



PLANNING COMMISSION MINUTES
Regular Meeting
April 4, 2013

West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California 90069

1. **CALL TO ORDER:** Chair Buckner called the meeting of the Planning Commission to order at 6:35 P.M.

2. **PLEDGE OF ALLEGIANCE:** Genevieve Morrill led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Aghaei, Altschul, Huebner, Yeber, Vice-Chair DeLuccio, Chair Buckner.

Commissioners Absent: None.

Staff Present: Antonio Castillo, Associate Planner, Stephanie Reich, Urban Designer, John Keho, Current and Historic Preservation Planning Manager, Stephanie DeWolfe, Community Development Director, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Move Item 14.A. (Planning Manager's Update) after Item 7. (Director's Report).

ACTION: Approve the Planning Commission Agenda of Thursday, April 4, 2013 as amended. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Altschul and unanimously carried.**

5. **APPROVAL OF MINUTES.**

A. February 7, 2013

ACTION: Approve the Planning Commission Minutes of Thursday, February 7, 2013 as presented. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Aghaei and unanimously carried.**

6. **PUBLIC COMMENT.**

GENEVIEVE MORRILL, LOS ANGELES, representing the West Hollywood Chamber of Commerce, detailed the recent program launched by the West Hollywood Chamber of Commerce; "Eat, Shop, Play, West Hollywood."

CATHY BLAIVAS, WEST HOLLYWOOD, commented on the recent City Council denial of Great Hall / Long Hall in Plummer Park as a historic nomination. She spoke regarding "Overriding Considerations."

STEPHANIE J. HARKER, WEST HOLLYWOOD, commented on the recent City Council denial of Great Hall / Long Hall in Plummer Park as a historic nomination.

7. DIRECTOR'S REPORT.

Stephanie DeWolfe, Community Development Director, stated this will be a regular informational item to the commission and public. She stated one of her new initiatives is to expand communication and outreach to all segments of the community, including the Planning Commission. She confirmed that she and planning staff will be meeting with the Chair and Vice-Chair of the Planning Commission on a monthly basis to improve communication and affirmed staff will bring forth a discussion item this summer regarding a commission retreat in the fall.

She stated there are two initiatives upcoming to improve communication city-wide. 1) An inter-active projects map will soon be on the City's web-page, and will display all the projects in the pipeline, which will include all background information for that property. This will be updated on a monthly basis. 2) A new Community Development newsletter is anticipated to be published in June, 2013. The newsletter will cover everything from policy issues, project updates and possible staff biographies.

She spoke and detailed the City Council actions from Monday, April 1, 2013 on the following projects that related to the Planning Commission: 1) Opposition regarding the historical nomination of the Great Hall / Long Hall in Plummer Park; 2) Sunset Strip Farmer's Market will begin on May 2, 2013 through October, 2013; 3) a City shuttle amongst the business districts for the summer; and 4) the City's Community Survey has ended.

The following item was heard out of order as part of the amended agenda.

14. ITEMS FROM STAFF.

A. Planning Manager's Update.

John Keho, Planning Manager, officially confirmed the resignation of Alan Bernstein from the Planning Commission.

He provided an update of upcoming current and historic preservation commission projects.

8. ITEMS FROM COMMISSIONERS.

Chair Buckner, Chair, encouraged participation in the West Hollywood Housing Element Update at West Hollywood Park Auditorium on Saturday, April 6, 2012, 9:00 a.m. to 12:00 noon.

9. CONSENT CALENDAR. None.

10. PUBLIC HEARINGS.

A. 523-531 N. La Cienega Boulevard:

Applicant is requesting a lot line adjustment between two 5,500 square-foot parcels that will result in the creation of one 6,858 square-foot standard parcel and one 4,142 square-foot substandard parcel.

ACTION: Continue to Thursday, June 6, 2013. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Altschul and unanimously carried as part of the amended agenda.**

Chair Buckner recused herself from the meeting at this time; noting her residence is within the 500 foot radius of the project site.

Commissioner Altschul recused himself from the meeting at this time; noting his residence is within the 500 foot radius of the project site.

B. 8730 Sunset Boulevard:

Antonio Castillo, Associate Planner provided an oral and visual presentation and background information as presented in the staff report dated Thursday, April 4, 2013.

He stated the applicant is requesting to amend a conditional use permit to modify the placement of an existing 10,858 square-foot tall wall located on the building's west façade without modifying the tall wall square footage.

The applicant's original request was to remove 660 square feet from the bottom of the tall wall and reallocate that square-footage on a new billboard like structure placed 30 inches away from the rooftop mechanical enclosure.

A recent submittal increased the square-footage to reallocate approximately 1,200 square feet by shifting a portion of the sign area to the top surface. The applicant proposes to remove the existing cabinet and box sign mounted on the mechanical enclosure which currently provides the buildings "8730 Sunset Towers" identification sign. The cabinet box sign is currently mounted on a panel supported by the parapet spanning taller than the building's roof top surface.

He stated this building has maintained an off-site advertisement sign on this façade since approximately October, 1996, when the Sunset Specific Plan was adopted. Prior to 2001, the comprehensive zoning ordinance update was referred to and approved as a creative billboard. This sign was later called a tall wall under the new ordinance and became subject to a conditional use permit.

In 2002, the Planning Commission granted a conditional use permit to maintain the tall wall and allowed for the center recessed area with windows to be occupied by signage.

Other similar buildings with signage on the rooftop mechanical enclosures along the Sunset Strip include the 8560 Millennium building and the 9000 building. The existing signage on these buildings differs in their process and type.

Staff has determined the request is a major amendment to the tall wall, given the modification to the placement is a significant change to the project design. Staff's assessment that two of the required standards cannot be met as proposed; including Standard F and Standard H.

According to the applicant, the reason for not mounting it on the structure; is to shield the existing cellular antennas that currently exist on the surface of the façade. These were installed in approximately 2009.

It is staff's assessment that placement of a portion of the wall and roof structure will substantially impair the aesthetic appeal of the building's architecture and will not result in an aesthetic improvement to the enhancement of the building or site.

Stephanie Reich, Urban Designer, presented the design review report. She stated the proposal extends the tall wall to the rooftop projection. While neither the projection nor the sign on the projection is an architectural masterpiece, it is in a different plane than the tall wall sign. Off-site signs are an important visual and urban design component to the experience along the Sunset Strip and should be considered as such.

Antonio Castillo, Associate Planner stated for the record staff is not supportive of the request to amend the tall wall as proposed. Staff recommends denial.

Commissioner Aghaei disclosed for the record he met with the applicant's representative and discussed matters contained in the staff report.

Commissioner Yeber disclosed for the record he spoke with the applicant's representative and discussed matters contained in the staff report.

Commissioner Huebner disclosed for the record he met with the applicant's representative and discussed matters contained in the staff report.

Vice-Chair DeLuccio disclosed for the record he met with the applicant's representative and discussed matters contained in the staff report.

AARON GREEN, LOS ANGELES, Vice-President, Afriat Consulting Group, applicant's representative, presented the applicants report. He requested the application be considered on its merits and approve the application. He stated this is not a major amendment, but it is a very minor amendment to the conditional use permit. The proposal is to move a small portion of signage from the bottom of the tall wall to the mechanical structure at the top of the tall wall. It will remove one of the buildings four identification signs. He stated it will more fully integrate the signage that currently exists on the building.

He spoke regarding Standards F and H, and stated these standards are not standards which the commission and the code call for approving, or denying an application. Those are standards on which the Director's determination shall be made. He stated there is not substantial impairment of the architecture. There is an improvement. This sign and application will allow for a real and seamless integration to this signage into the building. This allows for a real and iconic advertiser to come and create a landmark sign on the Sunset Strip.

He spoke regarding the current building identification signage and requested support of the applicant's application.

VICTOR DE LA CRUZ, LOS ANGELES, Manatt, Phelps and Phillip's, representing Regency Outdoor Advertising, spoke in support of staff's recommendation of denial.

GENEVIEVE MORRILL, LOS ANGELES, President/CEO, West Hollywood Chamber of Commerce, opposes staff's recommendation of denial. She requested approval.

TODD STEADMAN, LOS ANGELES, Executive Director, Sunset Strip Business Association, opposes staff's recommendation of denial. He requested approval.

AARON GREEN, LOS ANGELES, Vice-President, Afriat Consulting Group, applicant's representative, presented the applicants rebuttal. He reiterated this is not a new sign. It is removing a piece of the existing signage from the bottom of the tall wall to the top of the mechanical parapet. The advertising will not be disconnected. He stated if the commission wants to condition the permit where the advertising has to be tied together; the applicant would be amicable to those types of conditions. The goal is to deliver an iconic sign to the Sunset Strip. He requested approval.

Vice-Chair DeLuccio questioned the square-footage and requested clarification why the signage cannot be affixed directly to the mechanical structure wall.

AARON GREEN, LOS ANGELES, Vice-President, Afriat Consulting Group, applicant's representative, stated the wall (mechanical structure) currently has a number of cell phone antennas affixed to it. If the signage was applied directly to the cell phone antennas, it would not be a flat surface. The signage would be undulating. It doesn't serve the best interest of creating a seamless, visual plane.

Commissioner Yeber requested clarification of the location of the signage.

AARON GREEN, LOS ANGELES, Vice-President, Afriat Consulting Group, applicant's representative, clarified there is currently a fixed structure that holds up the identification signage and cell phone antennas. The building identification signage will be taken down. There will be a structure mounted and projected approximately 30 inches off of the mechanical structure facing westward.

Commissioner Aghaei questioned how far out the cell antennas sit off the mechanical structure.

AARON GREEN, LOS ANGELES, Vice-President, Afriat Consulting Group, applicant's representative, clarified they are doing the minimum amount necessary.

Vice Chair DeLuccio requested clarification regarding first amendment rights and tall wall advertising.

Christie Hogin, Assistant City Attorney stated you cannot regulate content.

Commissioner Yeber requested clarification made by the applicant; in regards to challenging the standards was simply suggestive, or are guidelines for the Director.

Antonio Castillo, Associate Planner stated those standards are not recommendations, the code specifically states they shall meet those lists of requirements for a tall wall.

Commissioner Yeber requested clarification regarding a major amendment versus a minor amendment.

John Keho, Planning Manager stated this was staff's determination since this was not on the wall of the building. Therefore, it could not be a minor amendment, because it wasn't on the actual wall of the building, but on a new structure on the roof of the building.

Commissioner Yeber questioned if this was originally a creative sign or a tall wall.

John Keho, Planning Manager stated this has always been a tall wall, but the city used different words to describe them prior to 2001.

ACTION: Close public hearing for Item 10.B: **Motion carried by consensus of the Commission.**

Commissioner Yeber stated the applicant made quite a few comments that are simply subjective. In regards to improving the building's aesthetics; the applicant's own materials which were submitted, he stated, he does not see a building anymore. He sees a big, large billboard. He questioned how that improves the building aesthetics.

He stated his opposition to the statement made by the applicant, stating the building identification is not a critical component of the building. It may not be stellar or creative in its own right, but none the less it is a building identification. It is a marker and possible the most prominent on Sunset Boulevard.

He stated the staff report was well laid out and well thought through and he is not convinced at this point that staff made a wrong recommendation. He stated his support for staff's recommendation of denial.

Commissioner Aghaei stated this actually improves the aesthetics of the building. He does not see the aesthetics value of maintaining the building signage as-is. There are other means of locating the building identification, and integrating that portion of the sign with the remainder of the building, which is actually aesthetically pleasing. It brings one cohesive sign and integrates the top of the building into a greater sign. He opposes staff's recommendation of denial.

Commissioner Huebner stated the staff report is very complete. He indicated this is not one of his favorite mechanical structures on Sunset Boulevard, but it does provide an identification marker. The signage does however improve the aesthetics of the building. He believes the applicant has done everything they could to be as sensitive and creative in masking the cell towers to make it look better than it does now. He is not convinced that what is there now is architecturally significant. He opposes staff's recommendation of denial.

Vice-Chair DeLuccio stated he sees this as an extension. Typically, he would like to have seen it affixed to the building, but he can see the applicant's point of view in regards to the cell antennas. He believes it is quite well integrated into the existing tall wall. He stated his uncertainty, but is leaning towards support.

Commissioner Aghaei moved to: 1) approve the applicant's request, and 2) bring back a resolution of approval.

Seconded by Commissioner Huebner.

ACTION: 1) Bring back a resolution of approval with environmental documents on Thursday, May 16, 2013, approving the applicant's request to amend the conditional use permit to modify the placement of an existing 10,858 square-foot tall wall, located at 8730 Sunset Boulevard, West Hollywood, California, and 2) Close Public Hearing Item 10.B. **Moved by Commissioner Aghaei, seconded by Commissioner Huebner and passes on a Roll Call Vote:**

AYES: Aghaei, Huebner, Vice-Chair DeLuccio.
NOES: Yeber.
ABSENT: None.
RECUSED: Altschul, Chair Buckner.

- 11. **NEW BUSINESS.** None.
- 12. **UNFINISHED BUSINESS.** None.
- 13. **EXCLUDED CONSENT CALENDAR.** None.
- 14. **ITEMS FROM STAFF.**

A. Planning Manager's Update.

ACTION: This item was moved after Agenda Item 7. (Director's Report) as part of the amended agenda.

- 15. **PUBLIC COMMENT.** None.
- 16. **ITEMS FROM COMMISSIONERS.** None.
- 17. **ADJOURNMENT:** The Planning Commission adjourned at 7:45 P.M. to the next regularly scheduled meeting which will be on Thursday, April 18, 2013 beginning at 6:30 P.M. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST HOLLYWOOD ON THIS 18TH DAY OF APRIL, 2013.



SUE BUCKNER, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY