



PLANNING COMMISSION MINUTES
Regular Meeting
July 19, 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 6:40 P.M.

2. PLEDGE OF ALLEGIANCE: Susan Healy Keene led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: None.

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

4. SPECIAL ORDER OF BUSINESS:

A. ELECTION OF CHAIR.

ACTION: Elect Joseph Guardarrama as Chair of the Planning Commission for a term ending June 30, 2008. **Moved by Chair D'Amico, seconded by Commissioner DeLuccio and unanimously carried.**

B. ELECTION OF VICE-CHAIR.

ACTION: Elect Kate Bartolo as Vice-Chair of the Planning Commission for a term ending June 30, 2008. **Moved by Commissioner DeLuccio, seconded by Chair Guardarrama and unanimously carried.**

5. APPROVAL OF AGENDA:

Move Public Hearing Items 10.A. (Tentative Tract Map 2007-011, 925 N. Genesee Avenue) and Item 10.B. (Tentative Tract Map 2007-012, 912-914 N. San Vicente Boulevard) to Consent Calendar.

ACTION: Approve the Planning Commission Agenda of Thursday, July 19, 2007 as amended. **Moved by Commissioner DeLuccio, seconded by Commissioner D'Amico; notating the no vote of Commissioner Hamaker.**

6. APPROVAL OF MINUTES.

A. June 21, 2007

Commissioner Hamaker requested verification and correction of her roll call vote regarding Item 9.C. (7700 Santa Monica Boulevard, Voda Spa); page 14 of 17.

Commissioner Yeber objected to the verbiage used to convey the context of his statement; 3rd paragraph, page 13 of 17, "...questioned the layout and alcohol service regarding the restaurant and bar area(s)," regarding Item 9.C. ((7700 Santa Monica Boulevard, Voda Spa).

ACTION: Continue to Thursday, August 2, 2007. **Motion carried by consensus of the Commission.**

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 6:45 P.M. AND RECONVENED AT 6:50 P.M.

7. PUBLIC COMMENT.

BRUNO DULUCH, WEST HOLLYWOOD, opposes staff's recommendation of approval regarding the tentative tract map at 925 N. Genesee Avenue, West Hollywood, California.

8. ITEMS FROM COMMISSIONERS.

Commissioner DeLuccio congratulated in-coming Chair Guardarrama and Vice-Chair Bartolo. He thanked Commissioner D'Amico for his service as Chair. He commented on the land uses regarding tentative tract maps.

Commissioner D'Amico thanked the other commissioner's for their support during his term as Chair.

Commissioner Altschul thanked Commissioner D'Amico for his excellent service as Chair. He congratulated in-coming Chair Guardarrama and Vice-Chair Bartolo.

Commissioner Yeber congratulated in-coming Chair Guardarrama and Vice-Chair Bartolo.

Commissioner Hamaker requested Item 10.A. (Tentative Tract Map 2007-011, 925 N. Genesee Avenue) pulled from the Consent Calendar. She congratulated in-coming Chair Guardarrama and Vice-Chair Bartolo.

Vice-Chair Bartolo thanked Commissioner D'Amico for his excellent service as Chair.

Chair Guardarrama thanked Commissioner D'Amico for his excellent service as Chair.

9. CONSENT CALENDAR.

A. 925 Genesee Avenue.

Tentative Tract Map 2007-011:

Applicant is requesting to subdivide a four-unit residential project into a common interest development.

ACTION: 1) Move to Excluded Consent Calendar. **Motion carried by consensus of the Commission.**

B. 912-914 N. San Vicente Boulevard.

Tentative Tract Map 2007-012:

Applicant is requesting to subdivide a five-unit residential project into a common interest development.

ACTION: 1) Approve the application, 2) Adopt Resolution No. PC 07-754 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2007-012 (MINOR LAND DIVISION 60860), FOR THE PROPERTY LOCATED AT 912-914 N. SAN VICENTE BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.B. **Moved by Commissioner DeLuccio, seconded by Commissioner Altschul and unanimously carried.**

10. PUBLIC HEARINGS.

A. 925 Genesee Avenue.

Tentative Tract Map 2007-011:

Applicant is requesting to subdivide a four-unit residential project into a common interest development.

ACTION: Moved to Consent Calendar as part of the amended agenda. **Moved by Commissioner DeLuccio, seconded by Commissioner D'Amico; notating the no vote of Commissioner Hamaker.**

B. 912-914 N. San Vicente Boulevard.

Tentative Tract Map 2007-012:

Applicant is requesting to subdivide a five-unit residential project into a common interest development.

ACTION: Move to Consent Calendar as part of the amended agenda. **Moved by Commissioner DeLuccio, seconded by Commissioner D'Amico.**

**C. 8410 Sunset Boulevard..
Creative Sign Permit 2005-003:**

Jory Phillips, Senior Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, July 19, 2007.

He provided background history and information of the site and stated the proposal includes adding an array of varied-length metal elements to the façade of the existing structure, each housing an LED module. The proposal does not include the display of advertising.

He stated for the record, a lighting study was conducted that found the proposal would not cause significant light and glare impacts. The proposed creative sign as modified by the conditions of Resolution No. PC 07-759 are keeping with the intent and wording of the Creative Sign provisions of the City's Zoning Code.

Staff recommends approval.

LE NGUYEN, of Francis Krahe and Associates, presented the lighting study report. She spoke on the lighting impacts to the neighbors and surrounding areas. She highlighted the project objectives, light glare, sound and light movement, consistency with the Sunset Specific Plan, compatibility with signage regulations, evaluation of substantial light and glare, and obtrusive visual impacts. She detailed luminance, foot candles, light trespass, light clutter, LED's, nits, line of sight(s), luminance and light output.

John Chase, Urban Designer, presented the urban design report. He detailed the current videotron, the impacts on surrounding projects, advertising, and the possible "landmark" element addition to the Sunset Strip.

Commissioner Altschul questioned the legality of imposing timeframes.

Commissioner Hamaker requested clarification on the existing advertising in relation to the new proposal and questioned if the cumulative effect of both elements was taken into account.

Commissioner Yeber requested clarification regarding pedestrian orientation.

Chair Guardarrama questioned the constraints and legalities regarding First Amendment rights and the new signage.

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

Commissioner Hamaker disclosed for the record she drove-by the site.

Commissioner D'Amico disclosed for the record he drove-by the site and participated in the Design Review Subcommittee meeting.

Commissioner Altschul disclosed for the record he drove-by the site.

Vice-Chair Bartolo disclosed for the record she drove-by the site and participated in the Design Review Subcommittee meeting.

Chair Guardarrama disclosed for the record she drove-by the site.

Chair Guardarrama opened public testimony for Item 9.C.:

WAYNE AVRASHOW, ENCINO, representing the applicant, presented the applicant's report. He provided a graphic and detailed the history of the proposed project. He stated it is an undulating aluminum sign and architectural statement. He detailed the light, art and technology of the requested signage and spoke on LED bulbs and bars, ambient lighting, aluminum tubage, brightness, motion and speed.

He stated for the record this is not for commercial use. There are to be no images and it is not intended to sell advertising or text. He volunteered a condition regarding a finite amount of time regarding a "test period".

JOSEPH SHOOSHANI, BEVERLY HILLS, applicant, continued the applicant's report. He detailed the lighting, technology, testing, and spoke on mathematical studies.

Commissioner DeLuccio questioned the applicant regarding the time-frames implied and asked if the project is able to be assembled and installed in phases.

WAYNE AVRASHOW, ENCINO, representing the applicant, suggested a sixty-(60) to ninety-(90) day time frame, however, is open to staff's suggestion(s).

EDWARD LEVIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke on conditioning any approval by reducing the illumination levels and the motion of the main Jumbotron.

JACK WISHARD, WEST HOLLYWOOD, opposes staff's recommendation of approval.

LORENA MENDOZA, BEVERLY HILLS, supports staff's recommendation of approval.

MARK ZELLER, WEST HOLLYWOOD, opposes staff's recommendation of approval.

ALLEGRA ALISON, WEST HOLLYWOOD, supports staff's recommendation of approval.

WAYNE AVRASHOW, ENCINO, representing the applicant, presented the applicant's rebuttal. He stated for the record the installation of the project could be done in two phases. The first phase would be facing Sunset Boulevard (the western facing driver). A time-frame could be imposed at this time, which could be worked out with staff. Phase two could be installed after coming back before the commission to address any issues that may arise.

He spoke on motion, lightscape and text. He reiterated there will be no advertising. He commented on traffic issues.

Commissioner D'Amico questioned the cost and time frame(s) of phasing the installations.

JOSEPH SHOOSHANI, BEVERLY HILLS, applicant, stated he was hoping to have this completed for the New Year.

Commissioner D'Amico commented on the artistic continuity of billboards and buildings on the Sunset Strip.

Commissioner Altschul moved to: 1) approve staff's recommendation of approval with the following additions: a) the project shall be conceived in two phases (language description regarding the phases shall be worked out by staff and applicant's representatives); b) after final installation of the first phase, ninety days shall be allowed for testing and review, at the end of ninety days, staff and the Community Development Director feels if it is sufficiently correct, the Community Development Director shall be authorized to approve the second phase; c) the second phase shall be accorded an additional ninety days (from the date of installation), and at that time it shall be returned to the Planning Commission for review: i) it shall either cease; or ii) it shall be granted an additional period of time; or iii) given a permanent conditional use permit.

Seconded by Commissioner DeLuccio.

Vice-Chair Bartolo commented and detailed neighborhood impacts, driver visibility, and how the project artistically integrates the other existing signage on-site. She spoke on the in-depth light study analyses. She recommended the Director of Community Development and applicant work to achieve the directive of reducing the impacts of the Jumbotron. She would like to leave it to the Director's discretion to figure out how to achieve that directive in exchange for approving the project without going through the phases and ninety-day testing. She commented on traffic issues. She would ask the applicant to work with the Director of Community Development to revisit the Jumbotron; the lighting, the glare and the neighbor's issues.

Commissioner Hamaker questioned how this can be called a creative sign and not allowing them to use "text". She stated her concerns regarding land use issues.

Christi Hogin, Assistant City Attorney, stated this is not a stand-alone independent sign, but would be classified as an integrated whole of a presentation.

Commissioner DeLuccio questioned if the original Jumbotron conditions are wrapped into the current resolution.

John Keho, Planning Manager stated for the record, Condition 1.5) of Resolution No. PC 07-759, wraps the original conditions of the Jumbotron signage into this.

Commissioner Altschul added to the motion: 1) applicant and the city attorney shall work out language, agreeable to both, allowing the commission to cut off and stop it at appropriate times.

Commissioner DeLuccio agreed to this added condition.

Commissioner Yeber had concerns with the impacts of the existing videotron.

Chair Guardarrama stated his support for the project. He is confident neighborhood impacts will be minimized. He would hope to see a review of the whole sign taken into account at the end of the ninety days of both phases; rather than just the new light display.

ACTION: Close public testimony for Item 10.C. **Motion carried by consensus of the Commission.**

Discussion was held regarding the illumination of the existing Jumbotron.

ACTION: 1) Bring back Resolution No. PC 07-759 as amended on Thursday, August 2, 2007 with the following conditions: a) the project shall be conceived in two phases (language description regarding the phases shall be worked out by staff and applicant's representatives); b) after final installation of the first phase, ninety days shall be allowed for testing and review, at the end of ninety days, staff and the Community Development Director feels if it is sufficiently correct, the Community Development Director shall be authorized to approve the second phase; c) the second phase shall be accorded an additional ninety days (from the date of installation), and at that time it shall be returned to the Planning Commission for review: i) it shall either cease; or ii) it shall be granted an additional period of time; or iii) given a permanent conditional use permit; d) staff shall look at the whole sign in the analyses; not just the creative sign portion discussed tonight; and e) applicant and the city attorney shall work out language, agreeable to both, allowing the commission to cut off and stop it at appropriate times. 2) Close Public Hearing Item 9.C. **Moved by Commissioner Altschul, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: None.

RECUSED: None.

**D. 8210 Fountain Avenue.
Demolition Permit 2006-033, Development Permit 2006-047, Tentative Tract Map 2006-017, Negative Declaration:**

Request to demolish four existing structures on site that comprise an eight-unit apartment complex, and construct a new nine-unit condominium structure using the Courtyard Housing Standards.

ACTION: 1) Continue to Thursday, August 2, 2007. **Motion carried by consensus of the Commission.**

**E. 1223 N. Larrabee Street.
Demolition Permit 2006-030, Development Permit 2006-044:**

Request to demolish an existing single-family residential structure and construct a new eight-unit condominium structure.

ACTION: 1) Continue to Thursday, July 26, 2007. **Motion carried by consensus of the Commission.**

11. NEW BUSINESS.

A. Appointments to Working Group.

Working Group established for the City Hall Community Service Center and Parking Project.

ACTION: 1) Appoint Marc Yeber; and 2) Barbara Hamaker to the Working Group. **Motion carried by consensus of the Commission.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR.

A. 925 Genesee Avenue.

Tentative Tract Map 2007-011:

John Keho, Planning Manager, stated the applicant is requesting to subdivide a four-unit residential project into a common interest development.

Commissioner Hamaker questioned if this project would have come before the Planning Commission if it had originally been proposed as a condominium project.

John Keho, Planning Manager Manager, stated it would have.

Commissioner Hamaker stated her objection and her concerns with applicant's by-passing the Planning Commission. She stated her no votes will accompany all such requests in the future.

Commissioner DeLuccio stated his concerns and would like to see staff come back incorporating a recommendation to City Council involving the subcommittee taking an active role in these types of projects.

ACTION: 1) Approve the application, 2) Adopt Resolution No. PC 07-755 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2007-011 (MINOR LAND DIVISION 66519), FOR THE PROPERTY LOCATED AT 925 N. GENESEE AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.A. **Moved by Chair Guardarrama, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

AYES: Commissioners DeLuccio, Yeber, Vice-Chair Bartolo, Chair Guardarrama.
NOES: Altschul, D'Amico, Hamaker.
ABSENT: None.
RECUSED: None.

14. ITEMS FROM STAFF.

Director's Report.

Susan Healy Keene, Community Development Director, provided an update on City Council actions taken on Monday, July 16, 2007: 1) recommendation of the Planning Commission to the City Council to approve the addition of design compatibility findings; 2) extension of the Interim Urgency Ordinance addressing development standards in the R3 and R4 zones; and 3) an appeal which was upheld by the City Council regarding the property located at 1236-1244 N. Fairfax Avenue, West Hollywood, California.

She announced the promotions of Michelle Bell to the Department of Transportation and Public Works, and Eddie Robinson to the Rent Stabilization Department.

Planning Manager's Update.

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission. He introduced Chris Carrao, Assistant Planner, stated Terry Blount, Associate Planner has accepted a position with the City of Berkeley, California, and Elinor Aurthur, a former Assistant Planner who recently passed away.

He reminded the commission of the special Planning Commission meeting on Thursday, July 26, 2007.

15. PUBLIC COMMENT. None.

16. ITEMS FROM COMMISSIONERS.

Commissioner Yeber questioned the noticing time-lines for site-postings. He requested staff to check and verify the site-posting for the property located at 8210 Fountain Avenue, West Hollywood, California.

Commissioner Hamaker stated her concerns regarding private student loans.

Chair Guardarrama thanked everyone for the opportunity to serve as Chair.

17. **ADJOURNMENT:** The Planning Commission adjourned at 9:00 P.M. to a specially scheduled meeting of the Planning Commission, which will be on Thursday, July 26, 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 2ND DAY OF AUGUST, 2007.


CHAIRPERSON

ATTEST:


COMMUNITY DEVELOPMENT DIRECTOR