



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**March 4, 2010**

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

**1. CALL TO ORDER:**

Chair DeLuccio called the meeting of the Planning Commission to order at 6:36 P.M.

**2. PLEDGE OF ALLEGIANCE:** Isaac, Natalie and Naomi Bernstein led the Pledge of Allegiance.

**3. ROLL CALL:**

Commissioners Present: Altschul, Bernstein, Buckner, Guardarrama, Hamaker, Vice-Chair Yeber, Chair DeLuccio.

Commissioners Absent: None.

Staff Present: David DeGrazia, Senior Planner, John Chase, Urban Designer, Allyne Winderman, Rent Stabilization & Housing Director, Terri Slimmer, Transportation & Transit Manager, John Keho, Planning Manager, Michael Jenkins, City Attorney, and David Gillig, Commission Secretary.

**4. APPROVAL OF AGENDA:**

Move Agenda Item 13 A. (Items from Staff - Draft Environmental Impact Report) after Agenda Item No. 8. (Consent Calendar).

**ACTION:** Approve the Planning Commission Agenda of Thursday, March 4, 2010 as amended. **Moved by Commissioner Altschul, seconded by Vice-Chair Yeber, and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**A. February 4, 2010**

**ACTION:** Approve the Planning Commission Minutes of Thursday, February 4, 2010 as presented. **Moved by Commissioner Buckner, seconded by Vice-Chair Yeber and unanimously carried.**

**6. PUBLIC COMMENT.**

STEVE MARTIN, WEST HOLLYWOOD, commented on developers and development agreements.

DAVID GOODRAN, WEST HOLLYWOOD, commented on the construction of a recent cell phone tower in a residential neighborhood.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on developers and development agreements.

7. **ITEMS FROM COMMISSIONERS.** None.

8. **CONSENT CALENDAR.** None.

*The following item was moved and heard out of order as part of the amended agenda.*

**13.A. Draft Environmental Impact Reports**

John Keho, Planning Manager, presented a detailed outline from the Director of Community Development regarding the new guidelines for eliminating the Draft Environmental Impact Reports' public review period.

He reiterated staff's continual outreach to the community regarding Draft Environmental Impact Reports and stressed the need for streamlining the process.

Chair DeLuccio opened public comment for Item 13.A.:

ELYSE EISENBERG, WEST HOLLYWOOD, opposes staff's recommendation to remove the draft environmental impact report's public comment hearings.

LAUREN MEISTER, WEST HOLLYWOOD, opposes staff's recommendation to remove the draft environmental impact report's public comment hearings.

JEANNE DOBRIN, WEST HOLLYWOOD, opposes staff's recommendation to remove the draft environmental impact report's public comment hearings.

**ACTION:** Close public testimony for Item 13.A: **Motion carried by consensus of the Commission.**

Commissioner Altschul has concerns regarding the elimination of the public comment hearings regarding draft environmental impact reports. He spoke regarding the history and the importance of hearing the public voice their issues regarding draft environmental impact reports.

**Commissioner Altschul moved to: 1) restore the eliminated public comment hearings regarding draft environmental impact reports; 2) the four draft environmental impact reports currently in circulation, shall be scheduled for a hearing before the Planning Commission; and 3) the public comment periods shall be extended if needed for the draft environmental impact reports currently in circulation.**

**Seconded by Commissioner Hamaker.**

Commissioner Hamaker has concerns regarding the elimination of the public comment hearings regarding draft environmental impact reports. She stated the public comment period is very valuable.

Commissioner Guardarrama has concerns regarding the elimination of the public comment hearings regarding draft environmental impact reports. He stated the public needs to be heard.

Chair Deluccio has concerns regarding the elimination of the public comment hearings regarding draft environmental impact reports. He stated the public needs to be heard and requested clarification of the requested streamlining process.

Commissioner Bernstein questioned how many other jurisdictions require draft environmental impact report public comment hearings.

John Keho, Planning Manager, stated he is unaware of any other jurisdiction's that have a public comment hearing regarding draft environmental impact reports.

Commissioner Bernstein stated his support of the Director of Community Development's decision. He would like to see the endeavor tried and evaluated.

Commissioner Buckner has concerns regarding the elimination of the public comment hearings regarding draft environmental impact reports. She would like see the endeavor tried and evaluated.

Vice-Chair Yeber has concerns regarding the elimination of the public comment hearings regarding draft environmental impact reports. He would like to see additional information brought forward in order to make an informed decision regarding this process.

**Michael Jenkins, City Attorney, suggested the motion be amended as follows: 1) request the City Manager to direct staff (Community Development Director) to reinstate the practice and copy the City Council with the request.**

**Commissioner Altschul agreed to this amendment.**

**Commissioner Hamaker agreed to this amendment.**

**ACTION:** 1) Request the City Manager to direct staff to reinstate the practice of holding public comment hearings regarding draft environmental impact reports and copy the City Council with the request. **Moved by Commissioner Altschul, seconded by Commissioner Hamaker and passes on a Roll Call Vote:**

**AYES:** Altschul, Buckner, Guardarrama, Hamaker, Chair DeLuccio.  
**NOES:** Bernstein, Vice-Chair Yeber.  
**ABSENT:** None.  
**RECUSED:** None.

Chair DeLuccio questioned how this will now be implemented.

John Keho, Planning Manager, stated a copy of the approved minutes will be sent to the City Manager's office for review of the requested action.

Chair DeLuccio requested the Planning Commission minutes be incorporated into the City Council agenda packets as an ongoing update item.

*Commissioner Hamaker recused herself from the dias and left the meeting at this time due to a conflict of interest; regarding her employment with the West Hollywood West Community Housing Corporation and the location of the affordable housing properties.*

## **9. PUBLIC HEARINGS.**

### **A. 8418-8432 Sunset Boulevard.**

#### **Sunset Time Mixed-Use Project:**

David DeGrazia, Senior Planner, provided a visual presentation and background information as presented in the staff report dated Thursday, March 4, 2010.

He stated the applicant is requesting to construct a mixed-use hotel project known as Sunset Time. The project will include 149 hotel rooms, 40 residential condominium units, 27 affordable housing units and 35,456 square-feet of commercial and entertainment space.

He presented a history of the property and detailed the proposed hotel, proposed market rate condominium units, proposed affordable housing units and the proposed retail commercial uses, massing, roof-top pool, amenities, video sign, light illumination, and the Hollywood Fault.

John Chase, Urban Designer, spoke and detailed massing and height, materials, light and shading, landscaping and architectural character.

Eric Wilson, AECOM, Environmental Consultant, presented the final environmental impact report. He detailed the CEQA process, and spoke on lighting studies, aesthetics, cultural resources, geology and soils, land use and planning, public services and utilities, air quality, noise, transportation and traffic, and alternatives considered in the Environmental Impact Report.

David DeGrazia, Senior Planner, notated this report does not include a recommendation on the requested project. Instead, staff is seeking policy direction on the following issues: 1) House of Blues departure; 2) affordable housing; 3) large screen video sign; 4) hotel branded condominiums; and 5) project phasing.

Allyne Winderman, Rent Stabilization and Housing Director, presented the affordable housing report. She detailed the affordable housing requirements and how they are met. She stated at this time the project has not met the requirements.

Terri Slimmer, Transportation Manager, presented the traffic and circulation report.

Commissioner Guardarrama disclosed for the record he met with applicant's representatives and discussed matters contained in the staff report.

Vice-Chair Yeber, disclosed for the record he met with applicant's representatives and discussed matters contained in the staff report and environmental impact report.

Commissioner Buckner disclosed for the record he met with applicant's representatives and discussed matters contained in the staff report.

Commissioner Bernstein disclosed for the record he met with applicant's representatives and discussed matters contained in the staff report and final environmental Impact report.

Commissioner Altschul disclosed for the record he met with applicant's representatives and discussed matters contained in the staff report.

Chair DeLuccio disclosed for the record he met with applicant's representatives and discussed matters contained in the staff report.

**THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:45 P.M. AND RECONVENED AT 7:55 P.M.**

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

JEFF HABER, LOS ANGELES, of Paul Hastings, applicant's representative, presented the applicants report. He made professional introductions.

MARIEANNE LOWENTHAL, LOS ANGELES, continued the applicant's report. She provided a history of the property and detailed the projects highlights; including the entertainment space, retail space, lighting, electronic signage, and hotel space.

STEVEN KANNER, SANTA MONICA, Kanner Architects, continued the applicant's report. He detailed the architectural style, retail space, restaurant space, parking, traffic circulation, condominiums, hotel, façade aesthetics, billboards, electronic signage, tall wall billboard, and mechanical units.

JEFF HABER, LOS ANGELES, of Paul Hastings, applicant's representative, continued applicants report. He spoke and detailed the following items regarding policy issues: House of Blues, affordable housing, large screen video signage, branded condominiums and project phasing. He also spoke regarding the terms of the draft development agreement.

Commissioner Bernstein questioned the terms of the signage in the development agreement.

Commissioner Guardarrama requested clarification regarding the negotiation process of the development agreement.

JACK LEBEOUEF WEST HOLLYWOOD, has concerns regarding this item. He spoke on noticing issues, LED lighting and lost views.

MARK KRAJEWSKI, LOS ANGELES, has concerns regarding this item. He spoke on rooftop and noise issues.

JACK WISHARD, LOS ANGELES, has concerns regarding this item. He spoke on variance issues, rooftop noise and the wattage for the electronic signage.

PATRICK KIBBY, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

JOAN HENEHAN, TOLUCA LAKE, Chair, West Hollywood Chamber of Commerce, spoke in support of the Sunset Time Mixed-Use Project.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

SHARON SANDOW, LOS ANGELES, President and CEO, West Hollywood Chamber of Commerce, spoke in support of the Sunset Time Mixed-Use Project.

J. CHRIS MOBLEY, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

DARREL CUMMINGS, LOS ANGELES, Chief of Staff, Los Angeles Gay and Lesbian Center, spoke in support of the affordable housing component of the Sunset Time Mixed-Use Project.

DEBRA TOM, WEST HOLLYWOOD, spoke in support of the affordable housing component of the Sunset Time Mixed-Use Project.

GUADALUPE ALCOCER, WEST HOLLYWOOD, has concerns regarding this item. She spoke on construction mitigation issues.

RON SALGADO, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

STEVE SMITH, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding development agreements.

SHAWN BAYLISS, LOS ANGELES, on behalf of Los Angeles City Councilmember Paul Koretz, has concerns regarding this item. He spoke on the proposed rooftop bar, traffic mitigation issues, digital billboard, and the size and massing of the proposed project.

JEFFREY HOBGOOD, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

MATT SIMS, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

JOE CILIC, LOS ANGELES, spoke in support of the Sunset Time Mixed-Use Project.

CONOR GAUPHAN, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

STEVE MARTIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke on massing, billboards, and illumination.

GLORIA GOLDSMITH, WEST HOLLYWOOD, opposes the Sunset Time Mixed-Use Project.

ANNE PASSER, WEST HOLLYWOOD, opposes the Sunset Time Mixed-Use Project.

DAN LASHEN, LOS ANGELES, has concerns regarding this item. He spoke on noise and traffic issues.

LAUREN MEISTER, WEST HOLLYWOOD, has concerns regarding this item. She spoke on traffic, public utilities, water usage, and electronic signage.

ELYSE EISENBERG, WEST HOLLYWOOD, has concerns regarding this item. She spoke on traffic mitigation, affordable housing and the House of Blues.

BILL TEMPLE, LOS ANGELES, has concerns regarding this item. He spoke on traffic mitigation, parking, and noise issues.

TOM LANGEVIN, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding inebriated drivers.

RON STENLAKE, LOS ANGELES, has concerns regarding this item. He spoke on massing, illumination and traffic mitigation.

RICHARD MAGGIO, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

NIORMAN CHRAMOFF, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.

G.G. VERONE, LOS ANGELES, has concerns regarding this item. She spoke on affordable housing and traffic mitigation.

JEAN MATHISON, WEST HOLLYWOOD, has concerns regarding this item. She spoke on traffic mitigation and massing.

VICTOR OMELCZENKO, WEST HOLLWOOD, has concerns regarding this item. He spoke regarding affordable housing units.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on height, massing, traffic and parking issues.

STAN KIM, WEST HOLLYWOOD, has concerns regarding this item. He spoke on the electronic video signage and noise.

JONATHAN SCAGGS, WEST HOLLYWOOD, has concerns regarding this item. He spoke on noise, billboards, and illumination issues.

ALBERT HUGHES, WEST HOLLYWOOD, spoke in support of the Sunset Time Mixed-Use Project.



MICHAEL WELDITCH, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the size of the video billboards.

JEFF HABER, LOS ANGELES, of Paul Hastings, applicant's representative, presented the applicants rebuttal. He clarified the massing and height, requested variance, residential and commercial FAR, earthquake fault, parking, views and video illumination.

Commissioner Yeber questioned the square-footage of the billboards currently on the site.

JEFF HABER, LOS ANGELES, of Paul Hastings, applicant's representative, stated the current billboards on site are 20' x 50' and 14' x 48'.

**ACTION:** Public testimony shall remain open for Item 9.A: **Motion carried by consensus of the Commission.**

**THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 9:25 P.M. AND RECONVENED AT 9:40 P.M.**

Commissioner Bernstein stated his support of the variance. He stated the departure of the House of Blues without a replacement is unsettling. He would like to see stronger incentives for the project phasing for the House of Blues to be replaced. He spoke regarding mitigating rooftop noise, and the need for affordable housing. He would like to hear further discussion regarding housing needs. He has concerns regarding the video billboard signage. He would like to see clarification regarding the type of compensation. He would like to see staff return defining the buildings architecture and the defining character of billboards on Sunset Boulevard. He would like to see noise mitigation regarding the rooftop pool area and construction mitigation. He commented on housing unit sizes and would like to see the money not spent on making fewer units larger, but find an alternative that would be more of a benefit. He supported the branded hotel condominiums.

Commissioner Guardarrama stated his support for the final Environmental Impact Report and Statements of Overriding Considerations. He spoke regarding the current usage of the House of Blues site. He stated his support for the new entertainment venue to replace the House of Blues. He spoke in support of the placement of the affordable housing units and is in agreement for the Palm Avenue housing. He supports the large video screen. He supports the hotel branded condominiums. He stated project phasing needs to happen and the details need to be worked out in the development agreement. If the project does move

forward, he would like to see staff provide a development agreement that could be considered before sending it to the City Council.

Commissioner Altschul commented on the House of Blues, square-footage and parking. He spoke regarding smaller housing units and stated his support for the affordable housing. He supports the variance. He had concerns with the large video screens. He stated these need to be monitored and controlled. The Director of Community Development should have the power to make any adjustments as deemed necessary. There should be a minimum of quarterly reviews for at least a period of two years to be alternated between the Director of Community Development and the Planning Commission. He supports the hotel branded condominiums. He stated no issues with the project phasing. He would support a motion of moving forward with an entitlement.

Commissioner Buckner supports the variance. She expressed her support of the building and architecture. She does not have an issue with the clustering of affordable housing units. She spoke regarding the House of Blues and current square-footage. She stated her support of the entertainment complex and supports the hotel branded condominiums. She stated her support of the video sign, but had concerns regarding the illumination and stated there needs to be a monitoring process. She could support the project moving forward.

Vice-Chair Yeber generally supports the project. He had concerns with the entertainment complex. He spoke regarding the clustering of affordable housing units. He spoke on the video signage illumination. He would like to see certain stipulations in place over the life of the video board. He stated his concern with the size of the western side of the video board. He would like to see the design of the building able to stand on its own architecture merits, along with the billboards. He stated his support of the hotel branding condominiums. He supports the project phasing, but would like to see additional details come forward. He stated his support of the variance. He would like to see this building go before the Design Review Subcommittee one more time.

**Commissioner Guardarrama moved to: 1) approve the entitlements; 2) direct staff to bring back resolutions of approval, which would also take into account page 9 through 12 of the staff report dated March 4, 2010; 3) the video signage shall be reviewed on a quarterly basis for two years by the Director of Community Development; 4) 15% of the illumination of the lighting shall be included in the Conditions of Approval; 5) the project shall be sent back to the Design Review Subcommittee meeting to incorporate the building standing alone, outside of it's signage; and 6) the development agreement shall come forward for review before approval.**

**Seconded by Commissioner Altschul.**

Chair DeLuccio stated his support of the motion. He spoke regarding clustering of the affordable housing units. He would like to see the Palm Avenue units doubled-up with some of the single-units.

Discussion was held with Allyne Winderman, Department of Rent Stabilization & Housing Director, regarding the history of affordable housing units and sizes.

Chair DeLuccio suggested the Andaz Hotel should be used as a template for the rooftop pool activities and restrictions on noise. He would like to see the 1% for Art documented in the resolution of approval.

**Commissioner Guardarrama amended to motion to include: 1) the City shall be permitted to modify the affordable housing building on Palm Avenue.**

Michael Jenkins, City Attorney, suggested the current motion be withdrawn and replaced with the following: **1) direct staff to go back and work further on the conditions that have been brought forward; 2) bring the design back to the Design Review Subcommittee; 3) negotiate to completion the Development Agreement; 4) and bring back the entire package with resolutions of approval at a continued public hearing.**

Vice-Chair Yeber clarified the project may come before the Design Review Subcommittee after the Planning Commission has granted approval, but it should be reviewed before building construction begins.

**Commissioner Guardarrama reiterated the motion: 1) continue the public hearing to Thursday, May 20, 2010; 2) bring back resolutions of approval; 3) bring back resolutions of adoption of the final environmental impact report, 4) resolutions of approval for the variance, signage and all the findings; 5) Development Agreement shall be submitted; and 6) recommend approval to the City Council.**

**ACTION:** 1) Continue the public hearing to Thursday, May 20, 2010; 2) bring back resolutions of approval regarding the variance, signage and all findings; 3) bring back a resolution of adoption of the final environmental impact report, 4) Development Agreement shall be submitted for review; and 5) resolutions of approval with recommendations of approval to the City Council. **Moved by Chair Altschul, seconded by Commissioner Bernstein and passes on a Roll Call Vote:**

**AYES:** Altschul, Bernstein, Buckner, Guardarrama, Vice-Chair  
Yeber, Chair DeLuccio.  
**NOES:** None.  
**ABSENT:** None.  
**RECUSED:** Hamaker.

**10. NEW BUSINESS.**

**A. General Plan Update.**

John Keho, Planning Manager, stated there will be a Joint Study Session between the City Council, Planning Commission and the Rent Stabilization Commission on Monday, April 5, 2010, to discuss housing issues.

**11. UNFINISHED BUSINESS.** None.

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

**13. ITEMS FROM STAFF.**

*The following item was moved and heard after Agenda Item No. 8. (Consent Calendar) as part of the amended agenda.*

**A. Draft Environmental Impact Report.**

**B. Planning Manager's Update.**

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission.

He stated for the record the agendized item regarding off-site advertising will no longer be going forward to City Council for review at this time.

**14. PUBLIC COMMENT.** None.

**15. ITEMS FROM COMMISSIONERS.**

**ACTION:** Cancel the Planning Commission meeting of Thursday, April 15, 2010.  
**Motion carried by consensus of the Commission.**

**16. ADJOURNMENT:** Notating the cancellation of the Planning Commission meeting of Thursday, March 18, 2010, the Planning Commission adjourned at 10:25 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, April 1, 2010 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 1<sup>ST</sup> DAY OF  
APRIL, 2010.

  
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CHAIRPERSON

ATTEST:

  
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COMMUNITY DEVELOPMENT DIRECTOR