



PLANNING COMMISSION MINUTES
Special Meeting
May 31, 2007

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

1. CALL TO ORDER:

Chair D'Amico called the meeting of the Planning Commission to order at 6:33 P.M.

2. PLEDGE OF ALLEGIANCE: Councilmember Land led the Pledge of Allegiance.

3. ADMINISTER THE OATH OF OFFICE.

Councilmember Land officially swore in newly appointed Planning Commissioner Marc Yeber, for a term through May 31, 2009.

4. ROLL CALL:

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

Commissioners Absent: DeLuccio.

Staff Present: Rachel Heiligman, Associate Planner, Jennifer Noel, Associate Planner, Jory Phillips, Senior Planner, Terri Slimmer, Transportation Manager, Susan Healy Keene, Community Development Director, John Keho, Planning Manager, Christi Hugin, Assistant City Attorney, and David Gillig, Commission Secretary.

5. APPROVAL OF AGENDA:

ACTION: Approve the Planning Commission Agenda of Thursday, May 31, 2007 as presented. **Moved by Vice-Chair Guardarrama, seconded by Commissioner Hamaker and unanimously carried.**

6. APPROVAL OF MINUTES.

A. May 17, 2007

ACTION: Approve the Planning Commission Minutes of Thursday, May 17, 2007 as presented. **Moved by Commissioner Altschul, seconded by Commissioner Hamaker and unanimously carried; notating the abstention of Commissioner DeLuccio and Commissioner Yeber.**

7. PUBLIC COMMENT.

EDWARD LEVIN, WEST HOLLYWOOD, congratulated incoming Commissioner Yeber.

8. ITEMS FROM COMMISSIONERS.

Chair D'Amico welcomed Commissioner Yeber.

Commissioner Yeber thanked the commission and public. He stated he is looking forward to working with the current commission.

Commissioner Hamaker welcomed Commissioner Yeber and commented on the Historic Preservation Commission special event.

Vice-Chair Guardarrama welcomed Commissioner Yeber.

Commissioner Altschul welcomed Commissioner Yeber.

Commissioner Bartollo welcomed Commissioner Yeber.

9. CONSENT CALENDAR.

A. 1114 N. Orange Grove Avenue.

Extend hours of operation for public parking lot to address commercial parking overflow and implement shared parking for residents of Preferential Parking District No. 8.

ACTION: 1) Implement extended hours and shared parking plan for a trial period of six (6) months; and 2) receive and file. **Moved by Commissioner Altschul, seconded by Vice-Chair Guardarrama and unanimously carried; notating the abstention of Commissioner DeLuccio.**

B. Capital Improvements Plan 2007-2012.

Government Code Section §65401 requires the City of West Hollywood's Planning Commission examine the Capital Improvements Plan (CIP) for consistency with the General Plan. A finding of consistency is required for the City Council to be able to adopt the Capital Improvement Plan.

ACTION: 1) Adopt Resolution No. PC 07-740, 'A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD FINDING, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION §65401, THAT THE CITY'S CAPITAL IMPROVEMENTS PLAN (CIP) FOR FISCAL YEARS 2007-2012 IS CONSISTENT WITH THE GENERAL PLAN.' **Moved by Commissioner Altschul, seconded by Vice-Chair Guardarrama and unanimously carried; notating the abstention of Commissioner DeLuccio.**

C. Conditional Use Permit 2006-013:

On Thursday, May 17, 2007, the Planning Commission voted to deny Conditional Use Permit 2006-013, to convert an existing 3,333 square-foot media production facility to a public service facility, for the property located at 7237 Santa Monica Boulevard, West Hollywood, California. (Westmed Ambulance Services)

ACTION: 1) Adopt Resolution No. PC 06-695, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, DENYING CONDITIONAL USE PERMIT 2006-013 TO CONVERT A MEDIA PRODUCTION FACILITY TO A PUBLIC SERVICE FACILITY (AMBULANCE SERVICE), LOCATED AT 7237 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." **Moved by Commissioner Altschul, seconded by Vice-Chair Guardarrama and unanimously carried; notating the abstention of Commissioner DeLuccio and Commissioner Yeber.**

10. PUBLIC HEARINGS.

A. 1020 N. San Vicente Boulevard (London West Hollywood).

Conditional Use Permit 2006-012, Development Permit 2006-031: Continued from Thursday, May 17, 2007. Rachel Heiligman, Associate Planner, provided background information as presented in the staff report dated Thursday, May 31, 2007.

She provided a detailed history and background of the proposed project, stating the applicant is requesting the addition of twenty-three hotel rooms to an existing hotel, reconfiguration of ground floor to include a 6,813 square-foot restaurant, a 2,953 square-foot nightclub, creation of a 6,361 square-foot spa in an unoccupied area on the tenth floor, and landscape improvements.

She stated the applicant submitted a new valet parking plan which shows additional parking in a stacked arrangement, which would accommodate the additional thirty-one parking spaces allowing the space to operate as a full time nightclub. However, staff has not had adequate time to review the amended valet plan, and it was not submitted in a scale that allows staff to verify the number of spaces, dimensions of the stacked stalls, and vehicle maneuvering area.

At the time of this verbal report, staff has just received a scaled plan and believes the extra parking spaces could be accommodated in the subterranean garage in a stacked parking arrangement. Other than the parking issue, staff has no additional concerns with the requested nightclub.

Staff has drafted a condition that the Planning Commission could add to the resolution, which would allow the applicant to apply for a minor amendment for review and approval at staff level, which would include the Department of Transportation and the traffic consultant.

She detailed the requested removal of meeting space and the creation of three large new hotel suites.

She detailed the third level terrace consisting of the requested landscaping plan. The request is to use the area for events and gatherings between the hours of 8:00 A.M. to 11:00 P.M., with amplified noise and sound.

However, staff has concerns with noise emanating from the third level terrace and finds it is not appropriate for gatherings after 10:00 P.M., and that no amplified noise or sound shall be permitted.

She detailed the ninth level, and stated the request is to build out the ninth level with twenty new hotel rooms.

She detailed the roof level, which would be converted with a spa and outdoor terrace with a pool. Due to concerns of noise from the neighbors, staff recommends the terrace close after 10:00 P.M. and that no amplified noise or sound shall be permitted.

Staff supports the applicant's request for renovations to the existing hotel.

Commissioner Altschul requested clarification how the restaurant and nightclub will transform from one into the other.

Commissioner Hamaker questioned the stacked parking and employee parking.

Commissioner Altschul disclosed for the record he met with Mr. Blount and Mr. Leaderman for discussion.

Chair D'Amico disclosed for the record he met with Mr. Blount and Mr. Leaderman for discussion.

Vice-Chair Guardarrama disclosed for the record he met with the applicant, the applicant's attorney and took a tour of the site.

Commissioner Hamamker disclosed for the record she met with the applicant, the applicant's attorney and took a tour of the site.

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

Chair D'Amico opened public testimony for Item 10.A.:

BYRON BLOUNT, SAN CLEMENTE, representing Blackstone Luxury Resorts, presented the applicant's report. He detailed the history of the property and stated Bel Age Hotel will now be known as the London West Hollywood. He spoke on the reopening, room revenue, increased room size, bar space, stacked parking, sound attenuation features, detailed the interior enhancement plans, conversion of retail space, exterior enhancements to the entire property, the third level landscaping, roof top level cabanas and landscaping, music and sound.

RYAN LEADERMAN, WEST HOLLYWOOD, applicant's representative, continued the applicant's report. He confirmed the conditions in the staff report and requested modification to the following conditions of Resolution No. PC 07-734: 1] Section 11.5) and 11.7) Extend event hours on third floor terrace on weekend nights (Friday and Saturday) to 11:00 P.M., roof terrace hours until 12:00 A.M.; 2] Section 11.7) Allow hotel guest access to pool beginning at 5:30 A.M.; 3] Section 11.6) and 11.8) Allow amplified sound on the third floor and roof terraces in consideration of extensive physical and operational sound attenuation features; 4] Section 14.2) Have valet supervise stacking area instead of security; and 5] Section 10.1) delete free parking.

Chair D'Amico questioned if a sound study was done regarding the third floor terrace, in regards to the broadcast of sound.

Commissioner Bartolo questioned the sound measures.

Commissioner Hamaker questioned if the events on the third floor terrace would be managed through hotel management; and if the sound features would be permanent and not movable.

NICK SHAFFER, WEST HOLLYWOOD, opposes staff's recommendation of approval.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

ROHAN GAVN, WEST HOLLYWOOD, opposes staff's recommendation of approval.

LA SALLE LA SALLE, BEVERLY HILLS, has concerns regarding this item. He implied federal statutes have been violated and presented a video presentation.

URSULA ORTIZ, LOS ANGELES, opposes staff's recommendation of approval.

CHRISTINA FIASS, WEST HOLLYWOOD, opposes staff's recommendation of approval.

MATHIAS VRIENS, WEST HOLLYWOOD, opposes staff's recommendation of approval.

STEVE MARTIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding nightclubs and noise, the elimination of meeting rooms, traffic and parking issues.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on the usage of the ninth floor, alcoholic beverage service, nightclub, the parking plan, current noise issues, and pool usage.

Commissioner Altschul questioned staff if any other hotels in the vicinity have nightclubs.

Discussion and interpretation was detailed regarding nightclubs as defined by the West Hollywood Zoning Ordinance.

Commissioner Hamaker questioned if it is possible to condition the seating area of the restaurant and questioned the cap of occupancy to the hotel.

RYAN LEADERMAN, WEST HOLLYWOOD, applicant's representative, presented the applicant's rebuttal. He confirmed for the record, they are not proposing a "nightclub"; but indicated that is currently the only definition allowed in the West Hollywood Zoning Ordinance for this type of use within a restaurant area. There is no dance floor, there is no D.J. (stating for the record that condition [relating to a D.J.] may be stricken from Resolution No. PC 07-734), and there will be no live music. He stated this would be a "high end whisky bar". He spoke on amending the current business license, seating configuration, noise issues, employee parking, neighborhood parking issues, valet plan, neighborhood meetings, meeting space, room renovations, security issues, balconies, and detailed the de-intensification of use.

Commissioner Bartolo questioned why current issues have not been dealt with in a timely manner and inquired how complaints are currently handled by management.

Commissioner Hamaker questioned the total number of employees, employee parking, occupancy of the proposed bar area,

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

Commissioner Bartolo had concerns with numerous problems over the last eighteen months in regards to the new owner. The main issues focus around exiting, roof deck and common areas.

Commissioner Yeber had concerns regarding noise impacts on the dense residential area.

Commissioner Hamaker had concerns with noise and the proximity to residential uses.

Vice-Chair Guardarrama welcomed the change of the remodel. He does share concerns of the neighbors' issues.

Discussion and concerns were held regarding the following: 1) third floor terrace; 2) nightclub/restaurant; 3) restaurant; 4) three suites and meeting rooms; 5) rooftop spa and pool; and 6) ninth floor.

Terri Slimmer, Transportation Manager provided additional details to the valet parking plans, driveway plans and additional impacts to San Vicente Boulevard and Larrabee Street.

Discussion and concerns were held regarding traffic analyses and options.

Ninth Floor:

- **Consensus approval for the ninth floor hotel rooms.**

Rooftop Spa and Pool:

- **Allow the roof level pool area to open to hotel guests at 5:30 A.M.**
- **No room service, restaurant service, organized water activities shall be permitted prior to 8:00 A.M.**
- **No amplified music on the roof after 8:00 P.M.**

Three Suites and Meeting Rooms:

- **Consensus approval for the removal of the meeting rooms and construction of the three hotel suites.**

Restaurant:

- **Consensus approval for the restaurant.**

Nightclub/Restaurant:

- **Restrict the restaurant/nightclub area from operating with a DJ after 10:00 P.M.**

Third Floor Terrace:

- **There shall be no amplification of background ambient music, no microphones or speeches after 8:00 P.M.**
- **There shall be no occupancy after 10:00 P.M.**

Direction was given to staff to investigate the feasibility of a two-way driveway.

ACTION: 1) Bring back a resolution approving staff's recommendation as amended; and 2) Close Public Hearing Item 10.A. **Moved by Commissioner Altschul, seconded by Chair D'Amico and unanimously carried; notating the abstention of Commissioner DeLuccio.**

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:40 P.M. AND RECONVENED AT 8:45 P.M.

B. 1050 N. Genesee Avenue.

Demolition Permit 2006-044, Development Permit 2006-059, Tentative Tract Map 2006-027, Variance 2007-001, Negative Declaration: Jennifer Noel, Associate Planner, provided background information as presented in the staff report dated Thursday, May 31, 2007.

She detailed the background information and stated the applicant is requesting to demolish an existing single-family residential structure and construct in its place a five-unit condominium structure. A variance to reduce the minimum front yard setback by 42% to fifteen feet (15'0").

Staff recommends approval.

Vice-Chair Guardarrama presented the Design Review Subcommittee report. He detailed the entry way from the alley and spoke on the setbacks.

Commissioner Yeber disclosed for the record he made a site-visit to the property and of the surrounding area.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:55 P.M. TO VIEW THE MASSING MODELS AND RECONVENED AT 9:00 P.M.

Chair D'Amico opened public testimony for Item 10.B.:

SHAKRAM VOHDAT, applicant, presented the applicant's report. He introduced the architect for the project.

VLADIMIR ELMANOVICH, ENCINO, architect, presented the applicant's report. He spoke and detailed the ingress and egress of the parking, overall design, landscaping, and private open space.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of staff's recommendation. She questioned the parking.

VLADIMIR ELMANOVICH, ENCINO, architect, presented the applicant's rebuttal. He spoke on the massing height and detailed the parking.

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

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

Seconded by Commissioner Bartolo.

Commissioner Yeber had concerns regarding the massing on the east elevation.

Commissioner Bartolo questioned the landscaping plan.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-737 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION, AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-044, DEVELOPMENT PERMIT 2006-059 AND VARIANCE 2007-001 FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENCE AND THE CONSTRUCTION OF A NEW FIVE-UNIT CONDOMINIUM STRUCTURE, FOR THE PROPERTY LOCATED AT 1050 N. GENESEE AVENUE, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 07-738 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-027 (MINOR LAND DIVISION 68306), FOR THE PROPERTY LOCATED AT 1050 N. GENESEE AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 10.B. **Moved by Vice-Chair Guardarrama, seconded by Commissioner Bartolo and unanimously carried; notating the abstention of Commissioner DeLuccio.**

Commissioner Altschul recused himself from the dais due to property ownership within the 500' radius.

- C. 8328 Willoughby Avenue.**
Demolition Permit 2006-032, Development Permit 2006-045, Tentative Tract Map 2006-016, Negative Declaration: Jory Phillips, 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 to demolish an existing one-unit single-family residential structure and construct in its place one 18,306 square-foot, fourteen-unit condominium structure, and one 3,064 square-foot, three-unit condominium structure.

He spoke on the front yard paving, setbacks, subterranean garage, height averaging, driveway slope and grade, solid waste and recycling, overall design, and common open space.

Staff recommends approval as presented.

Chair D'Amico questioned the parking.

Vice-Chair Guardarrama presented the Design Review Subcommittee meeting report. He spoke on the height and massing. He stated the design is of exceptional caliber.

Terri Slimmer, Transportation Manager, spoke on the driveway slope and grade, and detailed trash removal issues. She stated the Department of Transportation cannot support the required grade due to safety issues.

Commissioner Yeber disclosed for the record he made a site-visit and met with the project architect.

Commissioner Hamaker disclosed for the record she met with the project architect and attended a neighborhood meeting.

Chair D'Amico disclosed for the record he had a conversation with the applicant regarding the parking.

Chair D'Amico opened public testimony for Item 10.C.:

RIC ABRAMSON, WEST HOLLYWOOD, architect, presented the applicant's report. He detailed the history of the project and spoke on the courtyard, roof height and design, pedestrian elements, parking, landscaping, green building design, internal circulation, home/work living space, unit size, massing, setbacks, and trash collections.

He detailed and explained the podium slab the building sits on and the subterranean parking. He requested the removal of the condition from the resolution referencing the podium slab. He further detailed the trash collection issues and tandem parking.

RITA NORTON, WEST HOLLYWOOD, has concerns regarding this item. She spoke on traffic circulation impacts.

JAUQUELINE MARKHAM, WEST HOLLYWOOD, has concerns regarding this item. She spoke on height averaging and massing.

SUSAN PINKUS, WEST HOLLYWOOD, opposes staff's recommendation of approval.

BRUCE KAY, WEST HOLLYWOOD, opposes staff's recommendation of approval.

BRUCE SMITH, WEST HOLLYWOOD, has concerns regarding this item. He spoke on height, massing, landscaping and traffic circulation.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on the required variances, setbacks, driveway slope, parking and lot size.

RIC ABRAMSON, WEST HOLLYWOOD, architect, presented the applicant's rebuttal. He addressed the massing, green space, street side setback, and permit parking.

JAMIE COLLETTI, LOS ANGELES, owner, presented the applicant's rebuttal. She spoke on neighborhood compatibility.

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

Chair D'Amico had concerns regarding the height averaging and massing of the project. He stated the project is too large for the site and neighborhood.

Commissioner Hamaker spoke on neighborhood compatibility and her support for the design.

Vice-Chair Guardarrama moved to: 1) approve staff's recommendation of approval, reiterating staff shall work with the applicant regarding the driveway slope and trash collection issues.

Seconded by Commissioner Hamaker.

Commissioner Yeber questioned the podium slab. He stated he would prefer to see the trash at subterranean level.

Commissioner Bartolo commented on neighborhood compatibility and stated her support for the architecture and the live/work units.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 07-744 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-032 AND DEVELOPMENT PERMIT 2006-045, FOR THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENTIAL STRUCTURE AND THE CONSTRUCTION OF AN 18,306 SQUARE-FOOT, FOUTEEN-UNIT CONDOMINIUM STRUCTURE, AND A 3,064 SQUARE-FOOT, THREE-UNIT CONDOMINIUM STRUCTURE, FOR THE PROPERTY LOCATED AT 8328 WILLOUGHBY AVENUE, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 07-745 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-016 (MINOR LAND DIVISION 65279), FOR THE PROPERTY LOCATED AT 8328 WILLOUGHBY AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 4) Close Public Hearing Item 10.C. **Moved by Vice-Chair Guardarrama, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

AYES: Commissioners Bartolo, Hamaker, Yeber, Vice-Chair Guardarrama.

NOES: Chair D'Amico.

ABSENT: DeLuccio.

RECUSED: Altschul.

Commissioner Altschul returned to the dais at this time.

11. NEW 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) Continue to Thursday, June 7, 2007. **Motion carried by consensus of the Commission.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Director's Report.

Susan Healy Keene, Community Development Director, provided an update on the Business License Commission meeting regarding Pinkberry and the review of Miyagi's eating and entertainment license.

She detailed current City Council items, which included the Interim Urgency Ordinance, appeal of the Historic Preservation Commission's denial of 1350 N. Hayworth Avenue, a review of Pavilions reconstruction, and the Green Building Ordinance, development permit findings, and inclusionary housing revisions.

B. Planning Manager's Update.

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission. He welcomed Commissioner Yeber.

15. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the Alcohol Beverage Control Board, Pinkberry's, Miyagi's and the Business License Commission meeting.

16. ITEMS FROM COMMISSIONERS.

Commissioner Altschul questioned the Notice of Availability of the Draft Environmental Impact Report for the Mixed-Use Ordinance.

17. ADJOURNMENT: The Planning Commission adjourned at 10:30 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, June 7, 2007 at 6:30 P.M. at Plummer Park Community Center, Rooms 5 and 6, 7377 Santa Monica 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