



PLANNING COMMISSION MINUTES
Regular Meeting
November 2, 2006

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

1. CALL TO ORDER:

Chair D'Amico called the meeting of the Planning Commission to order at 6:33 P.M.

2. PLEDGE OF ALLEGIANCE: Mindy Bradish led the Pledge of Allegiance.

3. ROLL CALL:

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

Commissioners Absent: Bartolo, DeLuccio.

Staff Present: David DeGrazia, Senior Planner, Madonna Marcelo, Terry A. Hayes Associates, Rod Marquez, Jr., Parking Operations Officer, Oscar Delgado, Parking Operations Manager, Francie Stefan, Senior Planner, John Keho, Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA:

ACTION: Approve the Planning Commission Agenda of Thursday, November 2, 2006 as presented. **Moved by Commissioner Thompson, seconded by Commissioner Hamaker and unanimously carried; noting the abstention of Commissioners Bartolo and DeLuccio.**

5. APPROVAL OF MINUTES.

A. October 19, 2006

ACTION: Approve the Planning Commission Minutes of Thursday, October 19, 2006 as presented. **Moved by Commissioner Altschul, seconded by Commissioner Hamaker and unanimously carried; noting the abstention of Commissioners Bartolo and DeLuccio.**

6. PUBLIC COMMENT.

BILL GORDON, WEST HOLLYWOOD, commented on the Lesbian and Gay Advisory Board.

TOM DEMILLE, WEST HOLLYWOOD, commented on the upcoming election on Tuesday, November 7, 2006 and questioned the current policy directions of the City of West Hollywood.

HEAVENLY WILSON, WEST HOLLYWOOD, commented on historical buildings along the Fountain Corridor.

WILLIAM NEISH, WEST HOLLYWOOD, commented on senior housing.

ED BUCK, WEST HOLLYWOOD, commented on the Westside Corridor Plan, development and ethics.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on Miyagi's Restaurant, off-site parking and illegal signage.

7. ITEMS FROM COMMISSIONERS.

Commissioner Hamaker commented on setting aside seats at a recent City Council meeting. According to the City Clerk's Office, there is no policy against this type of action.

Chair D'Amico commented on the upcoming Housing Summit on Monday, December 4, 2006 and questioned if the Planning Commission meeting agenda for Thursday, January 4, 2007 could be agendized as a discussion item regarding the Housing Summit.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. 8225 Sunset Boulevard (Miyagi's Restaurant).

Conditional Use Permit 2005-006, Development Permit 2006-025, Parking Use Permit 2005-010:

An intensification of land use from an existing restaurant to operate a new nightclub with off-site parking located at 8301 Fountain Avenue, West Hollywood, California; and expanded hours for the sales, service, and consumption of alcoholic beverages.

ACTION: Application withdrawn. **Motion carried by consensus of the Commission.**

**B. 1041 N. Formosa Avenue (The Lot).
Draft Supplemental Environmental Impact Report.**

[VERBATIM TRANSCRIPTION]

Provided and certified by Written Communications, Inc.

D'Amico: It's a Draft Supplemental Environmental Impact Report item. The applicant is Greg Harless. The location is 1041 North Formosa. The planner is David.

DeGrazia. David, I'm sure you'll explain it to us, but I believe what happens is you're going to introduce this and then we're going to receive public comment, make some comments on our own, and open up officially the public comment period for the Supplemental Draft or Draft Supplemental Environmental Impact Report. That's correct?

DeGrazia: It's correct, except that it has already been opened. It actually closes on November 5th.

D'Amico: Thank you.

DeGrazia: The Draft Supplemental Environmental Impact Report for the Lot Motion Picture Studios supplements the final Environmental Impact Report prepared for the original comprehensive development plan in 1992. This DSEIR evaluates potential significant impacts and proposes mitigation measures to reduce those impacts. The environmental review process provides an opportunity for public input into the environmental analysis. This DSEIR does not make recommendations regarding the approval or denial of the proposed project. This meeting tonight is an opportunity for interested parties to comment on the adequacy of the DSEIR in assessing and mitigating the project's impacts. The meeting is intended to receive comments on the DSEIR only. It is not a meeting on whether the project itself should be approved. The verbal comments received from the Planning Commission and the public regarding the DSEIR, as well as any written comments received during the review period, will be addressed in the final Supplemental Environmental Impact Report. Hearings on the approval on the project itself and all related permits will be held at a later date before the Historic Preservation Commission, the Planning Commission, and the City Council. In 1993, the City certified an EIR and approved a comprehensive development plan that allowed for a 684,910 square-foot expansion of the Lot Studios. The current owner is proposing the amend the comprehensive development plan by changing what is demolished and what is built in its place. The revised CDP would result in a 69,149 square-foot expansion, resulting in a reduction of 15,761 square feet of what was proposed in the original comprehensive development plan. The operational uses of the lot would not change as a result of the proposed CDP. The potential expansion is estimated to occur within the next 2 to 12-year period and will result in the potential addition of four new sound stages, new state-of-the-art studio support office space, post-production facilities, and new parking facilities to accommodate the expansion. One of the main differences between the proposed project and the original CDP is that the proposed project will not include any development along Santa Monica Boulevard east of Formosa Avenue. The 1.26 acre parcel that contains the Formosa Café is no longer part of the proposed CDP. Another difference is that the proposed CDP will not include a 160-foot tall office tower on the project site. Instead, the proposed CDP would develop four-story structures along Santa Monica Boulevard and five and six-story structures along Formosa Avenue. The four-story structures along Santa Monica Boulevard will backdrop and frame the existing Santa Monica, Santa Monica East, and Formosa buildings and retain the existing north façade of the Santa Monica West building and the existing corner and east façade of the Formosa building. The proposed CDP would involve demolition of all of the same buildings as in the original CDP, with the exception of two structures. However, rather than completely demolish the Formosa building at the corner of Formosa Avenue and Santa Monica Boulevard, the proposed CDP would retain the north and east facades of the Formosa building to be incorporated into the façade of the new building. Also, rather

than rehabilitating the Santa Monica West building, the proposed CDP would demolish the building and only retain the north façade of the old building to be incorporated into the façade of the new building. In addition, since the 1.26 acre parcel of land that contains the Formosa Café and the storage building is no longer part of the project site, the proposed CDP would not involve the re-location of the Formosa Café. The proposed expansion will occur in phases which are dependent upon market demand for new buildings and studio facilities. As the proposed expansion occurs, all necessary planning and building permits will need to be obtained before any construction may begin. I'd like to introduce Madonna Marcelo from Terry Hayes & Associates. She's going to give a short overview of the actual environmental review of the project.

Marcelo: Good evening, Commissioners. The Draft Supplemental EIR is required to contain only the information necessary to make the changes in the proposed CDP. This focus meets the requirements for supplemental analysis under Section 15163 of the CEQA guidelines, which requires that only changes to the original final EIR project that may result in significant impacts and that were not evaluated and not previously disclosed be included in the Supplemental EIR. Consequently, because the operational uses of the lot would not change as a result of the proposed project, impacts related to only two environmental issue areas are anticipated to be different from those identified in the original final EIR. Therefore, the Supplemental EIR only addresses in detail these two environmental issue areas which are aesthetics and cultural resources. Other impacts, including impacts of seismicity and liquefaction, traffic and circulation, air quality, flood hazard, housing, fire protection, neighborhood security, solid waste, water service, parks and recreation, service, sewer service, hazardous materials, and land use would be less than significant and, as such, were included in the effects not found to be significant section of the Supplemental EIR. The analyses presented in the Supplemental EIR utilized two different methodologies in determining the impacts of the proposed project on aesthetics and cultural resources. The first considered the potential incremental impacts of the proposed project in comparison to the vested original CDP. Significant impacts of the original CDP which were evaluated in the previous Warner Hollywood Studios expansion final EIR have been included in each of the analyses. The previous EIR analyzed the impacts of the original CDP on existing conditions. Because this Supplemental EIR serves as a supplement to the previous EIR, impacts and conditions presented in the previous EIR, impacts and conditions presented in the previous EIR were used as the primary base of comparison for analysis. Therefore, the impact analyses, using this methodology, are based on the incremental change in aesthetics and impacts to cultural resources from the impacts disclosed for the original CDP. The second methodology involves the disclosure of potential effects of the proposed project on existing conditions, meaning the existing aesthetics, aesthetic character of the project area and existing historic resources on the project site. As presented in the Supplemental EIR, the proposed changes to the CDP would not add additional aesthetic impacts, increase the severity of previously identified impacts, or represent a higher degree of significance than those impacts identified for the original CDP. However, the mitigation measures provided in the Supplemental EIR, as a recommendation to prevent any potential light and glare impacts that may result from the types of exterior building materials used by the proposed project. Assessment of potential cultural resource impacts indicated that the proposed CDP appears to have one additional impact beyond those identified for the original CDP. Impacts of the proposed CDP were determined to be similar to those identified for the original CDP as they relate to the Santa Monica East and Santa Monica buildings, the perimeter wall, and the mill complex. The alterations to the Santa Monica West building under the proposed CDP are considered to constitute a substantial adverse change due to material alterations conducted in an adverse manner. Since the original CDP proposed to rehabilitate the Santa Monica West building in accordance with the Secretary of the Interior standards, the proposed demolition of a major portion of the Santa Monica West building would be considered a new significant impact beyond those identified for the original CDP. However, the proposed change to the Formosa building would be less of an impact on a

historic resource when compared to the original CDP since, as David has described before, the proposed CDP would retain the north and east facades of the building, while the original CDP proposed full demolition. Regardless, the proposed demolition of a major portion of the Formosa building would be considered a significant impact on the historic resource. Mitigation measures were recommended to reduce impacts to historic resources, but where demolition of buildings would occur, such activity would constitute a substantial adverse change, and although the proposed CDP would not result in any new change to the impacts identified for the original CDP in most cases, demolition of historic resources or secondary contributors would be considered significant and unavoidable. That's a brief summary of the EIR.

D'Amico: I think we have some questions. I know I do. John?

Altschul: Yes. I have several. Most, I think, directed at Christi. There, I recall talk many years ago about the fact that this property was the subject of a zone Specific Plan. Is that the case or not?

DeGrazia: It's a comprehensive development plan.

Hogin: Comprehensive development plan.

Altschul: And that equivalent to a specific plan?

Hogin: Well, specific plan's kind of a term of art. And it has a specific meaning. So for lay purposes, yes. It's a comprehensive, we have developed that area.

Altschul: Okay. Then is it also equivalent to what we used to refer to as the DDA?

Hogin: Well, DDA with redevelopment and that usually involves a little more, but, yes. In general terms, these are all documents that spell out how a whole area is going to be developed.

Altschul: And I recall some DDA's that were discussed that were not on the redevelopment area. I think it's, there are quite a few DDA's around town. The millennium....

Hogin: Well, the development agreement would be a different...DDA is a development and disposition agreement usually involving the, the conveyance of property. A development agreement like we have at Millennium...

Altschul: Millennium.

Hogin: ...is another term about another statutory creature. But, yes, does the same thing as this, which is create a set of development criteria that are going to govern the development of that particular area.

Altschul: So this development, this original development agreement was brought forth in 1992. Did it have an ending date?

DeGrazia: Well, the development agreement has been revised based on the Gateway Project going in, and as part of that revision, they were to have a revised comprehensive development plan, which is what we'll be taking forward back to the Commissions and the Council this time around.

Altschul: But did the, all right. But when, when the Gateway was passed, was this DDA's ending date extended, or did it remain the same? And what was that, the original ending date from the 1992 agreement?

DeGrazia: *I will have to look. I don't have that with me tonight.*

Keho: *I don't have the exact date, but I do remember there was also some vesting because of some construction work that's taken place. But we can get that information for you.*

Altschul: *What I'm trying to get to is, David indicated that what, what they're looking for now is something 12 years to the future to finish what they have. Is it, what I want, wanted to know is, is the period of time, 12 years from now, or essentially 2018 within the original time limit of the development agreement or CD, CDP? Or is it an extension? And if it is an extension, is there consideration for the extension?*

Keho: *We can check on that and have that for you when the project comes back for your approval.*

Altschul: *Thank you.*

D'Amico: *Eric? Barbara? Joe?*

D'Amico: *I, my comments are focused mostly on the visual impacts section of this, and I...on page 3.1-4, there's a discussion of the proposed 45-foot tall Santa Monica parking structure not being seen because there will be brass plaques in the sidewalk. I need you to talk about, is it because I'm looking down, I'm not looking up? I mean, it's, it's really not clear to me how that finding can be made. In addition, there's a discussion on 3.1-5, the comparison of impacts, Figure 3.1, and it says, the mature trees on Poinsettia block the visibility of the existing 64-foot tall parking structure from Santa Monica Boulevard. I, again, if you drive down Santa Monica Boulevard, I can, myself, count the number of exposed light bulbs in that parking structure that shine from the back of the lot to Santa Monica Boulevard. And my further comment would be that I, I'm just not getting what, what the basis of our evaluation is based on massing models if the majority of the visual impact is to the existing historic structure. And so I don't, I don't need you to do it now, but you may...I need someone to explain to me how I can evaluate the effects of a building that is not designed on a building that exists. And I have no comment about whether that, that impact is significant, except to say, when again, you suggested that the impact would be lessened by the fact that the building, proposed number and size of buildings would be smaller. But I would argue that a sophisticated architect may in fact install a 25-story building much better than a flat-footed, heavy-handed architect might install a five-story one as exemplified by that parking structure which has been installed. So I, I, I have very serious concerns about this whole section being evaluated in terms of its visual appearance, if we don't know what that appearance is. And I would request that you do some study about the nighttime light leaking off of the site from that parking structure and how to mitigate those impacts as part of other impacts that the site may provide in the future.*

Keho: *Chair, I would also like to suggest if you had any other comments that you think would be helpful...not comments...any other items that you think we should provide to you in a document, if you could list those items out, that would help us in responding to your questions.*

D'Amico: *Well, I, I guess I...it's not clear to me, and you can explain it now. It's not clear to me how we're evaluating this without the design. In the past, we have had, you know, the design. The design comes with the, with the report, and so, you know, though the cute tile roofs and the, you know, the tile on the front steps, whatever, may distract us from the real meat of the question, at least in fact we have all of the, the information. So maybe you can say why we don't need to have it, and we can decide whether or not we can make decisions based on not having it or maybe we have to make a decision even if we don't have it, and that might be something Christi would tell us. And in terms of the other items, I thought it was a pretty fair evaluation of significant and insignificant items. And nothing else comes to mind. Barbara?*

Hamaker: Yes. Thank you, John, for saying that. I, I guess I had made an assumption that this was based only on the historic piece, and I also had the same questions in my head about what the design was going to be like. Now moving forward, assuming that this goes forward, what will be brought forward as far as their design of, that we have not seen yet? In other words, will that come to us just like a project?

DeGrazia: Well, what will happen, if the comprehensive development plan is approved by the City Council, as they actually do build this out over the 12-year period, every building that they've applied for will have to go through the whole process.

Hamaker: Separate process.

DeGrazia: Receiving a Certificate of Appropriateness if it's historic, development permits, everything else that we would normally do.

Hamaker: Gotcha. Okay. That's, that's what I was assuming. I just would like to make a comment also since I live so close to the place, and I, I've been on the lot many times over the years, and I, I've met Mr. Harless, who has hosted some of the PAC meetings on the lot. And I, I've not been in any of the Formosa historic structures that, that surround the perimeter. I was in the mill, which is fantastic. And I'm so glad it's being saved. It's just this enormous thing of wood, and it's just fantastic. Is it, would it be possible for any members of the Planning Commission who would want to go with some of the Planning Department to look at the structures that they are contemplating? The Formosa building? Some ones that are considered really historic that... 'cause I don't understand how the interiors can be removed. In other words, what about them makes them historic? Only the façade as it says in here, and the inside, the guts of it are not relevant because they're antiquated. Obviously, they're 90 years old.

Keho: We can certainly do that. We just, would want to have a quorum of the Commission.

Hamaker: Oh, okay. Gotcha.

Hogin: The better way to do this is to set a, a special meeting or field trip with...we'll find a date that's convenient for everybody and anyone who's interested. And if anyone comes. I encourage you all to come.

Hamaker: Okay.

Hogin: So we'll set a time.

Hamaker: Can I ask, and I don't know whether you can answer this. Are the, are the Formosa buildings actually functional office buildings now? Are they occupied and working? They're being used?

DeGrazia: Yes, they are.

Hamaker: Okay.

D'Amico: Thank you. John?

Altschul: I think...correct me if I'm wrong, but I think I heard Ms. Hayes indicate that there were only two areas that were to be evaluated with respect to the Supplemental EIR. One of course, as Barbara said, was the historical component, and the other was aesthetics. Is that right? Again, John asked the question. And this is just kind of a repeat. But I just don't get how we can evaluate the aesthetics without knowing what's proposed. Are you suggesting that if the Supplemental EIR were in fact recommended to the Council and the Council did approve it, that when each component of it was brought forth, it would be subject to an environmental aesthetic review?

Keho: I guess what the difficult thing is, West Hollywood typically, we don't see these type of projects in West Hollywood, when we develop a plan and we review the plan. And then at a later date buildings commence. This is a different type of planning process that's not familiar to us here in West Hollywood.

Altschul: Right.

Keho: But that's more or less the case, is that we're reviewing the plan that's going to set the framework for the development of the project, and it's gonna look at the general framework as a aesthetic impact. And then the individual building's gonna have to come back in and meet the criteria, and then we would have mitigation measures that would say, you know, if it's reflective glass, the building that would come in would say you can't put reflective glass on a building, for instance.

Altschul: But doesn't that beg the question. If you're saying the plan is okay as far as CEQA is concerned, with respect to the aesthetic, the aesthetic impacts, and then something comes forth that reasonable people may assume is not acceptable.

Keho: We can certainly go back and take a look more at, at what CEQA law says in this instance. But it is a different type of a CEQA review. The CEQA review is on the plan itself at this point.

Altschul: Okay.

D'Amico: John, maybe I can answer this question, which I think is the same question in a different way. So the existing original CDP had a, just from looking at it, a series of buildings on two, across the street with a bridge, and they've ranged from 45 to 60, to 60 to 90 feet to 50 feet to 145 feet to 50 feet to 30 feet. And now the proposed project is pretty much a flat-ish sloping set of buildings from 85 to 56 feet that are basically just a squishing of the tower into flatness across the front. So if, I mean, is that basically the question? Do we want something tall in the center or squished at the front? I mean, is that sort of...and then if we say we don't, we don't. We say we do, we do. And then they come back and say, you know, this is a rigid, endless grid of, you know, cast in place concrete with reflective glass in it, you know. Or this is, you know, made of stucco with tile roof, and we get to decide at that point what it's made of?

Keho: The buildings will need to have a Certificate of Appropriateness because of the relationship to the historic buildings. So there is that ability to look at the compatibility of the design of a building with relationship of the existing buildings on site. We have been trying to work with the developer to get as much information as possible on the design of the buildings so we can get an aesthetic impact. They have their concerns about not wanting to fully design a building at this point. So we've been trying to get as much information as we can to allow us to do this aesthetic review.

D'Amico: One last question. So you said the buildings. So there is in fact some building, one of these buildings that they're planning to do next or now, and then....

Keho: Well, the project is a multiple buildings. I wasn't....

D'Amico: So you didn't say the building on purpose, because you know once this gets....

Keho: No.

D'Amico: A decision is made about this, then the next day, you know.

Keho: No.

D'Amico: *The building in Corner A along Formosa comes to us.*

Keho: *No.*

D'Amico: *Okay. John?*

Altschul: *Then is it possible to send this forth with respect to everything in it, if in fact that's what we decide to do, reserving the aesthetic element to some future date when plans are submitted and take the aesthetic elements per item either building or building or in total when they submit a total plan?*

Hogin: *In answering your question, I'm gonna give you two parts. The first answer is gonna be, you have to determine what the aesthetic impacts are of the development plan that's in front of you. And those impacts are gonna be limited to what the plan proposes. The height, the bulk, the, whether it's gonna be squished or at full height or whatever. And yes, but not tonight. Tonight we're just looking at the EIR and whether it provides you all the information was getting some questions. But when the project comes to you, yes, you can look at it and make sure that it appropriately reserves for you the ability to control the aesthetics that have not yet been filled in. So this is like the coloring book. You know. Tonight we are in the, the plan will show you the outline of it, and you can, and will help you figure out to reserve for yourselves the ability to decide, you know, how that's gonna get colored in at a later date, without forcing them to design a building that they're not ready to design yet.*

D'Amico: *Thank you. Anyone else? Okay. Let's hear from the public. I guess the applicant is not speaking. No. Okay. Michael Poles will be followed by Jeanne Dobrin.*
Poles: *Good evening.*

Poles: *My name is Michael Poles. P-O-L-E-S. I'm a licensed general building contractor of a construction consultant. I'm a forensic expert witness and mediator. And I've been doing all of that for 44 years. I'm also a resident of the east end of West Hollywood. And what I...forgive me. I reviewed the EIR very quickly. Both the original and the supplemental. The Supplemental addresses the sewage, but there's no, no direction about power. Which power grid is going to be feeding this project over the 12-year period? DWP or Edison? I can tell you that Edison has a policy of repair when broken. They're not building their infra-structure. So it's infra-structure that I'm really concerned about and what kind of a negative effect that's gonna have on the neighborhood. I can tell you for one that we have had numerous power failures. And I'm concerned about how that has a deleterious effect on my computer equipment for my business. I'm also concerned about over a 12-year period, the phasing. I haven't seen the master plan on this project. So I'd like to see what the performance criteria is. How this project's gonna be handled, phased. Where material's gonna be stored. Where the workers of some 26 construction trades are gonna be parking their vehicles. The excavation, shoring. The earth that's gonna be removed from the site. How it's gonna be transported on the public streets. What kind of a negative effect is that gonna have on us, as well as traffic. Quality of air. And I'm very concerned about the negative affect of, of this development which has started with the Gateway Project. We lived through a lot of noise. Early start times. Dust. Air pollution. So I'd like to see how this, this body is going to address the issues of how the developments, plural, are gonna effect the people who live in West Hollywood and the people who travel through it. Essential services, fire, police services through the Sheriff. With the added congestion, with all the developments that I'm hearing being planned in this area, I'm wondering how in the world are people going to be able to drive down Santa Monica Boulevard, yet allowing fire, ambulance, police. How are they gonna get through the traffic jams? So all these issues really need to be taken very seriously into consideration with the master plan. I thank you.*

D'Amico: *Thank you very much, Mr. Poles. Jeanne Dobrin will be followed by Roy Oldenkamp.*

Dobrin: Jeanne Dobrin, resident of West Hollywood. This comes as a complete surprise to me tonight. What I hear tonight is only a comparison to a 1992 document, which makes this session tonight, to me, a great mystery and surprise. The comment period, David says, ends November 2nd. I'll discuss that a little later. Maybe the PAC was informed about this, but if the general public has been informed, I must have been asleep. And I don't sleep a lot. I sleep when it's time to sleep, but I don't sleep when I try to find out what is happening in this City. I have not had, therefore, an opportunity to digest this "comparing report" which I consider...comparing it to a document from 1992 is not telling us what the story is. So I will bow to the erudite remarks of Mr. Altschul, who's an attorney, and Mr. D'Amico, who's an architect, and Mr. Poles, who spoke brilliantly a minute ago. I am very disappointed that so little has been known about this project. Now is it true that the comment period is to end on Sunday, November 5th? That's a kind of a peculiar time, isn't it? It would be interesting for the public to know when the comment period began, not just when it ends on Sunday, November 5th. David tried to help out, but he didn't tell us the beginning, just told us the end. I have quickly scanned tonight's document, but I cannot find quickly what its huge impact is going to be, and I think Mr. Poles spelled it out beautifully for what I would have said if I had his knowledge. I really think that this is a farce, this meeting tonight. Thank you.

D'Amico: Thank you, Ms. Dobrin. Roy Oldenkamp is our last speaker.

Oldenkamp: Good evening. Roy Oldenkamp, City of West Hollywood. I've been in the Lot on several occasions. I have clients there. Tim Burton used to be in the Writer's Building. Yan Dubont. It's the old United Artists lot. Those buildings are creaky and old and wonderful and famous. And if you've been on the Fox lot in Building 88, it's the exact same identical building, would never be touched on the Fox lot. To see a complete in-fill of this lot and the façade saved only on many of these structures is indicative of what's happening here under the guise of historic preservation. We need to really address that issue. Also, that entire area is going to be completely built up in this 2 to 12-year frame. The Cement Factory, obviously, is going to go. There's already plans on the other corner for the City of Los Angeles. So we're looking at a completely high density area that is already gridlocked to a complete halt at times of the day, and my office is a block and a half away, so I know this intersection very, very well. This is only going to get worse. You're gonna have the Middletown Plaza coming up with two seven-story towers directly next to this project. So what you have here is a giant urban core going on, on the surface streets in a residential area. And the impact is going to be unbelievably strong, and it's going to happen in the next decade. So this project really needs to be re-assessed. There's also the Westside EIR coming up, I believe, is coming around, and probably this should be incorporated into that as well. We need something current and information and data that is not a few years old and not a decade old. Thank you.

D'Amico: Thank you, Mr. Oldenkamp. We have no more speakers. Anyone else wish to speak on this item? All right. Well, let's hear back from the Commission. Barbara?

Hamaker: Yeah. I, I would...I am assuming, from what I read in here, that we are locked into the agreements that were made in 1992 and updated when the transfer of the Formosa, of the, the Lot's property, which contained the Formosa Café, went to the Gateway Project, and then went...they updated that agreement. Am I correct, Christi? So in other words, there are certain agreements that were made between the Lot, Warner, and the City Council that we're locked into?

Hogin: Yes. And reminding you that the purpose of this hearing is to take in comments. So we've all been taking copious notes.

Hamaker: Right.

Hogin: Including the things that you're confused tonight, the Commission is confused about and the things that the, the members of the public have asked about. So we're gonna come back in writing with explanations, including a very clear explanation of what we are, for lack of a better word, stuck with, and where we have some discretion to satisfy our concerns about the future.

Hamaker: Right.

Hogin: And, and also just to respond to the speaker who was concerned about the power grids.

Hamaker: So you've, you've....you'll find that....

Hogin: Oh, he was concerned about a lot more than a power grid.

Hamaker: Okay.

Hogin: And we took notes on everything he said.

Hamaker: Yeah. And also, it's my assumption as well as was stated here, that this is a phased in project, and there will be many, many smaller buildings built and phased in. We're not having a ten-acre construction site happening all at once here.

DeGrazia: That's correct. It will be over that 12-year period.

Hamaker: Right. Thank you.

DeGrazia: If I could just point out quickly. I just wanted to let everyone know that the DSEIR was released on September 21st. At that time, we did do newspaper advertising. We sent notices within a 500-foot radius, and all the other standard legal procedures that we follow for noticing. It does officially end, because it's a 45-day period on that Sunday. But when that happens, we always take comments the Monday after so that no one misses out on being able to submit information that we can respond to.

D'Amico: I just want to point out that on page 4.3, the no project, no revised CDP, that might be an opportunity to explain more of Barbara's question, because I read that, and until this evening, I wasn't quite getting that it said, we can't, you know, we can't revise it, they can't do it, and that makes it infeasible. And now I have a clearer understanding. So unless there's no further comments at this moment, the comment period remains open until....

DeGrazia: You can submit comments all the way up to November 6th, which is Monday, at 5:00 p.m.

D'Amico: November 6th at 5:00 p.m. to City Hall. Thank you very much. We are going to take a quick break.

(ITEM 9.B. RECORDING ENDS).

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

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:30 P.M. AND RECONVENED AT 7:40 P.M.

10. NEW BUSINESS.

A. Parking Permit Presentation.

Rod Marquez, Jr., Parking Operations Officer, and Oscar Delgado, Parking Operations Manager, defined and detailed parking permit regulations and parking permit districts within the City of West Hollywood.

Christi Hogin, Assistant City Attorney, explained and detailed the legal ramifications of current and future restrictions of permit parking regulations and how they directly affect individual projects.

Discussion and suggestions were given regarding technological advances and how it may be utilized for future uses.

Chair D'Amico opened public comment for Item 10.A.:

JEANNE DOBRIN, WEST HOLLYWOOD, commented on tandem parking.

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

ACTION: Receive and file. **Motion carried by consensus of the Commission.**

B. Planning Commission Meeting Amendment.

ACTION: 1) Cancel the Planning Commission meeting of Thursday, December 21, 2006. **Moved by Commissioner Altschul, seconded by Commissioner Thompson and unanimously carried; noting the abstention of Commissioners Bartolo and DeLuccio.**

11. UNFINISHED BUSINESS.

A. Westside Corridor Assessment Study and Opinion Survey.

Francie Stefan, Senior Planner, presented the final report of the City of West Hollywood, Westside Corridor Assessment Study and Opinion Survey, detailing data research, market comparisons, industry trends and public opinion polling results related to the development of the Westside Plan.

Chair D'Amico opened public comment for Item 11.A.:

STEVE MARTIN, WEST HOLLYWOOD, had concerns regarding additional large-scale development and traffic circulation.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the demographics of West Hollywood.

ACTION: Close public comment for Item 11.A. **Motion carried by consensus of the Commission.**

ACTION: Receive and file. **Motion carried by consensus of the Commission.**

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

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

14. **PUBLIC COMMENT.**

STEVE MARTIN, WEST HOLLYWOOD, commented on continuing development and massing of projects.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on affordable and low-income housing and parking. She requested a text amendment regarding the sign ordinance.

15. **ITEMS FROM COMMISSIONERS.**

Chair D'Amico stated for the record he will be absent from the next meeting of Thursday, November 16, 2006. Vice-Chair Guardarrama will officiate.

16. **ADJOURNMENT:** The Planning Commission adjourned at 8:35 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, November 16, 2006 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 16TH DAY OF NOVEMBER, 2006.



CHAIRPERSON

ATTEST:



COMMUNITY DEVELOPMENT DIRECTOR