



PLANNING COMMISSION MINUTES
Special Meeting
July 26 2007

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

1. CALL TO ORDER:

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

2. PLEDGE OF ALLEGIANCE: Jeanne Dobrin led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: None.

Staff Present: Michael Barney, Assistant Planner, Jennifer Noel, Associate Planner, Robert Dostalek, Associate 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, July 26, 2007 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Altschul and unanimously carried.**

5. APPROVAL OF MINUTES.

A. None.

6. PUBLIC COMMENT. None.

7. ITEMS FROM COMMISSIONERS.

Commissioner Hamaker questioned if "The Lot" has been sold.

Chair Guardarrama wished Commissioner Hamaker "Happy Birthday".

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. 1201 N. La Brea Avenue.

Demolition Permit 2006-049, Development Permit 2006-065:

Michael Barney, Assistant Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, July 26, 2007.

The proposal is to demolish two existing structures on three lots and construct a three-story, mixed-use structure with eight apartment units and 8,833 square-feet of ground level retail.

He detailed the site and surrounding area, parking, site dimensions, traffic circulation, floor area ratio, height and massing, and apartment units.

Staff recommends approval.

Commissioner D'Amico questioned why the applicant chose to build a smaller project.

Commissioner Yeber questioned the materials for the building.

Commissioner DeLuccio questioned why the applicant chose not to utilize the green building ordinance.

Commissioner Hamaker disclosed for the record she witnessed the presentation that was given by the applicant to the Project Advisory Committee.

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

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

HANNIBAL PETROSSI, NEWPORT BEACH, representing the applicant, presented the applicant's report. He detailed the history of the project and spoke on square-footage, retail space, loft and living space, elevations and parking.

Commissioner Yeber questioned if the exterior plaster would be a "smooth trowel".

HANNIBAL PETROSSI, NEWPORT BEACH, representing the applicant,, confirmed it would be a very smooth trowel.

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

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on zoning, residential parking, square-footage and shading on the west-side of the property.

HANNIBAL PETROSSI, NEWPORT BEACH, representing the applicant, presented the applicant's rebuttal. He spoke on the shading and green building construction.

Vice-Chair Bartolo questioned the depths of the retail spaces.

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

Commissioner D'amico stated he could not support the project as submitted. He has concerns regarding the surface parking, neighborhood compatibility and design standards.

Vice-Chair Bartolo commented on the lot size, economic viability, retail square-footage, parking and neighborhood compatibility.

Vice-Chair Bartolo moved to: 1) approve staff's recommendation.

Seconded by Commissioner DeLuccio.

Commissioner Hamaker commented on the lot size, retail usage and services, design and architecture, and neighborhood compatibility. She stated her support.

Commissioner Yeber commented on design standards.

Commissioner Altschul commented on the design and underground parking.

Commissioner DeLuccio commented on the design and stated his support of the density and project.

Chair Guardarrama commented on the process which the developer followed and the zoning code. He stated his support for the project.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-750 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-049 AND DEVELOPMENT PERMIT 2006-065, ON AN APPLICATION OF PETROSSI AND ASSOCIATES TO PERMIT THE DEMOLITION OF TWO COMMERCIAL STRUCTURES ON THREE LOTS AND THE CONSTRUCTION OF A THREE-STORY, MIXED-USE STRUCTURE WITH EIGHT APARTMENT UNITS AND 8,833 SQUARE-FEET OF GROUND LEVEL, FOR THE PROPERTY LOCATED AT 1201-1209 N., LA BREA AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.A. **Moved by Vice-Chair Bartolo, seconded by Commissioner DeLuccio and passes on a Roll Call Vote:**

AYES: Commissioners Altschul, DeLuccio, Hamaker, Vice-Chair Bartolo, Chair Guardarrama.

NOES: D'Amico. Yeber.

ABSENT: None.

RECUSED: None.

Commissioner Altschul recused himself from the dais; stating his proximity within the 500' radius of the property.

B. 1223 N. Larrabee Street.

Demolition Permit 2006-030, Development Permit 2006-044, Negative Declaration:

Continued from Thursday, July 19, 2007. Jennifer Noel, Associate Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, July 26, 2007.

The applicant is requesting permits to demolish a single-family residential structure and construct in its place an eight-unit multi-family residential structure.

She detailed the unit size, parking spaces, parking permits and stated it has been conditioned that future residents will not be able to secure street parking permits. She spoke on the historical issues surrounding the property and stated the city's consultant affirmed it is not considered eligible for historical status by the National, State or City listing(s). She commented on neighborhood compatibility, impacts and view corridors. No modifications are requested.

Staff recommends approval.

Commissioner Hamaker questioned if the property is currently occupied.

Commissioner DeLuccio questioned if and why the upper floors were not set-back.

John Chase, Urban Designer, stated the applicant is requesting to qualify for exemplary design.

John Chase, Urban Designer, presented the urban design report. He detailed the elevations, massing, facade materials, and exemplary design.

Commissioner DeLuccio questioned the mitigation measures for the roof-top common open space.

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

Commissioner Hamaker disclosed for the record she made a site-visit.

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

Commissioner D'Amico disclosed for the record he once lived behind the property.

Chair Guardarrama disclosed for the record he made a site-visit.

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

WHITNEY SANDER, VENICE, applicant and architect, presented the applicant's report. He detailed the history of the project site and neighborhood compatibility. He spoke on massing, parking, neighborhood topography and elevations, landscaping, historical issues, visual privacy, noise, surrounding property heights, and neighbors concerns.

ALEXANDRA HILL, WEST HOLLYWOOD, spoke in support of staff's recommendation for approval.

TOM FANNING, WEST HOLLYWOOD, spoke in support of staff's recommendation for approval.

MARK ZELLER, WEST HOLLYWOOD, opposes staff's recommendation of approval.

ALLEGRA ALLISON, WEST HOLLYWOOD, has concerns regarding this item. She spoke on the possible historical preservation of the property.

HEAVENLY WILSON, WEST HOLLYWOOD, opposes staff's recommendation of approval.

CAROLYN MONTAGUE, WEST HOLLYWOOD, opposes staff's recommendation of approval.

MAUREEN DECKER, LONG BEACH, opposes staff's recommendation of approval.

SUZANNE CUDE, WEST HOLLYWOOD, opposes staff's recommendation of approval.

ELYSE EISENBERG, WEST HOLLYWOOD, opposes staff's recommendation of approval.

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

SIBYL ZADEN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on view corridors.

GEORGE CREDLE, WEST HOLLYWOOD, opposes staff's recommendation of approval.

CLAY TOOMBS, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

DAVID SUDECK, LOS ANGELES, spoke in support of staff's recommendation of approval.

JAMES LITZ, WEST HOLLYWOOD, opposes staff's recommendation of approval.

VICTOR OMELCZENKO, WEST HOLLYWOOD, has concerns regarding this item. He questioned multiple property owners, and spoke on historical preservation, neighborhood compatibility and residential parking permits.

DAVID WEISSFELD, WEST HOLLYWOOD, opposes staff's recommendation of approval. He had concerns regarding traffic circulation.

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

PAUL HABIBI, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on view corridors, protected views, shade and shadow, underground parking, hillside stability, and historical designation.

GENE SMITH, WEST HOLLYWOOD, opposes staff's recommendation of approval.

LYNN RUSSELL, WEST HOLLYWOOD, opposes staff's recommendation of approval.

WHITNEY SANDER, VENICE, applicant and architect, presented the applicant's rebuttal. He spoke on views, landscaping, green building construction, and architectural style(s).

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

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:45 P.M. AND RECONVENED AT 8:50 P.M.

Vice-Chair Bartolo stated her concerns with the rules and process issues. She spoke on CEQA analyses, historical preservation issues and characteristics, views, construction, noise, floor area ratio, design review, and view corridors. She stated she could not render a decision tonight.

Commissioner Yeber commented on the historical preservation issues and stated his concerns that this property could have been under-assessed. He had concerns with the current design and possible impacts to the neighborhood. He spoke on height, breezeway corridors, neighborhood compatibility and traffic circulation.

Chair Guardarrama questioned the city attorney of the possible implication(s) if the project was denied without prejudice.

Chair Guardarrama moved to: 1) bring back a resolution denying the application without prejudice.

Second by Commissioner DeLuccio.

Commissioner DeLuccio commented on historical preservation issues, and stated his concerns with the design, roof-top activities, breezeway corridors, and common open space.

Commissioner Hamaker commented on view corridors and design.

Commissioner D'Amico commented on exceptional design. He suggested a redesign of the project, and stated his concerns with roof-top access.

Commissioner D'Amico suggested a motion which could include; 1) reduce the size of the units (thereby provide the common open space not on the roof); 2) set-back the front; providing more light and air to the building to the north; 3) move the large open terraces at the front and the back (on the south side) to the north side; further dematerializing the north side of the building, allowing additional light and air for the building to the north; 4) open up the central courtyard by removing the connective pieces at the top; and 5) providing some visual or other (fountain/pool); which would provide light, air, sound and landscaping.

ACTION: 1) Bring back a resolution denying the application without prejudice; and 2) Close Public Hearing Item 9.B. **Moved by Chair Guardarrama, seconded by Commissioner DeLuccio and fails on a Roll Call Vote:**

AYES: Commissioners DeLuccio, Chair Guardarrama.

NOES: Commissioners Hamaker, D'Amico, Yeber, Vice-Chair Bartolo.

ABSENT: None.

RECUSED: Altschul.

MOTION FAILS.

Discussion was held regarding the various process possibilities and time frames in relation to alternative motions and legalities.

Commissioner Hamaker moved to: 1) continue the item to Thursday, August 2, 2007.

Seconded by Commissioner D'Amico.

ACTION: 1) Continue to Thursday, August 2, 2007. **Moved by Commissioner Hamaker, seconded by Commissioner D'Amico and passes on a Roll Call Vote:**

AYES: Commissioners D'Amico, DeLuccio, Hamaker, Yeber, Vice-Chair Bartolo, Chair Guardarrama.

NOES: None.

ABSENT: None.

RECUSED: Altschul.

Commissioner Altschul returned to the dais at this time.

C. 8811 Santa Monica Boulevard. (Eleven)

Amendment Permit 2007-011:

Robert Dostalek, Associate Contract Planner, provided a graphic presentation and background information as presented in the staff report dated Thursday, July 26, 2007.

He detailed the history of the project and stated the applicant is requesting to amend the existing conditional use permit to allow dance floor areas on both the upper and lower levels of the existing nightclub known as Eleven. Original Resolution No. PC 05-610 currently prohibits dance floors within the nightclub. The proposed dance floors would be 144 square-feet on the upper level and 49 square-feet for the lower/street level.

He spoke on the location, restroom requirements, and detailed off-site parking spaces. He stated Condition 5.1) has been added to Resolution No. PC 07-751; to nullify and void the previously approved residential component; which now results in eight surplus parking spaces. Condition 5.3) has been added to Resolution No. PC 07-751; to apply a cap on the existing occupancy maximum of 318 persons.

Staff recommends approval.

Commissioner Hamaker questioned the size of the 49 square-foot dance floor on the lower level.

Commissioner Yeber disclosed for the record this project came before the Historic Preservation Commission while he was serving as a commissioner.

Chair Guardarrama disclosed for the record he has made site-visits and patronizes the establishment.

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

RICHARD GROSSI, MALIBU, applicant, presented the applicant's report. He detailed the history of the establishment and spoke on the operations, analyses of the need for the current request of the dance floors, restaurant usage, night club usage, and requested the temporary capacity cap of 318 be reassessed by the Building and Safety Division. He detailed the parking situation and requested the current parking be dedicated as open spaces.

CLAY TOOMBS, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding the item. She spoke on parking, occupancy load, and dance floor size.

VICTOR OMELCZENKO, WEST HOLLYWOOD, has concerns regarding this issue. He spoke regarding the parking situation.

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

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

Seconded by Commissioner Hamaker.

Commissioner Hamaker commented on the parking situation and signage.

Commissioner DeLuccio commented on the parking situation. He stated the cap of 318 should be stricken; to be determined by the L.A. County Fire Department.

John Keho, Planning Manager, detailed the reasoning for the cap of 318; which is relative to the bathroom facilities. He read into the record a draft condition (if the applicant chooses to increase capacity): ***"Prior to installation of any portion of the dance floors, the applicant shall submit a revised floor plan and occupancy plan to the Community Development Department. The plan shall comply with the night club restroom standards pursuant to Section 19.36.200 (c)(2) of the Zoning Ordinance or an occupancy cap shall be implemented at a number below the threshold which would require installation of additional restroom facilities."***

Commissioner Hamaker agreed to this added condition.

Commissioner DeLuccio agreed to this added condition.

Commissioner Yeber had concerns regarding the expansion and enforcement of the dance floor beyond the approved square-footage.

Chair Guardarrama commented on the historical restoration and neighborhood compatibility the applicant has accomplished.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-751 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, AMENDING CONDITIONAL USE PERMIT 2005-001, TO ALLOW A 144 SQUARE-FOOT DANCE FLOOR ON THE UPPER LEVEL AND A 49 SQUARE-FOOT DANCE FLOOR ON THE LOWER LEVEL OF THE EXISTING NIGHTCLUB, FOR THE PROPERTY LOCATED AT 8811 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.C. **Moved by Commissioner Altschul, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: None.

RECUSED: None.

10. **NEW BUSINESS.** None.

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 stated there are currently no items scheduled for Thursday, August 16, 2007.

ACTION: Officially cancel the Planning Commission meeting of Thursday, August 16, 2007. **Moved by Commissioner Altschul, seconded by Commissioner DeLuccio and unanimously carried.**

14. PUBLIC COMMENT.

CLAY TOOMBS, WEST HOLLYWOOD, commented on the public hearing process.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on occupancy load and the Fire Prevention Bureau.

15. ITEMS FROM COMMISSIONERS.

Commissioner Yeber had concerns with site-postings.

16. ADJOURNMENT: The Planning Commission adjourned at 10:05 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, August 2, 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 6TH DAY OF SEPTEMBER, 2007.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR