



PLANNING COMMISSION MINUTES

August 2, 2001

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

1. CALL TO ORDER

Chair DeLuccio called the meeting of the Planning Commission to order at 6:35 PM.

A. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Commissioner Crowe.

B. ROLL CALL:

Commissioners Present: Altschul, Behr, Crowe, DeLuccio, Hamaker, Hewitt and Torgan

Commissioners Absent: None.

Staff Present:

Liz Bar-El, Associate Planner; John Chase, Urban Designer; Christi Hogin, Assistant City Attorney; John Keho, Acting Planning Manager; Ray Reynolds, Acting Community Development Director; David Gillig, Administrative Staff Assistant to the Planning Manager and Carlo Aceytuno, Assistant to Planning Staff.

C. APPROVAL OF AGENDA: Approve the Planning Commission Agenda of Thursday, August 2, 2001 as amended: 1) move and hear Agenda Item 8.A. before Agenda Item 7.A. **Motion Commissioner Behr, seconded by Commissioner Hewitt and unanimously carried.**

D. REPORT ON POSTING OF AGENDA:

John Keho, Acting Planning Manager stated the agenda was posted at City Hall, the Community Development Department public counter, West Hollywood Library on San Vicente Boulevard, Plummer Park, and the West Hollywood Sheriff's station.

E. MICROPHONE AND WIRELESS REMINDER:

John Keho, Acting Planning Manager reminded all present to speak clearly into microphones and to turn off all cellular phones and pagers.

2. PUBLIC COMMENT:

LAUREN MEISTER, WEST HOLLYWOOD, reminded and encouraged members of the community to come to the Visioning Workshop for Cedars-Sinai Medical Center Parking Lot to be held on Monday, August 6, 2001 at West Hollywood Park Auditorium beginning at 6:30 P.M.

ITEM 5.A

HARVEY LEVIN, LOS ANGELES, commented and recounted the belligerent activities of four (4) busloads of young adults that attended a function at the Key Club and suggested a penalty against the nightclub. He requested the Commission look at an appropriate suspension to this nightclub.

ANDY MAUER, LOS ANGELES, reiterated Mr. Levin's comments about the activities that took place at the Key Club and remarked on his disappointment and shock that there were no authority figures or officials to call on for help.

DAN SIEGEL, WEST HOLLYWOOD, stated his concerns with Petco Animal Supplies, Inc. He suggested that future advertising or allowances not be granted for this business

LAUREN STALMEIKER, LOS ANGELES, spoke in defense of the security provided by the various community based businesses in the neighborhood.

JEFF FIELD, LOS ANGELES, commented on the problems encountered along Sunset Boulevard and suggested that some solution must be found, so that the homeowners can co-exist with the club owners and patrons of these establishments. He encouraged the Commission to take the extra steps to find one.

JEANNE DOBRIN, WEST HOLLYWOOD, briefly stated her agreement with Mr. Levin and reiterated and reminded the public to contact the City of West Hollywood's Code Compliance Division if they have problems with businesses or residents in the city.

ACTION: Close the Public Comment to public speakers. **Motion carried by consensus of the Commission.**

3. ITEMS FROM COMMISSIONERS:

Commissioner Altschul stated he would like to see included in the upcoming agenda for the Key Clubs' six month review, options of either a modification, suspension or revocation of their Conditional Use Permit. He also requested the attendance of representatives from the Department of Alcoholic Beverage Control, the West Hollywood Sheriffs Station and the West Hollywood Code Compliance Division and would like records from each agency for the past year on the Key Club

Commissioner Torgan commented on hybrid bars and restaurants and requested staff to prepare a report to send to the City Council regarding this issue. He also directed staff to look into the options of a possible Text Amendment to the Zoning Ordinance, along with a possible change in definitions. He would like to see this presented to the City Council, with an option of a Moratorium on Minor Conditional Use Permits for all on-site sales of hard liquor pending a review and final conclusion of this issue

Commissioner Crowe suggested that staff utilize the Los Angeles City Zoning Ordinance Code for guidance and examples regarding the issue(s) that were raised.

By consensus, staff should prepare and report the findings, facts and conclusions that would support a Moratorium.

Chair DeLuccio requested a copy of this staff report, that will be going before the City Council on August 20, 2001 and he would like to see comments made by the Planning Commission incorporated into this report.

Commissioner Hamaker questioned the delivery and pick-up of patrons to the clubs. She suggested that employees of the club(s) be responsible for having the buses waiting for the patrons when they are ready to exit. She briefly commented on the City of West Hollywood's web-site and the in-accuracy of a previous speaker.

Commissioner Behr questioned and directed staff; when an item is taken to the City Council regarding Code Enforcement, especially when it concerns restaurants and bars, that they indicate the number of cases they are currently investigating.

Chair DeLuccio directed staff to look at the Conditional Use Permit of Petco. He would like the concerns scrutinized and reported to the Code Enforcement Division, that were brought before the Commission during Public Comments; i.e.: temporary signs, delivery times, lack of landscaping and unsupervised dogs on the property.

4. ITEMS FROM STAFF

John Keho, Acting Planning Manager reminded the Commission and encouraged members of the community to come to the Visioning Workshop for Cedars-Sinai Medical Center Parking Lot to be held on Monday, August 6, 2001 at West Hollywood Park Auditorium beginning at 6:30 P.M.

He also acknowledged Liz Bar-El, Associate Planner for her service to the City of West Hollywood and informed the Commission and members of the public that this will be her last public appearance for presenting cases to the Planning Commission. She will be moving on to the Planning Division in the City of Santa Monica, California.

5. CONSENT CALENDAR

Commissioner Behr commented and complemented staff on the major improvement of the Planning Commission Minutes.

A. APPROVAL OF MINUTES:

ACTION: Approve the Planning Commission Minutes of Thursday, July 5, 2001 as presented. **Motion Commissioner Altshcul, seconded by Chair DeLussio and unanimously carried.**

6. EXCLUDED CONSENT CALENDAR

None.

8. PUBLIC HEARINGS

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

A. Development Permit 2001-20, Demolition Permit 2001-06, and Tentative Tract Map 2001-02:

Liz Bar-El, Associate Planner presented the staff report to demolish an existing duplex structure and garage and replace it with a five (5)-unit condominium, with eleven (11) semi-subterranean parking spaces at 1220 Orange Grove Avenue.

Comissioner Crowe questioned the issue of windows that was brought before the Design Review Committee regarding this project.

Liz Bar-El, Associate Planner, assured the Commission that this issue was rectified by the use of a wall included in the final plans.

Commissioner Behr questioned the fees and calculation method in Section 3.0 of Resolution No. PC 01-381, regarding the Tentative Tract Map. He also questioned how the bond amount(s) are derived and if there is a set calculation formula for bonds.

Staff responded that the City of West Hollywood does not currently have a set formula for bonds. The city's building officials are usually approached for their input in the bond calculation(s).

Commissioner Behr requested a calculation formula be devised and used in future bond requests on projects.

Chair DeLuccio opened the Public Hearings:

MARINA IGOR MALYSHEV, SHERMAN OAKS, representing the owner, gave the applicants report.

JEFF MORRIS, WEST HOLLYWOOD, opposes this item. He commented how this project would destroy his view(s).

JOSEPH D'AMORE, WEST HOLLYWOOD, opposes this item. He indicated that this project would promote traffic and parking problems to the neighborhood

LISA GATES, WEST HOLLYWOOD, opposes this item. She suggested the integrity of the community, city and neighborhood would be compromised and asked the Commission to consider the history of the neighborhood before they make a decision on this project

LANA GATES, WEST HOLLYWOOD, opposes this item. She reiterated Lisa Gates' comments and encouraged the Commission to view the affected neighborhood to see the adverse ramifications such a project would have

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of this item

MARINA IGOR MALYSHEV, SHERMAN OAKS, representing the owner, gave a rebuttal on the issue(s) raised.

Commissioner Altschul questioned the applicant/owner on the length of current ownership and the condition of the property when it was purchased

Commissioner Behr questioned the applicant/owner why the property is for sale on the internet and questioned staff how many units are actually on the property

The applicant/owner assured the Commission that the property should not be listed and is not for sale.

ACTION: Motion to close the Public Hearings to public speakers. **Motion Commissioner Torgan, seconded by Commissioner Altschul and unanimously carried.**

Commissioner Hewitt commented that the applicant/owner has the right to build the proposed project in the area that it is zoned for. The plans have plenty of parking and an overall good design. She motioned for approval recommended by staff **Motion Commissioner Hewitt, seconded by Commissioner Torgan.**

Commissioner Behr reiterated support of this item and requested that the bond amount be increased to \$25,000 to make it consistent with the West Knoll Project

Commissioner Hewitt and Commissioner Torgan agreed to the amendment of the original motion.

ACTION: 1) Approve the request subject to the findings and conditions and 2) increase the bond amount from \$10,000.00 (ten thousand dollars and no/cents) to \$25,000.00 (twenty-five thousand dollars and no/cents) and 2) Adopt Resolution No. PC 01-380 "RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING DEVELOPMENT PERMIT 2001-20 AND DEMOLITION PERMIT 2001-06, TO PERMIT THE DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCT A NEW FIVE (5)-UNIT CONDOMINIUM DEVELOPMENT AT THE PROPERTY LOCATED AT 1220 ORANGE GROVE AVENUE, WEST HOLLYWOOD, CALIFORNIA" and 3) Adopt Resolution No. PC 01-381 "RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING THE TENTATIVE TRACT MAP 2001-02 (TENTATIVE TRACT NO. 53422) FOR THE PROPERTY LOCATED AT 1220 ORANGE GROVE AVENUE, WEST HOLLYWOOD, CALIFORNIA".
Motion' Commissioner Hewitt, seconded by Commissioner Torgan and unanimously carried.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:45 PM AND RECONVENED AT 8:00 P.M.

7. COMMISSION CONSIDERATION

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

A. Creative Sign Permit 2001-03:

John Chase, Urban Designer presented the staff report for erecting one (1) pole sign and two (2) wall signs for Petco Animal Supplies, Inc., located at 508 N. Doheny Drive.

Commissioner Altschul commented that he thought pole sign(s) were not permitted in the City of West Hollywood.

John Chase, Urban Designer reiterated that pole signs are not allowed in the City of West Hollywood, however, they are allowed as Creative Signs and gave examples of signs that were exempted in the past and why.

Commissioner Crowe stated his concerns how Petco Animal Supplies, Inc. would be able to identify their business to the general public.

Commissioner Behr commented on the concerns the City of Beverly Hills Planning Division had regarding the lighting of the pole sign.

John Chase, Urban Designer indicated the applicant/owner would agree to the additional condition that would have the sign turn-off at 10:00 P.M.

Commissioner Torgan moved to postpone the item for two (2) weeks. **Motion Commissioner Torgan, seconded by Commissioner Hewitt.**

Chair DeLuccio had concerns with the motion Commissioner Torgan made. He believes that the Commission needs to hear from the public on this issue, knowing that additional direction to staff may be warranted concerning signage.

Motion withdrawn by Commissioner Torgan, seconded by Commissioner Hewitt.

Chair DeLuccio opened the Public Hearings:

JANET COLE, WEST HOLLYWOOD, had concerns regarding this item. She stated the design, colors, size and the neon lights of this sign are inappropriate for this particular Petco location. Additionally she offered her services to come up with a new sign.

JOHN CALLARZ, WEST HOLLYWOOD, opposes this item. He indicated that this sign is totally out of character for the neighborhood and stated that the signage should be on the store front.

PAUL DE ANGELIS, WEST HOLLYWOOD, opposes this item. He raised the concerns that if this pole sign is approved, every business in West Hollywood will eventually want (and probably get) a pole sign.

RICHARD KALÉH, WEST HOLLYWOOD, opposes this item and suggested the new sign should be created dually with the homeowners and community. He also pointed out possible loophole(s) within the city process.

CHARLOTTE BANTA, WEST HOLLYWOOD, opposes this item. She gave brief examples of good and tasteful signs within the neighborhood and indicated her displeasure of neon signs with flashing bright lights.

LAUREN MEISTER, WEST HOLLYWOOD, had concerns regarding this item. She stated that allowing this proposed sign would cause a dangerous precedent. She also voiced her opinion that the corner of Doheny Drive and Melrose Avenue is a gateway to the City of West Hollywood and the sign should reflect the artistic and creativity of the city.

DAN SIEGEL, WEST HOLLYWOOD, opposes this item. He brought to the attention of the Commission that Petco Animal Supplies, Inc. is in violation of several conditions of their Conditional Use Permit and requested that these items should be looked into.

JEAN HOBART, WEST HOLLYWOOD, opposes this item and hopes that the Commission and Petco Animal Supplies, Inc can work together to get signage that is consistent with the residential neighborhood. She also stated her concern about Petco's lack of outreach to the local community.

JEAN DOBRIN, WEST HOLLYWOOD, oppose this item She stated that pole signs should not be allowed in the City of West Hollywood and noted that there are no poles signs in the City of Beverly Hills

HOWARD HOUGH, LA MESA, representing the owner; gave a rebuttal on the issue(s) raised.

Commissioner Torgan motioned that this item be moved to a date certain of the Planning Commission; Thursday, September 6, 2001 at 6:30 P M He also requested staff to bring back to the Planning Commission at that time, a staff report that would include a report on compliance with the current Conditional Use Permit
Motion Commissioner Torgan, seconded by Commissioner Altschul and unanimously carried.

Commissioner Behr indicated that the Commission needs to give direction on the signage and that he would not approve a pole sign. He also reiterated that a sign of this nature does not belong on Doheny Drive.

Commissioner Hamaker suggested that Petco Animal Supplies, Inc look into possibly landscaping the parking lot area and is concerned over the management at this store

Commissioner Behr suggested the pet adoption services currently using Petco Animal Supplies, Inc. facilities be moved to West Hollywood Park

ACTION: 1) Continue this item and 2) bring back in the staff report an updated report on compliance with the current Conditional Use Permit and 3) bring back to the Planning Commission meeting of Thursday, September 6, 2001 **Motion Commissioner Torgan, seconded by Commissioner Altschul and unanimously carried.**

9. PUBLIC COMMENT

JEAN DOBRIN, WEST HOLLYWOOD, stated that no pole signs should be allowed in any form She briefly commented on how the Mobil Gas Station at San Vicente and Sunset Boulevards was nicely re-landscaped, after she brought it to the Commission's attention. She then thanked Liz Bar-El, Associate Planner, for her contribution(s) to the City of West Hollywood, the Planning Commission, the City Council and to the community itself.

DAN SIEGEL, WEST HOLLYWOOD, had concerns and questioned the noticing procedure for the proposed Petco sign.

10. ITEMS FROM COMMISSIONERS

Chair DeLuccio directed staff to look into the noticing requirements/procedures of Creative Signs.

Commissioner Altschul thanked Liz Bar-El, Associate Planner for her years of service to the City of West Hollywood and thanked John Keho for his capacity in the role of Acting Planning Manager for the last two months.

Commissioner Altschul requested that business names should be listed on the Minor Conditional Use Permit(s) YTD update sheet.

Commissioner Torgan suggested to the (Acting) Director of Community Development that MCUP(s) 01-02, 01-06 and 01-07, be pulled and referred to the Planning Commission for a full hearing. He also requested, that all Minor Conditional Use Permits be pulled and heard for a full hearing in the future before the Planning Commission.

Ray Reynolds, Acting Community Development Director stated his concerns with Commissioner Torgan's request and would like to consult with the City Attorney and staff before this action is formally taken.

10. ITEMS FROM STAFF

Liz Bar-El, Associate Planner, thanked the Planning Commission for their support over the years.

Ray Reynolds, Acting Community Development Director, announced the new Director of Community Development, Mark Persico, will be starting with the City of West Hollywood on Monday, August 27, 2001. He stated that Mr. Persico is currently with the City of Calabasas.

John Keho, Acting Planning Manager announced that Tim Foy, Senior Planner will be assuming the position of Acting Planning Manager for the months of August and September.


He also commented on items the Commission requested follow-up on:

- Tower Records. Code Compliance is unable to cite anyone, unless they are actually observed cutting and/or trimming tree(s).
- Felt restaurant and 7969 Santa Monica Boulevard (formerly known as Peanuts). He indicated that these two locations currently have ongoing investigations, so information is not available at this time from Code Compliance.

11. ADJOURNMENT

The Planning Commission adjourned at 9:15 P.M. to the next regularly scheduled meeting of the Planning Commission, which will be on Thursday, August 16, 2001, at the 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 6TH DAY OF SEPTEMBER, 2001.



CHAIRPERSON

ATTEST:



Community Development Director