



PLANNING COMMISSION MINUTES

June 19, 2003

Plummer Park, 7377 Santa Monica 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, Barbara Hewitt, and Brad Torgan.

Commissioners Absent: None.

Staff Present: Susan Healy Keene, Planning Manager; Mike Jenkins, City Attorney; C.J. Amstrup, Senior Planner; Francie Stefan, Associate Planner; Jack McGee, Contract Planner; Debby Linn, Contract Planner; and Jennifer Diaz, Administrative Staff Assistant.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Barbara Hewitt.

4. APPROVAL OF AGENDA

Action: Approve the Agenda of June 19, 2003, with the following amendment: Continue item 9.A. to July 17, 2003.

Motion: Torgan Second: Altschul

Vote: Ayes: Altschul, Torgan, Hewitt, Behr

Nays: Hamaker, DeLuccio, Crowe

Motion carries

5. APPROVAL OF MINUTES

A. Minutes – May 15, 2003

Action: Approve the Minutes of May 15, 2003 with the following amendments:

1) page 2, remove "which is not covered" from speaker 4's comments; 2)

Commissioner Torgan rejoined the meeting after the Aveda Hearing.

Motion: DeLuccio Second: Hamaker

Votes: All Ayes

Motion Carries

B. Minutes – June 5, 2003

Action: Approve the Minutes of June 5, 2003.

Motion: DeLuccio

Second: Altschul

Votes: All Ayes

Motion Carries

6. PUBLIC COMMENT

None.

7. ITEMS FROM COMMISSIONERS

None.

8. CONSENT CALENDAR

None.

9. EXCLUDED CONSENT CALENDAR

None.

10. PUBLIC HEARINGS

A. Minor Conditional Use Permit 2002-15: Application for the sale, service and consumption of full alcohol as an accessory use to a new restaurant. Continued from May 15, 2003.

Applicant: John and Bob Long

Location: 8590 Sunset Boulevard (The Central)

Planner: Jack McGee

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

Continued to July 17, 2003.

B. Development Permit 2002-13, Demolition Permit 2002-06, and Tentative Tract Map 2002-05: Demolition of ten residential units on one lot (841-49 ½ Westmount Drive) and three on another lot (851-51 ¾ Westmount Drive) and the construction of a 16-unit multi-family condominium building using the Zoning Ordinance's courtyard housing standards.

Applicant: Michail Segal

Location: 841-51 ¾ Westmount Drive

Planner: C.J. Amstrup

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

Chair Behr opened the public hearing.

C.J. Amstrup presented the staff report.

Danny Miclea presented the applicant's report.

Public Comment

1. Amanda Goodwin, West Hollywood, concerned with the parking vents the number of units and believes the applicant is pushing every limit possible.
2. Verena Kung, Los Angeles, opposed to the project and does not want the condo's five feet from the side of her house because it will block the light.
3. Victor Mason, West Hollywood, opposed to the project and believes it will create more of a parking problem; would like to see the project enhance the neighborhood.
4. Liz Blackman, West Hollywood, opposed to the project and states that the top portion of the building appears to be a third floor. The addition of the 16 units will further enhance the parking problem.
5. Rosalyn Krause, West Hollywood, opposed to the project and believes it is removing affordable housing for West Hollywood residents.
6. Pam Covarossi, West Hollywood, opposed to the project and does not believe it should be approved until agreeable solutions have been determined.
7. Nancy Taylor, West Hollywood, opposed to the project as it's planned because it's very intrusive to the surrounding neighbors.
8. Steve Martin, West Hollywood, opposed to the project. It will eliminate 13 low-income housing for 16 luxury condominiums, which is not a good trade off for West Hollywood. The City needs to work together to create policies to save the rent control in the city.
9. Jeanne Dobrin, West Hollywood, the city talks about affordable housing and bring projects such as these for approval

Mikhail Segal presented closing comments.

Commission Deliberation

Altschul – The Ellis Act supercedes what the Commission or residents want for the neighborhood, which translates to condominiums being built on the lot. The re-design, with the specifications, can be taken care of by staff with involvement by the Design Review sub-committee.

Hamaker – The Commission cannot keep affordable housing from being turned into condominiums by new owners, they are allowed to buy property and build units allowable by the code. The applicant is not illegally evicting renters and is following the tenant relocation procedures and has the right to do so.

Crowe – Agrees with the motion and that the use of the incentives needs to be warranted. The re-design is going to be imperative and more conducive to the surrounding neighborhood.

DeLuccio – Encouraged residents to get involved with the General Plan process to try to lower the density in the City.

Torgan – Agrees with the motion, and suggests an additional amendment to replace the north wall with some [other] type of [separation] density [that does not block adjacent neighbor's light] to the satisfaction of the Director.

Behr – The Commission is following the criteria set forth by the state and is in favor of approving the application, which is in accordance with the Zoning Ordinance.

Action: Approve and adopt Resolution No. PC 2003-481, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEVELOPMENT PERMIT 2002-13 AND DEMOLITION PERMIT 2002-06 FOR A 16-UNIT CONDOMINIUM BUILDING USING THE COURTYARD HOUSING STANDARDS FOR THE PROPERTY LOCATED AT 841-851 ³/₄ WESTMOUNT DRIVE, WEST HOLLYWOOD,” with the following amendments: 1) The rear set back be 15 feet; 2) the side set backs be 5 feet on either side; 3) No storage be on the roof; 4) No appurtenances be higher than 3 feet on top of the roof and only to provide roof access; 5) replace the north wall with some [other] type of [separation] density [that does not block adjacent neighbor's light], to the satisfaction of the Director; 6) all sales materials, with respect to the condominiums, contain language specifically listing which units have tandem parking spaces and which units have compact parking spaces.

Motion: Altschul Second: DeLuccio

Votes: All Ayes on a roll call vote

Motion Carries

Commissioner Torgan recused himself from the following public hearing.

C. Conditional Use Permit 2002-06 and Parking Use Permit 2002-08: Modification to an existing conditional use permit to allow expanded hours of operation; to add an approximately 410 square-foot dance floor; to permit the use of video screens in the interior; and to modify an existing parking use permit.

Applicant: Here Lounge/696 N. Robertson, LLC

Location: 696 N. Robertson Boulevard

Planner: Francie Stefan

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

Chair Behr opened the public hearing.

Francie Stefan presented the staff report and clarified that the only application for consideration by the Commission is the modification of the conditional use permit.

Todd Elliot presented the applicants report.

Public Comment

1. Dan Morin, West Hollywood, spoke in support of the application.
2. Robert Schrock, West Hollywood, commended the owners for working with the neighbors.

3. David Cooley, West Hollywood, spoke in support of the Here Lounge and believes they are a good business for the neighborhood.
4. Hillary Selvin, Los Angeles, Executive Director, Chamber of Commerce, spoke in support of the application.
5. Marci Miller, West Hollywood, not opposed to the dance floor and is asking that the bars are respectful of the neighbors.
6. Mike McLean, West Hollywood, the neighbors are concerned with the noise level from the bars and would like the Commission to take it into consideration when approving the application.
7. Jeanna Heathgore, West Hollywood, concerned with the noise level from the weekend patrons and believes the noise has gotten worse.
8. Yawar Charlie, West Hollywood, spoke in support of the application and believes the approval of the dance floor will enhance business for the City.
9. Scott Sisco, West Hollywood, spoke in support of the application.
10. Lynn Whitney, West Hollywood, spoke in support of the application.
11. Linda Fusco, West Hollywood, stated the Here Lounge is one of the few places for women to dance and is in favor of approval of the application.
12. Simhi Williams, Toluca Lake, spoke in support of the application.
13. Chris Baker, West Hollywood, spoke in support of the application.
14. Steve Valentine, Marina Del Rey, as a publicist for West Hollywood businesses, believes the Here Lounge owners have reached out to the community.
15. Randy Lipnick, West Hollywood, spoke in support of the application.
16. Christy Dees, West Hollywood, spoke in support of the application.
17. Jeanne Dobrin, West Hollywood, inquired if the 76 parking spaces will be utilized and urged the commission to look into the parking situation.
18. Susan Swinole, Los Angeles, spoke in support of the application and believes the establishment has been run very well.
19. Gil Even, West Hollywood, spoke in support of the application.

Todd Elliot presented closing comments.

Commission Comments

Crowe – Stated that he can hear noise from the Beverly Center area on weekend nights.

DeLuccio – Stated that there is noise from the various clubs and is confident that the Here Lounge will work with the neighbors should problems arise.

Behr – Believes the location of the Here Lounge is an ideal place for a nightclub.

Action: Adopt and Approve Resolution No. PC 2003-483, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING CONDITIONAL USE PERMIT 2002-06, ON AN APPLICATION OF HERE LOUNGE, LLC, TO ALLOW A DANCE FLOOR, INTERIOR VIDEO SCREENS, AND TO RECALCULATE REQUIRED PARKING FOR AN EXISTING BAR LOCATED AT 696 ROBERTSON BOULEVARD, WEST HOLLYWOOD.”

Motion: Crowe Second: Altschul

Votes: All Ayes, noting the absence of Commissioner Torgan

Motion Carries

Commissioner Torgan re-joined the meeting.

D. Finding of General Plan Consistency 2003-01: Determination of consistency of demolition of an existing structure, and construction of a public parking lot with the General Plan.

Applicant: City of West Hollywood
Location: 8631 Santa Monica Boulevard
Planners: C.J. Amstrup

Recommendation: Determine that the proposed City parking lot is consistent with the General Plan subject to the finding in the proposed resolution.

Chair Behr opened the public hearing.

C.J. presented the staff report.

Oscar Delgado, Parking Manager, was available to answer questions and provide additional information.

Public Comment

1. Jeanne Dobrin, West Hollywood, believes the project is and excellent idea.
2. Hillary Selvin, Los Angeles, Executive Director, Chamber of Commerce, states that the business community is in support of any additional parking. Also stated that Oscar Delgado addressed concerns of neighbors at a neighborhood meeting.

Action: Adopt and Approve Resolution No. PC 2003-484, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DETERMINING THAT A CITY LEASED, PUBLIC SURFACE PARKING LOT AT 8631 SANTA MONICA BOULEVARD IS CONSISTENT WITH THE GENERAL PLAN."

Motion: DeLuccio Second: Altschul
Votes: All Ayes

Motion Carries

E. Finding of General Plan Consistency 2003-02: Determination of consistency of a public parking lot with the General Plan.

Applicant: City of West Hollywood
Location: 7718 Santa Monica Boulevard
Planner: C.J. Amstrup

Recommendation: Determine that the proposed City parking lot is consistent with the General Plan subject to the finding in the proposed resolution.

Chair Behr opened the public hearing.

C.J. presented the staff report.

Oscar Delgado, Parking Manager, was available to answer questions and provide additional information.

Public Comment

1. Hillary Selvin, Los Angeles, stated again that the business community is in support of any additional parking.
2. Lyndia Lowy, West Hollywood, informed the Commission about the mediation process with Spike regarding their parking issue. There are many businesses that will be using the parking lot and many things that need to be reviewed, including heavy late night activity, the design structure of the lot, the operation of the lot, and the impact on the neighborhood.
3. Arthur Rubenstein, West Hollywood, concerned with the absence of a retaining/sound wall during the demolition of the current building and has requested such a wall. Is in support of the parking structure.

Action: Adopt and Approve Resolution No. PC 2003-485, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DETERMINING THAT A CITY OWNED PUBLIC SURFACE PARKING LOT PROPOSED FOR 7718 SANTA MONICA BOULEVARD IS CONSISTENT WITH THE GENERAL PLAN."

Motion: DeLuccio Second: Torgan

Votes: All Ayes

Motion Carries

10. STUDY SESSION

- A. General Plan Amendment 2003-02 and Zone Text Amendment 2003-02:** A study session to discuss alternatives for proposed General Plan Amendment and Zoning Text Amendment to allow replacement of existing billboard as an incentive to redevelopment.

Applicant: City of West Hollywood

Location: Eastside Redevelopment Project Area

Planner: Debby Linn

Recommendation: Provide input to staff for incorporation into a final draft general plan amendment and zoning text amendment to allow replacement of existing billboards in conjunction with redevelopment or rehabilitation of properties within the Eastside Redevelopment Project Area.

Chair Behr opened the Study Session

Debby Linn presented the staff report.

Public Comment

1. Todd Elliot, West Hollywood, encouraged the Commission to look closely at this matter and be as flexible as possible and to adopt staff's recommendation with a minimum parcel size of 6,000 square feet or no minimum parcel size.

Commissioner Torgan recused himself from the study session.

Discussion

1. Development Standards - Minimal Parcel Size:

Behr – Inquired about any discussion regarding the location of billboards, consideration of parcel sizes.

Altschul – Does not believe there should be lot size limits on this issue, the billboards already exist and there aren't view protections if something is being built according to the code.

The Commission is in agreement as to no minimum lot size.

2. Mitigating Impacts on Adjacent Properties – a) Maximum Billboard Height:

The Commission is in agreement with staff's recommendation.

b) Alternative locations for replacement billboards:

Behr – Inquired how residents would be noticed regarding the relocation of a billboard.

The relocation of billboards would come before the Planning Commission for review.

c) Incorporation of billboard into building architecture:

Hamaker – Inquired if the architects would work with the developers to incorporate the billboards with the buildings.

Altschul – The adoption of amortization of existing billboards in a redevelopment area should be allowed to be replaced with the most flexibility as possible to encourage redevelopment.

The Commission is in agreement with staff's recommendation.

d) Second billboard face

Behr – Requested clarification on how many properties can put a second face and if the addition will require relocation of the billboard

Crowe – Believes that billboards can be amortized and can be an incentive for redevelopment and does not agree with developing a new set of regulations for three more billboards.

3. Financial Investment

The Commission is in agreement with staff's recommendation.

Debby Linn reviewed additional issues brought forth by the Planning Commission at the December 5, 2002 study session. No action was taken.

11. UNFINISHED BUSINESS

None.

12. NEW BUSINESS

None.

13. ITEMS FROM STAFF

A. Update on Cabo Cantina

Tom Benedetti, Interim Code Compliance Manager, prepared a memo for the Commission regarding a review of issues surrounding Cabo Cantina.

14. PUBLIC COMMENT

None.

15. ITEMS FROM COMMISSIONERS

Hamaker – The Gateway project is underway and the walls will be up soon.

16. ADJOURNMENT

Action: Adjourn to a regular meeting of the Planning Commission on Thursday, July 17, 2003, at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood.

Motion carried by a consensus of the Commission.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF AUGUST, 2003.

CHAIRPERSON: _____

ATTEST:

COMMUNITY DEVELOPMENT DIRECTOR: _____

11. UNFINISHED BUSINESS

None.

12. NEW BUSINESS

None.

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Tom Benedetti, Interim Code Compliance Manager, prepared a memo for the Commission regarding a review of issues surrounding Cabo Cantina.

14. PUBLIC COMMENT

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15. ITEMS FROM COMMISSIONERS

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PASSED, APPROVED AND ADOPTED THIS 21st DAY OF AUGUST, 2003.
CHAIRPERSON: 

ATTEST:

COMMUNITY DEVELOPMENT DIRECTOR:  For A. McINTOSH