



PLANNING COMMISSION MINUTES
Regular Meeting
July 7, 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 6:37 P.M.

2. PLEDGE OF ALLEGIANCE: Susan Healy Keene led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: Vice-Chair Thompson.

Staff Present: John Chase, Urban Designer, John Keho, Planning Manager, Christ Hogin, Assistant City Attorney and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

ACTION: Approve the Planning Commission Agenda of Thursday, July 7, 2005 as presented. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

5. APPROVAL OF MINUTES.

ACTION: Approve the Planning Commission Minutes of Thursday, June 16, 2005 as presented. **Motion by Commissioner Hamaker, seconded by Commissioner Guardarrama and unanimously carried.**

6. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the Tower Records video signage.

JEFFREY BORMAN, WEST HOLLYWOOD, commented on the ongoing noise issues at Cabo Cantina.

DAN SILVER, WEST HOLLYWOOD, commented on the ongoing noise issues at Cabo Cantina.

BRAD WELCHER, WEST HOLLYWOOD, commented on noise issues at Barry's Boot Camp, located at the intersection of La Cienega Boulevard and Holloway Drive.

7. ITEMS FROM COMMISSIONERS.

Commissioner Guardarrama requested a progress report updating the noise issues at Cabo Cantina at the next meeting.

Commissioner DeLuccio requested a progress report updating the noise issues at Cabo Cantina. He requested staff to look into the noise issues at Barry's Boot Camp, with a status report at the next meeting.

Commissioner Hamaker requested a progress report updating the noise issues at Cabo Cantina. She requested staff to look into the noise issues at Barry's Boot Camp, with a status report at the next meeting.

Chair Altschul requested a progress report updating the noise issues at Cabo Cantina. He would like an update on Barry's Boot Camp regarding the Zoning Exemption.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

**A. 8720 Sunset Boulevard.
Creative Billboard 2004-004.**

John Chase, Urban Designer, presented the staff report. He detailed the history of the Yahoo! signage.

He stated the item was last approved on Thursday, April 7, 2005, with the stipulation on Condition 4.6; that if the sign could not be dimmed, the item would return to the Planning Commission for further consideration of alternative ameliorative measures. It was determined by Regency Outdoor Advertising that the sign could not be dimmed.

The approved permit includes 2 conditions: 4.6 and 4.7 intended to mitigate light impacts from the sign. The applicant states that it is impossible to dim the sign by 1/3 as required by Condition 4.6 of the Resolution of Approval.

He stated staff recommended the Resolution of Approval for the creative billboard be amended, stipulating that the sign be turned off after 1:00 A.M. This provision is contained in Conditions 4.6 of draft Resolution No. PC 05-607.

In order to address complaints about the brightness of the sign, Condition 4.8 stipulating that the sign be turned off at 1:00 A.M. be added to the Resolution of Approval for Creative Sign 004-004.

Commissioner DeLuccio questioned the time-line of the extension. He pointed out there is currently no expiration date in draft Resolution No. PC 05-607.

John Chase, Urban Designer, stated a condition would be added to Resolution No. PC 05-607 stating the expiration dates.

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

DAVID SEYDE, LOS ANGELES, representing Regency Outdoor Advertising, presented the applicant's report. He spoke on the lighting and brightness of the sign and stated there is currently no guarantee in dimming the sign to specifications as set forth.

RICHARD MAUERHAN, WEST HOLLYWOOD, opposes staff's recommendation. He stated they are willing to drop the neighborhood complaint if the billboard is shut off at 12:00 midnight.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on the financial interest of the applicant and supported the time of 12:00 midnight for the sign to be turned off.

BRIAN KENNEDY, LOS ANGELES, representing Regency Outdoor Advertising, presented the applicant's rebuttal. He detailed the history and timeline of the billboard and does not agree with the current issues raised.

Chair Altschul questioned the applicant if he made site visits to the neighbors' apartments regarding the concerns of lighting.

Commissioner DeLuccio questioned the proposed shut-off time of 12:00 midnight.

Commissioner D'Amico questioned the applicant regarding the reduction of lumens by 30%.

Discussion was held regarding neon signage, lumens and the shut-off time-frame for the signage. The applicant was questioned if they are willing to reduce the lumens from 30% to 20%.

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

Chair Altschul moved the item for approval with the following amendments: 1) the applicant will be given thirty (30) days to change-out the milliamps from thirty (30) to twenty (20); 2) if that is not accomplished within the thirty (30) days, the sign shall be turned off from 10:00 P.M. to 7:00 A.M., daily and 3) if it is accomplished within the thirty (30) days, the sign will stay lit and the matter will come back for a six (6) month review.

Commissioner DeLuccio could not second the motion, but could support the reduction of thirty (30) lumens to twenty (20) lumens, and stated the sign should be turned off from 12:00 midnight to 6:00 A.M. over the next month.

Chair Altschul amended the motion to include: 1) the sign shall be turned off at 12:00 midnight; 2) if the applicant, at the end of thirty (30) days, has reduced the lumens from thirty (30) lumens to twenty (20) lumens, then the sign shall continue to stay on for a period of six (6) months, at which point will come back for review.

Commissioner Hamaker seconded the motion.

Christi Hogin, Assistant City Attorney, reiterated and re-stated the motion for the record: **1) commencing immediately, the sign gets turned off at 12:00 midnight; and 2) within the next thirty (30) days, if Regency Outdoor Advertising reduces the milliamps from thirty (30) milliamps to twenty (20) milliamps, then the sign remains on for six months, at which time it would return to the Planning Commission for review.**

RICHARD MAUERHAN, WEST HOLLYWOOD, stated his adamancy about the sign being turned of 12:00 midnight, every night.

Discussion was held regarding lumens and milliamps.

John Keho, Planning Manager, re-stated the motion for the record: **1) commencing immediately, the sign gets turned off from 12:00 A.M. (midnight) to 6:00 A.M. daily; and 2) within the next thirty (30) days, if Regency Outdoor Advertising reduces the milliamps from thirty (30) milliamps to twenty (20) milliamps, then the sign remains on for six months, at which time it would return to the Planning Commission for review.**

ACTION: 1) Amend the permit; 2) Adopt Resolution No. PC 05-607 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD TO AMEND CREATIVE BILLBOARD 004-004, LOCATED AT 8720 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) close Public Hearing Item 9.A. **Motion by Chair Altschul, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

AYES: Commissioners Bartolo, D'Amico, DeLuccio, Guardarrama, Hamaker, Chair Altschul.

NOES: None.

ABSENT: Vice-Chair Thompson.

10. NEW BUSINESS.

A. 1133 N. La Brea Avenue. Creative Sign Permit 2005-005.

John Chase, Urban Designer, presented the staff report. He detailed the history of the McDonald's site.

He stated, staff believes this proposal meets the necessary criteria for a Creative Sign mandated by the Zoning Code, because of the artfulness, complexity and highly ornamental character of the sign.

The three pole signs with neon accents are: 1) a McDonald's chef, 2) a packet of fries, and 3) a fountain drink cup with a straw. He indicated, these placed together, the signs create a critical mass of light, color and detail that actually makes the display of the three signs more interesting than the display of just one sign would be.

Staff recommends approval of Creative Sign Permit 005-005.

Commissioner Hamaker questioned the ordinance regarding pole signs. She also questioned the (future) housing and redevelopment of the area, questioning the impacts this may have.

Chair Altschul opened public testimony for New Business Item 10.A.:

S. CAROL MASSIE, PACIFIC PALISADES, owner/operator of McDonald's at 1133 N. La Brea Avenue, presented the applicant's report. She detailed the history of the property and signs and spoke in support of the new signage.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the future visual impacts of this signage.

S. CAROL MASSIE, PACIFIC PALISADES, owner/operator of McDonald's at 1133 N. La Brea Avenue, presented the applicant's rebuttal. She commented on the visual impacts of the signs and stated it would be a welcome addition to the neighborhood.

ACTION: Close New Business testimony for Item 10.A. **Motion carried by consensus of the Commission.**

Commissioner DeLuccio moved to approve staff's recommendation. Seconded by Commissioner Hamaker.

Commissioner DeLuccio notated a correction in Resolution No. PC 05-605; Page 2, Section 4. subsection 3, should read: "*Approval of this permit shall expire twenty-four (24) months from the date of approval by the Planning Commission,...*". He also stated, it should indicate the actual date of approval.

Commissioner Hamaker stated her support for the signs.

Commissioner Guardarrama stated his support for the signs.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 05-605 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING CREATIVE SIGN 005-005, LOCATED AT 1133 N. LA BREA AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 3) close New Business Item 10.A. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

John Keho, Planning Manager, stated for the record, Resolution No. PC 05-607 (Creative Billboard 004-004), will be brought back for final approval at the next Planning Commission meeting as a Consent Calendar item, on Thursday, July 21, 2005.

He also stated, the City Council has chosen Saturday, October 22, 2005 as the date for the next Annual Congress of Commission and Boards. Location, times and activities have yet to be determined.

Commissioner Hamaker questioned the protocol of staff's counsel regarding updating applicants of Planning Commission's final actions.

14. **PUBLIC COMMENT.** None.
15. **ITEMS FROM COMMISSIONERS:**
Commissioner Bartolo requested a progress report updating the noise issues at Cabo Cantina. She requested staff to look into the noise issues at Barry's Boot Camp, with a status report at the next meeting.
16. **ADJOURNMENT:** The Planning Commission adjourned at 7:40 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, July 21, 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 21ST DAY OF JULY, 2005.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR