



PLANNING COMMISSION MINUTES
Regular Meeting
April 6, 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 6:33 P.M.

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

3. ROLL CALL:

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

Commissioners Absent: None.

Staff Present: Debby Linn, Senior Contract Planner, Tess Nguyen, Senior Contract Planner, John Keho, Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

It was stated for the record, Item 9.B. (8760 Shoreham Drive) has been continued to Thursday, May 4, 2006.

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

5. APPROVAL OF MINUTES.

A. March 16, 2006

ACTION: Approve the Planning Commission Minutes of Thursday, March 16, 2006 as presented. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried, noting the abstention of Commissioner Bartolo and Commissioner Guardarrama.**

6. PUBLIC COMMENT.

ED BUCK, WEST HOLLYWOOD, commented on trees, landscaping and the development at 1426 N. Laurel Avenue, West Hollywood, California.

TOM DEMILLE, WEST HOLLYWOOD, commented on national issues.

7. ITEMS FROM COMMISSIONERS.

Commissioner DeLuccio requested a staff update on the trees at 1426 N. Laurel Avenue, West Hollywood, California.

Commissioner Altschul would like to see an item agendaized in reference to monetary replacement of the tree at 1426 N. Laurel Avenue, West Hollywood, California.

Commissioner Guardarrama commented on vacant buildings located in the City of West Hollywood, and requested staff to report regarding a nuisance factor created by these buildings (particularly residential buildings); with the intent of possibly streamlining the permitting process to allow the demolition and the reconstruction of replacement buildings.

8. CONSENT CALENDAR.

A. 923, 927, and 933 Palm Avenue.

Demolition Permit 2005-004, Development Permit 2005-009, Tentative Tract Map 2005-003:

On Thursday, March 16, 2006, the Planning Commission held a public hearing to consider the proposal to demolish all structures and construct a twenty-unit condominium building. Resolutions confirming the denial of the proposed project have been prepared for adoption.

ACTION: 1) Deny the application; 2) Adopt Resolution No. PC 05-629 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DENYING DEMOLITION PERMIT 2005-004 AND DEVELOPMENT PERMIT 2005-009 ON AN APPLICATION OF MILAN LOJDL, ARCHITECT, TO PERMIT THE DEMOLITION OF EIGHT DWELLING UNITS ON THREE PARCELS AND THE CONSTRUCTION OF A FOUR-STORY, TWENTY-UNIT CONDOMINIUM BUILDING WITH A SUBTERRANEAN GARAGE, FOR THE PROPERTIES LOCATED AT 923, 927, AND 933 PALM AVENUE, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 05-631 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DENYING TENTATIVE TRACT MAP 2005-003 (MINOR LAND DIVISION 62397) FOR THE PROPERTIES LOCATED AT 923, 927, AND 933 PALM AVENUE, WEST HOLLYWOOD, CALIFORNIA". **Motion by Commissioner Altschul, seconded by Commissioner Hamaker and unanimously carried, noting the abstention of Commissioner Bartolo and Commissioner Guardarrama.**

B. 1257 N. Detroit Street.

Development Permit 2005-018, Tentative Tract Map 2006-005:

On Thursday, March 16, 2006, the Planning Commission held a public hearing to consider the approval of a five-unit condominium structure. Resolutions confirming the denial of the proposed project have been prepared for adoption.

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

9. PUBLIC HEARINGS.

A. 8914-8916 Rangely Drive.

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

Continued from Thursday, March 16, 2005. Debby Linn, Senior Contract Planner presented the staff report. She made a correction to the printed agenda, stating the applicant and appellants were incorrectly identified. The applicant is Chad Saul and the appellant(s) are Laura Brill and Ellen Evans.

She stated the public hearing is an appeal by Laura Brill and Ellen Evans on the approval allowing the demolition of an existing duplex and the construction of a new duplex. She detailed the history of the property, a thorough explanation and rebuttal of the appellant's claims, and spoke regarding the maximum floor area ration (FAR).

Staff recommends approval of the project and to deny the appeal.

Commissioner Altschul questioned the courtyard and open space requirements, and inquired about design aspects.

Commissioner Hamaker questioned the rear yard setbacks.

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

LAURA BRILL, WEST HOLLYWOOD, presented the appellants report. She opposes staff's recommendation. She stated her facts why this project should not be approved: 1) the floor area ratio (FAR) is not in conformance with the zoning requirements; 2) the proposed development is inconsistent with the guidelines; and 3) as a matter of policy, the Planning Commission should not allow this area to become ground zero for "McMansions", and commented on massing issues.

CHAD SAUL, WEST HOLLYWOOD, presented the applicants report. He detailed the history of the project and stated how this project exceeds city code. He spoke on the surrounding neighborhood, setbacks, massing, and how they have worked pro-actively with the appellants. They are seeking no variances.

Vice-Chair D'Amico questioned the material for the front doors to the project and the feasibility of a redesign of the wall in the courtyard with fountain, so that it was partially open to the street.

Commissioner Altschul questioned the square-footage of the courtyard.

Chad Saul stated for the record approximately eighty square feet, and the courtyard is not enclosed.

LAURA BRILL, WEST HOLLYWOOD, presented the appellants rebuttal. She commented on the square footage of the courtyard, and massing of the project in relation to the neighborhood.

CHAD SAUL, WEST HOLLYWOOD, presented the applicants rebuttal. He reiterated that neither the patio spaces, nor courtyard are enclosed. He presented the demographics of the neighborhood in terms regarding massing.

Chair Thompson asked staff to detail the calculation of the FAR and explain why the courtyard area was excluded from staff's calculation.

Commissioner Bartolo questioned the guidelines for courtyards and open space.

Commissioner Altschul questioned the parking.

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

Commissioner Altschul commented on the courtyard and indicated with the proposed design, he found the courtyard to be enclosed, and stated it therefore should be included in the floor area ratio (FAR).

Commissioner Altschul moved to: 1) grant the appeal in part (directing that the FAR be calculated to include the courtyard and the building reduced accordingly); and 2) direct staff to prepare a resolution with appropriate findings to deny the remaining portions of the appeal and approve the project as amended and conditioned.

Commissioner DeLuccio questioned the square-footage of the courtyard.

Vice-Chair D'Amico commented on the design of the project.

Vice-Chair D'Amico seconded the motion with the following friendly amendment: 1) the applicant shall replace the two sets of solid double doors with visually permeable gates; and 2) as an alternative to including the courtyard in the FAR, may also either make the exterior wall (which holds the fountain) open to the street or otherwise reconfigure the courtyard to make it more open to the street.

Commissioner Altschul accepted the amended motion.

Christi Hogin, Assistant City Attorney, sought clarification of the motion.

Vice-Chair D'Amico detailed: 1) if the applicant makes the changes stated in the motion, it would be approved; 2) if the applicant does not make the changes, they may use the floor area ratio (FAR) calculations for redesign.

Commissioner Altschul reiterated the motion: 1) grant the appeal in part; 2) deny the (remaining) part of the appeal, granted in respect only to the floor area ratio (FAR); and 3) direct the calculations of the floor area ratio (FAR) to include the front courtyard.

Christi Hogin reiterated the motion for the record: 1) direct staff to bring back a resolution of approval which imposes the additional condition, which would result in a redesign (depending on how the applicant chooses one of the following: a) to reduce the buildings FAR (based on the fact it is including the courtyard calculations; or b) by making the courtyard open and replacing the doors with gates.

Commissioner Altschul agreed this was correct.

Commissioner Guardarrama stated he could not support this motion. He stated the applicant is complying in its entirety with the Zoning Code, all design requirements and has worked with staff and the neighbors to make this project palatable. He commented on and questioned the direction this may infer for future projects by affirming a courtyard is enclosed; when in fact it has no roof.

Commissioner Guardarrama stated his concern about the precedent this would set, and suggested a possible continuation of this item to the next meeting, to give staff time to analyze what effect this would have. Or as an alternative, approve the project as designed.

Commissioner Hamaker commented on the massing of the project and hedges.

Commissioner Bartolo questioned the square footage of the original duplex. She commented on the massing and stated her concerns with changing the rules at this juncture regarding FAR.

Commissioner DeLuccio stated, he believed the original intent of the FAR calculation, was not to count courtyard space. He commented on the design and massing, and reiterated the building is conforming to all setbacks. He could not support this motion.

Commissioner Altschul commented on the FAR of .6 adopted by the Planning Commission and the City Council ultimately changed it to .5.

Commissioner Hamaker requested the motion be restated.

Commissioner Altschul reiterated the motion: 1) to grant the appeal in part with respect to the FAR; 2) condition approval on redesign in light of recalculation of the FAR to include the front courtyard or to redesign the courtyard to expose the front courtyard and thus avoid having the area included in the FAR; and 3) deny the rest of the appeal.

Christi Hogin, Assistant City Attorney reiterated and clarified the motion for the record: 1) direct staff to bring back a resolution of approval for the project, with the additional condition that the project be redesigned in one of two ways: a) either to include the square-footage of the courtyard as part of the overall FAR resulting in a reduction of the size of the building; or b) to open up the courtyard by making it visually permeable near the fountain; also to require replacing the solid doors with visually permeable gates.

Commissioner Altschul corrected and added to the reiterated motion: 1) or the applicant may choose an alternative design; which is acceptable to the Community Development Director.

ACTION: 1) Grant the appeal in part; 2) Deny the rest of the appeal; and 3) direct staff to prepare a resolution for consideration by Commission consistent with the motion; and 4) Close Public Hearing Item 9.A. **Motion by Commissioner Altschul, seconded by Vice-Chair D'Amico and passes on a Roll Call Vote:**

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

NOES: DeLuccio, Guardarrama.

ABSENT: None.

**B. 8760 Shoreham Drive.
Demolition Permit 2005-033, Development Permit 2005-041, Tentative Tract Map 2005-015:**

The applicant has requested permission to allow the demolition of an existing single-family dwelling and the development of a new twelve-unit condominium building with subterranean parking.

Staff is requesting a continuation to allow additional time for analysis of the project.

ACTION: 1) Continue to Thursday, May 4, 2006. **Approved as part of approved Agenda.**

**C. 1236-1252 N. Harper Avenue.
Tentative Tract Map 2006-003:**

Tess Nguyen, Senior Contract Planner presented the staff report. She stated the applicant is requesting approval of a tentative tract map for a forty-unit condominium development. The development of the residential project was approved on Thursday, December 15, 2005.

She provided a detail timeline history of the project and stated Condition 1.6 was changed to read as follows: *“Within thirty (30) days of Tentative Tract Map approval, the applicant shall execute and record the City’s Agreement Imposing Restrictions on Real Property. The agreement shall ensure that any units designated as inclusionary housing units shall remain permanently affordable, regardless if they are rented or sold.”*

Staff recommends approval of the proposed tentative tract map.

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

MARK LEHMAN, WEST HOLLYWOOD, representing GTO Harper, LLC, presented the applicant’s report. He stated this project was previously approved, they are retaining and preserving all the historical elements of The Ramona courtyard and detailed the housing, parking and landscaping. Due to technical revisions to the original tract map and the existing Ramona property, the original tract map application had to be withdrawn and resubmitted.

Commissioner Bartolo questioned if this project would qualify as a conversion under the State Subdivision Map Act.

John Keho, Planning Manager, stated that it would qualify under the State Subdivision Map Act.

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

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 06-663 as presented “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-003 (MINOR LAND DIVISION 61859), FOR THE PROPERTY LOCATED AT 1236-1252 N. HARPER AVENUE, WEST HOLLYWOOD, CALIFORNIA”; and 3) Close Public Hearing Item 9.C. **Motion by Commissioner Hamaker, seconded by Commissioner Altschul and unanimously carried.**

10. NEW BUSINESS.

A. Appointment to Business Signage Committee.

ACTION: Appoint: 1) Donald DeLuccio, 2) Barbara Hamaker, and 3) Joseph Guardarrama to the Business Signage Committee. **Motion carried by consensus of the Commission.**

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR.

B. 1257 N. Detroit Street.

Development Permit 2005-018, Tentative Tract Map 2006-005:

On Thursday, March 16, 2006, the Planning Commission held a public hearing to consider the approval of a five-unit condominium structure. Resolutions confirming the denial of the proposed project have been prepared for adoption.

Commissioner Hamaker made a statement about ADA compliance regarding housing units and elevators, and how 1257 N. Detroit Street would not meet this new requirement.

ACTION: 1) Deny the application; 2) Adopt Resolution No. PC 06-656 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DENYING DEVELOPMENT PERMIT 2005-018 FOR THE CONSTRUCTION OF A NEW 7,100 SQUARE-FOOT, FIVE-UNIT CONDOMINIUM STRUCTURE, LOCATED AT 1257 N. DETROIT STREET, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 06-657 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DENYING TENTATIVE TRACT MAP 2006-005 (MINOR LAND DIVISION 64595), FOR THE PROPERTY LOCATED AT 1257 N. DETROIT STREET, WEST HOLLYWOOD, CALIFORNIA". **Motion by Commissioner Altschul, seconded by Vice-Chair D'Amico and passes on a Roll Call Vote:**

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

NOES: DeLuccio, Hamaker.

ABSENT: None.

ABSTAINED: Bartolo, Guardarrama.

13. ITEMS FROM STAFF. None.

14. PUBLIC COMMENT. None.

15. **ITEMS FROM COMMISSIONERS.** None.

16. **ADJOURNMENT:** The Planning Commission adjourned at 7:50 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, April 20, 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 4TH DAY OF MAY, 2006.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR