



PLANNING COMMISSION MINUTES

August 21, 2003

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 6:30 PM.

The agenda was posted at City Hall, the Community Development Department counter, the West Hollywood Library on San Vicente Boulevard, Plummer Park, and the West Hollywood Sheriff's station.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Marty Strudler.

3. ROLL CALL

Commissioners Present: John Altschul, David Behr, John Chase, John D'Amico, Donald DeLuccio, Barbara Hamaker, and Eric Thompson.

Commissioners Absent: None.

Staff Present: Susan Healy Keene, Planning Manager; Christi Hogin, City Attorney; John Keho, Senior Planner; and Jennifer Diaz, Administrative Staff Assistant.

4. APPROVAL OF THE AGENDA

Action: Approve the Agenda of August 21, 2003.

Motion: Behr Second: Hamaker

Vote: All Ayes

Motion carries

5. APPROVAL OF MINUTES

A. Minutes – June 19, 2003.

Action: Approve the Minutes of June 19, 2003.

Motion: DeLuccio Second: Hamaker

Vote: All Ayes

Motion Carries

6. PUBLIC COMMENT

- A. Jeanne Dobrin, West Hollywood, expressed disappointment in the approval of The Abbey that will increase the parking problem in the area as well as the number of people lingering in the area.
- B. Roz Helfand, Culver City, announced two upcoming City events, first Voices From The Front Line on September 16th, and second is the West Hollywood Book Fair on September 21st.

7. ITEMS FROM COMMISSIONERS

None.

8. CONSENT CALENDAR

None.

9. PUBLIC HEARINGS

Commissioners Chase and DeLuccio recused themselves from the public hearing.

- A. Specific Plan Amendment 2001-04, Zone Text Amendment 2003-03, Development Permit 2001-27, Demolition Permit 2001-12, and Development Agreement 2002-01:** Recommendation to the City Council on the Certification of a Final Environmental Impact Report, a Specific Plan Amendment to modify the plan, Zone Text Amendment to implement the Specific Plan Amendment, Demolition Permit to remove an existing parking lot, a Development Permit for the construction of a 400,00 square-foot office building and a Development Agreement for the project.

Applicant: Pacific Red, LLC

Location: 8661 and 8687 Melrose Avenue (Pacific Design Center I, LLC)

Planner: John Keho

Recommendation: Recommend to the City Council Approval of 1) Certification of a Final Environmental Impact Report, Adoption of CEQA Findings, Adoption of Mitigation Measures, Adoption of a Statement of Overriding Consideration; 2) Specific Plan Amendment; 3) Zoning Text Amendment concerning the implementation of the Pacific Design Center Specific Plan Amendment; and 4) Conditional Approval of a Demolition Permit and Development Agreement for the construction of a 400,00 square-foot office building (PDC Red).

Chair Altschul opened the Environmental Impact Report portion of the public hearing.

John Keho presented the staff report on the Environmental Impact Report.

Eric Wilson, EDAW, presented a report on the Environmental Impact Report.

Bryan Mayeda of Meyer, Mohaddes Associates presented a traffic study analysis.

Terri Slimmer, Transportation Manager, was available to answer question and make comments on the traffic study analysis.

Disclosures

D'Amico – Met with the applicant and discussed items in the EIR and in the staff report.

Behr – Met with Mr. Arnone and Mr. Afriat.

Hamaker – None.

Thompson – Met with Mr. Cohen and Mr. Arnone.

Altschul – Has spoke with Mr. Cohen and Mr. Arnone

Charles Cohen, property owner, James Arnone, applicant's attorney, and Fred Clarke, project architect, presented the applicants report.

Public Comment

1. Lauren Meister, West Hollywood, recommended 1) a traffic analysis south of Melrose to Beverly and from La Cienega to Doheny; 2) divert traffic off Melrose that cuts through residential streets; 3) the PDC should be limited to a maximum of eight events or any simultaneous events that total 2,500 or more people per year with no more than four having an attendance of more than 4,000 people; 4) rooftop events should not be permitted unless a mitigation plan can guarantee complete absence of noise in surrounding areas; 5) a reduced size option is preferable; 6) community outreach should be scheduled for any proposed changes that will have a negative affect on the neighborhood.
2. Miles White, West Hollywood, spoke in support of the progress within the city of West Hollywood.
3. Drew Tucker, West Hollywood, Media Director for GLASS, spoke in support of the PDC and commended Mr. Cohen for providing space for meetings and fundraisers.
4. Bruce Traub, West Hollywood, expressed concern with the various permitted events without a maximum number of attendees. Also concerned with the number of trips generated by special events and everyday business at the PDC.
5. Donald Elmlad, West Hollywood, stated that the concerns of neighbors have been ignored and the final EIR also does not address the issues raised. He stated that the sound wall on Huntley should be permanent and part of the landscaping and sound mitigation plan. He also stated the city should mandate a neighborhood monitoring group.
6. Janet Cole, West Hollywood, believes that the Red Building will be an excellent addition to the Blue and Green Building and the City and community has benefited from the PDC.
7. Marty Strudler, West Hollywood, stated that he has seen many changes in the City but none more exciting as the PDC. He also commented that an adequate survey of surrounding streets has not been done and a traffic mitigation for Melrose must be done to protect the quality of life for the residents.
8. Howard Flaks, West Hollywood, expressed concern with noise from the construction and requested that the construction not begin before 9:00 AM.
9. Jeanne Dobrin, West Hollywood, stated Mr. Cohen came in and turned a failing lot into the successful PDC but he has also removed the amphitheater. Believes the shade and shadow of the Red Building will have an adverse affect; also concerned with the parking lot.

10. Steve Smith, West Hollywood, stated that the cultural and architectural impacts are just as critical as the transportation impacts and the importance of adding the Red Building will be the completion of one of the most important architectural buildings in the country. Mr. Smith complimented Mr. Cohen on the work that has been done on the PDC.
11. Patty Moschetta, West Hollywood, stated that the increase of the traffic in the surrounding neighborhoods is of great concern and believes the need for a better traffic study on those streets should be conducted with input from the residents.

Terri Slimmer, Transportation Manager – The traffic study reflects the traffic at peak hours of the day, which is normal procedure for traffic studies. The streets south of Melrose did not have the on-going traffic because most of the streets in that section are cul de sacs and drivers are less likely to take those routes.

James Arnone presented closing comments.

Commission Discussion of the Environmental Impact Report

Chair Behr informed the applicants to be aware of other commission meetings held at the auditorium. He expressed concern with the traffic aspect of the EIR, although the city is satisfied. He believes the EIR covers the basics.

Vice Chair Altschul stated that completion of the Red Building should be included in the statement of overriding consideration.

Commissioner D'Amico recommended not limiting the hours of construction to prohibit prolonging the construction process. He stated that the most egregious construction activities happen within a 30-45 day period and the EIR requires notification to residents when certain construction activities will take place.

John Keho clarified that the Final EIR contains a mitigation measure that addresses various noisy construction activities and the hours which allow those activities.

Action: Recommend to the City Council to adopt the Environmental Impact Report and as part of the adoption, a statement of overriding considerations be made based on the economic benefit to the City. Specific economic, social and other considerations, pursuant to language, to be developed between the staff and city attorney in conjunction with the applicant's advocates so that the statement of overriding considerations is based on the proper findings.

Motion: Altschul Second: Behr

Votes: All Ayes on a roll call vote, noting the absence of Commissioners Chase and DeLuccio

Motion carries

Chair Altschul opened the Specific Plan Amendment and Entitlement of the Red Building portion of the public hearing.

John Keho presented the staff report on the Specific Plan Amendment and Entitlement for construction of the Red Building.

James Arnone presented the applicants report.

Public Comment

1. Bruce Traub, West Hollywood, recommended the installation of a glass enclosure around the top of the building for outdoor events, which will allow guests to have a view and keep the noise from spilling into residential areas.
2. Spero Plavoukos, Los Angeles, representing Chef Charlie Palmer who has two restaurants within the PDC, stated an additional restaurant in the Red Building will bring an increased tax revenue to the City and urged the Commission to approve the applicants' request.
3. Brad Burlingame, Los Angeles, President of the West Hollywood Convention and Visitors Bureau, spoke in support of the PDC not only for the architectural benefits to the city but the PDC as a whole supports many fundraising events as well as hosting memorial events such as the September 11th Memorial. He stated that the new companies that will lease offices in the new building will bring revenue to the city with additional people patronizing restaurants and hotels in West Hollywood.
4. Hillary Selvin, Los Angeles, Executive Director, West Hollywood Chamber of Commerce, speaking on behalf of the Board of Director's, expressed support of the PDC which will increase the economic base in the City, create new jobs, generate additional revenue, and add to the PDC landmark. She stated that It will also allow the City to continue to pursue important social programs and public works projects. Urged the Commission to support the project.
5. Steven Afriat, Los Angeles, thanked the staff and commission for the time spent on the application. As the applicant's representative, he began communication with the residents by doubling the required radius for mailings regarding hearing notices, workshops with expert geologists, architects, and designers. He explained that the PDC is not just a building but is a place for residents to gather and a place that holds cultural venues and charitable events.
6. Steve Smith, West Hollywood, commented on the hearing by the Commission regarding the development agreement for the millennium project which was presented to the commission complete with consideration in the agreement. The agreement was publicly negotiated and was more complex than the current one. He expressed concern with the precedent of giving a blank page in an agreement and not proceeding with the public process.
7. Jeanne Dobrin, West Hollywood, challenged statements by Mr. Arnone regarding impacts of noise from the rooftop of the garage into the surrounding community; she believes that plans to erect temporary tents is total disregard for the sensibility for people of the city; also states that the T.V. screen and balcony on the green building is an annoyance to the community.

James Arnone presented closing comments. He stated that the applicants propose a revision to the garage rooftop by agreeing that the restrictions proposed will apply whether or not there is amplified music on the rooftop. Mr. Arnone stated the applicants would be agreeable to a revision which strikes the words "with amplified music", specifically, in the list of restrictions, items sub A, D, E and F.

Commission Discussion on the Specific Plan Amendment and Entitlement for the Red Building

Vice Chair Altschul stated that the issues that need to be addressed are the special events, ancillary uses, and the development agreement. He believed everything else has been resolved in the draft resolutions. The ancillary use increases should be scheduled to encourage the construction of the Red Building and none of the uses can be combined to produce a banquet or gym facility. Uses other than offices and showrooms and that would generate sales tax are a benefit to the city. Recommend to increase ancillary uses from 55,000 square feet to 100,000 square feet with the condition that no single new ancillary use of more than 7,500 square feet, with a separate application and complete process by the Planning Commission and the City Council, contingent upon an acceptable development agreement and the components of the Red Building.

Commissioner Hamaker recommended that the City Council consider potential consequences of the benefits of the PDC to the surrounding neighborhoods.

Commissioner Thompson was in favor of the PDC integrating into the community. He expressed concern with the traffic, however is comforted by the fact that there will only be two intersections that will be impacted. In regards to the development agreement, he disagreed that there is not a benefit for which the City can receive consideration. He stated the benefit would be the term, and by extending the term there is some benefit to the City.

Chair Behr clarified that the City will also receive business license taxes as well as property tax from the individual businesses occupying space in the building. He suggested a project condition on the development permit, which will set aside funds to fund a traffic study in the future.

Action: Approve the applicants request to increase the ancillary uses immediately, upon approval by the city council, from 40,000 square feet to 100,000 square feet with the increase tied to the completion of the Red Building with 55,000 square feet allowed upon adoption of a revised Specific Plan; Limited new ancillary use to a maximum of 7,500 square feet, any excess of that amount would require review and approval as required by the Zoning Ordinance; Special events, Prohibit Category IV and V events from the Melrose Plaza; Reduce the Category IV and V events from 24 to 15 annually; Elimination of the Equivalency Trip Threshold analysis, as long as the ancillary uses do not exceed 100,00 square feet, no additional environment review will be required; Required a City-approved parking plan for any Category IV or V event that is expected to exceed the parking capacity; Limit the number of garage rooftop events to six (6) events after 7:00 p.m. in any calendar year; and Require all events at the PDC to minimize disturbances to public meetings at West Hollywood Park Auditorium or future public assemblies; The PDC Specific Plan should be allowed the flexibility to use Mr. Cohen's current office to be converted to other ancillary uses with the condition that combining be limited and no new uses be over 7,500 square feet; Upon completion of the garage, the ancillary uses can be increased; Recommend to the City Council to negotiate what they consider to be an appropriate development agreement.

Motion: Altschul Second: Hamaker
Votes: All Ayes on a roll call vote, noting the absence of Commissioners Chase and DeLuccio.
Motion Carries

10. NEW BUSINESS

None.

11. UNFINISHED BUSINESS

None.

12. EXCLUDED CONSENT CALENDAR

None.

13. ITEMS FROM STAFF

None.

14. PUBLIC COMMENT

None.

15. ITEMS FROM COMMISSIONERS

Hamaker – Thanked Mr. Cohen for hosting the September 11th Quilt event.

Altschul – Thanked the staff for a successful hearing on the PDC.

16. ADJOURNMENT

Action: Adjourn to a regular meeting of the Planning Commission on Thursday, September 4, 2003, at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood.

Motion carried by a consensus of the Commission.

PASSED, APPROVED AND ADOPTED THIS 20th DAY OF MAY, 2004.

CHAIRPERSON: *Jan Altschul*

ATTEST:
COMMUNITY DEVELOPMENT DIRECTOR: *Christine McIntosh*