



PLANNING COMMISSION MINUTES
Regular Meeting
July 2, 2009

West Hollywood Park Auditorium
647 N. San Vicente Boulevard, West Hollywood, California 90069

1. CALL TO ORDER:

Acting Chair DeLuccio called the meeting of the Planning Commission to order at 6:35 P.M.

2. PLEDGE OF ALLEGIANCE: Bruce Robertson led the Pledge of Allegiance.

3. ROLL CALL:

Commissioners Present: Bernstein, Buckner, Guardarrama, Hamaker, Yeber, Acting Chair DeLuccio.

Commissioners Absent: Chair Altschul.

Staff Present: Nathan Gapper, Associate Contract Planner, Laurie Yelton, Associate Planner, Maria Rychlicki, Interim Community Development Director, John Keho, Planning Manager, Gregg Kovacevich, Acting City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

1) Move Agenda Item 9.D. (9200 Sunset Boulevard) before Agenda Item 9.A. (8819 Dorrington Avenue).

ACTION: Approve the Planning Commission Agenda of Thursday, July 2, 2009 as amended. **Moved by Commissioner Bernstein, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Chair Altschul.**

5. APPROVAL OF MINUTES.

A. June 18, 2009

ACTION: Approve the Planning Commission Minutes of Thursday, June 18, 2009 as presented. **Moved by Commissioner Hamaker, seconded by Commissioner Buckner and unanimously carried, notating the abstention of Commissioner Yeber and Chair Altschul.**

6. PUBLIC COMMENT. None.

7. ITEMS FROM COMMISSIONERS.

Commissioner Yeber commented on his four week exploration trip to China.

Commissioner Hamaker wished everyone a safe and Happy Fourth of July.

8. **CONSENT CALENDAR.** None.

9. **PUBLIC HEARINGS.**

This following item was moved and heard out of order as part of the amended agenda:

D. 9201 Sunset Boulevard (SoHo House).

Administrative Permit 2008-014, Development Permit 2008-010, Development Permit 2008-029, Minor Conditional Use Permit 2008-004, Parking Use Permit 2008-004, Environmental Impact Report:

Applicant is requesting to convert office space on the penthouse (13th) floor and the sky penthouse (14th) floor of the Luckman Building into SoHo House West Hollywood, a private members-only restaurant and social club with accessory alcohol service. Also, conversion of office space into a spa and retail facility with associated café operated by a separate entity on the ground floor of the building. The proposal includes the provision of off-site parking, located at 9201 Sunset Boulevard, West Hollywood, California.

Acting Chair DeLuccio asked for clarification why this item is requesting a continuance.

John Keho, Planning Manager, commented on the large number of public comments received and the difficulty with current timelines. Staff needs additional time to adequately prepare the response to comments and further review is needed for the final Environmental Impact Report. He requested the continuance to a special meeting on Thursday, July 30, 2009.

Commissioner Buckner stated for the record, she has previous plans and could not make this special meeting. She would like to be involved in the participation of this project.

Commissioner Yeber stated for the record, he has previous plans and could not make this special meeting. He would like to be involved in the participation of this project.

ACTION: Continue to a special meeting on Thursday, July 30, 2009.
Moved by Acting Chair DeLuccio and fails on a Roll Call Vote:

AYES: Bernstein, Guardarrama, Acting Chair DeLuccio.

NOES: Buckner, Hamaker, Yeber.

ABSENT: Chair Altschul.

RECUSED: None.

MOTION FAILS.

Discussion was held regarding various dates for a special meeting.

ACTION: Continue to a special meeting on Wednesday, July 29, 2009.
Moved by Acting Chair DeLuccio and passes on a Roll Call Vote:

AYES: Bernstein, Buckner, Guardarrama, Hamaker, Yeber,
Acting Chair DeLuccio.

NOES: None.

ABSENT: Chair Altschul.

RECUSED: None.

A. 8819 Dorrington Avenue.

Variance Permit 2008-003:

Applicant is requesting a variance from setback requirements for an after the fact conversion of a garage into a storage room.

ACTION: 1) Continue to Thursday, August 6, 2009. **Moved by Commissioner Bernstein, seconded by Commissioner Hamaker and unanimously carried as part of the amended agenda; notating the abstention of Chair Altschul.**

B. 928 N. Fairfax Avenue

Administrative Permit 2007-065:

Nathan Gapper, Associate Contract Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, July 2, 2009.

He stated the applicant is requesting approval to rehabilitate an existing commercial building and replace a billboard in the Eastside Redevelopment Area. The rehabilitation includes interior tenant improvements, landscaping improvements and façade changes.

One of the proposed improvements to the building would be to eliminate the window at the Fairfax Avenue elevation in order to create a blank façade. The architect's design concept is that this would off-set the visual impact of the billboard.

The applicant is also proposing to replace a billboard that was removed in 2007 after the application was filed. The proposed billboard would be 12 feet by 24 feet and 42 feet in height to match the size and height of the previous billboard. A billboard replacement can be approved in the Eastside Redevelopment Area if it meets all of the criteria set forth in the Zoning Code.

Staff finds that the project does not satisfy these criteria because the rehabilitation work did not necessitate the removal of the billboard. Furthermore, without the billboard, the design concept of creating a blank façade on the front elevation is invalidated and the elimination of the window does not meet Code requirements for architectural details.

Staff recommends denial.

Commissioner Guardarrama requested elaboration regarding staff's conclusion that the redevelopment necessitates removal of a billboard as being one of the requirements and that there was no nexus between the billboard removal and the rehabilitation.

Acting Chair DeLuccio opened public testimony for Item 9.B:

SAN BESBELLI, VENICE, applicant, presented the applicant's report. He spoke on the history of the property and detailed the removal of the original billboard, the billboard replacement, architectural elements, financial ramifications, foundation construction and design review.

Commissioner Yeber questioned if an engineer was consulted to study different alternatives regarding the foundation for the billboard and proposed foundation for the eight foot wall.

SAN BESBELLI, VENICE, applicant, stated an engineer was consulted for various alternatives regarding the foundation.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding the developer's financial expectations.

SAN BESBELLI, VENICE, applicant, presented the applicant's rebuttal. He spoke regarding the budget for the project.

Commissioner Bernstein requested clarification regarding the removal of the original billboard.

SAN BESBELLI, VENICE, applicant, stated for the record, the original billboard was removed without the applicant's knowledge by the company that was operating the billboard, due to a dispute.

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

Commissioner Yeber stated his concerns regarding the history of the billboard and the project's budget. He commented there is no engineering report. He questioned staff's position regarding the eight foot wall.

Commissioner Guardarrama did not agree with staff's recommendation of denial. He spoke regarding the architectural character, landscaping, and blank wall. He stated the applicant meets every criterion to replace an existing billboard except one.

Commissioner Guardarrama moved to: 1) bring back a resolution of approval.

Seconded by Commissioner Buckner.

Commissioner Bernstein had concerns with the blank wall. He verified the wall cannot be used for off-site advertising.

Commissioner Hamaker disclosed for the record, she sat as an interim subcommittee member on the Design Review Subcommittee and was on the Eastside Project Area Committee when this item was heard.

Commissioner Hamaker had concerns with the blank wall. She could not support the motion.

Acting Chair DeLuccio had concerns with the blank wall. He would like to see this item return to the Design Review Subcommittee.

Commissioner Guardarrama amended the motion to include the following condition: a) shall be brought back to the Design Review Subcommittee, so an alternative to the blank wall can be prepared; and b) the Urban Designer shall be included.

Commissioner Buckner agreed to this amendment.

Commissioner Hamaker had concerns with the legalities.

ACTION: 1) Bring back a resolution of approval with the following amendments: a) shall be brought back to the Design Review Subcommittee, so an alternative to the blank wall can be prepared; b) the Urban Designer shall be included; and 2) Close Public Hearing Item 9.B.
Moved by Commissioner Guardarrama, seconded by Commissioner Buckner and passes on a Roll Call Vote:

AYES: Bernstein, Buckner, Guardarrama, Yeber, Acting Chair DeLuccio.

NOES: Hamaker.

ABSENT: Chair Altschul.

RECUSED: None.

C. 8375 Fountain Avenue.

Minor Conditional Use Permit 2008-015, Variance Permit 2008-002:

Laurie Yelton, Associate Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, July 2, 2009.

She stated the applicant is requesting a variance to construct a rooftop wireless telecommunications facility on an existing multi-family building that has a height of 56'-4" instead of the code-required 80'. A Minor Conditional Use Permit is required for all wireless telecommunication facilities in the R4, Residential Multi-Family Zones.

She detailed the Federal Telecommunications Act, federal law, height limits, variance conditions, minor conditional use permit requirements, neighborhood compatibility, community opposition, health and safety concerns, cell signal deficiencies and views.

Staff can support the variance request as the evidence in the record supports the required findings of fact. Staff recommends approval of the variance and minor conditional use permit.

Commissioner Yeber questioned if a independent report is available stating signal deficiencies along Fountain Avenue.

Commissioner Bernstein requested clarification regarding cell tower heights.

Acting Chair DeLuccio opened public testimony for Item 9.C:

JIM LEE, WOODLAND HILLS, applicant's representative, presented the applicant's report. He detailed the signal coverage area, internal and external operational procedures, façade design, and site location issues.

ANDREW SHAW, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding lost views, façade design, reception coverage, and site locations.

ARSHARIV BLACKWELL, WEST HOLLYWOOD, opposes staff's recommendation of approval.

CHRIS KIRKPATRICK, WEST HOLLYWOOD, opposes staff's recommendation of approval.

BRYAN SEXTON, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding size, traffic hazards, and lack of noticing. She stated views are not protected.

JOHN BOUCHE, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JIM LEE, WOODLAND HILLS, applicant's representative, presented the applicant's rebuttal. He spoke regarding propagation maps, detailed screening issues, façade design, and obstructed views.

ROB SEARCY, LOS ANGELES, applicant's representative, continued the applicant's rebuttal. He spoke regarding the variance, site location, propagation maps, technical operational procedures, and site coverage.

Commissioner Hamaker requested clarification regarding the technical operations of the cell system.

Commissioner Yeber requested clarification regarding site and location issues.

Acting Chair DeLuccio questioned the dimensions of the requested facility.

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

Commissioner Bernstein commented on federal law. He stated this appears to be a legitimate use.

Commissioner Hamaker commented on height issues and stated she could not justify the findings for a variance.

Commissioner Yeber commented on the lack of findings for a variance. He spoke on coverage area and site location issues.

Commissioner Buckner commented on the lack of verification of facts.

Commissioner Guardarrama requested legal clarification regarding coverage areas.

Commissioner Guardarrama moved to: 1) continue to Wednesday, July 29, 2009. He stated this will give the opponents an opportunity to present scientific (expert) evidence disputing the evidence given by the applicant.

Seconded by Acting Chair DeLuccio.

Acting Chair DeLuccio suggested the opponents come back with some kind of affidavit (documentation).

ACTION: Re-open public testimony for Item 9.C: **Motion carried by consensus of the Commission.**

ACTION: 1) Continue to Wednesday, July 29, 2009. **Moved by Commissioner Guardarrama, seconded by Acting Chair DeLuccio and unanimously carried, notating the abstention of Chair Altschul.**

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 8:25 P.M. AND RECONVENED AT 8:35 P.M.

10. NEW BUSINESS.

A. General Plan Update.

John Kaliski, Urban Studios, provided a visual presentation regarding urban design issues for the general plan update. He outlined and detailed the following:

West Hollywood & Urban Design

- What is Urban Design
- Urban Design Language
- West Hollywood First Impressions
- Urban Design Tools
- Urban Design Opportunities
- Urban Design Questions

Commissioner Guardarrama commented on the “urban room”.

Commissioner Hamaker stated there needs to be more support for additional garden and public open space.

Commissioner Bernstein commented on the immediate challenges, and notated future urban design challenges regarding the east side. Opportunities will be needed to preserve, support and sustain affordable housing while bringing greater urban design.

Acting Chair DeLuccio commented on height and guidelines for future development.

Commissioner Hamaker stated Metro and traffic issues need to be addressed.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on traffic circulation and parking issues.

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

A. Planning Manager's Update.

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

He presented an updated regarding the London West Hollywood and issues brought forward about roof-top activities.

B. Director's Report.

Maria Rychlicki, Interim Director of Community Development, stated this is her last meeting as Interim Community Development Director. She will be continuing as General Plan Manager. She confirmed Anne Browning McIntosh will start the week of July 13, 2009, as Deputy City Manager, Community Development Director.

14. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD commented on noise and smoking issues at an [unnamed] bar.

15. ITEMS FROM COMMISSIONERS. None.

16. ADJOURNMENT: The Planning Commission adjourned at 9:25 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, June 16, 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 16TH DAY
OF JULY, 2009.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR