



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**March 17, 2005**

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

**1. CALL TO ORDER:**

Chair Altschul called the meeting of the Planning Commission to order at 6:40 P.M.

**2. PLEDGE OF ALLEGIANCE:** Michael Niemeyer led the Pledge of Allegiance.

**3. ROLL CALL:**

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

Commissioners Absent: None.

Staff Present: Rachel Heiligman, Assistant Planner, Francie Stefan, Senior Planner, C.J. Amstrup, Acting Planning Manager, Susan Healy Keene, Community Development Director, Christi Hogin, Assistant City Attorney and David Gillig, Commission Secretary.

**4. APPROVAL OF AGENDA:**

**ACTION:** Approve the Planning Commission Agenda of Thursday, March 17, 2005 as presented. **Motion by Commissioner Hamaker seconded by Vice-Chair Thompson and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**A. May 3, 2005**

**ACTION:** Approve the Planning Commission Minutes of Thursday, March 3, 2005 as presented. **Motion by Commissioner Hamaker, seconded by Vice-Chair Thompson and unanimously carried.**

**6. PUBLIC COMMENT.**

JOYCE HEFTEL, WEST HOLLYWOOD, had concerns regarding the earthquake testing at the Sunset Millennium Project.

STAN LOTHBRIDGE, WEST HOLLYWOOD, commented on political experience required by the City Council and Planning Commissioners.

MICHAEL SIDLER, WEST HOLLYWOOD, had concerns regarding Come Alive Entertainment.

**7. ITEMS FROM COMMISSIONERS.**

Commissioner Hamaker questioned the earthquake and soil testing regarding the Sunset Millennium parcels.

**8. CONSENT CALENDAR.** None.

**9. PUBLIC HEARINGS.**

Commissioner D'Amico recused himself from the dais at this time.

**A. 8629 Rugby Drive.**

**Administrative Permit 2004-061, Variance 2004-011.**

Rachel Heiligman, Assistant Planner presented the staff report. She gave a history of the property, stating the applicant is requesting to use a Variance to permit a 5 foot setback where 14.35 feet is required, and an Administrative Permit for the addition of a second story, the removal of an illegal rear addition and the restoration of an illegally removed single garage to a single-family dwelling.

Staff recommends approval of the requested Variance and Administrative Permit because of the unique physical characteristics of the subject property, including the size and shape. The Administrative Permit complies with all other applicable provisions of the Zoning Ordinance with approval of the Variance permit.

Vice-Chair Thompson presented the Design Review Subcommittee report. He spoke on the elimination of the rooftop deck and the roofline.

Vice-Chair Thompson asked for clarification of the "special circumstances".

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

MARC WHIPPLE, WEST HOLLYWOOD, presented the applicant's report. He spoke on the redesign of the project, the re-establishment of the roofline and the living space.

JAMES LITZ, WEST HOLLYWOOD, has concerns regarding this item. He commented on the renovation of the single parking space.

ROSLYN KRAUSE, WEST HOLLYWOOD, has concerns regarding this item. She commented on the current traffic pattern and hedge heights.

MARC WHIPPLE, WEST HOLLYWOOD, presented the applicant's rebuttal. He stated he was not aware of the hedge height issue and stated the new owner would be open to mitigation.

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

**Commissioner DeLuccio motioned for approval of staff's recommendation. Commissioner Guardarrama seconded, conditioning the hedge height.**

Commissioner DeLuccio questioned the parking spaces for the property.

Vice-Chair Thompson asked for clarification on the condition. Specifically, is it regarding the hedge height or is it tied to visibility.

Commissioner Guardarrama confirmed the hedges should be tied to visibility for a normal passenger car.

Chair Altschul recommended that a height should be imposed.

C.J. Amstrup, Acting Planning Manager, stated the City of West Hollywood currently has standards for visibility triangles at intersections, which could be applied, thereby making sure it would be consistent with code standards.

Commissioner DeLuccio has concerns that it would become an enforcement issue. **He amended the motion to include a hedge height of three (3') feet.**

Commissioner Guardarrama agreed to this amendment.

**ACTION:** 1) Approve the request; 2) Adopt Resolution No. PC 05-591 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING VARIANCE 2004-011 AND ADMINISTRATIVE PERMIT 2004-061, ON AN APPLICATION OF MARC WHIPPLE, TO PERMIT THE REDUCTION OF THE REAR YARD SETBACK, THE ADDITION OF A SECOND STORY TO A SINGLE-FAMILY DWELLING, THE REMOVAL OF AN ILLEGAL REAR ADDITION AND THE RESTORATION OF AN ILLEGALLY REMOVED SINGLE GARAGE, FOR THE PROPERTY LOCATED AT 8629 RUGBY DRIVE, WEST HOLLYWOOD, CALIFORNIA"; and 3) close Public Hearing Item 9.A. **Motion by Commissioner DeLuccio, seconded by Commissioner Guardarrama and passes on a Roll Call Vote:**

**AYES:** Commissioners Bartolo, DeLuccio, Guardarrama, Hamaker, Vice-Chair Thompson, Chair Altschul.

**NOES:** None.

**ABSENT:** None.

**RECUSED:** Commissioner D'Amico.

Commissioner D'Amico returned to the dais at this time.

**B. 8857 Santa Monica Boulevard  
Administrative Permit 2003-030, Conditional Use Permit 2003-003.**

C.J. Amstrup, Acting Planning Manager presented the staff report. He gave a history of the property, stating the current restaurant/nightclub has occupied this site since 1988. The proposal consists of a request to expand an existing outdoor dining area and to create an outdoor smoking area, both within the same space and both with the sale, service and consumption of alcoholic beverages, all at an existing restaurant/nightclub known as Micky's.

Staff recommends approval of the Conditional Use Permit and the Administrative Permit.

Commissioner Hamaker questioned if there have been any law enforcement activities and/or issues.

Vice-Chair Thompson asked for clarification of the outdoor smoking area and restaurant area. He further questioned outdoor alcohol service.

Commissioner Guardarrama questioned if anything in the current resolution permits them from placing a temporary bar outdoors for sales and service.

C.J. Amstrup, Acting Planning Manager stated that would require a change in operating conditions.

Commissioner D'Amico presented the Design Review Subcommittee report.

Vice-Chair Thompson questioned staff about the erection of a video screen.

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

MICHAEL NIEMEYER, WEST HOLLYWOOD, presented the applicant's report. He clarified for the record the establishment currently has Type 47 Permit. He stated Micky's has the second oldest liquor license issued in Los Angeles County; dated 1933, and provided a history of the business.

Vice-Chair Thompson questioned the applicant about the erection of the video screen.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on square footage, new and expanded outdoor use of alcohol and hours of operation.

Vice-Chair Thompson questioned the applicant about the possibility of conditioning this approval; there shall be no sign.

Michael Niemeyer, applicant, could not agree to this condition. He would like to see a special one-time permit, permitting this activity.

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

**Commissioner DeLuccio motioned approval of staff's recommendation, with the condition: 1) up to four (4) Special Event Permits permitted per year. Seconded by Vice-Chair Thompson.**

Vice-Chair Thompson stated for the record, the sign in question is an enormous distraction.

Commissioner Bartolo questioned if a pre-existing requirement within the existing Conditional Use Permit that establishes standards that would require restaurants to adhere to Alcohol Beverage Control programs and training programs for staff. She would like to see a condition extended to a city approval as part of its expansion.

C.J. Amstrup, Acting Planning Manager, stated this type of condition is not listed in the resolution and indicated **the resolution could be amended to include the Department of Alcoholic Beverage Control program for bartenders.**

Commissioner Bartolo stated she would like this condition added to the resolution.

Commissioner D'Amico and Vice-Chair Thompson agreed to this amendment to the motion.

**ACTION:** 1) Approve the application; 2) Adopt Resolution No. PC 05-582 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING CONDITIONAL USE PERMIT 2003-003 AND ADMINISTRATIVE PERMIT 2003-030, ON AN APPLICATION OF DONALD RANDALL FOR MICHAEL NIEMEYER, TO EXPAND AN EXISTING OUTDOOR DINING AREA AND TO CREATE AN OUTDOOR SMOKING AREA, BOTH WITHIN THE SAME SPACE AND BOTH WITH THE SALE AND SERVICE OF ALCOHOLIC BEVERAGES, ALL AT AN EXISTING RESTAURANT/NIGHTCLUB, FOR THE PROPERTY LOCATED AT 8857 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) close Public Hearing Item 9.B. **Motion by Commissioner DeLuccio, seconded by Vice-Chair Thompson and unanimously carried.**

**THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 7:25 PM AND RECONVENED AT 7:40 P.M.**

Commissioner Hamaker recused herself from the dais at this time; due to the fact she is a board member of the West Hollywood Housing Corporation.

## **10. NEW BUSINESS.**

### **A. 1343 North Laurel Avenue. Draft Environmental Impact Report.**

Francie Stefan, Senior Planner, presented the staff report. She stated for the record the Draft Environmental Impact Report was released on February 11, 2005.

The project site is approximately a 30,080 square foot parcel bound immediately by multi-family residential uses to the north, west, and south and by Laurel Avenue to the east. The block on which the project site is located is bounded by Sunset Boulevard on the north and Fountain Avenue on the south. The existing property includes a main house, a chauffeur's cottage, garages, a bachelor's apartment, a driveway and landscaping.

The purpose of the proposed project is to increase affordable senior housing in the City of West Hollywood, while preserving a local cultural resource and increasing parkland. The proposed project involves three separate elements: renovation and rehabilitation of the existing main house and the chauffeur's cottage, construction of new housing behind the main house and creation of a public park in the eastern portion of the site. The two-story main house, which currently includes four residential units, would be reconfigured to include five one-bedroom senior apartments, one two-bedroom resident manager's office, and common space in the front ground-floor rooms that would be open to the public. The existing chauffeur's cottage located on the northwest corner of the site would be retained and rehabilitated for use as a single residential unit. The existing garages and bachelor's apartment, located near the rear of the site, would be removed. A new building of two to four stories in height would be constructed in the southwest portion of the site behind the main house and south of the chauffeur's cottage. The building would contain 28 one-bedroom senior apartments and a 21-car subterranean garage. All units are proposed to be approximately 540 square feet. A public park of approximately 8,600 square feet would be created on the eastern portion of the site.

A detailed PowerPoint presentation was presented highlighting the proposed changes above.

ERIC WILSON, EDAW, consultant for the City of West Hollywood, detailed the CEQA process for the Draft Environmental Impact Report.

MARGARITA WUELLNER. PHD, EDAW, consultant for the City of West Hollywood, detailed the cultural resource designation process.

It was notated the public comment period ends on March 29, 2005, and all replies must be postmarked by that date.

Chair Altschul stated this hearing is to receive public comment only on the Draft Environmental Impact Report.

Vice-Chair Thompson disclosed for the record he took a tour of the property.

Commissioner D'Amico questioned how the density was determined.

Commissioner DeLuccio questioned if any letters of comments have been received.

Commissioner Bartolo questioned to what degree do a potential compatibility and/or consistency of impact weigh into the analyses; in terms of the cultural and architectural style of the house.

Chair Altschul opened public testimony for New Business Item 10.A.:

DONALD WILLIAMS, WEST HOLLYWOOD, opposes this item.

LIZA AMTMANIS, LOS ANGELES, has concerns regarding this item. She commented on the design and massing of the project.

JOYCE HEFTEL, WEST HOLLYWOOD, has concerns regarding this item. She commented on affordable housing and soil contamination.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the aesthetics and designs of the project.

JAY NAVAS, WEST HOLLYWOOD, spoke in support of this item.

HALLI LORENTZ, WEST HOLLYWOOD, has concerns regarding this item. She commented on the massing of the project and the impact on the surrounding neighborhood.

ALLEGRA ALLISON, WEST HOLLYWOOD, opposes this item.

RAVEN TONEY, WEST HOLLYWOOD, reading a letter on behalf of Daniel Lawson, West Hollywood, opposes this item.

TERESA DANTEZ, WEST HOLLYWOOD, opposes this item.

KENT WOKER, WEST HOLLYWOOD, opposes this item.

VICKI GEIS, WEST HOLLYWOOD, spoke in support of this item.

STAN LOTH RIDGE, WEST HOLLYWOOD, has concerns regarding this item. He commented on numerous errors in the Draft Environmental Impact Report.; including parking, light and glare, pocket park and cultural resources.

ED BUCK, WEST HOLLYWOOD, WEST HOLLYWOOD, has concerns regarding this item. He commented on the character and the impact of the surrounding neighborhood.

GEOFF DEWAN, LOS ANGELES, opposes this item.

LOVEDY BRYDON, WEST HOLLYWOOD, spoke in support of this item.

KAREN OCAMB, WEST HOLLYWOOD, spoke in support of this item.

ROY OLDENKAMP, WEST HOLLYWOOD, opposes this item.

BARBARA ROBERTSON, WEST HOLLYWOOD, has concerns regarding this item. She commented on the character and the impact of the surrounding neighborhood.

AGASSI TOPCHIAN, WEST HOLLYWOOD, spoke in support of this item.

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, opposes this item.

ROSLYN KRAUSE, WEST HOLLYWOOD, opposes this item.

TIM GATEWOOD, WEST HOLLYWOOD, has concerns regarding this item. He commented on the preservation of the current landscaping.

STEVE WAYLAND, WEST HOLLYWOOD, spoke in support of this item.

JEAN MATHISON, WEST HOLLYWOOD, has concerns regarding this item. She commented on preservation.

PEGGY KENNEDY, WEST HOLLYWOOD, opposes this item.

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

**Commissioner D'Amico indicated there was not a plan for the parking garage and would like to see that included.** He questioned if the project was designed to include parking for off-site residents.

Vice-Chair Thompson questioned if this project has been scheduled for the Planning Commission Design Review Subcommittee meeting.

Commissioner DeLuccio confirmed that all comments made this evening will be reflected.

Chair Altschul encouraged the public, if they have anything to say or would like to see any topic addressed regarding this Draft Environmental Impact Report, to send any and all comments to City Hall by Tuesday, March 29, 2005, attention Francie Stefan, Senior Planner.

**ACTION:** 1) Receive and file public testimony. **Motion carried by consensus of the Commission.**

11. **UNFINISHED BUSINESS.** None.

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

13. **ITEMS FROM STAFF.** None.

14. **PUBLIC COMMENT.** None.

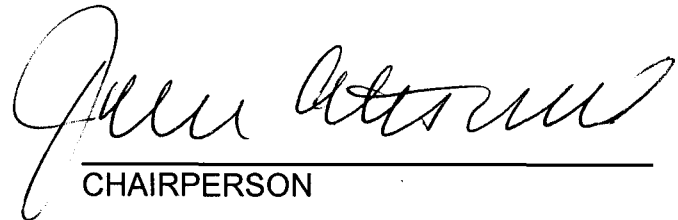
15. **ITEMS FROM COMMISSIONERS:**

Commissioner Bartolo commented on the character of Commissioner Hamaker as being dignified, thoughtful, concerned and caring.

Commissioner Guardarrama commented on the length of time he has known Commissioner Hamaker and considers her extremely compassionate.

16. **ADJOURNMENT:** The Planning Commission adjourned at 9:10 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, April 7, 2005 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 7<sup>TH</sup> DAY OF APRIL, 2005.

  
CHAIRPERSON

ATTEST:

  
COMMUNITY DEVELOPMENT DIRECTOR