

Your

PLANNING AND LAND USE MANAGEMENT

Committee

reports as follows:

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Specific Plan Exception appeal for property at 1614-1736 Argyle Avenue, 6139-6240 West Hollywood Boulevard, 6140-6158 West Carlos Avenue, 1631-1649 North El Centro Avenue and 1615-1631 Vista Del Mar Avenue.

Recommendations for Council action:

1. ADOPT the FINDINGS of the Central Area Planning Commission, as the Findings of the Council.
2. RESOLVE TO DENY APPEAL filed by Regency Outdoor Advertising/Brian Kennedy, (Manatt Phelps & Phillips, LLP/Ronald Turovsky, Representative), from the entire decision of the Central Area Planning Commission, and THEREBY APPROVE a Specific Plan Exception from 7.M2 of the Hollywood Signage Supplemental Use District to allow more than two supergraphic signs on one building that are not located on opposite walls of the building and may be viewed at the same time from the same location; and to allow other signage on a face that contains a supergraphic sign; and from Section 5F of the Hollywood Signage SUD to allow more sign area than the permitted combined sign area, for property at 1614-1736 Argyle Avenue, 6139-6240 West Hollywood Boulevard, 6140-6158 West Carlos Avenue, 1631-1649 North El Centro Avenue, and 1615-1631 Vista Del Mar Avenue, subject to Conditions of Approval.

(The Environmental Impact Report was certified by Council on July 31, 2007)

Applicant: Clarett Hollywood, LLC, Frank Stephan

Representative: Jeffer, Mangels, Butler & Marmaro, Sheri Bonstelle  
SPP

APCC 2008-3526 SPE

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

**TIME LIMIT FILE - AUGUST 12, 2009**

**(LAST DAY FOR COUNCIL ACTION – AUGUST 12, 2009)**

Summary:

At the public hearing held on August 4, 2009, the Planning and Land Use Management (PLUM) Committee considered an appeal filed by Regency Outdoor Advertising/Brian Kennedy, (Manatt Phelps & Phillips, LLP, Ronald Turovsky, Representative), from the entire decision of the Central Area Planning Commission in approving a Specific Plan Exception from 7.M2 of the Hollywood Signage Supplemental Use District (SUD) to allow more than two supergraphic signs on one building that are not located on opposite walls of the building and may be viewed at the same time from the same location; and to allow other signage on a face that contains a supergraphic sign; and from Section 5F of the Hollywood Signage SUD to allow more sign area than the permitted combined sign area, for property at 1614-1736 Argyle Avenue, 6139-6240 West Hollywood Boulevard, 6140-6158 West Carlos Avenue, 1631-1649 North El Centro Avenue, and 1615-1631 Vista Del Mar Avenue, subject to Conditions of Approval.  
(The Environmental Impact Report was certified by Council on July 31, 2007)

Planning Department staff described the project and the Central Area Planning Commission's determination. It was recommended by Planning staff that subject appeal be denied.

A representative for the appellant (Regency Outdoor Advertising) discussed issues related to the assignment of sign credits and the merits of the appeal. He contended that the sign area credits given to the applicant (Clarett Hollywood, LLC) belonged to Regency Outdoor Advertising. The representative further reported that the SUD Ordinance specifies that sign credits are to be provided to the billboard owner, not the landowner. It was also reported that a petition was filed with the courts regarding this matter. The representative for the appellant requested that the appeal filed by Regency Outdoor Advertising be granted.

A representative for Clarett Hollywood LLC /applicant contended that the Central Area Planning Commission did not err or abuse its discretion in approval of this project. It was reported that the proposed supergraphic signs received two approvals from the City that: (1) a Project Permit Compliance approval for a sign reduction program: and (2) a Project Permit Compliance approval for the supergraphic sign and a mixed use project. It was also reported that the sign program includes seven supergraphic signs and will utilize approximately 10,487 square feet of the 12,655 square feet of sign credits approved by the Director of Planning in 2008. The applicant's representative requested that appeal filed by Regency Outdoor Advertising be denied. Another representative for Clarett Hollywood, LLC, provided additional details related to the project and the community support.

In response to the Committee queries regarding City policy, staff from the Planning Department reported that, according to City Planning Department policy sign credits (Banking Sign Reduction Program Credits) belong to the property owner. The City Attorney advised the Committee that:(1) the underlying approval to Clarett Hollywood, LLC, if the Committee denies the appeal, in no way confer rights to the issuance of sign permits which shall be subject to applicable law of the City at the time an application for a sign permit is made, and (2) there is a lawsuit pending between Regency Outdoor Advertising, Clarett Hollywood LLC, and the City relative to the rightful ownership of the sign credits; and (3) any authorized supergraphic subject to the appeal before the Committee will be awarded consistent with the ruling in that case (court case).

A Council Deputy representing Council Eric Garcetti (Council District 13) reported on the revised SUD. The Council Deputy suggested that the Specific Plan Exception and the matter related to the sign credits are two separate issues. The Council Deputy recommended that the deny the appeal filed by Regency Outdoor Advertising.

After careful consideration of the documents on the file, and of the testimony presented at the hearing, the PLUM Committee recommended that Council deny the appeal and to approve the requested Specific Plan Exception for property at 1614-1736 Argyle Avenue, 6139-6240 West Hollywood Boulevard, 6140-6158 West Carlos Avenue, 1631-1649 North El Centro Avenue, and 1615-1631 Vista Del Mar Avenue, subject to Conditions of Approval.

The matter is hereby transmitted to Council for consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	ABSENT
KORETZ	YES

Attachment: Conditions of Approval  
BG:  
8-6-09  
CD 13  
07-1381\_rpt\_plum\_08-6-09

- Not Official Until Council Acts -

## CONDITIONS OF APPROVAL

### HOLLYWOOD SIGNAGE SUD CONDITIONS

#### 1. Sign Area:

- a. *Supergraphic Signs:* The project shall include no more than seven Supergraphic Signs comprising a total of 10,487 square feet. Such signs are labeled A, B, C, D, E, F and H on the approved site plan found in the City Planning Case File (APCC-2008-3526-SPE-SPP). Respective Supergraphic Signs shall be limited in area and dimension as follows: Sign A – 46' x 42' and 1,932 square feet; Sign B – 24' x 54' and 1,296 square feet; Sign C – 30' x 40' and 1,200 square feet; Sign D – 26' x 60' and 1,560 square feet; Sign E – 38' x 52' and 1,976 square feet; Sign F – 49' x 27' and 1,323 square feet; and Sign H – 25' x 48' and 1,200 square feet.
  - b. *Tenant, Building Identification, and Parking/Way-finding Signs:* The project shall include no more than 6,564 square feet of Tenant, Building Identification, and Parking/Way-finding Signs. Such signs shall be limited to architectural canopy signs, information signs, marquee signs, pedestrian signs, pillar signs, pole signs, projecting signs, wall signs and window signs (except that seven projecting or "blade" signs may be included). Individual sign area shall not exceed those dimensions indicated on the approved sign plan, attached to the case file and labeled "Exhibit A," found in the City Planning Case File (APCC-2008-3526-SPE-SPP).
2. **Sign Locations:** The placement of all signs associated with the project shall substantially comply with the approved sign plan, attached to the case file and labeled "Exhibit A," found in the City Planning Case File (APCC-2008-3526-SPE-SPP).
  3. **Prohibited Signs:** The following sign types, as defined by Ordinance 176,172 shall at no time be permitted at the project site: Billboards, Can Signs, Captive Balloon Signs, High-Rise Sign, Illuminated Architectural Canopy Signs, Pole Signs, Sandwich Board Signs, Signs for which a permit is required on Vacant Property, Signs covering window exteriors, except as Window Signs pursuant to Section 7 of this Ordinance, Solid Panel Roof Signs, Skyline / Logo Sign, Temporary Special Displays, Inflatable Devices and Electronic Message Displays
  4. **Area Verification:** The sign area of the proposed Signs shall be in accordance with the LAMC sign ordinance regulations, as determined by the Department of Building and Safety or as permitted herein.
  5. **Sign Materials:** All sign materials shall be approved by the Department of Building and Safety. Supergraphic Sign materials shall be approved by Fire Department.
  6. **Sign Mounting:** All mounting procedures shall be to the satisfaction of the Department of Building and Safety.
  7. **Supergraphic Sign Credit:** No building permits for the installation of a single Supergraphic Sign shall be issued until appropriate demolition permits have been issued and photographic evidence submitted to the Department of City Planning indicating that the all of the 13 signs identified by the sign reduction credit (DIR-2007-5881-SPP) have been removed. The applicant shall comply fully with the Conditions of Approval set forth in case DIR-2007-5881-SPP.

8. **Lighting:**

- a. Project lighting shall be directed onto the site, and all lighting shall be shielded from adjacent roadways and off-site properties.
- b. Atmospheric light pollution shall be minimized by utilizing lighting fixtures that cutoff light directed to the sky.

**ADMINISTRATIVE CONDITIONS**

9. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
10. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
11. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
12. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
13. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
14. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
15. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
16. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the

City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.