



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**October 7, 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 6:42 P.M.

**2. PLEDGE OF ALLEGIANCE:** Ben Reznik led the Pledge of Allegiance.

**3. ROLL CALL:**

Commissioners Present: Altschul, Bartolo, D'Amico, DeLuccio, Guardarrama, Hamaker and Thompson.

Commissioners Absent: None.

Staff Present: C.J. Amstrup, Senior 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, October 7, 2004 as presented. **Motion by Commissioner DeLuccio, seconded by Commissioner Guardarrama and unanimously carried.**

**5. APPROVAL OF MINUTES.** None.

**6. PUBLIC COMMENT.**

GEOFFREY SMITH, WEST HOLLYWOOD, commented on Cabo Cantina and asked for an update regarding noise issues.

JOYCE HEFTAL, WEST HOLLYWOOD, commented on parking requirements and would like to see a mailing to all residents regarding construction projects and hours.

**7. ITEMS FROM COMMISSIONERS.**

Commissioner D'Amico commented on fourteen (14) abandoned buildings (in his neighborhood) which are currently awaiting planning approval. He mentioned the homelessness and asked staff to look into the [possibility] of the compliance of developers regarding upkeep on these properties until construction can officially begin.

Commissioner Guardarrama commented on several City owned parking lots, which are consistent with the General Plan. He asked the Assistant City Attorney to clarify; that the City of West Hollywood is in fact, exempted from accessory

outdoor advertising (replacement billboards).

Christi Hogin, Assistant City Attorney, clarified for the record the City is entitled to accessory outdoor advertising.

Commissioner Guardarrama requested staff to return with an update regarding Cabo Cantina.

Chair Altschul suggested a written report be submitted.

Commissioner DeLuccio stated he has received several complaints regarding Cabo Cantina.

Vice-Chair Thompson remarked when additional agenda material(s) are received at the last moment [for Commissioners]; it is (personally) in-effective to review the resources appropriately and asked all concerned for more viewing time. This would benefit everyone involved.

Chair Altschul stated on Thursday, October 21, 2004, the Pacific Design Center will be holding a charitable event in their courtyard for approximately five hundred (500) people. He was advised there would be no amplified music, live music or D.J.; just piped in background music.

He also noted that the Draft Environmental Impact Report on the Sunset Millennium Project; will be heard at the next Planning Commission meeting on Thursday, October 21, 2004 and reminded people there is limited (free) parking in the West Hollywood Park parking lot. Additional parking is available at the El Tovar parking lot (accessible from Robertson Boulevard) and also the Pacific Design Center (for a nominal charge).

**8. CONSENT CALENDAR.** None.

**9. PUBLIC HEARINGS.**

Commissioner Bartolo disclosed for the record she met with Ben Reznik, of Jeffer, Mangels, Butler and Marmaro, LLP, and others, who made a general presentation.

Commissioner Guardarrama disclosed for the record he had spoken with Ira Handelman (representative of the developer) and others, who made a general presentation. He also spoke to the House of Blues' attorneys (via telephone) regarding procedural items and mentioned this item to Commissioner Bartolo and Vice-Chair Thompsen.

Commissioner DeLuccio disclosed for the record he met with Ira Handelman (representative of the developer) and others, who made a general presentation. He was contacted by Jeff Haber, attorney for the House of Blues, as well as received numerous pieces of information from the developer's attorneys.

Commissioner D'Amico disclosed for the record he met with Ira Handelman (representative of the developer) and others, who made a general presentation, attended a public hearing and spoke with representatives of the House of Blues.

Commissioner Hamaker disclosed for the record she met with Ira Handelman (representative of the developer) and others, who made a general presentation.

Vice-Chair Thompson disclosed for the record he met Ira Handelman (representative of the developer) and others, who made a general presentation and had a conference call with Jeff Haber, attorney for the House of Blues.

Chair Altschul disclosed for the record he has met with various representatives (over the years) as well as Ira Handelman (representative of the developer) and others, who made a general presentation. He spoke via telephone with the attorney for the House of Blues and attended the neighborhood meeting at the Hyatt on Sunset.

Commissioner DeLuccio added for the record he also has met with various representatives of the development over the years regarding this project.

Chair Altschul informed the public this is a "comment period only" on the Draft Environmental Impact Report regarding the Sunset / Olive Mixed Use Project. He stated the Draft Environmental Impact Report has been circulated for forty-five (45) days beginning Monday, August 23, 2004 and closes (today) Thursday, October 7, 2004.

He stated there will be no decisions made tonight on any aspect of this project, it is strictly a time for the public to make comments and have questions answered.

At the next hearing on Thursday, November 4, 2004, the Final Environmental Impact Report will be brought forward, which will contain responses to all the questions and concerns that have been brought forward during this forty-five (45) day comment period. The Planning Commission will then consider a recommendation to the City Council of the City of West Hollywood, of certification of the Environmental Impact Report (EIR) and the Commission will also consider all other aspects of the requested entitlements.

**A. Sunset / Olive Mixed Use Project.**

C.J. Amstrup, Senior Planner, presented the staff report. He reiterated this meeting is to receive comments on the Draft Environmental Impact Report only. It is not a hearing on whether or not the project itself should be approved. The comments received in the hearing, as well as any written comments received during the forty-five (45) day review period will be answered in the Final Environmental Impact Report.

He stated for the record, a Notice of Availability soliciting comments on the Draft Environmental Impact Report was published in the West Hollywood Independent on Thursday, August 19, 2004, and also sent by mail to all relevant public agencies and public utility providers. Public Meeting Notices the Planning Commission meeting on Thursday, October 7, 2004, were mailed to all property owners and residents within five-hundred (500') feet and all neighborhood groups the City of West Hollywood.

He presented a brief history of the site, indicating the project site sits on approximately 1.72 acres at the southeast corner of Sunset Boulevard and Olive Drive. Also located on the site are two (2) apartment buildings; a five (5)-unit building located at 1326 Olive Drive and a three (3)-unit building located at 8477/8481 De Longpre Avenue.

He affirmed, if approved, the proposed project, would construct a 35,000 square foot commercial building with three (3) levels above Sunset Boulevard, two (2) levels below Sunset Boulevard, oriented towards south, and a roof top dining terrace. The building would be forty-five (45) feet tall as measured above Sunset Boulevard, would be located east of the House of Blues, and would require demolition of the existing retail and restaurant structures.

Also proposed is a 138-unit apartment building over a semi-subterranean parking structure with six hundred eight-seven (687) parking stalls. The apartment building would be eight (8) stories tall, and the parking structure would have two (2) levels above ground and five (5) levels below ground. The height of the apartment building would be forty-five (45') feet, as measured from Sunset Boulevard, however, due to the site's downward south facing slope, the apartment building/garage would measure approximately one hundred (100') feet in height along Olive Drive and De Longpre Avenue. Twenty-eight (28) of the one hundred thirty-eight apartments are proposed as affordable housing. Construction of the apartment building would require demolition of the existing apartment buildings.

Approval of the project would require merging the two (2) R-4 zoned parcels into the Sunset Specific Plan, and changes to the Sunset Specific Plan to increase the maximum permitted floor to area ratio from 2.0 to 3.0, increase the maximum permitted height from forty-five (45') feet to one hundred (100') feet, reduce the required setback along Sunset Boulevard to ten (10') feet, permit additional billboards on Sunset Boulevard, and permit residential; density on one (1) unit per five hundred (500) square feet of lot area for mixed-use projects. All proposed changes would be limited to Geographic Area 3-C of the Sunset Specific Plan.

C.J. Amstrup, Senior Planner, presented Melissa Hatcher, Environmental Consultant of Cotton Bridges and Associates, and Brian Mayeda, Transportation Consultant of Meyer Mohaddes Associates, Inc.

Chair Altschul opened Public Hearing Item 9.A.:

BEN REZNIK, LOS ANGELES, of Jeffer, Mangels, Butler and Marmaro, LLP, representing the developers Gold Mountain Enterprises, presented the applicants report. He spoke at length regarding "Alternative No. 5", commercial square footage, visual impacts, height limit(s), height averaging and design. He stated the Draft Environmental Impact Report document is quite an adequate document, which covers all the issues required and is conservative in its assessment.

He also spoke on the Traffic Analyses' regarding the intersections of De Longpre Avenue and Fountain Avenue, and Sunset Boulevard and Olive Drive. He further stated there is [currently] not enough traffic going through those particular intersections to warrant a signal light under normal, standard Cal Trans type calculations. He spoke on "feasible" migration measures and stated the developer would pay for signal lights, however, he would like city staff to consider other mitigations measures that are available, such as road re-striping.

SHANE PARKER, STEVENSON RANCH, representing Chris Joseph and Associates, stated they have conducted a review of the Draft Environmental Impact Report, and found this report meets the legal standards and is a legally adequate document. He also spoke briefly regarding CEQA.

MARVIN PORTON, WEST HOLLYWOOD, opposed this item. He objected to all provisions in the Draft Environmental Impact Report including "Alternate No. 5". He also spoke regarding traffic, noise, pollution, massing detail and height of the building.

STEPHEN SPURGEN WEST HOLLYWOOD, opposes this item. He spoke on road conditions, "peak periods" and [current] traffic congestion on De Longpre Avenue.

JOYCE HEFTEL, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding aesthetics, adverse air qualities, traffic congestion, height of the [proposed] project and affordable housing.

GEOFFREY SMITH, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the [current] Business Improvement District on Sunset Boulevard and the increase in traffic on the residential streets.

DAVID THOMPSON, LONG BEACH, of Latham and Watkins, representing the House of Blues, has concerns regarding this item. He spoke and highlighted the inadequacies in the current Draft Environmental Impact Report. He commented on insufficient analyses regarding signage, signage consistency, views, residential components, land use planning, proposed reductions for open space and setbacks, street vacation(s) on Olive Drive, traffic conditions and parking requirements.

ALLAN WILSON, WEST HOLLYWOOD, opposes this item. He stated the Draft Environmental Impact Report is inadequate. He spoke on "Alternative No. 5", CEQA, long term parking, construction and noise.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on height limits, shade and shadow, construction equipment and traffic congestion.

JACK LE BOUEF, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the [proposed] roof-top dining and building mass.

BETTY ANN REES, WEST HOLLYWOOD, has concerns regarding this item. She spoke in favor of the [current] plans and questioned the direction the City of West Hollywood wants to take in the future regarding development. She also spoke in regards to traffic congestion.

TERI GUSTAFSON, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding traffic and signal lights. She opposes [future] cafes in the bottom of the condominium building.

JANET CUMMINGS, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding the added impact of traffic congestion and spoke in favor of the [current] building plans.

LYNN HOOPINGARNER, WEST HOLLYWOOD, opposes this item. She spoke regarding building mass, increased traffic, parking, and the inadequacies of the current Draft Environmental Impact Report.

G.G. VERONE, LOS ANGELES, has concerns regarding this item. She spoke regarding the [future] impact(s) this project would have on the surrounding area(s); traffic, noise and pollution

MARK KRAJEWSKI, WEST HOLLYWOOD, oppose this item. He spoke on the [future] impact(s) this project would have on the surrounding area(s), especially increased traffic.

BEN REZNIK, LOS ANGELES, of Jeffer, Mangels, Butler and Marmaro, LLP, representing the developers Gold Mountain Enterprises, presented the applicants rebuttal. He spoke regarding "Alternative No. 5", [supposed] traffic impacts, affordable housing, and height limits. He also quoted the Sunset Specific Plan and mentioned the time line this project has been in the process with the City of West Hollywood. He requested a streamlined process for this project.

Commissioner DeLuccio questioned how long this proposal has been in process.

Ben Reznik, representing the developers, Gold Mountain Enterprises, stated April 1, 2004.

Commissioner DeLuccio queried correspondence pre-dating the date of April 1, 2004, and questioned staff when the project was originally compiled.

C.J. Amstrup, Senior Planner, clarified the dates and time frames of the development. He stated for the record [in detail], this project was changed several times over [approximately] three (3) years by the developer.

Vice-Chair Thompson questioned staff on the adequacy of the Draft Environmental Impact Report.

Susan Healy Keene, Planning Manager, stated staff believes the Draft Environmental Impact Report is adequate, and explained in detail the forty-five (45) day review period and the role of the Planning Commission.

Christi Hogin, Assistant City Attorney, presented in detail the breakdown of an Environmental Impact Report and the role the Planning Commission has in this evening's hearing.

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

**THE COMMISSION TOOK A TWENTY (20) MINUTE RECESS AT 8:17 PM AND RECONVENED AT 8:37 P.M.**

Chair Altschul questioned the number of parcels and the affect (if any) on the floor to area ratio (FAR).

Commissioner Hamaker questioned when Le Mondrian building was originally built.

Commissioner Guardarrama would like to see the applicant address the issue(s) when an intersection operates at the lowest L.O.S. (level of service).

Chair Altschul would like a matrix about measurements and staff's conclusion to the proposed project regarding alternative measures; what is allowed or what isn't allowed. He requested two scenarios: 1) what it is now under the Sunset Specific Plan and Zoning Code as it affects those parcels (residentially zoned); and 2) what it would be if the applicant's requested Sunset Specific Plan amendments were granted and how if any it would exceed those requirements under both scenarios; using a Column A and Column B approach.

He also requested some type of statement of analyses of the overview of the City's policy on the Sunset Specific Plan. For example, by amending the Sunset Specific Plan in one particular section; what would it do to its overall content. He also would like to see what would the applicant and/or City have to do in terms of analyses in action on this application and project to completely obviate the necessity for any statement of overriding consideration. How would the project have to be changed.

Commissioner Hamaker questioned if any other projects on Sunset Boulevard have made any amendments to the Sunset Specific Plan.

Anne Browning McIntosh, Interim Community Development Director, was not sure of any minor amendments, but indicated that no substantial amendments that would allow higher densities or heights have been approved.

Commissioner DeLuccio stated (he believed) the Hotel Astra site was granted a height variance at one time. He also stated the Sunset Millennium Project had some exceptions (via Development Agreements).

**ACTION:** 1) Staff to return with analyses. **Motion carried by consensus of the Commission.**

**10. NEW BUSINESS.** None.

**11. UNFINISHED BUSINESS.** None.

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

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

**14. PUBLIC COMMENT.**

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the amount of money spent on campaign contributions and the number of Sheriff's Deputies on patrol.



15. **ITEMS FROM COMMISSIONERS:** None.
16. **ADJOURNMENT:** The Planning Commission adjourned at 8:55 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, October 21, 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 21<sup>ST</sup> DAY OF OCTOBER, 2004.

  
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CHAIRPERSON

ATTEST:

  
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Community Development Director