



PLANNING COMMISSION MINUTES

March 20, 2003

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

1. CALL TO ORDER

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.

2. ROLL CALL

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

Commissioners Absent: Brad Torgan.

Staff Present: Susan Healy Keene, Planning Manager; Christi Hogin, City Attorney; Elinor Aurthur, Assistant Planner; Debby Linn, Contract Planner; and Jennifer Diaz, Administrative Staff Assistant.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by David Behr.

4. APPROVAL OF AGENDA

Action: Approve the Agenda of March 20, 2003, with public hearing items 10 D and E being withdrawn by the applicant.

Motion: Crowe Second: Hamaker

Vote: All Ayes

Motion carries

5. APPROVAL OF MINUTES

None.

6. PUBLIC COMMENT

None.

7. ITEMS FROM COMMISSIONERS

Altschul – Requested that the April 17th meeting be continued to a later date.

Behr – Requested staff relay to the consultants not to send documents through certified mail requiring a signature.

8. CONSENT CALENDAR

None.

9. EXCLUDED CONSENT CALENDAR

None.

10. PUBLIC HEARINGS

A. General Plan Amendment 2003-01 and Zoning Text Amendment 2002-06: Elimination of General Plan Policies and Zoning Ordinance provisions allowing for development of hotels, hotel retail uses, bed and breakfast inns and urban inns within the San Vicente-Beverly-Sherbourne Triangle.

Applicant: City of West Hollywood

Location: San Vicente–Beverly-Sherbourne Triangle

Planner: Debby Linn

Recommendation: Adopt Resolution No. PC 2003-465 recommending to City Council adoption of General Plan and Zoning Text Amendments.

Commissioner Crowe recused himself from the hearing.

Chair Behr opened the public hearing.

Debby Linn presented the staff report.

Jeff Haber presented a report on behalf of Cedars-Sinai Medical Center.

Public Comment

1. Sherie Stark, West Hollywood, believes that a buffer of residents should be kept in the neighborhood as well as an open access way to get out from Sherbourne onto Beverly.
2. Lauren Meister, West Hollywood, spoke in support of staff's recommendation to remove a hotel overlay in the Sherbourne area.
3. Ann Marie Isleib, West Hollywood, spoke in support of the removal of the hotel overlay due to the dire need of housing.
4. Hillary Selvin, Los Angeles, spoke in support of the removal of the hotel overlay zone.
5. Art Lawrence, Los Angeles, provided a written statement which gave a brief history of events of San Vicente Boulevard and commented on the General Plan previously completed by the City.
6. Terry Leftgoff, West Hollywood, spoke in favor of eliminating the hotel overlay and urged the Commission to approve staff's recommendation and to review Cedars' master plan for the property.
7. Jack LeBouef, West Hollywood, agrees with the staff's recommendation to remove the hotel overlay.

Commission Comment

Action: Adopt and Approve Resolution No. PC 2003-465, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF GENERAL PLAN AMENDMENT 2003-01 ELIMINATING HOTELS AND HOTEL RELATED COMMERCIAL USES WITHIN THE SAN VICENTE-BEVERLY-SHERBOURNE TRIANGLE AND ZONING TEXT AMENDMENT 2003-01 ELIMINATING URBAN INNS AS A CONDITIONALLY PERMITTED USE IN THE R4 ZONING DISTRICT WITHIN THE SAN VICENTE-BEVERLY-SHERBOURNE TRIANGLE AND ELIMINATING HOTELS AND BED AND BREAKFAST INNS AS CONDITIONALLY PERMITTED USES IN THE CC ZONING DISTRICT WITHIN THE SAN VICENTE-BEVERLY-SHERBOURNE TRIANGLE, WEST HOLLYWOOD, CALIFORNIA" and request the City Council to direct staff to examine the desirability of a parking overlay zone.

Motion: Altschul Second: Hamaker

Votes: All Ayes

Motion Carries on a roll call vote.

Commissioner Crowe rejoined the meeting.

Commissioner DeLuccio joined the meeting at this time.

B. Conditional Use Permit 95-07 and Conditional Use Permit 93-11: Consider revocation or modification of conditions of approval of CUP 95-07, which amended CUP 93-11, and currently allows live entertainment in conjunction with food service, removable dance floor of 180 square feet in bar/lounge; and use of the bar/lounge and dining area for banquets and special events up to 12 times per month for a maximum of 6 hours per event.

Applicant: John-Robert Bellande

Location: 7901 Santa Monica Boulevard (Sky Sushi)

Planner: Elinor Aurthur

Recommendation: Conditionally Approve the staff report subject to the findings and conditions in the proposed resolutions.

Chair Behr opened the public hearing.

Elinor Aurthur presented the staff report.

Mark Lehman presented the applicant's report. Jean-Robert Bellande, owner of Sky Sushi, was available for questions.

Richard Odenthal, Director of Public Safety and Code Compliance, presented a report of recent incidents at Sky Sushi.

Public Comment:

1. Robert Dellinger, West Hollywood, stated that the owners and management have been very responsible in policing the area and have been good neighbors.
2. Cecy Rangel, Los Angeles, a patron of Sky Sushi and has never had any problems when visiting the restaurant.

3. Jean-Robert Bellande, West Hollywood, Owner, gave a brief history of Sky Sushi and how he and a partner acquired the business and came up with the concept for the restaurant. Upon recommendations from Councilmember Prang, he created a relationship with the community and made the necessary changes to the business to keep in accordance with Code Compliance and the Building and Safety Divisions.
4. Alex Hamadi, Tujunga, owner of the valet operation for the restaurant, clarified that he has applied for his license annually.
5. Jessica and Vivian Escalanti, Silver Lake, stated that they have held events at Sky Sushi and have been satisfied with their service and security.
6. Lilly Sardari, West Hollywood, lives behind the restaurant and stated that the owner has been a good neighbor and has taken care of any problems that arise.
7. Graciela Parraguire, West Hollywood, stated that the club attracts a lot of traffic and people and requested that the commission revoke their permits.
8. Hillary Selvin, Los Angeles, concerned with the process between the City and local businesses that are potential problems and requested that the City work with businesses to help them comply with any issues brought forth by concerned neighbors.
9. Tiffany Phaimonie, San Bernardino, is a patron of Sky Sushi and has never had any problems while visiting the restaurant.
10. Kiana de La Pena, Pasadena, an employee of Sky Sushi, stated the owners have taken care of the surrounding community and it's employee's.
11. Antionette Selgado, Los Angeles, stated that her son was a stabbing victim and the incident started inside the club and the security did not help the situation.

Mark Lehman and Jean-Robert Bellande presented closing comments.

Jean-Robert Bellande provided the following statements to questions from Commissioners:

- The club has not purchased radio announcements for any functions.
- There are 10 to 12 security officers on duty during all events.
- There are a maximum of 300 people in the restaurant at one time, but 500 people will come in the restaurant throughout the night.
- Sky Sushi is currently open three nights a week.
- There are 12 special events allowed per month, per the current conditional use permit.

Commission Comments:

Altschul – Stated that in the past year, there have been 18 serious crimes in the area surrounding Sky Sushi. Suggested revoking the permits without prejudice and allowing the applicant to take three months to modify the permit and come up with a specific operational plan to bring back to the Commission. Believes the business is problematic and has clientele that endangers other constituents.

Crowe – Clarified that the applicant favored to work on a modification to the conditions of the current conditional use permit.

DeLuccio – Inquired if the Commission adopted the resolution without prejudice and the applicant appealed the decision, would the business be able to operate as it had

been operating. Agrees with revoking the conditional use permit without prejudice to allow the applicant to return to the Commission with an operational plan.
Christi Hogin – Clarified that if the applicant appealed the decision, the revocation would stay and the applicant would be able to operate in accordance with the current permits.

Hamaker – Questioned the thoroughness of the security personnel. Inquired how the billiard tables are calculated into the capacity of the establishment.

Action: Approve and adopt Resolution No. PC 2003-471, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD REVOKING CONDITIONAL USE PERMIT 93-11, WHICH PERMITS USE OF AN EXISTING RESTAURANT AS A BILLIARDS PARLOR/RESTAURANT, AND CONDITIONAL USE PERMIT 95-07, WHICH ALLOWS BANQUETS, EVENTS, DANCING, NIGHTCLUB ACTIVITIES AND LIMITED LIVE ENTERTAINMENT AT THE BILLIARDS PARLOR/RESTAURANT AT 7901 SANTA MONICA BOULEVARD (SKY SUSHI), WEST HOLLYWOOD”, without prejudice; Direct staff to institute an audit with a ratio of alcohol and food service and to coordinate the audit with the Alcohol Beverage Control Board.

Motion: Altschul Second: DeLuccio

Votes: All Ayes

Motion carries on a roll call vote

- C. Variance 2002-07 and Billboard Permit 2002-02:** Request to permit an existing billboard to be relocated and raised approximately 10 feet in overall height.

Applicant:

Location: 8600-8616 Sunset Boulevard (Sunset Plaza)

Planner: C.J. Amstrup

Recommendation: Continue to the Planning Commission meeting of Thursday, May 1, 2003.

Continued to May 1, 2003.

- D. Variance 2001-09 and Billboard Permit 2000-72:** Request approval of Variance to convert an existing single-face billboard to a double-face billboard, that exceeds the height of the original billboard, and changes the orientation of the billboard more than ten (10°) degrees.

Applicant:

Location: 8459 Sunset Boulevard

Planner: John Keho

Recommendation: Adopt Resolution No. PC 2003-463 deny the Variance and Billboard Permit.

Application withdrawn by the applicant, no action taken.

E. Variance 2001-10 and Billboard Permit 2001-56: Request approval of Variance to convert an existing single-face billboard, that exceeds the height of the original billboard, and changes the orientation of the billboard.

Applicant:

Location: 8459 Sunset Boulevard

Planner: John Keho

Recommendation: Adopt Resolution No. PC 2003-464 deny the Variance and Billboard Permit.

Application withdrawn by the applicant, no action taken.

F. Development Permit 2002-22 and Demolition Permit 2002-10: Request to demolish an existing parking lot and church and construct a new mixed use project with approximately 4,950 square feet of retail/office and four (4) (1-bedroom) units. The applicant proposes payment of an in-lieu fee to be paid for six (6) parking spaces. A waiver is requested to allow for residential parking to be provided as triple-tandem.

Applicant:

Location: 8631 Santa Monica Boulevard

Planner: Emmeline Elzin Harrigan

Recommendation: Continue this item to the next regularly scheduled Planning Commission meeting of Thursday, April 3, 2003 at the request of the applicant.

Continued to April 3, 2003.

11. UNFINISHED BUSINESS

None.

12. NEW BUSINESS

None.

13. ITEMS FROM STAFF

Susan Healy Keene:

- a) The Planning Commissions decision on Monjoon/Rika was appealed and will be going to the City Council;
- b) A letter has been sent to 24 hour fitness on outstanding issues and staff will appear before the Commission with a report;
- c) The PDC Draft EIR is out for public review and will continue through May 5th;
- d) Reformatted codes will be available to the Commission shortly;
- e) The final phase of the General Plan public meetings will be conducted.

14. PUBLIC COMMENT

None.

15. ITEMS FROM COMMISSIONERS

Deluccio – Thanked Elinor Aurthur for a job well done on the Sky Sushi report.

Hamaker – Inquired about Equinox and how things are progressing with the project.

16. ADJOURNMENT

Action: Adjourn to a regular meeting of the Planning Commission on Thursday, April 3, 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 5th DAY OF JUNE, 2003.

CHAIRPERSON: _____

ATTEST:

COMMUNITY DEVELOPMENT DIRECTOR: _____