



## **PLANNING COMMISSION MINUTES**

**October 4, 2001**

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

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

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Chair DeLuccio called the meeting of the Planning Commission to order at 6:30 PM.

#### **A. Pledge of Allegiance**

The Pledge of Allegiance was led by Jeanne Dobrin.

#### **B. Roll Call**

Commissioners Present:

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

Commissioners Absent:

None

Staff Present:

Mark Persico, Community Development Director; Hassan Haghani, Acting Planning Manager; Christi Hogin, Assistant City Attorney; John Keho, Senior Planner; John Chase, Urban Designer; Terry Blount, Associate Planner; Jack McGee, Contract Planner; and Jennifer Diaz, Administrative Staff Assistant

#### **C. Approval of Agenda**

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

Motion: Crowe            Second: Altschul

Vote: All Ayes

**Motion passes**

#### **D. Posting of Agenda**

The agenda was posted at City Hall, the Community Development Department counter, West Hollywood Library on San Vicente Boulevard, Plummer Park, and the West Hollywood Sheriff's station.

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### **2. PUBLIC COMMENT**

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- a. Alan Weber, West Hollywood, commented on an article in the LA Times regarding installation of EP911 by cellular companies.
- b. Jeanne Dobrin, West Hollywood, proposed that the Commission deny applications from cellular phone companies that have not complied with FCC regulations regarding EP911 implementation.

- c. Hillary Selvin, West Hollywood, welcomed Mark Persico as the Community Development Director. Commented on the processing of MCUP and CUP by the Director and hopes the due process will not be undermined by the Commission.

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### 3. ITEMS FROM COMMISSIONERS

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DeLuccio - Inquired about the Zoning Ordinance Clean-up.

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### 4. ITEMS FROM STAFF

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#### A. *Appoint a Commissioner to the Entry Feature Task Force*

*Mark Persico, Community Development Director*

Chair DeLuccio will serve on the Task Force and Commissioner Hamaker will act as an alternate.

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### 5. CONSENT CALENDAR

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#### A. *Minutes - September 20, 2001*

Moved to Excluded Consent Calendar.

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### 6. EXCLUDED CONSENT CALENDAR

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#### A. *Minutes - September 20, 2001*

Bring back Minutes on Consent Calendar on October 18, 2001.

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### 7. COMMISSION CONSIDERATION

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None.

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### 8. PUBLIC HEARINGS

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#### A. *Conditional Use Permit 2000-19: Review and possible modification or revocation of previously issued conditional use permit for the operation of a pet grooming business within a pet supply store.*

**Applicant:** *Petco*

**Location:** *508 N. Doheny Drive*

**Planner:** *Terry Blount*

**Recommendation:** *Receive information and direct staff on how to proceed.*

Chair DeLuccio opened the public hearing.

Terry Blount presented the staff report.

Jeff Haber presented the applicant's report.

#### **Public Comment**

a. Kristina Babst, spoke in support of Petco.

b. Dan Siegel, West Hollywood, stated that he does not want Petco to interfere with

the surrounding residents. Stated that Petco has had delivery trucks after 10:00 PM, have bright lights shining into apartments, and Petco should provide a place for dogs to relieve themselves other than residential streets.

- c. Lauren Meister, West Hollywood, stated that Petco is taking advantage of its current CUP and they do not have the proper permits required for the pet adoptions from the County.
- d. Kari Whitman, West Hollywood, Spoke in support of Petco and the pet adoptions.
- e. Chris DeRose, West Hollywood, Spoke in support of Petco and the pet adoptions.
- f. Robin Figer, Beverly Hills, Spoke in support of Petco and the pet adoptions.
- g. Jeanne Dobrin, West Hollywood, Spoke in support of Petco and the pet adoptions and believes the adoptions should be inside the business and should operate without disturbing neighbors.

Jeff Haber presented the applicant's rebuttal.

**Action: Close the public hearing**

Motion: Altschul      Second: Crowe

Votes: All Ayes

**Commission Deliberation**

Altschul - Implement conditions for the continuance of pet adoptions.

Crowe - Section 8.5 should have guidelines or standards pursuant to Chapter 19.54 of the code for elimination of liability on the City.

Torgan - Pet adoptions are not special events and therefore do not fall under Chapter 19.54 of the code; Would like the suggestions be direction to staff on the operations permits; No final decision by staff on the operations plan until neighbors have had the opportunity to review the plan and make comments. The operations plan must be in place before the pet adoptions can continue.

Christi Hugin - The motion described by Commissioner Torgan is legally acceptable. The operations plan will state the specific guidelines; The permit conditions will not.

DeLuccio - Suggested the applicant put closures on the tent which faces the residential units.

Hewitt - In favor of pet adoptions and suggested pets outside be models for the adoptions and the actual business of the adoptions be conducted inside the store.

Hamaker - Mutt Mit Stations should be installed to help new dog owners to learn to clean up after their pets; Suggested changing the adoption times on Sundays.

Behr - Inquired about the appeal process, the six month review date, and the pet adoptions.

Mark Persico - Suggested having a neighborhood meeting for residents within 500 feet of the business for review of the operations plan. The goal would be to reach a consensus before signing the plan.

**Action: Move to modify the Conditional Use Permit with the following amendments: Add to condition 8.5, "and according to an operation plan approved by the Community Development Director"; Add condition placing a sign inside and/or outside requesting patrons to be considerate of surrounding neighbors when accompanied by their pets with any outdoor signage subject to approval of Community Development Director; Installation of a dog waste station on the property subject to the approval of the Community Development Director; All deliveries must be completed between the hours of 8 AM and 9: 30 PM; and a six month report to the Commission from staff after approval of the operations plan per condition 8.5. The Operations Plan will be approved upon review of all stakeholders.**

Motion: Torgan            Second:        Hewitt

Votes:    All Ayes

**Motion passes on a roll call vote**

***B. Conditional Use Permit 2001-12 and Conditional Use Permit 2001-13: Tall wall signs for east and west sides of the Hyatt Hotel.***

***Applicant: Infinity Outdoor***

***Location: 8401 Sunset Boulevard***

***Planner: Jack McGee***

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

Donald DeLuccio opened the public hearing for items 8.B and 8.C.

Jack McGee presented the staff report for item 8.B.

Roberta Sponsler presented the applicant's report.

**Action: Close the public hearing**

Motion: Behr            Second:        Crowe

Votes:    All ayes

**Action: Move approval of staff's recommendation.**

Motion: Crowe            Second:        Hewitt

Votes:    All ayes

**Motion passes**

***C. Zoning Text Amendment 2001-06 and Conditional Use Permit 2001-11: Change the tall wall regulation in relation to percentage of windows within a wall area, and a permit for a tall wall conditional use permit.***

***Applicant: Hillcrest Realty***

***Location: 8440 Sunset Boulevard (Mondrian Hotel)***

***Planner: Jack McGee***

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

Commissioner Altschul recused himself from the hearing.

Commissioner Torgan disclosed that the representative for the applicant is employed by his firm and there is no conflict of interest.

Jack McGee presented the staff report.

Todd Elliot presented the applicant's report.

**Action: Close the public hearing.**

Motion: Torgan            Second: Crowe

Votes: All Ayes

**Commission Deliberation**

Torgan - In reference to the text amendment, it appears that it refers back to a standard where the amount of window on the wall is irrelevant because it is simply a window within the image area. As to the conditional use permit, item B and E cannot be met and suggests' a finding to that effect. Suggests' that the initial study be changed to note a significant impact that cannot be mitigated because of the inconsistency with the Sunset Specific Plan.

DeLuccio - Make a finding of denial for the zone text amendment based on the Sunset Specific Plan.

Christi Hogin - The finding in the proposal is inconsistent with the vision in the Sunset Specific Plan. As to the space of the adjacent property, Staff has taken direction to include as a matter of finding of fact that it was an inappropriate site because of the problem of the possible build-out.

Behr - The finding should include what impact the adjacent property will have if it builds up to its' property line and blocks the applicant's sign.

Hamaker - Inquired about a tall wall being two separate images on two planes.

**Action: Move the staff report with the following amendments: 1) Add items B and E, 2) the fact that a findings cannot be made due to an inappropriate site due to blockage with possible future build-out, 3) the entire sign cannot be perceived as a continuous image and 4) inconsistency with the Sunset Specific Plan information regarding the Mondrian Hotel and incorporate into the negative declaration.**

Motion: Crowe            Second: DeLuccio

Votes: All Ayes

Item will return on October 18, 2001.

Commissioner Altschul re-joined the meeting.

**D. Development Permit 2000-67 and Development Permit 2000-19: Demolish an existing house and garage to construct a 19-unit apartment building.**

**Applicant:** Varoojh Saroian

**Location:** 1420 Laurel Avenue (Laurel Gardens)

**Planner:** John Keho

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

Chair DeLuccio opened the public hearing.

John Keho presented the staff report.

Rodney Khan, Larry Tison, Varoojh Saroian presented the applicant's report.

**Public Comment**

1. Karen Ocamb, West Hollywood, spoke in opposition of the project.

Rodney Khan presented a rebuttal.

**Action: Close the public hearing.**

Motion: Crowe            Second: Altschul

Votes: All Ayes

**Commission Deliberation**

Altschul - Vision of West Hollywood was an urban village and the sub text is housing with emphasis on affordable and market rate housing. There will be inconvenience during the growth of the city.

Torgan - Concerned with the absence of a guarantee of affordability of the units in the conditions of the permit. Would like a standard condition that specifies the definition of affordability or the length of time that the units will remain affordable.

DeLuccio - Supports the project because it conforms to the Zoning Ordinance and the application is not asking for any variance, modifications, etc.

**Action: Move the staff recommendation with the following amendments:  
Staff and the applicant to work out the logistics regarding the protective wall;  
Add a minimum 10 parking spaces during the construction process, of site;  
As part of the construction mitigation language, include distribution of  
construction schedule phasing and periodic updates; In section 2.1, include  
three affordable units provided at all times pursuant to the Zoning Ordinance.**

Motion: Altschul            Second: Crowe

Votes: Ayes: Altschul, Crowe, Hewitt, Torgan, Behr, DeLuccio

Nayes: Hamaker

**Motion Passes**

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**9. PUBLIC COMMENT**

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- a. John D'Amico, West Hollywood, stated that he feels the commission attacks residents who speak before the commission on items that they feel are important.

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**10. ITEMS FROM COMMISSIONERS**

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Altschul - Did not recall Commissioner Crowe saying any negative remarks about Mr. D'Amico and does not feel that any commissioner has had any antagonistic feelings toward any public speaker.

Hamaker - Encouraged residents to attend the Vision 2020 Strategic Planning Workshop sponsored by the City.

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**11. ITEMS FROM STAFF**

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None.

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**12. ADJOURNMENT**

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**Action:** To adjourn to the next regular meeting of the Planning Commission on Thursday, October 18, 2001, at the West Hollywood Park Auditorium, 647 N. San Vicente Boulevard.

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

**PASSED, APPROVED AND ADOPTED THIS DAY OF November 1, 2001.**

**CHAIRPERSON:** Donald M. DeLuccio

**ATTEST:**  
**COMMUNITY DEVELOPMENT DIRECTOR:** 