



## **PLANNING COMMISSION MINUTES**

**January 30, 2003**

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

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

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### **2. ROLL CALL**

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Commissioners Present: John Altschul, David Behr, Brad Crowe, Donald DeLuccio, Barbara Hamaker, and Barbara Hewitt.

Commissioners Absent: Brad Torgan.

Staff Present: Mark Persico, Community Development Director; Susan Healy Keene, Planning Manager; Christi Hogin, City Attorney; John Keho; Senior Planner; C.J. Amstrup Senior Planner; Paula Kelly, Senior Planner; Terry Blount, Associate Planner; and Jennifer Diaz, Administrative Staff Assistant.

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### **3. PLEDGE OF ALLEGIANCE**

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The Pledge of Allegiance was led by Allyne Winderman.

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### **4. APPROVAL OF AGENDA**

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**Action: Approve the Agenda of January 30, 2003.**

Motion: Crowe                      Second: Hamaker

Vote: All Ayes

**Motion Carries**

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### **5. APPROVAL OF MINUTES**

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None.

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### **6. PUBLIC COMMENT**

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None.

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**7. ITEMS FROM COMMISSIONERS**

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None.

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**8. CONSENT CALENDAR**

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**A. Development Permit 2001-19, Demolition Permit 2001-05, and Tentative Tract Map 2001-01:** Demolition of one single-family residence (1004 Curson) and one duplex (1010-12 Curson), each on a separate lot, and construction of a ten-unit courtyard housing project.

**Applicant:** Hamlet Zohrabians

**Location:** 1004-12 Curson Avenue

**Planner:** Terry Blount

**Recommendation:** Conditionally Approve the request subject to the findings and conditions in the proposed resolutions.

**Action:** Adopt and Approve Resolution No. PC 2003-457 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING DEVELOPMENT PERMIT 2001-19 AND DEMOLITION PERMIT 2001-05, ON AN APPLICATION OF HAMLET ZOHRABIANS, FOR THE DEMOLITION OF A SINGLE-FAMILY RESIDENCE AND A DUPLEX, EACH ON A SEPARATE LOT, AND THE CONSTRUCTION OF A TEN-UNIT MULTI-FAMILY RESIDENTIAL BUILDING USING THE COURTYARD HOUSING STANDARDS AT 1004-12 CURSON AVENUE, WEST HOLLYWOOD, CALIFORNIA."

Motion: Crowe                      Second: DeLuccio

Votes: All Ayes

**Motion Carries**

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**9. EXCLUDED CONSENT CALENDAR**

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**A. Conditional Use Permit 2002-01, Administrative Permit 2002-04, and Parking Use Permit 2002-12:** Expansion of an outdoor dining area and the creation of an outdoor smoking area, both within the same space and both with the sale and service of alcoholic beverages, and the reconfiguration of the existing off-site parking lot (located across the alley behind the restaurant/nightclub) to accommodate the additional required parking.

**Applicant:** Don Randall

**Location:** 8911 Santa Monica Boulevard

**Planner:** Terry Blount

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

**Action:** Adopt and Approve Resolution No. PC 2003-456 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING CONDITIONAL USE PERMIT 2002-01, ADMINISTRATIVE PERMIT 2002-04, AND PARKING USE PERMIT 2002-12, ON AN APPLICATION OF DONALD RANDALL, TO EXPAND AN EXISTING OUDOOR DINING AREA AND TO CREATE AN OUTDOOR SMOKING AREA,

**BOTH WITHING THE SAME SPACE AND BOTH WITH THE SALE AND SERVICE OF ALCOHOLIC BEVERAGES, AT AN EXISTING RESTAURANT/NIGHTCLUB LOCATED AT 8911 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.”**

Motion: DeLuccio Second: Hewitt

Votes: All Ayes

**Motion Carries**

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## **10. PUBLIC HEARINGS**

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- A. Zoning Text Amendment 2002-04:** Recommendation to amend the Zoning Code in regard to the density bonuses for affordable housing and presentation of findings regarding the City's in-lieu fees.

**Applicant:** City of West Hollywood

**Location:** City-wide

**Planner:** Paula Kelly

**Recommendation:** Recommend approval to the City Council adopting Negative Declaration and Zoning Text Amendment subject to the findings in the proposed Resolution

Chair Behr opened the public hearing.

Paula Kelly presented the staff report.

**Action: Adopt and Approve Resolution No. PC 2003-467 “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A NEGATIVE DECLARATION AND ZONING TEXT AMENDMENT 2002-04 REGARDING DENSITY BONUSSES FOR INCLUSIONARY HOUSING IN THE RESIDENTIAL ZONING DISTRICTS.”**

Motion: Altschul Second: DeLuccio

Votes: All Ayes

**Motion Carries**

- B. Development Permit 2001-45, Minor Conditional Use Permit 2001-22, and Administrative Permit 2002-09:** Appeal of Denial by the Director of Community Development for the change of use of existing restaurant space, sale and service of alcoholic beverages, and outdoor dining.

**Applicant:** Athena Novak

**Location:** 8426 Sunset Boulevard (House of Sushi)

**Planner:** Elinor Aurthur

**Recommendation:** Appeal withdrawn.

Appeal withdrawn, no action required.

- C. Variance 2002-07 and Billboard Permit 2002-02:** Relocate and raise the height of

an existing billboard.

**Applicant:** Regency Outdoor Advertising

**Location:** 8600 Sunset Boulevard

**Planner:** C.J. Amstrup

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

Chair Behr opened the Public Hearing.

C.J. Amstrup presented the staff report.

Brian Kennedy and David Seyde presented the applicant's report.

**Public Comment:**

1. Esther Baum, West Hollywood, spoke in favor of the recommendation and states that there are enough billboards on Sunset Boulevard.
2. Mark Montgomery, West Hollywood, suggested approving either moving the billboard out or up instead of doing both and stated his interpretation of a section of the Sunset Specific Plan regarding billboards.

Brian Kennedy presented closing statements.

Altschul – Suggested that the applicant hire a professional to report the exact figures of length that the billboard actually needs. Also informed the applicant that the burden of proof is on the him to sustain the finding of a variance, it is does not fall on the staff or Commission.

Crowe – Suggested the applicant provide the specific comparable information against other signs in the area so the Commission may review the facts to make a finding for a variance.

Hamaker – Inquired if the applicant or the City is responsible for any items falling off the billboard onto the sidewalk.

**Action: Continue to March 20, 2003.**

Motion: Altschul      Second: Crowe

Votes: All Ayes

**Motion Carries**

- D. Billboard Permit 2001-56, Variance 2001-10:** Conversion of a single-sided billboard into a double-sided billboard. The proposal requires a variance to allow the billboard to exceed the height limit and to allow the angle of the billboard to be modified by more than ten percent.

**Applicant:** Regency Outdoor Advertising

**Location:** 8459 Sunset Boulevard

**Planner:** John Keho

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

**Public Comment:**

1. Murray Fischer, Beverly Hills, representing Piazza Del Sol, stated that the hearing was continued a year ago with the same staff report, application, and denial by staff and does not believe a variance should be granted and was opposed to continuing the item a third time.
2. Joseph Mani, Los Angeles, objects to the hearing being continued again simply because the applicant is not prepared from the previous meeting a year ago and agrees with the staff's recommendation.
3. Harry Martin, Los Angeles, requested that the hearing not be continued a third time and for the Commission to proceed with the hearing. He also informed the Commission that Mr. Kennedy tried to purchase his property next to the billboard for below market price and said the City would be constructing office and nightclub uses in that location, a statement which was false.
4. James Fuhrman, West Hollywood, stated that several years ago the Commission allowed Hotel Astra to build three times higher than 45 feet that the lot was zoned for, and basically told the residents that their view was not protected, and would like to know why they are now trying to protect the view of a billboard. Consistency by the Commission would be appreciated because a view is a view whether it is the view of a resident or a billboard and they are setting a bad precedent.
5. Mitchell Dawson, Beverly Hills, cited sections of the code that addresses converting a single-sided billboard to a double-sided billboard which states "The height of the billboard shall not be increased and the angle of the billboard in relation to Sunset should not change by 10 degrees", which the application is requesting, which makes it not compliant with the code.

**Action: Continued to March 20, 2003 by a consensus of the Commission.**

Motion: Altschul      Second: Hewitt

Motion carried by a consensus of the Commission.

- E. Billboard Permit 2000-72, and Variance 2001-09:** Conversion of a single-sided billboard into a double-sided billboard. The proposal requires a variance to allow the billboard to exceed the height limit and to allow the angle of the billboard to be modified by more than ten percent.

**Applicant:** Regency Outdoor Advertising

**Location:** 8459 Sunset Boulevard

**Planner:** John Keho

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

**Action: Continued to March 20, 2003 by consensus of the Commission.**

Motion: Altschul      Second: Hewitt

Motion carried by a consensus of the Commission.

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## **11. UNFINISHED BUSINESS**

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None.

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**12. NEW BUSINESS**

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None.

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**13. ITEMS FROM STAFF**

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Susan Healy Keene – Gave an update on the upcoming items for the Commission.

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**14. PUBLIC COMMENT**

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None.

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**15. ITEMS FROM COMMISSIONERS**

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None.

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**16. ADJOURNMENT**

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**Action: Adjourn to a regular meeting of the Planning Commission on Thursday, February 6, 2003, at the West Hollywood Park Auditorium, 647 N. San Vicente Boulevard.**

Motion carried by a consensus of the Commission.

**PASSED, APPROVED AND ADOPTED THIS 6th DAY OF MARCH, 2003.**

**CHAIRPERSON:** 

**ATTEST:**

**COMMUNITY DEVELOPMENT DIRECTOR:** 