



PLANNING COMMISSION MINUTES
Regular Meeting
June 7, 2007

Plummer Park Community Center, Rooms 5 and 6
7377 Santa Monica Boulevard, West Hollywood, California 90069

1. CALL TO ORDER:

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

2. PLEDGE OF ALLEGIANCE: Ed Buck led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: None.

Staff Present: Jory Phillips, Senior Planner, Adrian Gallo, Associate Planner, David DeGrazia, Senior Planner, Jeffrey Skorneck, Housing Manager, John Keho, Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

**Commissioner Bartolo arrived after official roll call at 6:40 P.M.*

4. APPROVAL OF AGENDA:

Add to the agenda under Unfinished Business Item: 11.A. Additional Planning Commission Meetings (discussion); which was officially continued from the last meeting of Thursday, May 31, 2007.

ACTION: Approve the Planning Commission Agenda of Thursday, June 7, 2007 as amended. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

5. APPROVAL OF MINUTES.

A. None.

6. PUBLIC COMMENT. None.

7. ITEMS FROM COMMISSIONERS. None.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. 1234 N. Hayworth Avenue.

Demolition Permit 2006-022, Development Permit 2006-032, Negative Declaration: Continued from Thursday, April 19, 2007. Jory Phillips, Senior Planner, provided background information as presented in the staff report dated Thursday, May 31, 2007.

He provided a detailed history and background of the proposed project, stating the applicant is requesting to demolish an existing apartment building and construct a new four-story, fifty-unit apartment building.

He spoke and detailed density bonuses, height limits, common open space, private open space, affordable housing units, parking, the negative declaration, SB 1818, the south façade, and building height,

He corrected the staff report stating the correct number of market rate units should state forty-three (43) market rate units. He requested the commission update the condition of approval regarding the parking tabulation to read as [111] spaces.

Staff recommends approval.

Commissioner Altschul questioned if there are any outstanding citations or legal actions regarding this property. He questioned how many of the parking spaces are tandem.

Jeffrey Skorneck, Housing Manager, stated there is a current open case against this property (which is common practice with all unoccupied structures); however, there are no violations present.

Jory Phillips, Senior Planner, stated there are a total of eight (8) tandem parking spaces out of 120. He also stated the applicant is adamant about keeping the project as an apartment building and not turning them into condominiums.

Commissioner DeLuccio questioned the rounding of SB 1818 and requested a history of the rental units.

Commissioner Bartolo questioned the basis of the property being vacant for the last three years.

Commissioner Yeber questioned the Ellis Act, timelines, and the proposed square-footage of open space.

Commissioner DeLuccio questioned the condition of the current structure.

Chair D'Amico opened public testimony for Item 9.A.:

LISE BORNSTEIN, SANTA MONICA, architect, presented the applicant's report. She detailed the history of the property and owners, and spoke regarding the massing of buildings, setbacks, street façade, color palettes, courtyard, elevator location, grading, landscaping, and the requested incentives.

Chair D'Amico asked for clarification on parking.

LISE BORNSTEIN, SANTA MONICA, architect, stated for the record two (2) parking spaces will be returned to the plans and all drawings will be updated showing a total of 111 parking spaces.

Commissioner Altschul questioned the economic necessity for the additional seven (7') feet in height.

Chair D'Amico questioned the economic viability.

Commissioner Bartolo questioned the terms of square-footage and the average break-out range for one and two bedrooms.

ED BUCK, WEST HOLLYWOOD, has concerns regarding this item. He spoke on noticing issues and crime. He requested a continuance.

STEVE MARTIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke on noticing issues and affordable housing standards.

LISE BORNSTEIN, SANTA MONICA, architect, presented the applicant's rebuttal. She addressed previous tenants' and notification issues.

Commissioner DeLuccio questioned the findings for the additional height.

Discussion and explanation was given by staff and applicant regarding height averaging, SB 1818, affordable housing and economic necessity for the project.

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

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

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

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

Chair D'Amico disclosed for the record he made a site-visit.

Commissioner Altschul disclosed for the record he has driven by the site.

Commissioner Bartolo disclosed for the record she has driven by the site and had a prior relationship with Killefer Lang, [through The Kor Group]. She stated this would not influence her vote.

Commissioner DeLuccio disclosed for the record he has driven by the site.

Commissioner Altschul commented on the massing and the exceptional design of the project. He stated he is not convinced if the additional seven (7') feet in height if eliminated would cause an economic hardship.

Commissioner Altschul moved to: 1) approve staff's recommendation; with the following condition: a) the showing of economic necessity shall be made to the satisfaction of the Director of Community Development prior to obtaining a demolition permit; and if not, the project shall be redesigned to eliminate the seven (7') feet.

Seconded by Chair D'Amico.

Commissioner Bartolo spoke regarding height, green space requirements, articulation and differentiation. She stated she has no concerns regarding the height of the project.

Commissioner Hamaker has concerns with the massing, setbacks, the courtyard and the double-loaded corridor of the north building. She does not support the design of the building.

Commissioner Yeber stated his support for the architectural style and material differentiation. He has concerns regarding the actual building, and massing. He stated the layout from a plan standpoint is problematic, and the courtyard in general. He questioned how effective the landscaping would be in the courtyard as a result of its height.

Commissioner DeLuccio has concerns procedurally regarding the finding of facts.

Vice-Chair Guardarrama commented on the improvements that have been made to the project since the first submissions to the Design Review Subcommittee. He stated this would be an enhancement to the neighborhood. He supports the project.

Commissioner Altschul reiterated his opinion regarding the lack-of proof of economic necessity by the applicant.

Chair D'Amico reiterated the motion on the floor: **1) approve staff's recommendation; with the following amendments: a) increase the parking spaces to 111; b) the showing of economic necessity shall be certified by the Director of Community Development prior to obtaining a demolition permit; and if not, the project shall be redesigned to eliminate the seven (7') feet; and c) the record shall reflect information provided at tonight's Planning Commission meeting did not meet those qualifications.**

ACTION: 1) Approve the application, 2) Adopt Resolution No. PC 07-728 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-022 ND DEVELOPMENT PERMIT 2006-032, TO PERMIT THE DEMOLITION OF AN EXISTING FORTY-EIGHT UNIT APARTMENT BUILDING AND THE CONSTRUCTION OF A FOUR-STORY, FIFTY-UNIT APARTMENT BUILDING, LOCATED AT 1234 N. HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.A. **Moved by Commissioner Altschul, seconded by Chair D'Amico and passes on a Roll Call Vote:**

AYES: Commissioners Altschul, Bartolo, Vice-Chair Guardarrama, Chair D'Amico.
NOES: DeLuccio, Hamaker, Yeber.
ABSENT: None.
RECUSED: None.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:50 P.M. AND RECONVENED AT 8:00 P.M.

**B. 8401 Sunset Boulevard (Hyatt West Hollywood).
Development Permit 2006-054, Conditional Use Permit 2006-017,
Minor Conditional Use Permit 2006-009:**

Due to discrepancies in the required noticing for this project, staff requests the project be continued to allow for corrected re-noticing.

ACTION: Continue to Thursday, June 21, 2007. **Motion carried by consensus of the Commission.**

- C. 7426 Santa Monica Boulevard (Dolphin Pool and Spa Supply).
Temporary Use Permit 2006-004:** Adrian Gallo, Associate Planner, provided background information as presented in the staff report dated Thursday, May 31, 2007.

He provided a detailed history of the property. He stated the applicant is requesting a temporary use permit for the construction of a temporary parking lot on commercially-zoned vacant property for the maximum amount of two years.

He stated the hours of operation shall be for employees and customers of Dolphin Pool and Spa Supply from 7:00 A.M. to 7:00 P.M., Monday through Saturday.

Staff recommends approval for the period of two years with the provision that an extension may be requested prior to the expiration date to extend this approval for an additional year.

Commissioner Altschul questioned the possibility of sharing the lot with neighboring nighttime businesses.

Adrian Gallo, Associate Planner, stated the applicant has not discussed that option with staff.

Chair D'Amico opened public testimony for Item 9.C.:

BRANT DUVERN, LOS ANGELES, attorney for the applicant, presented the applicant's report.

Commissioner Altschul questioned if the applicant would be amenable to leasing out the parking lot to nighttime businesses in the neighborhood during the period of the temporary use permit.

BRANT DUVERN, LOS ANGELES, attorney for the applicant, stated that would be a situation that could be considered.

Commissioner Altschul stated for the record, if this temporary use permit is approved, he would recommend staff (Department of Transportation) explore this possibility of nighttime usage with the applicant.

Chair D'Amico questioned the process regarding the change of hours if needed.

John Keho, Planning Manager, stated Resolution No. PC 07-749, Section 5.4) and/or Section 5.5) could be changed to read as follows: "...*unless approved otherwise through a parking use permit*".

MURRAY HUNT, WEST HOLLYWOOD, applicant, commented on his support of the neighborhood, He had concerns using the lot for nighttime uses.

Commissioner Hamaker had concerns regarding nighttime parking in close proximity to a residential neighborhood.

Commissioner Bartolo questioned the applicant on the review process.

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

Vice-Chair Guardarrama questioned if company vehicles would be parked over night.

Vice-Chair Guardarrama moved to: 1) approve staff's recommendation for approval; with the additional language to Resolution No. PC 07-749, Section 5.4) and/or Section 5.5) "...unless approved otherwise through a parking use permit"; if the applicant chooses to implement nighttime parking.

Seconded by Commissioner Bartolo.

Commissioner DeLuccio supports the motion, but has concerns regarding the provision of the parking use permit at a later date for nighttime parking.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-743 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TEMPORARY USE PERMIT 2006-004, ON AN APPLICATION OF MURRAY HUNT OF DOLPHIN POOL AND SPA SUPPLY, TO PERMIT A VACANT LOT TO BE USED AS A TEMPORARY PARKING LOT FOR VEHICLES FROM AN ADJACENT POOL SUPPLY RETAILER, LOCATED AT 7426 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.C. **Moved by Vice-Chair Guardarrama, seconded by Commissioner Bartolo and unanimously carried.**

- D. 611 N. Orlando Avenue. Demolition Permit 2006-026, Development Permit 2006-038, Tentative Tract Map 2006-014, Negative Declaration:** David J. DeGrazia, Senior Planner, provided background information as presented in the staff report dated Thursday, May 31, 2007.

He provided a detailed history of the proposal, stating the applicant is requesting permits to demolish an existing single-family residential structure and construct in its place, an 11,837 square-foot, four-unit condominium structure with a 4,406 square-foot subterranean garage. The CEQA analyses finds that the building is not an historic resource.

He spoke on unit size, private open space, massing, and additional articulation.

Staff recommends approval.

Commissioner Altschul questioned the number of tandem parking spaces.

Chair D'Amico opened public testimony for Item 9.D.:

GARO MINASSIAN, LOS ANGELES, architect, presented the applicant's report. He detailed the history of the project site and spoke on garage parking, building articulation, and private open space.

SALLY ROLSMAN, WEST HOLLYWOOD, opposes staff's recommendation of approval.

MR. ROLSMAN, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JAMIE MACKA, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding noise issues and massing,

ROSE SCHIMEL, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding noise issues.

GARO MINASSIAN, LOS ANGELES, architect, presented the applicant's rebuttal. He addressed massing, setbacks, stated the project does comply with the Zoning Code and recommended construction noise mitigation measures.

Chair D'Amico questioned the construction time-line.

Commissioner Bartolo questioned the landscaping plan and asked the applicant if they would be willing to making changes in the landscaping plan to provide a more specific and comprehensive visual buffer.

GARO MINASSIAN, LOS ANGELES, architect, stated he would agree to that added condition.

Commissioner Bartolo suggested the applicant meet with the neighbors in regards to landscaping buffer and plans.

Commissioner DeLuccio questioned the heights of the surrounding neighboring properties.

Commissioner Yeber questioned and asked for clarification regarding the surface materials, vinyl windows and parking.

John Chase, Urban Designer, presented the Design Review Subcommittee report. He stated they originally had concerns regarding the mass of the building. He spoke on the façade and building characterization.

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

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

Chair D'Amico disclosed for the record he made a site-visit to the property.

Commissioner Hamaker commented on getting to know your neighbors.

Chair D'Amico moved to: 1) approve staff's recommendation of approval; with the following added condition: a) applicant shall have a special landscape design meeting with all surrounding neighbors of the property to confirm the landscaping plan is amenable to the residents, which shall be approved by the Urban Designer; and b) façade finishing shall be done with smooth, trowel integral colored stucco.

Seconded by Commissioner Altschul.

Commissioner Yeber added a condition: 1) a differentiation in the detail from the field of the building.

Commissioner Altschul added a condition: 1) the Urban Designer shall make the ultimate decision.

Chair D'Amico agreed to these amendments.

Commissioner Altschul agreed to the amendment.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-748 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION, AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-026 AND DEVELOPMENT PERMIT 2006-038 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENTIAL STRUCTURE AND THE CONSTRUCTION OF A NEW 16,243 SQUARE-FOOT, FOUR-UNIT CONDOMINIUM STRUCTURE, LOCATED AT 611 N. ORLANDO AVENUE, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 749 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-014 (MINOR LAND DIVISION 67792), FOR THE PROPERTY LOCATED AT 611 N. ORLANDO AVENUE, WEST HOLLYWOOD, CALIFORNIA;; and 4) Close Public Hearing Item 9.D. **Moved by Vice-Chair D'Amico, seconded by Commissioner Altschul and unanimously carried.**

10. NEW BUSINESS. None.

11. UNFINISHED BUSINESS.

A. ADDITIONAL PLANNING COMMISSION MEETINGS.

Consideration to add additional meetings in order to efficiently handle the overflow and influx of additional cases.

ACTION: 1) Add a special meeting Planning Commission meeting on Thursday, July 26, 2007. **Motion carried by consensus of the Commission.**

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

A. Director's Report. None.

B. Planning Manager's Update.

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission and clarified the Interim Urgency Ordinance recently passed by the City Council regarding the R3 and R4 Zones for multi-family development.

14. PUBLIC COMMENT.

STEVE MARTIN, WEST HOLLYWOOD, commented on tandem parking.

15. ITEMS FROM COMMISSIONERS.

Vice-Chair Guardarrama stated the weekend of June 7, 2007 is the annual Gay Pride event in West Hollywood.

- 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, June 21, 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 21ST DAY OF JUINE, 2007.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR