



PLANNING COMMISSION MINUTES

September 19, 2002

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 6:33 PM.

2. ROLL CALL:

Commissioners Present: Altschul, Behr, Crowe, DeLuccio, Hamaker, Hewitt and Torgan.

Commissioners Absent: None.

Staff Present: C.J. Amstrup, Senior Contract Planner, Debby Linn, Senior Contract Planner, Mark Persico, Director of Community Development, Susan Healy Keene, Planning Manager, Christi Hogin, Assistant City Attorney and David Gillig, Administrative Assistant to the Planning Manager.

3. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Susan Healy Keene.

4. APPROVAL OF AGENDA:

Susan Healy Keene, Planning Manager, informed the Commission that the following item was noticed properly; LED Display Billboard, located at 8501 Sunset Boulevard. However, it was inadvertently left off the current Agenda and requested this item be continued to the Planning Commission meeting of Thursday, October 3, 2002.

ACTION: Approve the Planning Commission Agenda of Thursday, September 19, 2002 as amended. **Motion by Chair Behr seconded by Commissioner Altschul and unanimously carried.**

5. APPROVAL OF MINUTES:

ACTION: Approve the Planning Commission Minutes of 1) Thursday, August 1, 2002 and 2) Thursday, August 15, 2002; as presented. **Motion by Commissioner DeLuccio, seconded by Commissioner Altschul and unanimously carried; noting the Abstention of Commissioner Hewitt on the Minutes of Thursday, August 15, 2002.**

6. PUBLIC COMMENT. None.

7. ITEMS FROM COMMISSIONERS:

Commissioner DeLuccio requested a status report of the High Impact Business Task Force from the Director of Community Development.

8. CONSENT CALENDAR. None.

9. **EXCLUDED CONSENT CALENDAR.** None.

10. **PUBLIC HEARINGS**

- A. **Minor Conditional Use Permit 2002-08:** C.J. Amstrup, Senior Contract Planner presented the staff report requesting legalization of existing karaoke activity, which occurs three (3) times per week. This is proposed as an ancillary business at Barney's Beanery, 8447 Santa Monica Boulevard, West Hollywood, California.

Commissioner DeLuccio questioned staff why this item was specifically brought before the Planning Commission and not heard at the Director's level.

Vice-Chair Altschul questioned staff on the determination of a nightclub and the parking requirements for this property.

Chair Behr opened the Public Hearings:

DAVID HOUSTON, GLENDALE, owner and operator of Barney's Beanery gave the applicants report. He gave a brief background involving the karaoke evenings and took questions from the Commission.

Vice-Chair Altschul questioned the square footage of the property.

Commissioner Crowe questioned how long the karaoke evenings have been operating, and if the current activities would be described as a nightclub.

Commissioner Hamaker questioned how many parking spaces were currently available.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She was reassured by the lack of crime and stated that the City should reconsider if the residents are disturbed by excessive noise.

ACTION: Close the Public Hearings. **Motion by Commissioner Crowe, seconded by Commissioner Torgan and unanimously carried.**

Vice-Chair Altschul suggested this item return to the Planning Commission in six (6) months for review.

Chair Behr suggested a wording change to Section 12 of Resolution No. PC 02-447: "The *Planning Commission*" shall review this permit in six (6) months time to determine if the conditions of approval need to be modified to minimize any disturbances *"in or to"* the adjacent residential *"area"*.

Commissioner Torgan had concerns with this item returning to the Planning Commission for review. He indicated that a staff level review is sufficient.

It was decided that a report would come back before the Planning Commission in six (6) months time under the Consent Calendar heading with the amended text changes.

ACTION: 1) Approve the request as amended and 2) adopt Resolution No. PC 2002-447 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING MINOR CONDITIONAL USE PERMIT 2002-08(b), TO ALLOW KARAOKE WITHIN THE EXISTING BUILDING THREE (3) TIMES PER WEEK AT BARNEY'S BEANERY, LOCATED AT 8447 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." **Motion by Vice-Chair Altschul, seconded by Commissioner DeLuccio and carried on a Roll Call vote:**

MOTION PASSES ON A ROLL CALL VOTE:

AYES: Chair Behr, Vice-Chair Altschul, Commissioners Crowe, DeLuccio, Hamaker, Hewitt and Torgan.

NAYES: None.

Commissioner DeLuccio recused himself from the dais at this time.

- B. Conditional Use Permit 2001-24:** C.J. Amstrup, Senior Contract Planner presented the staff report proposing the expansion of an existing, non-conforming wine and spirits shop, by allowing periodic wine tasting events in existing office space located at 540 San Vicente Boulevard, West Hollywood, California.

Commissioner Crowe had concerns and questioned staff regarding the possible liability to the City of West Hollywood with regard to Condition 8; which specifies maximum serving sizes and quantities for wine samples.

Chair Behr brought to staff's attention the error in the wording of "existing"; in Section 2 of Resolution No. PC 02-448.

Chair Behr opened the Public Hearings:

ALAIN BALLY, LONG BEACH, representing the owner gave the applicants report. He detailed the proposed expansion and took questions from the Commission.

Commissioner Hamaker questioned the program(s), lectures and how noticing of these programs will be conducted.

Chair Behr questioned their current permits.

PETER DIAMOND, WEST HOLLYWOOD spoke in support of this item.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She stated concerns with the increased traffic and parking this might cause. She further notated the hours of operation to 11:00 P.M. are not practical.

ALAIN BALLY, LONG BEACH, representing the owner gave the rebuttal. He briefly spoke on the current (and future) permits that will be required.

Commissioner Crowe questioned staff of the handicapped accessibility requirements.

The following wording was changed in Section 13: "Applicable licenses *"needs"* to be obtained and maintained from the State Alcoholic Beverage Control Board".

ACTION: 1) Approve the request as amended and 2) adopt Resolution No. PC 2002-448 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING A CONDITIONAL USE PERMIT PERMITTING THE EXPANSION OF A NON-CONFORMING WINE AND SPIRITS STORE BY ALLOWING PERIODIC WINE TASTING EVENTS IN EXISTING OFFICE SPACE AT DU VINE WINE AND SPIRITS, LOCATED AT 540 SAN VICENTE BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." **Motion by Vice-Chair Altschul, seconded by Commissioner Crowe and carried on a Roll Call vote:**

MOTION PASSES ON A ROLL CALL VOTE:

AYES: Chair Behr, Vice-Chair Altschul, Commissioners Crowe, Hamaker, Hewitt and Torgan.

NAYES: None.

Commissioner DeLuccio returned to the dais at this time.

C. Zoning Text Amendment 2002-02:

Vice-Chair Altschul has concerns regarding this item. He cited many examples of religious parking lots currently in the City of West Hollywood and the implication(s) this item could cause. He also indicated extensive research still needs to be done. He believes a 1,000 square foot radius of properties needs to be noticed properly, with the date of the hearing and purpose of the hearing. He motioned this item be continued and staff return with a complete and extensive report. **Motion by Vice-Chair Altschul, seconded by Commissioner Hewitt.**

After discussion, the Commission decided to forego the official staff report and hear public testimony only on this item

Chair Behr opened the Public Hearings:

JULIE SOMMERS, WEST HOLLYWOOD, opposes this item. She requested the Commission to consider the residents who actually live next to this project and the implications it is capable of causing.

JACK LE BOUEF, WEST HOLLYWOOD, opposes this item. He voiced his concern about the lack of noticing of this item and is extremely concerned about the use of this particular parking lot that would be used by the businesses on Sunset Boulevard.

JIM RISHEL, WEST HOLLYWOOD, opposes this item. He voiced his concern about the lack of noticing and cited the additional traffic and congestion this would cause.

LAUREN MEISTER, WEST HOLLYWOOD, has concerns regarding this item. She stated that changing the Zoning Ordinance to suit a particular situation would set a dangerous precedent. She stated residential zones must be protected.

INA BLISS, WEST HOLLYWOOD, has concerns regarding this item. She commented on the lack of noticing for this project and stated this will set a dangerous precedent in the residential neighborhoods.

JEAN MATHISON, WEST HOLLYWOOD, opposes this item. She stated she would like to save and preserve the residential neighborhoods from this type of encroachment.

ROD MC DONALD, WEST HOLLYWOOD, opposes this item. He commented on the lack of noticing and believes that these types of projects should be heard on a case by case basis, and not heard as an entire overlay project.

JEANNE DOBRIN, WEST HOLLYWOOD, opposes this item. She stated this will greatly impact residential areas and thanked the Commission for continuing this item.

Commissioner Altschul stated his concern on the noticing problems to the neighborhood and residents and indicated that future noticing for this project should go citywide. He also indicated that future notices also need to be in language that everyone will be able to read and comprehend.

Mark Persico, Community Development Director, informed the Commission that it will be several months before this item will return to them for consideration and everyone in the city will be noticed properly.

ACTION: 1) Continue this item to a date uncertain and 2) all future notices for this project will be citywide. **Motion amended by Vice-Chair Altschul, seconded by Commissioner Crowe and unanimously carried.**

11. PUBLIC HEARINGS. None

12. UNFINISHED BUSINESS. None

13. ITEMS FROM STAFF:

Susan Healy Keene, Planning Manager, updated the Commission on Phase I of the General Plan.

14. PUBLIC COMMENT:

JEANNE DOBRIN, WEST HOLLYWOOD, commented and updated the Commission on the current business at 656 Robertson Boulevard, West Hollywood.

G.G. VERONE, LOS ANGELES, commented on the Equinox Health and Fitness Center, located in the Sunset Millennium complex, and questioned how memberships can be sold when the business is not yet open to the public.

LAUREN MEISTER, WEST HOLLYWOOD, commented on neighborhood meetings which are to be held at Maimonides Academy of L.A. and requested separate noticing, due to confusion of two separate and distinct meetings.

15. ITEMS FROM COMMISSIONERS:

Commissioner Torgan questioned and had concerns about the Equinox Health and Fitness Center.

Susan Healy Keene, Planning Manager, indicated that the Equinox application was reviewed and determined that it does not need an amendment to the Development Agreement, however, it does need approval of a Conditional Use Permit. This item is tentatively scheduled to be heard by the Planning Commission on Thursday, October 17, 2002.

Commissioner Hamaker commented on the recent concerns and complaints of additional foot traffic and residential noise from activities held at Sky Sushi, and asked if staff could look into those issues.

Chair Behr updated the Commission on the Zoning Ordinance Ad-Hoc Subcommittee Meeting and informed everyone the next meeting will be on Thursday, September 26, 2002 at 6:00 P.M. at City Hall; 3rd Floor Training Room.

16. ADJOURNMENT. The Planning Commission adjourned at 8:00 P.M. to the next regularly scheduled meeting of the Planning Commission, which will be on Thursday, October 3, 2002, at the West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood, California. **Motion by Vice-Chair Altschul, seconded by Chair Behr and unanimously carried.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 3RD DAY OF OCTOBER, 2002.


CHAIRPERSON

ATTEST:


Community Development Director