



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**October 16, 2008**

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 6:33 P.M.

**2. PLEDGE OF ALLEGIANCE:** Ruth Williams led the Pledge of Allegiance.

**3. ROLL CALL:**

Commissioners Present: Bernstein, Guardarrama, Hamaker, Yeber, Vice-Chair DeLuccio, Chair Altschul.

Commissioners Absent: None.

Staff Present: Adrian Gallo, Associate Planner, Heather Waldstein, Senior Contract Planner, John Chase, Urban Designer, John Keho, Planning Manager, Michael Jenkins, City Attorney, and David Gillig, Commission Secretary.

**4. APPROVAL OF AGENDA:**

**ACTION:** Approve the Planning Commission Agenda of Thursday, October 16, 2008 as presented. **Moved by Commissioner Hamaker, seconded by Vice-Chair DeLuccio and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**A. September 18, 2008**

**ACTION:** Approve the Planning Commission Minutes of Thursday, September 18, 2008 as presented. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

**6. PUBLIC COMMENT.** None.

**7. ITEMS FROM COMMISSIONERS.**

Commissioner Guardarrama commented on the City of West Hollywood's support of *No on Proposition No. 8*.

8. **CONSENT CALENDAR.** None.

9. **PUBLIC HEARINGS.**

**A. 1136-1142 N. La Cienega Boulevard.  
Demolition Permit 2006-038, Development Permit 2006-052, Tentative  
Trace Map 2006-020:**

Continued from Thursday, June 5, 2008, Thursday, July 17, 2008, Thursday, August 21, 2008 and September 18, 2008. Applicant is requesting to demolish two single-family structures and construct a fourteen-unit courtyard condominium project.

Applicant requested a continuance.

**ACTION:** Continue to Thursday, November 6, 2008. **Moved by Commissioner Hamaker, seconded by Vice-Chair DeLuccio and unanimously carried as part of the approved agenda.**

**B. 1146 N. Hacienda Place.  
Variance 2008-002**

Applicant is requesting an after-the-fact variance to allow garage encroachments into the side-yard and rear-yard, and minor architectural changes to the front façade of a newly constructed ten-unit residential building.

Staff requested a continuance.

**ACTION:** Continue to Thursday, November 6, 2008. **Moved by Commissioner Hamaker, seconded by Vice-Chair DeLuccio and unanimously carried as part of the approved agenda.**

**C. 7547 Santa Monica Boulevard.  
Conditional Use Permit 2008-004:**

Adrian Gallo, Associate Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, October 16, 2008.

He stated the applicant is requesting to allow the relocation of an existing pawn shop within a retail space. He provided a history of the business, neighborhood compatibility, crime statistics, project site, parking, existing pawn shops, and stated this is an after-the-fact requested permit.

Staff recommends approval.

The following corrections shall be made to Resolution No. PC 08-834:

SECTION 3. “...by posting the subject site on September 16, 2007 2008”.

SECTION 6. “...This permit is for an existing business that has been operating for over 17 years at ~~a new~~ another location.”

Commissioner Hamaker questioned if the applicant is leasing or owns the current commercial space.

Commissioner Guardarrama questioned the time-frames regarding the application status and public hearing.

Chair Altschul opened public testimony for Item 9.C:

ALINA KIEVSKY, applicant, presented the applicant’s report. She presented a history of the family and operation of the business. She detailed the economic situation of the business, client base and neighborhood compatibility.

RUTH WILLIAMS, WEST HOLLYWOOD, opposes staff’s recommendation of approval.

MICHAEL HAVE, WEST HOLLYWOOD, spoke in support of staff’s recommendation of approval.

LAWRENCE CARON, WEST HOLLYWOOD, spoke in support of staff’s recommendation of approval.

YOLA DORE, WEST HOLLYWOOD, opposes staff’s recommendation of approval.

JEANNE DOBRIN, WEST HOLLYWOOD, opposes staff’s recommendation of approval.

LISA DAVIS, STUDIO CITY, spoke in support of staff’s recommendation of approval.

FIRA GORDETZKAYA, WEST HOLLYWOOD, spoke in support of staff’s recommendation of approval.

ISRAEL ZILBERMAN, WEST HOLLYWOOD, spoke in support of staff’s recommendation of approval.

ANNA GOLOBORG, WEST HOLLYWOOD, spoke in support of staff’s recommendation of approval.

YAKOV LUBERVISKY, LOS ANGELES, spoke in support of staff's recommendation of approval.

MARK YANKELAVICH, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

OLGA KUDEYAUCH, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

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

INNA BRUSTINOV, LOS ANGELES, spoke in support of staff's recommendation of approval.

LUDMIILA GIEROWITZ, PASADENA, spoke in support of staff's recommendation of approval.

IRINA TENKSER, SANTA MONICA, spoke in support of staff's recommendation of approval.

OLEG DOROSHENKOV, LOS ANGELES, spoke in support of staff's recommendation of approval.

YAN YUKHTMAN, LOS ANGELES, spoke in support of staff's recommendation of approval.

VAN ROBINSON, LOS ANGELES, spoke in support of staff's recommendation of approval.

EFIM PHREINEL, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

LEON GERSH, BEVERLY HILLS, spoke in support of staff's recommendation of approval.

MICHAEL KIZHNER, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

YAKOV DORSHT, LOS ANGELES, spoke in support of staff's recommendation of approval.

PETER NICHOLS, LOS ANGELES, opposes staff's recommendation of approval.

NADEJDA KHAPSALES, LOS ANGELES, spoke in support of staff's recommendation of approval.

ALEX KOTLYEN, STUDIO CITY, spoke in support of staff's recommendation of approval.

ALINA KIEVSKY, applicant, presented the applicant's rebuttal. She spoke on the history of the business within the City of West Hollywood. She asked for support of staff's recommendation of approval.

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

Commissioner Hamaker disclosed for the record she is a member of the Project Area Committee (PAC), she participated in the meeting where this item was heard. She abstained from voting on this item.

Commissioner DeLuccio stated he does support the continued operation at the new location.

Commissioner Hamaker questioned the legalities of having the use run with the land. She commented on the redevelopment of the eastside.

**Commissioner Hamaker moved to: 1) approve staff's recommendation of approval.**

**Seconded by Chair Altschul.**

Commissioner Guardarrama commented on procedural issues. He could not support this item.

Commissioner Bernstein commented on considering the reduction of pawn shops in the future.

**ACTION:** 1) Approve the application; 2) Adopt Resolution No. PC 08-834 as presented; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING CONDITIONAL USE PERMIT 2008-004, TO PERMIT A PAWN SHOP WITHIN AN EXISTING RETAIL SPACE, LOCATED AT 7547 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.C. **Moved by Commissioner Hamaker, seconded by Chair Altschul and passes on a Roll Call Vote:**

**AYES:** Bernstein, Hamaker, Yeber, Vice-Chair DeLuccio, Chair Altschul.  
**NOES:** Guardarrama.  
**ABSENT:** None.  
**RECUSED:** None.

**THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 7:55 P.M. AND RECONVENED AT 8:10 P.M.**

*Commissioner Hamaker recused herself from the dais and meeting at this time.*

**D. 355-375 N. San Vicente Boulevard.**

**Development Permit Amendment 2008-021:**

Heather Waldstein, Senior Contract Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, October 16, 2008.

She stated the applicant is requesting to amend an approved multi-family residential project containing 117 market rate condominium units and 35 affordable rental units with 286 subterranean parking spaces. The amended project would contain 116 market rate condominium units, 35 affordable rental units, and 289 subterranean parking spaces.

She detailed the history of the project and spoke on the six major revisions to the approved project: 1) architectural modifications; 2) site plan modifications; 3) advanced roof and swimming pool relocation; 4) parking modifications and new driveway entrance; 5) height averaging and unit reconfiguration; and 6) tentative tract map revision.

John Chase, Urban Designer, spoke and detailed the amended architectural design, ornamental patterns, modern forms, glass, massing, light and space, courtyards, paseos, landscaping, and materials.

Overall, the amended project remains well suited for the site and the surrounding neighborhood. Staff recommends approval of the amended project.

Chair Altschul questioned the floor area ratio (FAR) of the approved project and the amended project.

Chair Altschul opened public testimony for Item 9.D:

JEFF HABER, LOS ANGELES, representing the applicant, presented the applicant's report. He detailed the history of the project and spoke on square-footage, unit count, inclusionary housing units, height, setbacks, common open space, roof-top pool, driveway, and architectural design.

BRUCE WEINER, LOS ANGELES, applicant, continued the applicant's report. He provided a detailed history of the development company.

RIC RICKLES, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

SHARON SANDOW, LOS ANGELES, representing the West Hollywood Chamber of Commerce, spoke in support of staff's recommendation of approval.

NADIA SUTTON, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

VICTORIA JOYCE, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

JOSH TRACHTENBERG, WEST HOLLYWOOD, has concerns regarding this item. He spoke on environmental impacts.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on architectural design and setbacks.

STUART DENEBOURG, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

BEVERLY DENENBERGE, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

LAUREN MEISTER, WEST HOLLYWOOD, has concerns regarding this item. She spoke on architectural re-design, construction, outside lighting plans, roof-top pool, and traffic and safety issues.

DAN SIEGAL, WEST HOLLYWOOD, has concerns regarding this item. He spoke on architectural re-design, neighborhood compatibility, and traffic and safety issues,

ERIK LERNER, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

ANSON SNYDER, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

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

JEFF HABER, LOS ANGELES, representing the applicant, presented the applicant's rebuttal. He spoke regarding on-going neighborhood meetings, traffic mitigation, pedestrian safety, lot size, zoning and architectural design.

Commissioner Bernstein requested clarification on the common open space.

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

Commissioner Bernstein disclosed for the record he spoke and met with the applicant's representatives, and discussed matters contained in the staff report.

Commissioner Guardarrama disclosed for the record he spoke and met with the applicant's representatives, and discussed matters contained in the staff report.

Chair Altschul disclosed for the record he spoke and met with the applicant's representatives, and discussed matters contained in the staff report.

Commissioner Yeber disclosed for the record he spoke and met with the applicant's representatives, and discussed matters contained in the staff report.

**Vice-Chair DeLuccio moved to: 1) approve staff's recommendation of approval.**

**Seconded by Commissioner Bernstein.**

Commissioner Yeber questioned construction mitigation issues and spoke regarding the re-design aspect.

Commissioner Guardarrama commented on the re-design.

**ACTION:** 1) Approve the application; 2) Adopt Resolution No. PC 08-836 as presented; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING DEVELOPMENT PERMIT AMENDMENT 2008-021, AMENDING DEVELOPMENT PERMIT 2005-027, FOR THE CONSTRUCTION OF A MULTI-FAMILY RESIDENTIAL PROJECT CONTAINING 117 MARKET RATE CONDOMINIUM UNITS AND 35 AFFORDABLE RENTAL UNITS, LOCATED AT 355-375 N. SAN VICENTE BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.D. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Bernstein and passes on a Roll Call Vote:**

**AYES:** Bernstein, Guardarrama, Yeber, Vice-Chair DeLuccio, Chair Altschul.

**NOES:** None.

**ABSENT:** None.

**RECUSED:** Hamaker.

**E. Zone Text Amendment 2008-006.**

Heather Waldstein, Senior Contract Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, October 16, 2008.

She stated the City of West Hollywood is requesting to amend the City of West Hollywood Zoning Ordinance to allow discretion over projects approved by a Development Agreement city-wide.

The intent of the language of the Affordable Housing Ordinance is to allow modifications to the unit size, type and location by means of a review authority. The reasons for modifying inclusionary units should be for the creation of more affordable units than would otherwise be provided, or providing a documented public benefit, or due to circumstances unique to the project size, location or design.

Staff is recommending an additional change to Resolution No. 08-835; Attachment A – Section 19.22.030: 2. *"The Commission, or City Manager as a minor modification of an approved Development Agreement, may modify the requirements as to the unit size or type if it finds that a modification would better serve the affordable housing needs of the City."*

Resolution No. 08-835; Attachment A – Section 19.22.030: 3. *"While the intent for inclusionary units to be dispersed throughout the project as much as possible, inclusionary units may be clustered within the building if the review authority, or City Manager as a minor modification of an approved Development Agreement, determines that such clustering*

results in the creation of more affordable units than would otherwise be provided, or provides a documented public benefit, or due to circumstances unique to the project size, location or design otherwise better serves the affordable housing needs of the City.”

Staff recommends approval.

Chair Altschul opened public testimony for Item 9.E:

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on development agreements.

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

Commissioner DeLuccio questioned whom the review authority is, the language definition of “commission” throughout the document and also questioned if the City Manager has the ability to modify the requirements.

**Vice-Chair DeLuccio moved to: 1) approve staff’s recommendation of approval.**

**Seconded by Commissioner Yeber.**

**ACTION:** 1) Approve the application; 2) Adopt Resolution No. PC 08-835 as presented; “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT 2008-006, ALLOWING DISCRETION OVER PROJECTS APPROVED BY A DEVELOPMENT AGREEMENT, LOCATED CITY-WIDE, WEST HOLLYWOOD, CALIFORNIA”; and 3) Close Public Hearing Item 9.E. **Moved by Vice-Chair DeLuccio, seconded by Commissioner Yeber and unanimously carried; notating the recusal of Commissioner Hamaker.**

**10. NEW BUSINESS.** None.

**11. UNFINISHED BUSINESS.** None.

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

**13. ITEMS FROM STAFF.**

**A. General Plan Update.**

John Keho, Planning Manager, stated the next General Plan Community meeting will be held on Saturday, November 8, 2008.

**B. Director's Report.** None.

**C. Planning Manager's Update.**

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission. He stated the next Ethics Training for Commissioner's will be held on Wednesday, November 12, 2008; 6:00 P.M. – 8:00 P.M.

**14. PUBLIC COMMENT.**

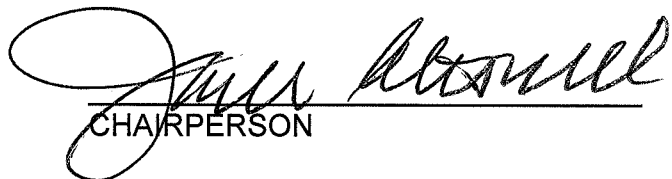
JEANNE DOBRIN, WEST HOLLYWOOD, commented on ethics training.

**15. ITEMS FROM COMMISSIONERS.**

Commissioner Bernstein requested clarification from staff regarding "anti-idling" statutes.

**16. ADJOURNMENT:** The Planning Commission adjourned 9:30 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, November 6, 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 13<sup>TH</sup> DAY OF NOVEMBER, 2008.

  
CHAIRPERSON

ATTEST:

  
COMMUNITY DEVELOPMENT DIRECTOR