



PLANNING COMMISSION MINUTES
Regular Meeting
April 19, 2012

West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California 90069

1. CALL TO ORDER:

Chair Bernstein called the meeting of the Planning Commission to order at 6:37 P.M.

2. PLEDGE OF ALLEGIANCE: Steve Martin led the Pledge of Allegiance.

3. SPECIAL ORDER OF BUSINESS:

A. OATH OF OFFICE.

Yvonne Quarker, Assistant City Clerk, administered the Oath of Office to John Altschul, appointed by Councilmember John D'Amico for a term ending May 31, 2013.

4. ROLL CALL:

Commissioners Present: Aghaei, Altschul, Huebner, Yeber, Chair Bernstein.

Commissioners Absent: DeLuccio, Vice-Chair Buckner.

Staff Present: Adrian Gallo, Associate Planner, Todd Gish, Contract Urban Designer, John Keho, Current and Historic Preservation Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

5. APPROVAL OF AGENDA.

ACTION: Approve the Planning Commission Agenda of Thursday, April 19, 2012 as presented. **Moved by Commissioner Aghaei, seconded by Commissioner Yeber and unanimously carried; notating the absences of Commissioner DeLuccio and Vice-Chair Buckner.**

6. APPROVAL OF MINUTES.

A. March 1, 2012

ACTION: Approve the Planning Commission Minutes of Thursday, March 1, 2012 as presented. **Moved by Commissioner Yeber, seconded by Commissioner Aghaei and unanimously carried; notating the abstention of Commissioner Altschul and the absences of Commissioner DeLuccio and Vice-Chair Buckner.**

7. PUBLIC COMMENT.

CATHY BLAIVAS, WEST HOLLYWOOD, welcomed Commissioner Altschul and stated her ongoing concerns regarding the upcoming Plummer Park renovation and the current construction at The Lot.

STEVE MARTIN, WEST HOLLYWOOD, welcomed Commissioner Altschul.

RICHARD GIESBROO, WEST HOLLYWOOD, commented on 8564-8590 Melrose Avenue and stated his concerns regarding the Negative Declaration.

8. ITEMS FROM COMMISSIONERS.

Commissioner Yeber welcomed Commissioner Altschul. He spoke on the recent American Planning Association (APA) National Conference, which was held in Los Angeles. He encouraged community participation and suggested staff, revisit the possible presentations by companies to be more pro-active engaging the community. He announced there is a talk scheduled at The Huntington on Saturday, April 28, 2012 regarding Planning Los Angeles: Myths, Realities, and Lessons.

Commissioner Huebner welcomed Commissioner Altschul.

Commissioner Altschul thanked everyone for their support.

Chair Bernstein thanked Commissioner Yeber for attending the National APA Conference and requested staff for an update regarding the recent City Council item on exploring aging housing stock.

9. CONSENT CALENDAR. None.

10. PUBLIC HEARINGS.

A. 8564-8590 Melrose Avenue.

Adrian Gallo, Associate Planner, provided an oral and visual presentation and background information as presented in the staff report dated Thursday, April 19, 2012.

He stated the applicant is requesting to construct an approximately 30,163 square-foot commercial structure (wholesale and furnishing showrooms) with 130 parking spaces with two levels of subterranean parking. The proposed maximum height is thirty-eight and a half feet (38 ½').

The project site consists of the entire block on the south side of Melrose Avenue, between Westmount Drive and Westbourne Drive. The site is within the Melrose/Beverly District, also known as "The Avenues" District.

The General Plan 2035 designates the project site Commercial Neighborhood 2 (CN2). The CN2 designation encourages a mix of small-scale buildings housing arts, fashion, design, and creative office uses as well as complementary uses such as restaurants and cafes. Additional height and density bonuses are also permitted under the General Plan to enable a diversity of architectural styles and building forms.

Specifically, General Plan, Land Use and Urban Form, and General Plan Goal LU-2.7 provide for an “Avenues” density bonus from 1.0 FAR to 1.5 FAR and a height bonus from 25 feet to 35 feet. Goal LU 2.7 states:

“In the CN-2 designation, allow for a variation in the height and intensity of buildings through the Avenues density and height bonus in a manner that balances the overall character of Melrose Avenue with the desire to:

- *Accommodate a diversity of architectural styles and building forms;*
- *Allow new arts, fashion, design, and other creative businesses to locate along the Avenues;*
- *And support the economic competitiveness of the Avenues.*

The Avenues bonus will only be allowed on specific parcels based on the parcel’s unique characteristics including size, location along the corridor and relationship to residential areas immediately adjacent to the parcel.

The Project has been designed to take advantage of the General Plan’s Avenues bonus, and the Project approvals include a Zone Text Amendment to add a new Avenues Bonus Overlay zone to the Zoning Code to implement the General Plan, and a Zoning Map Amendment to place this overlay on the subject property.

The following permits are required for this approval:

- *Zone Text Amendment* - required to add a new Avenues Overlay Zone to the Zoning Code and standards for use of the Bonus.
- *Zone Map Amendment* - required to place the site in an Overlay Zone.
- *Demolition Permit* - required to demolish the existing structures located on the site.
- *Development Permit* - required for any project of 10,000 square feet or more in a commercial zone, pursuant to section 19.48.030 of the zoning ordinance.
- *Lot Line Adjustment* - required to merge three lots into one lot.
- *Modification*- to allow an adjustment of up to 10% to the standards of the Zoning Ordinance.

The Implementation chapter of 2035 West Hollywood General Plan calls for the creation of a Greater Melrose Triangle Plan. This plan will identify exact criteria and the specific parcels where the Avenues height/ density bonus may be applied in the CN2 designation, pursuant to the criteria set forth in the General Plan. The plan is in the beginning stages and will not be completed for another year. The overlay zone will set forth the criteria for utilizing the Avenues Bonus in a manner that is consistent with the vision in General Plan 2035, until the Greater Melrose Triangle Plan can be completed.

Additionally, once the Overlay has been adopted, it could be applicable to other adjacent properties in the Commercial Neighborhood 2 designation upon application.

Todd Gish, Contract Urban Designer, presented the design review report. He spoke regarding urban design sense, street trees, typical arrangement of commercial buildings and streetscape. He stated the designed project will make substantial contribution to this high-profile stretch of Melrose.

Its architectural quality is a definite step up for the neighborhood, and its site design takes direct cues from the successful surrounding streetscape already in place.

He spoke regarding the front, side, and rear elevations and stated they are richly articulated, and responsive to their individual contexts: street frontages are open and inviting, and create a strong architectural rhythm of storefronts, windows, awnings, and balconies, all activating the sidewalk.

The front courtyard is especially nice: partially enclosed yet still visible, it provides a welcoming transitional space between the public way and this part of the building. At the rear, the project is sensitive to adjacent residential neighbors; a deep setback, balcony, and high windows with projecting awnings keep this back side from the usual afterthought status of most commercial buildings.

The placement of the parking entrance on the side street is another important feature maintaining the walkability and preserving the pedestrian-oriented character along this block of Melrose.

Adrian Gallo, Associate Planner, stated a lot merger is also requested; which would permit three lots to be combined into one lot. This allows the proposed project to utilize unused square-footage from the existing development.

Overall, this proposed project is well suited for this site and the surrounding neighborhood. The development is designed with exceptional architectural quality, is complimentary to the context of the neighborhood and meets or exceeds all of the development standards for commercial projects.

Commissioner Yeber questioned which operations demonstrate wholesale versus retail. He questioned how that would be enforced.

John Keho, Planning Manager, stated typically a wholesale showroom is not normally an establishment where someone could just walk in off the street. Retail is a cash and carry establishment, open to the general public.

Commissioner Yeber questioned how it was determined this was to be a target site for the overlay zone.

Adrian Gallo, Associate Planner, stated for the record, the applicant has requested this for the property.

Commissioner Huebner disclosed for the record he met with the applicant Ben Soleimani. They discussed matters contained solely in the staff report dated April 19, 2012.

Commissioner Altschul disclosed for the record he met with the applicant Ben Soleimani. They discussed matters contained solely in the staff report dated April 19, 2012.

Chair Bernstein disclosed for the record he met with the applicant Ben Soleimani. He also met with representatives from West Hollywood West Residents Association. They discussed matters contained solely in the staff report dated April 19, 2012.

Commissioner Yeber disclosed for the record he had an email exchange from a member of the public and spoke to a member of the Chamber of Commerce. They discussed matters contained solely in the staff report dated April 19, 2012.

Commissioner Aghaei disclosed for the record he met with the applicant Ben Soleimani and the consultants. He also spoke with a member of the public. They discussed matters contained solely in the staff report dated April 19, 2012.

Chair Bernstein opened the public hearing for Item 10.A.:

CLARE BRONOWSKI, LOS ANGELES, BNB Investments, applicant's representative, presented the applicants report. She provided a history of the project and spoke on design review, community meetings, the removal of residential uses, increased setbacks, increased patio areas and landscaping on Melrose Avenue, window treatments, driveway restrictions, scale and detail, parking, neighborhood compatibility, and the overall architectural style.

She stated the project was redesigned to follow the General Plan 2035, and the overlay requesting to be adopted is consistent with the General Plan. She detailed the height and density bonuses and how they were achieved and spoke on the environmental review process; which included the traffic and parking study. She stated this project is an absolute asset to the city.

JACK HOLLANDER, BEVERLY HILLS, architect, continued the applicant's report. He detailed the current property site and spoke regarding square-footage, parking, design features, courtyard, tenants, private elevators, roof mechanical units, setbacks, driveway, and shade and shadow issues.

Chair Bernstein stated the following did not wish to speak, but wanted their names and position read into the record:

DEBBIE MEISTER, WEST HOLLYWOOD, opposes staff's recommendation of approval.

MANNY RODRIGUEZ, WEST HOLLYWOOD, opposes staff's recommendation of approval.

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

MOIRA CONROY, WEST HOLLYWOOD, opposes staff's recommendation of approval.

DOUGLAS WARD, WEST HOLLYWOOD, opposes staff's recommendation of approval.

RICHARD BLONS, WEST HOLLYWOOD, opposes staff's recommendation of approval.

VALERIE ALEXANDER, WEST HOLLYWOOD, opposes staff's recommendation of approval, and has concerns of political contributions of the developer and associates to the campaigns of the elected officials making the decision.

FRANCOIS BRUN-COTTON, opposes staff's recommendation of approval.

ROB PAPERNO, WEST HOLLYWOOD, opposes Staff's recommendation of approval.

The following were public speakers:

MELANIE LEVITT, WEST HOLLYWOOD, opposes staff's recommendation of approval.

MICHAEL LEE, WEST HOLLYWOOD, has concerns regarding this item. He spoke on traffic issues, delivery, noise, and possible future tenants.

PADI MOSCHETTA, WEST HOLLYWOOD, opposes staff's recommendation of approval.

MARTIN STRUDLER, WEST HOLLYWOOD, opposes staff's recommendation of approval. He had concerns regarding parking.

ARMEN OVSEPIAN, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

JAY LUCHS, LOS ANGELES, spoke in support of staff's recommendation of approval.

ALEX VANCE, WEST HOLLYWOOD, opposes staff's recommendation of approval.

LAUREN MEISTER, WEST HOLLYWOOD, opposes staff's recommendation of approval. She had concerns regarding the lot line adjustment, the Avenues Bonus, and the Negative Declaration.

STEPHEN MARTIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the lot line adjustment and traffic issues.

RUTH CISLOWSKI, WEST HOLLYWOOD, opposes staff's recommendation of approval.

SHONDA HORNBECK, LOS ANGELES, opposes staff's recommendation of approval.

HOPE BROTHERS, BEVERLY HILLS, opposes staff's recommendation of approval.

TOM FLEMING, WEST HOLLYWOOD, opposes staff's recommendation of approval.

CATHY BLAIVES, WEST HOLLYWOOD, opposes staff's recommendation of approval.

MARY ANN COLLINGS, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

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

ALI KARIMPOUR, PACIFIC PALISADES, spoke in support of staff's recommendation of approval.

JAMES KASHIAN, LOS ANGELES, opposes staff's recommendation of approval.

JOE RUSSO, WEST HOLLYWOOD, opposes staff's recommendation of approval. He had concerns regarding the water table.

RICHARD DAVIDHOFF, LOS ANGELES, applicant's representative, presented the applicant's rebuttal. He spoke on neighborhood meetings, economics, and neighborhood compatibility.

BEN SOLEIMANI, WEST HOLLYWOOD, applicant, continued the applicant's rebuttal. He spoke regarding the neighboring residential properties, neighboring commercial properties, square-footage, traffic, and pedestrian traffic.

Commissioner Yeber questioned the proposed tenant and business model.

CLARE BRONOWSKI, LOS ANGELES, BNB Investments, applicant's representative, stated for the record, Restoration Hardware is in the past. There is a new tenant with a new business model that will be leasing the space. There is no café.

THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 8:05 P.M. AND RECONVENED AT 8:20 P.M. DUE TO TECHNICAL ISSUES.

Chair Bernstein requested clarification regarding the construction of the subterranean parking structure and tiebacks.

Commissioner Yeber requested a brief development history of the project site and requested clarification regarding the liquefaction concerns.

Commissioner Aghaei spoke regarding the lot line adjustment. He commented, since the applicant owns the three parcels, he is well within his legal right to come before the commission and ask for the parcels to be combined. He stated the lot line adjustment is not objectionable.

In respect to the zone text amendment, zone map amendment, and modification, he stated these are precursors to the Melrose Triangle Plan. He indicated what is being asked to do tonight, is effectively implement what is already down the pipeline. He spoke regarding implementing the General Plan 2035 in phases. Allowing the applicant to make use of the Avenues Bonus, is logical, since the city is already resolved to provide it for the area. It is now just a matter of implementation.

He stated the project design is amazing and spoke regarding neighborhood compatibility. The design is really elegant, understated, and it is unique enough that it's different from other projects in the area, but its superior design lets it effectively be a part of other high design elements in the area.

He said it appears the applicant has gone above and beyond and has been attentive to the needs of the neighborhood; with respect to the aesthetics and design of the project.

Looking at the project in the context of the Avenues Bonus criteria, he stated it is consistent with the General Plan. It is compatible to the character of Melrose Avenue, and it contributes to the neighborhood in terms of making it a pedestrian friendly environment. The detrimental impacts to the surrounding neighborhood are minimal, the quality of the architecture is awesome. The applicant is providing an excess of forty-one parking spaces for the neighborhood, along with the superior design, and it supports the economic competitiveness of The Avenues, which are all are for the public benefit.

Commissioner Aghaei moved to: 1) recommend to City Council approval; and 2) adopt all three draft resolutions as presented by staff.

Seconded by Commissioner Yeber.

Commissioner Altschul had concerns with bonuses that are not universally available yet. It should be done on a case by case basis. He spoke regarding environmental impact reports and suggested the applicant should have had one prepared; which would have alleviated any questions or issues regarding traffic and circulation, retail use and wholesale use. A Negative Declaration is not appropriate at this time.

Commissioner Huebner commented on the design review subcommittee; stating they thought the design was exemplary. The applicant had really responded to the neighborhood concerns and it is a wonderful addition to Melrose Avenue. He spoke regarding the Avenues Bonus', and stated they are on a case by case basis. He had concerns with construction issues, and stated there are always ways to mitigate the construction concerns. He does not believe the trip generation will be that significant. He stated the owner is within his legal rights to tie the lots together with the lot line adjustment. He stated his support of the project.

Commissioner Yeber stated the application before us if for a wholesale space. We can't predict what the applicant will do beyond that. We can only analyze and make a decision based on what is in front of us at this time. He stated his support of the Negative Declaration, and the mitigation discussion that was held regarding this project.

He requested an amendment to the motion: 1) this project shall remain a wholesale use.

Commissioner Aghaei agreed to the requested amendment.

Commissioner Yeber stated this is a wonderfully articulated building. He spoke regarding the massing and bulk, and stated the scale very well fits that particular section of Melrose Avenue. It will be a huge improvement for that block. He supports the project.

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

Chair Bernstein stated it is clear according to the General Plan; this is the direction the City Council wants this to go. He expressed concern regarding tiebacks to already built property to calculate FAR bonus. It seems appropriate to move this forward to City Council and have them amend it as they see fit.

ACTION: 1) Recommend approval to City Council; 2) Adopt Resolution No. PC 12-1011 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT ESTABLISHING THE AVENUES BONUS OVERLAY DISTRICT, ADDING A NEW CHAPTER 19.14.100 TO TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE, AND AMENDING CHAPTERS 19.04.020 AND 19.10.050, IN CONJUNCTION WITH A PROPOSED ZONING MAP AMENDMENT, FOR THE PROPOSED DEVELOPMENT LOCATED AT 8564-8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA;" 3) Adopt Resolution No. PC 12-1012 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING CITY COUNCIL APPROVAL OF A ZONING MAP AMENDMENT, IN CONJUNCTION WITH A PROPOSED ZONE TEXT AMENDMENT, FOR THE PROPERTIES LOCATED AT 8564-8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA;" 4) Adopt Resolution No. PC 12-1013 as amended: a) the project shall remain as a wholes design use: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING CITY COUNCIL ADOPT A NEGATIVE DECLARATION AND APPROVE A DEMOLITION PERMIT, DEVELOPMENT PERMIT, MODIFICATION PERMIT, AND A LOT LINE ADJUSTMENT, FOR THE DEMOLITION OF SIX COMMERCIAL STRUCTURES TO CONSTRUCT A TWO-STORY, 30,163 SQUARE-FOOT COMMERCIAL BUILDING, FOR THE PROPERTIES LOCATED AT 8564-8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA;" and 5) Close Public Hearing Item 10.A. **Moved by Commissioner Aghaei, seconded by Commissioner Yeber and passes on a Roll Call Vote:**

AYES: Aghaei, Huebner, Yeber, Chair Bernstein.

NOES: Altschul.

ABSENT: DeLuccio, Vice-Chair Buckner.

RECUSED: None.

11. NEW BUSINESS.

A. Planning Commission Subcommittees.

The Planning Commission will review the following standing subcommittees for re-appointments: 1) Business Signage Subcommittee; and 2) Design Steering Committee (Automated Parking Garage Project).

ACTION: Continue to Thursday, May 3, 2012: **Motion carried by consensus of the Commission.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update.

John Keho, Current and Historic Preservation Planning Manager, provided an update of the National APA Conference.

15. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the project located at 8564-8590 Melrose Avenue, and stated she will lobby against it to City Councilmembers.

16. ITEMS FROM COMMISSIONERS.

Commissioner Yeber thanked staff for all they did as the host committee for the National APA Conference.

Commissioner Aghaei congratulated Commissioner Altschul.

Chair Bernstein commented on the process in other cities and stated the process in the City of West Hollywood may be imperfect, but the process is actually really pretty good.

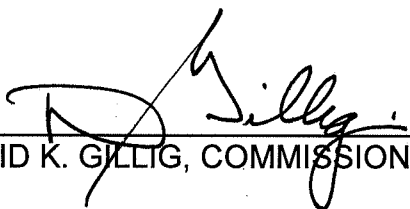
17. ADJOURNMENT: The Planning Commission adjourned at 8:55 P.M. to the next regularly scheduled meeting which will be on Thursday, May 3, 2012 beginning at 6:30 P.M. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California.
Motion carried by consensus of the Commission.

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 3RD DAY OF
MAY, 2012.



ALAN BERNSTEIN, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY