



## **PLANNING COMMISSION MINUTES**

**December 5, 2002**

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, Barbara Hewitt, and Brad Torgan.

Commissioners Absent: None.

Staff Present: Susan Healy Keene, Planning Manager; Christi Hogin, City Attorney; C.J. Amstrup Senior Planner; Emmeline Elzin Harrigan, Associate 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 Donald DeLuccio.

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

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**Action: Approve the Agenda of December 5, 2002, with the following amendments: Continue Item 10.B to January 16, 2003 and discuss 13.A before the Public Hearing's.**

Motion: DeLuccio Second: Behr

Vote: All Ayes

**Motion passes**

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

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**A. Minutes – November 7, 2002**

**B. Minutes – November 21, 2002**

**ITEM 5.A**

**Action:** Approve the Minutes of November 7, 2002 and November 21, 2002.  
**Motion:** Torgan Second: DeLuccio  
**Votes:** All Ayes  
**Motion passes**

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**6. PUBLIC COMMENT**

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- A. Antoinette Selgado, Los Angeles, spoke against the approval of Sky Sushi and stated that they neglected to provide adequate security and as a result her son was attacked and stabbed in the parking lot.
- B. Lauren Meister, West Hollywood, commented on the Melrose Triangle project and suggested that the City review the FAR (Floor Area Ratio) for that project as 300,00 square feet of subterranean storage is not counted.

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**7. ITEMS FROM COMMISSIONERS**

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DeLuccio – Directed staff to agendize Sky Sushi and 24 Hour Fitness for February 6, 2003. In addition would like staff to review 24 Hour Fitness' conditional use permit and check if the business is in compliance with the conditions set forth in their permit.

Altschul – Directed staff to notify the business owners of Sky Sushi and 24 Hour Fitness when those items are agendized for discussion.

Torgan – Stated that to avoid any confusion, future policy on requests to agendize subjects for discussion should involve informing the property operators of the businesses in question.

**Action:** Re-agendize items 16.A and 16.B under New Business to February 6, 2003 and notify the business operators of the hearings.  
**Motion:** Altschul Second: DeLuccio  
**Motion passes by consensus of the Commission**

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**8. CONSENT CALENDAR**

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- A. **Creative Billboard Permit 2002-48:** Creative Billboard for "Yahoo!" for a two-year calendar period.  
**Applicant:** Bonnie Kingry for Regency Outdoor Advertising  
**Location:** 8720 Sunset Boulevard  
**Planner:** Emmeline Elzin Harrigan  
**Recommendation:** Conditionally approve the request subject to the findings and conditions in the proposed resolution.

**Action:** Approve and adopt Resolution No. PC 2002-455: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING THE CREATIVE BILLBOARD 2002-48 TO ALLOW A CREATIVE BILLBOARD FOR YAHOO! AT THE BILLBOARD LOCATED AT 8720 SUNSET BOULEVARD (EAST ELEVATION), WEST HOLLYWOOD, CALIFORNIA."  
**Motion:** Behr Second: Crowe

Votes: All Ayes, noting the abstention of Commission Altschul

**Motion passes**

- B. Conditional Use Permit 2002-09:** Allow an outdoor smoking area with alcohol service, and eliminate the non-conforming status of the existing bar.

**Applicant:** Don Randall for Mother Lode Bar

**Location:** 8944 Santa Monica Boulevard

**Planner:** C.J. Amstrup

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

**Action: Approve and Adopt Resolution No. PC 2002-454: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CONDITIONAL USE PERMIT 2002-09 AND ADMINISTRATIVE PERMIT 2002-15, PERMITTING THE ESTABLISHMENT OF AN OUTDOOR SMOKING AREA WITH ALCOHOL SERVICE AND ELIMINATING THE NON-CONFORMING STATUS OF AN EXISTING BAR LOCATED AT 8944 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA."**

Motion: Behr Second: Altschul

Votes: All Ayes

**Motion Passes**

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## **9. EXCLUDED CONSENT CALENDAR**

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None.

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## **10. NEW BUSINESS**

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- A. Conformity with General Plan of Property Acquisition at 7718 Santa Monica Boulevard for the construction of a Public Parking Facility.**

Oscar Delgado, Parking Manager, presented the staff report.

**Action: Approve and adopt Resolution No. PC 2002-459: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD FINDING THAT THE ACQUISITION OF 7718 SANTA MONICA BOULEVARD IS IN CONFORMITY WITH THE GENERAL PLAN."**

Motion: Crowe Second: Hewitt

Votes: All Ayes

**Motion passes**

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## **11. PUBLIC HEARINGS**

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- A. 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.

Terri Slimmer, Traffic and Transportation Manager, was available for traffic inquiries.

Jeff Seymour and Paul Boardman presented the applicant's report.  
Joe Dudek also answered questions regarding the parking operations.

**Public Comment:**

1. Rod Gruendyke, West Hollywood, spoke in support of Equinox because of the business and exposure it will bring to West Hollywood.
2. Jack LeBouef, West Hollywood, stated that this will be a high traffic business and asked if the benefits outweighed the traffic it will cause and asked if the community be better served if the project was moved to another location.
3. Hillary Selvin, Los Angeles, spoke in support of the project and believes the project will fill the vacant space with a favorable economic business.
4. Dr. Antonio Coco, Los Angeles, of Jackson, DeMarco, Peckenpaugh, read a letter on behalf of its clients of a neighboring building requesting a continuance of the hearing.
5. Lauren Meister, West Hollywood, stated that she is not opposed to a fitness center but is concerned with the parking and the proposed wait time.
6. Mark Krajewski, West Hollywood, stated that he has been to the gym and was informed by an employee that the gym would be opening in April and that the parking problem had been resolved.

Jeff Seymour presented a rebuttal statement.

**Action: Close the public testimony portion of the public hearing.**  
Motion passed by a consensus of the commission.

**Commission Deliberation:**

Altschul – Believes the gym will be a benefit to West Hollywood.

Crowe – Make the following amendments to the resolution: to page 9 section 8.1, in the third bullet change the word "should" to "shall" to read "The parking management shall." and add a fifth bullet to summarize pages 2 and 4 of the parking management plan and recommends the following language: "The property management company shall be responsible for insuring that no back-ups shall occur in the public right of way." Also believes the project will provide the diversity and ability to be flexible.

Torgan – Is not comfortable with 40% triple tandem parking and the business patrons will find other places to go if they cannot park; Doesn't believe that adding additional traffic onto Sunset is in the public interest without an offer in return to the City. It was specifically requested that public speakers at the last hearing be notified of any future meetings.

DeLuccio – Is looking forward to a different use to occupy space on Sunset and is supportive of the resolution with the minor language changes.

Behr – If the customers are abused by overcharged parking or by not having adequate parking and making them park elsewhere, it will drive them away.

Hewitt – Doesn't believe the traffic will be as difficult as it might seem to be and is in support of the resolution.

**Action:** Approve and adopt Resolution No. PC 2002-450: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING A NEGATIVE DECLARATION, AND CONDITIONALLY APPROVING CONDITIONAL USE PERMIT (CUP) 2002-04 AND DEVELOPMENT PERMIT (DVP) 2002-15, ON AN APPLICATION OF PAUL BOARDMAN, FOR EQUINOX WEST HOLLYWOOD, INC., TO CHANGE THE USE OF 29,999 SQUARE FEET OF EXISTING RETAIL SPACE INTO A HEALTH/FITNESS FACILITY LOCATED AT 8590 SUNSET BOULEVARD, WEST HOLLYWOOD", with the following amendments: the square footage be changed to 30,042; to page 9 section 8.1, in the third bullet change the word "should" to "shall" to read "The parking management shall.." and add a fifth bullet to summarize pages 2 and 4 of the parking management plan with the following language: "The property management company shall be responsible for insuring that no back-ups shall occur in the public right of way."

Motion: Altschul Second: Crowe

Votes: All Ayes on a roll call vote

**Motion passes**

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

**Applicant:** Hamlet Zohrabians

**Location:** 1010 Curson Avenue

**Planner:** Terry Blount

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

**Action:** Continue to January 16, 2003.

Motion carried by a consensus of the Commission

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## **12. STUDY SESSION**

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- A. Zoning Text and General Plan Amendments to allow replacement of existing billboards as incentive to redevelopment.**

Chair Behr introduced the topic of the Study Session.

Debby Linn presented the staff report.

**Commission Comments:**

Torgan – The dilemma is the City's policy to promote redevelopment in the redevelopment area but the billboard regulations serve as a disincentive to do so because billboards in continuous use can't be amortized out, and once the billboard comes down as part of the redevelopment it can't go back up. Does not want to see walls being built around the redevelopment area.

DeLuccio – Inquired about the various heights of the existing billboards to help the Commission establish a recommendation to the City Council. Would like to see billboards incorporated with the buildings. Also states that the relationship between the buildings and the locations are not separate issues and would like to see more information regarding the two.

Susan Healy Keene – Stated that there is currently not a survey of the existing heights of the billboards in the redevelopment area, one possibility is to add a condition that would require the billboard companies to provide that information.

Behr – Inquired about what is being determined to estimate the replacement cost of the building and would like the billboard locations to be reviewed.

Altschul – Would like to see a dollar amount set in place for improvements to allow property owners to keep their billboards.

Hamaker – Inquired if any of the property owners were surveyed or asked if they would be interested in the proposed amendments.

Crowe – There needs to be criteria specifying certain options. Currently, there is not a view control ordinance, which the Commission and City Council have not wanted to implement and suggests not proceeding with that option. Agrees with the option which prohibits the replacement of billboards until the certificate of occupancy is issued for the project. Would like option two to be eliminated and keep option three.

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**13. UNFINISHED BUSINESS**

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None.

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**14. ITEMS FROM STAFF**

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**A. Progress Report on General Plan Update**

Susan Healy Keene presented the Commission with an update on the General Plan Update process that will include City-wide noticing regarding the community meetings that will be taking place.

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**15. PUBLIC COMMENT**

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**A.** James Litz, West Hollywood, reported that he has met with Susan Healy Keene and created a list of problems that need to be resolved with 24 Hour Fitness.

B. Rosalyn Krouse, West Hollywood, stated that she lives behind 24 Hour Fitness and every club that has occupied that space has caused problems. She has repeatedly complained to the City about numerous issues and disturbances the club poses on the neighbors.

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**16. ITEMS FROM COMMISSIONERS**

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Chair Behr assigned Commissioners DeLuccio and Crowe to a subcommittee to address noticing issues.

Torgan – Another item the subcommittee should look at is creating a structure to adopt policies or directives for any issues that aren't covered under the Zoning Ordinance, not just limited to noticing or direction to staff.

Behr - The discussion on Sky Sushi and 24 Hour Fitness will be re-agendized.

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**17. ADJOURNMENT**

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**Action: Adjourn to a regular meeting of the Planning Commission on Thursday, January 16, 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 FEBRUARY, 2003.**

**CHAIRPERSON:** \_\_\_\_\_

**ATTEST:**

**COMMUNITY DEVELOPMENT DIRECTOR:** \_\_\_\_\_