



PLANNING COMMISSION MINUTES

October 17, 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 6:35 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: Mark Persico, Community Development Director; Susan Healy Keene, Planning Manager; Christi Hogin, City Attorney; Tim Foy, Senior Planner; Terry Blount, Associate Planner; Emmeline Elzin Harrigan, Associate Planner; and Jennifer Diaz, Administrative Staff Assistant.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hillary Selvin.

4. APPROVAL OF AGENDA

Action: Approve the Agenda of October 17, 2002.

Motion: Crowe Second: DeLuccio

Vote: All Ayes

Motion passes

5. APPROVAL OF MINUTES

A. Minutes - October 3, 2002

Action: Approve the Minutes of October 3, 2002.

Motion: DeLuccio Second: Behr

Votes: All Ayes, noting the abstention of Commissioner Torgan

Motion passes

6. PUBLIC COMMENT

A. Jeanne Dobrin, West Hollywood, stated that Kinara Spa has been breaking City laws since they broke ground. Construction has proceeded past allowable working hours and she believes they will continue to have no regard for complying with City restrictions in that they are also violating street parking laws.

7. ITEMS FROM COMMISSIONERS

Hamaker - Requested Sky Sushi be agendized.

Altschul - Acknowledged that Elinor Aurthur is running for an office seat with the California Chapter of the American Planning Association.

DeLuccio - Requested staff to give a report on issues regarding 24 hour fitness.

Behr - Inquired what the time frame is to agendizing Sky Sushi for discussion.

Altschul - Recommended canceling the December 19th Planning Commission meeting.

8. CONSENT CALENDAR

None.

9. EXCLUDED CONSENT CALENDAR

None.

10. PUBLIC HEARINGS

A. **Conditional Use Permit 2002-08:** Change from beer and wine to full alcohol sale for off-site consumption as an accessory to grocery sales.

Applicant: Art Rodriguez for Trader Joe's

Location: 8611 Santa Monica Boulevard

Planner: Emmeline Elzin Harrigan

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

Chair Behr opened the Public Hearing.

Emmeline Elzin Harrigan presented the Staff Report.

Art Rodriguez presented the Applicant's report.

Public Comment

1. Jeanne Dobrin, West Hollywood, spoke in support of the application and suggested that a compromise be made in regards to the delivery hours because of the closeness of the residents.
2. Ina Bliss, West Hollywood, spoke in support of the application.

Art Rodriguez presented closing comments.

Action: Close the Public Testimony portion of the public hearing.
Motion passed by a consensus of the Commission.

Action: Adopt and Approve Resolution No. PC 2002-451, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING CONDITIONAL USE PERMIT 2002-08, APPROVING FULL OFF-SITE ALCOHOL SALES AS AN ACCESSORY TO GROCERY STORE SALES ON AN APPLICATION BY ART RODRIGUEZ FOR TRADER JOE'S AT THE PROPERTY LOCATED AT 8611 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA."

Motion: DeLuccio Second: Altschul

Votes: All Ayes

Motion Passes

B. Conditional Use Permit 2002-04 and Development Permit 2002-15: Change 29,999 square feet of retail space into a health/fitness facility.

Applicant: Paul Boardman for Equinox West Hollywood, Inc.

Location: 8590 Sunset Boulevard

Planner: Terry Blount

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

Chair Behr opened the public hearing.

Terry Blount presented the Staff Report.

Dennis Woods, Transportation Department, and Tom Choe, Kaku Associates, were available for traffic analysis inquiries.

Jeff Seymour spoke on behalf of the Applicant regarding the continuance of the Public Hearing.

Action: Continue the Public Hearing to November 21, 2002 and allow public testimony at the current and future hearing.

Motion: Torgan Second: Altschul

Votes: All ayes

Motion Passes

Paul Boardman introduced himself and made himself available for questions.

Public Comment

1. Hillary Selvin, Los Angeles, Executive Director of the Chamber of Commerce, spoke in support of Equinox and believes that it will bring jobs and revenue to the City and urged the Commission to Approve the request.
2. Sonya Powell, West Hollywood, spoke, on behalf of Rod Gerndike, Vice-President of the Sunset Marquis, in support of Equinox and will recommend hotel guests to visit the health club.
3. Jerrie Heslon, West Hollywood, spoke in support of the application.

4. Ina Bliss, West Hollywood, stated that the West Hollywood North Community was not contacted by the Applicant's and suggested that the applicant's be urged to improve the aesthetics' of their location at the Sunset Millennium site.
5. Jack LeBouef, West Hollywood, spoke on the parking issues at the Sunset Millennium site and requested the next public hearing be noticed further than the required 500-foot radius.
6. Mark Krajewski, West Hollywood, spoke on the parking problems at Crunch gym parking structure and the same problems will happen at Equinox.
7. Lauren Meister, West Hollywood, concerned with the parking and traffic problems that will arise from visitors and employees of the gym.
8. Carla Ryhal, Westlake Village, spoke in opposition of the application on behalf of nearby anonymous residents.
9. Ed Brown, Beverly Hills, (Best Western Hotel) spoke in support of the application and will refer guests to Equinox.
10. G.G. Verone, Los Angeles, concerned with the traffic problems that the one entrance for the facility poses on Sunset Boulevard and the residents.
11. Steve Smith, West Hollywood, concerned with the configuration of the parking, employees of the Playboy building parking in the structure, and that the gym requires three times the parking as retail stores. Also suggested that Sunset Millennium supply a list of the parking leases it has with other businesses
12. Brad Burlingame, Los Angeles, President of the West Hollywood Convention and Visitors Bureau, spoke in support of Equinox and believes that this is the type of business that will bring positive publicity and benefit the City.
13. James Fuhrman, West Hollywood, stated that Alta Loma Road has turned into a private street and all City residents pay taxes to maintain Alta Loma and should be able to use it.

Commissioner Comments

Torgan - Some of the data provided is faulty, as in the trip generation which do not provide statistical levels. The basis is on foot traffic and not on current membership and the percentage of current membership that is in the gym during peak hours. The Kaku Report indicates the AM peak is 30% higher than what was approved for Sunset Millennium. A current traffic baseline is needed.

Altschul - There are technical and procedural issues. Sunset Millennium has 2 off-site leases (The House of Blues and the Grafton) and yet there was testimony that Hornburg and The Grove also have leases in the parking structure. Inquired about the transfer of rights with regards to the central and middle parcel.

Crowe - Inquired how 670 tandem parked cars will be moved with a wait time of 10 minutes. An assessment for changes in the development agreement may be required given the fact that consideration on 195 spaces could be translated into 4.9 million dollars worth of value. Recommended a clearer break down of all the parking methods would be helpful.

Behr - Recommended staff to come up with alternatives with parking. Would like to know how the self parking will work and there should be an alternative for people besides having to hand over their keys.

DeLuccio - Concerned about parking too many vehicles into the parking structure. Options to reduce the parking spaces in the middle parcel needs to come back to the Commission for consideration. Would also like the staff and applicant meet with the North West group.

Hamaker - Suggested that the middle parcel be all parking.

C. Zoning Text Amendment 2002-01: Clean-up amendments to the Zoning Ordinance.

Applicant: City of West Hollywood

Location: City-wide

Planner: Tim Foy

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

Chair Behr opened the hearing.

Tim Foy presented the Staff Report.

Review of Topics

Topics 1 through 20: Previously discussed and Approved on May 30, 2002, have the following corrections:

Topic 1 - Change Chapter 19.34 to Chapter 19.14.

Action: Table Topics 21, 26, 27, 30, 35, 38, 55, 63, 66, 70, & 71.

Motion: Torgan Second: DeLuccio

Votes: All Ayes

Motion Passes

Public Comment

1. Hillary Selvin, West Hollywood, commented on concerns with topics 31, 49, 50, and the issues regarding amplified music in restaurants. Thank the Commissioners involved in the process of the clean up of the Zoning Code.

Topic 21 - Number of parking spaces required

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 22 - Reduction of off-street parking requirements

Change the word "Director" to "Review Authority" under mixed use and use of intensification columns.

Topic 23 - Vehicle Recharging Stations

Change the current date of electrical wiring due to be in compliance of January 1, 2003 to January 1, 2005.

Topic 24 - Parking area design and layout standards, residential parking.

Change: 1.b.(1) The garage interior is a minimum of 20 feet by 20 feet.

Topic 25 - Driveway Standards

No comments.

Topic 26 - Sign standards

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 27 - Tall Wall Signs

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 28 - Restricted signs

No comments.

Topic 29 - Adult entertainment businesses

No comments.

Topic 30 - Congregate Care and Senior Residential Projects

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 31 - Outdoor dining

Change language in J.4 to read: Dining equipment, if stored, may not be located in an area visible from the public right of way.

Public Comment:

1. Hillary Selvin, West Hollywood, concerned with the language being to specific that it might prohibit businesses from being cost effective and efficient.
2. Jeanne Dobrin, West Hollywood, opposed to businesses advertising by using banners and does not believe they should be a part of the urban design.

Torgan - Would like to keep the current language and bring back policy issues at a later time.

Action: Apply the current language and table section J.7.

Motion: Behr Second: DeLuccio

Votes: All Ayes

Motion Passes

Topic 32 - Residential Uses - Multi-Family Dwellings

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 33 - Residential Uses - Residential Accessory Uses and Structures

No Comments.

Topic 34 - Residential Carports and Existing Garages

DeLuccio - Recommended this Topic be brought back for review because there are recommendations by the sub-committee that are not reflected in the staff report.

Topic 35 - Service Stations

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 36 - Outdoor Smoking Areas

Correction: Change the word "occupy" to "occur"

Topic 37 - Telecommunications Facilities

No Comments.

Topic 38 - Telecommunications Facilities

Deleted

Topic 39 - Authority for Land Use and Zoning Decisions (Application Filing and Processing)

No comments.

Topic 40 - Applicability (Zone Clearances)

Behr - Change the explanation before presenting it to the City Council.

Topic 41 - Applicability (Administrative Permit)

No comments.

Topic 42 - Applicability (Development Permits)

No Comments.

Topic 43 - Application Filing, Processing, and Review

No comments.

Topic 44 - Application Filing, Processing, and Review (Parking Use Permits)

No Comments.

Topic 45 - Neighborhood meeting required

No Comments.

Topic 46 - Review Authority (Cultural Heritage Preservation)

No Comments.

Topic 47 - Findings and Decision

No Comments.

Topic 48 - Criteria for Designation of Cultural Resources

No Comments.

Topic 49 - Review and Approval of Designations

Public Comment

1. Hillary Selvin, Los Angeles, would like to nominate to list and de-list once every five years.

Action: Change the seven year period to a five year period.

Motion: Altschul Second: DeLuccio

Votes: All Ayes

Motion Passes

Topic 50 - Removal of Designated Resources from Local Register

Changed 7 years to 5 years through denomination as noted in Topic 49.

Topic 51 - Certificate of Appropriateness, Generally

No Comments.

Topic 52 - Certificate of Appropriateness, Generally

No Comments.

Topic 53 - Review and Approval of Certificates of Appropriateness

No Comments.

Topic 54 - Review and Approval of Certificates of Appropriateness

No Comments.

Topic 55 - Review and Approval of Certificates of Appropriateness

Deleted the last sentence "Regardless of the number of extensions...".

Topic 56 - Certificates of Appropriateness for Proposed Demolition

No Comments.

Topic 57 - Certificates of Appropriateness, Disaster Damage

No Comments.

Topic 58 - Rehabilitation Incentives

No Comments.

Topic 59 - Applicability (Development Fees)

No Comments.

Topic 60 - Nonconforming Structures (Nonconforming Uses, Structures, Signs, and Parcels)

No Comments.

Topic 61

No Comments.

Topic 62 - Nonconforming Structures

No Comments.

Topic 63 - Nonconforming Uses

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 64 - Nonconforming Uses/Modification of Previous Conditional Use Permits

Correction: Change the word "area" to "use" in the following manner "...and the use is approved pursuant to Section 19.52.020(a).

Topic 65 - Filing and Processing of Appeals

No Comments.

Topic 66 - Adult Businesses (Definition)

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 67 - Art Gallery (Definition)

No Comments.

Topic 68 - Atrium (Definition)

No Comments.

Topic 69 - FAR and Gross Floor Area

No Comments.

Topic 70 - Mural

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 71 - Restaurant

Deferred for policy discussion bases upon recommendation of the sub-committee.

Topic 72 - Story

No comments.

Topic 73- Congregate Care Housing Facilities

No Comments.

Topic 74 - Smoking Area

No Comments.

Topic 75 - Vehicle maintenance and Repair

No Comments.

Topic 76 - Vehicle Maintenance and Repair Shops

No Comments.

Topic 77

No Comments.

Topic 78 - Disability Access

No Comments.

Topic 79 - Parking Standards

Corrected wording in text to "as practical to one.." adding the word "to" and deleting the word "on".

Action: Recommend Approval to the City Council, Items 1-20, 22 as modified, 24, 26, 28, 29, 31 (minus section J.7), 36-39, 40 -48, 49 with changes in subsection A.4 to five years, 50 with section A.2. with change to five years, 51-62, 64 as modified, 65, 67-69, 71-79 and to bring the item back on the Consent Calendar on November 7, 2002.

Motion: Torgan Second: DeLuccio

Votes: All Ayes

Motion Passes

11. NEW BUSINESS

None.

12. UNFINISHED BUSINESS

None.

13. ITEMS FROM STAFF

Susan Healy Keene - Bid farewell to Tim Foy and Welcomed C.J. Amstrup.

14. PUBLIC COMMENT

15. ITEMS FROM COMMISSIONERS

Torgan - Thanked the Sub-committee for working on the Zoning Text Amendment changes.

16. ADJOURNMENT

Action: Adjourn to a regular meeting of the Planning Commission on Thursday, November 7, 2002, at the West Hollywood Park Auditorium, 647 N. San Vicente Boulevard.

Motion carried by a consensus of the Commission.

PASSED, APPROVED AND ADOPTED THIS 7th DAY OF NOVEMBER, 2002.

CHAIRPERSON:



ATTEST:

COMMUNITY DEVELOPMENT DIRECTOR:

