



PLANNING COMMISSION MINUTES

APRIL 17, 1997

West Hollywood Park Auditorium, 647 North 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 Fischer.

A. Pledge of Allegiance

The Pledge of Allegiance was led by Chair Fischer.

B. Roll Call

Commissioners Present:

John Altschul, David Behr, Brad Crowe, D'Lynda Fischer, Thomas Jones, James Litz, Steve Smith

Staff Present:

Ray Reynolds, Community Development Director; Charlie Makinney, Interim City Manager; Lisa Heep, Planning Manager; John Chase, Urban Designer; John Keho, Associate Planner; Think Tran, Administrative Staff Assistant

Others Present:

Amanda Susskind, City Attorney's Office; Captain Richard Odenthal, Sheriff's Department

C. Approval of Agenda

Ms. Heep clarified that the recommendation to Item 5A is to continue the item.

Action: To move Item 9A to after Excluded Consent Calendar and approve the Agenda, as amended.

Motion: Crowe

Second: Smith

Votes: All Ayes

Motion carried.

D. 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

3. CONSENT CALENDAR

A. Minutes, April 3, 1997

Action: To pull Minutes from April 3, 1997 from Consent Calendar.

Motion: Litz

Second: Behr

Votes: All Ayes

Motion carried.

ITEM 3.A

4. EXCLUDED CONSENT CALENDAR

A. Minutes, April 3, 1997

The Commission directed staff to amend the Minutes, as follows:

- to 5C(a) - add "He expressed understanding that the former City Manager, Paul Brotzman, testified at an ABC hearing in favor of the Roxbury Nightclub."
- to 9C - add "Commissioner Fischer expressed that she would like discussion to occur in a public forum regarding items that Commissioners want to be placed on future agendas, but the Commission agreed not to change the by-laws."

Action: To approve the April 3, 1997 Minutes, as amended above.

Motion: Altschul

Second: Litz

Votes: All Ayes

Motion carried.

9. ITEMS FROM STAFF

A. Update on the increase Sheriff's patrol for the House of Blues (HOB)

Staff Person: Charlie Makinney

Mr. Makinney and Captain Odenthal presented the staff report and engaged in discussion with the Commission regarding the following items:

- per capita expense
- which party is responsible to pay for additional patrol of Sheriff's Department
- HOB condition to pay for extra security services
- Planning Commission discussion with HOB under public hearing regarding payment of extra security services by HOB
- cost/value analysis of funds earmarked for Sheriff's under City's budget
- security program of Nightclub Council
- letter from Charlie Makinney to residents
- traffic/parking enforcement
- transient-based taxes
- deployment of Sheriff's Deputies in evenings and special events
- promoter's licenses
- cost of Sheriff's Deputies
- private security contracts

5. COMMISSION CONSIDERATION

A. Creative Sign Permit 97-05 Request Creative Sign for World Wrapps

Applicant: World Wrapps/Monte Overstreet

Location: 8869 Santa Monica Boulevard

Case Planner: John Chase

Revised Recommendation: Continue the item to May 1, 1997.

Mr. Chase presented the staff report.

The Commission discussed the Permit Streamlining Act.

Action: To continue to May 1, 1997.

Motion: Behr

Votes: All Ayes

Second: Altschul

Motion carried.

B. Creative Sign Permit 97-02 Request Creative Sign for Chrysalis Music Publishing

Applicant: Lori Bronte for Chrysalis Music Publishing

Location: 8800 Melrose Avenue

Case Planner: John Chase

Recommendation: Approve the request and adopt the proposed resolution, subject to the findings therein.

Commissioner Fischer recused herself from this item. Commissioner Litz chaired.

Mr. Chase presented the staff report.

The Commission discussed the following items:

- lack of screening of current cellular antennas
- clarification of proposed location of sign

Action: To approve CSP 97-02.

Motion: Crowe

Votes: All Ayes (Fischer abstained)

Second: Altschul

Motion carried.

6. PUBLIC HEARING

A. Conditional Use Permit 97-02 Request to amend existing CUP to change permitted alcohol sales from beer and wine sales only to full alcohol sales.

Applicant: Alain Bally for Smart and Final Stores Corp.

Location: 1041 Fuller Avenue

Case Planner: John Keho

Recommendation: Approve the request and adopt the proposed resolution, subject to the findings therein.

Mr. Keho presented the staff report.

The Commission discussed the expiration date for CUP's.

a. **Alain Bally**, Applicant's representative, presented applicant's report.

b. **Simon Pastucha**, LA Councilmember Michael Feuer's Deputy, expressed concern regarding hours of operation, noise, crime, proximity to park, and in favor of a review period. The Commission engaged in discussion with Mr. Pastucha.

c. **Steve Wayland**, West Hollywood, PAWS LA, stated that he would like the applicant to allow shared parking uses with adjacent businesses, which was stated in a condition in the first proposed resolution for Smart and Final to operate, but was later deleted by staff.

d. **Mark Gallo**, West Hollywood, Checca owner, encouraged shared parking usage, as conditioned in original CUP, Condition 10-14. He also stated that he had signed a lease with Yukon Mining Co. owner for the use of the Movietown Plaza lot, but it unfolded that the Yukon manager could not sign that lease with Mark Gallo, because Yukon was not the owner of the lot. However, Mark stated that this was not a stipulation of their parking requirements and is currently working with the management company of Movietown Plaza to obtain useage of lot. Checca currently has parking spaces behind its club and 10 leased parking spaces at Paladin parking lot (off Fuller).

e. **Don Savoie**, West Hollywood Chamber of Commerce, expressed support of shared parking use between Smart & Final and local businesses.

Mr. Bally rebutted. Sue Lehman and Daniel J. Fernandez, Smart & Final Management answered questions, as well.

Action: To close the public hearing.

Motion: Litz

Second: Behr

Votes: All Ayes

Motion carried.

Action: To approve CUP 97-02.

Motion: Litz

Second: Behr

Votes: Ayes - Altschul, Behr, Crowe, Jones, Litz, Smith

Noes - Fischer

Motion carried.

7. PUBLIC COMMENT - None

8. ITEMS FROM COMMISSIONERS

- a. Commissioner Jones stated that the Eastside Redevelopment project would be coming before the City Council the first meeting of May.
- b. Commissioner Litz inquired about the currency of the Monthly Status Report, and approval of amplified music at Replay Cafe. Mr. Reynolds stated that this was not approved.

Commissioner Litz stated that Moscow Restaurant's is due for their six month review period. Ms. Heep stated that she would find out the status.

Commissioner Litz also inquired about the enforcement of leaflets. He also stated that he spoken with Code Compliance Manager Brent Mullins, who explained to him the procedure to enforce, which is to place a "no solicitation" sign on front door. If the leaflets continue to be left at the door, then Code Compliance will handle and enforce. Ms. Susskind stated that she believed her firm had done a city attorney opinion on this subject and how it relates to 1st Amendment issues, and that she would research that opinion.

- c. Commissioner Smith stated that there will be a House of Blues neighborhood meeting at the Hyatt on Monday, April 28th at 6:30 pm.

9. ITEMS FROM STAFF

A. Director's Update - Ray Reynolds

Mr. Reynolds presented an update on the following:

