



## PLANNING COMMISSION MINUTES

*January 15, 1998*

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 Chair John Altschul.

#### A. Pledge of Allegiance

The Pledge of Allegiance was led by Charlotte Banta.

#### B. Roll Call

Commissioners Present:

John Altschul, Liz Anderson, David Behr, Brad Crowe, Donald DeLuccio, Thomas Jones, Steve Smith

Staff Present:

Ray Reynolds, Community Development Director; Lisa Heep, Planning Manager; Amanda Susskind, City Attorney's Office; Think Tran, Administrative Staff Assistant; John Keho, Associate Planner; Tim Foy, Associate Planner; Teresa Kozlowski, Assistant Planner

#### D. Approval of Agenda

**Action: To approve the Agenda.**

Motion: Behr

Second: DeLuccio

Votes: All Ayes

Motion carried.

#### E. 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. PUBLIC COMMENT - None

### 3. CONSENT CALENDAR

#### A. Minutes, December 4, 1997

**Action: To approve the December 4, 1997, Minutes.**

Motion: Behr

Second: DeLuccio

Votes: All Ayes

Motion carried.

### 4. EXCLUDED CONSENT CALENDAR - None

#### A. Approval of Resolution PC 98-150:

**Applicant:**

*Madison Co. L.L.C.*

**Location:**

*510 West Knoll Drive, West Hollywood, CA*

**Case Planner:**

*Tim Foy*

**Action: To approve Resolution PC 98-150**

Motion: Behr

Second: DeLuccio

Votes: All Ayes

Motion carried.

**5. COMMISSION CONSIDERATION**

**A. Sign Permit 97-35: Appeal staff's denial of a second side to a billboard.**

**Applicant/Appellant:** Regency Outdoor Advertising

**Location:** 8782 Sunset Boulevard, West Hollywood, CA

**Case Planner:** John Keho

**Recommendation:** To affirm Director's denial of Sign Permit 97-35.

Mr. Keho presented the staff report.

- a. **Bonnie Kingry**, Applicant, stated she was available to answer questions; engaged in discussion with Planning Commission.

The Commission discussed the Sunset Specific Plan, signage currently placed up, and Regency's ability to uphold contract with companies.

- b. **Jeanne Dobrin**, West Hollywood, commented that she supports staff's position.

**Action: To support staff's position upholding Director's denial of SP 97-35 and approving Resolution PC 98-156.**

Motion: Jones

Second: Crowe

Votes: All Ayes

Motion carried.

**6. PUBLIC HEARING**

**A. Appeal of Minor Conditional Use Permit 97-15: Appeal of Director's approval to expand restaurant and outdoor dining area, and extend hours of alcohol service to include lunch.**

**Applicant:** Bodega Restaurant, LLC

**Appellant:** Sally Shore and Julie Pop

**Location:** 8800 Melrose Avenue, West Hollywood, CA

**Case Planner:** Teresa Kozlowski

**Recommendation:** To deny appeal and affirm Director's approval of CUP 97-15.

Ms. Kozlowski presented the staff report.

The Commission discussed:

- Summary of extra parking (above requirement)
- Impact on Rangely Avenue
- Parking leases
- 6-month notice of lease changes
- December 23 as base of traffic circulation study
- Raised curb
- Lack of traffic analysis while former restaurant was in place
- Explanation of county variance and current application
- Alley qualification as primary/secondary highway
- Prior restaurant's use of alley for parking
- Which permits are being appealed

a. **Julie Pop and Sally Shore**, West Hollywood, Appellant, presented the Appellant's report.

The Commission discussed:

- Noise
- Prohibiting use of alley after 10 pm
- Lunchtime activity

b. **Mark Lehman**, Applicant's representative, presented the Applicant's report.

The Commission discussed:

- Increase parking spaces
- Increase height of fencing to minimize noise
- Access to alley/lot
- Long-term leases and agreements
- 30-day "out" clause
- responsibility of service of alcohol
- use of lots
- lunch and dinner hours

c. **Robin Pagani (given time by Andria Weiss)**, Beverly Hills, Applicant's wife, commented on her husband's reputation as a restaurateur and availability of the neighbors.

d. **Jules Buccieri**, Beverly Hills, property owner of site, commented that he was dissatisfied with Morton's and Eclipse's management, and that the current tenant is conscientious.

e. **Pam Morton**, West Hollywood, owner of Morton's Restaurant, commented on their valet parking situation and patron parking.

f. **Laurin Rinder**, West Hollywood, commented there are traffic problems in the area and that speed bump's are needed on Rangely and the alley.

g. **Hagy Belzberg**, West Hollywood, Applicant's architect, commented on architecture of project.

The Commission discussed:

- Noise impacts mitigations by redesign of building
- Existing footprint

h. **Richard Banta**, West Hollywood, commented that increased area would be used as a bar serving food.

i. **Midge Barnett**, West Hollywood, commented that she represented the Rangely Manor Condo association, and that the tenants use the alley to park, and expressed concern regarding speeding and noise.

j. **Don Savoie**, West Hollywood, commented that the issue at hand is the MCUP and not parking and traffic.

k. **John Callari**, West Hollywood, commented that there is noise from the alley and is against use of the lot adjacent to residential.

l. **Jonathon Blackman**, West Hollywood, expressed concern regarding day-time metered parking spaces being used by restaurant patrons.

m. **Michael McGrail**, West Hollywood, commented that the design has changed and concerned with noise and why restaurants before could not have alcohol service outdoors.

n. **Jeanne Dobrin (given time by Todd Thurman)**, West Hollywood, commented that the use runs with the land, and expressed concern regarding month-to-month leases, no loading zone and shuttling of patrons to parking lots.

o. **Robyn McGrail**, West Hollywood, commented that residents are present during the day and noise is a concern.

p. **Charlotte Banta**, West Hollywood, commented that the Kassbah Restaurant (formerly Café Figaro) has been a good neighbor and is responsive to the neighborhood; this type of relationship with a restaurant is achievable.

Ms. Pop and Ms. Shore rebutted.

**Action: To close the public hearing.**

Motion: Crowe

Second: DeLuccio

Votes: All Ayes

Motion carried.

The Commission discussed:

- Leases/valet's exclusive rights to parking spaces
- Nullification of PUP
- Reconfiguration of restaurant to mitigate noise impacts
- Soundbarrier/landscaping

**Action: To deny appeal and modify permit approval.**

Motion: Altschul

Second: Crowe

Motion withdrawn.

The Commission discussed:

- Switch parking lot use
- Adequacy of leases
- Use of 8920 Melrose lot for employee parking use only (no general valet parking)
- One-way eastbound alley

**Action: To continue item to February 5, 1998 for discussion by Commission only, without further testimony because the public hearing was closed.**

Motion: Crowe

Second: DeLuccio

Votes: All Ayes

Motion carried.

**B. Variance 97-29, Development Permit 97-52, Modification of Standards 97-14:**

*Request to legalize a 682 square foot addition to the building lobby; the variance concerns exceeding the allowable floor-to-area ratio and the modification of standards involves the number of parking spaces.*

**Applicant:** Ticketmaster, Inc.

**Location:** 8800 Sunset Boulevard, West Hollywood, CA

**Case Planner:** Tim Foy

**Recommendation:** To approve the request subject to the findings and conditions in the proposed resolution.

Mr. Foy presented the staff report.

**Action: To close the public hearing.**

Motion: Crowe

Second: DeLuccio

Votes: All Ayes

Motion carried.

**Action: To approve Resolution PC 98-154.**

Motion: Crowe

Second: DeLuccio

Votes: All Ayes

Motion carried.

**C. Conditional Use Permit 97-09: Request to convert a four-unit apartment building to a single family dwelling.**

**Applicant:** Kevin Meechan

**Location:** 1244 N. Fairfax Avenue, West Hollywood, CA

**Case Planner:** Tim Foy

**Recommendation:** To approve the request subject to the findings and conditions in the proposed resolution.

Mr. Foy presented the staff report.

- a. **Kevin Meechan**, representing Applicant, presented Applicant's report.

The Commission discussed remodeling of parking area and the \$20,000 affordable housing fee.

- b. **Jeanne Dobrin**, West Hollywood, commented that she in favor of the conversion.

**Action: To close the public hearing.**

Motion: Crowe

Second: DeLuccio

Votes: All Ayes

Motion carried.

The Commission discussed credit for paying in-lieu fees, and fee structure.

**Action: To approve Resolution PC 98-155 with an additional condition that a letter from City Attorney that \$20,000 in-lieu fee is legal.**

Motion: Smith

Motion failed due to lack of second.

**Action: To approved Resolution PC 98-155.**

Motion: DeLuccio

Second: Altschul

Votes: Ayes: Altschul, Anderson, Behr, Crowe, DeLuccio, Jones

Noes: Smith

Motion carried.

## 7. PUBLIC COMMENTS

- a. **Jeanne Dobrin**, West Hollywood, commented Amanda Susskind was to come back with an analysis of in-lieu housing fees and that this subject should be discussed in an open forum.

## 8. ITEMS FROM COMMISSIONERS

- a. Commissioner Behr stated that he would like to start policy of prosecution of billboard companies placing up illegal billboards.
- b. Commissioner Behr stated that parking requirements for restaurants need to be revised, specifically considering employee parking spaces.
- c. Commissioner Behr stated that he would like an opinion from the City Attorney regarding 30-day cancellation clause for parking leases. Additionally, a fee schedule should be developed for operation without required parking leases and for Code Compliance to regularly inspect.
- d. Commissioner Behr stated that he was concerned with the applicant's ability to speak in addition to their 10-minute allotment by speaking as a member from the public.
- e. Commissioner Jones stated that at the PAC's January 6 meeting, three projects were brought for review.
- f. Commissioner Jones stated that he is glad to hear that Larry Pollack of Dublin's will be taking over the Roxbury site and creating a Japanese restaurant.
- g. Commissioner Jones stated that he would like to attend the Boston APA annual conference. Ms. Heep stated that she will need to find out how much budget is available for other Commissioners to attend as well.
- h. Commissioner Smith stated that he would like Amanda Susskind to return with an opinion regarding the fee structure. Ms. Susskind stated that the City Council has directed for a subcommittee to review fees. Councilmembers Martin and Heilman and Charlie Makinney are on the subcommittee. A USC study is in-progress which once completed will help the subcommittee do an analysis. Commissioner Smith asked staff to research other City's fees; Mr. Reynolds stated that he would research this information. Commissioner Smith inquired whether a legal opinion already existed regarding the fees.

**9. ITEMS FROM STAFF**

**a. Director's Report – Ray Reynolds**

Mr. Reynolds reported on the following items: MCUP's, Plummer Park Lighting, Checca, Santa Monica Boulevard Visioning, Smoking, Ben and Sam's Smoke Store, Visitor Industry Conference, Outreach to Los Angeles, Landscape and Lighting District, Avenues of Art & Design, Detroit Street Housing, Joint Meeting of Planning Commission and Transportation Commission, Plummer Park Master Plan, and Planning Commission meetings.

Commissioners Jones, Smith and Crowe would like to attend the APA Conference.

**10. ADJOURNMENT**

**Action: To adjourn to the next regular Planning Commission on February 5, 1998 from 6:30 PM until completion at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard.**

Motion: DeLuccio

Second: Jones

**PASSED, APPROVED AND ADOPTED THIS DAY OF February 5, 1998.**

**CHAIRPERSON:** \_\_\_\_\_ 

**ATTEST:**

**COMMUNITY DEVELOPMENT DIRECTOR:** \_\_\_\_\_ 