



PLANNING COMMISSION MINUTES
Regular Meeting
April 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 6:40 P.M.
2. **PLEDGE OF ALLEGIANCE:** David DeGrazia led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Bartolo, D'Amico, DeLuccio, Guardarrama, Hamaker, Vice-Chair Thompson, Chair Altschul.

Commissioners Absent: None.

Staff Present: David DeGrazia, Associate Planner, C.J. Amstrup, Acting Planning Manager, Michael Jenkins, City Attorney and David Gillig, Commission Secretary.
4. **APPROVAL OF AGENDA:**
ACTION: Approve the Planning Commission Agenda of Thursday, April 7, 2005 as presented. **Motion by Commissioner Hamaker seconded by Commissioner DeLuccio and unanimously carried.**
5. **APPROVAL OF MINUTES.**
ACTION: Approve the Planning Commission Minutes of Thursday, March 17, 2005 as presented. **Motion by Commissioner Hamaker, seconded by Commissioner DeLuccio and unanimously carried.**
6. **PUBLIC COMMENT.** None.
7. **ITEMS FROM COMMISSIONERS.** None.
8. **CONSENT CALENDAR.**
 - A. **Brown Act Violation.**
On Thursday, March 3, 2005, the Planning Commission denied the Gold Mountain development proposal. Jeffer, Mangels, Butler & Marmaro filed an appeal of that decision with the City Clerk, alleging the Planning Commission violated the Brown Act by limiting public testimony, and demands, pursuant to Government Code Section 54960.1 that the Planning Commission cure or correct the violation.

ACTION: 1) Determine that no violation of the Brown Act occurred; and 2) no cure or correction is required. **Motion by Commissioner Hamaker, seconded by Commissioner DeLuccio and unanimously carried.**

B. 612-616 N. Croft Avenue.

Demolition Permit 2004-016, Development Permit 2004-018, Variance 2004-009, Tentative Tract Map 2004-015.

On Thursday, March 3, 2005, the Planning Commission voted to deny the project and directed staff to bring back resolutions for denial.

ACTION: 1) Adopt Resolution No. PC 05-583 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, DENYING DEMOLITION PERMIT 2004-016, DEVELOPMENT PERMIT 2004-018, AND VARIANCE 2004-009 TO DEMOLISH TWO SINGLE-FAMILY HOMES AND TO CONSTRUCT AN 11-UNIT RESIDENTIAL BUILDING USING THE COURTYARD HOUSING STANDARDS"; and 2) Adopt Resolution No. PC 05-584 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY WEST HOLLYWOOD, DENYING TENTATIVE TRACT MAP 2004-015 (061984), FOR THE PROPERTY LOCATED AT 612-616 N. CROFT AVENUE, WEST HOLLYWOOD, CALIFORNIA". **Motion by Commissioner Hamaker, seconded by Commissioner DeLuccio and unanimously carried.**

9. PUBLIC HEARINGS.

A. 8720 Sunset Boulevard.

Creative Billboard 2004-004.

Continued from Thursday, March 3, 2005. C.J. Amstrup, Acting Planning Manager presented the staff report. He presented a history of the billboard and stated the billboard was originally approved by the Planning Commission as Creative Billboard 002-048 for a time period of two years on December 5, 2002. The application was found complete on January 17, 2005.

The billboard meets all the requirements necessary to grant approval for a creative billboard. It does not exceed the size or height allowed for this site and meets the design criteria necessary to qualify as a creative billboard. In order to address complaints about the brightness of the sign, the neon light output is conditioned to be dimmed by 1/3. The reduced illumination would mitigate any light and glare impacts to nearby residents.

Staff recommends the application should be extended for the full two year time period requested, a time period dating from the expiration of the first permit. The new permit would expire on December 5, 2006.

Commissioner Hamaker questioned the combined brightness of the signage.

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

DAVID SEYDE, WEST HOLLYWOOD, Regency Outdoor Advertising, representing the applicant, availed himself for any additional questions.

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

ACTION: 1) Approve the permit; and 2) Adopt Resolution No. PC 05-589 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD TO ALLOW CONTINUED USE OF THE CREATIVE BILLBOARD PERMIT 004-004, CREATIVE BILLBOARD (EAST ELEVATION) FOR THE PROPERTY LOCATED AT 8720 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) close Public Hearing Item 9.A. **Motion by Commissioner DeLuccio, seconded by Commissioner Guardarrama and unanimously carried.**

B. 8300 Sunset Boulevard

Administrative Permit 2005-011, Conditional Use Permit 2004-010.

David DeGrazia, Associate Planner, presented the staff report. He detailed the history of the property and stated the applicant is requesting to convert 1,600 square feet of existing restaurant area to a nightclub with a 150 square foot dance floor and additional 294 square-foot outdoor smoking area. The proposed hours of operation would be 7:00 P.M. to 2:00 A.M. daily. The applicant is also requesting to have incidental amplified DJ background music in the hotel lobby and remaining restaurant area. The proposed daily hours for the DJ are 8:00 A.M. to 2:00 A.M. in the hotel lobby and 2:00 A.M. to 8:00 A.M. in the restaurant. In addition the applicant is requesting to extend the hours of alcohol sales, service, and consumption in the outdoor poolside area. The proposed hours would be 9:00 A.M. to 2:00 A.M. Friday and Saturday. The proposed project would not expand or change the area of alcohol, sales, service, and consumption at the hotel.

He also detailed the neighborhood meeting, the High Impact Business Task Force, nightclub standards, smoking area, accessory business activity (DJ), outdoor pool area, alcohol license and service, crime statistics, code compliance, parking, sound issues and conditions recommended by staff.

Staff supports the applicant's request with the following modifications: 1) extend the hours of alcohol sales, service, and consumption in the outdoor poolside area from 9:00 A.M. to 11:00 P.M. Sunday through Thursday, and 9:00 A.M. to 12:00 A.M. Friday and Saturday; and 2) allow incidental amplified DJ background music only in the hotel lobby from 8:00 A.M. to 2:00 A.M. daily.

Staff recommends approval of this request.

Vice-Chair Thompson disclosed for the record, he visited the site and the night manager/supervisor offered him a tour of the establishment.

Commissioner Guardarrama disclosed for the record, he visited the site on Saturday, March 5, 2005 and Thursday, March 17, 2005, for the purpose of viewing the operations.

Commissioner Bartolo disclosed for the record, her employer is a client of Elizabeth Peterson and Associates, representing the current applicant.

Vice-Chair Thompson questioned the amplified music and sound.

Commissioner D'Amico questioned the (proposed) sliding glass doors in the pool area.

Vice-Chair Thompson questioned the queuing location(s).

Commissioner Bartolo questioned the closure of its existing non-permitted nightclub area.

Commissioner Guardarrama questioned the time-line of the code enforcement case.

THE COMMISSION TOOK A THREE (3) MINUTE RECESS AT 7:55 PM TO VIEW THE DISPLAY BOARDS AND RECONVENED AT 7:58 P.M.

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

ELIZABETH PETERSON, STUDIO CITY, of Elizabeth Peterson Associates, representing the applicant, presented the applicant's report. She detailed the history of the past owners, compliance issues, sound mitigation measures, DJ's, the dance floor, restaurant/bar area, neighborhood meetings, security plan, expansion of hours for the pool deck, and the current operation of the hotel property.

MAHABIR S. ATWAL, PHD, HACIENDA HEIGHTS, representing the applicant, presented the applicant's report. He spoke and detailed the sound mitigation testing measures on the surrounding neighborhood.

Vice-Chair Thompson questioned the number of people who showed up for the neighborhood meetings and if the ambient music is amplified outside.

Commissioner DeLuccio questioned the location of the restaurant/bar.

Vice-Chair Thompson questioned the queuing location(s).

Chair Altschul questioned the advise management received prior to it operating as a “nightclub”.

Commissioner D’Amico questioned the time frame for the construction.

Commissioner Bartolo asked for a description of the noise reduction plan, questioned the crime statistics for the property and requested a security detail.

AMY KOWALLIS, STUDIO CITY, General Manager of The Standard Hotel, spoke in support of staff’s recommendation and availed herself for additional questions.

She detailed the area for the queuing (inside the hotel; just inside the front doors) and stated for the record there are no speakers in the ceiling of the smoking area. The rope and greeters are used primarily for crowd control and capacity only.

Commissioner Bartolo questioned the pool deck usage and hours.

AMY KOWALLIS, STUDIO CITY, General Manager of The Standard Hotel, stated the rooftop pool area is open to the general public for restaurant (food) service, as well as hotel guests.

Chair Altschul questioned Section 7.12 of Resolution No. 05-592; regarding the posting of a phone number for disturbances. He asked the applicant if they would be opposed if this phone number was made available to the general public (neighbors).

AMY KOWALLIS, STUDIO CITY, General Manager of The Standard Hotel, stated that would be possible and not opposed.

Commissioner DeLuccio questioned the “lounge” activity of the pool area.

Commissioner Hamaker questioned the capacity of the bar and nightclub.

It was stated for the record room capacity is 130, with 131 guest rooms.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on the current and future activity on the Sunset Strip and questioned the description of a “nightclub”.

TERI GUSTAFSON, LOS ANGELES, opposes staff recommendation. She spoke on the ongoing noise issues over the years from The Argyle Hotel.

GEOFFREY SMITH, WEST HOLLYWOOD, opposes staff recommendation. He spoke on the ongoing noise issues emanating from the pool deck at The Standard Hotel.

ELIZABETH PETERSON, STUDIO CITY, Elizabeth Peterson Associates, representing the applicant, presented the applicant's rebuttal. She commented on the noise mitigation measures and the DJ music.

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

Vice-Chair Thompson corrected and reiterated Section 6.2 and Section 7.15 of Resolution No. PC 05-592; regarding the adjectives with the "amplified music", and questioned if drinking is allowed in the lobby.

David DeGrazia, Associate Planner, stated they are allowed to drink in the lounge area, which is immediately adjacent to the lobby, however, not directly in the lobby.

Vice-Chair Thompson stated his concerns with 1) queuing; 2) the fire exit door located on Sweetzer Avenue (he would like a condition stating the fire exit door is not to be propped open); 3) the smoking patio (bamboo is not appropriate soundproofing); 4) questioned the sliding glass for the pool area; and 5) the lobby/lounge area.

Commissioner DeLuccio questioned what transpired from the neighborhood meeting. He would like to see a condition stating: 1) the General Manager of The Standard Hotel will hold bi-monthly meetings with the neighborhood residents; 2) a review after six months, subject to department review, with staff's discretion to bring forward to the Planning Commission; and 3) would like to see a security plan (in regards to Section 7.12 of Resolution No. PC 05-592).

Chair Altschul motioned to approve staff's recommendation, with the additional conditions: 1) subject to a six month review at the Planning Commission from the inception of the start of all new entitlements; 2) no outside queuing allowed; 3) no fire doors are allowed to be propped open; 4) no bamboo shall be used in lieu of soundproofing; 5) the glass at the pool may be constructed to open, but may be directed permanently shut after a six month review if it is determined it is not effective; 6) the hours the glass may be opened at the pool area; shall reflect the same hours of the business known as The Central Restaurant (located at the west parcel of the Sunset Millennium Project); 7) no operation of a nightclub and no extension of the pool hours until all the sound mitigation that has been proposed and the security mitigation(s) are complete and in effect; and 8) all of the suggested mitigations suggested and volunteered by the applicant be shall included.

Seconded by Commissioner D'Amico. He amended the motion by adding a condition: 1) The Standard Hotel identifies the queuing space identified on a plan, to which the city would approve; 2) stating how many people would be allowed on the queuing plan; 3) what the hotel would do with additional people; and 4) how they would turn them away, by not having them wait in front of the hotel.

Chair Altschul agreed to this amendment and stated the amendment would also 1) direct staff to bring back a Resolution incorporating all the changes brought forth.

Commissioner Bartolo suggested The Standard Hotel work on prevention issues; such as going through the Alcohol Beverage Control (ABC) requirements, the Conditional Use Permits (CUP) requirements and assigning responsibilities accordingly.

Commissioner Hamaker questioned the layout of the hotel lobby and is not supportive of amplified DJ music. She stated her concerns with the amplified decibel levels and where it would traverse.

Commissioner Bartolo commented on noise limitation levels and suggested bringing in a noise expert to set decibel levels (that is reasonable). She would like to add as a possible condition for approval: 1) to set a decibel level; 2) have a responsible party (i.e. night manager) to regularly check (monitor) the decibel levels; and 3) suggested a noise expert come back to the Director of Community Development, make a recommendation, based on what is an approved noise, sound decibel level for neighboring jurisdictions, and allow the Director to make that judgment.

She also commented on her issues regarding the pool area and times of accessibility. She recommended an amendment to the hours of operation.

Discussion was held regarding the hours of operation.

Commissioner Hamaker amended the hours to the following: 1) ...the hours of alcohol sales, service, and consumption in the outdoor poolside area from 9:00 A.M. to 10:00 P.M., Sunday to Thursday.

Chair Altschul agreed this amendment shall be included in the original motion.

Commissioner Guardarrama expressed his endorsement of all the amendments that have been brought forward by fellow Commissioners.

Chair Altschul reiterated the motion on the floor: 1) direct staff to bring back a motion adopting the majority of the staff report with the amendments and conditions that have been proposed by the Commission.

ACTION: 1) Adopt Resolution No. PC 05-592 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING CONDITIONAL USE PERMIT 2004-010 AND ADMINISTRATIVE PERMIT 2005-011 TO CONVERT A PORTION OF EXISTING RESTAURANT AREA TO A NIGHTCLUB WITH OUTDOOR SMOKING AREA, LEGALIZE ACCESSORY LIVE DJ MUSIC IN LOBBY, AND EXTEND HOURS OF ALCOHOL SERVICE, SALES, AND CONSUMPTION FOR OUTDOOR POOLSIDE AREA AT THE STANDARD HOTEL, FOR THE PROPERTY LOCATED AT 8300 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) close Public Hearing Item 9.B. **Motion by Chair Altschul, seconded by Commissioner D'Amico and passes on a Roll Call Vote:**

AYES: Commissioners Bartolo, D'Amico, Guardarrama, Vice-Chair Thompson, Chair Altschul.

NOES: Commissioners DeLuccio, Hamaker.

ABSENT: None.

C. 8240 Sunset Boulevard.

Minor Conditional Use Permit

Applicant is requesting approval of sales, service and consumption of alcoholic, accessory to food service at a restaurant known as Sunset Beach.

ACTION: 1) Continue this item to Thursday, April 21, 2005. **Motion carried by consensus of the Commission.**

10. NEW BUSINESS. None.

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF. None.

14. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on noise issues and enforcement by Code Compliance.

TERI GUSTAFSON, WEST HOLLYWOOD, commented on The Argyle Hotel, DJ business and music, and signage.

15. ITEMS FROM COMMISSIONERS:

Commissioner Bartolo stated her concerns with applicants handing additional material to peruse before a Planning Commission meeting. She would prefer to see this material placed in a staff report, with time to read thoroughly.

- 16. ADJOURNMENT:** The Planning Commission adjourned at 8:20 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, April 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 APRIL, 2005.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR