



PLANNING COMMISSION MINUTES
Regular Meeting
December 6, 2007

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 6:40 P.M.

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

3. ROLL CALL:

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

Commissioners Absent: Vice-Chair Bartolo.

Staff Present: Jennifer Noel, Associate Planner, Francie Stefan, Senior 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:

Item 9.B. (8240 Sunset Boulevard – Amendment Permit 2007-004) was officially requested withdrawn by the applicant.

Move Item 9.C. (917 N. Sierra Bonita Avenue – Tentative Tract Map 2007-019) to Consent Calendar as Item 8.A.

ACTION: Approve the Planning Commission Agenda of Thursday, December 6, 2007 as amended. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Vice-Chair Bartolo.**

5. APPROVAL OF MINUTES.

Commissioner Yeber notated an error under Item 10.A. New Business; page 12 of 13 - "...appointed to the Design Review Subcommittee" should read as: "...appointed to the Planning Commission Long-Range Planning Projects Subcommittee."

A. November 15, 2007

ACTION: Approve the Planning Commission Minutes of Thursday, November 1, 2007 as amended. **Moved by Commissioner Altschul, seconded by Commissioner DeLuccio and unanimously carried; notating the abstention of Vice-Chair Bartolo.**

6. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the Palm Project, located at 9001-9017 Santa Monica Boulevard, West Hollywood, California.

STEVE MARTIN, WEST HOLLYWOOD, commented on the Palm Project, located at 9001-9017 Santa Monica Boulevard, West Hollywood, California.

7. ITEMS FROM COMMISSIONERS.

Commissioner DeLuccio stated for the record, he voted “no” regarding the Palm Project, located at 9001-9017 Santa Monica Boulevard, West Hollywood, California.

Commissioner D’Amico questioned if there are any upcoming projects with General Plan amendments; which could be reviewed separately without a Development Agreement. He requested a listing of these projects.

Commissioner DeLuccio requested if the General Plan amendments item could be agendaized for discussion at a future meeting.

Commissioner Hamaker commented on safe driving skills.

8. CONSENT CALENDAR.

A. 917 N. Sierra Bonita Avenue.

Tentative Tract Map 2007-019:

Applicant is requesting to subdivide land for a five-unit townhouse condominium currently under construction that has prior tentative tract map approval.

ACTION: 1) Approve the application; and 2) Adopt Resolution No. PC 07-787 as presented: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2007-019 (MINOR LAND DIVISION NO. 69791), FOR THE PROPERTY LOCATED AT 917 N. SIERRA BONITA AVENUE, WEST HOLLYWOOD, CALIFORNIA”. **Moved by Commissioner Altschul, seconded by Commissioner DeLuccio and unanimously carried; notating the abstention of Vice-Chair Bartolo.**

Commissioner Altschul recused himself from the dais; stating his residence is within the 500' radius of the property.

9. PUBLIC HEARINGS.

A. 1223 N. Larrabee Street.

Demolition Permit 2006-030, Development Permit 2006-044, Tentative Tract Map 2006-021, Negative Declaration:

Continued from Thursday, July 26, 2007. Jennifer Noel, Associate Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, December 6, 2007.

She stated the applicant is requesting permits to demolish an existing single-family residential structure and construct in its place an eight-unit, multi-family residential condominium structure. She detailed neighborhood meetings, reconfigurations, elevations, and stated the property is not eligible as a national, state or local level of historical significance.

John Chase, Urban Designer, presented the Design Review Subcommittee report. He spoke on the massing and façade appearance. He stated this project is exemplary architecture.

Staff recommends approval.

Commissioner Hamaker questioned the landscaping plans.

Commissioner Yeber questioned the number of parking spaces.

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

Chair Guardarrama opened public testimony for Item 9.A:

WHITNEY SANDER, VENICE, applicant, presented the applicant's report. He detailed the history of the project and spoke on parking spaces, landscaping, noise, view corridors, height elevations, massing, usable interior space, light and shadow, materials, architectural style, and trash receptacles.

WAYNE AVRASHOW, ENCINO, applicant's attorney, continued the applicants report. He summarized density, building heights, parking, views, and stated conformance with the Zoning Ordinance.

RICHARD ROTHENBERG, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

ROBERT BURNSIDE, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

BRAD LEATHERS, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

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

LAURIE MARIE, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

GENE SMITH, WEST HOLLYWOOD, opposes staff's recommendation of approval.

STEPHEN MARTIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke on residential development and environmental issues.

RICHARD LIGHT, WEST HOLLYWOOD, has concerns regarding this item. He spoke on scale and massing, green space, design and neighborhood compatibility.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on parking and entitlements.

DOUG DECKER, LONG BEACH, opposes staff's recommendation of approval.

WAYNE AVRASHOW, ENCINO, applicant's attorney, presented the applicant's rebuttal. He spoke on zoning and planning timelines, green ordinance, CC& R's, and parking.

Commissioner Hamaker questioned the boxed trees and root restrictions. She would like to see more, lush landscaping.

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

Commissioner D'Amico questioned the number of parking spaces.

Chair Guardarrama commented on the evolution of the project.

Chair Guardarrama moved to: 1) approve staff's recommendation with the following added condition: a) a provision shall be included into the Covenants, Codes and Restrictions (CC&R's), stating all units are one (1) bedrooms; which shall not be converted into any other size.

Seconded by Commissioner D'Amico.

Commissioner Hamaker stated her concerns regarding the landscaping. She could not support the project with the current landscaping plan.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-758 as amended: a) the Covenants, Codes and Restrictions (CC&R's) shall state all units are one (1) bedroom, which shall not be converted into any other size. "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION, AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-030 AND DEVELOPMENT PERMIT 2006-044, FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND THE CONSTRUCTION OF A NEW EIGHT-UNIT, MULTI-FAMILY RESIDENTIAL STRUCTURE, FOR THE PROPERTY LOCATED AT 1223 N. LARRABEE STREET, WEST HOLLYWOOD, CALIFORNIA; 3) Adopt Resolution No. PC 07-796 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING TENTATIVE TRACT MAP 2006-021, FOR THE DEVELOPMENT OF EIGHT (8) CONDOMINIUM UNITS, FOR THE PROPERTY LOCATED AT 1223 N. LARRABEE STREET, WEST HOLLYWOOD, CALIFORNIA"; and 4) Close Public Hearing Item 9.A. **Moved by Chair Guardarrama, seconded by Commissioner D'Amico and passes on a Roll Call Vote:**

AYES: Commissioners D'Amico, DeLuccio, Yeber, Chair Guardarrama.

NOES: Commissioner Hamaker.

ABSENT: Vice-Chair Bartolo.

RECUSED: Commissioner Altschul.

Commissioner Altschul returned to the dais at this time.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:40 P.M. AND RECONVENED AT 7:50 P.M.

B. 8240 Sunset Boulevard (The Beach on Sunset).

Amendment Permit 2007-004:

Applicant is requesting to modify the approved hours, interior layout, seating plan and occupancy restriction of an existing restaurant, a request for ten (10) one-day accessory business activities, and a request for accessory live DJ music.

ACTION: 1) Application officially withdrawn by the applicant as part of the amended agenda, for the property located at 8240 Sunset Boulevard, West Hollywood, California **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Vice-Chair Bartolo.**

C. 917 N. Sierra Bonita Avenue.

Tentative Tract Map 2007-019:

Applicant is requesting to subdivide land for a five-unit townhouse condominium currently under construction that has prior tentative tract map approval.

ACTION: Moved to Consent Calendar (Item 8.A.) as part of the amended agenda. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Vice-Chair Bartolo.**

D. 8017-8023 Norton Avenue.

Demolition Permit 2006-042, Development Permit 2006-057, Tentative Tract Map 2006-026, Negative Declaration:

Jennifer Noel, Associate Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, December 6, 2007.

She stated the applicant is requesting permission to demolish four structures on two lots containing a total of thirteen rental units and to construct a new sixteen-unit condominium structure. The proposed new structure would be four stories above a fully subterranean garage containing thirty-two parking spaces for residents, and four additional parking spaces for guest parking.

John Chase, Urban Designer, presented the Design Review Subcommittee report. He detailed the façade, differentiation of materials and windows.

Jennifer Noel, Associate Planner, detailed current rental units on the property and past violations. Staff recommends approval.

Commissioner Yeber questioned the “front entrance”; which is not visible on the plans.

Commissioner Altschul questioned the parking spaces.

Commissioner DeLuccio disclosed for the record he drove by the site.

Commissioner Yeber disclosed for the record he drove by the site.

Chair Guardarrama disclosed for the record he drove by the site.

Chair Guardarrama opened public testimony for Item 9.D:

RODNEY V. KHAN, GLENDALE, applicant, presented the applicant's report. He detailed the history of the project property and spoke regarding the current rental units, on-site parking, architectural style, entryway, rear balconies, common open space and landscaping.

LESLIE GERSICOFF, WEST HOLLYWOOD, has concerns regarding this item. She spoke on residential development and neighborhood compatibility.

BERNICE LEVIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on renter's rights, landscaping, parking and traffic issues.

JAMES WESTMORELAND, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding renter's rights.

LISA BROWN, WEST HOLLYWOOD, as concerns regarding this item. She spoke on loss of views, light and shadow.

STEVE MARTIN, WEST HOLLYWOOD, opposes staff's recommendation of approval.

RODNEY V. KHAN, GLENDALE, applicant, presented the applicant's rebuttal. He spoke regarding the architectural style, parking, and renter's relocation issues.

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

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:15 P.M. TO VIEW THE MASSING MODEL AND RECONVENED AT 8:20 P.M.

Commissioner Altschul had concerns regarding the architectural style, massing and neighborhood compatibility. He suggested the project should be denied, and/or have the project return to the Design Review Subcommittee to address the massing. He recommended the applicant reduce the massing and consider making it compatible with the neighborhood. He also suggested the proper city agencies should investigate the current issues regarding the existing rental units.

Commissioner Altschul moved to: 1) continue to a date uncertain; 2) re-submit to Design Review Subcommittee; and 3) appropriate staff shall investigate the current issues regarding the existing rental units.

Seconded by Commissioner DeLuccio.

Commissioner DeLuccio had concerns regarding neighborhood compatibility.

Commissioner Yeber had concerns regarding neighborhood compatibility and the parking configuration.

Commissioner Hamaker questioned the square-footage of the apartments. She commented on renter's rights and developer's rights.

Commissioner D'Amico stated his appreciation for the architecture, and commented on in-fill architecture.

John Keho, Planning Manager, stated for the record, this project would need to be brought back to the Planning Commission no later than Thursday, January 17, 2008, due to the Permit Streamlining Act. This can be by-passed if the applicant agrees to a waiver of this condition.

RODNEY V. KHAN, GLENDALE, applicant, stated for the record, they would be agreeable to the waiver.

Christi Hogan, Assistant City Attorney, stated this would be memorialized in writing by staff.

ACTION: 1) continue to a date uncertain; 2) re-submit to Design Review Subcommittee to address massing; and 3) appropriate city agencies shall investigate the current issues regarding the existing rental units, for the property located at 8017-8023 Norton Avenue, West Hollywood, California." **Moved by Commissioner Altschul, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: Vice-Chair Bartolo.

RECUSED: None.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:25 P.M. AND RECONVENED AT 8:30 P.M.

E. Zone Text Amendment 2007-007 (Tall Wall Signage).

Francie Stefan, Senior Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, December 6, 2007.

She presented a history of the applicant's request to amend the Zoning Ordinance regarding Tall Walls. The proposed amendment would increase the maximum allowable image area that can be comprised of windows from fifteen (15%) to thirty (30%).

Staff recommends denial of the proposed amendment.

Commissioner Hamaker requested clarification regarding the CEQA analyses.

Chair Guardarrama opened public testimony for Item 9.E:

ROBERTA SPONSLER, HERMOSA BEACH, applicant, presented the applicant's report. She spoke on window graphic usage and impressions.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on economic incentives regarding billboard companies.

Commissioner Yeber questioned the economic incentives.

Commissioner Hamaker questioned the aesthetics regarding the impacts on the interior of the building.

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

Commissioner Yeber moved to: 1) deny the application.

Seconded by Commissioner Altschul.

Commissioner Hamaker had concerns regarding the proliferation of advertising.

Commissioner DeLuccio had concerns with the current window percentages.

Commissioner Altschul stated his support of staff's recommendation of denial.

ACTION: 1) Deny the application; 2) Adopt Resolution No. PC 07-797 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL, DENIAL OF ZONE TEXT AMENDMENT 2007-007, RELATING TO THE PERCENTAGE OF TALL WALL IMAGE AREA THAT CONSISTS OF WINDOWS, LOCATED CITY-WIDE, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.E. **Moved by Commissioner Yeber, seconded by Commissioner Altschul and passes on a Roll Call Vote:**

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

10. NEW BUSINESS.

A. General Plan Update.

Susan Healy Keene, Director of Community Development, presented an update on the General Plan regarding the upcoming public forums. She urged the public for their support and input in this process.

ACTION: 1) Receive and file. **Motion carried by consensus of the Commission.**

B. Planning Commission Meeting Amendment.

ACTION: Officially schedule a special meeting of the Planning Commission on Thursday, January 31, 2008. **Moved by Chair Guardarrama, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Vice-Chair Bartolo.**

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

A. Director's Report. None.

B. Planning Manager's Update.

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission. He detailed the Context Statement, which was recently heard before the Historic Preservation Commission and the possible affect(s) on neighborhoods.

14. **PUBLIC COMMENT.** None.

15. **ITEMS FROM COMMISSIONERS.**

Commissioner Yeber questioned if there are any regulations regarding barbeque smoke. He wished everyone a safe and happy holiday.

Commissioner Hamaker wished everyone happy holidays. She commented on the holiday lights at Temple Kol Ami.

Chair Guardarrama wished everyone happy holidays.

16. **ADJOURNMENT:** The Planning Commission adjourned at 9:05 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, January 17, 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 17TH DAY OF JANUARY, 2008.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR

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