

PLANNING COMMISSION MINUTES
Regular Meeting
September 20, 2012

West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California 90069

1. **CALL TO ORDER:** Chair Buckner called the meeting of the Planning Commission to order at 6:35 P.M.
2. **PLEDGE OF ALLEGIANCE:** Genevieve Morrill led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Aghaei, Altschul, Bernstein, Huebner, Vice-Chair DeLuccio, Chair Buckner.

Commissioners Absent: Yeber.

Staff Present: Deborah Murphy, Consultant, Bianca Siegl, Senior Planner, Christopher Corrao, Associate Planner, Melissa Antol, Long Range and Mobility Planning Manager, John Keho, Acting Community Development Director, Lauren Langer, Acting City Attorney, and David Gillig, Commission Secretary.
4. **APPROVAL OF AGENDA.**
ACTION: Approve the Planning Commission Agenda of Thursday, September 20, 2012 as presented. **Moved by Commissioner Huebner, seconded by Commissioner Aghaei and unanimously carried; notating Commissioner Yeber as absent.**
5. **APPROVAL OF MINUTES.**
A. September 6, 2012

ACTION: Approve the Planning Commission Minutes of Thursday, September 6, 2012 as presented. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Bernstein and unanimously carried; noting Commissioner Yeber as absent.**
6. **PUBLIC COMMENT.**
SAM BORELLI, WEST HOLLYWOOD, Public Safety Commissioner, reminded the community that September 2012 is National Preparedness Month. He described the Drop, Cover and Hold procedures to use when an earthquake strikes. He stated the Public Safety Division is conducting an emergency preparedness survey to obtain views on how well prepared you are for an emergency. He urged participation at www.weho.org/publicsafety
7. **ITEMS FROM COMMISSIONERS.** None.

8. CONSENT CALENDAR.

A. 7710 Santa Monica Boulevard.

Applicant was requesting the installation of a small collection recycling facility.

At the meeting on Thursday, September 6, 2012, the Planning Commission directed staff to prepare a resolution of denial for the proposed project.

ACTION: 1) Deny the application; 2) Adopt Resolution No. PC 12-1030 as presented, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, DENYING A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF A SMALL COLLECTION RECYCLING FACILITY, LOCATED AT 7710 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." **Moved by Commissioner Altschul, seconded by Vice-Chair DeLuccio and unanimously carried; notating the abstentions of Commissioner Aghaei and Commissioner Yeber.**

9. PUBLIC HEARINGS.

A. Zone Text Amendment

Sunset Specific Plan – Financial Institutions:

Continued from Thursday, August 16, 2012. Deborah Murphy, Consultant, provided an oral and visual presentation and background information as presented in the staff report dated Thursday, September 20, 2012.

She recapped the August 16, 2012 Planning Commission meeting.

Concerns were raised regarding the existence of too many banks and financial service institutions on the Sunset Strip that detract from the goals of the Sunset Specific Plan (SSP) and the City's General Plan.

The Sunset Specific Plan promotes and encourages the development of the Sunset Strip as an international entertainment destination and any additional banks and financial service institutions could detract from the existing and future nightlife and tourism-based character of the Strip.

Proposed action would have required that in the Sunset Specific Plan area:

- existing banks grandfathered as existing non-conforming
- a maximum of six banks allowed at any one time with any new bank 1500 feet from an existing bank

- based on existing numbers of banks, no new banks allowed until at least three existing banks close for 180 days
- require new banks to provide more pedestrian-friendly frontages on the ground floor

She reiterated the issues raised at the last meeting and spoke on the commission's direction to staff: 1) evaluate alternative actions including strengthening urban design guidelines; and 2) review issues and concerns with the Chamber of Commerce and the Sunset Strip Business Improvement District.

She detailed the proposed alternatives.

1st Alternative:

Limit ground floor banks and financial service institutions to one every 1500 feet, while authorizing the Community Development Director to grant slight modifications (10% or 150 feet) to distance requirement;

Limitation on the number of banks has been eliminated; which would allow for more flexibility and could accommodate up to 3 new banks in the eastern section of the Strip;

Existing uses will be considered legal non-conforming uses and may remain. Once closed for 180 days, a new bank must meet the new requirements;

To assure that new bank uses don't detract from the pedestrian character, the requirement for ground floor building frontages to be a maximum of 25 feet wide;

Bank and financial service uses will not be allowed to use reflective/obscured glass windows or have permanent window coverings that do not allow a visual connection between the sidewalk and the interior of the building; and

Exterior ATM facilities will be limited to a maximum building frontage of 5 feet for one machine and 10 feet for two machines, exceptions can be granted by the CDD Director.

2nd Alternative:

Proposed staff recommendations from the August 16, 2012 Planning Commission meeting including the maximum number of 6 banks with 1500-foot separation requirement and all of provisions, but to provide for new authorization for the Community Development Director to grant 10% modification to distance requirement.

3rd Alternative:

Withhold action at this time and direct staff to address these issues during the comprehensive revision to the Sunset Specific Plan

Commissioner Bernstein requested clarification regarding the 1500 foot distance requirement.

Vice-Chair DeLuccio questioned if there would be a limit on the number of stand-alone ATM's and requested clarification regarding the twenty-five foot frontage requirement.

Chair Buckner opened the public hearing for Item 9.A.:

EDWARD LEVIN, WEST HOLLYWOOD, has concerns regarding this item. He endorses the twenty-five foot frontage restriction. He does not support the land-use quota on banks; whether it's a hard quota or a defecto quota. He stated this is an urban design problem, not a land-use problem. The Strip is and always has been a mix of uses with both day and nighttime uses. He stated if we want day and nighttime vitality, it won't be achieved by only promoting nighttime uses.

GENEVIEVE MORRILL, LOS ANGELES, CEO, West Hollywood Chamber of Commerce, has concerns regarding this item. The research presented from other cities and communities is not comparable to the Sunset Strip. She stated they are concerned we will be creating a law to restrict certain categories of business in a sector. The Chamber of Commerce supports the Sunset Strip Business Association (SSBA) and the desire to keep the Strip vibrant; the nightlife and pedestrian friendly atmosphere. This can certainly be done in a way that creates urban design requirements and not restrictions to land-use and business categories.

TODD STEADMAN, LOS ANGELES, Executive Director, Sunset Strip Business Association, supports this item. He stated his support of the existing financial institutions, but indicated once more banks come into the area; it changes the look, the feel, the experience of the Sunset Strip. He would like to see the Strip maintain that vibrancy.

Commissioner Altschul stated the City of West Hollywood currently has two major commercial streets (Santa Monica Boulevard and Sunset Boulevard). He questioned if it wouldn't be in the city's best interest to make retail or tax producing businesses the ideal uses. Perhaps require a conditional use permit, so for every non-retail use we could make an ad-hoc decision and apply whatever standards set up in advance.

Discussion was held regarding the pros and cons of limiting different types of uses in different areas.

Bianca Siegl, Senior Planner stated the City of West Hollywood recently has a prohibition of residential uses on a portion of the western end of Santa Monica Boulevard.

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

Commissioner Bernstein thanked staff for their work on the revised changes. He stated he liked some of the changes, but feels it is not totally there. He understands and stated his support of limiting the frontage. He indicated we need to think about programming the Strip so that it is exciting to walk on. He is not comfortable that it really is best to have financial institutions separated by a stated amount. He would trust the market more to figure out whether people wanted them every two or three blocks. He stated his support recommending to City Council that we limit the frontage. It would be great to create some incentives for them to give back some of that dead frontage to create other things. There could be opportunities for them to consider maximizing the utility of their space by redesigning it so that something about the frontage is better at night than a closed bank.

Vice-Chair DeLuccio stated he is not comfortable leaving the 1,500 foot radius separation in the revised changes. He stated his support of the twenty-five foot frontage and the revised design language.

Commissioner Aghaei stated his support of the twenty-five foot frontage. He has reservations regarding the 1,500 linear foot separation; however, he sees the drive behind it to make sure we have entertainment related uses on the Sunset Strip.

Commissioner Huebner stated his support of the twenty-five foot frontage. He has concerns with the 1,500 foot distance limitation. He is not sure if there is another solution to that limitation. Perhaps the market is strong enough to decide that. Another alternative would be a possible sunset clause.

Chair Buckner stated there are a lot of reasons we need to revisit the Sunset Specific Plan; however, she does not want to be stuck with this item when we are actually looking at the Sunset Specific Plan.

Commissioner Altschul stated he thinks waiting for the overall far reaching result on this until the Sunset Specific Plan is done is a good idea. Perhaps until that happens, create a twenty-five foot frontage.

Commissioner Altschul moved to: 1) recommend to City Council there shall be a maximum twenty-five foot frontage, and 2) the rest of the item shall be deferred till the revisiting of the Sunset Specific Plan.

Seconded by Vice-Chair DeLuccio.

Commissioner Aghaei requested an amendment that there shall be no reflective coverings on the clear glass frontages. Glass should be transparent for the ground floor windows.

Commissioner Altschul agreed to this amendment.

Vice-Chair DeLuccio agreed to this amendment.

Chair Buckner would like to keep the verbiage for ATM's: 1) five feet (for one machine); 2) ten feet (for two machines); and 3) limit the depth of the ATM's to ten feet.

Commissioner Altschul agreed to this amendment.

Vice-Chair DeLuccio agreed to this amendment.

Discussion and concerns were held regarding window coverings.

Vice-Chair DeLuccio stated his concerns with the motion(s) on the floor and withdrew his seconds to the original Motion and amendments.

Commissioner Altschul withdrew his original motion.

Vice-Chair DeLuccio moved to: 1) strike the 1,500 foot radius separation; 2) add a sunset clause at the time of adoption of the Sunset Specific Plan; and 3) recommend staff's recommendation to City Council as amended.

Seconded by Commissioner Aghaei.

Lauren Langer, Acting Assistant City Attorney, stated for the record: 1) proposed Section §19.36.085; delete sub-section A, and re-number B and C to be A and B (eliminating the 1,500 radius separation); and 2) the sunset clause shall be for three (3) years.

Commissioner Bernstein had concerns with a recommendation to City Council regarding a sunset clause and provision.

Discussion was held regarding the Sunset Specific Plan.

Lauren Langer, Acting Assistant City Attorney, re-stated the amendment regarding the sunset clause: 1) the sunset clause shall be in effect until a new Sunset Specific Plan is adopted.

ACTION: 1) Adopt Resolution No. PC 12-1027 as amended: a) remove the 1,500 foot radius separation; and b) add a sunset clause to expire at the time the Sunset Specific Plan is adopted; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO CITY CONCIL ADOPTION OF A NEGATIVE DECLARATION AND APPROVAL OF A ZONE TEXT AMENDMENT RELATING TO THE DESIGN OF BANKS ALONG SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;" 2) Adopt Resolution No. PC 1028 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO CITY CONCIL APPROVAL OF A SUNSET SPECIFIC PLAN AMENDMENT RELATING TO THE DESIGN OF BANKS ALONG SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;" and 3) Close Public Hearing Item 9.A. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Aghaei and passes on a Roll Call Vote:**

AYES: Aghaei, Altschul, Bernstein, Huebner, Vice-Chair DeLuccio, Chair Buckner.

NOES: None.

ABSENT: Yeber.

RECUSED: None.

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

A. Planning Manager's Update.

Melissa Antol, Long Range and Mobility Planning Manager, stated the next Planning Commission Long Range Planning Projects Subcommittee meeting will be cancelled on Thursday, October 18, 2012. There will be a special meeting on Thursday, November 1, 2012 at 5:30 p.m. at Council Chambers – Closed Session Room. Emergency and Transitional Housing will be discussed.

She presented an update of the Long Range and Mobility Planning work program, which was discussed at the City Council meeting on Tuesday, September 4, 2012. She stated the Melrose Urban Design Study, Eastside Fairfax Urban Design Mobility project, and an update to the Sunset Specific Plan, were all approved by City Council.

Chris Corrao, Associate Planner, presented an update on the Avenues Streetscape Project. He stated there will be an open house on Melrose Avenue on Saturday, October 13, 2012, from 10:00 A.M. to 1:00 P.M. He encouraged participation.

John Keho, Acting Community Development Director, stated the city has hired Stephanie Reich as Urban Designer. He thanked Todd Gish; contract Urban Designer, for his work during this transition period.


14. **PUBLIC COMMENT.** None.

15. **ITEMS FROM COMMISSIONERS.**

Chair Buckner stated for the record she will be absent from the Planning Commission Long Range Planning Projects Subcommittee meeting and the Planning Commission meeting on Thursday, November 1, 2012.


16. **ADJOURNMENT:** Notating the cancellations of the Planning Commission meetings on Thursday, October 4, 2012 and Thursday, October 18, 2012, the Planning Commission adjourned at 7:40 P.M. to the next regularly scheduled meeting which will be on Thursday, November 1, 2012 beginning at 6:30 P.M. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD ON THIS 1ST DAY OF NOVEMBER, 2012.



DONALD DELUCCIO, VICE-CHAIR

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY