



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**February 3, 2005**

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

**1. CALL TO ORDER:**

Chair Altschul called the meeting of the Planning Commission to order at 6:40 P.M.

**2. PLEDGE OF ALLEGIANCE:** Mindy Bradish led the Pledge of Allegiance.

**3. ROLL CALL:**

Commissioners Present: D'Amico, DeLuccio, Guardarrama, Hamaker, Thompson, Chair Altschul.

Commissioners Absent: Bartolo.

Staff Present: Jeffrey Huffer, Economic Development Project Administrator, Ray Reynolds, Director of Economic Development/Special Projects, Terry Blount, Associate Planner, David DeGrazia, Assistant Planner, C.J. Amstrup, Acting Planning Manager, Christi Hogin, Assistant City Attorney and David Gillig, Commission Secretary.

**4. APPROVAL OF AGENDA:**

Chair Altschul requested Agenda Item No. 13.A.: Items from Staff; West Hollywood Library Project; moved and heard after Agenda Item No. 7.; Items from Commissioners.

**ACTION:** Approve the Planning Commission Agenda of Thursday, February 3, 2005 as amended. **Motion by Commissioner DeLuccio seconded by Vice-Chair Thompson and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**ACTION:** Approve the Planning Commission Minutes of Wednesday, January 19, 2005 as presented. **Motion by Commissioner Hamaker, seconded by Commissioner Guardarrama and unanimously carried.**

**6. PUBLIC COMMENT.**

TOM DEMILLE, WEST HOLLYWOOD, commented on the West Hollywood Elections and his views on various issues concerning the City of West Hollywood.

**7. ITEMS FROM COMMISSIONERS.** None.

The following item was moved and heard out of order as part of the amended agenda.

### **13. ITEMS FROM STAFF.**

#### **A. West Hollywood Library Project Update.**

Ray Reynolds, Director of Economic Development/Special Projects, presented a brief outline for the presentation.

Jeffrey Huffer, Economic Development Project Administrator, presented a history for this project. He stated the West Hollywood City Council approved the West Hollywood Park Master Plan on October 4, 2004. The current library is housed in a 5,100 square foot facility located on the grounds of West Hollywood Park. The facility is owned and operated by the County of Los Angeles Public Library System. Over the years the City of West Hollywood has conducted an extensive community needs assessment process to plan a building to best meet the needs of City residents.

Jim Favaro, with MDA Johnson Favaro, presented the West Hollywood Library Project update, which included a slide presentation. He emphasized the plans as developed at this time are schematic and for massing study purposes only. Final design concept plans will be brought forward at a later date for consideration by the Design Review Subcommittee and Planning Commission.

He stated the proposed library facility is 32,600 square feet on two floors overlooking West Hollywood Park. The building will be on three floors with the lower level having approximately 6,500 square feet of unfinished space along San Vicente Boulevard, which could be used as a state-of-the-art City meeting space as well as the vehicular and pedestrian entry corridor to parking facilities associated with the library.

He detailed other features of the proposed library, which included: a volunteer's bookstore, public meeting rooms, children's library, career development center, gay and lesbian collection, West Hollywood history room and an international language collection.

Design development for the library is scheduled to be completed in August, 2005. In the meantime, the City Council will consider various options for funding which will determine future timelines as to the development of construction documents, the bidding process, etc. The Department of Economic Development and Special projects is scheduled to report back to the City Council prior to the end of this fiscal year for further direction on this matter.

Commissioner Hamaker questioned the massing of the building in relation to the Pacific Design Center.

**ACTION:** 1) Receive and file. **Motion carried by consensus of the Commission.**

## 8. CONSENT CALENDAR.

### A. 1137 Hacienda Place.

**Demolition Permit 2004-024, Development Permit 2004-032, Modification Permit 2004-012, Modification Permit 2005-001, Variance 2004-012, Tentative Tract Map 2004-017.** This item was originally heard on Thursday, January 20, 2005 and was brought back with modifications as set forth at the last meeting.

The request to demolish two residential units and construct an eight-unit condominium using the Courtyard Design Standards and Incentives with an additional variance for a rear-yard setback and modifications to the side-yard setback and parking stall length.

**ACTION:** 1) Adopt Resolution No. PC 05-573 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING DEVELOPMENT PERMIT 2004-032, MODIFICATION PERMIT 2004-012, MODIFICATION PERMIT 2005-001, VARIANCE 2004-012 AND DEMOLITION PERMIT 2004-024 FOR AN EIGHT-UNIT RESIDENTIAL BUILDING USING THE COURTYARD HOUSING STANDARDS AND DEMOLITION OF TWO RESIDENTIAL UNITS; 2) Adopt Resolution No. PC 05-574 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2004-017 (MINOR LAND DIVISION 062040) FOR THE PROPERTY LOCATED AT 1137 HACIENDA PLACE, WEST HOLLYWOOD, CALIFORNIA"; and 3) close Consent Calendar Item 8.A. **Motion by Commissioner DeLuccio, seconded by Vice-Chair Thompson and unanimously carried. Commissioner Bartolo was notated as ABSENT.**

## 9. PUBLIC HEARINGS.

### A. 632 – 636 N. Kings Road.

**Demolition Permit 2004-003, Development Permit 2004-003.**

Terry Blount, Associate Planner, presented the staff report. He stated the application is to allow for demolition of two single-family residences, each on a separate lot, and the construction of a three-story, six-unit condominium building using the courtyard housing standards. Four incentives related to parking requirements, driveway slope, and front and rear setbacks have been requested.

He explained in detail this project site is split between the City of Los Angeles and the City of West Hollywood, thereby requiring approval of a lot line adjustment coordinated between the two cities. Due to the timeline restrictions of the Permit Streamlining Act, this application must be acted upon at this hearing. He stated for the record, staff has not received confirmation from the City of Los Angeles that the lot line adjustment has been approved. However, he indicated recent communications with the City of Los Angeles' city planner on the lot line adjustment for this case, he seemed with fair certainty, that this lot line adjustment would be approved.

He stated a Condition of Approval (1.6.) has been added to Resolution No. PC 05-569, requiring approval of the lot line adjustment prior to the issuance of building permits.

Commissioner DeLuccio questioned the approval process, since the property is split between two different municipal jurisdictions.

Vice-Chair Thompson questioned the assurance that the City of Los Angeles will in fact approve the lot line adjustment.

Discussion was held regarding different zoning categories and the implication(s) on lot line adjustments between municipal jurisdictions.

Commissioner D'Amico presented the Planning Commission Design Review Subcommittee report. He commented on the history of the design process of this project.

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS TO VIEW THE MODEL FOR AGENDA ITEM NO. 9.A. AT 7:15 P.M. AND RECONVENED AT 7:20 P.M.**

Chair Altschul opened the public testimony for Item 9.A.:

ASIK MENACHEKANIAN, BURBANK, applicant and architect, presented the applicant's report. He presented a history of the project and spoke on the design of the building and individual units. He also spoke on the changes that were made to the project on the recommendation of the Planning Commission Design Review Subcommittee.

Vice-Chair Thompson questioned the applicant regarding the zoning on the Los Angeles parcel.

RODNEY V. KHAN, GLENDALE, presented the applicant's report. He clarified the zoning issues on the Los Angeles parcel. He spoke on the Design Review process, the design and construction aspects, and the Permit Streamlining Act for this project.

**ACTION:** Close public testimony for Item 9.A. **Motion carried by**

**consensus of the Commission.**

**Commissioner Hamaker motioned for approval of staff's recommendation, seconded by Commissioner D'Amico.**

Chair Alstchul stated his concerns in regards to the process. He spoke regarding the Permit Streamlining Act and affirmed his position for not approving this project until the City of Los Angeles has taken action.

Commissioner DeLuccio commented on the zoning issues.

Commissioner Guardarrama commented on the process and stated his concerns for approving this project before the lot line was actually adjusted.

Vice-Chair Thompson stated his reassurances with staff's recommendation, and stated this should not warrant impediment of the development. He also confirmed the applicant's compliance with the recommendations made through the Design Review process.

**ACTION:** 1) Adopt Resolution No. PC 05-569 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING DEVELOPMENT PERMIT 2004-003 AND DEMOLITION PERMIT 2004-003 FOR THE DEMOLITION OF TWO SINGLE-FAMILY RESIDENCES, EACH ON A SEPARATE LOT, AND CONSTRUCTION OF A SIX-UNIT CONDOMINIUM BUILDING USING THE COURTYARD HOUSING STANDARDS; and 2) Adopt Resolution No. PC 05-570 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2004-001 (MINOR LAND DIVISION 61071), ON AN APPLICATION OF ASIK MENACHEKANIAN FOR MELKING PROPERTIES, LLC, FOR THE PROPERTY LOCATED AT 632-636 N. KINGS ROAD, WEST HOLLYWOOD, CALIFORNIA"; and 3) close Public Hearing Item 9.A. **Motion by Commissioner Hamaker, seconded by Commissioner D'Amico and passes on a Roll Call Vote:**

**AYES:** Commissioners D'Amico, DeLuccio, Hamaker, Vice-Chair Thompson.

**NOES:** Commissioner Guardarrama and Chair Altschul.

**ABSENT:** Commissioner Bartolo.

**B. 8869 Santa Monica Boulevard (Z Pizza).**

**Administrative Permit 2004-030.** Terry Blount, Associate Planner, presented the staff report. He stated the applicant is appealing the Director of Community Development's approval of an outdoor dining area at a restaurant known as Z Pizza.

He confirmed an application for an outdoor dining area was approved by staff on August 16, 2004. An appeal of the approval was subsequently filed by the applicant. The applicant is appealing one of the conditions; specifically the one restricting the use of the outdoor dining area to the hours of 8:00 A.M. and 12:00 A.M. (midnight). Staff is recommending denial of the appeal and upholding the Director of Community Development decision (appeal).

Commissioner Hamaker asked for clarification and guidance for reconciling the "fairness" of businesses, which are allowed to stay open versus others that cannot.

C.J. Amstrup, Acting Planning Manager, explained and confirmed staff's recommendation and uniform policy on a discretionary permit, and stated this is also viewed as a public safety issue.

Commissioner D'Amico questioned the square footage and foot print of the tables and chairs.

Chair Altschul opened the public testimony for Item 9.B.:

DAVID FANAROF, LOS ANGELES, presented the appellant's report. He commented on the current public safety issue(s) and services, the number of patrons at Z Pizza versus the number of patrons at surrounding establishments, the outdoor seating area, and the lack of an outdoor security element. He stated for the record, Z Pizza has never had an incident and/or police encounter. He urged the Commission to allow his business to flourish.

Commissioner DeLuccio questioned the time-line of this project and asked the applicant if he has plans to further expand the outdoor dining area.

Chair Altschul questioned the legal capacity and square footage of the [inside space] of the restaurant.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the number of visitors coming into the area, number of restaurants and public safety issues.

DAVID FANAROF, LOS ANGELES, presented the appellant's rebuttal. He confirmed his establishment does not serve alcohol.

**ACTION:** Close public testimony for Item 9.B. **Motion carried by consensus of the Commission.**

**Commissioner DeLuccio motioned to grant the appeal, seconded by Commissioner Hamaker.**

Vice-Chair Thompson offered his support for the motion on the floor.

Commissioner D'Amico requested staff and (a liaison) from the Public Safety Commission appear before the Planning Commission for their rationale on this issue.

**Chair Altschul amended the motion by adding a six (6) month review to be heard by the Director of Community Development.**

Commissioner DeLuccio and Commissioner Hamaker agreed to the amendment to the motion.

Christi Hogin reiterated the motion on the floor: **“To bring back the Resolution granting the appeal, with the additional condition of a six (6) month review by the Director of Community Development”**; which will come forward as a Consent Calendar item on the next agenda.

**ACTION:** 1) Grant the Appeal; and 2) Adopt Resolution No. PC 05-581 as amended “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD GRANTING THE APPEAL OF DAVID FANAROF AND CONDITIONALLY APPROVING ADMINISTRATIVE PERMIT 2004-030 TO ALLOW AN OUTDOOR DINING AREA AT A RESTAURANT LOCATED AT 8869 SANTA MONICA BOULEVARD (Z PIZZA), WEST HOLLYWOOD, CALIFORNIA”; and 3) close Public Hearing Item 9.B. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

**AYES:** Commissioners D'Amico, DeLuccio, Guardarrama, Hamaker, Vice-Chair Thompson and Chair Altschul.

**NOES:** None.

**ABSENT:** Commissioner Bartolo.

**THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 8:05 PM AND RECONVENED AT 8:20 P.M.**

**C. 7100 Santa Monica Boulevard (Target).  
Conditional Use Permit 2004-013.**

David DeGrazia, Assistant Planner, presented the staff report. He stated the applicant is requesting approval to allow beer and wine sales for off-site consumption at Target, an existing retail store located in the West Hollywood Gateway project.

He spoke on the background and project proposal, site and area conditions, alcohol license and service, crime statistics, parking, East Side Project Area Committee and stated the conditions recommended by staff.

Due to Target's location (within the West Hollywood Gateway Project), including its design and hours of operation, the proposed use will not create any significant adverse impacts to the adjacent businesses or residents, and is permitted by the West Hollywood Municipal Code in the Commercial, Regional Center Zone District.

Chair Altschul opened the public testimony for Item 9.C.:

BETH ABOULAFIA, BERKELEY, Hinman and Carmichael, representing the applicant, presented the applicant's report. She spoke on the history of Target and the recent sales of alcohol within the Target stores.

She requested an amendment to the following Condition(s): 2.1 and 3.3: "...to allow Target to open at 6:00 A.M. on the day after Thanksgiving".

Chair Altschul questioned the current hours of operations.

Amend Condition 2.2: shall read "...no more than 72 linear feet of beer and wine display area shall be permitted without modification".

She requested the ability to put temporary promotional displays, permitted near the check lanes; which would be in full view of the cashiers.

Amend Condition 3.2: "...allow employees to complete the Target Training Program, rather than having to go to an outside program".

Amend Condition 3.6: "...No wine in containers less than 750 milliliters can be sold except in manufactured, prepackaged, multi-unit sets".

Chair Altschul questioned if they would be offering any refrigerated sales.

Beth Aboulafia stated at this time, there are no plans to sell refrigerated wine.

Chair Altschul asked the applicant if it would be acceptable to add a condition; stating there would be no refrigerated sales, and if there would be in the future, they would have to return for approval.



Beth Aboulafia stated this was acceptable.

YOLA DORE, WEST HOLLYWOOD, opposes staff recommendation. She spoke on Target's views regarding education and helping the young people of the community. She stated this is highly inappropriate for this type of establishment.

JEANNE DOBRIN, WEST HOLLYWOOD, opposes staff recommendation. She commented on the regulations of selling alcohol and urged the Commission to deny this item.

BETH ABOULAFIA, BERKELEY, Hinman and Carmichael, representing the applicant, presented the applicant's rebuttal. She stated the legal age to sell alcohol in an off-sale establishment is sixteen (16) years of age. However, she stated Target's requirement is eighteen (18) years of age. She also spoke regarding convenience and need. She commented on the Alcoholic Beverage and Control statistics and how they are compiled.

Chair Altschul questioned the linear footage of the promotional displays and how many end-caps would be displayed for wine.

Chair Altschul asked the applicant if it would be acceptable to add a condition; that there would be no more than four (4) promotional displays at the check lanes at one time.

Beth Aboulafia stated this was acceptable.

Vice-Chair Thompson questioned how frequently the promotional displays are changed. He also questioned if safeguards are in place for cashiers under the age of eighteen (18); in regards to alcohol sales.

**ACTION:** Close public testimony for Item 9.C. **Motion carried by consensus of the Commission.**

**Commissioner Hamaker motioned for approval.**

**Motion FAILS due to no second of the motion.**

**Chair Altschul motioned for approval with the following exceptions: 1) no refrigerated sales; 2) exclude the sales of multi-packaged splits; 3) allow temporary promotional displays (no larger than an end-cap) on four (4) check lanes at any given time; 4) allow (Target's) in-house training program; rather than the Alcoholic Beverage Control's (ABC) Program; 5) seventy-two maximum linear feet of shelf space shall be allowed; 6) any reference to the hours of operations shall be eliminated from the Resolution; however, the Resolution shall state the hours for the off-site sale of wine on the day after Thanksgiving may be from 6:00 A.M. until closing. Seconded by Commissioner DeLuccio.**

Commissioner DeLuccio stated his concerns regarding exclusions of multi-packaged splits. He would like to see multi-packaged splits included.

Commissioner Guardarrama stated his concerns regarding the promotional end-caps. He affirmed end-caps displaying alcohol do not belong next to a cash register or check lane.

A consensus was taken: [in favor of] up to four (4) promotional end-caps at any given time for displays of wine. **Condition fails on a Roll Call Vote:**

**AYES:** Chair Altschul.  
**NOES:** D'Amico, DeLuccio, Guardarrama, Hamaker, Vice-Chair Thompson.  
**ABSENT:** Commissioner Bartolo.

A consensus was taken: [in favor of] up to two (2) promotional end-caps at any given time for displays of wine. **Condition fails on a Roll Call Vote:**

**AYES:** DeLuccio, Chair Altschul.  
**NOES:** D'Amico, Guardarrama, Hamaker, Vice-Chair Thompson.  
**ABSENT:** Commissioner Bartolo.

A consensus was taken: [in favor of] no promotional end-caps at any time at cash registers or check-out lanes for displays of wine. **Condition passes on a Roll Call Vote:**

**AYES:** D'Amico, DeLuccio, Guardarrama, Hamaker, Vice-Chair Thompson, Chair Altschul.  
**NOES:** None.  
**ABSENT:** Commissioner Bartolo.

A consensus was taken: [in favor of] not allowing non-refrigerated splits in multi-packaged units of 750 milliliters or more. **Condition fails on a Roll Call Vote:**

**AYES:** D'Amico, Chair Altschul.  
**NOES:** DeLuccio, Guardarrama, Hamaker, Vice-Chair Thompson.  
**ABSENT:** Commissioner Bartolo.

**Chair Altschul reiterated the motion on the floor as previously stated; except for the following amended conditions: 1) allow non-refrigerated splits in multi-packaged units of 750 milliliters or more; and 2) there shall be no promotional displays of wine.**

**ACTION:** 1) Adopt Resolution No. PC 05-580 as amended "A

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CONDITIONAL USE PERMIT 2004-013 TO ALLOW BEER AND WINE SALES FOR OFF-SITE CONSUMPTION AT TARGET, AN EXISTING RETAIL STORE LOCATED AT 7100 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and) close Public Hearing Item 9.C. **Motion by Chair Altschul, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

**AYES: Commissioners D'Amico, DeLuccio, Guardarrama, Hamaker, Vice-Chair Thompson and Chair Altschul.**

**NOES: None.**

**ABSENT: Commissioner Bartolo.**

10. **NEW BUSINESS.** None.
11. **UNFINISHED BUSINESS.** None.
12. **EXCLUDED CONSENT CALENDAR.** None.
13. **ITEMS FROM STAFF.**

**B. West Hollywood Library Update.**

**ACTION:** 1) Item moved after Agenda Item No. 7., as part of the amended agenda. **Motion carried by consensus of the Commission.**

14. **PUBLIC COMMENT.** None.

**15. ITEMS FROM COMMISSIONERS:**

Commissioner Hamaker stated her concerns regarding the Jumbotron, located on the property of Tower Records. She requested staff return with the Resolution approving this item for review; stating it does not appear to be what was originally approved by the Planning Commission. She also had concerns and commented on the landscaping plan for this property and would like to see the Resolution regarding this item as well.

Commissioner DeLuccio would also like to see the Jumbotron (Tower Records) returned to the Planning Commission with an update.

16. **ADJOURNMENT:** The Planning Commission adjourned at 8:50 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, February 17, 2005 at 6:30 P.M. at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 17<sup>TH</sup> DAY  
OF FEBRUARY, 2005.

  
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CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
Community Development Director