

CITY OF WEST HOLLYWOOD
PLANNING COMMISSION
MINUTES

MAY 2, 1996

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

1. CALL TO ORDER

The regular meeting of the Planning Commission was called to order at 6:30 p.m. by Commissioner Fischer.

A. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Fischer.

B. Roll Call

Commissioners Present:

David Behr, Brad Crowe, D'Lynda Fischer, Thomas Jones, Jeff Lambert, James Litz, Stephen Smith

Staff Present:

Ray Reynolds, Community Development Director; Lisa Heep, Planning Manager; Robert Meyer, Senior Code Enforcement Officer; Thinkh Tran, Administrative Staff Assistant; John Rocca, Planning Intern

Others Present:

Amanda Susskind, City Attorney's Office; William Odenthal and Buddy Goldman, Sheriff's Department

C. Approval of Agenda

Action: To pull item 3A (Minutes), and approve the agenda as amended.

Motion: Lambert

Second: Crowe

Votes: All Ayes (Litz absent)

Motion carried.

D. Posting of Agenda

This agenda was posted at City Hall, the Community Development Department counter, West Hollywood Library on San Vicente Boulevard, Plummer Park, and the West Hollywood Sheriff's station.

2. ITEMS FROM CITIZENS

a. **David Frost**, West Hollywood, commented that he has submitted letters from residents regarding traffic impacts from the proposed Metropolitan Community Church site; his urgency initiated a traffic study done by the City; there is insufficient parking for this project; and on traffic circulation on Santa Monica Boulevard from La Cienega to Westbourne Drive.

b. **Jim Norvold**, West Hollywood, commented that he is in favor of revocation for Club 8240.

ITEM 3.A

- c. **Jeanne Dobrin**, West Hollywood, commented that she mis-communicated testimony regarding Sly Stallone at the last Planning Commission meeting; that she would like her comments in the Minutes from the last meeting changed (see section 4); and the City needs a master calendar so that multiple events do not occur during the same time.

3. CONSENT CALENDAR - None

4. EXCLUDED CONSENT CALENDAR

April 18, 1996 Minutes

The Commission directed staff to amend to the minutes the following:

- item 6A(c) - amend as follows - "...than 150 feet as opposed to what applicant stated before, which was 10 feet to 20 feet."

Action: To approve the Minutes as amended.

Motion: Behr

Second: Crowe

Votes: All Ayes (Litz absent)

Motion carried.

5. PUBLIC HEARINGS

A. Revocation of Substitute Conditional Use Permit 93-16

Request: Revocation of SCUP for nightclub known as Club 8240.

Applicant: City of West Hollywood

Location: 8240 Sunset Boulevard

Case Planner: Robert Meyer, Senior Code Enforcement Officer

Recommendation: Revoke Substitute Conditional Use Permit 93-16, subject to the findings set forth in the proposed draft resolution.

Commission Fischer introduced Ms. Susskind from the City Attorney's Office.

Ms. Heep commented on materials that were submitted today: fax from Charles Coates, additional crime statistics for January through April, letters from Ted Green and Gerald Parish.

Ms. Heep introduced Captain Odenthal and Mr. Goldman from the Sheriff's Department.

Mr. Meyer presented the staff report.

Mr. Goldman explained cafe incident cards -- used for Alcohol and Beverage Control enforcement.

Ms. Susskind explained procedure for revocation, and asked that Jim Norvold's testimony be included as part of the record. She asked the Commissioners if they had any prior contact/involvement in regards to this nightclub:

Commissioner Jones stated that he lives near this nightclub but outside 500' radius notification area and does not own property in this area. He also stated that he had discussed this with staff and City's legal counsel and there was no necessity for him to recuse himself.

Commissioner Behr stated that he had not spoken to any attorneys but had contacted ABC regarding Club 8240.

Commissioner Lambert stated that he had been by the nightclub but had not spoken to anyone regarding Club 8240.

Commissioner Smith stated that he had not spoken to any attorneys but had heard about the occurrences at the club.

Commissioner Crowe commented that he had not spoken to anyone regarding this project.

Commissioner Fischer commented that she had not spoken to anyone regarding this project.

The Commission discussed the following:

- time period in which City followed activity at club
- days of operation
- change in crime statistics/frequency of calls to Sheriff's Department
- occupancy load
- reasoning behind staff's recommendation of revocation
- special patrols by Sheriff's Department
- community meetings
- citations

- a. **Charles M. Coate**, representative for Club 8240, presented his case; would like a continuance.

The Commission inquired Mr. Coate regarding:

- operating conditions
- the Club's management and unawareness of the problems
- parking
- security guards and additional measures taken
- soundproofing and additional measures taken
- hours of operation/service of food
- suspension of hip-hop events

- b. **Elliot Horowitz**, Los Angeles, commented that he is a disc jockey at the club and is opposed to the revocation.
- c. **Darren Chapman**, Hollywood, commented that he is a security guard at the club and is opposed to revocation.
- d. **Tom Parziale**, West Hollywood, commented that he lives near club and is in favor of revocation.
- e. **Jerry Rector**, West Hollywood, commented that he lives near club and is in favor of revocation.
- f. **Peter Dudar**, West Hollywood, commented that he lives near club and is in favor of revocation.
- g. **Sally Marr**, West Hollywood, commented that she lives near club and is in favor of revocation.

- h. **Steven Byrnes**, Los Angeles, commented that he lives near club and is in favor of revocation.
- i. **Brad Picklesimer**, West Hollywood, commented that he lives near club and is in favor of revocation.
- j. **Michelle McGrath**, West Hollywood, commented that she lives near club and is in favor of revocation.
- k. **Ted Zepeda**, West Hollywood, commented that he lives near club and is in favor of revocation.
- l. **Mary Keefer**, West Hollywood, commented that she lives near club and is in favor of revocation.
- m. **Tommy Howze**, West Hollywood, commented that he lives near club and is in favor of revocation.
- n. **Paula Reddish Zinnemann**, Los Angeles, commented that she is representing residents who live near club and is in favor of revocation.
- o. **Gilbert Bell**, West Hollywood, commented that he lives near club and is in favor of revocation.
- p. **William J. Evans**, West Hollywood, commented that he lives near club and is in favor of revocation.
- q. **David Neal**, West Hollywood, commented that he lives near club and is in favor of revocation.
- r. **Boyd Willat**, West Hollywood, commented that he lives near club and is in favor of revocation.
- s. **Geri Coteg**, West Hollywood, commented that she lives near club and is in favor of revocation.
- t. **David Gold**, West Hollywood, commented that he lives near club and is in favor of revocation.
- u. **Jeanne Dobrin**, West Hollywood, commented that she is in favor of revocation.
- v. **Jesse Aguilar**, West Hollywood, commented that there is a double standard regarding revocation of nightclubs.
- w. **Lynn Jones**, West Hollywood, commented that she lives near club and is in favor of revocation.
- x. **Marne Carmean**, West Hollywood, commented that she lives near club and is in favor of revocation.
- y. **Michael Mirisch**, West Hollywood, commented that he is a nightclub promoter at Club 8240 and is opposed to revocation.

z. **Steve Thompson**, West Hollywood, commented that he lives near club and is in favor of revocation.

aa. **Janet Keller**, West Hollywood, commented that she lives near club and is in favor of revocation.

bb. **Bettie Wagner**, West Hollywood, commented that she lives near club and is in favor of revocation.

Mr. Coate rebutted.

The Commission inquired Mr. Coate regarding:

- efforts to comply by club.

Action: To close the public hearing.

Motion: Lambert Second: Crowe

Votes: All Ayes (Litz absent) Motion carried.

Action: To revoke Substitute Conditional Use Permit 93-16 and amend resolution to state "with prejudice".

Motion: Lambert Second: Behr

Votes: All Ayes (Litz absent) Motion carried.

B. Revocation of Substitute Conditional Use Permit 93-13

Request: Revocation of SCUP for nightclub known as Bar One/Sunset Room.

Applicant: City of West Hollywood

Location: 9229 Sunset Boulevard

Case Planner: Robert Meyer, Senior Code Enforcement Officer

Recommendation: Revoke Substitute Conditional Use Permit 93-13, subject to the findings set forth in the proposed draft resolution.

Commissioner Litz is present from this point forward.

Ms. Heep stated that there were new materials submitted: crime statistics from January through April and letter from Joel Fries, date May 2, 1996.

Mr. Meyer presented the staff report.

Ms. Susskind discussed the revocation procedures, two items to be part of the record -- May 2, 1996 letter from Joel Freis and public testimony from Jim Norvold in favor of revocation, and inquired whether the Commissioners have had prior discussions regarding this project.

Commissioner Litz stated that he had spoken to the president of the Chamber of Commerce, and has been in contact with Mr. Freis.

Commissioner Jones stated that he had not spoken to anyone regarding this case nor visited the site.

Commissioner Behr stated that he had contacted ABC regarding type of license the club had obtained when they began operation.

Commissioner Lambert stated that he has not been in contact with anyone but has driven by the site.

Commissioner Smith stated that he has not been in contact with anyone but has received Mr. Freis' letter, yet not read it.

Commissioner Crowe stated that he has not been in contact with anyone regarding this case.

Commissioner Fischer commented that the letter from Joel Freis was delivered to her the night before, and spoke to Bob Burke who had been retained by the permittee.

The Commission discussed the following:

- security plan
 - valet parking plan
 - and cafe incident cards
- a. **Joel Fries**, representing permittee for Sunset Room, presented his case.
 - b. **Terry Park**, West Hollywood, commented that he lives in Sierra Towers and is in favor of revocation.
 - c. **Davis Hurley**, Los Angeles, commented that he is a promoter at this site and is opposed to revocation.
 - d. **Kevin Brady**, Los Angeles, commented that he was a former co-owner with the permittee of this nightclub and is in favor of revocation.
 - e. **Jimmy Blondell**, Venice, commented that he was a former nightclub manager for this site and is in favor of revocation.
 - f. **Jeanne Dobrin**, West Hollywood, commented that she is in favor of revocation.
 - g. **Arlen H. Andelson**, Los Angeles, commented that he is co-counsel for permittee and is opposed to revocation.

Mr. Freis rebutted.

The Commission inquired Mr. Freis regarding the following:

- hours of operation
- timeframe for client's relationship with lawyer
- crime
- occupancy load
- and control of overcrowding

Mr. Goldman stated responses to club are usually misdemeanor charges and that crime has increased in recent months.

Captain Odenthal commented that there are also incidents of drunk driving.

Action: To close the public hearing.

Motion: Smith

Second: Jones

Votes: All Ayes

Motion carried.

Ms. Susskind stated that there were minor changes to Section 2 of Resolution, reference to 9538 should be Section 9359, and in Section 5(A)(i) added language "by permittee"; and also recommended that language be included regarding revocation without prejudice.

Action: To revoke Substitute Conditional Use Permit 93-13 and amend resolution as stated above.

Motion: Smith

Second: Jones

Votes: All Ayes

Motion carried.

C. Creative Sign Permit 95-54

Request permission to install creative sign on building under construction.

Applicant:

Mark Lehman

Location:

9039 Sunset Boulevard

Case Planner:

John Chase, Contract Urban Designer

Recommendation:

Continue to the meeting of May 16, 1996.

6. COMMISSION CONSIDERATION - None

7. ITEMS FROM CITIZENS

- a. Jeanne Dobrin, West Hollywood, commented that she has worked with ABC for twenty years and has never heard of Baxter Ward as the head of ABC, that Mr. Freis tries to use his political connections; that anyone managing an alcohol-licensed premises is required to be licensed by ABC and has had background check; lobbyists efforts for regulatory versus licensing aspects for ABC.
- b. George Besson, owner of Sunset Room, commented that he would like to be given time to correct the problems before revocation.

8. ITEMS FROM COMMISSIONERS

A. Redevelopment Liaison

The Commission is requested to appoint a member to serve as a liaison for the proposed redevelopment area and plan.

Commissioner Fischer volunteered.

Commissioners Litz and Jones motioned and seconded this appointment, respectively.

9. ITEMS FROM STAFF

A. Director's Update

Mr. Reynolds stated that Bob Meyer has taken a job in Santa Maria and asked the Commission to recognize him for his many years of service; his last day with the City is May 9, 1996.

Ms. Heep discussed the following:

- the Planning Commission of June 20, 1996 will be held at Plummer Park, Fiesta Hall
- option to cancel or change the date for the July 4, 1996 Planning Commission meeting

- inquired which date would be good for training with Government Solutions -- it was scheduled tentatively for Thursday, June 13, 1996.

X. ADJOURNMENT

Action: To adjourn to the next meeting of the Planning Commission on Thursday, May 16, 1996 from 6:30 pm until completion at the West Hollywood Park Auditorium at 647 N. San Vicente Boulevard in West Hollywood.


Motion: Behr

Votes: All Ayes

Motion carried.

PASSED, APPROVED AND ADOPTED THIS DAY OF MAY 16, 1996.

CHAIRPERSON:



ATTEST:

COMMUNITY DEVELOPMENT DIRECTOR:

