



PLANNING COMMISSION MINUTES
Regular Meeting
May 19, 2011

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

1. CALL TO ORDER:

Chair Yeber called the meeting of the Planning Commission to order at 6:35 P.M.

2. PLEDGE OF ALLEGIANCE: Todd Steadman led the Pledge of Allegiance.

3. ROLL CALL:

Commissioners Present: Altschul, DeLuccio, Hamaker, Meister, Vice-Chair Bernstein, Chair Yeber.

Commissioners Absent: Buckner.

Staff Present: Christopher M. Corrao, Assistant Planner, John Keho, Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA.

ACTION: Approve the Planning Commission Agenda of Thursday, May 19, 2011 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Commission Buckner.**

5. APPROVAL OF MINUTES.

Commissioner Meister notated on page 3 of 15; 1) applicant stated 2,500 square-foot; and page 14 of 15; 2) roll call vote should indicate an abstention (not absent).

A. May 5, 2011

ACTION: Approve the Planning Commission Minutes of Thursday, May 5, 2011 as amended. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Commissioner Buckner.**

6. PUBLIC COMMENT.

TODD STEADMAN, LOS ANGELES, Executive Director, Sunset Strip Business Association, commented on the services that are provided by the Sunset Strip Business Association and the annual report. He stated the Sunset Strip Music Festival, will be held August 18 – 20, 2011 and introduced the Security Director for the Sunset Strip Business Association.

7. ITEMS FROM COMMISSIONERS. None.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. Zone Text Amendment.

Banquet Facilities:

Christopher Corrao, Assistant Planner, provided an oral presentation and background information as presented in the staff report dated Thursday, May 19, 2011.

He stated the proposal is an amendment to the Zoning Ordinance initiated by the City and applicable City-wide. The amendment would alter the language in the Zoning Ordinance to require that new and existing banquet facility uses in residential zones obtain Conditional Use Permit approval.

As currently written, the Zoning Ordinance allows banquet facilities to operate as an accessory use in residential zones without operational conditions, often accessory to religious institutions, or other facilities capable of accommodating large groups.

The proposed change would add Banquet Facility as an allowed use in the Zoning Ordinance, giving the City the ability to require a Conditional Use Permit for this use, and therefore the ability to condition banquet facilities in residential zones, minimizing impacts to residential neighborhoods.

He stated banquet facilities, commonly associated with religious institutions, or other facilities capable of accommodating large groups, are often located in residential zones. Some banquet facilities may exist as accessory uses at establishments that are already regulated by Conditional Use Permits (such as within hotels in residential zones), and will not be impacted by this ordinance. However, staff believes that the following six establishments are currently operating in residential areas of West Hollywood:

<i>St Victor Catholic Church</i>	<i>8634 Holloway Drive</i>
<i>Crescent Heights United Methodist Church</i>	<i>1296 Fairfax Avenue</i>
<i>Nichiren Shoshu Myohoji Temple</i>	<i>1401 N Crescent Heights Blvd</i>
<i>St Ambrose Catholic Church</i>	<i>1281 Fairfax Avenue</i>
<i>Beverly Hills Baptist Church</i>	<i>9025 Cynthia Street</i>
<i>Iranian American Jewish Federation</i>	<i>1317 N Crescent Heights Blvd</i>

If any of these establishments have banquet facilities and are not already regulated by an existing Conditional Use Permit, they will be affected by this ordinance.

He detailed and defined the proposed changes to the Municipal Code, and spoke regarding residential accessory uses and structures.

The proposed Zone Text Amendment would apply to both existing and new banquet facilities in residential zones. It would require existing and operating banquet facilities in residential zones to apply for Conditional Use Permit approval to continue their operation, unless the facility was already regulated under a CUP for the primary use of the property.

Existing facilities will have 120 days from the effective date of this ordinance to file an application for a Conditional Use Permit and have it deemed complete by the Community Development Department. The effective date of the ordinance begins when signed by the Mayor and City Clerk of the City of West Hollywood.

The proposed Zone Text Amendment would enable the City to condition existing and new banquet facilities in residential zones. The amendment would also require existing and operating banquet facilities in residential zones to secure Conditional Use Permit approval to continue their operation.

The Zone Text Amendment furthers the direction given in the General Plan to mitigate commercial land use impacts on residential zones.

He stated the following addition to Resolution No. PC 11-956, page 4 of 4; Section 19.36.085 Banquet Facility; Subsection A: should read as follows:

“A Banquet Facility that is accessory to a permitted non-residential primary use in a residential zone shall require a conditional use permit in compliance with Chapter 19.52, and as identified in Table 2-2 (Allowed Uses and Permit Requirements for Residential Zoning Districts).”

Staff recommends approval of this Zone Text Amendment to the City Council.

Commissioner Altschul questioned which religious institutions requested a continuance and if staff had performed outreach to these organizations.

Christopher Corrao, Assistant Planner, stated St. Victor Church, The First Baptist Church of Beverly Hills, and the Iranian American Jewish Federation all requested a continuance of this item. Staff did make outreach efforts.

Commissioner DeLuccio requested clarification regarding permitted accessory uses.

Commissioner Meister requested clarification regarding conditional use permits with hotel usage and banquet facilities. She questioned the exemption of CEQA.

Chair Yeber asked staff to clarify what constitutes an accessory and requested a clear definition for banquet facilities.

Staff provided an in-depth clarification of accessory uses and the differentiation of banquet facilities.

Chair Yeber opened public testimony for Item 10.A.:

GRAFTON TANQUARY, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding Residential Zones 1 and 2 and suggested those areas should not be included in the text change. He stated the use of a banquet facility should be used solely in conjunction with a religious event and has concerns with the phrase "accessory facility" and would like to see this clarified.

EBON ALABASTER, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the definition of banquet facilities and various activities allowed under the definition.

RIC ABRAMSON, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding intensification of use, accessory use, the definition of banquet facilities and urged caution in the language to be drafted.

DAVID CARLAT, LOS ANGELES, representing the Iranian American Jewish Federation, has concerns regarding this item. He requested a continuance and spoke on the ramification(s) regarding the Religious Land Use Institution Person Act of 2000.

Christi Hogin, Assistant City Attorney, clarified the City's position in regards to the Religious Land Use Institution Person Act of 2000.

Chair Yeber stated for the record the public hearing shall remain open.

Commissioner DeLuccio stated he does not feel comfortable coming to a conclusion tonight; not until a decision on the appeal before City Council is discussed and final. He stated other institutions have not had the opportunity to voice their views and requested a continuance.

Vice-Chair Bernstein moved to: 1) continue the item to Thursday, August 18, 2011.

Seconded by Commissioner Altschul.

Commissioner DeLuccio recommended: 1) more community outreach; 2) City Council decision on the appeal; 3) interpretation(s) addressed regarding the input from public speakers; and 4) input from other religious institutions.

Commissioner Altschul recommended: 1) a neighborhood meeting with each of the religious facilities to: a) gather their opinions and input, b) a matrix and study that shows what the other religious facilities currently have (or don't have); and c) if they are planning on (or have thoughts on) expanding their activities to include more banquets, and to include banquets if they currently don't.

Commissioner Meister stated she was not comfortable with the ordinance at this time. She stated it seemed like a reaction to a code compliance issue, and creating an ordinance to allow for banquet facilities in any residential neighborhood would affect the integrity of residential zones city-wide. She would like to see these on a case by case basis, rather than to have a city-wide ordinance that makes banquet facilities in residential zones acceptable.

Chair Yeber questioned how staff arrived at the number "twenty-five" and commented on the lack of clarity regarding the terminology of "accessory facility". He would like to see the definition enhanced and clarified.

Commissioner DeLuccio would like to see: 1) what additional criteria would trigger the religious facilities in order for them to get a conditional use permit. He suggested perhaps we could question instead; when they would have to get a conditional use permit.

ACTION: 1) Continue to Thursday, August 18, 2011, with the following conditions: a) wait until City Council decision on the appeal; b) interpretation(s) addressed regarding the input from public speakers; c) input from other religious institutions; d) neighborhood meetings with each of the religious facilities to gather their opinions and input; e) provide a matrix and study which shows what the other religious facilities currently have (or don't have); f) if the other religious facilities are planning on (or have thoughts on) expanding their activities to include more banquets, or to include banquets if they currently don't; g) clearly define the term "accessory facility"; and h) what additional criteria would actually trigger a conditional use permit for religious facilities. **Moved by Vice-Chair Bernstein, seconded by Commissioner Altschul and passes on a Roll Call Vote:**

AYES: Altschul, DeLuccio, Hamaker, Meister, Vice-Chair Bernstein, Chair Yeber.

NOES: None.

ABSENT: Buckner.

RECUSED: None.

10. NEW BUSINESS.

A. Design Steering Committee Appointment.

On Monday, May 2, 2011, City Council approved the establishment of a Design Steering Committee for the City Hall Automated Garage and Community Plaza and asked Commissions and advisory boards to appoint a member and alternative.

ACTION: 1) Appoint Marc Yeber; and 2) Lauren Meister as Alternate, to the Design Steering Committee. **Motion carried by consensus of the Commission.**

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

A. Planning Manager's Update.

John Keho, Planning Manager, provided an update regarding upcoming projects tentatively scheduled for Planning Commission.

He stated this is Barbara Hamaker's last Planning Commission meeting and thanked her for her years of service as a Planning Commissioner. He wished her well.

14. PUBLIC COMMENT.

RIC ABRAMSON, WEST HOLLYWOOD, thanked Barbara Hamaker for her years of service as a Planning Commissioner and wished her well.

15. ITEMS FROM COMMISSIONERS.

Commissioner Meister wished Barbara Hamaker all the best.

Commissioner Altschul thanked Barbara Hamaker for her years of service as a Planning Commissioner and wished her all the best.

Commissioner DeLuccio thanked Barbara Hamaker for her years of service as a Planning Commissioner and wished her all the best.

Vice-Chair Bernstein thanked Barbara Hamaker for her years of service as a Planning Commissioner and wished her all the best.

Chair Yeber thanked Barbara Hamaker for her years of service as a Planning Commissioner and wished her all the best.

Commissioner Hamaker thanked Mayor John Duran and everyone for their support over the years. She thanked the Planning Commissioners, CATV and planning staff.

16. **ADJOURNMENT:** The Planning Commission adjourned at 7:45 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, June 2, 2010 at 6:30 P.M. at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 2ND DAY OF JUNE, 2011.



MARC YEBER, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY