



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**September 15, 2005**

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

**1. CALL TO ORDER:**

Chair Thompson called the meeting of the Planning Commission to order at 6:34 P.M.

**2. PLEDGE OF ALLEGIANCE:** Jeff Skornek led the Pledge of Allegiance.

**3. ROLL CALL:**

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

Commissioners Absent: None.

Staff Present: Oscar Delgado, Parking Manager; Jeffery Skornek, Housing Division Manager; Rachel Heiligman, Assistant Planner; Terry Blount, Associate Planner; Francie Stefan, Senior Planner; John Keho, Planning Manager; Michael Jenkins, City Attorney and David Gillig, Commission Secretary.

**4. APPROVAL OF AGENDA:**

**ACTION:** Move and hear Item 9.D.: Zone Text Amendments 2005-004 and 2005-005 (out of order), before Item 9.A. (Mitigated Negative Declaration, Demolition Permit 2004-026, Development Permit 2004-035). **Motion carried by consensus of the Commission.**

**ACTION:** Approve the Planning Commission Agenda of Thursday, September 15, 2005 as amended. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**A. September 1, 2005**

**ACTION:** Approve the Planning Commission Minutes of Thursday, September 1, 2005 as presented. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

**6. PUBLIC COMMENT.** None.

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

**8. CONSENT CALENDAR.** None.

**9. PUBLIC HEARINGS.**

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

**D. City-Wide.**

**Zone Text Amendment 2005-004, Zone Text Amendment 2005-005.**

Rachel Heiligman, Assistant Planner, presented the staff report. She detailed the history of amending the language of the Vehicle Towing Signs and Affordable Housing Requirements for Condominium Conversions.

The amendment relating to affordable housing requirements for condominium conversions would remove ambiguous language and clarify that condominium conversions are subject to the same affordable housing requirements as new housing projects.

The amendment relating to vehicle towing signage would improve the consistency of the Zoning Ordinance with state laws, permit the Code Compliance Division to exercise administrative remedies for property/business owners not in compliance with vehicle towing sign requirements in non-residential parking areas, and further protect the constituents and visitors to West Hollywood from being overcharged for vehicle towing.

Staff recommends approval of these changes to the Zoning Ordinance to the City Council.

Commissioner Altschul questioned the towing requirements and procedures regarding residential properties.

Oscar Delgado, Parking Manager, stated at this time the City is primarily concerned with commercial properties. He indicated they will be looking at the residential aspect at a later time.

Vice-Chair D'Amico questioned Section 19.22.030 Affordable Units Required; specifically regarding duplexes and four-plexes.

Jeffrey Skorneck, Housing Division Manager, presented a brief history regarding the in-lieu fee and how this relates to this section.

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

**ACTION:** 1) Adopt Resolution No. PC 05-616 as presented “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL, APPROVAL OF ZONE TEXT AMENDMENT 2005-004 RELATING TO VEHICLE TOWING SIGNS, AND ZONE TEXT AMENDMENT 2005-005 RELATING TO AFFORDABLE HOUSING REQUIREMENTS FOR PROJECTS CONVERTING RENTAL HOUSING TO CONDOMINIUMS”; CITY-WIDE, WEST HOLLYWOOD, CALIFORNIA”; and 2) close Public Hearing Item 9.D. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

**AYES:** Commissioners Altschul, Bartolo, DeLuccio, Guardarrama, Hamaker, Vice-Chair D’Amico, Chair Thompson.

**NOES:** None.

**ABSENT:** None.

**A. 8900 and 8920 Beverly Boulevard;  
152 La Peer Drive; and 145 N. Swall Drive. (Beverly Place Project)  
Demolition Permit 2004-026, Development Permit 2004-035, Mitigated  
Negative Declaration.**

Continued from Thursday, September 1, 2005. Terry Blount, Associate Planner, presented the staff report. He detailed the history of the project and stated the application is to permit the demolition of all structures on four lots (8900 and 8920 Beverly Boulevard, 152 La Peer Drive, and 145 Swall Drive) and the construction of a 51,416 square-foot mixed-use project which includes retail, restaurant, medical office and six apartments.

The proposed project includes 18,260 square-feet of retail space, 1,600 square-feet of restaurant space, 18,970 square-feet of medical office space, and six apartments (two one-bedroom units and four two-bedroom units). The required parking is to be accompanied on two levels underground. The retail and restaurant spaces are to occupy the first floor and the medical office space the second and third floors. The six apartments will be located on the second and third floors to the rear adjacent to Swall Drive. The structures to be demolished are not designated historic resources, are not being formally considered for this designation, and are not listed on the City’s list of potential resources.

Overall the proposed mixed-use project is well suited to this site, as well as the surrounding area. Both the Planning Commission's Design Review Subcommittee and the City's Urban Designer have reviewed the project design and are satisfied with the final version. The project meets or exceeds all of the Zoning Ordinance requirements and provides housing inter-mixed with commercial uses in a commercial zone which is promoted by both the Ordinance and the City's General Plan. The one significant impact identified, the additional vehicle trips generated, can be mitigated to a less than significant level. The appropriate mitigation measures have been incorporated as conditions of approval.

Staff recommends approval.

Commissioner DeLuccio requested additional information on the towers and height.

Commissioner Bartolo questioned the requirements and qualifications of a mixed-use project on this lot.

Commissioner Hamaker questioned the restaurant space and if a tenant has been secured.

Commissioner Bartolo questioned the difference of parking use between the office use and medical office use.

Commissioner Guardarrama questioned the trip generation between office use and medical office use.

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS TO VIEW THE MASSING MODEL AT 7:05 P.M. AND RECONVENED AT 7:10 P.M.**

Vice-Chair D'Amico presented the Design Review Subcommittee report. He spoke on the unanimous approval of the overall design and visual aspects of the project.

Chair Thompson opened public testimony for Item 9.A.:

JACK HOLLANDER, BEVERLY HILLS, presented the applicant's report. He detailed the history of the property, spoke on the mixed-use development, ground floor elevation, commercial square-footages, setbacks, residential floor plans, parking and trip generation.

VINCENT WONG, LOS ANGELES, Deputy to Los Angeles City Councilmember Jack Weiss, has concerns regarding this item. He commented on issues regarding the traffic impact report and trip generations on the surrounding area.

RON KATES, LOS ANGELES, spoke in support of staff's recommendation.

C. PAULUS, LOS ANGELES, opposes staff's recommendation.

SHERI BURKE, WEST HOLLYWOOD, opposes staff's recommendation.

LAUREN MEISTER, WEST HOLLYWOOD, has concerns regarding this item. She commented on the lack of public noticing, parking issues, increased traffic and stated this project warrants an Environmental Impact Report.

SYDNEY TAMIIA POITIER, WEST HOLLYWOOD, opposes staff's recommendation.

PAULA DALLINGER, LOS ANGELES, has concerns regarding this item. She commented on the lack of public noticing for this project.

Commissioner Altschul questioned the noticing process.

Staff detailed the noticing process for this project.

JOHN WHITEHEAD, LOS ANGELES, has concerns regarding this item. He commented on the lack of public noticing and the architectural style of the project.

NANCY GONZALEZ, LOS ANGELES, opposes staff's recommendation.

Chair Thompson questioned the noticing process.

Commissioner DeLuccio questioned the noticing process.

Staff reiterated and detailed the noticing process in effect for all projects.

SHERRIE NEWMAN, WEST HOLLYWOOD, opposes staff's recommendation.

KAREN VON UNGE, LOS ANGELES, has concerns regarding this item. She commented on the increased traffic and parking issues.

HERB GODEL, WEST HOLLYWOOD, opposes staff's recommendation.

CARY BRAZEMAN, LOS ANGELES, opposes staff's recommendation.

GRANT SELTZER, LOS ANGELES, has concerns regarding this item. He commented on the increased traffic and parking issues.

DAN SIEGEL, WEST HOLLYWOOD, Vice-President of the West Hollywood West Resident's Association, has concerns regarding this item. He commented on parking issues and C-Class Parking Permits.

TIM HART, LOS ANGELES, opposes staff's recommendation.

VAUGHN HART, WEST HOLLYWOOD, opposes staff's recommendation.

JACK HOLLANDER, BEVERLY HILLS, presented the applicant's rebuttal. He spoke and detailed traffic and trip generation.

Commissioner Bartolo questioned the property owner if they have any other development projects within the City of West Hollywood. She questioned if any marketing analyses was done regarding mixed-uses, what type of retail uses they have planned for this project and questioned the designated uses of the tandem parking spaces.

Commissioner Altschul questioned the possibility of a carriage lane and the lack of a traffic study of La Peer Drive.

John Keho, Planning Manager, stated the City of West Hollywood's Transportation Department, identified and provided the consultant all appropriate intersections to be studied.

Commissioner DeLuccio questioned the number of tandem parking spaces (percentage) available and why a representative of the City of West Hollywood's Transportation Department is not available.

Staff confirmed the percentage at forty-four (44%) percent.

Commissioner Hamaker commented on traffic flow and pedestrian safety concerning major arteries. She also questioned the ongoing issues surrounding the noticing process and the liabilities the City and developers [may] incur, surrounding health issues [possibly] affecting the general public.

Michael Jenkins, City Attorney, stated the City of West Hollywood has no liabilities for discretionary approvals which are granted for land use projects. He stated the evidence staff has provided regarding public noticing is more than adequate.

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

**THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 8:25 P.M. AND RECONVENED AT 8:40 P.M.**

Commissioner Altschul commented on the architecture and stated this project is not ready for an entitlement. **He motioned: 1) a continuance, 2) La Peer Drive should be included in the traffic study; 3) the advisability of a carriage lane on Swall Drive; and 4) the applicant shall hold another neighborhood meeting.**

**Seconded by Commissioner DeLuccio.**

**Commissioner DeLuccio amended the motion to include: 1) Beverly Boulevard to be looked at for a possible entrance and exit to the project.**

Commissioner Guardarra requested the addition of the permissibility of denying C-Permits to tenants above the number already currently permissible to the current property.

**Commissioner Altschul added: 1) C-Permits shall be denied in excess of the C-Permits already allowed to be issued to the existing businesses that are going to be relocated.**

**Commissioner DeLuccio amended: 1) continue this item to a date uncertain.**

**Commissioner Altschul added: 1) all noticing shall be a 1,000 foot radius.**

Commissioner Altschul agreed to the above noted additions and corrections.

Commissioner DeLuccio agreed to the above noted additions and corrections.

**ACTION:** 1) Continue this item to a date uncertain; 2) a traffic study shall be included of La Peer Drive; 3) the advisability of a carriage lane on Swall Drive; 4) applicant shall hold another neighborhood meeting; 5) study Beverly Boulevard for a possible entrance and exit; 6) C-Permits shall be denied in excess of the current C-Permits already allowed to be issued to the site; 7) all noticing shall be increased to a 1,000 foot radius; and 8) close Public Hearing Item 9.A. **Motion by Commissioner Altschul, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

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

**NOES:** None.

**ABSENT:** None.

**B. 1261-1265 N. Fairfax Avenue.**

**Temporary Use Permit 2005-003.**

Rachel Heiligman, Assistant Planner, presented the staff report. She detailed the history of the property and stated the applicant (Director's Guild of America) is requesting approval of a temporary use permit to utilize the parking lot through August, 2007.

She stated the applicant has proposed to provide a parking attendant and security personnel when the lot is in use for the Director's Guild of America events. The parking lot will not have valet, but will instead be accessed through self-parking. She also detailed the hours of operations, off-site parking standards, noise impacts and the Zoning Ordinance review.

Staff recommends denying Temporary Use Permit 2005-003 because the proposed use does not comply with the provisions of the Zoning Ordinance and because the proposed temporary use would unduly impair the integrity and character of the zoning district in which it is located.

Chair Thompson disclosed for the record he had a meeting with Brad Torgan, one of the lawyers for the applicant and his company (20<sup>th</sup> Century Fox) is a signatory to the Director's Guild of America.

Vice-Chair DeLuccio disclosed for the record he may have had a phone conversation with Todd Elliott, the applicant's representative.

Commissioner DeLuccio drove by the site for a site-visit.

Chair Thompson opened public testimony for Item 9.B.:

TODD ELLIOTT, LOS ANGELES, representing the Director's Guild of America, presented the applicants report. He stated for the record they respectfully disagree with staff's analyses in the staff report. He spoke and detailed the legalities of the request and the history and use of the parking lot.

Commissioner DeLuccio questioned the property use located within the City of Los Angeles and if they have received a Temporary Use Permit.

Commissioner Hamaker questioned the type of events the Director's Guild of America has been using this lot for.



Commissioner Altschul questioned if there would be an objection to the use of valet and questioned the hours of operation.

Commissioner Guardarrama questioned the process of mediation if problems arise with the Larchmont Charter School.

JOHN CORBETT, WEST HOLLYWOOD, spoke in support of staff's recommendation.

STACEY METLISS, WEST HOLLYWOOD, spoke in support of staff's recommendation.

ZION KALI, WEST HOLLYWOOD, spoke in support of staff's recommendation.

ELIZABETH MAC DONALD, HOLLYWOOD, has concerns regarding this item. She commented on the possibility of decreased street parking for small businesses in the area.

TODD ELLIOTT, LOS ANGELES, representing the Director's Guild of America, presented the applicants rebuttal. He spoke regarding the ongoing parking issues within the City of West Hollywood and the proposed uses (events), for use of the parking lot.

Chair Thompson questioned the applicant if they would be opposed to contacting the residents (neighbors) of upcoming events.

Vice-Chair D'Amico questioned the amount of times the lot will be used a within a year and if the Director's Guild of America publishes a calendar which could be sent to the neighbors.

Todd Elliott, Los Angeles, representing the Director's Guild of America, stated they would be willing to send out a calendar on a monthly basis.

Commissioner Altschul had concerns regarding the parking hours that would conflict with the Larchmont Charter School's hours for use of the parking lot.

Commissioner Hamaker had concerns regarding parking cars along the wall that faces the current apartment building.

Commissioner Altschul questioned the use of the parking lot with the conflicting hours with the Larchmont Charter School.

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

Commissioner Bartolo stated her support for valet parking attendants. **She motioned to: 1) approve the use of the parking lot with valet parking attendants; 2) no cars shall be parked along the wall abutting the residential buildings; and 3) ability to maintain this privilege shall be conditioned on applicants compliance of all other appropriate permitting plans.**

**Seconded by Commissioner Altschul.**

Commissioner DeLuccio has concerns with the parking lot's use during the evening hours in a residential area. He could not support this item.

Vice-Chair D'Amico could not support this item due to the condition of valet parking. He suggested having an attendant with security.

Commissioner Altschul suggested additional parking attendants to manage the parking lot. He stated the approval should go through August 31, 2007, but with six (6) month increments; with three (3) distinct six (6) month reviews by the Director of Community Development. It should close at 10:00 P.M.; and/or 10:30 P.M. at the latest. He stated the sound wall should be included in the final approval and at least started by the end of the first six (6) month review period.

Commissioner Hamaker questioned the clientele that attends the events at the Director's Guild of America. She stated her concerns and issues with people parking against the wall abutting the residential area.

Commissioner Guardarrama stated his concerns with too much "social engineering" taking place.

**Commissioner Bartolo withdrew the original motion.**

**Commissioner Altschul seconded the withdrawal of the original motion.**

**Commissioner Guardarra motioned to approve: 1) West Hollywood Municipal Code Section 19.54.030.A.10 similar temporary uses permitting the parking lot from 6:30 P.M. to 10:30 P.M.; 2) three (3) parking staff attendants shall be present for the entire duration of the time it is in use; 3) applicant shall give adequate notice (calendar schedule) (monthly, bi-monthly, [applicant's choice]) within two (2) weeks of said events and/or screenings to neighbors within a 500' foot radius on Fairfax Avenue (western neighbors); and 4) there shall be three (3) consecutive six (6) month reviews with the Director of Community Development.**

**Commissioner Hamaker seconded the motion, adding: 1) no vehicles shall be allowed to park against the wall abutting the residential neighbors; 2) the Director's Guild will add signage to the effect of "Please be quiet and courteous to our neighbors"; 3) telephone and/or cell numbers of the Director's Guild of America's management shall be made available to the neighbors to register complaints.**

**Commissioner Guardarrama agreed to the additional amendments stating: 1) telephone numbers to register complaints shall be provided in the calendars and/or schedules.**

**Commissioner Altschul amended the condition: 1) two (2) parking staff attendants and one (1) security personnel.**

Commissioner Altschul suggested the sound wall issue should be seriously studied and suggested staff contact all parties involved to get this accomplished.

Commissioner Guardarrama agreed to the above noted additions and corrections.

Commissioner Hamaker agreed to the above noted additions and corrections.

**ACTION:** 1) Approve the application as amended; 2) Adopt Resolution No. PC 05-615 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING TEMPORARY USE PERMIT 2005-003, A REQUEST OF THE DIRECTORS GUILD OF AMERICA TO UTILIZE A PARKING FOR OFF-SITE PARKING LOCATED AT 1261-165 N. FAIRFAX AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 3) close Public Hearing Item 9.B.  
**Motion by Commissioner Guardarrama, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

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

**NOES: DeLuccio.**

**ABSENT: None.**

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 9:45 P.M. AND RECONVENED AT 9:50 P.M.**

**C. 1283-1287 N. Havenhurst Drive (8200 Fountain Avenue).  
Demolition Permit 2002-007, Development Permit 2002-017, Tentative  
Tract Map 2003-005.**

Francie Stefan, Senior Planner, presented the staff report. She detailed the history of the property and stated the requested permits are to allow for the demolition of two single-family homes with accessory structures and the construction of an eight-unit residential condominium building on two adjacent lots.

The project is a combination of three townhouse units with two bedrooms each, and five residential flats with three bedrooms each. Units range in size from 1,385 to 2,150 square-feet. Units share a rooftop common open space and a shaded at-grade space in the southwest portion of the lot. And each unit has at least one private balcony. Each unit provides two parking spaces in a tandem configuration. Two guest parking spaces and a maneuvering area are provided for the building.

Staff noted that the project had been reviewed by the Planning Commission's Design Review Subcommittee on three occasions, and significant design revisions had been made. The project was also reviewed by the Historic Preservation Commission because it is within public view of the historic properties.

Staff recommends approval.

Commissioner Hamaker questioned the removal of the mature trees.

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

RODNEY KHAN, GLENDALE, presented the applicant's report. He presented a history of the project and process. He spoke on the dedication, parkway, open space and roof-line.

ALICIA DE SOTO-FOLEY, WEST HOLLYWOOD, opposes staff's recommendation.

RODNEY KHAN, GLENDALE, presented the applicant's rebuttal. He confirmed the neighborhood meeting had taken place and stated the entire project meets the West Hollywood Zoning Code.

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

Vice-Chair D'Amico thanked the architect for his work on this project.

**ACTION:** 1) Approve the application; 2) Adopt Resolution No. PC 05-619 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING DEMOLITION PERMIT 2002-007 AND DEVELOPMENT PERMIT 2002-017 FOR DEMOLITION OF TWO, SINGLE-FAMILY RESIDENTIAL UNITS WITH ACCESSORY STRUCTURES AND CONSTRUCTION OF AN EIGHT-UNIT RESIDENTIAL BUILDING, FOR THE PROPERTIES LOCATED AT 1283-1287 N. HAVENHURST DRIVE, WEST HOLLYWOOD, CALIFORNIA; 3) Adopt Resolution No. PC 05-620 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2003-005 (MINOR LAND DIVISION 060093), FOR SUBDIVISION OF THE PROPERTIES LOCATED AT 1283-1287 N. HAVENHURST DRIVE, WEST HOLLYWOOD, CALIFORNIA"; and 4) close Public Hearing Item 9.C. **Motion by Commissioner DeLuccio, seconded by Commissioner Altschul and passes on a Roll Call Vote:**

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

**NOES:** None.

**ABSENT:** None.

**D. City-Wide.**

**Zone Text Amendment 2005-004, Zone Text Amendment 2005-005.**

This item was part of the amended agenda. It was moved and heard before Agenda Item 9.A. (Mitigated Negative Declaration, Demolition Permit 2004-026, Development Permit 2004-035).

**10. NEW BUSINESS.** None.

**11. UNFINISHED BUSINESS.** None.

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

**13. ITEMS FROM STAFF.**

John Keho, Planning Manager, requested trivia items should be submitted directly to him for the upcoming Annual Congress on Saturday, October 22, 2005.

The Special Meeting of the Planning Commission on Thursday, September 29, 2005 has been cancelled.

**14. PUBLIC COMMENT.** None.

**15. ITEMS FROM COMMISSIONERS.**

Commissioner Altschul suggested the City of West Hollywood's Code Compliance Division should consistently check the St. Ambrose parking lot for film crews parking without the proper permits.

Commissioner D'Amico suggested staff look into the feasibility of reusing the water that is pumped out of subterranean garages.

Commissioner Hamaker requested a facsimile copy of notices that are mailed out.

**16. ADJOURNMENT:** It was noted the Special Meeting of Thursday, September 29, 2005 has been cancelled. The Planning Commission adjourned at 10:05 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, October 6, 2005 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 6<sup>TH</sup> DAY OF OCTOBER, 2005.



CHAIRPERSON

ATTEST:

  
COMMUNITY DEVELOPMENT DIRECTOR