



PLANNING COMMISSION MINUTES August 19, 2004

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 6:45 P.M.
2. **PLEDGE OF ALLEGIANCE:** Tom Benedetti led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Altschul, D'Amico, DeLuccio, Guardarrama, Hamaker and Thompson.

Commissioners Absent: Bartolo.

Staff Present: Elinor Aurthur, Assistant Planner, David DeGrazia, Associate Planner, Anne Browning McIntosh, Interim Community Development Director, Christi Hogin, Assistant City Attorney, Susan Healy Keene, Planning Manager and David Gillig, Commission Secretary.
4. **APPROVAL OF AGENDA:**
ACTION: Approve the Planning Commission Agenda of Thursday, August 19, 2004 as presented. **Motion by Commissioner Hamaker, seconded by Commissioner DeLuccio and unanimously carried.**
5. **APPROVAL OF MINUTES:**
ACTION: Approve the Planning Commission Minutes of Thursday, July 15, 2004 as presented. **Motion by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**
6. **PUBLIC COMMENT.**
HEAVENLY WILSON, WEST HOLLYWOOD, commented on the historical nature of West Hollywood neighborhoods and stated her concerns with the influx of developers into these neighborhoods.

ROZ HELFAND, CULVER CITY, spoke about the upcoming 3rd Annual West Hollywood Book Fair. This will be held on Sunday, October 3, 2004 at West Hollywood Park Auditorium between 10:00 A.M. and 6:00 P.M. She also requested volunteers for this annual event.
7. **ITEMS FROM COMMISSIONERS:**
Commissioner Hamaker commented on the upcoming West Hollywood Book Fair and encouraged everyone to attend. She also indicated there is a staff report available to the public (City Council Agenda Item 5.A.) titled: "The Changing Housing Environments in West Hollywood" for anyone that has concerns regarding the current housing issues arising in West Hollywood.

Commissioner DeLuccio asked staff to provide a copy of City Council Agenda Item 5.A.: The Changing Housing Environments in West Hollywood, to the Commission. He also questioned if there would be a Voter Registration booth at the West Hollywood Book Fair.

Commissioner Guardarrama stated he would like to volunteer for the West Hollywood Book Fair.

Commissioner Altschul commented on the West Hollywood Book Fair and encouraged everyone to participate. He announced Elinor Aurthur, Assistant Planner, will be leaving the City of West Hollywood and commended her for her years of service to the City. He also wished Hillary Selvin, Executive Director of the West Hollywood Chamber of Commerce well, with her upcoming knee surgery.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

**A. 1153 Formosa Avenue.
Tentative Tract Map 2004-07:**

Continued from Thursday, July 1, 2004. Elinor Aurthur, Assistant Planner, presented the staff report. She stated the applicant is requesting approval of Tentative Tract Map 2004-07 (No. 61324) to allow a previously approved four-unit apartment project to be sold as condominiums.

For the record, this project which was originally approved by staff on October 15, 2002 as Development Permit 2002-16.

She stated although there is no landscaping plan in the agenda packet for reference, there has been a landscaping plan submitted to the City, which will be revised to provide more landscaping for implementation.

Commissioner DeLuccio questioned why the applicant is coming forward at this time; (after the Development Permit), for conversion. He disclosed that he did go by the site, which is currently under construction.

Chair Altschul opened Public Hearing Item 9.A.:

ABRAHAM ABISIDRIS, LOS ANGELES, applicant. He commented on Commissioner DeLuccio's question. He stated time and financial restraints affected their decision to convert from apartments to condominiums.

Commissioner D'Amico questioned the approval process for an apartment building versus a condominium complex.

Commissioner Hamaker questioned if the Urban Designer worked with the applicant on the design.

ACTION: Close Public Hearing Item 9.A. **Motion carried by consensus of the Commission.**

Commissioner Hamaker commented on the previous apartment building that was on this site and voiced her disapproval the apartment complex will not be replaced. She commented how the current trees in front of the property have been badly bruised by the current construction. She stated her concerns with the design of the front of the building (it is not street friendly) and hopes the current landscaping plan can be implemented to mask the front of the building.

Commissioner D'Amico proposed that a landscaping plan should be submitted to the Design Review Subcommittee meeting for review.

Chair Altschul stated a motion could be made that would include a landscaping plan. This would make the approval contingent upon a landscaping plan, being accepted by either the Director of Community Development or the Design Review Subcommittee.

Commissioner D'Amico stated and agreed this should be a motion. He added that it should be brought before the Design Review Subcommittee for review. Seconded by Commissioner DeLuccio.

Commissioner DeLuccio suggested more discretion could be used in the future, utilizing the Design Review Subcommittee.

Chair Altschul reiterated the motion on the floor: to **approve the request of the Tentative Tract Map with the condition that the applicant submit a landscaping plan to the Design Review Subcommittee for review; then subsequent review by the Director of Community Development.**

ACTION: 1) Adopt Resolution No. PC 04-546 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING TENTATIVE TRACT MAP 2004-007 (NO. 61324) ON AN APPLICATION BY 1153 FORMOSA HOMES, LLC FOR A FOUR-UNIT CONDOMINIUM LOCATED AT 1153 FORMOSA AVENUE, WEST HOLLYWOOD, CALIFORNIA". **Motion by Commissioner D'Amico, seconded by Commissioner DeLuccio and carried; noting the NO vote of Commissioner Hamaker. Commissioner Bartolo was notated as ABSENT.**

B. 1220 N. Orange Grove Avenue.

Demolition Permit 2004-006; Development Permit 2004-005; Tentative Tract Map 2004-003: Elinor Aurthur, Assistant Planner, presented the staff report. She stated the applicants are requesting to demolish a single-family dwelling and an accessory building, and construct a four (4) unit condominium in a four-story structure with one (1) level of semi-subterranean parking.

She confirmed the Neighborhood Meeting was held on Thursday, May, 13, 2004; the main concern from residents was focused on construction impacts and parking.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS TO VIEW THE MODEL AT 7:12 PM AND RECONVENED AT 7:17 P.M.

Chair Altschul opened Public Hearing Item 9.B.:

MILAN LOJDL, LOS ANGELES, presented the applicant's report. He detailed the project; which included roof decks, color scheme, garages, elevators and street elevation.

MATT GOLDSMITH, LOS ANGELES, opposes this item. He spoke on the density of this project in relation to the surrounding neighborhood and the adjacent architecture.

THE COMMISSION TOOK A TWO (2) MINUTE RECESS TO PERUSE THE LETTER SUBMITTED BY MATT GOLDSMITH AT 7:25 PM AND RECONVENED AT 7:27 P.M.

ACTION: Close Public Hearing Item 9.B. **Motion carried by consensus of the Commission.**

Commissioner D'Amico presented the report from the Design Review Subcommittee.

Discussion, explanation and articulation were given regarding the back-side of the building.

Commissioner DeLuccio commented on the size and density of the project.

ACTION: 1) Adopt Resolution No. PC 04-544 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING DEMOLITION PERMIT 2004-006 AND DEVELOPMENT PERMIT 2004-005; and 2) Adopt Resolution No. PC 04-545 as presented "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2004-003 FOR THE PROPERTY LOCATED AT 1220 NORTH ORANGE GROVE AVENUE, WEST HOLLYWOOD, CALIFORNIA". **Motion by Chair Altschul, seconded by Commissioner Guardarrama and carried on a Roll Call Vote:**

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

NOES: Commissioners DeLuccio and Hamaker.

ABSENT: Commissioner Bartolo.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:35 PM AND RECONVENED AT 7:45 P.M.

**C. 1200 Alta Loma Road (Sunset Marquis Hotel)
Conditional Use Permit 94-08:**

David DeGrazia, Associate Planner, presented the staff report, which included a history of the property, Code Compliance correspondence and the numerous inquiries and complaints against the property.

He stated the conditions of the original Conditional Use Permit 94-08 which are: 1) legalized an existing bar; 2) extended the hours of the existing restaurant to 12:00 A.M.; and 3) permitted the bar and restaurant, including the courtyard dining area, to be opened to the general public at the Sunset Marquis Hotel.

He elaborated on the new sound mitigation measures that are proposed by the Sunset Marquis Hotel and reiterated that staff believes additional conditions of approval are not required at this time.

Anne Browning McIntosh, Interim Community Development Director, clarified and gave particulars as to why this item was brought before the Planning Commission. She stated she is satisfied with the steps that have been taken by the Sunset Marquis Hotel management, and no modification of the Conditional Use Permit is needed at this time.

Chair Atschul disclosed for the record; he had met with the General Manager, Mr. Rod Gruendyke, of the Sunset Marquis Hotel (Whiskey Bar), the applicant's representative Jeffrey Seymour, neighbors Shanel Stasz and Jeanne Dobrin, all in regards to the activities at the Sunset Marquis Hotel.

Commissioner Guardarrama disclosed for the record; on Friday, July 30, 2004 at approximately 11:54 P.M., he visited the Sunset Marquis Hotel (Whiskey Bar). He drove around the property. He returned to the property on Saturday, July 31, 2004 at approximately 10:00 A.M., to see the layout of the property, without people in attendance. He returned at 11:45 P.M., Saturday, July 31, 2004, and left at approximately 1:00 A.M., August 1, 2004. He stood outside the Park Wellington for approximately 45 minutes and then went inside the Whiskey Bar and had a conversation with the General Manager, Mr. Rod Gruendyke. He returned on Monday, August 9, 2004 at approximately 9:30 P.M.

Vice-Chair Thompson disclosed for the record; he visited the Sunset Marquis Hotel (Whiskey Bar) on Thursday, July 15, 2004 and on Wednesday, August 18, 2004. He spoke to the Whiskey Bar Manager and the Sunset Marquis Hotel Manager.

Commissioner Hamaker disclosed for the record; she spoke with the applicant's representative, Mr. Jeffrey Seymour and the General Manager of the Sunset Marquis Hotel, Mr. Rod Gruendyke. She examined the location.

Commissioner D'Amico disclosed for the record; he visited the Sunset Marquis Hotel (Whiskey Bar) on two (2) Saturday nights (dates unknown). Once with Commissioner Kate Bartolo. He spoke with the applicant's representative, Mr. Jeffrey Seymour a couple of times on the telephone.

Commissioner DeLuccio disclosed for the record; he received a couple of phone calls from the applicant's representative, Mr. Jeffrey Seymour. He visited the Sunset Marquis Hotel (Whiskey Bar) once and spoke to the Assistant Manager, Mark Redick. He received numerous phone calls from Ms. Jeanne Dobrin.

Chair Altschul spoke regarding the ownership, operating and management issues of the Whiskey Bar. He stated city staff agreed with the Sunset Marquis Hotel; and Assistant City Attorney, Christi Hogin, reviewed documents; provided by the hotel for her perusal. She made a determination regarding these issues. This memo, dated August 16, 2004, has been distributed to the Planning Commission and general public.

David DeGrazia, Associate Planner, read into the record, Condition 5.16; in regards to adequate parking at the Sunset Marquis Hotel. He stated the property is providing the required on-site parking.

Anne Browning McIntosh, Interim Community Development Director, concurred with this finding.

Chair Altschul opened Public Hearing Item 9.C.:

JEFFREY SEYMOUR, WEST LAKE VILLAGE, of Seymour Consulting Group, representing the Sunset Marquis Hotel, presented the respondent's report. He spoke in detail about the implied noise from the Whiskey Bar, traffic noise and ownership issues. He gave an in-depth analysis of the proposed sound mitigation plan and what has been put into place over the past thirty (30) days and also furnished policy and procedures. He requested the City of West Hollywood consider installation of improved street signage at the corner of Holloway Drive and Alta Loma Drive, alerting motorists of the approaching "cul-de-sac".

JERRY P. CHRISTOFF, SAN GABRIEL, representing the Sunset Marquis Hotel, presented the respondent's report regarding the Noise Mitigation Study. He detailed the action(s) and findings taken by the Noise Mitigation consultants, and how those reports and findings were derived.

SUZANNE BADAWI, WEST HOLLYWOOD, resident of the Park Wellington, has concerns regarding this item. She commented on the continued nuisance and traffic congestion from the bar at the Sunset Marquis Hotel (Whisky Bar).

JUDY HILSINGER, WEST HOLLYWOOD, resident of the Park Wellington, has concerns regarding this item. She commented on the continued nuisance and traffic congestion from the bar at the Sunset Marquis Hotel (Whisky Bar).

KEITH MC CARTHY, WEST HOLLYWOOD, resident of the Park Wellington, spoke in support of staff's recommendation.

IAN KERNER, WEST HOLLYWOOD, WEST HOLLYWOOD, resident of the Park Wellington, spoke in support of staff's recommendation.

JEANNE MATHISON, WEST HOLLYWOOD, has concerns regarding this item. She presented a set of rules the Planning Commission should impose on the Sunset Marquis Hotel to stop the noise.

CLAUDE DAUMAN, WEST HOLLYWOOD, resident of the Park Wellington, spoke in support of staff's recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She commented on the continued nuisance and traffic congestion from the bar at the Sunset Marquis Hotel (Whisky Bar). She also mentioned the valet company and parking circulation plan.

MELANIE D'AMECOURT, WEST HOLLYWOOD, resident of the Park Wellington, spoke in support of staff's recommendation.

MARLO CARRUTH, WEST HOLLYWOOD, resident of the Park Wellington, spoke in support of staff's recommendation.

BILL EDWARDS, WEST HOLLYWOOD, resident of the Park Wellington, spoke in support of staff's recommendation.

JENNY WORMAN, WEST HOLLYWOOD, resident of the Park Wellington, spoke in support of staff's recommendation.

HILLARY SELVIN, LOS ANGELES, Executive Director, West Hollywood Chamber of Commerce, spoke in support of staff's recommendation.

SHANEL STASZ, WEST HOLLYWOOD, resident of the Park Wellington, spoke against staff's recommendation. She commented on the continued nuisance and traffic congestion from the bar at the Sunset Marquis Hotel (Whisky Bar).

BRAD BURLINGAME, LOS ANGELES, President, West Hollywood Convention and Visitor's Bureau, spoke in support of staff's recommendation.

JEFFREY SEYMOUR, WEST LAKE VILLAGE, of Seymour Consulting Group, representing the Sunset Marquis Hotel, presented the respondent's rebuttal. He commented on the consultant chosen for the noise mitigation analyses and the length of time the microphones were actually recording. He also spoke briefly on the amortization date(s). For the record, the Sunset Marquis Hotel and Whiskey Bar is operating legally and will continue to work with the community and city staff.

Commissioner DeLuccio questioned the consultant regarding the timeline(s) the sound mitigation would take to be implemented. He further stated, he would like to see a time table of when this would be implemented. He would also like to see a report (in so many days), come back to the Commission, showing that it has been implemented and that the mitigation is working.

Chair Altschul specifically asked the consultant if they would commit to ninety (90) days.

Jeffrey Seymour, of Seymour Consulting Group, representing the Sunset Marquis Hotel, agreed to ninety (90) days to implement the sound mitigation measure(s).

Commissioner DeLuccio questioned the consultant what they have implemented, regarding the parking and valet noise.

ACTION: Close Public Hearing Item 9.C. **Motion carried by consensus of the Commission.**

Chair Altschul commented on the evenings proceedings and the [implied] ownership validity. He spoke on the current Conditional Use Permit and acknowledged it is quite adequate (and stringent). He informed the public, the issues brought forward are going to be looked into and resolved. He agreed to the timeline of ninety (90) days (in regards to the mitigation process and completion of the patio) and should be part of the motion.

Commissioner D'Amico motioned for approval of staff's recommendation. Seconded by Commissioner Hamaker.

Chair Altschul suggested an amendment to staff's recommendation with an inclusion of a ninety (90) day condition for putting in the mitigation measures, that have been presented, and perhaps a six (6) month review (report) to return to the Planning Commission at the discretion of staff.

Commissioner D'Amico and Commissioner Hamaker agreed to this amendment to the motion.

Commissioner Hamaker commented on the street signage.

Vice-Chair Thompson clarified for the record his site visits to the Sunset Marquis Hotel were unannounced.

ACTION: 1) Approve staff recommendation; 2) within ninety (90) days, the Sunset Marquis Hotel shall provide additional sound mitigation for the outdoor patio, as described in the consultant's report (provided by the business owner); and 3) a review/report shall be presented to the Planning Commission in six (6) months. **Motion by Commissioner D'Amico, seconded by Commissioner Hamaker and carried on a Roll Call Vote:**

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

NOES: None.

ABSENT: Commissioner Bartolo.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 9:10 PM AND RECONVENED AT 9:15 P.M.

- 10. **NEW BUSINESS.** None.
- 11. **UNFINISHED BUSINESS.** None.
- 12. **EXCLUDED CONSENT CALENDAR.** None.
- 13. **ITEMS FROM STAFF.**

A. Special Meetings:

Susan Healy Keene, Planning Manager, stated several projects must be heard before the end of the calendar year. She presented various options for amending the upcoming schedule regarding these projects.

ACTION:

- 1) September 16, 2004 Meeting Cancelled;
- 2) September 30, 2004 Special Meeting scheduled;
- 3) October 14, 2004 Special Meeting per staff recommendation;
- 4) October 28, 2004 Special Meeting per staff recommendation;
- 5) December 1, 2004 Special Meeting; and
- 6) December 16, 2004 Meeting Cancelled

Motion carried by consensus of the Commission.

Susan Healy Keene, Planning Manager, announced (for Roz Helfand), the West Hollywood Book Fair will have a Voter's Registration booth.

Commissioner DeLuccio questioned staff regarding an update on Game Restaurant.

Susan Healy Keene, Planning Manager, stated Game Restaurant was heard before the Business License Commission and their hours were modified. They are now required to close at 12:00 midnight.

14. PUBLIC COMMENT.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on Game Restaurant and Sunset Marquis Hotel (Whiskey Bar).

15. ITEMS FROM COMMISSIONERS:

Commissioner Hamaker stated local resident Ric Rickles recently had open heart surgery. She wished him well.


Commissioner Guardarrama commented on the number of condominium

Commissioner Guardarrama commented on the number of condominium buildings that do not contain units which are one-bedroom or smaller. He stated he believes this is pricing a significant sector of renters, who could become new homeowners, out of the West Hollywood area. He suggested the possibility of looking at different option(s) to rectify this in the near future.

Commissioner DeLuccio responded to Commissioner Guardarrama by stating the City Council had recently set-up a subcommittee to study different options, specifically on this subject.

16. **ADJOURNMENT:** The Planning Commission adjourned at 9:28 P.M. to the next regularly scheduled meeting of the Planning Commission, which will be on Thursday, September 2, 2004 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 2ND DAY OF SEPTEMBER, 2004.


CHAIRPERSON

ATTEST:


Community Development Director