



PLANNING COMMISSION MINUTES
Regular Meeting
May 17, 2007

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

1. CALL TO ORDER:

Chair D'Amico called the meeting of the Planning Commission to order at 6:35 P.M.

2. PLEDGE OF ALLEGIANCE: Byron Blount led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: None.

Staff Present: David J. DeGrazia, Senior Planner, Jory Phillips, Senior Planner, Francie Stefan, Senior Planner, Rachel Heiligman, Associate Planner, Adrian Gallo, 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, May 17, 2007 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Altschul and unanimously carried.**

5. APPROVAL OF MINUTES.

A. May 3, 2007

ACTION: Approve the Planning Commission Minutes of Thursday, May 3, 2007 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Commissioner Altschul.**

6. PUBLIC COMMENT.

NINA STORM, LOS ANGELES, spoke in opposition of the Walgreen's mixed-use project, located at 8120 Santa Monica Boulevard, West Hollywood, California.

DENNIS GRANT, WEST HOLLYWOOD, spoke in opposition of the Walgreen's mixed-use project, located at 8120 Santa Monica Boulevard, West Hollywood, California.

GEORGE MEZO, LOS ANGELES, spoke in opposition of the Walgreen's mixed-use project, located at 8120 Santa Monica Boulevard, West Hollywood, California.

ED BUCK, WEST HOLLYWOOD, commented on development, tax revenues, evictions, and selective enforcement.

JEWEL ROSS, WEST HOLLYWOOD, commented on the Walgreen's mixed-use project, located at 8120 Santa Monica Boulevard, West Hollywood, California.

7. ITEMS FROM COMMISSIONERS.

Commissioner Altschul commented and reiterated on the timeliness regarding letters of submission to the commission.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. 7237 Santa Monica Boulevard (Westmed Ambulance Service).

Conditional Use Permit 2006-013: David J. DeGrazia, Senior Planner, provided background information as presented in the staff report dated Thursday, May 17, 2007.

He provided a detailed history and background of the applicants and current service of the property, stating the applicant is requesting to convert an existing 3,333 square-foot media production facility to a public service facility which will provide ambulance service for the City of West Hollywood, twenty-four hours a day, seven days a week.

On April 30, 2007, staff met with the applicant. At the meeting, the applicant indicated that they would not be able to sign the Continuance Agreement due to the cost of utilizing the dedicated street spaces in front of the facility. In order to lower costs, the applicant has proposed parking at the dedicated street parking spaces between the hours of 6:00 P.M. and 8:00 A.M. daily. The applicant contacted transportation staff regarding this arrangement, however, they are currently not utilizing the street parking spaces for ambulances.

The applicant has not yet established a 24-hour hotline for neighborhood residents to address operation issues and concerns with the ambulance service.

Staff has received one complaint since the last public hearing on Thursday, February 15, 2007, regarding a high rate of speed on Poinsettia Place.

Commissioner Altschul questioned if the applicant is currently in compliance with all conditions.

Commissioner DeLuccio questioned if proper noticing was done for the public hearing and requested clarification of the cost factor regarding the use of metered spaces.

Chair D'Amico opened public testimony for Item 9.A.:

LISA GRITZNER, LOS ANGELES, of Cerrell Associates, representing Westmed Ambulance Services, Inc., presented the applicants report. She spoke and detailed the parking requirements, a twenty-four hotline and the search for alternative locations.

Commissioner Bartolo requested clarification and procedural implementation regarding the twenty-four hour hotline.

Commissioner DeLuccio had concerns and questioned the implementation of the twenty-four hour hotline number.

MICHEAL POLES, WEST HOLLYWOOD, has concerns regarding this item. He spoke on current conditions, parking fees, the twenty-four hotline, and alternative locations,

CONRAD CORRAL, WEST HOLLYWOOD, opposes staff's recommendation of approval.

MARVIN GREENHOUSE, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JON FOREMAN, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

ED BUCK, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on land use, transportation, traffic laws, and the twenty-four hour hotline number.

GEORGE CREDLE, WEST HOLLYWOOD, opposes staff's recommendation of approval.

FRANK FRANCO, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

LISA GRITZNER, LOS ANGELES, of Cerrell Associates, representing Westmed Ambulance Services, Inc., presented the applicants rebuttal. She spoke on current location possibilities, the current cell phone of the owner: 562-254-2548, the bid process, service standards and response times.

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

Commissioner Altschul commented on land use issues, the continuance agreement and the disingenuousness of the applicant over the past year.

Commissioner Altschul moved to: 1) deny the application.

Seconded by Commissioner DeLuccio.

Commissioner Bartolo questioned if conditions can be imposed to the conditional use permit in regards to time-frames, accountability and reviews.

Commissioner Hamaker stated her support of staff's recommendation.

Vice-Chair Guardarrama commented on response times, former ambulance service operations, disruptions to the neighborhood and non-compliance to the conditions. He could not support staff's recommendation.

Commissioner Bartolo commented on the permit, twenty-four hotline, and current conditions. She questioned if any other conditions could be addressed or added.

Christi Hogin reiterated the motion on the floor: 1) bring back a resolution of denial.

ACTION: 1) Bring back draft Resolution No. PC 06-695 denying Conditional Use Permit 2006-013; and 2) Close Public Hearing Item 9.A. **Moved by Commissioner Altschul, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

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

NOES: Hamaker.

ABSENT: None.

RECUSED: None.

Commissioner Bartolo requested an investigation of Thunder Road House regarding noise and would like to see acoustical testing done.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:55 P.M. AND RECONVENED AT 8:05 P.M.

B. Inclusionary Housing Program (SB 1818).

General Plan Amendment 2007-003, Zone Text Amendment 2007-006: Francie Stefan, Senior Planner, provided background information as presented in the staff report dated Thursday, May 17, 2007.

She detailed the background information and stated this is recommending approval to the City Council for the proposal to modify the City's Inclusionary Housing Program to expand the size of projects required to provide on-site affordable housing, to provide additional options to meet on-site affordable housing requirements by allowing smaller inclusionary units, and to revise incentives for affordable housing to be consistent with Government Code Section §65915 and SB 1818.

She spoke on 1) comparison of current and proposed inclusionary housing requirements; specifically projects of 2 to 10 units, 11 to 20 units, 21 to 40 units and 41 or more units, 2) smaller units and builder's quality; 3) trends; 4) inclusionary production; and 5) inclusionary pipeline projects.

Jory Phillips, Senior Planner, provided background information as presented in the staff report dated Thursday, May 17, 2007.

He detailed the background information on SB 1818, and spoke on 1) density bonus; 2) rounding; 3) trends and need; 4) commercial zones; 5) concessions; 6) parking; 7) permanent dedication; and 8) general plan amendment.

Staff recommends adopting the proposal to modify the City's Inclusionary Housing Program, and to revise incentives for affordable housing to be consistent with Government Code Section §65915 and SB 1818. These changes will help provide more housing options and more affordable housing in West Hollywood, and will help implement the General Plan's Housing Element Goal to encourage the provision of adequate housing to meet the diverse needs of the community, with due consideration for individuals and households with special needs.

Commissioner Altschul questioned the State's specific mandates.

Chair D'Amico opened public testimony for Item 9.B.:

ANSON SNYDER, SAN FRANCISCO, President of the Board of the West Hollywood Community Housing Corporation, has concerns regarding this item. He stated the West Hollywood Community Housing Corporation fully supports inclusionary zoning. He had concerns regarding rounding down, for-sale units, vertical subdivisions, and not-for profit organizations.

EDWARD LEVIN, WEST HOLLYWOOD, spoke in support of staff's recommendation. He had concerns regarding concessions.

RIC ABRAMSON, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the 11 to 20 unit range and the housing trust fund.

Commissioner Altschul questioned affordable housing and the redevelopment housing trust fund.

Jeffrey Skorneck, Housing Manager, detailed the redevelopment housing trust fund operations.

Allyne Winderman, Director of Housing and Redevelopment, commented on and detailed the housing trust fund balances.

STEVE MARTIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke on the affordable housing waiting list and affordability.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the general plan and affordable housing.

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

Commissioner DeLuccio questioned the rounding. He stated his support, but would like to see the rounding up.

Commissioner Altschul asked for clarification on vertical subdivisions.

Commissioner Bartolo requested a division of the resolutions; with the consideration of the zoning text amendment and separate that from the affordable housing density bonuses.

Chair D'Amico agreed to this procedural change.

Commissioner Bartolo moved to add: 1) a hardship provision to Resolution No. PC 07-741, Page 4, Section 19.22.030, Sub-Section 2:

“Projects of Eleven to Twenty Units: Twenty percent of the unit count. Twenty percent of all units included in projects of eleven units or more, however, an in-lieu fee may be permitted if a hardship is shown demonstrating that there are mitigating circumstances or conditions applicable to the property involved, including size, shape, topography or other factors, which do not generally apply to the surrounding properties, which would make it practically infeasible to construct the units without providing two or more levels of subterranean parking, and or, not all the units can be located on the property. The requirement may be meant through purchase / rehabilitation of existing off-site units.”

Seconded by Commissioner Altschul.

Commissioner Hamaker detailed affordable housing and inclusionary housing for the general public at large.

Chair D’Amico amended the original procedural change of separation: 1) to maintain the original resolutions as presented.

Commissioner Bartolo agreed to the change.

Commissioner Altschul agreed to this change.

Commissioner Altschul suggested a direction to staff to agendize in one year, a look at the statistics.

Commissioner DeLuccio requested to see a rounding up.

Staff detailed the pros and cons of rounding up and rounding down.

Commissioner DeLuccio stated for the record, it is fine the way the rounding is written.

Staff requested additional explanation to the amendment of Resolution No. PC 07-741, regarding off-site and rehabilitation.

ACTION: 1) Adopt Resolution No. PC 07-741 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT 2007-006 TO AMEND THE ZONING ORDINANCE TO REVISE INCLUSIONARY HOUSING REQUIRMENTS AND TO AMEND AFFORDABLE HOUSING DENSITY BONUSES TO MAINTAIN CONSISTENCY WITH SECTION §65915 OF THE GOVERNEMNT CODE (SB 1818); LOCATED CITY-WIDE, WEST HOLLYWOOD, CALIFORNIA"; 2) Adopt Resolution No. PC 07-742 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND RECOMMENDING TO THE CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT 2007-003 REGARDING AFFORDABLE HOUSING, LOCATED CITY-WIDE, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.B. **Moved by Commissioner Bartolo, seconded by Commissioner Altschul and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: None.

RECUSED: None.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 9:00 P.M. AND RECONVENED AT 9:05 P.M.

C. 523 N. Alfred Street.

Demolition Permit 2006-029, Development Permit 2006-042, Tentative Tract Map 2006-030, Negative Declaration: Adrian Gallo, Assistant Planner, provided background information as presented in the staff report dated Thursday, May 17, 2007.

He provided a detailed history of the proposal, in which the applicant is requesting to demolish three dwelling units and construct a three-story mezzanine level, 10,778 square-foot, townhouse style six-unit condominium building. All of the units have two bedrooms and have an average unit size of 1,796 square-feet. Parking for the residents will be provided in a semi-subterranean garage, and two guest parking spaces off the alley.

Overall, this project is well suited for this site and the surrounding neighborhood. This project will provide a net increase of three housing units.

John Chase, Urban Designer, presented the urban design analyses report.

Staff recommends approval.

Commissioner DeLuccio questioned the total square-footage of the building and the total lot size.

Chair D'Amico opened public testimony for Item 9.C.:

TONY ZUBICK, LOS ANGELES, architect, presented the applicant's report. He detailed neighborhood compatibility, setbacks, façade material, water feature, entryway, roof top amenities, parallel parking (no tandem), materials used for the base of the building, and color scheme.

Commissioner DeLuccio questioned how the mezzanine level would be utilized.

Commissioner Bartolo questioned the square-footage for each mezzanine in proportion to the unit.

MICHAEL GARGANO, WEST HOLLYWOOD, opposes staff's recommendation of approval. He requested a continuance of this item due to a noticing error on the City of West Hollywood's website and improper noticing on the project site. He spoke on neighborhood development, quality of life, safety, parking, loss of business and aesthetic issues.

VALERIE E. KADIUM, WEST HOLLYWOOD, opposes staff's recommendation of approval. She spoke regarding neighborhood compatibility.

ARON PLUCINSKI, WEST HOLLYWOOD, opposes staff's recommendation of approval.

HEAVENLY WILSON, WEST HOLLYWOOD, opposes staff's recommendation of approval.

TODD ELLIOTT, LOS ANGELES, opposes staff's recommendation of approval. He stated the Negative Declaration and the historical analysis is inadequate and incorrect.

RODGER N. KRUEGER, WEST HOLLYWOOD, has concerns regarding this item. He spoke on construction issues, neighborhood compatibility, and traffic mitigation.

STEVE MARTIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding new development, loss of housing, in-lieu fees, and affordable housing,

GEORGE CREDLE, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding height averaging, loss of housing units, and traffic mitigation.

TONY ZUBICK, LOS ANGELES, architect, declined to present the applicant's rebuttal.

Commissioner Altschul had concerns with improper noticing and un-secure site posting on the property. He requested a possible continuance to allow for proper noticing and secure site posting. He commented on the sensational design, but stated it is not compatible with the neighborhood.

Commissioner Altschul suggested the item be continued to allow for proper noticing and if the project is considered, to deny it on the basis of the right design, but in the wrong location.

Commissioner DeLuccio questioned the streamlining deadlines. He commented on the noticing issues and stated it is not compatible for the neighborhood. He stated the mezzanine is excessive. He could not support staff's recommendation.

John Keho, Planning Manager, quoted the West Hollywood Municipal Code regarding site postings and adequate noticing issues.

Discussion was held regarding adequate noticing and the implications on delaying the public hearing.

Commissioner Altschul withdrew his objections to the improper noticing; stating he thought it was the legally mailed notice that was incorrect, when in fact it was an error on the website noticing.

Vice-Chair Guardarrama questioned staff on the moratorium on development before the City Council.

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

Commissioner DeLuccio moved to: 1) deny staff's recommendation of approval.

Motion fails due to no second.

Chair D'Amico moved to: 1) approve staff's recommendation of approval.

Seconded by Vice-Chair Guardarrama.

Commissioner Bartolo stated her support of the design.

Commissioner Bartolo amended the motion to: a) eliminate the mezzanine; and b) provide a timber bamboo screen between the units.

TONY ZUBICK, LOS ANGELES, architect, stated for the record his design currently incorporates bamboo in the design and commented on the mezzanine level.

Commissioner Bartolo amended her original amended motion to: a) reduce the height of the building to 35 feet.

Chair D'Amico agreed to the amended motion.

Vice-Chair Guardarrama agreed to the amended motion.

Chair D'Amico requested the architect work with the city's urban designer.

Commissioner Hamaker stated her discontent on the current design of the building in relation to the neighborhood.

Commissioner DeLuccio commented on the incompatibility of the building.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-732 as amended: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-029 AND DEVELOPMENT PERMIT 2006-042, ON AN APPLICATION OF ANTHONY ZUBICK FOR PHILIPPE CHRIKI, FOR THE DEMOLITION OF THREE DWELLING UNITS AND THE CONSTRUCTION OF A THREE-STORY PLUS MEZZANINE LEVEL, SIX-UNIT CONDOMINIUM BUILDING, FOR THE PROPERTY LOCATED AT 523 N. ALFRED STREET, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 07-733 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-030 (MINOR LAND DIVISION 67747), FOR THE PROPERTY LOCATED AT 523 N. ALFRED STREET, WEST HOLLYWOOD, CALIFORNIA"; and 4) Close Public Hearing Item 9.C. **Moved by Chair D'Amico, seconded by Vice-Chair Guardarrama and passes on a Roll Call Vote:**

AYES: Commissioners Altschul, Bartolo, Vice-Chair
Guardarrama, Chair D'Amico.

NOES: DeLuccio, Hamaker.

ABSENT: None.

RECUSED: None.

D. 7868 ³/₄ Santa Monica Boulevard (Arbat Deli).

Conditional Use Permit 2006-004: Jory Phillips, Senior Planner, provided background information as presented in the staff report dated Thursday, May 17, 2007.

He provided a detailed history of the proposal, in which the applicant is requesting to allow alcohol sales for off-site consumption at an existing grocery store and delicatessen.

Arbat Deli has applied to the California Department of Alcoholic Beverage Control for a license to sell beer, wine, and distilled spirits for off-site consumption.

Due to the Arbat Deli's location, including its existing presence, design, and hours of operation, the proposed use will not create any significant adverse Impacts to adjacent businesses or residents.

Staff recommends approval.

Commissioner Bartolo questioned the square-footage of the proposed alcohol sales regarding shelf space.

Commissioner DeLuccio questioned if the Project Area Committee (PAC) had made any comments.

Staff noted they had no comments.

Chair D'Amico opened public testimony for Item 9.D.:

PATRICK PONZARELLO, SUN VALLEY, representing Arbat Deli, presented the applicants report. He spoke on the family history of the establishment, market clientele, square-footage - which would encompass [maybe] 20 square-feet total, or five by ten square-feet of merchandising or display area, kitchen facilities, store amenities, hours of operation, and public noticing. He requested the word "cigarettes" removed from Section 7.7 of draft Resolution No. PC 07-714. He requested approval.

Commissioner Altschul confirmed with the applicant they would not be selling “splits” or refrigerated singles.

PATRICK PONZARELLO, SUN VALLEY, representing Arbat Deli, confirmed for the record they would not be selling “splits” or refrigerated singles. He detailed the types of liquor for sale.

Commissioner Altschul questioned if the applicant would be willing to add a condition that no Vodka less than 750 milliliters, if it is refrigerated.

PATRICK PONZARELLO, SUN VALLEY, representing Arbat Deli, agreed to this added condition.

NATALYA VARTAPETOVA, STUDIO CITY, applicant, continued the applicants report. She spoke regarding the history of the family business. She requested approval.

ED BUCK, WEST HOLLYWOOD, spoke on behalf of JAKE LEE, WEST HOLLYWOOD, opposes staff’s recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on alcohol locations in the neighborhood, square-footage, and proposed alcohol training.

PATRICK PONZARELLO, SUN VALLEY, representing Arbat Deli, presented the applicants rebuttal. He reiterated the history of the market and clientele.

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

Commissioner Hamaker detailed her site visit and voiced her support.

Commissioner Hamaker moved to: 1) approve staff’s recommendation.

Seconded by Commissioner Altschul, with the following amendment:
a) nothing refrigerated under 750 milliliters.

Commissioner Hamaker agreed to this amendment and confirmed the applicant’s request referencing the removal of “cigarettes” in Section 7.7 of draft Resolution No. PC 07-714; allowing them to sell cigarettes.

Commissioner Bartolo added a condition the motion: a) the sale of alcohol shall be incidental to the operation of the grocery store.

Commissioner Hamaker agreed to this added condition.

Commissioner Altschul agreed to this added condition.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-714 as amended with the following added conditions: a) remove the reference of “cigarettes” from Section 7.7; b) nothing refrigerated under 750 milliliters; and c) the sale of alcohol shall be incidental to the operation of the grocery store, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING CONDITIONAL USE PERMIT 2006-004 TO ALLOW ALCOHOL SALES FOR OFF-SITE CONSUMPTION AT THE ARBAT DEL, AN EXISTING GROCERY STORE AND DELICATESSAN, FOR THE PROPERTY LOCATED AT 7868 ³/₄ SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA”; and 3) Close Public Hearing Item 9.D. **Moved by Commissioner Hamaker, seconded by Commissioner Altschul and unanimously carried.**

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 10:30 P.M. AND RECONVENED AT 10:35 P.M.

E. 1236-1244 N. Fairfax Avenue.

Demolition Permit 2006-041, Development Permit 2006-056, Tentative Tract Map 2006-025, Negative Declaration: Rachel Heiligman, Associate Planner, provided background information as presented in the staff report dated Thursday, May 17, 2007.

She provided a detailed history of the proposal, in which the applicant is requesting to demolish fourteen dwelling units and construct a three- and four-story, twenty-unit condominium building.

Overall, this project is well suited for this site and the surrounding neighborhood. This project will provide a net increase of seven housing units to the City’s housing stock.

John Chase, Urban Designer, presented the urban design analysis report. Staff recommends approval.

Commissioner Hamaker questioned if the neighboring property that houses a craftsman style house is deemed historical.

Staff stated for the record, the property in question, is not considered historical.

Chair D'Amico opened public testimony for Item 9.E.:

DANIEL BIBAWI, BEVERLY HILLS, architect, presented the applicant's report. He spoke on the design process, subterranean parking (with nineteen additional stalls), noise mitigation, unit locations, and the pool deck.

PATRICK AROFF, PACIFIC PALISADES, owner, continued the applicant's report. He thanked staff and spoke on the architectural style, common space areas, and in-lieu fees.

Commissioner Hamaker had concerns with the massing on the south façade and questioned possible setbacks.

LARRY NEUMEISTER, WEST HOLLYWOOD, opposes staff's recommendation of approval.

TOM MADIGAN, WEST HOLLYWOOD, has concerns regarding this item. He spoke on home based businesses, construction, noise, increased traffic, and neighborhood compatibility.

STEVE NELSON, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

MARK ROWLAND, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

R.C THORNTON, LOS ANGELES, one of the principals of the project, spoke in support of staff's recommendation of approval.

GEORGE CREDLE, WEST HOLLYWOOD, opposes staff's recommendation of approval.

RANDALL DERRICK, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the driveway and increased trips, and massing.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on the additional parking and questioned if it was free standing or tandem.

DANIEL BIBAWI, BEVERLY HILLS, architect, presented the applicant's rebuttal. He confirmed the extra nineteen parking stalls are tandem. He spoke on noise concerns, home based businesses, and construction issues.

PATRICK AROFF, PACIFIC PALISADES, owner, continued the applicant's rebuttal. He spoke on construction noise mitigation.

Chair D'Amico questioned staff if all relocation was done properly, height averaging and if there was a historical evaluation done.

Commissioner Altschul questioned the use of the extra nineteen parking spaces.

DANIEL BIBAWI, BEVERLY HILLS, architect, stated the nineteen extra stalls would be utilized by the tenants. The side-by-side parking would be used by guests.

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

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

Seconded by Commissioner Bartolo.

Commissioner Hamaker had concerns regarding the driveway and questioned staff on usage. She is not in favor of the design (massing) on the south façade.

Commissioner DeLuccio stated his support of the design and that the project is well suited for the site.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-735 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-041 AND DEVELOPMENT PERMIT 2006-056, ON AN APPLICATION OF THE ICON FAIRFAX, LLC, TO PERMIT THE DEMOLITION OF FOURTEEN DWELLING UNITS AND THE CONSTRUCTION OF A THREE- AND FOUR-STORY, TWENTY-UNIT CONDOMINIUM BUILDING, FOR THE PROPERTY LOCATED AT 1236-1244 N. FAIRFAX AVENUE, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 07-736 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-025 (MINOR LAND DIVISION 066671), FOR THE PROPERTY LOCATED AT 1236-1244 N. FAIRFAX AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 4) Close Public Hearing Item 9.D. **Moved by Commissioner Altschul, seconded by Commissioner Bartolo and unanimously carried.**

- F. 1020 N. San Vicente Boulevard (Bel Age Hotel). Conditional Use Permit 2006-012, Development Permit 2006-031:** Applicant is requesting the addition of twenty-three hotel rooms to an existing hotel to include a 6,813 square-foot restaurant, a 2,953 square-foot nightclub, creation of a 6,361 square-foot spa in an unoccupied area on the tenth floor, and existing landscape improvements.

ACTION: Continue to Thursday, May 31, 2007. **Motion carried by consensus of the Commission.**

- 10. NEW BUSINESS.** None.
- 11. UNFINISHED BUSINESS.** None.
- 12. EXCLUDED CONSENT CALENDAR.** None.
- 13. ITEMS FROM STAFF.**

A. Director's Report.

Susan Healy Keene, Community Development Director, provided an update on current items going before the City Council. She stated new Commissioner Marc Yeber will be joining the commission at the next meeting.

B. Planning Manager's Update.

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission, and provided an update on the Holly Hills Storm Project.

He stated for the record, due to Christopher Street West festivities, the Planning Commission meeting on Thursday, June 7, 2007 will take place at Plummer Park Community Center, Rooms 5 and 6, at 6:30 P.M.

14. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the Code Compliance Division, the West Hollywood Sheriff's Department and illegal signage.

15. ITEMS FROM COMMISSIONERS.

Chair D'Amico had concerns regarding the amount of projects on upcoming agendas. He requested possible additional meetings to handle the influx of projects. He requested items generated by staff, placed at the end of the agendas, and indicated four public hearing items is sufficient.

Commissioner Altschul questioned if a special meeting could be added on Thursday, June 18, 2007.

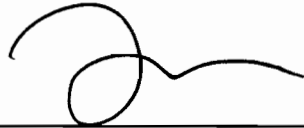
Susan Healy Keene, Community Development Director, stated staff will look into this issue and bring back some possible dates and alternate locations.

Commissioner Bartolo stated she will be absent from the special meeting scheduled on Thursday, May 31, 2007.

Commissioner DeLuccio stated he will be absent from the special meeting scheduled on Thursday, May 31, 2007.

16. **ADJOURNMENT:** The Planning Commission adjourned at 11:30 P.M. to a specially scheduled meeting of the Planning Commission, which will be on Thursday, May 31, 2007 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 31ST DAY OF MAY, 2007.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR