **COMMISSIONER BERNSTEIN:** And I don't know if you
16 wanted to talk about the parking structure or if we're
17 done with that and ready to call the question.

18 **COMMISSIONER ALTSCHUL:** Well, I leave it to the
19 wonderful expertise of the staff to get the plans
20 right with respect to the parking structure. It's not
21 our job to do working plans or final plans. It's our
22 job to grant entitlements.

23 **CHAIR YEBER:** Granted. But we're not talking
24 about technicalities here. We're talking about
25 rooftop parking; that's bigger than a technicality.

1 And that's where I'm concerned that, you know, we're
2 not really having --

3 **COMMISSIONER ALTSCHUL:** What about doing the
4 entitlement as encompassed in the motion and referring
5 the rooftop aspect of the garage back to design review
6 for additional comments and suggestions and then
7 bringing that one item here alone at a certain --

8 **COMMISSIONER DELUCCIO:** I would make a -- John, I
9 would make -- like that, but maybe it doesn't come
10 back here, maybe it goes to the director or something.

11 **COMMISSIONER ALTSCHUL:** Fine.

12 **COMMISSIONER DELUCCIO:** If it goes to design
13 review one more time.

14 **JOHN KEHO:** So this one is to direct the
15 applicants to look at doing what with the rooftop?

16 **COMMISSIONER ALTSCHUL:** To making the rooftop as
17 neighborhood compatible as possible?

18 **CHAIR YEBER:** What's that mean?

19 **JOHN KEHO:** And then taking it to design review
20 subcommittee for comments and then the director would
21 act on it?

22 **COMMISSIONER ALTSCHUL:** No. And I think it
23 should be brought back here because it's a policy
24 consideration. Let design review work with the
25 applicant to see the best way they can possibly do it,

1 come back with it together, bring it back here, and
2 let's decide whether or not it works.

3 **COMMISSIONER DELUCCIO:** I don't know. I rather
4 go to the director. I -- then I'm going to have to
5 withdraw my motion if you do that, John.

6 **COMMISSIONER ALTSCHUL:** Then let it go to the
7 director. Let it go to the city attorney.

8 **CHAIR YEBER:** All right. So --

9 **COMMISSIONER ALTSCHUL:** Bet you we'd get the
10 other one.

11 **CHAIR YEBER:** So is that -- are you -- you're
12 amending your motion?

13 **COMMISSIONER ALTSCHUL:** I guess.

14 **CHAIR YEBER:** And does the second -- seconder
15 accept that amendment?

16 **COMMISSIONER DELUCCIO:** Yes, except for the
17 hours. We were going to amend our motion for Alan for
18 the other two things.

19 **COMMISSIONER ALTSCHUL:** We're amending the motion
20 just for the rooftop situation.

21 **COMMISSIONER DELUCCIO:** And also for the 15th of
22 the month prior to give out the --

23 **COMMISSIONER DELUCCIO:** -- schedule of events for
24 the next month.

25 **CHAIR YEBER:** Commissioner -- Commissioner

1 Buckner? Sorry. It's a late hour.

2 **COMMISSIONER BUCKNER:** I just, I mean, department
3 has already approved it and it basically suggested
4 that we approve it the way it is. So why give it back
5 to the department?

6 **COMMISSIONER DELUCCIO:** Well, that's why I'm
7 suggesting it doesn't come back to the Planning
8 Commission. I think it's fine for them to check it
9 one more time and bring it to design review
10 subcommittee one more time, and then -- then the
11 director can make a final determination.

12 **JOHN KEHO:** So what I'm hearing, and this happen
13 -- has happened before on many occasions where the
14 Planning Commission's completely satisfied with the
15 design issue but they send it back for additional --
16 the applicant has to do some additional work, the
17 design review subcommittee looks at it, and the design
18 review subcommittee will make comments on it, and then
19 the director is able to act on it. And that's
20 happened before in the past.

21 **UNIDENTIFIED COMMISSIONER:** That's correct.

22 **COMMISSIONER BUCKNER:** Perhaps it will be helpful
23 when it comes back to design review if we have some
24 information about sound mitigation and what the sound
25 would be like from that open air thing.

1 **JOHN KEHO:** Right. And that's why I was asking,
2 and the point is to make it neighborhood compatible.

3 **COMMISSIONER BUCKNER:** Good.

4 **COMMISSIONER DELUCCIO:** Can we call the question
5 now?

6 **CHAIR YEBER:** Is there a second?

7 **COMMISSIONER BERNSTEIN:** I'll second.

8 **CHAIR YEBER:** All in favor of calling the
9 question say aye.

10 (All members present state, "Aye".)

11 **CHAIR YEBER:** Anybody opposed? All right.
12 So that means we are ready to vote.

13 **COMMISSIONER ALTSCHUL:** Roll call.

14 **CHAIR YEBER:** A roll call vote. David,
15 please.

16 **COMMISSION SECRETARY GILLIG:** Commissioner
17 Altschul?

18 **COMMISSIONER ALTSCHUL:** Yes.

19 **COMMISSION SECRETARY GILLIG:** Commissioner
20 DeLuccio?

21 **COMMISSIONER DELUCCIO:** Yes.

22 **COMMISSION SECRETARY GILLIG:** Commissioner
23 Bernstein?

24 **COMMISSIONER BERNSTEIN:** Aye.

25 **COMMISSION SECRETARY GILLIG:** Commissioner

1 Buckner?

2 **COMMISSIONER BUCKNER:** Yes.

3 **COMMISSION SECRETARY GILLIG:** Commissioner

4 Hamaker?

5 **COMMISSIONER HAMAKER:** Aye.

6 **COMMISSION SECRETARY GILLIG:** Vice-Chair

7 Guardarrama?

8 **VICE-CHAIR GUARDARRAMA:** Yes.

9 **COMMISSION SECRETARY GILLIG:** Chair Yeber?

10 **CHAIR YEBER:** Yes.

11 **COMMISSION SECRETARY GILLIG:** Motion carries

12 unanimous.

13 **CHAIR YEBER:** Okay. We need to just continue our
14 meeting. So if you're going to exit, please exit
15 quietly so we can finish. Thank you.

16 New business, we have none. Unfinished business,
17 none. Excluded consent calendar. Items from staff?

18 **JOHN KEHO:** I just wanted to provide an update on
19 the general plan. The general plan was heard at the
20 City Council at their last meeting.

21 **CHAIR YEBER:** Excuse me. If you can take your
22 conversation outside; thank you. Go ahead, John.

23 **JOHN KEHO:** So at the last City Council meeting,
24 the Council addressed the last remaining aspects of
25 the general plan, including historic preservation,

1 social services, parks and recreation, transit overlay
2 issues, and concluded all the discussion that they had
3 identified earlier in the process.

4 So what that means now is that we're going to be
5 bringing -- we're going to be going -- we're going to
6 take the document, take all the comments and
7 recommendations that the Planning Commission provided
8 and that the City Council provided, and update the
9 document to have all of those comments put in it, and
10 we'll bring that back to the City Council for their
11 final review. And we have that scheduled for May 2nd.
12 And so that's the update on the general plan.

13 **CHAIR YEBER:** Great. Anything else?

14 **JOHN KEHO:** That's -- that's it for tonight.

15 **CHAIR YEBER:** Okay.

16 **JOHN KEHO:** Other than I'm sad to see
17 Commissioner Guardarrama go.

18 **CHAIR YEBER:** Let me see your agenda.

19 **COMMISSIONER ALTSCHUL:** Public comment.

20 **CHAIR YEBER:** Do we have any public comments,
21 David?

22 **COMMISSION SECRETARY GILLIG:** No.

23 **CHAIR YEBER:** All right. So and --

24 **COMMISSIONER ALTSCHUL:** Items from Commissioners.

25 **CHAIR YEBER:** Items from Commissioners?

1 **COMMISSIONER BERNSTEIN:** Good night.

2 **CHAIR YEBER:** No, wait. I think we have
3 something. Do -- John, do we have anything? No --
4 we're at items for Commissioners.

5 **MR. KEHO:** Are you asking for items next time?

6 **CHAIR YEBER:** No, no, no, no, no. I wasn't doing
7 that. So no one has further comments?

8 **CHAIR YEBER:** No?

9 **COMMISSIONER HAMAKER:** Well, I could say Happy
10 Saint Patrick's Day, but it's two weeks away.

11 **CHAIR YEBER:** Okay. You want to bid your last --

12 **VICE-CHAIR GUARDARRAMA:** Au revoir.

13 **CHAIR YEBER:** Au revoir. All right. With that,
14 so we adjourn to our next scheduled meeting which is -

15 **JOHN KEHO:** -- March 17th.

16 **CHAIR YEBER:** March what?

17 **JOHN KEHO:** 17th.

18 **CHAIR YEBER:** -- March 17th.

19 (Whereupon, the proceedings were concluded)

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APPROVED BY A MOTION OF THE PLANNING COMMISSION ON
THIS 21ST DAY OF APRIL, 2011.



MARC YEBER, CHAIR

ATTEST:



DAVID GILLIG, COMMISSION SECRETARY