



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**March 19, 2009**

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 6:35 P.M.

**2. PLEDGE OF ALLEGIANCE:** Aaron Micu led the Pledge of Allegiance.

**3. ROLL CALL:**

Commissioners Present: Bernstein, Buckner, Guardarrama, Hamaker, Yeber, Vice-Chair DeLuccio, Chair Altschul.

Commissioners Absent: None.

Staff Present: Christopher Corrao, Assistant Planner, Michael Barney, Assistant Planner, John Chase, Urban Designer, Susan Healy Keene, Community Development Director, John Keho, Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

**4. APPROVAL OF AGENDA:**

**ACTION:** Approve the Planning Commission Agenda of Thursday, February 19, 2009 as presented. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**A. February 19, 2009**

**ACTION:** Approve the Planning Commission Minutes of Thursday, January 29, 2009 as presented. **Moved by Commissioner Yeber, seconded by Vice-Chair DeLuccio and unanimously carried.**

**6. PUBLIC COMMENT.** None.

**7. ITEMS FROM COMMISSIONERS.**

Chair Altschul suggested and encouraged fellow planning commissioner's to shadow planning division staff during an entire work day. He noted this practice has been done in the past and was known as "A Day at the Office".

**8. CONSENT CALENDAR.** None.

## 9. PUBLIC HEARINGS.

### A. **8811 Santa Monica Boulevard. (Eleven) Conditional Use Amendment Permit (AMP) 2008-005:**

Continued from Thursday, January 29, 2009. Christopher Corrao, Assistant Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, March 19, 2009.

He stated the applicant is requesting to extend the current hours of operation to 8:00 A.M. to 2:00 A.M. Sunday through Thursday, and 8:00 A.M. to 4:00 A.M. Friday and Saturday.

Current hours of operation are 11:00 A.M. to 2:00 A.M. Monday through Friday, and 10:00 A.M. to 2:00 A.M. Saturday and Sunday.

He detailed the history of the project site and spoke on noise concerns from the neighborhood, crime statistics, and code compliance issues.

Staff recommends partial approval of hours beginning at 8:00 A.M. daily.

Staff recommends partial denial for extended hours until 4:00 A.M. on Friday and Saturdays.

Commissioner Hamaker requested clarification on code compliance issues regarding late night activities and neighborhood disturbances.

Chair Altschul opened public testimony for Item 9.A:

BRAD TORGAN, LOS ANGELES, applicant's representative, presented the applicant's report. He opposes staff's recommendation. He provided a detailed history of the establishment, and spoke on the current economic hardship report, noise issues and resolutions, neighborhood concerns, code compliance citations, extended hours, and food service. He requested approval.

Vice-Chair DeLuccio questioned if a neighborhood meeting took place.

ED STERLING, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding noise issues.

BEN MC CORMICK, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding noise issues.

ALLN BROCKA, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

BRIAN KUPERMAN, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

SAM BORELLI, WEST HOLLYWOOD, spoke in support of staff's recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

WES ADAMS, LOS ANGELES, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

JOSHUE MILLER, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

STEVEN BURKET, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

KEVIN DONAHUE, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

ARTHUR KHAYAT, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

RICK KOTOWICZ, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

PAUL NICHOLLS, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

STEFANO ROSO, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

ZAM LOOMSTEIN, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

DAVID ALLI, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

SCOTT GRIESBACH, WEST HOLLYWOOD, opposes staff's recommendation of denial of extended hours. He spoke in support of extending the business hours.

BRAD TORGAN, LOS ANGELES, applicant's representative, presented the applicant's rebuttal. He spoke regarding extending business hours, public safety, noise issues and rectifications.

Commissioner Bernstein requested clarification of the alcohol service hours.

Vice-Chair DeLuccio questioned the proposed activities between 2:00 A.M. and 4:00 A.M.

Commissioner Buckner questioned the timeframe regarding noise resolution issues.

Commissioner Hamaker questioned the valet parking situation, and questioned the number of patrons on a weeknight versus a weekend night.

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

Vice-Chair DeLuccio stated he would be like to see a motion to extend the business hours, but there would need to be sound mitigation issues resolved by staff first.

**Vice-Chair DeLuccio moved to: 1) continue this item for two months (sixty-days).**

**Seconded by Commissioner Buckner.**

Commissioner Bernstein questioned open code compliance cases.

Commissioner Guardarrama questioned the protocol regarding sound mitigations conditions. He stated he would like to see a motion to extend the business hours with staff confirming the sound mitigation measures, with a six-month Planning Commission review.

Commissioner Hamaker questioned public safety protocol.

LIEUTENANT SMITH, West Hollywood Sheriff's Department, gave a brief overview of the West Hollywood Sheriff's Department protocol regarding nightclubs.

SERGEANT GONZALEZ, West Hollywood Sheriff's Department, gave a detailed overview and statistics of the Entertainment Policing Team that oversees all nightclubs within the City of West Hollywood.

Commissioner Yeber questioned the practicability of clubs closing and letting patrons out at the same time.

Commissioner Buckner requested clarification regarding staggering nightclub hours.

RICHARD GROSSI, WEST HOLLYWOOD, applicant, commented on the nightclub district and public safety issues.

Commissioner Hamaker stated her support of the continuance.

Discussion was held regarding public safety concerns, alcohol sales and service, and requested business hours.

Chair Altschul encouraged staff to arrange a neighborhood meeting.

**ACTION:** 1) Continue to Thursday, May 21, 2009; and 2) a neighborhood meeting shall take place after the sound mitigation issues have been resolved. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Buckner and passes on a Roll Call Vote:**

**AYES:** Bernstein, Buckner, Guardarrama, Hamaker, Yeber, Vice-Chair DeLuccio.

**NOES:** Chair Altschul.

**ABSENT:** None.

**RECUSED:** None.

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:45 P.M. AND RECONVENED AT 7:50 P.M.**

**B. 1125 N. Kings Road.  
Demolition Permit 2007-025, Development Permit 2007-034, Tentative  
Tract Map 2007-017:**

Michael Barney, Assistant Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, March 19, 2009.

He stated the applicant is requesting to demolish a single-family residence and construct a four-story, ten-unit condominium project over one level of subterranean parking. He detailed the history of the property and spoke on project location, neighborhood compatibility, open space, parking, setbacks and Green Building Ordinance standards.

John Chase, Urban Designer, presented the Design Review Subcommittee report. He detailed neighborhood compatibility, massing, façade materials and articulation.

Commissioner Hamaker questioned the square-footage of the individual units.

Michael Barney, Assistant Planner, stated all units are two levels of three-bedroom units ranging in size from 1,788 square-feet to 1,957 square-feet.

Commissioner Buckner questioned the renderings of the final product.

Commissioner Yeber questioned if changes were incorporated as requested by the Design Review Subcommittee.

Chair Altschul opened public testimony for Item 9.B:

HAMLET ZOHRABIANS, LA CRESCENTA, applicant, presented the applicant's report. He detailed the history of the project site and spoke on neighborhood meetings, final renderings, massing, front façade, articulation, private open space, living spaces, rooftop terraces, views, materials, landscaping, and setbacks.

MARK ZECCA, WEST HOLLYWOOD, has concerns regarding this item. He spoke on neighborhood compatibility and single-family homes.

STEVEN SAWYER, WEST HOLLYWOOD, has concerns regarding this item. He spoke on neighborhood compatibility and public safety issues.

BURT BOVLOCK, WEST HOLLYWOOD, has concerns regarding this item. He spoke on turning radiuses, construction mitigation, massing, tandem parking, exterior access, and usable floor area.

DANA EAGLE, WEST HOLLYWOOD, has concerns regarding this item. She spoke on building height, preserving current landscaping, exterior access, and noise concerns.

IRV BONIOS, WEST HOLLYWOOD, has concerns regarding this item. He spoke on traffic mitigation issues, exterior access, and close proximity to surrounding properties.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on deeded parking.

HAMLET ZOHRABIANS, LA CRESCENTA, applicant, presented the applicant's rebuttal. He detailed building height, setbacks, articulation, massing, neighborhood compatibility, parking, construction mitigation, and turning radiuses. He asked for approval.

Commissioner Yeber questioned the distance from the property line of the property to the north of the project site, and he requested clarification regarding the landscaping and the material board.

Commissioner Hamaker questioned the color palettes.

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

Chair Altschul proposed all parking spaces be assigned by deed, a carriage lane incorporated and all entrances should be enclosed. If at all possible, the trees to the north should be saved. He highly recommended a re-design to make the quality of life better for both residents and future tenants.

John Keho, Planning Manager, stated the incorporation of a carriage lane would most likely result in the elimination of the street trees in front of the building.

Commissioner Yeber had concerns regarding the size of the units, the distance between properties, and the tandem parking spaces. He would like to see a better mix and diversity regarding the size of units.

Commissioner Bernstein stated his support for this type of housing, which encourages families into West Hollywood.

Commissioner Guardarrama stated the applicant has adhered to the zoning code and it would be unfair to send him back for a re-design at this point. He stated his support for this type of housing, which encourages families into West Hollywood. He commented on the benefits of tandem parking versus street parking.

Vice-Chair DeLuccio stated the applicant has adhered to the zoning code, and spoke on neighborhood compatibility and massing. He stated he could support this project if additional direction could be given regarding the design.

**Chair Altschul moved to: 1) approve staff's recommendation, with the following conditions: a) all entrances, whether they be on the north or south side shall be enclosed; b) all parking spaces shall be assigned by deed to individual owners of the units; and c) trees to the north shall be saved.**

Discussion was held regarding landscaping, tree removal and replacement, and possible landscape screening.

**Chair Altschul amended condition: c) the trees to be saved to the extend staff thinks that they can be saved, and if the trees cannot be saved, to camouflage sufficiently the intrusion to the neighbors to the north that a landscape screening devise be put in their place.**

**Seconded by Commissioner Bernstein.**

Commissioner Bernstein requested staff to refer the current property to the proper department in charge of monitoring abandoned properties; to make sure it is code compliant.

Commissioner Buckner had concerns with the lack of architectural character, variety of units and the proposed landscaping. She encouraged developers to retain current green space.

**Chair Altschul stated the revised plans shall be brought back to the Design Review Subcommittee.**



**ACTION:** 1) Approve the application; 2) Adopt Resolution No. PC 07-779 as amended with the following conditions: a) all entrances, whether they be on the north or south side of the project, shall be enclosed; b) all parking spaces shall be assigned by deed to individual owners of the units; c) trees shall be saved to the extend staff thinks that they can be saved, and if the trees cannot be saved, to camouflage sufficiently the intrusion of the neighbors located to the north, that a landscape screening devise shall be put in place; and d) the revised plans shall be brought back to the Design Review Subcommittee; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING DEMOLITION PERMIT 2007-025 AND DEVELOPMENT PERMIT 2007-034, FOR THE DEMOLITION OF A SINGLE-FAMILY DWELLING AND THE CONSTRUCTION OF A FOUR STORY, TEN-UNIT CONDOMINIUM PROJECT OVER ONE LEVEL OF SUBTERRANEAN PARKING, FOR THE PROPERTY LOCATED AT 1125 N. KINGS ROAD, WEST HOLLYWOOD, CALIFORNIA;" 3) Adopt Resolution No. PC 07-780 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING TENTATIVE TRACT MAP 2007-017 (MAJOR LAND DIVISION NO. 69499), FOR THE PROPERTY LOCATED AT 1125 N. KINGS ROAD, WEST HOLLYWOOD, CALIFORNIA;" and 4) Close Public Hearing Item 9.B. **Moved by Chair Altschul, seconded by Commissioner Bernstein and passes on a Roll Call Vote:**

**AYES:** Bernstein, Buckner, Guardarrama, Yeber, Vice-Chair DeLuccio, Chair Altschul.

**NOES:** Hamaker.

**ABSENT:** None.

**RECUSED:** None.

10. **NEW BUSINESS.** None.

11. **UNFINISHED BUSINESS.** None.

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

13. **ITEMS FROM STAFF.**

**A. General Plan Update.** None.

**B. Director's Report.**

Susan Healy Keene, Director of Community Development, provided an update regarding the ad-hoc committee on Economic Hardship and their recommendations to City Council.

**C. Planning Manager's Update.**

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission.

**14. PUBLIC COMMENT.**

JEANNE DOBRIN, WEST HOLLYWOOD, commented on unit size and parking spaces.


**15. ITEMS FROM COMMISSIONERS.**

Commissioner Bernstein stated the 2<sup>nd</sup> day of Passover falls on Thursday, April 9, 2009. He questioned if the Design Review Subcommittee could be cancelled.

Commissioner Hamaker stated the eastside of West Hollywood is not represented regarding the ad-hoc subcommittee for Economic Hardship and urged participation from local businesses.

- 16. ADJOURNMENT:** The Planning Commission adjourned 9:20 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, April 2, 2009 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 2<sup>ND</sup> DAY OF APRIL, 2009.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR