



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**August 18, 2011**

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

**1. CALL TO ORDER:**

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

**2. PLEDGE OF ALLEGIANCE:** David Eichman led the Pledge of Allegiance.

**3. ROLL CALL:**

Commissioners Present: Aghaei, DeLuccio, Huebner, Meister, Yeber, Vice-Chair Buckner, Chair Bernstein.

Commissioners Absent: None.

Staff Present: Antonio Castillo, Associate Planner, Todd Gish, Contract Urban Designer, 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, August 18, 2011 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Meister and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**A. None.**

**6. PUBLIC COMMENT.**

DAVID EICHMAN, WEST HOLLYWOOD, stated the memorial service for Kathy Page will be on Wednesday, August 31, 2011 at 11:00 A.M. in the West Hollywood Park Auditorium. He also confirmed there is a tribute page on-line at: [www.tributes.com/kathryn-page](http://www.tributes.com/kathryn-page). Her friends are launching a fundraising drive to raise money for a tribute to her on the Donor Wall at the new West Hollywood Library in her honor.

**7. ITEMS FROM COMMISSIONERS.**

Commissioner DeLuccio requested a resolution be brought back as a Consent Calendar item on the next agenda on Thursday, September 1, 2011, regarding 8801 Sunset Boulevard.

**8. CONSENT CALENDAR.** None.

## 9. PUBLIC HEARINGS.

### A. Zone Text Amendment.

#### **Banquet Facilities:**

Continued from Thursday, May 19, 2011. Amendment to the zoning ordinance establishing a conditional use permit requirement for new and existing banquet facilities in residential zones, located citywide, West Hollywood, California.

**ACTION:** Continue to a date uncertain. **Moved by Commissioner DeLuccio, seconded by Commissioner Meister and unanimously carried as part of the approved agenda.**

### B. 9001 Santa Monica Boulevard.

#### **Palm Restaurant Mixed-Use Project:**

Applicant is requesting an amendment to the development agreement to extend the time period to commence phases of construction by two (2) years.

**ACTION:** Continue to Thursday, September 1, 2011. **Moved by Commissioner DeLuccio, seconded by Commissioner Meister and unanimously carried as part of the approved agenda.**

### C. 1232-1236 N. Kings Road:

Antonio Castillo, Associate Planner, provided an oral presentation and background information as presented in the staff report dated Thursday, August 18, 2011.

He stated the proposal is a request to allow the demolition of two single-family dwellings on two parcels to construct an approximate 28,500 square-foot, four story, twenty-five unit apartment building. A modification is requested to allow a 10 percent increase in height for a portion of the building. The project provides four inclusionary units, and the applicant is requesting a density bonus per the City of West Hollywood's Affordable Housing Ordinance.

He detailed the square footage of individual units, massing, neighborhood compatibility, and elevations. He stated there will be an increase to the city's housing stock, and spoke on the green building design, and construction phase.

He read into the record an amendment to Resolution No. PC 11-985; page 4 of 15; Section 6: *"A total of four inclusionary units shall be provided with a total square-footage of 2,014 2,686."*

Staff recommends approval.

Todd Gish, Contract Urban Designer, presented the design review report. He spoke and detailed neighborhood compatibility, architectural character, massing, courtyard, rooftop deck, color scheme, recesses, and landscaping.

Commissioner Meister disclosed for the record she drove by the site, attended a West Hollywood Tree Preservation Society community meeting and discussed matters with attendees contained solely in the staff report. She stated she was forwarded an e-mail by Dan Rosen regarding permit activity.

Commissioner DeLuccio disclosed for the record he made a site visit and received e-mails from Mr. Edward Levin, Architect, noting there was nothing in the emails that was not contained in the staff report.

Commissioner Yeber disclosed for the record he made a site visit and met with Mr. Edward Levin, Architect, and discussed matters contained solely in the staff report.

Chair Bernstein disclosed for the record he attended a West Hollywood Tree Preservation Society community meeting, and met with Mr. Edward Levin, Architect and discussed matters contained solely in the staff report.

Commissioner DeLuccio requested clarification regarding the Green Program and questioned if it is referenced in the draft resolution. He stated the staff report was well done.

Commissioner Meister requested clarification regarding tandem parking concessions.

Commissioner Yeber requested clarification regarding the street width and [possible] loss of street parking.

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

EDWARD LEVIN, WEST HOLLYWOOD, architect, representing the applicant, presented the applicant's report. He detailed the history of the property site, neighborhood compatibility, urban infill, height, massing scale, facades, side yards, setbacks, design materials, floor plans and unit sizes, affordable housing units, market rate units, parking (concessions), landscape plan, and building amenities. He stated for the record this project is over 100 points for the Green Building.

Commissioner Aghaei questioned the tandem parking spaces and sizing.

Commissioner Meister requested clarification regarding permits from a geo-technical company and expressed concerns this was happening before the project has been approved.

EDWARD LEVIN, WEST HOLLYWOOD, architect, representing the applicant, clarified that any project needs to do geo-technical exploration testing, which is required by the City of West Hollywood.

JIM BRUNNER, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

JEFFREY GREENBAUM, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JUDI KRISS, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding parking issues.

ANDREA SABESIN, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JAN MICHAEL FOSTER, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JOE QUARSIMO, WEST HOLLYWOOD, opposes staff's recommendation of approval.

KERRY HIRSCHBERG, WEST HOLLYWOOD, opposes staff's recommendation of approval.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

LUIS RIVERA, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

DAN ROSEN, WEST HOLLYWOOD, opposes staff's recommendation of approval.

BEN JAMIN CREEKMORE, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding parking and height issues.

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

EDWARD LEVIN, WEST HOLLYWOOD, architect, representing the applicant, presented the applicant's rebuttal. He spoke and clarified traffic impacts and concerns, parking issues, guest parking, and historic significance issues. He requested approval.

Commissioner Meister requested clarification regarding gray water [storm water] and questioned the feasibility of sub meters for water usage, and if the rooftop spa will have limited hours of operation.

EDWARD LEVIN, WEST HOLLYWOOD, architect, representing the applicant, stated they are open to sub-metering regarding water if it is feasible with the Rent Stabilization Codes, and they are amicable to limited hours regarding the rooftop spa,

John Keho, Planning Manager, stated Green Building is currently not listed in the draft resolution. He stated for the record the following conditions will be added to draft Resolution No, PC 11-985:

- *the project needs at least 90 points and therefore is deemed a high achieving building; and*
- *prior to issuance of building permits a final Green Building Plan shall be submitted insuring the project achieves the minimum of 90 points.*

Commissioner DeLuccio requested clarification regarding resident parking passes and visitor parking passes.

Chair Bernstein requested clarification regarding trip generation for this project.

Antonio Castillo, Associate Planner, stated daily trips would be 247; 10 at peak hours. In order to trigger a traffic study, the project would have to trigger 500 or more per day, or 60 at peak hours. This project is well below the threshold that the City requires.

Chair Bernstein requested clarification regarding the city's stance on sub-metering water.

Commissioner Meister questioned if this street currently has permit parking. She commented on the attractiveness of the project and stated aesthetically it will bring a lot to the neighborhood. She commented on the massing, colors, textures, and parking. She stated her support of sub-meters for water usage and she would like to see a condition regarding hours on the rooftop spa. She would like to see some incentives given regarding the Kings Road parking garage, and questioned if it could be open all night and questioned if charges could possibly be greatly reduced for guest visitors.

Commissioner DeLuccio commented on the current density on Kings Road. He stated this project fits into the neighborhood on this site. He commented on the added rental and affordable rental units the city is gaining. He stated his support of the design of the building and the setbacks. He stated his support of the project.

Commissioner Aghaei stated his support of the project. He commented on the design of the building, setbacks, and the applicant's dedication to the Green Building design and standards, parking, the addition of rental stock to the city, and the preservation of the current landscaping.

Vice-Chair Buckner commented and stated her support of the design of the building, the Green Building elements, and reiterated rental units are desperately needed in the city. She would like to see a condition added to the rooftop spa area: 1) no use before 10:00 A.M. everyday, 2) no use after 10:30 P.M. weeknights, and 3) 11:30 P.M. on Fridays and Saturdays.

Discussion was held regarding the Noise Ordinance.

Commissioner DeLuccio had reservations about the 10:00 A.M. condition. He would like to see 8:00 A.M. to 11:00 P.M.

**Chair Bernstein moved to: 1) approve staff's recommendation of approval, with the following conditions: a) Green Building language shall be incorporated into the draft resolution; and b) rooftop spa hours shall be 8:00 A.M. to 11:00 P.M. daily.**

**Seconded by Commissioner Aghaei.**

Commissioner Yeber stated his support of this project. He stated it is better articulated than many current properties on this particular street, it's an enhancement to the neighborhood, and the design has been sensitive to the site. He stated there has been no compelling reason why this project could not move forward.

Commissioner Huebner stated the project is incredibly well designed. He spoke regarding the articulation, the thoughtful use of materials, setbacks, use of existing landscaping, parking, traffic, and the increase of rental stock in the city. He reiterated it contextually addresses the concerns that were expressed by the Design Review Subcommittee. He stated his support of the project.

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

Chair Bernstein stated his support of a possible revision to the zoning ordinance regarding sub-metering water usage if feasible for future projects. He commended the architect and design of the building.

**ACTION:** 1) Approve staff's recommendation of approval; 2) Adopt Resolution No. PC 11-985 as amended: a) add the following conditions: the project needs at least 90 points and therefore is deemed a high achieving building; and prior to issuance of building permits a final Green Building Plan shall be submitted insuring the project achieves the minimum of 90 points; and b) rooftop spa hours shall be 8:00 A.M. to 11:00 P.M. daily: "A RESOLUTION OF THE PLANNING COMMISSISON OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLTION PERMIT AND DEVELOPMENT PERMIT TO ALLOW THE DEMOLITION OF ALL STRUCTURES ON THE SITE TO CONSTRUCT A FOUR-STORY, TWENTY-FIVE UNIT APARTMENT BUILDING, LOCATED AT 1232-1236 NORTH KINGS ROAD, WEST HOLLYWOOD, CALIFORNIA'; and 3) Close Public Hearing Item 9.C. **Moved by Chair Bernstein, seconded by Commissioner Aghaei and passes on a Roll Call Vote:**

**AYES:** Aghaei, DeLuccio, Huebner, Meister, Yeber, Vice-Chair Buckner, Chair Bernstein.  
**NOES:** None.  
**ABSENT:** None.  
**RECUSED:** None.

10. **NEW BUSINESS.** None.
11. **UNFINISHED BUSINESS.** None.
12. **EXCLUDED CONSENT CALENDAR.** None.
13. **ITEMS FROM STAFF.**
  - A. **Planning Manager's Update.** None.
14. **PUBLIC COMMENT.** None.
15. **ITEMS FROM COMMISSIONERS.** None.
16. **ADJOURNMENT:** The Planning Commission adjourned at 8:00 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, September 1, 2011 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 1<sup>ST</sup> DAY OF  
SEPTEMBER, 2011.

  
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ALAN BERNSTEIN, CHAIRPERSON

ATTEST:

  
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DAVID K. GILLIG, COMMISSION SECRETARY