



PLANNING COMMISSION MINUTES
Regular Meeting
November 13, 2008

Plummer Park, Rooms 5 and 6
7377 Santa Monica Boulevard, West Hollywood, California 90046

NOTE: The regularly scheduled Planning Commission meeting of Thursday, November 6, 2008 was officially adjourned to Thursday, November 13, 2008; due to a public demonstration which utilized the facilities where the commission regularly meets.

1. CALL TO ORDER:

Chair Altschul called the meeting of the Planning Commission to order a 6:38 P.M.

2. PLEDGE OF ALLEGIANCE: Jim Arnone led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: None.

Staff Present: Michael Barney, Assistant Planner, Laurie Yelton, Associate Planner, Jennifer Alkire, Associate 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:

Move Item 13.A. (General Plan Staff Update) to Consent Calendar as Item 8.A.

ACTION: Approve the Planning Commission Agenda of Thursday, November 6, 2008 as amended. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

5. APPROVAL OF MINUTES.

A. October 16, 2008

Staff correction to Commissioner Bernstein's comment on page 5 of 11; change the word "encouraging" to "considering".

ACTION: Approve the Planning Commission Minutes of Thursday, September 18, 2008 as amended. **Moved by Commissioner Hamaker, seconded by Commissioner DeLuccio and unanimously carried.**

6. PUBLIC COMMENT.

MICHAEL SIDLER, WEST HOLLYWOOD, commented on sufficient clearance in and out of rooms and passages, relating to safety issues.

7. ITEMS FROM COMMISSIONERS.

Commissioner Guardarrama advised of a demonstration regarding "No on Proposition No. 8", to be held on Saturday, November 15, 2008 at 10:30 A.M. at Los Angeles City Hall, Civic Center.

8. CONSENT CALENDAR.

A. General Plan Update.

The report summarizes the findings from a telephone survey of residents. Topics surveyed included quality of life issues, parking, housing, mixed-use development, and sustainability. The results of the survey will inform future steps of the General Plan Update.

ACTION: Receive and file. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker as part of the amended agenda and unanimously carried.**

9. PUBLIC HEARINGS.

A. 1136-1142 N. La Cienega Boulevard.

Demolition Permit 2006-038, Development Permit 2006-052, Tentative Trace Map 2006-020:

Continued from Thursday, June 5, 2008, Thursday, July 17, 2008, Thursday, August 21, 2008 and Thursday, September 18, 2008. Laurie Yelton, Associate Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, November 6, 2008.

She presented a background history of the project and stated the applicant is requesting to demolish two single-family structures and construct a fourteen-unit courtyard condominium project. She spoke on property size, neighborhood compatibility, overall design, unit size, courtyard design standards, parking, front yard set-back, and rear yard set-back.

The following correction shall be made to Resolution No. PC 08-822; Section 1.4) *"Approval of this permit shall expire ~~twenty-four (24)~~ thirty-six (36) months from the date of approval..."*

Staff recommends approval.

Commissioner Yeber requested clarification regarding “generally complies with the Courtyard Design Standards”, as stated in the staff report.

Commissioner Yeber disclosed for the record he made a site visit.

Chair Altschul opened public testimony for Item 9.A:

EDDIE REAY, WOODLAND HILLS, applicant, presented the applicant’s report. He presented a history of the property site and spoke and detailed sun and shade issues, neighborhood compatibility, unit size, materials, windows, and color palette.

AMIT APEL, WOODLAND HILLS, applicant’s (non-licensed) architect, continued the applicant’s report. He spoke and detailed the façade, overall design, shadows and movement.

JEANNE DOBRIN, WEST HOLLYWOOD, had concerns regarding this item. She spoke regarding tandem parking spaces, traffic and square-footage.

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

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS TO VIEW THE MASSING MODEL AT 7:10 P.M. AND RECONVENED AT 7:15 P.M.

Commissioner Yeber requested clarification on the front yard setback standards. He had concerns regarding the courtyard standards, design, and neighborhood compatibility.

Commissioner Yeber moved to: 1) deny the application; and 2) bring back a resolution of denial with the appropriate findings.

Seconded by Chair Altschul.

Commissioner DeLuccio had concerns with the color palette and stated the project does not appear to be complete.

Commissioner Hamaker commented on the design and color palette. She stated the design does not feel quite finished yet.

Discussion was held regarding time-lines and re-design issues.

Commissioner Bernstein had concerns with the courtyard standards.

Commissioner Guardarrama commented on the design review reiterations.

Chair Altschul commented on the design review reiterations, and neighborhood compatibility.

Chair Altschul requested the original motion changed to read as follows: 1) deny the project without prejudice.

Commissioner Yeber agreed to this amendment.

ACTION: 1) Bring back a resolution of denial without prejudice; and 2) Close Public Hearing Item 9.A. **Moved by Commissioner Yeber, seconded by Chair Altschul and passes on a Roll Call Vote:**

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

NOES: Hamaker.

ABSENT: None.

RECUSED: None.

**B. 9200 Sunset Boulevard. (SoHo House [Cow Shed])
Administrative Permit 2008-014, Development Permit 2008-010, Minor Conditional Use Permit 2008-004, Parking Use Permit 2008-004:**

Continued from Thursday, August 21, 2008. Applicant is proposing the intensification of penthouse office space into a private membership restaurant with full alcohol service, outdoor dining, accessory disc-jockey background music, and the provision of off-site parking.

Staff requested a continuance in order to proceed with the processing of an Environmental Impact Report (EIR).

ACTION: Continue to a date uncertain. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried as part of the amended agenda.**

**C. 538-540 N. Huntley Drive.
Administrative Permit 2007-019:**

Continued from Thursday, September 18, 2008. Applicant is requesting is to consider legalizing one of two illegal units, and convert the second illegal unit into an addition.

Applicant requested a continuance due to unavailability.

ACTION: Continue to Thursday, November 20, 2008. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried as part of the amended agenda.**

The following item was heard out of order due to the applicant's time constraints:

**E. 8401 Sunset Boulevard. (Andaz West Hollywood)
Creative Sign Permit 2008-009:**

Jennifer Alkire, Associate Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, November 6, 2008.

She provided a background history of the project and stated the applicant is requesting two (2) temporary creative signs totaling 18,992.5 square-feet on the front of the building. She stated the signs would be in place for approximately sixty (60) days.

Staff recommends approval.

Commissioner Hamaker questioned the transparency of the sign and illumination.

Commissioner Guardarrama disclosed for the record he met with the applicant's representative and discussed items as outlined in the staff report.

Chair Altschul disclosed for the record he met with the applicant's representative and discussed items as outlined in the staff report.

Chair Altschul opened public testimony for Item 9.E:

JAMES ARNONE, MALIBU, Latham & Watkins, applicant's representative, presented the applicant's report. He detailed the history of the renovated project, and spoke regarding illumination, square-footage, and signage material.

MICHEL MORAUW, WEST HOLLYWOOD, General Manager, Andaz, continued the applicant's report. He detailed the history of The Andaz Hotel and stated the opening date is set for January 8, 2009.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

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

Commissioner Hamaker moved to: 1) approve staff's recommendation of approval.

Seconded by Commissioner Bernstein.

ACTION: 1) Approve the application;; 2) Adopt Resolution No. PC 08-837 as presented; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING THE REQUEST FOR CREATIVE SIGN PERMIT 2008-009, FOR TWO TEMPORARY CREATIVE SIGNS TOTALLING 18,922.5 SQUARE-FEET ON THE HOTEL BUILDING, FOR THE PROPERTY LOCATED AT 8401 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.E. **Moved by Commissioner Hamaker, seconded by Commissioner Bernstein and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: None.

RECUSED: None.

D. 1146 N. Hacienda Place.

Variance 2008-002

Continued from Thursday, October 18, 2008. Michael Barney, Assistant Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, November 6, 2008.

He provided background information on the project and stated the applicant is requesting an after-the-fact variance to allow garage encroachments into the side-yard and rear-yard, and minor architectural changes to the front façade of a newly constructed ten-unit residential building. He spoke regarding grade, height, setbacks, encroachments, and front façade.

Staff is seeking direction from the Planning Commission for the variance request.

Commissioner Yeber questioned the setbacks, and requested clarification regarding additional after-the-fact information. He stated there is not enough information in the current staff report to make further recommendation(s).

Chair Altschul opened public testimony for Item 9.D:

LEE LUBIN, TARZANA, applicant's representative, presented the applicant's report. He detailed the history of the property development and spoke regarding past contractors, architectural drawings, grade, height, façade, and bringing the property into compliance.

Chair Altschul questioned and had concerns with an after-the-fact variance.

Commissioner DeLuccio had concerns and stated this is not conducive to the definition of a variance.

JEANNE DOBRIN, WEST HOLLYWOOD, had concerns regarding this item. She spoke regarding legal and non-conforming issues.

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

Christi Hogan, Assistant City Attorney, detailed the legalities the commission may give to staff regarding after-the-fact variances.

Discussion and clarification was held regarding different options for granting an after-the-fact variance.

Commissioner DeLuccio moved to: 1) deny the application without prejudice; and 2) bring back a resolution of denial with the appropriate findings.

Seconded by Chair Altschul.

Commissioner Yeber questioned and had concerns that the garage could not be modified to comply.

Commissioner Guardarrama commented there is not enough evidence to support the requested variance.

ACTION: 1) Bring back a resolution of denial without prejudice; and 2) Close Public Hearing Item 9.D. **Moved by Commissioner DeLuccio, seconded by Chair Altschul and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: None.

RECUSED: None.

Chair Altschul recused himself from the dais at this time due to numerous discussions and conversations with Jeanne Dobrin regarding this item.

Vice-Chair DeLuccio took official duties as Chair.

**F. Community Commercial District: Santa Monica Boulevard.
General Plan Amendment 2006-004, Zone Map Amendment 2007-003,
Zone Text Amendment 2006-003:**

Jennifer Alkire, Associate Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, November 6, 2008.

She provided a background history regarding the proposed project located at 9001 Santa Monica Boulevard and stated this request is to consider repealing Ordinance No. 07-780, which would disallow altered development standards with the approval of a development agreement for properties in the Community Commercial District located Santa Monica Boulevard.

Staff recommends the Planning Commission, recommend to the City Council, to repeal General Plan Amendment 2006-004, Zone Map Amendment 2007-003 and Zone Text Amendment 2006-003.

Vice-Chair DeLuccio opened public testimony for Item 9.E:

MARK LEHMAN, WEST HOLLYWOOD, applicant's representative, spoke in support of staff's recommendation to City Council. He was available for questions.

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

Commissionr Bernstein moved to: 1) approve staff's recommendation of repeal to the City Council.

Seconded by Commissioner Guardarrama.

ACTION: 1) Approve the repeal; 2) Adopt Resolution No. PC 08-838 as presented; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL REPEAL GENERAL PLAN AMENDMENT 2006-004, ZONE TEXT AMENDMENT 2006-003 AND ZONE MAP AMENDMENT 2007-003, WHICH ALLOW ALTERED DEVELOPMENT STANDARDS WITH THE APPROVAL OF A DEVELOPMENT AGREEMENT FOR PROPERTIES IN THE COMMUNITY COMMERCIAL ZONING DISTRICT AND LOCATED ALONG SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.F. **Moved by Commissioner Bernstein, seconded by Commissioner Guardarrama and passes on a Roll Call Vote:**

AYES: Bernstein, Guardarrama, Hamaker, Yeber, Vice-Chair DeLuccio.
NOES: None.
ABSENT: None.
RECUSED: Chair Altschul.

Chair Altschul returned to the dais at this time.

10. **NEW BUSINESS.** None.

11. **UNFINISHED BUSINESS.** None.

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

13. **ITEMS FROM STAFF.**

A. General Plan Update.

The report summarizes the findings from a telephone survey of residents. Topics surveyed included quality of life issues, parking, housing, mixed-use development, and sustainability. The results of the survey will inform future steps of the General Plan Update.

ACTION: Move to Consent Calendar. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker as part of the amended agenda and unanimously carried.**

B. Director's Report.

Susan Healy Keene, Director of Community Development, provided an update on the recent General Plan Community Workshop.

She provided an update regarding the following items heard at the Director's Hearing on Tuesday, November 11, 2009: 1) 685 N. Robertson Boulevard (Bossa Nova); 2) 8910 Santa Monica Boulevard (Millions of Milkshakes); 3) 321 N. Robertson Boulevard (Petrossian Paris); 4) 8759 Santa Monica Boulevard (Tender Greens); and 5) 8479 Melrose Avenue (Comme Ca).

C. Planning Manager's Update.

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

He provided an update on mitigation measures regarding idling trucks for the Greenwich Place project.

14. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the public address system.

15. ITEMS FROM COMMISSIONERS.

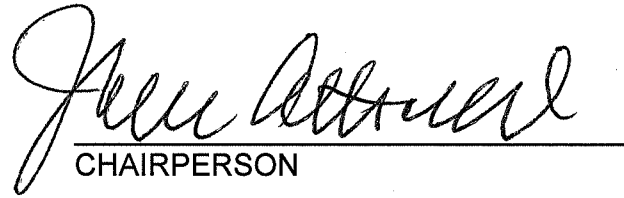
Commissioner Yeber commented on idling trucks at the construction zone at the Pacific Design Center. He requested if staff could look into a [possible] mitigation measure regarding parking of construction worker's vehicles at construction sites to minimize the impact of parking on the surrounding public streets. He commented and questioned if the Building and Safety division could catch issues before an after-the-fact variance would be needed.

Commissioner Hamaker commented on the outcome of the Presidential election.

Chair Altschul commented on the practices of the Building and Safety Department and suggested staff to look into the history of past incidents.

16. ADJOURNMENT: The Planning Commission adjourned 8:30 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, November 20, 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 4TH DAY OF
DECEMBER, 2008.


CHAIRPERSON

ATTEST:


COMMUNITY DEVELOPMENT DIRECTOR