



PLANNING COMMISSION MINUTES
Regular Meeting
September 6, 2007

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

1. CALL TO ORDER:

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

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

3. ROLL CALL:

Commissioners Present: Altschul, D'Amico, DeLuccio, Hamaker, Yeber, Acting Chair Bartolo.

Commissioners Absent: Chair Guardarrama.

Staff Present: Michael Barney, Assistant Planner, Francisco Contreras, Associate Planner, John Chase, Urban Designer, Eugene Alper, Senior Code Compliance Officer, Jeff Skorneck, Housing Manager, John Keho, Planning Manager, John Cotti, Acting City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

ACTION: Approve the Planning Commission Agenda of Thursday, September 6, 2007 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Yeber and unanimously carried; notating the abstention of Chair Guardarrama.**

5. APPROVAL OF MINUTES.

A. July 26, 2007 (Special Meeting)

Commissioner Yeber stated the word "*under-accessed*"; should be reflected as "*under-assessed*"; fourth paragraph from the bottom on page 7 of 12.

ACTION: Approve the Planning Commission Minutes of Thursday, July 26, 2007 as amended. **Moved by Commissioner DeLuccio, seconded by Commissioner Altschul and unanimously carried; notating the abstention of Chair Guardarrama.**

B. August 2, 2007

ACTION: Approve the Planning Commission Minutes of Thursday, August 2, 2007 as presented. **Moved by Commissioner Deluccio, seconded by Commissioner Altschul and unanimously carried; notating the abstention of Chair Guardarrama.**

6. **PUBLIC COMMENT.** None.

7. **ITEMS FROM COMMISSIONERS.**

Commissioner Altschul requested clarification regarding the public comment period for the Environmental Impact Report regarding the Melrose Triangle Mixed-Use Project.

8. **CONSENT CALENDAR.**

A. 8210 Fountain Avenue.

Demolition Permit 2006-033, Development Permit 2006-047, Tentative 006-017, Negative Declaration:

On Thursday, August 2, 2007, the Planning Commission voted to approve an amended permit to demolish four existing structures on-site that comprise an eight-unit apartment complex, and construct a new nine-unit condominium structure over one level of subterranean parking using the Courtyard Housing Standards.

ACTION: 1) Adopt Resolution No. PC 07-756 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION, AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-033 AND DEVELOPMENT PERMIT 2006-047, FOR THE DEMOLITION OF ALL EXISTING STRUCTURES ON SITE INCLUDING EIGHT (8) RESIDENTIAL UNITS AND THE CONSTRUCTION OF A NEW NINE (9) UNIT CONDOMINIUM BUILDING, LOCATED AT 8210 FOUNTAIN AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 2) Adopt Resolution No. PC 07-757 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-017 (MINOR LAND DIVISION 67066), FOR THE PROPERTY LOCATED AT 8210 FOUNTAIN AVENUE, WEST HOLLYWOOD, CALIFORNIA". **Moved by Commissioner DeLuccio, seconded by Commissioner Altschul and unanimously carried; notating the abstention of Chair Guardarrama and the recusion of Commissioner Yeber.**

9. PUBLIC HEARINGS.

A. 1150 N. Clark Drive.

Demolition Permit 2005-045, Development Permit 2005-060, Tentative Tract Map 2005-019, Negative Declaration:

Michael Barney, Associate Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, September 6, 2007.

He detailed the project history, property location, open space, and parking. He stated for the record Resolution No. PC 07-764; Condition 7.7) was removed and Condition 10.3) should read "*eight-units*", instead of five units.

Staff recommends approval.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS TO VIEW THE MASSING MODEL AT 6:45 P.M. AND RECONVENED AT 6:50 P.M.

Commissioner D'Amico disclosed for the record he drove by the property.

Commissioner Altschul disclosed for the record he drove by the property.

Commissioner Yeber disclosed for the record he made a site-visit and this item came before the Historic Preservation Commission while he was on the commission.

Acting Chair Bartolo opened public testimony for Item 9.A.:

ALFONSO AVILA, SHERMAN OAKS, architect, presented the applicant's report. He detailed the history of the project, current site, building design, open space, parking requirements, square-footage, project materials, and set-backs.

Commissioner Altschul questioned the square-footage of the largest unit.

ALFONSO AVILA, SHERMAN OAKS, architect, stated for the record the largest unit is approximately 2,200 square-feet and the next largest unit is approximately 1,800 square-feet.

Commissioner DeLuccio requested clarification on set-backs and questioned what mitigation measures have been taken regarding neighbors concerns.

Commissioner Yeber requested a breakdown on unit sizes.

Acting Chair Bartolo requested clarification regarding the evolution of the project.

Commissioner D'Amico questioned if the applicant would be amicable to reducing the rear yard set-back to increase the front-yard set-back.

ALFONSO AVILA, SHERMAN OAKS, architect, stated for the record the project works well as presented.

SIBLYL ZADEN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on parking, traffic, projections, and view corridors.

PHILLIP EVANS, WEST HOLLYWOOD, has concerns regarding this item. He spoke on set-backs, roof projections, parking, landscaping, neighborhood drainage, and HVAC units.

MADELEINE RACKLEY, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval. She had concerns regarding the cinder-block wall and drainage.

BROOKS WACHTEL, WEST HOLLYWOOD, has concerns regarding this item. He spoke on parking, quality of life issues, views and density.

SUSAN DE BOISMILON, WEST HOLLYWOOD, has concerns regarding this item. She spoke on loss of views, unit size, and parking.

ALLEGRA ALLISON, WEST HOLLYWOOD, opposes staff's recommendation of approval.

LISA WILCOX, WEST HOLLYWOOD, has concerns regarding this item. She spoke on parking, landscaping and building height.

BJORN JOHNSON, WEST HOLLYWOOD, has concerns regarding this item. He spoke on parking, historical properties, and the accuracy of the staff report regarding residential concerns.

DEJAN MIKITOVIC, WEST HOLLYWOOD, has concerns regarding this item. He spoke on parking.

RICHARD WIGHT, WEST HOLLYWOOD, has concerns regarding this item. He spoke on neighborhood compatibility.

PETER SACKER, ALISO VIEJO, opposes staff's recommendation of approval.

DANNY PECK, opposes staff's recommendation of approval.

TOM DEMILLE, WEST HOLLYWOOD, has concerns regarding this item. He spoke on national foreclosures, building design, cost of unit's, and building and safety issues.

ALFONSO AVILA, SHERMAN OAKS, architect, presented the applicant's rebuttal. He spoke and detailed the air conditioning units, landscaping, and building design.

Commissioner DeLuccio questioned the roof projections and landscaping plan.

Commissioner D'Amico questioned the exterior envelope and stair towers.

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

Commissioner Altschul commented on the exceptional architecture and remarked how the project was designed within the context and requirements of the zoning code. He had concerns with unit sizes, massing, height, parking, and neighborhood compatibility.

Commissioner Altschul moved to: 1) deny the project without prejudice.

Seconded by Commissioner DeLuccio.

Commissioner Yeber spoke and detailed the Historic Preservation Commission's decision regarding this property. He commended the project's design. He stated his concerns with height, massing, and open space. He stated he could not support the project at this stage.

Acting Chair Bartolo spoke on parking, sloping, and would like to see the overall massing of the project reduced. She questioned if there could be other alternatives suggested, rather than to deny the project.

Commissioner DeLuccio had concerns with the lack of landscaping.

Commissioner D'Amico spoke on parking and stated his concerns with the rear yard set-back, unit size, and roof projections.

Commissioner Hamaker had concerns with the massing.

Commissioner Altschul suggested asking the applicant if they would be amenable to a total redesign in order to come up with an acceptable design.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:55 P.M. AND RECONVENED AT 8:00 P.M.

John Keho, Planning Manager, stated for the record the applicant has agreed to revisit the design of the project. He recommended a continuance of the item to a date uncertain.

Commissioner Altschul withdrew the original motion to: 1) deny the project without prejudice.

Withdrawal of the original motion agreed to by Commissioner DeLuccio.

Commissioner Altschul moved to: 1) continue to a date uncertain; 2) re-open the Public Hearing; 3) project shall be re-noticed; 4) applicant shall meet with the neighbors; 5) applicant shall resubmit to the Design Review Subcommittee; 6) applicant shall work closely with staff and the Urban Designer.

Seconded by Acting Chair Bartolo.

ACTION: 1) Continue to a date uncertain; 2) project shall be re-noticed; 3) applicant shall meet with neighbors; 4) applicant shall resubmit to the Design Review Subcommittee; 5) applicant shall work closely with staff and the Urban Designer; and 6) re-open the Public Hearing item. **Moved by Commissioner Altschul, seconded by Acting Chair Bartolo and passes on a Roll Call Vote:**

AYES: Commissioners Altschul, D'Amico, DeLuccio, Hamaker, Yeber, Acting-Chair Bartolo.

NOES: None.

ABSENT: Chair Guardarrama.

RECUSED: None.

B. 656 N. Huntley Drive.

Demolition Permit 2007-008, Development Permit 2007-010, Modification 2007-002, Modification 2007-003, Modification 2007-005, Modification 2007-005, Modification 2007-007, Tentative Tract Map 2007-005, Negative Declaration:

Francisco Contreras, Associate Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, September 6, 2007.

He detailed the history of the property and spoke on the property location, neighborhood compatibility, property dimensions, landscaping, unit size, common open space, parking, development standards and minor change of materials. The modifications include the rear yard set-back, common open space, driveway slope and building height.

Staff recommends approval.

Commissioner DeLuccio disclosed for the record he drove by the site and stated this project had come before the Planning Commission before.

Commissioner Altschul disclosed for the record he participated in the Design Review process.

Commissioner Hamaker disclosed for the record she heard this project when it was heard by the Planning Commission in the past.

Commissioner Yeber disclosed for the record he made a site-visit.

Acting Chair Bartolo opened public testimony for Item 9.B.:

CLIVE WILKINSON, WEST HOLLYWOOD, owner and applicant, presented the applicant's report. He detailed the history of the property and spoke regarding square-footage, parking, materials, color, and curtains.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS TO VIEW THE MASSING MODEL AT 8:15 P.M. AND RECONVENED AT 8:20 P.M.

CHRIS HOSFORD, WEST HOLLYWOOD, has concerns regarding this item. He spoke on landscaping screening between the properties.

DANA LANGE, WOODLAND HILLS, has concerns regarding this item. She spoke on massing, landscaping, and property screening.

CLIVE WILKINSON, WEST HOLLYWOOD, owner and applicant, presented the applicant's rebuttal. He stated he would be willing to work with the neighbors to improve screening between the properties.

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

Commissioner DeLuccio moved to: 1) approve staff's recommendation of approval; and 2) applicant shall work with the neighbors located at 652 N. Huntley Drive to improve the property screening.

Seconded by Commissioner Altschul.

Commissioner Hamaker questioned the north façade articulation.

Commissioner Yeber had concerns with the west street façade, questioned the street parking permits and was in support of the property screening.

Acting Chair Bartolo questioned the mitigation measures regarding neighboring landscaping (grapefruit tree).

Commissioner Bartolo added to the motion: 1) construction mitigation measures shall be added to preserve the neighboring grapefruit tree.

Commissioner DeLuccio agreed to this added condition.

Commissioner Altschul agreed to this added condition.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-752 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION, AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2007-008, DEVELOPMENT PERMIT 2007-010, MODIFICATION 2007-002, MODIFICATION 2007-003, MODIFICATION 2007-005, MODIFICATION 2007-007, FOR THE DEMOLITION OF A SINGLE-FAMILY RESIDENCE AND CONSTRUCTION OF A THREE-UNIT CONDOMINIUM DEVELOPMENT, FOR THE PROPERTY LOCATED AT 656 N. HUNTLEY DRIVE, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 07-753 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2007-005 (MINOR LAND DIVISION 69215), FOR THE PROPERTY LOCATED AT 656 N. HUNTLEY DRIVE, WEST HOLLYWOOD, CALIFORNIA"; and 4) Close Public Hearing Item 9.B. **Moved by Commissioner DeLuccio, seconded by Commissioner Altschul and passes on a Roll Call Vote:**

AYES: Commissioners Altschul, D'Amico, DeLuccio, Hamaker, Yeber, Acting-Chair Bartolo.

NOES: None.

ABSENT: Chair Guardarrama.

RECUSED: None.

C. Zone Text Amendment 2007-011:

Jeffrey Skorneck, Housing Manager, provided background information as presented in the staff report dated Thursday, September 6, 2007.

He provided detailed information regarding minimum property maintenance standards pertaining to evidence of water leakage and vegetation.

The property maintenance standards of the Zoning Ordinance are used by Code Enforcement staff, and define conditions under which warnings and citations need to be issued. Occasionally the language of the Zoning Ordinance makes application of minimum standards difficult, and these changes are intended to remove these difficulties. The proposed changes would:

1. *Add greater clarification to the definition of overgrown, dying or dead vegetation on private property or within parkway areas; and*
2. *Add evidence of water leakage.*

Staff recommends approval of these changes to the City Council.

Commissioner Altschul stated his concerns regarding what appears to give too much discretion to code compliance officers to invoke some kind of harassment(s) on landlords.

Eugene Alper, Senior Code Compliance Officer presented cases in point in reference to water leakage.

Discussion and debate was held regarding the legalities of water leakage in apartments regarding landlords, tenants and code compliance rights and regulations.

Commissioner DeLuccio stated this appears to be an additional tool, which allows the code enforcement officers to properly do their job.

Commissioner Hamaker requested clarification regarding mold issues and landlord responsibilities.

Commissioner Yeber requested clarification regarding leaks, evidence of leakage and what would necessitate and constitute repairs.

Commissioner D'Amico suggested adding "water intrusion" into Exhibit B; Section 19.30.030; Section B. 3. to read as follows: "*Structure exteriors or interiors that are improperly maintained, neglected, or damaged, or in need of repairs (e.g., weatherproofing, insect extermination or water intrusion)*"

Commissioner D'Amico moved to: 1) approve staff's recommendation to City Council; and 2) amend Section 19.30.030 Specific Violations; Section B. 3. to read as follows: "*Structure exteriors or interiors that are improperly maintained, neglected, or damaged, or in need of repairs (e.g., weatherproofing, insect extermination or water intrusion)*".

Seconded by Commissioner DeLuccio.

ACTION: 1) Adopt Resolution No. PC 07-762 as amended; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT 2007-011 RELATING TO PROPERTY MAINTENANCE STANDARDS FOR WATER LEAKS AND OVERGROWN, DYING OR DEAD VEGETATION, LOCATED CITY-WIDE, WEST HOLLYWOOD, CALIFORNIA"; and 2) Close Public Hearing Item 9.C. **Moved by Commissioner D'Amico, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

AYES: Commissioners Altschul, D'Amico, DeLuccio, Hamaker, Acting -Chair Bartolo.

NOES: Yeber.

ABSENT: Chair Guardarrama.

RECUSED: None.

10. NEW BUSINESS.

A. Emergency Preparedness Month.

Lauren Meister, Public Safety Commissioner, presented a graphic presentation of emergency preparedness for National Preparedness Month.

B. Review of Achievements 2006-2007.

Annual Congress of Commissions and Advisory Boards.

John Keho, Planning Manager, stated the Annual Boards and Commissions Congress will be talking place on Saturday, October 13, 2007 and recapped past accomplishments.

He suggested the following projects for this years' presentation: 1) The Lot Motion Picture Studio Project; 2) Greenwich Place Project; 3) Pavilons Mixed-Use Project; and 4) 8550 Santa Monica Boulevard Mixed-Use Project.

Commissioner Hamaker suggested: 1) the Sierra Bonita Affordable Housing Mixed-Use Project; 2) a small mixed-use project on La Brea Avenue; 3) Bel Age Hotel (London West Hollywood) renovation project; 4) Hyatt West Hollywood renovation project; and 5) James Hotel (which went before the Design Review Subcommittee).

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

Director's Report. None.

Planning Manager's Update.

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission. He highlighted the handout of the development proposal map, highlighting the pending and proposed development projects currently within the City of West Hollywood.

14. PUBLIC COMMENT. None.

15. ITEMS FROM COMMISSIONERS.

Commissioner D'Amico questioned the upcoming public hearings schedule regarding 8240 Sunset Boulevard (Sunset Beach).

Commissioner Yeber questioned the regularly scheduled Planning Commission meeting dates for December, 2007 and January, 2008. He questioned parking permit procedures.

ACTION: 1) Agendize for the meeting on Thursday, September 20, 2007, meeting date amendments for January, 2008. **Motion carried by consensus of the Commission.**

16. ADJOURNMENT: The Planning Commission adjourned at 9:20 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, September 20, 2007 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 20TH DAY
OF SEPTEMBER, 2007.


CHAIRPERSON

ATTEST:


COMMUNITY DEVELOPMENT DIRECTOR