



PLANNING COMMISSION MINUTES

September 6, 2001

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

1. CALL TO ORDER

Chair DeLuccio called the meeting of the Planning Commission to order at 6:35 PM.

A. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mark Persico.

Chair DeLuccio introduced the new Director of Community Development, Mark Persico.

B. ROLL CALL:

Commissioners Present: Altschul, Behr, Crowe, DeLuccio, Hamaker, Hewitt and Torgan.

Commissioners Absent: None.

Staff Present: Mark Persico, Community Development Director; Christi Hogin, Assistant City Attorney; Tim Foy, Acting Planning Manager; John Keho, Senior Planner and David Gillig, Administrative Staff Assistant to the Planning Manager.

C. APPROVAL OF AGENDA: Approve the Planning Commission Agenda of Thursday, August 16, 2001 as presented. **Motion Commissioner Crowe, seconded by Commissioner Behr and unanimously carried.**

D. REPORT ON POSTING OF AGENDA:

Tim Foy, Acting Planning Manager stated the agenda was posted at City Hall, the Community Development Department public counter, West Hollywood Library on San Vicente Boulevard, Plummer Park, and the West Hollywood Sheriff's station.

E. MICROPHONE AND WIRELESS REMINDER:

Tim Foy, Acting Planning Manager reminded all present to speak clearly into microphones and to turn off all cellular phones and pagers.

2. PUBLIC COMMENT:

JANET COLE, WEST HOLLYWOOD, stated that she supports the staff recommendation of denial of Development Permit No. 2001-14 and Demolition Permit No. 2001-03 for 8735 Bonner Drive, West Hollywood, California.

ITEM 5.A

HELAINÉ P. WILLBOURNE, WEST HOLLYWOOD, stated her concerns with the proposed development at 8735 Bonner Drive and commented on the decay of the buildings and property of the Cedars-Sinai Medical Center parking lot. She urged the Planning Commissions support of this item.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the actions of Commissioners and City Councilmembers and stated that there are certain codes of conduct that should be followed.

Close the Public Comment to public speakers. **Motion carried by consensus of the Commission.**

3. ITEMS FROM COMMISSIONERS:

Commissioner Hamaker responded to Jeanne Dobrins' remarks and indicated that personal remarks made by Commissioners to Councilmembers are not always privy to the general public.

Commissioner Torgan welcomed the new Director of Community Development, Mark Persico.

4. ITEMS FROM STAFF

None.

5. CONSENT CALENDAR

Chair DeLuccio moved Item 5.A. to the Excluded Consent Calendar for separate discussion.

B. APPROVAL OF MINUTES:

ACTION: Approve the Planning Commission Minutes of Thursday, August 16, 2001 as presented: **Motion Commissioner Altschul, seconded by Commissioner Behr and unanimously carried; noting the Abstention of Commissioner Torgan.**

6. EXCLUDED CONSENT CALENDAR

A. APPROVAL OF MINUTES:

ACTION: Approve the Planning Commission Minutes of Thursday, August 2, 2001 as amended: 1) Page No. 2.; change the verbiage of "direction to staff" to: "request of staff"; by consensus; and 2) Page No. 8; change the verbiage of "direction to staff" to: "request of staff"; by consensus; and 3) Page No. 5; move the three paragraphs referencing Commissioners' questions; to appear before the close of Public Hearings. **Motion Commissioner Altschul, seconded by Commissioner Behr and unanimously carried.**

7. COMMISSION CONSIDERATION

A. Creative Sign Permit 2001-03:

Erect one (1) pole sign and two (2) wall signs for Petco Animal Supplies, Inc., located at 508 N. Doheny Drive, West Hollywood, California.

ACTION: 1) Continue this item; and 2) bring back to the Planning Commission meeting of Thursday, September 20, 2001. **Unanimously carried.**

Chair DeLuccio stated for the record; Commissioner Altschul had requested at the Planning Commission meeting of Thursday, August 2, 2001, the City of West Hollywood needs to look into Petco Animal Supplies, Inc.'s Conditional Use Permit, with a possible modification. This item will be brought before the Planning Commission on Thursday, October 4, 2001.

8. PUBLIC HEARINGS

A. Development Permit 2001-34, Minor Conditional Use Permit 2001-17, and Parking Use Permit 2001-05:

Minor Conditional Use Permit and Development Permit to modify an existing restaurant facility, reduce the number of parking spaces, and a Parking Use Permit to allow off-site parking to be located at 8789 Sunset Boulevard, West Hollywood, California.

ACTION: 1) Continue this item; and 2) bring back to the Planning Commission meeting of Thursday, September 20, 2001. **Unanimously carried.**

B. Development Permit 2001-14 and Demolition Permit 2001-03:

Tim Foy, Acting Planning Manager, presented the amended staff report, regarding demolishing a single-family home and construct a new single family home.

Commissioner Torgan questioned if the floor to area ratio has been addressed

Tim Foy, Acting Planning Manager assured him that it was discussed in detail at the original Public Hearing for this property.

Commissioner Behr noted there are currently three (3) properties located at 8700, 8701 and 8704 Bonner Drive that have higher floor to area ratios. However these are multi-family units, not single family homes. He also stated his concerns regarding the front area, which is not to be more than 40% paved and believes that this is not complying with the old Zoning Ordinance.

Commissioner Altschul questioned the location of the garage, garage door and the percentage of frontage occupied by parking area.

Commissioner Crowe questioned staff regarding the findings of the denial

Chair DeLuccio continued the Public Hearings.

EDUARDO DE LA TORRE, LOS ANGELES, gave the applicants report.

FEDIDA GABRIEL, WEST HOLLYWOOD, owner of the property, briefly reiterated the applicant's report.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of staff recommendation(s) and requested this item be denied

TODD LIEBERMAN, WEST HOLLYWOOD, spoke in support of staff recommendation(s) and requested this item be denied.

JAY JASPER, WEST HOLLYWOOD, spoke in support of staff recommendation(s) and requested this item be denied.

SHERIE STARK, WEST HOLLYWOOD, spoke in support of staff recommendation(s) and requested this item be denied

STEVE KILLAM, WEST HOLLYWOOD, has concerns regarding this item. He indicated that approving this item will destroy the charm of the neighborhood

KEVIN SCHAEFFER, WEST HOLLYWOOD, has concerns regarding this item. He reiterated the other speakers' concerns and sincerely hopes the Commission will uphold staff recommendation(s) and deny this item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of staff recommendation(s) and requested this item be denied.

DAN SIEGAL, WEST HOLLYWOOD, spoke in support of staff recommendation(s) and requested this item be denied

RICHARD KALEH, WEST HOLLYWOOD, spoke in support of staff recommendation(s) and requested this item be denied.

FEDIDA GABRIEL, WEST HOLLYWOOD, owner of the property, gave a rebuttal on the issue(s) raised and asked for support, approval and direction from the Commission.

ACTION: Close the Public Hearings. **Motion by Commissioner Altschul, seconded by Commissioner Crowe and unanimously carried.**

Commissioner Altschul moved to adopt staff recommendation. **Motion by Commissioner Altschul, seconded by Commissioner Crowe.**

Commissioner Altschul stated his continuing issues with the size and scale of this project. He reiterated that the applicant/owner had more than sufficient time to reduce the square footage and failed to do so.

Commissioner Crowe stated his issues regarding the neighborhood impact and indicated that the applicant/owner did not meet the findings as indicated in the Zoning Code and he is not in favor or approval.

Commissioner Hewitt noted that the house is out of scale for the neighborhood and will vote for denial.

Commissioner Torgan indicated that new development must be compatible with the neighborhood. He stated he has no issue with the current design of the house, but the size of the house.

Commissioner Torgan moved to amend Commissioner Altschul's Motion. He would like a sentence added to Resolution No. PC 01-369; Section 6.b., indicating the floor to area ratio of this project is double or triple the size of every other single family home on the block.

Commissioner Altschul and Commissioner Crowe agreed to this amendment to the original Motion.

ACTION: 1) Deny the application as amended; and 2) Adopt Resolution No. PC 01-369, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DENYING DEVELOPMENT PERMIT 2001-14 AND DEMOLITION PERMIT 2001-03, FOR THE PROPERTY LOCATED AT 8735 BONNER DRIVE, WEST HOLLYWOOD, CALIFORNIA." **Motion by Commissioner Altschul, seconded by Commissioner Crowe and unanimously carried.**

Chair DeLuccio advised the public and the applicant/owner that they have one (1) week from Monday, September 10, 2001 to file an Appeal to the City Council of the City of West Hollywood. Appeal forms are available in the Office of the City Clerk or from the Planning Division and must be officially filed with the City Clerk's Office.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:35 PM AND RECONVENED AT 7:45 P.M.

C. Temporary Use Permit 2001-11:

John Keho, Senior Planner, presented the staff report, recommending a two (2) year Temporary Use Permit for the use of an existing parking lot by the Cedars-Sinai Medical Center located at 365 San Vicente Boulevard, West Hollywood, California.

Commissioner Crowe asked staff to respond to the rebuttal letter of Mr. Corin L. Kahn, and questioned how the neighborhood-visioning meeting impacted staff's recommendation.

Commissioner Behr raised issues regarding how the Resolution is currently worded. He indicated that the time frame(s) notated in the Resolution appear to be misleading. He also questioned staff on the site improvements and the loss of forty (40) parking spaces.

Commissioner Torgan questioned the daily use(s) of the Cedars-Sinai parking lot, how many key cards have been issued to access the parking lot and the role and hours of the parking attendant.

Chair DeLuccio opened the Public Hearings.

RICHARD JACOBS, LOS ANGELES, Senior Vice-President for System Development, representing Cedars-Sinai Medical Center, gave the applicants report.

JEFFREY S. HABER, LOS ANGELES, of Latham and Watkins, representing Cedars-Sinai Medical Center, gave additional information and added to the applicants report.

Commissioner Hamaker questioned how Cedars-Sinai Medical Center decides how they develop their numerous properties.

Commissioner Behr questioned and had issues with the set-backs in relation to the Zoning Code.

Commissioner Torgan questioned if Cedars-Sinai Medical Center currently has an Internal Facilities Master Plan and/or an equivalent of a General Plan.

Richard Jacobs, Jeffrey S. Haber and staff, answered the various questions and issues brought forward by the Commission.

LAUREN MEISTER, WEST HOLLYWOOD, opposes this item. She indicated that she is in favor of the fifteen (15) foot set-back, however, she opposes staff recommendation extending the Temporary Use Permit.

CORIN L. KAHN, WEST HOLLYWOOD, opposes this item. He indicated that this property needs to be compatible with residential use and believes it requires a Variance. He also requested staff to come up with a long-term plan with a six (6) month extension, instead of the recommended twenty-four (24) month.

JOURDAN FREMIN, WEST HOLLYWOOD, opposes this item. She began the reading of the letter of Mr. Corin L. Kahn, Co-Chair, West Hollywood West Residents Association, Sherbourne Triangle Sub-committee verbatim (which is part of the public record as Exhibit F).

CHRIS ISLEIB, WEST HOLLYWOOD, opposes this item. He continued the reading of the letter of Mr. Corin L. Kahn, Co-Chair, West Hollywood West Residents Association, Sherbourne Triangle Sub-committee verbatim (which is part of the public record as Exhibit F).

ERIC D'ARBELOFF, WEST HOLLYWOOD, opposes this item. He continued the reading of the letter of Mr. Corin L. Kahn, Co-Chair, West Hollywood West Residents Association, Sherbourne Triangle Sub-committee verbatim (which is part of the public record as Exhibit F).

ANNETTE VATT, WEST HOLLYWOOD, opposes this item. She continued the reading of the letter of Mr. Corin L. Kahn, Co-Chair, West Hollywood West Residents Association, Sherbourne Triangle Sub-committee verbatim (which is part of the public record as Exhibit F).

MARION STERLING, WEST HOLLYWOOD, opposes this item. He continued and concluded the reading of the letter of Mr. Corin L. Kahn, Co-Chair, West Hollywood West Residents Association, Sherbourne Triangle Sub-committee verbatim (which is part of the public record as Exhibit F).

KEVIN SCHAEFFER, WEST HOLLYWOOD, has concerns regarding this item. He commented on the increase of the homeless and the long-term use of the parking lot.

RICHARD KALÉH, WEST HOLLYWOOD, has concerns regarding this item. He commented on the homes along Sherbourne Drive that have been neglected by Cedars-Sinai Medical Center and urged the Commission to recommend the repair of these buildings.

RICHARD GEISBRET, WEST HOLLYWOOD, has concerns regarding this item. He requested the Commission down zone this property and issue a Temporary Use Permit with a specific plan outlined.

DAN SIEGEL, WEST HOLLYWOOD, opposes this item. He urged the Commission to take away Cedars-Sinai Medical Center Temporary Use Permit as a parking lot.

JOEL BECKER, WEST HOLLYWOOD, has concerns regarding this item. He stated that the neighbors do not want a parking lot in their neighborhood and indicated that he wants the Planning Commission as representatives of the City, to listen to the neighbors. He suggested a conditional six (6) month Temporary Use Permit.

ERIK LERNER, WEST HOLLYWOOD, opposes this item. He indicated that this is not a site for a parking lot and/or a hotel. He stated that the City should try to create a solution of varying needs that caters to both the residents and to the community.

TODD LIEBERMAN, WEST HOLLYWOOD, opposes this item. He commented on the current aesthetics of the neighborhood.

JEFFREY S. HABER, LOS ANGELES, of Latham and Watkins, representing Cedars-Sinai Medical Center, gave no rebuttal(s) on the issue(s) raised. He made himself available for any additional questions.

Commissioner Torgan questioned the City Attorney (staff) regarding the Ellis Act, conditioning the permit with items that deal with renovation, restoration or use of residential structures.

John Keho, Senior Planner indicated that the City of West Hollywood is unable to force property owner(s) to rent buildings and/or develop vacant properties.

ACTION: Close the Public Hearings. **Motion by Commissioner Crowe, seconded by Commissioner Behr and unanimously carried.**

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 9:10 PM AND RECONVENED AT 9:15 P.M.

Commissioner Altschul motioned to grant the two (2) year Temporary Use Permit and leave the issue of the "buffer" to the Community Development Director and have the City Attorney analyze the Zoning Code to see what the proper "buffer" should be; with a maximum of fifteen (15) feet and a minimum of five (5) feet. **Motion by Commissioner Altschul, seconded by Commissioner Hewitt.**

Commissioner Altschul stated the City of West Hollywood does not have the right to tell Cedars-Sinai Medical Center what they must do with their property. The City only has the right to condition the property. He stated that the property should not be unutilized and therefore should be used as a parking lot.

Commissioner Behr stated his issues with the current time frame and would not support the motion. He questioned the City Attorney about the future zoning of the property.

Christi Hogan, City Attorney reminded the Commission that the Temporary Use Permit is before them and needs to be acted on. Any type of action cannot be taken at this time regarding the zoning of the property.

Commissioner Crowe stated that he will not support the current motion. He stated his issues with the time frame(s) imposed and favors a six (6) month extension.

Commissioner Torgan stated his agreement with staff recommendations and commented that the lot should not sit empty. He suggested the following changes be included to the original motion: 1) Resolution No. PC 01-383; Section 1.4); strike the sentence that reads: "The Director may grant one (1) extension for one (1) additional year"; and 2) Section 4.18); add on-site parking management hours of 6:30 A.M. to 9:00 A.M. and 5:00 P.M. to 7:00 P.M.

Commissioner Hewett reiterated Commissioner Torgan's view(s) and stated that anything proposed for the area has to fit in with the surrounding neighborhood. She also commented that if the Cedars-Sinai Medical Center parking lot does sit empty, there would not be any type of control and/or regulation(s) to govern the property.

Commissioner Altschul and Commissioner Hewitt agreed to the recommended changes to the original Motion, made by Commissioner Torgan.

MOTION FAILED ON A ROLL CALL VOTE:

AYES: Commissioners Altschul, Torgan, Hewitt.

NAYS: Commissioners Behr, Crowe, Hamaker and Chair DeLuccio.

Commissioner Crowe motioned to grant a six (6) month Temporary Use Permit and leave the issue of the "buffer" to the Community Development Director and have the City Attorney analyze the Zoning Code to see what the proper "buffer" should be; with a maximum of fifteen (15) feet and a minimum of five (5) feet. Resolution No. PC 01-383; Section 1.4); strike the sentence that reads: "The Director may grant one (1) extension for one (1) additional year"; and Section 4.18); add on-site parking lot management hours of 6:30 A.M. to 9:00 A.M. and 5:00 P.M. to 7:00 P.M. **Motion by Commissioner Crowe, seconded by Chair DeLuccio.**

Commissioner Behr suggested an amendment the Motion to grant a twelve (12) month (one (1) year) Temporary Use Permit.

Chair DeLuccio reiterated the changes made by Commissioner Behr to the motion and indicated the changes would read in Resolution No. PC 01-383; Section 1.4) ...shall expire twelve (12) months from the date of approval by the Planning Commission on September 6, 2002.

Chair DeLuccio and Commissioner Crowe agreed to the recommended changes made to the Motion, by Commissioner Behr.

Commissioner Torgan suggested an amendment by giving the Director the option of a further twelve (12) month extension without the necessity of coming back to the Planning Commission and strike the fifteen (15) foot "buffer".

Chair DeLuccio and Commissioner Crowe did not agree to this recommended amendment.

Commissioner Torgan recommended the following amendments have a separate Roll Call vote:

1) Resolution No. PC 01-383; and Section 1.4): Leave in the sentence: "The Director may grant one (1) extension for one (1) additional year". **By consensus of the Commission.**

MOTION FAILED ON A ROLL CALL VOTE:

AYES: Commissioners Altschul, Torgan, Hewitt.
NAYS: Commissioners Behr, Crowe, Hamaker and Chair DeLuccio.

2) Resolution No. PC 01-383; Section 3.1) remove reference to the fifteen (15) foot landscaped buffer. **By consensus of the Commission.**

MOTION FAILED ON A ROLL CALL VOTE:

AYES: Commissioners Altschul, Torgan, Hewitt.
NAYS: Commissioners Behr, Crowe, Hamaker and Chair DeLuccio.

Commissioner Altschul moved to amend Commissioner's Crowe's Motion. With respect to the "buffer", be amended to read: that the Director of Community Development; working with staff and the City Attorney, determine if a "buffer" is required, and if so, what the proper footage is under the new Zoning Code. **Motion by Commissioner Altschul, seconded by Commissioner Hewitt.**

MOTION FAILED ON A ROLL CALL VOTE:

AYES: Commissioners Altschul, Torgan, Hewitt.
NAYS: Commissioners Behr, Crowe, Hamaker and Chair DeLuccio.

Chair DeLuccio reiterated and clarified the Motion on the floor. The changes shall read in Resolution No. PC 01-383; Section 1.4) ...shall expire twelve (12) months from the date of approval by the Planning Commission on September 6, 2002. Resolution No. PC 01-383; Section 1.4); strike the sentence that reads: "The Director may grant one (1) extension for one (1) additional year"; and Section 4.18); add on-site parking lot management for the hours of 6:30 A.M. to 9:00 A.M. and 5:00 P.M. to 7:00 P.M.

ACTION: 1) Approve the request as amended; and 2) Adopt Resolution PC No. 01-383 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING TEMPORARY USE PERMITS 2001-11 FOR A ONE (1) YEAR USE OF A PARKING LOT FOR CEDARS-SINAI MEDICAL CENTER (CSMC) EMPLOYEES AT THE PROPERTIES LOCATED AT 365 SAN VICENTE BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.". **Motion by Commissioner Altschul, seconded by Commissioner Hewitt and carried on a Roll Call Vote.**

AYES: Commissioners Altschul, Behr, Crowe, Hamaker, Hewitt and Chair DeLuccio.
NOES: Commissioner Torgan.

9. PUBLIC COMMENT

None.

10. ITEMS FROM COMMISSIONERS

Commissioner Torgan requested staff come back within sixty (60) days with a Discussion Item on the options for a rezoning or a down zoning of the Cedars-Sinai Medical Center parking lot, including but not limited to, the removal of the hotel overlay zone. **Carried by consensus.**

Commissioner Hewitt hopes that the visioning process that recently took place is not lost and/or forgotten and everyone pays attention to the result(s).

Commissioner Crowe commented on the visioning process and indicated that it was a very rewarding and very valuable experience for everyone involved.

Commissioner Hamaker questioned the agenda date for the item regarding the Jumbotron on Sunset Boulevard.

10. ITEMS FROM STAFF

John Keho, Senior Planner, stated that the Jumbotron item would be going before the West Hollywood City Council on Monday, October 1, 2001.

Tim Foy, Acting Planning Manager, reminded the Commissioners of a Plan Check Workshop that they may attend, if interested.


Mark Persico, Director of Community Development, stated that the West Hollywood City Council directed staff at their last meeting of Tuesday, September 4, 2001, a Planning Commissioner sit on the Task Force concerning Sunset Boulevard issues.

It was noted for the record that Commissioner Altschul and Commissioner Torgan both showed interest in serving on this Task Force.

11. ADJOURNMENT

The Planning Commission adjourned at 10:05 P.M. to the next regularly scheduled meeting of the Planning Commission, which will be on Thursday, September 20, 2001, at the 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 20TH DAY OF SEPTEMBER, 2001.



CHAIRPERSON

ATTEST:



Community Development Director