



PLANNING COMMISSION MINUTES
Regular Meeting
September 21, 2006

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 6:35 P.M.

2. PLEDGE OF ALLEGIANCE: Mark Lehman led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: Thompson.

Staff Present: Patrick Clarke, Contract Planner, John Chase, Urban Designer, John Keho, Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

Move Agenda Item 12. (Excluded Consent Calendar) to be heard after Agenda Item 8. (Consent Calendar).

ACTION: Approve the Planning Commission Agenda of Thursday, September 21, 2006 as amended. **Moved by Commissioner Hamaker, seconded by Commissioner Guardarrama and unanimously carried; noting the abstention of Commissioner Thompson.**

5. APPROVAL OF MINUTES.

A. September 7, 2006

ACTION: Approve the Planning Commission Minutes of Thursday, September 7, 2006 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried; noting the abstention of Commissioner Thompson.**

6. PUBLIC COMMENT.

TOM DEMILLE, WEST HOLLYWOOD, commented on traffic congestion, demolition permits, affordable housing, garbage, crime and encroachment of businesses in residential areas.

ED BUCK, WEST HOLLYWOOD, commented on Westmed Ambulance Services and campaign contributions.

STEVE MARTIN, WEST HOLLYWOOD, commented on future development and the impact on the City of West Hollywood, affordable housing and commuting.

7. ITEMS FROM COMMISSIONERS.

Commissioner Altschul commented on an implied riot or brawl on Robertson Boulevard adjacent to Pearl nightclub. He asked staff to bring forth an update report with an explanation to these events and to schedule a public hearing to possibly modify or revoke their Conditional Use Permit.

8. CONSENT CALENDAR.

A. Demolition Permit 2005-008, Development Permit 2005-013: On Thursday, September 7, 2006, the Planning Commission revised Resolution No. PC 06-697 to approve the demolition of an existing single-family house and garage and construct a two-story, three-unit apartment building with a semi-subterranean garage, with added conditions, for the property located at 148 N. Swall Drive, West Hollywood, California.

ACTION: 1) Deny the Appeal; and 2) Adopt Resolution No. PC 06-697 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF SHERI BURKE AND AFFIRMING THE APPROVAL OF DEMOLITION PERMIT 2005-008 AND DEVELOPMENT PERMIT 2005-013, ALLOWING THE DEMOLITION OF AN EXISTING SINGLE-FAMILY HOUSE WITH DETACHED GARAGE AND THE CONSTRUCTION OF A NEW THREE-UNIT APARTMENT BUILDING, LOCATED AT 148 N. SWALL DRIVE, WEST HOLLYWOOD, CALIFORNIA". **Moved by Commissioner Hamaker, seconded by Commissioner Bartolo and unanimously carried; noting the abstension of Commissioner Thompson.**

B. Administrative Permit 2006-013: On Thursday, September 7, 2006 the Planning Commission voted to uphold the appeal of Lionel McPherson to legalize one illegal dwelling unit (1256 Flores Street, Apartment "A"), for the property located at 1256 N. Flores Street, West Hollywood, California.

ACTION: 1) Grant the Appeal; and 2) Adopt Resolution No. PC 06-696 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD GRANTING THE APPEAL BY LIONEL MCPHERSON AND REVERSING THE DIRECTOR OF COMMUNITY DEVELOPMENT'S DECISION TO DENY ADMINISTRATIVE PERMIT 2006-013, TO LEGALIZE ONE (1) ILLEGAL UNIT (1256 N. FLORES STREET, APARTMENT "A"), AT THE PROPERTY LOCATED AT 1256 N. FLORES STREET, WEST HOLLYWOOD, CALIFORNIA". **Moved by Commissioner Hamaker, seconded by Commissioner Bartolo and unanimously carried; noting the abstension of Commissioner Thompson.**

- C. Demolition Permit 2006-010, Development Permit 2006-014, Negative Declaration:** Revised Resolution as directed by the Planning Commission on Thursday, August 17, 2006. Conditionally approve the demolition of three dwelling units and the construction a four-story, eight-unit condominium building with a subterranean garage, located at 1217 N. Horn Avenue, West Hollywood, California.

ACTION: Pulled and moved to Excluded Consent Calendar. **Moved and requested by Commissioner Bartolo.**

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

The following was heard out of order as part of the amended agenda:

12. EXCLUDED CONSENT CALENDAR.

- A. Demolition Permit 2006-010, Development Permit 2006-014, Negative Declaration:** Revised Resolution as originally directed by the Planning Commission on Thursday, August 17, 2006. Conditionally approve the demolition of three dwelling units and the construction a four-story, eight-unit condominium building with a subterranean garage, located at 1217 N. Horn Avenue, West Hollywood, California.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 06-692 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-010 AND DEVELOPMENT PERMIT 2006-014, ON AN APPLICATION OF HAMLET ZOHRABIANS, ARCHITECT, TO PERMIT THE DEMOLITION OF THREE (3) DWELLING UNITS AND THE CONSTRUCTION OF A FOUR-STORY, EIGHT-UNIT CONDOMINIUM BUILDING WITH A SEMI-SUBTERRANEAN GARAGE, LOCATED AT 1217 N. HORN AVENUE, WEST HOLLYWOOD, CALIFORNIA," and 3) Adopt Resolution No. PC 06-693 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-007, FOR THE PROPERTY LOCATED AT 1217 N. HORN AVENUE, WEST HOLLYWOOD, CALIFORNIA". **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

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

NOES: Bartolo, Chair D'Amico.

RECUSED: Altschul.

ABSENT: Thompson.

Commissioner Altschul returned to the dais at this time.

9. PUBLIC HEARINGS.

A. 8633 West Knoll Drive.

Development Permit 2004-027:

Patrick Clarke, Contract Planner, provided background information as presented in the staff report dated Thursday, September 21, 2006.

He stated an appeal was filed by Kim Schneider for the project to allow the construction of a new carport, pool and deck area, walls and landscaping, adjacent to an existing apartment building.

He detailed the appellants concerns and presented rebuttal regarding air, noise, light, pollution, slope, landscaping and metal roofing.

Staff recommends denial of the appeal and uphold staff's original approval.

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

KIM SCHNEIDER, WEST HOLLYWOOD, appellant, presented the appellants report. She had concerns regarding how the parking lot is proposed in relation to the surrounding neighborhood. She remarked on carports, parking structures, exposed surface parking lots and noticing issues.

MARK LEHMAN, WEST HOLLYWOOD, appellant, continued the appellant's report. He stated his concerns regarding the negative impacts of having a fifteen-space surface parking lot on the surrounding neighborhood. He spoke on enclosed parking spaces, architectural design elements and compatibility.

DR. ROY NELSON, WEST HOLLYWOOD and NEW JERSEY, applicant, presented the applicant's report. He detailed the history of his rental properties and spoke regarding parking, setbacks, design elements, landscaping, noise, reducing grade, tenant issues and the surrounding neighborhood.

LYNN HOOPINGARNER, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

JEAN MATHISON, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

MARK KRAJEWSKI, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

JACK LE BOUEF, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

DON SCOTT, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

DONALD POULER, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

EVERARD GOMEZ, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

STUART BIRD, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

MIGUEL GARCIA, opposes the proposed project and supports the appellant.

TOM DEMILLE, WEST HOLLYWOOD, has concerns regarding this item. He commented on the number of appellant signatures, property maintenance, traffic mitigation and future development of the site.

RON RENNO, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

ENGELBERT TAUBENBERGER, WEST HOLLYWOOD, opposes the proposed project and supports the appellant.

MARK LEHMAN, WEST HOLLYWOOD, appellant, presented the appellant's rebuttal. He commented on the inconsistencies regarding the number of parking spaces, accessibility, slope issue, safety issues and favors covered parking. He would prefer better use of the property.

DR. ROY NELSON, WEST HOLLYWOOD and NEW JERSEY, applicant, presented the applicant's rebuttal. He commented on the size of the property, tenant's use, accessibility, noise and affordable housing. He stated there is no intention of converting the apartments into condominiums.

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

Commissioner Hamaker commented on the uniqueness of the project and stated her support of the appeal.

Commissioner Hamaker moved to: 1) approve the appeal.

Seconded by Commissioner DeLuccio.

Commissioner Altschul commented on the uniqueness and creative situation of the project. He would like to see this project work. He stated it should be at street grade and should be referred back to staff to work out details to see if the property owner would be willing to go along with some excess cost to do the grading.

Commissioner Bartolo would like to see this project referred back to staff, perhaps, even to the Planning Commission Design Review Subcommittee.

Vice-Chair Guardarrama questioned if the two properties could be combined. He commented on current overflow parking and increase in traffic. He stated the current project as proposed would have a deleterious impact on the neighborhood. He would like to refer it back to staff for additional work. He suggested a possible reduction in grade and some detailed screened landscaping.

Commissioner DeLuccio questioned Vice-Chair Guardarrama if he would be amiable to the applicant exploring an enclosed structure, to go before the Design Review Subcommittee and to possibly have them re-look at the landscaping.

Vice-Chair Guardarrama agreed to all of the questions raised by Commissioner DeLuccio. He stated he likes the effects of what this structure brings, in regards to removing cars off of the street, but he did reiterated that the negative impacts need to be reduced.

Commissioner DeLuccio withdrew his second to the original motion.

ORIGINAL MOTION VOIDED.

Commissioner Hamaker moved to: 1) refer the project back to staff, then to the Planning Commission Design Review Subcommittee.

Seconded by Commissioner DeLuccio.

Commissioner DeLuccio requested when this item does return to the Planning Commission: 1) it shall be re-noticed with a 500' radius mailing.

Chair D'Amico reiterated the design review process will need to see design boards as well as a model of the site.

ACTION: 1) refer back to staff; 2) re-submit to Planning Commission Design Review Subcommittee; and 3) a 500' radius mailing shall be done for the next public hearing, for the property located at 8633 West Knoll Drive, West Hollywood, California. **Moved by Commissioner Hamaker, seconded by Commissioner DeLuccio, and passes on a Roll Call Vote:**

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

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:55 P.M. AND RECONVENED AT 8:00 P.M.

B. 649 N. Huntley Drive.

Demolition Permit 2005-050, Development Permit 2005-065, Tentative Tract Map 2005-023, Negative Declaration:

Patrick Clarke, Contract Planner, provided background information as presented in the staff report dated Thursday, September 21, 2006.

The applicant is requesting permits to demolish an existing single-family residential structure and construct a three-unit condominium structure. The existing building on the site has been determined not to have potential historical or cultural significance.

He detailed the parking, landscaping and affordable housing.

John Chase, Urban Designer, commented on the overall design aspects.

Staff recommends approval.

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

MARK WHIPPLE, LOS ANGELES, applicant, presented the applicants report. He stated they are requesting no variances or significant deviations from the Zoning Code for this project.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on tandem parking, traffic mitigation and the external stairs.

MARK WHIPPLE, LOS ANGELES, applicant, presented the applicants rebuttal. He spoke on the parking situation and the small size of the current lot.

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

Commissioner Altschul moved to: 1) approve the application; with the following conditions: a) the CC&R's and all sales materials shall refer to the existence of the tandem parking spaces (in 12 point type or larger).

Seconded by Commissioner DeLuccio.

Chair D'Amico requested an amendment to the motion: 1) residents shall not be permitted additional on-street residential parking permits; and 2) the city shall not provide construction parking during the construction period.

Commissioner Altschul agreed to the added amendments.

Commissioner DeLuccio agreed to the added amendments.

Vice-Chair Guardarrama commented on and stated his support for the design of the project.

Commissioner Bartolo questioned if the applicant was apprised of the permit parking restrictions.

John Keho, Planning Manager, stated they were not advised of the possible restrictions.

Christi Hogin, Assistant City Attorney, stated for the record the findings for parking in this neighborhood, has warranted additional conditions to be imposed. The impact has been mitigated with the additional conditions.

Commissioner Bartolo stated her support for this project, however, she stated her concerns with the parking permit ban at the last minute. She requested the added condition removed from the amended motion.

Commissioner Altschul commented on tandem parking issues, stated his support of the amendments and declined the request to amend the motion.

Christi Hogin, Assistant City Attorney, clarified the applicant is precluded from obtaining residential parking permits.

Commissioner Bartolo questioned the applicant the implications of additional subterranean parking.

Mark Whipple, Los Angeles, applicant, stated there would be a huge financial implication and would be cost prohibitive on a lot this small.

Vice-Chair Guardarrama commented and had concerns with the implications of restricting the parking on the applicant at the last minute. He stated he cannot support the motion.

John Keho, Planning Manager, clarified the motion on the floor: 1) residential parking passes will be restricted; and 2) one-day guest parking passes are permissible.

ACTION: 1) return with revised resolution on Thursday, October 5, 2006 with the following amendments: a) the CC&R's and all sales materials shall refer to the existence of tandem parking spaces (in 12 point type or larger); b) residents shall not be permitted additional on-street residential parking permits; c) the city shall not issue permits for construction workers in the 600 to 700 block of North Huntley Drive, West Hollywood, California; and 2) Close Public Hearing Item 9.B. **Moved by Commissioner Altschul, seconded by Commissioner DeLuccio, and passes on a Roll Call Vote:**

AYES: Commissioners Altschul, DeLuccio, Hamaker, Chair D'Amico.

NOES: Bartolo, Vice-Chair Guardarrama.

ABSENT: Thompson.

10. NEW BUSINESS. None.

11. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

John Keho, Planning Manager, provided updates on the following: 1) Housing Summit, shall be on Monday, December 4, 2006; 2) Westside Specific Plan, shall be on Saturday, November 4, 2006, 3) Green Building Regulations Outreach Meeting, is to be held the week of October 23, 2006 (date to be determined); and 4) Green Building Study Session.

15. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on standard lot size, discretionary approval, preferential parking permits and the business known as Pinkberry.

15. ITEMS FROM COMMISSIONERS.

Chair D'Amico commented on the Green Building Study Session and reminded staff to agendaize the Zone Text Amendment regarding Supper Clubs first on the next agenda.

Commissioner Hamaker questioned why Westmed Ambulance Service was not heard by the High Impact Business Task Force.

Commissioner Bartolo commented on the abuse of public comment section regarding campaign statements.

Commissioner Hamaker suggested future [possible] restrictions could be discussed or brought up with the applicants and developers during the design review period."

- 16. ADJOURNMENT:** The Planning Commission adjourned at 8:35 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, October 5, 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 5TH DAY OF OCTOBER, 2006.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR