



PLANNING COMMISSION MINUTES
Regular Meeting
July 20, 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 6:32 P.M.

2. PLEDGE OF ALLEGIANCE: Tom DeMille led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: Altschul, DeLuccio.

Staff Present: Rachel Heiligman, Associate Planner, Justine Hearn, Assistant Planner, John Chase, Urban Designer, Susan Healy Keene, Community Development Director, David DeGrazia, Acting Planning Manager, Michael Jenkins, City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

ACTION: Approve the Planning Commission Agenda of Thursday, July 20, 2006 as presented. **Moved by Commissioner Hamaker, seconded by Commissioner Thompson and unanimously carried.**

5. APPROVAL OF MINUTES.

A. July 6, 2006

ACTION: Approve the Planning Commission Minutes of Thursday, July 6, 2006 as presented. **Moved by Commissioner Hamaker, seconded by Commissioner Thompson and unanimously carried.**

6. PUBLIC COMMENT.

TOM DEMILLE, WEST HOLLYWOOD, commented on National Night Out, affordable housing and local community activist groups.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on local housing prices, Bar Lubitsch and Hugo's Restaurant.

7. ITEMS FROM COMMISSIONERS. None.

8. CONSENT CALENDAR.

A. 8401 Santa Monica Boulevard (Hugo's Restaurant).

Administrative Permit 2006-009, Minor Conditional Use Permit 2006-001: On Thursday, July 6, 2006, the Planning Commission voted to deny in part and approve in part, the appeal of Jeanne Dobrin and approve the project with the additional conditions, and directed staff to bring back a resolution approving the request to expand from beer and wine service to full alcoholic beverage service, change the hours of operation, and increase the outdoor dining area by 185 square-feet at an existing restaurant.

ACTION: 1) Adopt Resolution No. PC 06-685 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, DENYING IN PART AND APPROVING IN PART THE APPEAL OF JEANNE DOBRIN AND CONDITIONALLY APPROVING MINOR CONDITIONAL USE PERMIT 2006-001 AND ADMINISTRATIVE PERMIT 2006-009 ON AN APPLICATION BY MARK LEHMAN FOR PASTA MAMA, INC., TO ALLOW THE ON-SITE SALE, SERVICE AND CONSUMPTION OF FULL ALCOHOLIC BEVERAGES, EXTEND THE CLOSING TIME AND INCREASE THE OUTDOOR DINING AREA AT AN EXISTING RESTAURANT (HUGO'S RESTAURANT), LOCATED AT 8401 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." **Motion by Commissioner Thompson, seconded by Commissioner Hamaker and unanimously carried.**

9. PUBLIC HEARINGS.

A. 1200 N. Sweetzer Avenue.

Demolition Permit 2006-009, Development Permit 2006-012, Tentative Tract Map 2006-006, Negative Declaration:

Rachel Heiligman, Associate Planner, presented the staff report. She stated the applicant is requesting to demolish three dwelling units and construct a four-story, ten-unit condominium building. She detailed the history of the project and the project proposal.

Overall, this proposal is well suited for this site and the surrounding neighborhood. The project will provide a net increase of seven housing units to the City's housing stock. The proposed project meets the requirements of the Zoning Ordinance and there are no requests for special modifications or variance to the development standards.

Staff recommends approval.

Chair D'Amico presented the Design Review Subcommittee report. He stated the subcommittee was favorable to the overall architectural design and project.

John Chase, Urban Designer, continued the Design Review Subcommittee report and detailed the architectural design of the project.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS TO VIEW THE MASSING MODEL AND BOARDS AT 6:45 P.M. AND RECONVENED AT 6:50 P.M.

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

ALEKS ISTANBULLU, SANTA MONICA, project architect, presented the applicant's report. He detailed the project site, building type, unit configurations, the courtyard, landscaping, sidewalk detail, massing, building materials, color schemes, and community concerns.

Yael Lir, PASADENA, landscape architect, continued the applicant's report. She detailed the landscape design. Due to the massing of the project, she stated some trees are unable to be saved, but would be replaced with canopy trees.

Commissioner Hamaker questioned the final color scheme.

TOM DEMILLE, has concerns regarding this item. He commented on in-lieu fees and affordable housing.

JOHN HALL, WEST HOLLYWOOD, opposes staff's recommendation for approval.

JAMES S. NOLL, WEST HOLLYWOOD, opposes staff's recommendation for approval.

JENNIFER ALTOBELL, WEST HOLLYWOOD, has concerns regarding this item. She commented on noise, pollution, increased traffic, massing of the project and landscaping.

ANGIE BECKETT, WEST HOLLYWOOD, has concerns regarding this item. She commented on the landscape design and the loss of trees.

VICTOR OMELCZENKO, WEST HOLLYWOOD, opposes staff's recommendation for approval.

RANDY VASQUEZ, WEST HOLLYWOOD, has concerns regarding this item. He commented on landscaping, architectural style, noise, pollution and loss of views.

JEANNE DOBRIN, WEST HOLLYWOOD, opposes staff's recommendation for approval.

ALEKS ISTANBULLU, SANTA MONICA, project architect, presented the applicant's rebuttal. He clarified the roof terraces as private gardens, detailed the courtyard area, massing and height, tandem parking and landscaping.

Commissioner Bartolo questioned the size of the boxes of the replacement trees and rate of growth.

Yael LIR, PASADENA, landscape architect, stated no determination has been made in regards to the size of boxes, however, they could put in either 36" or 48" boxes.

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

Vice-Chair Guardarrama requested staff to recap the noticing requirements and how those requirements were actually met.

Commissioner Thompson commented on private open space and strongly suggested a motion of support that would include occupants of the condominium building shall not be granted permit parking passes for the street; and that they shall be officially notified (through a disclosure in the CC and R's). He also commented on the possibility of relocating the trees that are slated to be removed.

Commissioner Bartolo had concerns and commented on the parking situation.

Discussion was held regarding tandem parking spaces and the feasibility and the utilization of parking passes for the street.

Vice-Chair Guardarrama commented on the loss of low density housing and the influx of development in West Hollywood. He stated his approval for the design of this project, color scheme and commented on trees.

Vice-Chair Guardarrama moved to: 1) approve staff recommendations; and 2) deny permit parking.

Seconded by Commissioner Hamaker.

Commissioner Hamaker commented on tree canopies, different varieties that are permissible in the parkway and box sizes. She questioned the staging of trucks during construction.

Commissioner Bartolo stated her support for this project. She acknowledged this project fits wholly into the standards that are set by the Zoning Code. She had concerns with the level of growth, which are currently allowed in the neighborhoods.

Chair D'Amico reiterated the motion: 1) approve staff's recommendations (which includes a power line waiver); and 2) occupants and guests shall not be granted permit parking passes.

ACTION: 1) Approve the application; 2) Adopt Resolution No PC 06-688 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-009 AND DEVELOPMENT PERMIT 2006-012 ON AN APPLICATION OF 1200 SWEETZER, LLC, TO PERMIT THE DEMOLITION OF THREE DWELLING UNITS AND THE CONSTRUCTION OF A FOUR-STORY, TEN-UNIT CONDOMINIUM BUILDING, FOR THE PROPERTY LOCATED AT 1200 N. SWEETZER AVENUE, WEST HOLLYWOOD, CALIFORNIA"; 3) Adopt Resolution No. PC 06-689 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2006-006 (MINOR LAND DIVISION 65801), FOR THE PROPERTY LOCATED AT 1200 N. SWEETZER AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.A. **Motion by Vice-Chair Guardarrama, seconded by Commissioner Hamaker, and passes on a Roll Call Vote:**

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

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:55 P.M. AND RECONVENED AT 8:05 P.M.

B. Zone Text Amendment 2006-006.

Justine Hearn, Assistant Planner, presented the staff report. She detailed the history of the Zone Text Amendment regarding the maintenance and security of vacant properties and buildings, indicating the Planning Commission is to consider recommending approval to the City Council an amendment of the City of West Hollywood Zoning Ordinance and Municipal Code to create additional requirements for the maintenance and security of vacant properties and buildings and discuss the City's demolition ordinance.

Staff recommends approval of these amendments to Chapters 7.24 and 19.30 of the City's Municipal Code to the City Council because they will: 1) improve the safety, security, and appearance of vacant buildings and properties; 2) require owners to take responsibility for their properties; and 3) create an enforcement mechanism for the Code Compliance Departments.

Staff does not recommend changes to the demolition section because the current regulation: 1) eliminates speculative demolition; 2) protects structures that may be reused if the proposed project falls through; 3) maintains the City's neighborhood streetscapes until a new building is ready to be constructed; and 4) the property maintenance standards proposed will provide the City with adequate regulatory language to ensure that any vacant buildings or properties are maintained and will not become a nuisance.

Commissioner Thompson questioned other municipalities' time frames regarding demolition standards.

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

EDWARD LEVIN, WEST HOLLYWOOD, has concerns regarding this item. He commented on the small amount of time made available for public review and requested additional time to work with staff on the language issues. He stated that, although at the last meeting he opposed changes to the demolition ordinance, he has changed his mind and now supports changes to the demolition ordinance. He requested this item continued to a date uncertain.

MINDY BRADISH, WEST HOLLYWOOD, Executive Director of the West Hollywood Chamber of Commerce, has concerns regarding this item. She commented the staff report does not address demolition and affirmed this should be included as the item moves forward. She requested this item continued to a date uncertain.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of staff's recommendation.

JESSE SLANSKY, WEST HOLLYWOOD, opposes staff's recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

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

Commissioner Hamaker commented on public speakers' concerns and stated she would like to hear from additional members of the community, since she does not feel adequately informed to discuss this item at this time, after hearing these additional concerns.

Commissioner Thompson stated his support for the building maintenance and security standards as they have been presented.

Vice-Chair Guardarrama stated his support for improved maintenance standards. He has concerns with the increased maintenance standards and would like to hear further additional comments from the business community, stakeholders and members of the public who wish to speak; specifically regarding some of the concerns raised by the public speakers.

Vice-Chair Guardarrama suggested keeping the public hearing open and continuing the discussion to a date uncertain.

Michael Jenkins, City Attorney, reiterated staff's perspective and applications of these standards and explained in detail why this item is before the commission for consideration. He repeated that there are several alternatives which are optional, giving the Director of Community Development flexibility of imposing those conditions which are perceived as necessary in any given situation.

Susan Healy Keene, Community Development Director, reiterated the role and goal is not to put blanket conditions across all properties in some onerous way, but to meet the goal of having property owners maintain their vacant properties or properties that have vacant buildings.

Commissioner Thompson stated his concerns and questioned why a parallel provision regarding the building maintenance and security standards could not be put into the demolition standards.

Commissioner Bartolo would like to give the business community time to respond and continue the discussion to a date uncertain. She also would like to see the possibility of relocating buildings subject to demolition.

Commissioner Hamaker questioned the demolition process, but did not support demolition prior to approval of a project. She questioned if there is a creative way to adjust the Ellis Act to allow for month to month, short-term rental housing. She also questioned the feasibility of temporary community gardens and suggested that perhaps demolition of residential and commercial properties should be viewed differently.

Chair D'Amico stated his support for the building maintenance and security standards and suggested a continuance of the demolition standards for ninety days.

Discussion was held regarding the pros and cons of various demolition standards.

Commissioner Thompson questioned and had concerns regarding the noticing requirements. He stated if this item is continued, he would like to see the following: 1) property owners of all seventeen vacant properties shall be notified; and 2) neighborhood watch captains shall be notified in all affected areas.

Chair D'Amico moved to: 1) continued this item to Thursday, August 17, 2006.

Seconded by Commissioner Bartolo.

ACTION: 1) Continue to Thursday, August 17, 2006. **Motion by Chair D'Amico, seconded by Commissioner Bartolo, and passes on a Roll Call Vote:**

AYES: Commissioners Bartolo, Hamaker, Thompson.

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

ABSENT: Altschul, DeLuccio.

Discussion and clarification was held regarding the current motion.

Michael Jenkins, City Attorney, stated the motion has passed. A reconsideration may be made by the parties voting in favor of the original motion.

Commissioner Hamaker requested a reconsideration of the motion.

Seconded by Chair D'Amico and unanimously carried.

MOTION IS RECONSIDERED.

Commissioner Hamaker questioned if the recommendation can be forwarded to the City Council, to include the concerns regarding creative demolition ideas.

Michael Jenkins, City Attorney clarified for the record, the Planning Commission may forward this to the City Council requesting they pass the Ordinance, but notating it is the Planning Commission's intention to take up the issue of demolition, unless City Council directive is not too.

Commissioner Hamaker moved to: 1) forward staff recommendation to City Council, notating it is the Planning Commission's intention to take up the issue of demolition, unless otherwise directed by City Council.

Seconded by Commissioner Thompson.

Vice-Chair Guardarrama amended the motion by adding: 1) a Sunset Provision in the recommendation, which shall be in effect for twelve months.

Commissioner Hamaker agreed to this amendment.

Vice-Chair Guardarrama stated the demolition issues needs to be looked at in-depth. He had concerns that people with mutual interest need to be further included in this discussion.

Commissioner Thompson requested clarification of the Sunset Provision.

Commissioner Thompson stated for the record he will support the motion, however, he has concerns with the Sunset Provision.

Chair D'Amico reiterated the motion: 1) approve and forward staff recommendation on the property maintenance standards to the City Council; 2) continue discussion of the demolition standards; and 3) a twelve month Sunset clause for property maintenance standards which will require the Planning Commission to evaluate the effectiveness of these maintenance standards and staff's ability to apply them.

Commissioner Bartolo requested the recommendation include: 1) a request for staff to look into the feasibility of whether or not properties could be reasonably relocated to another site.

Commissioner Hamaker agreed to this amendment

ACTION: 1) Adopt Resolution No. PC 06-689 as amended to include a twelve-month Sunset Provision: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT 2006-006 REGARDING THE MAINTENANCE AND SECURITY OF VACANT PROPERTIES AND BUILDINGS, LOCATED CITY-WIDE, WEST HOLLYWOOD, CALIFORNIA"; 2) continue discussion of the demolition permit standards; and 3) Close Public Hearing Item 9.B. **Motion by Commissioner Hamaker, seconded by Commissioner Thompson and passes on a Roll Call Vote:**

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

NOES: None.

ABSENT: Altschul, DeLuccio.

10. **NEW BUSINESS.** None.

11. **UNFINISHED BUSINESS.** None.

12. **EXCLUDED CONSENT CALENDAR.** None.

13. **ITEMS FROM STAFF.**

David DeGrazia, Acting Planning Manager, presented an update on upcoming projects for the month of August.

14. **PUBLIC COMMENT.**

VICTOR OMELCZENKO, WEST HOLLYWOOD, commented on Gail Goldberg, Planning Director for the City of Los Angeles.

15. **ITEMS FROM COMMISSIONERS.**

Chair D'Amico requested an early delivery of the next Planning Commission agenda packet for Thursday, August 3, 2006 (which includes 1343 N. Laurel Avenue), due to the immense content of this project.

Commissioner Thompson had concerns with noticing errors. In the future, he would like staff to have available at all public hearings the mailing radius materials on projects, so names and addresses can be cross-referenced when there is a dispute.

16. **ADJOURNMENT:** The Planning Commission adjourned at 9:15 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, August 3, 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 3RD DAY OF
AUGUST, 2006.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR