



## PLANNING COMMISSION MINUTES

**April 1, 2004**

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

**1. CALL TO ORDER:**

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

**2. PLEDGE OF ALLEGIANCE:** Harriet Segal led the Pledge of Allegiance.

**3. ROLL CALL:**

Commissioners Present: Altschul, Bartolo, D'Amico, DeLuccio, Guardarrama, Hamaker and Thompson.

Commissioners Absent: None.

Staff Present: Elinor Aurthur, Assistant Planner, C.J. Amstrup, Senior Planner, Anne Browning McIntosh, Interim Community Development Director, Mike Jenkins, City Attorney; Susan Healy Keene, Planning Manager and David Gillig, Commission Secretary.

**4. APPROVAL OF AGENDA:**

**ACTION:** Approve the Planning Commission Agenda of Thursday, April 1, 2004 as presented. **Motion by Commissioner DeLuccio, seconded by Vice-Chair Hamaker and unanimously carried.**

**5. APPROVAL OF MINUTES:**

**ACTION:** Approve the Planning Commission Minutes of Thursday, March 4, 2004 as presented. **Motion by Commissioner DeLuccio, seconded by Vice-Chair Hamaker and unanimously carried.**

**6. PUBLIC COMMENT:** None.

**7. ITEMS FROM COMMISSIONERS:**

Vice-Chair Hamaker announced the West Hollywood Gateway is now officially open.

Commissioner DeLuccio questioned and requested staff to provide the Planning Division Project Tracking Log on a regular basis.

**8. CONSENT CALENDAR.** None.

**9. COMMISSION CONSIDERATION.** None.

## 10. PUBLIC HEARINGS.

### A. 8305 Sunset Boulevard.

**Administrative Permit 003-042; Billboard Permit 003-041 Development Permit 003-016:** Request to approve approximately 20,000 square feet of a retail/restaurant building with integrated parking in four upper levels with outdoor dining and a billboard at 8305 Sunset Boulevard, West Hollywood, California.

**ACTION:** 1) Continue this item to a date uncertain. **Motion carried by consensus of the Commission.**

### B. Zoning Text Amendment 2004-01.

This item was a continuance of a study session discussion item from the Planning Commission meeting of Thursday, March 4, 2004.

Elinor Aurthur, Assistant Planner presented the staff report. She updated and stated the proposed changes to the City of West Hollywood Zoning Text regarding the following topics, which were heard in the following order: 1) Public Hearings and Notice; 2) Appeals; 3) Tall Walls; and 4) Open House Signs.

#### 1. PUBLIC HEARINGS AND NOTICE.

Chair Altschul opened this sub-section to Public Speakers:

MARK LEHMAN, WEST HOLLYWOOD, has concerns regarding this item. Speaking on behalf of the Governmental Affairs Committee and the Board of Directors for the West Hollywood Chamber of Commerce, he opposes the 750-foot suggested radius and supports the publication of notice for appeals.

HARRIET SEGAL, WEST HOLLYWOOD, has concerns regarding this item. She stated the lack of a legitimate community newspaper, supports the 750-foot radius and recommended that notices appear on the City of West Hollywood's cable channel.

MINDY BRADISH, BURBANK, representing the West Hollywood Chamber of Commerce, has concerns regarding this item. She opposes expanding the 750-foot radius from the [current] 500-foot radius and supports the 10-day posting of appeals.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She stated the West Hollywood Independent newspaper is readily available in the community and cautioned against using the Los Angeles Times due to the high cost of advertising. She opposes the current language regarding the posting of notices.

RENE BERNASCONI, ENCINO, opposes this item. He stated the [proposed] 750-foot radius is excessive. He supports the ten-day noticing versus the 28-days for public noticing and is in favor of the current appeal process.

ATHENA NOVAK, ENCINO, has concerns regarding this item. She stated the [current] 500 foot radius and appeals process is adequate.

