



PLANNING COMMISSION MINUTES
Regular Meeting
May 4, 2006

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

1. CALL TO ORDER:

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

2. PLEDGE OF ALLEGIANCE: Victor Martin led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: Bartolo.

Staff Present: Debby Linn, Senior Contract Planner, Francie Stefan, Senior Planner, John Chase, Urban Designer, John Keho, Planning Manager, Gregg Kovacevich, Acting Assistant City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

1) Item 11.A. (8914-8916 Rangely Drive) moved to the Consent Calendar; 2) Item 9.D. (8225 Sunset Boulevard; Miyagi's) continued to a date uncertain; and 3) Item 10.A. (Policy Discussion: Vacant Properties and Buildings and Demolition Regulations) continued to Thursday, May 18, 2006.

ACTION: Approve the Planning Commission Agenda of Thursday, May 4, 2006 as amended. **Motion by Commissioner Altschul, seconded by Commissioner Hamaker and unanimously carried.**

5. APPROVAL OF MINUTES.

A. April 6, 2006

ACTION: Approve the Planning Commission Minutes of Thursday, April 6, 2006 as presented. **Motion by Commissioner Altschul, seconded by Commissioner DeLuccio and unanimously carried.**

B. April 20, 2006

David Gillig, Commission Secretary, read into the record corrections on Page 12 (regarding 723 Huntley Drive) Final Action: 1) Remove sub-section 1) "approve the application"; and 2) remove the Aye vote of Commissioner DeLuccio (notating the No vote).

ACTION: Approve the Planning Commission Minutes of Thursday, April 20, 2006 as amended. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

6. PUBLIC COMMENT:

CHAD SAUL, WEST HOLLYWOOD, spoke in support of staff's recommendation on Item 11.A. (8914-8916 Rangely Drive, West Hollywood, California)

DAVID LOGAN, WEST HOLLYWOOD, thanked Commissioner Altschul for his contribution and input to the Tri-West Area Neighborhood Watch meeting regarding Mixed-Use.

STEVE MARTIN, WEST HOLLYWOOD, commented on the Mixed-Use Overlay Zone and various impending development.

GENE SMITH, WEST HOLLYWOOD, commented on Item 11.A. (8914-8916 Rangely Drive, West Hollywood, California)

LAURA BRILL, WEST HOLLYWOOD, commented on and had concerns regarding Item 11.A. (8914-8916 Rangely Drive, West Hollywood, California)

ELLEN EVANS, WEST HOLLYWOOD, commented on and had concerns regarding Item 11.A. (8914-8916 Rangely Drive, West Hollywood, California)

JEANNE DOBRIN, WEST HOLLYWOOD, opposes staff recommendation regarding Item 8.A. (723 N. Huntley Drive, West Hollywood, California); and commented on construction hours.

ED BUCK, WEST HOLLYWOOD, commented on Planning Commission Resolution enforcement.

SIBYL ZADEN, WEST HOLLYWOOD, commented on West Hollywood's waste management trucks.

7. ITEMS FROM COMMISSIONERS.

Commissioner DeLuccio requested clarification regarding the next steps involved regarding the Mixed-Use Overlay Zone.

Commissioner Altschul stated Ray Reynolds, Director of Economic Development and Special Projects, is doing well after his surgery and wished him a speedy recovery.

Chair Thompson commented on the One-Day Planning Commissioners Training Seminar to be held on June 1, 2006, and encouraged participation.

8. CONSENT CALENDAR.

A. 723 Huntley Drive.

Conditional Use Permit 2005-012, Negative Declaration:

On Thursday, April 20, 2006, the Planning Commission held a public hearing on the request for expansion of a large family day care home to a child day care center to accommodate up to twenty-four (24) children, was conditionally approved and directed staff to revise draft Resolution No. PC 06-671, to approve the project proposal.

ACTION: 1) Approve the application; and 2) Adopt Resolution No. PC 06-671 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING CONDITIONAL USE PERMIT 2005-012 FOR THE EXPANSION OF AN EXISTING LARGE FAMILY DAY HOME TO A CHILD CARE CENTER ACCOMODATING UP TO TWENTY-FOUR (24) CHILDREN, LOCATED AT 723 N. HUNTLEY DRIVE, WEST HOLLYWOOD, CALIFORNIA."

Motion by Commissioner Altschul, seconded by Commissioner Hamaker and passes on a Roll Call Vote:

AYES: Commissioners Altschul, Hamaker, Vice-Chair D'Amico, Chair Thompson.

NOES: DeLuccio, Guardarrama.

ABSENT: Bartolo.

The following was moved to the Consent Calendar as part of the amended agenda:

11.A. 8914-8916 Rangely Drive.

Demolition Permit 2005-021, Development Permit 2005-029:

On Thursday, April 6, 2006, the Planning Commission held a public hearing on the appeal of Laura Brills and Ellen Evans. The Planning Commission voted to deny, in part, the appeal, and to affirm, in part, the approval allowing the demolition of an existing duplex and the construction of a new duplex. Resolutions have been prepared for adoption.

ACTION: 1) Adopt Resolution No. PC 06-662 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DENYING IN PART, THE APPEAL OF LAURA BRILL AND ELLEN EVANS AND AFFIRMING, IN PART, THE APPROVAL OF DEMOLITION PERMIT 2005-021 AND DEVELOPMENT PERMIT 2005-029, ALLOWING THE DEMOLITON OF AN EXISTING DUPLEX AND THE CONSTRUCTION OF A NEW DUPLEX, FOR THE PROPERTY LOCATED AT 8914-8916 RANGELEY AVENUE, WEST HOLLYWOOD, CALIFORNIA." **Motion by Commissioner Altschul, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

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

John Keho, Planning Manager, stated the Appeal procedure: any final determination by the Planning Commission may be appealed, and such appeal must be filed within ten (10) calendar days after the Planning Commission action. This appeal shall be made in written form to the City Clerks Office, accompanied by an appeal fee or required number of signatures.

Commissioner Altschul recused himself from the dais at this time. His residence is within five-hundred feet of the proposed development.

9. PUBLIC HEARINGS.

A. 8760 Shoreham Drive.

Demolition Permit 2005-033, Development Permit 2005-041, Tentative Tract Map 2005-015, Negative Declaration:

Debby Linn, Senior Contract Planner, presented the staff report. She stated the proposed request is to allow the demolition of an existing single-family dwelling and the development of a new twelve-unit condominium building with subterranean parking. She detailed the history of the property.

The project complies with all West Hollywood Zoning Code requirements, with the exception of the front elevation requirement, to be set back another six feet from the second story and above.

Staff recommends approval of the application.

Vice-Chair D'Amico commented on the re-design of the project as suggested by the Planning Commission Design Review Subcommittee.

John Chase, Urban Designer, commented on the façade and setback.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS TO VIEW THE MASSING MODEL AT 7:10 P.M. AND RECONVENED AT 7:15 P.M.

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

MILAN LOJDL, BEVERLY HILLS, architect, presented the applicant's report. He spoke and detailed the six foot setback, the character, façade, color scheme, massing, materials, landscaping and surrounding area.

Chair Thompson requested clarification on the waiver regarding "exemplary design".

SIBYL ZADEN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the massing and does not support the project.

DAVID WEISSFELD, WEST HOLLYWOOD, has concerns regarding this item. He spoke on massing, parking, and traffic circulation.

PRISCILLA LONDON, WEST HOLLYWOOD, has concerns regarding this item. She questioned construction time-frames.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on parking, traffic circulation and massing.

MILAN LOJDL, BEVERLY HILLS, architect, presented the applicant's rebuttal. He detailed extra parking spaces that have been included in the project.

Commissioner DeLuccio questioned the square-footage, time-frames regarding project construction, parking and traffic circulation.

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

Commissioner DeLuccio commented on the massing of the project, design and the setback of the project. He could not support this project.

Commissioner Guardarrama has concerns regarding construction mitigation and stated the design of the project is exemplary.

Vice-Chair D'Amico commented on the design, massing, parking and construction loading.

Commissioner Hamaker stated her approval of the design. She had concerns regarding the impact to the neighborhood.

Chair Thompson stated his concerns regarding the massing and parking.

Chair Thompson moved to: 1) deny the application.

Seconded by Commissioner DeLuccio.

ACTION: 1) Deny the application; and 2) bring back a resolution of denial, for the property located at 8760 Shoreham Drive, West Hollywood, California. **Motion by Chair Thompson, seconded by Commissioner DeLuccio and fails on a Roll Call Vote:**

AYES: Commissioners DeLuccio, Chair Thompson.

NOES: Guardarrama, Hamaker, Vice-Chair D'Amico.

ABSENT: Bartolo.

RECUSED: Altschul.

MOTION FAILS.

Commissioner Guardarrama moved to: 1) approve the application; 2) the required ten (10) space off-street parking requirement shall be through the duration of construction; and 3) a site-use plan shall be provided for loading and un-loading.

Seconded by Commissioner Hamaker.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 06-664 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION AND APPROVING DEMOLITION PERMIT 2005-033 AND DEVELOPMENT PERMIT 2005-041 TO PERMIT DEMOLITION OF AN EXISTING SINGLE-FAMILY DWELLING AND DEVELOPMENT OF A NEW TWELVE-UNIT CONDOMINIUM BUILDING WITH SUBTERRANEAN PARKING, FOR THE PROPERTY LOCATED AT 8760 SHOREHAM DRIVE, WEST HOLLYWOOD, CALIFORNIA"; 3) "Adopt Resolution No. PC 06-665 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2005-015 (MINOR LAND DIVISION 061268), FOR THE PROPERTY LOCATED AT 8760 SHOREHAM DRIVE, WEST HOLLYWOOD, CALIFORNIA"; and 4) Close Public Hearing Item 9.A. **Motion by Commissioner Guardarrama, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

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

NOES: DeLuccio, Chair Thompson.

ABSENT: Bartolo.

RECUSED: Altschul.

John Keho, Planning Manager, stated the Appeal procedure: any final determination by the Planning Commission may be appealed, and such appeal must be filed within ten (10) calendar days after the Planning Commission action. This appeal shall be made in written form to the City Clerks Office, accompanied by an appeal fee or required number of signatures.

Commissioner Altschul returned to the dais at this time.

**B. 7719 Norton Avenue.
Demolition Permit 2004-031, Development Permit 2004-043,
Modification 2005-015, Tentative Tract Map 2004-021:**

Francie Stefan, Senior Planner, presented the staff report. She stated the requested permits are to allow for the construction of one detached dwelling unit and four covered parking stalls behind an existing house. Request includes a tentative tract map for division of the property into two condominium units, after-the-fact demolition permit for prior demolition in rear yard, and modification to reduce rear yard setback by ten percent to preserve an existing mature tree.

She provided a detailed history of the property and project, and stated the issues with parking and vehicle maneuvering, which the applicant proposed to solve with an automobile turntable. She provided background information regarding the need for a driveway easement as well as other conditions of approval proposed.

Staff recommends approval of the proposed project.

Commissioner Altschul questioned staff if they have received a signed easement from the owner of the adjacent property, and if one is forthcoming.

Francie Stefan, Senior Planner, stated staff has had several conversations with the applicant regarding an easement, however, at this time, there is no signed affidavit and/or one forthcoming.

Vice-Chair D'Amico questioned the history of the two properties.

Commissioner Hamaker questioned staff regarding the automobile turntable and the noise level.

Terri Slimmer, Transportation Manager, provided details and stated the noise level is equivalent to a garage door opener.

Commissioner Guardarrama presented the Planning Commission Design Review Subcommittee report, commenting on the concerns and placement of the windows.

Commissioner Hamaker disclosed for the record she made a site visit and spoke with the adjacent resident.

Chair Thompson disclosed for the record he spoke with the adjacent property owner's lawyer.

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

STEVEN MICHAEL KERNAN, WEST HOLLYWOOD, applicant, presented the applicant's report. He detailed the design of the project and spoke on the height, the [proposed] easement, use of the shared driveway, preserving the tree, the [proposed] automobile turntable and stated some of the conditions should be dropped.

Commissioner Altschul questioned the applicant which conditions he would like to see dropped.

Steven Michael Kernan, West Hollywood, applicant, stated for the record, that he would like to see the following conditions dropped: 1) pouring the concrete driveway first; and 2) would like to see the automobile turntable condition dropped, due to the expense.

MARK LEHMAN, WEST HOLLYWOOD, representative for the neighboring property owner (Al Weissman, at 7717 Norton Avenue), has concerns regarding this item. He stated Mr. Weissman wants to preserve his access for ingress and egress for both himself and his tenants. He also had concerns regarding blockage of the driveway, and maintenance and safety of the automobile turntable. He stated concerns regarding Conditions 5.13 and 8.2 of Resolution No. PC 06-651.

Commissioner Altschul questioned Mark Lehman, representative for the neighboring property owner (Al Weissman, at 7717 Norton Avenue), if his client is willing to sign an easement.

Mark Lehman, West Hollywood, representative for the neighboring property owner (Al Weissman, at 7717 Norton Avenue), stated his client, at this moment, is not in the position to sign an easement.

Questions and concerns were discussed regarding the easement and driveway blockage.

ELLA MAE LOPACK, LOS ANGELES, opposes staff's recommendation.

TERRI ANNE PHILLIPS, WEST HOLLYWOOD, has concerns regarding this item. She commented on the shared driveway, blockage of the driveway and violation of construction hours.

AL WEISSMAN, WEST HOLLYWOOD, (property owner at 7717 Norton Avenue) opposes staff's recommendation. He voiced his concerns regarding blockage of the driveway.

Commissioner Altschul questioned Al Weissman (property owner at 7717 Norton Avenue), if he is willing to sign an easement.

Al Weissman, West Hollywood, stated for the record he is not willing to sign anything until he speaks to his lawyer.

LINDA LA SATER, WEST HOLLYWOOD, opposes staff's recommendation. She had concerns regarding the shared driveway and commented on neighborhood development.

LEE PERRY, WEST HOLLYWOOD, opposes staff's recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on recent code violations, driveway blockage and potential impacts if the automobile turntable is not used.

STEVEN MICHAEL KERNAN, WEST HOLLYWOOD, applicant, presented the applicant's rebuttal. He commented on the shared driveway and blockages, the [proposed] easement and the [proposed] noise of the automobile turntable.

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

Commissioner Altschul commented on the proposed easement, history of the property and appropriate consideration between neighbors. He noted that the application is not viable without the easement, and there currently is not an easement. He stated that the automobile turntable has not had a chance to be studied properly by the Department of Transportation or the Planning Division, therefore it would be speculation.

Commissioner Altschul moved to: 1) Deny the application.

Seconded by Commissioner Hamaker.

Chair Thompson commented on the innovation of the automobile turntable. He did not think the findings could be made in the affirmative for this project.

Commissioner Hamaker commented on the lot size and had concerns regarding the shared driveway.

Commissioner DeLuccio stated the project is not compatible with the neighborhood. He had issues with the automobile turntable regarding noise and safety issues with the surrounding neighbors.

Commissioner Guardarrama had concerns regarding this project without an easement.

ACTION: 1) Deny the application; 2) return with resolutions of denial, for the property located at 7719 Norton Avenue, West Hollywood, California; and 3) Close Public Hearing Item 9.B. **Motion by Commissioner Altschul, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: Bartolo.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 8:45 P.M. AND RECONVENED AT 8:55 P.M.

C. 1013 Spaulding Avenue.

Demolition Permit 2005-037, Development Permit 2005-049, Variance 2005-006, Tentative Tract Map 2005-017, Negative Declaration:

Francie Stefan, Senior Planner, presented the staff report, (in the absence of Terry Blount, Associate Planner). She stated the applicant is requesting demolition of a single-family residence and garage and the construction of a two-story with mezzanine, five-unit condominium building. A variance has been requested regarding the Zoning Ordinance standard pertaining to front setbacks.

She gave a detailed history of the property and spoke on the architectural details, Planning Commission's Design Review Subcommittee comments, setbacks and landscaping.

Staff recommends approval.

Commissioner Guardarrama presented the Design Review Subcommittee report. He commented on the approval of the design, and the benefit(s) to the neighborhood.

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

JON GREEN, PACIFIC PALISADES, designer and applicant, presented the applicant's report. He spoke on landscaping, elevation of the first floor landing, balcony setbacks, common areas, light penetration, roof decks, trash container location, handicap access, permeable surfaces and the corrugated façade.

Vice-Chair D'Amico questioned the handicap accessibility.

Chair Thompson questioned the averaging for the setbacks.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the architecture, parking, the chair lift and the corrugated facade.

JON GREEN, PACIFIC PALISADES, designer and applicant, presented the applicant's rebuttal. He commented on the corrugated metal façade, solar energy panels and landscaping.

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

Commissioner DeLuccio moved to: 1) approve staff's recommendation.

Seconded by Commissioner Altschul.

Chair Thompson commented on the exemplary design of this project.

Commissioner Guardarrama stated for the record the requested variance is warranted because there are special circumstances which apply to this property that do not apply to the majority of the properties in the area.

Commissioner DeLuccio voiced his support of the presentation and the design of the project.

Commissioner Hamaker commented on the articulation.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 06-672 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2005-037, DEVELOPMENT PERMIT 2005-049 AND VARIANCE 2005-006, ON AN APPLICATION OF JON GREEN FOR ANTHONY AND ELIA PATCHETT AND MICHAEL AND SARA MOLDOVAN, FOR THE DEMOLITION OF A SINGLE-FAMILY RESIDENCE AND GARAGE AND THE CONSTRUCTION OF A FIVE-UNIT CONDOMINIUM BUILDING, FOR THE PROPERTY LOCATED AT 1013 N. SPAULDING AVENUE, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 06-673 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2005-017 (MINOR LAND DIVISION 63782), FOR THE PROPERTY LOCATED AT 1013 N. SPAULDING AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 4) Close Public Hearing Item 9.C. **Motion by Commissioner DeLuccio, seconded by Commissioner Altschul and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: Bartolo.

**D. 8225 Sunset Boulevard. (Miyagi's)
Conditional Use Permit 2005-006, Development Permit 2006-026,
Parking Use Permit 2005-010:**

Applicant is requesting an intensification of land use for an existing restaurant to operate a new nightclub with off-site parking; expansion of alcohol sales and service hours of operation; installation of three (3) television monitors.

A continuance of this item is being requested to allow the applicant additional time to secure a lease for off-site parking spaces to fulfill the additional parking requirement for the proposed intensification of land use.

ACTION: 1) Continue to a date uncertain. **Motion carried by consensus of the Commission as part of the amended agenda.**

10. NEW BUSINESS.

**A. Policy Discussion.
Vacant Properties and Buildings, and Demolition Requirements.**

ACTION: 1) Continue to Thursday, May 18, 2006. **Motion carried by consensus of the Commission as part of the amended agenda.**

11. UNFINISHED BUSINESS.

A. 8914-8916 Rangely Drive.

Demolition Permit 2005-021, Development Permit 2005-029:

On Thursday, April 6, 2006, the Planning Commission held a public hearing on the appeal of Laura Brills and Ellen Evans, the Planning Commission voted to deny, in part, the appeal, and to affirm, in part, the approval allowing the demolition of an existing duplex and the construction of a new duplex. Resolutions have been prepared for adoption.

ACTION: 1) Moved to Consent Calendar. **Motion by Commissioner Altschul, seconded by Commissioner Hamaker and unanimously carried.**

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF. None.

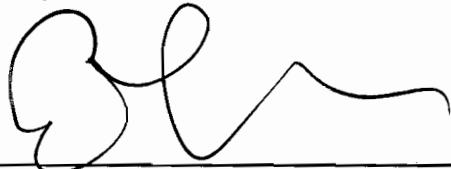
14. PUBLIC COMMENT. None.

15. ITEMS FROM COMMISSIONERS.

Vice-Chair D'Amico questioned the American with Disabilities Act (ADA) requirements.

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, May 18, 2006 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 18TH DAY OF MAY, 2006.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR