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**WEST HOLLYWOOD  
PLANNING COMMISSION  
Thursday, May 7, 2009 @ 6:30 PM**

**Regular Meeting at  
West Hollywood Park Auditorium  
647 N. San Vicente Boulevard, West Hollywood, California**

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To comply with the American with Disabilities Act of 1990, Assistive Listening Devices (ALD) will be available for checkout at the meeting. If you require special assistance to attend (e.g. transportation) or to participate in this meeting (e.g., a signer for the hearing impaired), **you must call or submit your request in writing to the Department of Community Development at (323) 848-6495 at least 48 hours prior to the meeting.** The City TDB line for the hearing impaired is (323) 848-6496.

Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Community Development Department at 8300 Santa Monica Boulevard, West Hollywood, California, during normal business hours. They will also be available for inspection during the Planning Commission meeting at the staff liaison's table.

**NOTE:** Any agenda item which has not been initiated by 10:30 P.M. may be continued to a subsequent Planning Commission Agenda.

This agenda was posted at: City Hall, the Community Development Department Public Counter, the West Hollywood Library on San Vicente Boulevard, Plummer Park, and the West Hollywood Sheriff's Station.

Reminder: please speak clearly into microphones and turn off all cellular phones and pagers. For additional information on any item listed below, please contact John Keho, Planning Manager at (323) 848-6393.

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF THE AGENDA**

*The Planning Commission is requested to approve the Agenda.*

RECOMMENDATION: Approve the Agenda of Thursday, May 7, 2009.

**5. APPROVAL OF MINUTES**

*The Planning Commission is requested to approve the minutes of prior Planning Commission meetings.*

RECOMMENDATION: Approve the minutes of:

**A. April 23, 2009**

**6. PUBLIC COMMENT**

This time, limited to a maximum of twenty (20) minutes, has been set aside for the public to address the Planning Commission on any item that is not set for public hearing or any item that is not on tonight's agenda. In accordance with the Brown Act, public comment relating to business not appearing on the agenda cannot be acted upon or discussed by the Commission during the meeting, but may be referred to staff for report on a future agenda, ordered received and filed, or referred to the proper department for administrative resolution. Staff requests that all persons wishing to address the Commission fill out a Speaker's Slip and give it to the Commission Secretary prior to speaking. The Commission requests that when you begin speaking you state your name and the name of the city where you reside. Individuals may address the Commission for up to three (3) minutes each, unless the Commission determines a different time limit.

**7. ITEMS FROM COMMISSIONERS**

**8. CONSENT CALENDAR.** None.

**9. PUBLIC HEARINGS.**

**A. Draft Environmental Impact Report.**

Public comment on the Draft Environmental Impact Report only, to demolish the existing structure and construct a new, 16,785 square-foot commercial building in its place. The new building would consist of a lower "garden" level of 6,885 square-feet, a 6,365 square-foot space at street level, and a 3,535 square-foot mezzanine/storage space level. The maximum height of the proposed structure is thirty-five feet, for the property located at 8600 Sunset Boulevard, West Hollywood, California. (Sunset Plaza Expansion Project)

**Applicant:** Montgomery Management Group

**Locations:** 8600 Sunset Boulevard

**Planner:** Jennifer Alkire, Associate Planner

**Recommendation:** 1) Receive comments from the Planning Commission and the public on the Draft Environmental Impact Report (DEIR) and provide to the environmental consultants.

**B. Appeal 2008-003:**

Applicant is appealing the Community Development Director's denial to allow extended hours of operation for food service only, at an existing restaurant until 4:00 A.M. nightly, for the property located at 685 N. Robertson Boulevard, West Hollywood, California. (Bossa Nova)

**Applicant:** Aurelio Martins

**Appellant:** Aurelio Martins

**Locations:** 685 N. Robertson Boulevard

**Planner:** Laurie Yelton, Associate Planner

**Recommendation:** 1) Deny the appeal; 2) Adopt Resolution No. PC 09-868, denying Appeal 2008-003, of Aurelio Martins and uphold the Community Development Director's decision to deny Minor Conditional Use Permit 2008-007, for the property located at 685 N. Robertson Boulevard, West Hollywood, California. (Bossa Nova)

**C. Zone Text Amendment 2009-004.**

**(Cultural Re-nomination Process):**

Consideration of an amendment of the City of West Hollywood Zoning Ordinance that will revise the nomination procedures that apply to the provisions of Chapter 19.58 (Cultural Heritage Preservation), West Hollywood, California.

**Applicant:** City of West Hollywood

**Locations:** Citywide

**Planner:** Genevieve Lehotsky, Senior Contract Planner

**Recommendation:** 1) Adopt Resolution No. PC 09-869, recommending to City Council approval of amendments to the West Hollywood Zoning Ordinance regarding procedures that apply to Chapter 19.58, West Hollywood, California.

**D. Zone Text Amendment 2009-003, Negative Declaration.  
(Economic Hardship Package):**

Consideration of an amendment of the City of West Hollywood Zoning Ordinance that will provide clarification and enact an ordinance establishing temporary regulations superseding existing provisions of Chapter 19.54 regarding special events, and Chapter 19.28 regarding off-street parking requirements in the Avenues of Art and Design, West Hollywood, California.

**Applicant:** City of West Hollywood

**Locations:** Citywide

**Planner:** Gene Lehotsky, Senior Contract Planner

**Recommendation:** 1) Adopt Resolution No. PC 09-867, recommending to City Council approval of amendments and temporary regulations superseding certain Provisions of Chapter 19.54 and Chapter 19.28 of the West Hollywood Zoning Ordinance, West Hollywood, California.

**10. NEW BUSINESS.** None.

**11. UNFINISHED BUSINESS.** None.

**12. EXCLUDED CONSENT CALENDAR.** None.

**13. ITEMS FROM STAFF**

**A. General Plan Staff Update**

**B. Director's Report**

**C. Planning Manager's Report**

**14. PUBLIC COMMENT**

This time has been set aside for members of the public who were unable to address the Commission during the twenty minute public comment period provided in Agenda Item No. 6. The same rules set forth under Agenda Item No. 6 apply.

**15. ITEMS FROM COMMISSIONERS**

**16. ADJOURNMENT.** The Planning Commission will adjourn to a regularly scheduled meeting on **Thursday, May 21, 2009** beginning at 6:30 P.M. until completion at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood, California.

<b>UPCOMING MEETING SCHEDULE</b>				
<b>Date</b>	<b>Day</b>	<b>Time</b>	<b>Meeting Type</b>	<b>Location</b>
May 21	Thursday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 4	Thursday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 18	Thursday	6:30 PM	Regular Meeting	W.H. Park Aud.
July 2	Thursday	6:30 PM	Regular Meeting	W.H. Park Aud.
July 16	Thursday	6:30 PM	Regular Meeting	W.H. Park Aud.

## **PLANNING COMMISSION MEMBERS**

John Altschul, Chair  
Donald DeLuccio, Vice-Chair  
Alan Bernstein, Commissioner  
Sue Buckner, Commissioner  
Joseph Guardarrama, Commissioner  
Barbara Hamaker, Commissioner  
Marc Yeber, Commissioner

## **STAFF**

Susan Healy Keene, AICP, Community Development Director  
John Keho, AICP, Planning Manager  
Christi Hogin, Assistant City Attorney  
David Gillig, Commission Secretary

## **MAILING ADDRESS**

City of West Hollywood  
Community Development Department  
8300 Santa Monica Boulevard  
West Hollywood, CA 90069-4314

323.848.6475 (main)  
323.848.6569 (fax)

## **AGENDA POLICIES**

The Planning Commission considers a range of requests for development permits, appeals, and planning policy matters, and conducts public hearings on many of its agenda items. Due to the number, complexity and public interest associated with many agenda items, meetings of the Planning Commission are generally lengthy. The Planning Commission makes every effort to proceed as expeditiously as possible; your patience and understanding is appreciated.

**REQUEST TO SPEAK** on an item must be submitted on a Speakers Request Form and submitted to the Planning Commission Secretary. All requests to address the Planning Commission on Public Hearings items must be submitted prior to the Planning Commission's consideration of the item.

**CONSENT CALENDAR** items will be acted upon by the Planning Commission at one time without discussion, unless a Planning Commissioner pulls a specific item for discussion.

**PUBLIC HEARINGS PROCEDURES** on each Public Hearing item include presentation of a staff report; Planning Commission questions of staff; a ten (10) minute presentation by the project applicant or applicant's representative or team, if any; Planning Commission questions of the applicant; three (3) minutes (in order to facilitate the meeting, the Chair may lengthen or shorten the three (3) minute period for all speakers on a particular agenda item based on the number of persons in attendance wishing to speak or the complexity of the matter under consideration) for each member of the public wishing to speak to the item; five (5) minutes for the project applicant to respond to the public or clarify issues raised by the public; Planning Commission deliberations and decisions.

**PRESENTATIONS BY MEMBERS OF THE PUBLIC** should begin with the speaker stating his or her name and city of residence, followed by a statement regarding the item under consideration. Please speak to the Planning Commission as a whole.

**PROFESSIONALS APPEARING BEFORE THE PLANNING COMMISSION** should clearly identify their status, such as "attorney", "paralegal", "architect", "designer", or "landscape architect". Instances of misrepresentation of professional status may be referred to the City Attorney for possible prosecution.

**LETTERS OR WRITTEN MATERIALS** regarding agenda items may be submitted to the City Planning Division staff prior to or at the Planning Commission meeting; written materials submitted at least eight (8) days in advance of the meeting will be included in the Planning Commission's meeting packet. Materials submitted after the deadline may be difficult for the Planning Commission to adequately review.

**ASSIGNING OF TIME** is not permitted.

**ACTION OF THE PLANNING COMMISSION** on most matters occurs with the affirmative votes of at least four (4) Planning Commissioners.

The current Planning Commission Agenda and Staff Reports  
are available on-line at

[www.weho.org](http://www.weho.org)

#### **APPEAL PROCEDURES**

Any final determination by the Planning Commission may be appealed, and such appeal must be filed within ten (10) calendar days after the Planning Commission action. This appeal shall be made in written form to the City Clerks Office, accompanied by an appeal fee or required number of signatures.

The City Clerk, upon filing of said appeal, will set petition for a public hearing before the City of West Hollywood's City Council at the earliest date.

If you challenge any City of West Hollywood decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on this agenda, or in a written correspondence delivered to the Planning Commission at, or prior to, the public hearing.