



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**May 19, 2005**

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

**1. CALL TO ORDER:**

Chair Altschul called the meeting of the Planning Commission to order at 6:40 P.M.

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

**3. ROLL CALL:**

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

Commissioners Absent: None.

Staff Present: Jennifer Noel, Associate Contract Planner, Rachel Heiligman, Assistant Planner, Jeffrey Skorneck, Housing Manager, John Berndt, Code Compliance Officer - Residential, 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 19, 2005 as presented. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**ACTION:** Approve the Planning Commission Minutes of Thursday, April 21, 2005 as presented. **Motion by Commissioner Hamaker, seconded by Commissioner DeLuccio and unanimously carried.**

**6. PUBLIC COMMENT.** None.

**7. ITEMS FROM COMMISSIONERS.**

**ACTION:** Cancel the Planning Commission meeting of Thursday, June 2, 2005. **Motion carried by consensus of the Commission.**

**ACTION:** Defer the election of Chair and Vice-Chair of the Planning Commission to Thursday, July 21, 2005. **Motion carried by consensus of the Commission.**

**8. CONSENT CALENDAR.** None.

**9. PUBLIC HEARINGS.**

**A. Zone Text Amendment 2005-003.**

Jeffrey Skorneck, Housing Manager, presented the staff report. He stated this public hearing is to consider amending the City of West Hollywood's Zoning Ordinance regarding inclusionary housing requirements and minimum property maintenance standards pertaining to evidence of water leakage, elevator maintenance, and vegetation. The proposed inclusionary housing amendment expands the opportunities to satisfy the affordable housing requirements by providing a minimum percentage of a project's gross floor area alternative.

He detailed Section 19.30.030 regarding revisions to Property Maintenance Standards:

- add an inoperable or improperly operating elevator to the list of items that may be cited by an Ordinance Compliance Officer;
- add greater clarification to the definition of overgrown, dying or dead vegetation on private property or within the parkway areas; and
- broaden the discussion of the quality of dwelling unit interior floors, walls, and ceilings with respect to evidence suggesting leaks.

He detailed Chapter 19.22 regarding revisions to Affordable Housing Requirements and Incentives Chapter of the Zoning Ordinance:

- current requirements and productions;
- housing need and proposed changes;
- consistency with the General Plan; and
- environmental review.

Staff recommends the Planning Commission recommend approval of these changes to the City Council.

Commissioner Hamaker questioned the minimum amount of square footage in habitable units.

Chair Altschul questioned if the minimum property maintenance standards applies to all buildings. He stated his concerns with these standards towards condominiums. He questioned if this would not be handled under Rent Control Ordinance issue(s).

Commissioner D'Amico questioned the statement on non-inclusionary units (in terms of appearance, finish, quality, materials, etc.), and if this only includes the interior standards and not the exterior standards.

Commissioner D'Amico suggested clarification that the exterior of the building shall not be divided up, but the interior(s) might change.

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

EDWARD LEVIN, WEST HOLLYWOOD, has concerns regarding this item. He commented on inclusionary housing and parking.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on inclusionary housing, square footage, water leakage and parking.

GENE SMITH, WEST HOLLYWOOD, Chair of the Governmental Affairs Committee of the West Hollywood Chamber of Commerce, spoke in support of staff's recommendation.

JAMES LITZ, WEST HOLLYWOOD, representing the Beverly Hills/Greater Los Angeles Association of Realtors, spoke in support of staff's recommendation.

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

**Commissioner Hamaker moved the item for purposes of discussion. Seconded by Commissioner Bartolo.**

Discussion regarding:

***Property Maintenance Standards (Section 19.30.030):***

Commissioner Guardarrama stated his support for this item. He recommended the exclusion of 19.30.030 Specific Violations; Section B.13.

Chair Altschul agreed to the exclusion of 19.30.030 Specific Violations; Section B.13., and stated the additional exclusion of 19.30.030 Specific Violations; Section K (Overgrown, Dying or Dead Vegetation). He stated his concerns with water leakage and (possible) code compliance issues.

Commissioner Hamaker questioned staff on the water leakage and dead vegetation sections.

John Berndt, Code Compliance Officer, Residential, spoke on water leakage and current code compliance issues. He detailed Section 19.30.030; Specific Violations.

Commissioner Bartolo commented on water leakage.

Commissioner Guardarrama questioned the language on water leakage and stated his concerns with the (possible) abuse of 19.30.030 Specific Violations; Section B.13.

Commissioner DeLuccio questioned the process of code compliance procedure regarding water leakage.

Commissioner D'Amico has concerns and questioned the language in 19.30.030 Specific Violations; Section B.13.

Commissioner Bartolo suggested this section return to the City Attorney for refinement in the verbiage.

Chair Altschul held discussion regarding the following section:

***Affordable Housing Requirements and Incentives Chapter of the Zoning Ordinance (Chapter 19.22):***

Vice-Chair Thompson spoke in support of affordable housing and stated for the record the revisions to the inclusionary housing formula (as their proposed) affect only large scale developers and developments of twenty units or more. He acknowledged his support, but recognized the smaller scale developers need to be included.

Commissioner DeLuccio stated his support and questioned massing and square footage.

Commissioner Bartolo commented on overall costs, developers, construction type and specific incentives.

Commissioner Hamaker questioned the inclusion of minimum size requirements, minimum amenities and square footage.

Commissioner D'Amico clarified the motion: **1) inclusionary units may be permitted to differ from non-inclusionary units; in terms of appearance, finish quality and materials on the interior, but the exterior shall be of the same finish, quality and materials.**

Chair Altschul reiterated the motion regarding inclusionary housing: **1) adopt staff's recommendation (with respect to the inclusionary housing amendment); 2) with the amendment of Commissioner D'Amico's comments; 3) additional language that was presented to the Commission by staff; and 4) accept the language as written in the staff report.**

**ACTION:** 1) Adopt Resolution No. PC 05-597 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT 2005-03 RELATING TO INCLUSIONARY HOUSING". **Motion by Commissioner Hamaker, seconded by Commissioner Bartolo and passes on a Roll Call Vote:**

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

**NOES:** None.

**ABSENT:** None.

Chair Altschul held discussion regarding the following section:

***Property Maintenance Standards (Section 19.30.030):***

Chair Altschul reiterated the elevator standards are acceptable.

Commissioner DeLuccio stated he would like to see modifications and have this section return at a later date.

Commissioner Guardarrama stated he would like to see modifications; 1) water leakage provision needs to be clarified; and 2) not in favor of the last sentence of 19.30.030 Specific Violations; Section B.13.

Chair Altschul stated he would like to see if this document could be incorporated into the Rent Stabilization Ordinance. He suggested the Commission look at the elevator issue and have the water leakage and vegetation issues returned to staff.

Staff agreed to this.

Chair Altschul reiterated the motion regarding property maintenance standards: **1) pass the elevator standards as written in the staff report; 2) send all other items (water leakage and vegetation) back to staff for review and reworking.**

Commissioner Hamaker agreed to this amendment.

Commissioner Bartolo agreed to this amendment.

**ACTION:** 1) Adopt Resolution No. PC 05-597 as amended: a) approve the elevator standards as written in the staff report; b) direct staff to reevaluate all other items (water leakage and vegetation); 2) "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT 2005-03 RELATING TO PROPERTY MAINTENANCE STANDARDS". **Motion by Commissioner Hamaker, seconded by Commissioner Bartolo and passes on a Roll Call Vote:**

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

**NOES:** None.

**ABSENT:** None.

**THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 7:35 PM AND RECONVENED AT 7:50 P.M.**

**B. 8401 Sunset Boulevard. (Hyatt West Hollywood)  
Mitigated Negative Declaration, Sunset Specific Plan Amendment  
2005-001, Development Permit 2005-006.**

Jennifer Noel, Associate Contract Planner, presented the staff report. She stated the applicant is requesting to amend the Sunset Specific Plan to allow renovations to the façade, rooftop facilities, and interior configurations of an existing hotel.

She detailed the history of the property and spoke on the background, project proposal, façade renovation, guestroom reconfiguration, rooftop deck, pool deck, urban design analyses and parking.

The applicant has proposed a design element at street level of stainless steel poles and a screen along the façade of the main entrance. Information and details regarding the screen have not been provided. Staff is recommending this portion is brought back to the Planning Commission Design Review Subcommittee, prior to any type of building permits being issued for this particular part of the project.

She added a modification to Resolution No. PC 05-601; Section 9.0 (Design Requirements); Subsection 9.2) shall read as follows: "Glass on the façade at and near the street level shall be *transparent to allow visibility in and out of the hotel*. Mirrored and reflective glass shall not be used, *but lightly tinted glass may used as an architectural or decorative element to reduce effects of southern exposure to the hotel*. *Final glass selection shall be subject to review and approval of the Director of Community Development, prior to issue of building permits*".

One additional section should be added to Section 9.0 (Design Requirements): *“Prior to issuance of building permits for any entrance design treatment, the applicant shall submit detailed plans for review and approval by the Director of Community Development. The Design Review Subcommittee of the Planning Commission shall review and comment on the design prior to approval of the entrance design treatment. Should the applicant choose to provide public art as part of the entrance treatment, the applicant shall obtain any approvals required pursuant to the Urban Art Program”.*

She stated for the record staff is supportive of the approved renovations because they will contribute to the maintenance and vitality of the Sunset Strip.

Staff recommends recommending to the City Council adoption of the Mitigated Negative Declaration and approval of the Sunset Specific Plan Amendment and the Development Permit.

Commissioner Guardarrama questioned the height, spacing and location of the aluminum poles.

Commissioner Hamaker questioned if there will be an art component incorporated into the project.

Commissioner Hamaker disclosed for the record, she had a meeting with Mr. Jim Arnone, of Latham & Watkins.

Commissioner D’Amico disclosed for the record, he had a meeting with Mr. Jim Arnone, of Latham & Watkins, and made a site visit to the hotel.

Commissioner Guardarrama disclosed for the record, he had a meeting with Mr. David Thompson, of Latham & Watkins.

Commissioner DeLuccio disclosed for the record, he received a letter from Mr. Jim Arnone, of Latham & Watkins.

Chair Altschul disclosed for the record, he had a meeting with Mr. Jim Arnone, of Latham & Watkins.

Vice-Chair Thompson disclosed for the record, he had a meeting with Mr. Jim Arnone, of Latham & Watkins, and made a site visit to the hotel.

Commissioner D’Amico presented the Design Review Subcommittee report. He spoke on the architectural enhancements for the hotel and stated the concerns regarding the “screen”.

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

TIM FLODIN, WEST HOLLYWOOD, General Manager of the Hyatt West Hollywood, presented the applicant's report. He commented on the continued growth of the hotel, the proposed renovations and architects, and the projected Total Occupancy Tax (TOT).

JIM ARNONE, MALIBU, partner of Latham & Watkins, representing the Hyatt West Hollywood, presented the applicant's report. He spoke on the public art and stated three proposed additional conditions: 1) submit a landscaping plan for approval by the Director of Community Development; 2) entrance design of the "poles" come back for final approval by the Director of Community Development and input by the Design Review Subcommittee; and 3) more flexibility of the "tinting" of the glass to be approved by the Director of Community Development. He recommended approval of the staff report with the additional requested conditions.

TERI GUSTAFSON, WEST HOLLYWOOD, spoke in support of staff's recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

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

**Commissioner DeLuccio motioned approval of the staff report with the additional three conditions submitted by the applicant.**

**Seconded by Commissioner Hamaker.**

Commissioner Hamaker commented on the proposed landscaping and suggested a possible water feature would be a pleasing addition to the project, if possible.

Commissioner Guardarrama commented on the public art and "poles" of the new façade. **He amended the motion to change the section of the draft resolution regarding the tinting of the glass, to: 1) mirrored or highly reflective glass shall not be used; and 2) "other glass" may be used (rather than "lightly tinted").**

**Commissioner DeLuccio agreed to this amendment to the motion.**

**Commissioner Hamaker agreed to this amendment to the motion.**

**ACTION:** 1) Approve the request; and 2) Adopt Resolution No. PC 05-601 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE MITIGATED NEGATIVE DECLARATION; APPROVAL OF SUNSET SPECIFIC PLAN



AMENDMENT (SPA 2005-001) TO ALLOW FOR INCREASED FLOOR AREA RATIO DUE TO ENCLOSURE OF EXISTING BALCONIES; AND APPROVAL OF THE HOTEL FAÇADE, INTERIOR CONFIGURATIONS, AND EXISTING BANQUET AND POOL DECK FACILITIES ON THE ROOF OF THE EXISTING HOTEL KNOWN AS HYATT WEST HOLLYWOOD, FOR THE PROPERTY LOCATED AT 8401 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 4) close Public Hearing Item 9.B. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

- C. 950 Orange Grove Avenue.  
Demolition Permit 2004-035, Development Permit 2004-052,  
Modification 2004-014, Modification 2005-006, Modification 2005-016,  
Tentative Tract Map 2004-025.**

**THE COMMISSION TOOK A THREE (3) MINUTE RECESS AT 8:20 PM TO VIEW THE DISPLAY BOARDS OF THE PROJECT AND RECONVENED AT 8:23 P.M.**

Rachel Heiligman, Assistant Planner, presented the staff report. She stated the applicant is requesting to demolish a single-family dwelling and second dwelling unit and construct a three-story, five-unit condominium building over a semi-subterranean garage.

She detailed the neighborhood, surrounding adjacent properties, parking, noise impacts and massing of the project.

She also detailed the noticing requirements for this project.

Staff recommends approval of this project.

Commissioner D'Amico presented the Design Review Subcommittee report. He detailed the project and stated there were some discussions regarding the water feature.

Commissioner DeLuccio questioned if the water element would satisfy the Public Art requirement.

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

RUDY ALEGRA, MARINA DEL REY, presented the applicant's report. He detailed the massing of the project, floor plans, set-backs, architectural design, and the garage doors in relation to the street.

ROY OLDENKAMP, WEST HOLLYWOOD, has concerns regarding this item. He commented on the size of the project and the impact it will have on the surrounding neighborhood.

MRS. ALLAN THORNE, WEST HOLLYWOOD, has concerns regarding this item. She commented on the lack of public noticing for the neighborhood meeting and questioned the legalities of the public hearing. She requested a continuation of this item.

MARC LEVINE, WEST HOLLYWOOD, has concerns regarding this item. He commented on lack of public noticing for the neighborhood meeting and questioned the legalities of the public hearing. He requested a continuation of this item.

Commissioner DeLuccio questioned the number of attendees at the neighborhood meeting.

Vice-Chair Thompson questioned if there was a record of the attendees that attended the neighborhood meeting.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the tandem parking spaces proposed for this project.

DIMITRI VELIN, WEST HOLLYWOOD, has concerns regarding this item. He commented on the size of the project and the impact it will have on the surrounding neighborhood. He also commented on and questioned the trees that have been removed. He requested a continuation of this item.

RUDY ALEGRA, MARINA DEL REY, presented the applicant's rebuttal. He stated the neighborhood meeting was noticed to over 900 hundred neighbors. He stated the parking requirement is what is required by the West Hollywood Zoning Code and commented on the location of the driveway. He also commented on the massing of the project in regards to the surrounding neighborhood.

Chair Altschul questioned the removal of trees without proper permits.

Commissioner DeLuccio questioned the requested modifications.

Vice-Chair Thompson questioned if the meeting was properly noticed.

Rachel Heiligman, Assistant Planner, detailed the noticing requirements for neighborhood meetings.

Discussion was held regarding neighborhood noticing and mailings.

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

**Vice-Chair Thompson moved to continue this item.** He stated there appears to be a noticing problem and has concerns with applicant's doing their own noticing and mailings for meetings.

**Seconded by Commissioner DeLuccio.**

Chair Altschul questioned staff if there is enough noticing time to continue this item to the meeting of Thursday, June 16, 2005. He stated the meeting should be re-noticed and another neighborhood meeting held. He also would like staff to investigate what happened to the tree in the parkway.

Chair Altschul requested, during the interim of this continuance, an appropriate sign shall be posted on Orange Grove Avenue and Romaine Street.

Commissioner DeLuccio requested the modifications listed within the draft resolution.

Commissioner Guardarrama stated he cannot support this motion.

**ACTION:** 1) Hold another neighborhood meeting; 2) re-notice the public hearing; and 3) continue this item to the Planning Commission meeting on Thursday, June 16, 2005. **Motion by Vice-Chair Thompson, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

**AYES:** Commissioners Bartolo, D'Amico, DeLuccio, Hamaker, Guardarrama, Vice-Chair Thompson, Chair Altschul.  
**NOES:** Commissioner Guardarrama.  
**ABSENT:** None.

10. **NEW BUSINESS.** None.
11. **UNFINISHED BUSINESS.** None.
12. **EXCLUDED CONSENT CALENDAR.** None.
13. **ITEMS FROM STAFF.** None.
14. **PUBLIC COMMENT.**  
JEANNE DOBRIN, WEST HOLLYWOOD, commented on the preservation of trees in the parkways.
15. **ITEMS FROM COMMISSIONERS:**  
Commissioner DeLuccio requested an updated status report of current projects.

Vice-Chair Thompson directed staff to look into a recently Los Angeles Ordinance, which was adopted on December 16, 2004 regarding "row houses", with fee simple interest. He would like to see a report on this in the future.

16. **ADJOURNMENT:** Notating the cancellation of the Planning Commission meeting on Thursday, June 2, 2005, the Planning Commission adjourned at 9:00 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, June 16, 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 16<sup>TH</sup> DAY OF JUNE, 2005.

  
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CHAIRPERSON

ATTEST:

  
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COMMUNITY DEVELOPMENT DIRECTOR