LAUREN MEISTER, WEST HOLLYWOOD, has concerns regarding this item. She opposes the 750-foot radius and suggested a 1,000-foot and/or 2,500-foot radius, depending on the size of the project(s).

**ACTION:** Close this sub-section to Public Speakers. **Motion carried by consensus of the Commission.**

Vice-Chair Hamaker suggested the possibility of noticing applied to the "entire street".

Commissioner DeLuccio requested the City of West Hollywood's web-site and City Channel 6 be utilized for noticing.

Commissioner Bartolo has concerns and cautioned that changing to the 750-foot radius is a significant regional change. She questioned if other cities have this type of coverage.

Susan Healy Keene, Planning Manager, indicated that currently she is not aware of any other cities with a 750-foot radius. However, some cities offer a smaller radius.

Commissioner Thompson commented on the radius noticing versus a "single-street" type of noticing, which was brought forward by Vice-Chair Hamaker.

Commissioner DeLuccio questioned the financial impact(s) by expanding the radius to 750-feet.

Commissioner D'Amico asked the City Attorney to define "the discretion of the Director" and what the legal effects of this would be.

Commissioner Bartolo questioned the technicalities of noticing.

**ACTION:** Chair Altschul defined the consensus; **to proceed with the recommendations; the noticing radius states 750-feet with certain discretionary items left to the Director of Community Development.**

Commissioner DeLuccio stated for the record to **add City Channel 6 (Bulletin Board) and the City of West Hollywood's website to be utilized for posting. Motion carried by consensus of the Commission.**

## 2. APPEALS

Chair Altschul opened this sub-section to Public Speakers:

MARK LEHMAN, WEST HOLLYWOOD, has concerns regarding this item. Speaking on behalf of the Governmental Affairs Committee and the Board of Directors of the West Hollywood Chamber of Commerce, he stated there should not be a waiver of a fee. There should however, be a minimum fee. If it is decided there would be a waiver of the fee, he suggested changing thirty (30) residents (signatures) to fifty (50) residents (signatures) and keeping within the 500-foot radius. Allow one appeal directly to the City Council.

HARRIET SEGAL, WEST HOLLYWOOD, has concerns regarding this item. She supports reducing the number of residents from fifty (50) to thirty (30); however she does not support establishing a fee.

MINDY BRADISH, WEST HOLLYWOOD, representing the West Hollywood Chamber of Commerce, has concerns regarding this item. She spoke in support acknowledging Mark Lehman's comments and to allow one appeal directly to the City Council.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She does not support the appeal fee for residents.

LAUREN MEISTER, WEST HOLLYWOOD, has concerns regarding this item. She stated there does not appear to be frivolous appeals and believes the fee for residents outside the 500-foot radius, is harsh.

DAN SIEGEL, WEST HOLLYWOOD, opposes this item. He stated the [proposed] appeals process is limited, in regards to the residents.

**ACTION:** Close this sub-section to Public Speakers. **Motion carried by consensus of the Commission.**

Commissioner Thompson made a correction to the existing language in Section D., Subsection No. 2. to read as: "The filing fee per appeal shall be \$500...".

Commissioner Guardarrama had concerns regarding limiting appeals to one time and stated the City could lose valuable projects. He could not support the [current] Resolution as a whole due to this one detail.

**Motion carried with no changes to existing language regarding appeals, by consensus of the Commission.**

Discussion was held regarding one (1) appeal versus two (2) appeals with regards to the different hearing bodies.

Chair Altschul reiterated the item on appeals would stay the same and there would be no changes. **Motion carried by consensus of the Commission.**

### **3. TALL WALLS.**

Chair Altschul opened this sub-section to Public Speakers:

ROBERTA SPONSLER, GLENDALE, representing Viacom Outdoor Advertising, spoke in support of this item.

HARRIET SEGAL, WEST HOLLYWOOD, spoke in support of this item and recommended a fee should be imposed.

**ACTION:** Close this sub-section to Public Speakers. **Motion carried by consensus of the Commission.**

Commissioner DeLuccio stated he is in favor of the current changes; however, he is not in favor of going forward to the City Council in regards to the “phasing out” of tall walls. He requested further research by staff and discussion applied to the upcoming Study Session on Thursday, May 6, 2004.

Commissioner Guardarrama supports Commissioner Deluccio’s statements and believes the “phasing out” of tall walls needs further discussion before any action is taken.

Vice-Chair Hamaker stated the “phasing out” of tall walls would not be a good idea and the revenue streams would need to be looked into further.

Susan Healy Keene, Planning Manager clarified; **tall wall changes as presented by staff recommendation; with the exclusion of recommendations regarding “phasing out” tall walls and creating a revenue stream from tall walls. Motion carried by consensus of the Commission.**

### **4. REAL ESTATE SIGNS FOR OPEN HOUSES.**

Chair Altschul opened this sub-section to Public Speakers:

HARRIET SEGAL, WEST HOLLYWOOD, has concerns regarding this item. She questioned the current language of the number of signs allowed.

JAMES LITZ, WEST HOLLYWOOD, representing the Beverly Hills and Greater Los Angeles Association of Realtors, spoke in support of this item.

DAN SIEGEL, WEST HOLLYWOOD, spoke in support of this item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of this item. She would like to see a condition added regarding getting permission from the private property owner.

**ACTION:** Close this sub-section to Public Speakers. **Motion carried by consensus of the Commission.**

Discussion and clarification was given by staff regarding the number of signs on private property in the intersections.

**Motion carried with no changes to proposed existing language, by consensus of the Commission.**

**ACTION:** 1) Adopt Resolution No. PC 04-523 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONING TEXT AMENDMENT 2004-01 RELATING TO NOTICE FOR PUBLIC HEARINGS, TALL WALL SIGNS AND REAL ESTATE OPEN HOUSE SIGNS". **Motion carried by consensus of the Commission.**

**THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 8:05 PM AND RECONVENED AT 8:20 P.M.**

Chair Altschul **directed staff to bring back Resolution No. PC 04-523 at the next meeting of Thursday, April 15, 2004 with the current changes** made and clarified City Channel 6 is the Bulletin Board for the City of West Hollywood (not City Channel 10 as previously stated). **Motion carried by consensus of the Commission.**

**B. 623 La Peer Drive: Determination of Consistency.**

C.J. Amstrup, Senior Planner presented the staff report. He made a correction stating the parking lot would be on "leased" land, not city owned property and the parking lot would provide 46 parking stalls, not 43, as stated in the staff report. He recited the findings regarding the determination of the General Plan Consistency for the City of West Hollywood's leased surface parking lot at 623 La Peer Drive, West Hollywood, California.

Oscar Delgado, Parking Manager for the City of West Hollywood, gave a brief history of the property.

Commissioner D'Amico questioned if the parking lot would be paved and if there would be landscaping.

C.J. Amstrup, Senior Planner, stated the parking lot would be paved, but would not contain landscaping. This is due to the fact the property is leased and in the middle of a commercially zoned area.

Chair Altschul opened the Public Hearing:

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She questioned the lease and if it will benefit the City of West Hollywood.

ROBERT EVANS, WEST HOLLYWOOD, spoke in support of this item.

DAN ROSENTHAL, MAR VISTA, spoke in support of this item.

LAUREN MEISTER, WEST HOLLYWOOD, President of West Hollywood West Resident's Association and member of the District One Parking Committee, spoke in support of this item.

DAN SIEGEL, WEST HOLLYWOOD, spoke in support of this item.

**ACTION:** Close the Public Hearing. **Motion carried by consensus of the Commission.**

**ACTION:** 1) Adopt Resolution No. PC 04-524 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DETERMINING THAT A CITY OPERATED PUBLIC SURFACE PARKING LOT PROPOSED FOR 623 LA PEER DRIVE, WEST HOLLYWOOD, CALIFORNIA IS CONSISTENT WITH THE GENERAL PLAN". **Motion by Commissioner DeLuccio, seconded by Vice-Chair Hamaker and unanimously carried.**

11. **NEW BUSINESS.** None.

12. **UNFINISHED BUSINESS.**

**A. Robertson Boulevard Study Session Update.**

Susan Healy Keene, Planning Manager, presented the staff report. She provided an update on the El Tovar Parking Lot, the La Peer Parking Lot and the Valet Request for Proposals.

Chair Altschul appointed Commissioner Bartolo and Commissioner Guardarrama to the Robertson Boulevard Subcommittee. **Motion carried by consensus of the Commission.**

Chair Altschul opened Unfinished Business to Public Speakers:

RICHARD GIESBRET, WEST HOLLYWOOD, has concerns regarding this item. He commented briefly on the traffic flow.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the Conditional Use Permits regarding The Abbey and Kinara Spa.

**ACTION:** Close Unfinished Business to Public Speakers. **Motion carried by consensus of the Commission.**

Commissioner D'Amico commented on the public safety aspect regarding the corner of Santa Monica Boulevard and Robertson Boulevard.

**13. EXCLUDED CONSENT CALENDAR.** None.

**14. ITEMS FROM STAFF.**

**A. Report on High Impact Business Task Force.**

Susan Healy Keene, Planning Manager, presented the staff report. She stated the Task Force focuses on business operations (Planning Commission and Business License conditions), code enforcement and public safety, and the Sunset Business Improvement District. One of the main discussion issues was centered on the transformation of restaurants into bars and nightclubs.

Chair Altschul opened this section to Public Speakers:

LAUREN MEISTER, WEST HOLLYWOOD, has concerns regarding this item. She indicated the city needs a clear definition of a "restaurant", "bar" and "nightclub".

**ACTION:** Close the Public Comments. **Motion carried by consensus of the Commission.**

Vice-Chair Hamaker suggested and questioned the possibility of adding the verbiage "high impact" to existing language.

Commissioner DeLuccio commented on the possibility of adding to the code, definitions that would alleviate some of the impacts.

**B. Report on City of Beverly Hills' Commercial-Transitional Zone.**

Susan Healy Keene, Planning Manager, presented the staff report. She provided an update and background information on Article 16.2. Commercial-Transition Zone for the City of Beverly Hills. She stated this is intended to provide compatible transitions between certain areas where residential and commercial areas either abut each other or are directly across the street from each other.

Chair Altschul opened this section to Public Speakers:



JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented the City of Beverly Hills does not require Conditional Use Permit's in order for businesses to obtain alcohol licenses.

**ACTION:** Close the Public Comments. **Motion carried by consensus of the Commission.**

**C. Schedule of upcoming Sunset Specific Plan Study Session Items.**

Susan Healy Keene, Planning Manager, presented the staff report. She updated the tentative schedule for study sessions on the Sunset Specific Plan as follows:

Tall Walls:	May 6, 2004
Housing and Mixed Use:	May 20, 2004
Target Sites:	June 3, 2004

Chair Altschul suggested staff bring back an inventory of all existing tall walls as part of the Tall Wall Study Session. He would also like to see a discussion regarding if there should or should not be any more tall walls, if development projects should be built with the tall wall as it's general purpose or focus, and if residential components should include tall walls in their structures.

Commissioner DeLuccio suggested staff to consider presenting more than one topic per meeting.

**15. PUBLIC COMMENT.**

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the re-organization of the [current] Zoning Ordinance.

ROBERT EVANS, WEST HOLLYWOOD, commented on the impact of restaurants "morphing" into a bar and/or nightclub.

**16. ITEMS FROM COMMISSIONERS:** None.

**17. ADJOURNMENT:** The Planning Commission adjourned at 8:50 P.M. to the next regularly scheduled meeting of the Planning Commission, which will be on Thursday, April 15, 2004 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 15<sup>TH</sup> DAY  
OF APRIL, 2004.

  
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CHAIRPERSON

ATTEST:

  
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Community Development Director