



PLANNING COMMISSION MINUTES
Regular Meeting
February 21, 2008

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

1. CALL TO ORDER:

Chair Guardarrama called the meeting of the Planning Commission to order at 6:38 P.M.

2. PLEDGE OF ALLEGIANCE: Victor Martin led the Pledge of Allegiance.

3. ROLL CALL:

Commissioners Present: D'Amico, DeLuccio, Hamaker, Yeber, Vice-Chair Altschul, Chair Guardarrama.

Commissioners Absent: None.

Staff Present: Jennifer Alkire, Associate Planner, Francisco Contreras, Associate Planner, Terri Slimmer, Parking Manager, Susan Healy Keene, Community Development Director, John Keho, Planning Manager, Michael Jenkins, City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

Chair Guardarrama announced for the record: 1) Item 9.B. (1150 N. Clark Street); and 2) Item 9.C. (8350 Santa Monica Boulevard), have requested a continuance to Thursday, March 20, 2008.

Commissioner DeLuccio requested Consent Calendar Item 8.A. (337 Westbourne Drive) pulled and moved for discussion to the Excluded Consent Calendar as Item 12.A.

Vice-Chair Altschul requested Excluded Consent Calendar Item 12.A. moved and heard before Public Hearing Item 9.A.

ACTION: Approve the Planning Commission Agenda of Thursday, February 21, 2008 as amended. **Moved by Commissioner DeLuccio, seconded by Vice-Chair Altschul and unanimously carried.**

5. APPROVAL OF MINUTES.

David Gillig, Commission Secretary, notated: 1) page 2 of 25, the addition of "337 Westbourne Drive" to agenda item .9.A.

A. January 31, 2008 (Special Meeting)

ACTION: Approve the Planning Commission Minutes of Thursday, January 31, 2007 as amended. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

B. February 7, 2008 (Regular Meeting)

ACTION: Approve the Planning Commission Minutes of Thursday, February 7, 2007 as presented. **Moved by Vice-Chair Altschul, seconded by Commissioner Hamaker and unanimously carried.**

6. **PUBLIC COMMENT.** None.

7. **ITEMS FROM COMMISSIONERS.** None.

8. **CONSENT CALENDAR.**

A. 337 Westbourne Drive.

Administrative Permit 2007-057, Variance Permit 2007-007:

Applicant is requesting a variance to allow the conversion of an existing garage to a second residential unit.

ACTION: 1) Pulled and moved for discussion to Excluded Consent Calendar (Item 12.A.). **Moved by Commissioner DeLuccio, seconded by Vice-Chair Altschul and unanimously carried as part of the amended agenda.**

The following was pulled and heard out of order as part of the amended agenda:

12. **EXCLUDED CONSENT CALENDAR.**

A. 337 Westbourne Drive.

Administrative Permit 2007-057, Variance Permit 2007-007:

Applicant is requesting a variance to allow the conversion of an existing garage to a second residential unit.

Jennifer Alkire, Associate Planner, stated for the record: 1) Resolution No. PC 08-800; Section 4.1) shall read as follows: *“There shall be no residential or guest parking permits issued for the second unit approved herein. The existing unit on the site shall be permitted to obtain parking permits.”*

Chair Guardarrama opened public comment for Item 12.A:

LAUREN MEISTER, WEST HOLLYWOOD, commented on Resolution No. PC 08-800; Section 4.1) relating to the parking restrictions. She stated the condition is not consistent with other projects and the commission’s final action.

ACTION: Close public comment for Item 12.A. **Motion carried by consensus of the Commission.**

Commissioner DeLuccio moved to: 1) Adopt Resolution No. PC 08-800 as presented.

Seconded by Commissioner Hamaker.

Vice-Chair Altschul requested clarification of the parking standards.

Discussion was held concerning various parking restrictions and standards, regarding single-family dwellings, new construction and multi-family units.

Commissioner DeLuccio requested an addition to Resolution No. PC 08-800: a) guest parking permits shall be permitted for the rear unit.

Commissioner Yeber had concerns regarding the administration of this item and the lack of public process.

COMMISSIONER DELUCCIO WITHDREW HIS ORIGINAL MOTION.

Commissioner Hamaker agreed to the withdrawal.

Commissioner DeLuccio moved to: 1) Adopt Resolution No. PC 08-800 as amended: a) remove Section 4.1), there shall be no parking restrictions on the property.

Seconded by Commissioner Hamaker.

Commissioner DeLuccio stated there needs to be a policy discussion regarding parking standards and restrictions. He would like to see this agendized in the future.

Commissioner Hamaker requested clarification of the number of parking permits which would be allowed for the property.

Vice-Chair Altschul reiterated the need for a policy discussion regarding parking standards and restrictions.

ACTION: 1) Adopt Resolution No. PC 08-800 as amended: a) remove Section 4.1) *“There shall be no residential or guest parking permits issued for the second unit approved herein. The existing unit on the site shall be permitted to obtain parking permits.”*; “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING ADMINISTRATIVE PERMIT 2007-057 AND VARIANCE PERMIT 2007-0007, ALLOWING THE CONVERSION OF AN EXISTING GARAGE TO A SECOND RESIDENTIAL UNIT, FOR THE PROPERTY LOCATED AT 337 WESTBOURNE DRIVE, WEST HOLLYWOOD, CALIFORNIA”. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

AYES: Commissioners D’Amico, DeLuccio, Hamaker, Yeber.

NOES: Vice-Chair Altschul, Chair Guardarrama.

ABSENT: None.

RECUSED: None.

9. PUBLIC HEARINGS.

A. 1020 N. San Vicente Boulevard (London West Hollywood).

Conditional Use Permit 2006-012:

Continued from Thursday, November 15, 2007. Francisco Contreras, Associate Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, February 21, 2008.

He detailed the history of the project and spoke on traffic mitigation issues, preferential parking, circulation feasibility, valet parking practices, bond issuance, and modifications to the resolution.

Staff recommends approval of the proposal to modify the dual restaurant/bar into a full-time hotel bar.

Vice-Chair Altschul questioned the bond issuance.

Terri Slimmer, Parking Manager, detailed the parking circulation plan.

Commissioner Hamaker questioned residential parking permits and hotel “happy hours”.

Commissioner D’Amico disclosed for the record he met with the applicant and representative, and discussed traffic issues contained in the staff report only.

Commissioner Yeber disclosed for the record, he spoke with the applicant's representative, regarding issues contained in the staff report only.

Commissioner Hamaker disclosed for the record, she met with the applicant's representative, and spoke regarding issues contained in the staff report only.

Vice-Chair Altschul disclosed for the record, he met with Steven Afriat and the manager of the London West Hollywood, and spoke regarding issues contained in the staff report only.

Chair Guardarrama disclosed for the record, he met with Steven Afriat and his colleague, and spoke regarding issues contained in the staff report only.

Chair Guardarrama opened public testimony for Item 9.A:

STEVEN AFRIAT, LOS ANGELES, applicant's representative, presented the applicant's report. He detailed the history of the project and spoke on the proposed lounge, hotel usage; stating there will be no live entertainment, no disc jockey, and no happy hour. He provided a thorough description of the Type 47 Alcohol License, neighborhood outreach regarding noise, ingress and egress and on-street parking issues, signage, a bond issuance, preferential parking, construction mitigation, landscaping hours, patio furniture, and job opportunities.

SHARON SANDOW, representing the West Hollywood Chamber of Commerce, spoke in support of staff's recommendation.

TODD STEADMAN, LOS ANGELES, Executive Director of the Sunset Strip Business Association, spoke in support of staff's recommendation of approval.

STEVEN AFRIAT, LOS ANGELES, applicant's representative, stated there is no rebuttal.

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

Vice-Chair Altschul moved to: 1) approve staff's recommendation of approval.

Seconded by Commissioner DeLuccio.

Commissioner Yeber thanked staff for working with the applicant on the egress issues onto Larrabee Street.

Chair Guardarrama commented on the outreach the applicant has made to the neighborhood.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-790 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY AMENDING CONDITIONAL USE PERMIT 2006-012, TO CONVERT AN APPROVED DUAL RESTAURANT/BAR INTO A FULL-TIME HOTEL BAR, AT THE LONDON WEST HOLLYWOOD HOTEL, LOCATED AT 1020 N. SAN VICENTE BOULEVARD, WEST HOLLYWOOD, CALIFORNIA."; and 3) Close Public Hearing Item 9.A. **Moved by Vice-Chair Altschul, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

AYES: Commissioners D'Amico, DeLuccio, Hamaker, Yeber, Vice-Chair Altschul, Chair Guardarrama.

NOES: None.

ABSENT: None.

RECUSED: None.

B. 1150 N. Clark Street.

Demolition Permit 2005-045, Development Permit 2005-060, Tentative Tract Map 2005-019, Negative Declaration:

Applicant is requesting to demolish an existing single-family dwelling and construct a four-story, five-unit condominium building over subterranean parking.

ACTION: Continue to Thursday, March 20, 2008. **Moved by Commissioner DeLuccio, seconded by Vice-Chair Altschul and passes as part of the amended agenda.**

C. 8350 Santa Monica Boulevard (Kings Road Mixed-Use Project).

Demolition Permit 2007-015, Development Permit 2007-021, Modification Permit 2007-009, Tentative Tract Map 2007-013, Zone Text Amendment 2007-018:

Applicant is requesting to demolish an existing commercial building and construct a twenty-unit, mixed-use condominium project.

ACTION: Continue to Thursday, March 20, 2008. **Moved by Commissioner DeLuccio, seconded by Vice-Chair Altschul and passes as part of the amended agenda.**

10. NEW BUSINESS.

A. Review Process.

John Keho, Planning Manager, provided an update on the review process for legislative and development entitlement applications by summarizing the following excerpts from the staff report dated Thursday, February 21, 2008:

The City's General Plan and Zoning Ordinance are very comprehensive documents that regulate all details of development in West Hollywood. There are times however, when an applicant proposes a project that does not comply with these regulations. When this happens, it is not uncommon for the applicant to propose changing the regulation so that their project can be accommodated. In these cases, an applicant submits requests for legislative changes (changes to the City's regulations i.e. the General Plan, Zoning Ordinance or specific plans) in addition to the entitlement permits for the project (such as a development permit or a conditional use permit). Sometimes these legislative changes are applicable only to the individual site and other times the changes are applicable to other properties in addition to the individual site.

There is nothing inherently wrong or inappropriate with requests to modify the General Plan. Our General Plan is more specific than most and it is not possible to anticipate over the years the conflicts that may arise between the goals and policies established in the General Plan and any future proposed development. However, state law limits our ability to modify the General Plan to a maximum of four (4) times per year, so decision-makers must thoughtfully consider how best to use these limited opportunities. In addition, since the Zoning Ordinance must be consistent with the General Plan, a modification to the General Plan may necessitate a change to the Zoning Ordinance.

The City normally processes legislative changes along with the entitlements as one project with one staff report and present the project including legislative changes to the Planning Commission as one item. For example, in 2005 a request was approved that changed the Zoning Ordinance regarding the application of the mixed-use bonus to hotel projects city-wide. The request was part of the application for the Pali House Hotel that has just recently opened at Holloway and Hacienda. In 2007, as part of the Greenwich Place project (on Sherbourne Triangle), a request was approved to change the General Plan and Zoning Ordinance to modify how affordable housing requirements are applied to large residential projects city-wide as well as to change the land use on the property from commercial to residential. Finally, there have been several

Zone Text Amendments over the years regarding the regulations of billboards and tall walls in the Sunset Specific Plan. These changes have been applicable throughout the Sunset Specific Plan and not just to the project in question.

Combined Review Process

The primary reason for a combined review process is because the applications are all related and submitted by an applicant as a single project. The California Environmental Quality Act (CEQA) requires the environmental analysis to cover the entire project. In addition, Courts have considered separate activities as one CEQA project where both activities are integral parts of the same project or one act is contingent on the other. If the development project is contingent upon the legislative action, both actions are an integral part of the same CEQA project and the combined impacts must be analyzed.

Also, a combined process would be a more efficient use of City resources and would involve only one public hearing. Finally, some Commissioners may want the entitlements before them so that they can fully understand what the ultimate result of the legislative item may be on the particular site.

Separated Review Process

The primary reason to separate the review of the legislative and entitlements may be most clear in the case where an entitlement request applies to not only the project but to other properties as well. If the review of the legislative change was separated, the Commission could focus on the broader impact of the change. However, as noted earlier, even in this case, the CEQA document would still cover the entitlements. This review procedure could result in a longer process for projects to be reviewed and require more public hearings to be held by the Planning Commission. In some cases, the public hearings could essentially be discussions of the same issues twice, once as applicable to the legislative items and again as applicable to the individual project.

General Plan Update

One of the goals of the on-going General Plan Update is that once the new plan is adopted, there will be greater agreement on the future land use in the city and consequently, little need for General Plan Amendments as part of entitlement projects.

Discussion took place regarding the pros and cons of how the City of West Hollywood currently reviews applications that include both legislative items (general plan amendments or zone text amendments), and entitlement items (development permits, conditional use permits).

Suggestions were given and the Commission agreed to the following:

- processing the items together is the most appropriate process;
- staff reports should be prepared in a way to include a separate section on the legislative items, and how the request may or may not impact other properties in the city;
- legislative items should receive a separate notice from the entitlement notice.

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR.

A. 337 Westbourne Drive.

Administrative Permit 2007-057, Variance Permit 2007-007:

Applicant is requesting a variance to allow the conversion of an existing garage to a second residential unit.

ACTION: 1) Moved for discussion before Public Hearing Item 9.A.
Moved by Commissioner DeLuccio, seconded by Vice-Chair Altschul and unanimously carried as part of the amended agenda.

13. ITEMS FROM STAFF.

A. Director's Report.

Susan Healy Keene, Director of Community Development, provided an update on the General Plan Community Fair which will be held on Saturday, February 23, 2008 at West Hollywood Park Auditorium; 9:30 A.M. to 1:00 P.M. She detailed the process, parking, transportation alternatives, and encouraged public participation.

B. Planning Manager's Update.

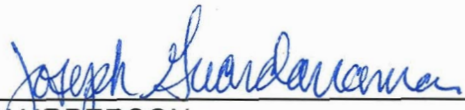
John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission.

14. PUBLIC COMMENT. None.

15. ITEMS FROM COMMISSIONERS. None.

16. ADJOURNMENT: The Planning Commission adjourned at 8:05 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, March 6, 2008 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 6TH DAY OF MARCH, 2008.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR