



**PLANNING COMMISSION  
SUMMARY ACTION MINUTES  
Regular Meeting  
February 15, 2018**

West Hollywood Park Public Meeting Room – Council Chambers  
625 N. San Vicente Boulevard, West Hollywood, California 90069

*THE CITY OF WEST HOLLYWOOD HAS ADOPTED BRIEF SUMMARY AND ACTION MEETING MINUTES; WHICH PROVIDE A SUMMARY OF THE ACTIONS TAKEN AND POINTS OF DISCUSSION ONLY. ADDITIONAL COMMENTS OR DISCUSSION REGARDING ANY ITEM SUMMARIZED IN THESE MINUTES MAY BE OBTAINED BY VIEWING THE ARCHIVED VIDEOS OF THE PLANNING COMMISSION MEETINGS AT [www.weho.org/weho-tv/other-city-meetings](http://www.weho.org/weho-tv/other-city-meetings)*

1. **CALL TO ORDER:** Chair Buckner called the meeting of the Planning Commission to order at 6:36 P.M.

2. **PLEDGE OF ALLEGIANCE:** Victor Omelczenko led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Altschul, Bass, Carvalheiro, Hoopingarner, Vice-Chair Jones, Chair Buckner.

Commissioners Absent: Aghaei.

Staff Present: Robyn Eason, Senior Sustainability Planner, Sami Taylor, Assistant Sustainability Planner, Jennifer Alkire, Senior Planner, Adrian Gallo, Associate Planner, David DeGrazia, Current and Historic Preservation Planning Manager, Lauren Langer, Acting Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Commissioner Altschul stated Item 10.B. - 1011 N. Ogden Drive has been requested to be continued by the applicant to Thursday, March 1, 2018. He requested a representative should be present from the Rent Stabilization and Hearings Division at the next meeting, with all the records of the prior rentals, and the records of ownership for the last several years regarding this property.

**ACTION:** Approve the Planning Commission Agenda of Thursday, February 15, 2018 as amended. **Moved by Vice-Chair Jones, seconded by Commissioner Hoopingarner and passes, noting Commissioner Aghaei absent.**

5. **APPROVAL OF MINUTES.**

**A. February 1, 2018**

**ACTION:** Approve the Planning Commission regular meeting minutes of Thursday, February 1, 2018 as presented. **Moved by Commissioner Bass, seconded by Vice-Chair Jones and passes, noting Commissioner Aghaei absent.**

**6. PUBLIC COMMENT.** None.

**7. DIRECTOR'S REPORT.**

John Keho, Interim Community Development Director, stated the next City Council meeting on Tuesday, February 20, 2018 will have a second reading regarding the R3C-C and R4B-C zones, and an update on the Operating Budget (mid-year).

**8. ITEMS FROM COMMISSIONERS.** None.

**9. CONSENT CALENDAR.** None.

**10. PUBLIC HEARINGS.**

**A. Zone Text Amendment**

**Electric Vehicle Charging Stations:**

Robyn Eason, Senior Sustainability Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, February 15, 2018.

She provided a history of electric vehicle charging station readiness, and stated the City Council directed staff to pursue several EV charging readiness initiatives in West Hollywood. This direction included new requirements for installing electric vehicle charging infrastructure in new development, seeking EV charging grants, increasing lobbying efforts for EV charging readiness at the state level, and allowing parking incentives for electric vehicle owners.

Sami Taylor, Assistant Sustainability Planner, provided electric vehicle policy history, infrastructure, additional plans for installations, West Hollywood electric vehicle statistics, electric vehicle readiness, and other cities and municipalities electric vehicle readiness and installation timelines, and multi-family and mixed-use developments.

Robyn Eason, Senior Sustainability Planner continued the presentation, addressing building codes vs. zoning codes, proposed building code amendments, sample development scenarios, and local policy outcomes.

Sami Taylor, Assistant Sustainability Planner, stated the following exemptions are temporary parking lots and off-site spaces for commercial uses utilizing the City's Parking Credits Program. Other exemptions may be granted at the discretion of the Community Development Director, where compliance with the requirements is found to be technically infeasible.

The commission requested clarification regarding additional amendments for multi-family and mixed-use developments.

They questioned why larger developments are not required to have live charging stations installed at inception, if the chargers trigger the van accessible parking space, and if it's possible to have portable chargers not dedicated to a parking space.

Robyn Eason, Senior Sustainability Planner clarified the accessibility requirements, and alternative compliance paths.

The commission stated it would seem feasible for new construction projects to make room for electric vehicle charging stations.

The commission questioned if the Transportation Commission has reviewed this request, and if larger developments have been given any kind of incentives to include electric vehicles charging stations in their developments.

John Keho, Interim Director, Community Development Department stated the Transportation Commission does not have purview over the zoning code. He further clarified staff can look into the possible development incentives, and forward that recommendation to the City Council.

Discussion was held regarding portable charging stations, additional studies for larger development incentives, accessible parking spaces, and accessibility to 110 voltage charging.

**Commissioner Hoopingarner moved to: 1) adopt staff's recommendations to City Council with the comments provided, focusing on "actual charging" (not potential charging) with 110 outlets or electrical charging apparatuses, and return with a firmer proposal.**

John Keho, Interim Director, Community Development Department, suggested staff do the additional research, and move it forward it to City Council.

**Commission consensus did not request it to return to the Planning Commission.**

**Seconded by Commissioner Altschul.**

**ACTION:** 1) Adopt Resolution No. PC 18-1238 as presented with comments and recommendations; "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING SECTIONS §19.28.040, §19.28.090, §19.28.170, §19.34.110 OF TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE IN CONJUNCTION WITH CHANGES TO TITLE 13 TO ADOPT NEW POLICIES TO REQUIRE PARKING SPACES IN NEW CONSTRUCTION TO BE PLUG-IN ELECTRIC VEHICLES (PEV) READY, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA;" and 2) Close the Public Hearing for Item 10.A. **Moved by Commissioner Hoopingarner, seconded by Commissioner Altschul and passes, noting Commissioner Aghaei absent.**

**B. 1011 N. Ogden Drive:**

Request to demolish an existing single-family residence and detached garage, and construct a new three-story, five-unit condominium building over subterranean parking.

It had come to staff's attention that there are individuals occupying the property. Code Compliance inspected the site and found that there are individuals living in both the house and the rear structure. The owner of the property did not register these individuals as tenants through the Rent Stabilization & Housing Division.

The applicant would like to address the issues with the Rent Stabilization and Housing Division before proceeding, and is therefore requesting to continue the item to a date certain of March 1, 2018.

**ACTION:** 1) Continue to Thursday, March 1, 2018. **Moved by Commissioner Vice-Chair Jones, seconded by Commissioner Hoopingarner and passes as part of the amended agenda.**

**C. 9091 Santa Monica Boulevard:**

Jennifer Alkire, Senior Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, February 15, 2018.

She stated the request is to designate an existing commercial building as a local culture resource, enter into a Mills Act contract and adaptively reuse the building as a new, six-room hotel over a restaurant with outdoor dining.

She provided a history of the project site, and spoke regarding neighborhood compatibility, past uses, rehabilitation plan, hotel guest rooms, and restaurant use.

The Historic Preservation Commission recommended the upper deck area, approximately 500 square-feet, should be eliminated from the plans; due to the elevator overrun, which appears to interfere with the (character defining feature) structure of the billboard.

She spoke and detailed the parking requirements, on-site parking and loading site, legalizing the billboard, and entitlements.

Staff finds the proposed uses are appropriate for the site and neighborhood, and requested a recommendation of approval to the City Council.

The commission questioned if the Historic Preservation Commission had concerns adding awnings to the building, and if they had discussion regarding digital billboards.

Jennifer Alkire, Senior Planner stated the Historic Preservation Commission did not discuss the awnings or a digital billboard. The placement of the awnings and the extent of the awnings were reviewed by staff and the consultant.

The commission had concerns regarding the parking plan, traffic plan, and loading and unloading zone.

Chair Buckner opened public comment for Item 10.C.:

TAYLOR MEGDAL, LOS ANGELES, applicant, presented the applicants report. He detailed the history of the building, and spoke on the rehabilitation, six-room micro-hotel, restaurant, and neighborhood compatibility.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, continued the applicant's report. He spoke and detailed the Historic Preservation Commission's approval, location of the site, alley use, hotel lobby, hotel rooms, rooftop terrace and garden, elevator housing and service, billboard structure, outdoor space, operating hours, number of hotel guests, rehabilitation incentives, parking, and ride-share concerns. He requested approval of the requests.

The commission requested clarification regarding ride-share loading and unloading locations, restaurant hours, rooftop uses, and questioned if the rooftop will be non-smoking.

Commissioner Altschul suggested no smoking on the rooftop terrace be put into the conditions of approval.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, agreed to this added condition.

The commission had concerns and requested clarification regarding the elevator shaft and alteration to the sign.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, clarified that only twelve feet of one strut would need to be removed and connected to the elevator housing.

The commission questioned the hours of operation, restrictions regarding the number of people allowed on the roof deck, number of patrons allowed in the restaurant, outdoor dining and the encroachment into the public right-of-way, screening protections and projections on the roof top, fire stairwells, elevator location, traffic circulation, structural re-enforcement, signage, and construction timelines.

Commissioner Altschul suggested adding a condition regarding the restaurant lease, advertising and promotional materials. The language should state there is no on-site or valet parking.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, agreed to this added condition.

BOBBIE EDRICK, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

VICTOR OMELCZENKO, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

KIMBERLY COPELAND, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

ANALIRE SPACUCCELLO, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding the owners intentions regarding the use of the building. She suggested the city and owner could give the city an actual cultural resource.

STEVE MARTIN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

CYNTHIA BLATT, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

JILL COLLINS, BEVERLY HILLS spoke in support of staff's recommendation of approval to City Council. She had concerns regarding the proposed drop off locations for Uber and Lyft, and use of the alley.

MICHAEL SPECTOR, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

STEPHANIE HARKER, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

CATHY BLAIVAS, WEST HOLLYWOOD spoke in support of staff's recommendation of approval to City Council.

**THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT SUPPORTS STAFF'S RECOMMENDATION OF APPROVAL TO CITY COUNCIL:** CHRIS HUDDLESTON, LOS ANGELES, AND MATT DUBIN, WEST HOLLYWOOD.

DAVID THOMPSON, LONG BEACH, LATHAM & WATKINS, applicant's representative, presented the applicants rebuttal. He requested support of the roof top and stated by altering the hours of delivery, and working with the neighbors, they can make the alley work. He stated they will do everything to make this a successful project. He requested approval.

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

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:25 P.M. AND RECONVENED AT 8:30 P.M.**

Commissioners Altschul, Bass, Carvalheiro, Vice-Chair Jones and Chair Buckner disclosed for the record they either spoke with and/or met with the applicant and applicant's representatives. They discussed matters contained in the staff report.

Commissioner Hoopingarner had no official disclosures.

The commission discussed and had concerns regarding the loading and unloading issues regarding Uber and Lyft, use of the alley, number of guests allowed on the rooftop at one time, .special event permits, changing 10:00 p.m. closing time to 12:00 midnight, rooftop deck usage, elevator projection, and the character defining feature of the billboard.

Commissioner Altschul reiterated there should be no smoking on the rooftop, the elevator should be keyed for rooftop access only for guests, and a workable loading plan should be provided by the applicant, to be approved by the commission. There should not be drop-off zones on Santa Monica Boulevard or Doheny Drive; unless it is agreed to by the businesses which the drop off zone is to be directly in front of, and all advertising and promotional materials by the developer and restaurant should have language stating there is no on-site or valet parking.

Commissioner Bass requested signage directing people to the loading and unloading areas, to the satisfaction of the Community Development Director.

**Commissioner Hoopingarner moved to: 1) approve staff's recommendation of approval with the following conditions; a) there shall be an effective traffic plan for drop-off and pick-up; and b) no digital billboard shall be allowed.**

**Seconded by Vice-Chair Jones.**

Commissioners Altschul, Bass, Carvalheiro, and Chair Buckner had concerns the motion does not include elevator access to the roof top.

**MOTION FAILS.**

**Commissioner Hoopingarner, Vice-Chair Jones. AYE  
Commissioners Altschul, Bass, Carvalheiro, Chair Buckner. NOES  
Commissioner Aghaei. ABSENT**

**Commissioner Bass moved to: 1) approve staff's recommendation of approval with the following conditions; a) roof deck shall be allowed; b) all advertising and promotional materials by the developer and restaurant shall have language stating there is no on-site or valet parking; c) signage shall be included in the facility to drop-off zones; d) patio shall be allowed to stay open until midnight; d) rooftop shall be limited to 15 guests, e) no smoking on the roof deck; f) no digital billboard shall be allowed; and g) up to two special event permits per year.**

**Seconded by Chair Buckner.**

**Commissioner Altschul amended the motion to include: 1) loading and unloading plan and traffic circulation plan, shall be brought back to the commission; and 2) elevator shall be keyed for rooftop access.**

**Commissioner Bass and Chair Buckner agreed to this amendment.**

Lauren Langer, Acting Assistant City Attorney, read the proposed motion into the record: a) amend Condition 2.2) Use of the upper roof deck as an open space amenity is allowed, limited to fifteen hotel guests and their guests only, closing at 12:00 a.m." b) two special event permits per year for the roof deck; c) billboard shall not be converted to a digital billboard; d) applicant shall prepare a loading, unloading, and traffic circulation plan, to be brought back before the planning commission before issuance of a Certificate of Occupancy; e) change Condition 10.4) hours of operation for hotel roof deck shall be 8:00 a.m. to 12:00 a.m. daily; f) delete current Condition 10.5); g) add new Condition 10.5) No smoking on any roof deck or terrace; h) Condition 10.6) all promotional materials and websites shall

indicate there is no on-site parking or valet parking; and i) Condition 10.7) business shall install signs to the satisfaction of the Community Development Director, directing customers to any approved loading area.

**ACTION:** 1) Approve the application, 2) Adopt Resolution No. PC 18-1241 as amended; a) amend Condition 2.2) *“Use of the upper roof deck as an open space amenity is allowed, limited to fifteen hotel guests and their guests only, closing at 12:00 a.m.;”* b) *two special event permits per year for the roof deck;* c) *billboard shall not be converted to a digital billboard;* d) *applicant shall prepare a loading, unloading, and traffic circulation plan, to be brought back before the Planning Commission before issuance of a Certificate of Occupancy;* e) *amend Section 10.4) Hours of operation for hotel roof deck shall be 8:00 a.m. to 12:00 a.m. daily;* f) *delete current Condition 10.5);* g) *add new Condition 10.5) No smoking on any roof deck or terrace;* h) *Condition 10.6) All promotional materials and websites shall indicate there is no on-site parking or valet parking;* and i) *Condition 10.7) Business shall install signs to the satisfaction of the Community Development Director, directing customers to any approved loading area.* “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL CONDITIONALLY APPROVE ADAPTIVE REUSE OF AN EXISTING SITE AS A RESTAURANT WITH ON-SITE ALCOHOL AND OUTDOOR DINING AND A SIX-ROOM HOTEL, AND REHABILITATION INCENTIVES FOR WAIVER OF OFF-STREET PARKING AND LOADING REQUIREMENTS AND CONTINUED MAINTENANCE AND OPERATION OF THE EXISTING BILLBOARD, LOCATED AT 9091 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” and 3) Close the Public Hearing for Item 10.C. **Moved by Commissioner Bass, seconded by Chair Buckner and passes, noting Commissioner Aghaei absent.**

**D. Zone Text Amendment**

**Affordable Housing Requirements:**

Request to amend the West Hollywood Zoning Ordinance to revise the Affordable Housing Requirements and Incentives Regulations to conform with State law, citywide, West Hollywood, California.

Staff requested a continuance to allow time to address technical items.

**ACTION:** Continue to Thursday, March 1, 2018. **Moved by Commissioner Vice-Chair Jones, seconded by Commissioner Hoopingarner and passes as part of the amended agenda.**

**11. NEW BUSINESS.** None.

## 12. UNFINISHED BUSINESS.

### A. 8715 Melrose Avenue:

Adrian Gallo, Associate Planner provided background information and an update, as presented in the staff report dated Thursday, February 15, 2018.

He presented a short synopsis of the past Catch Restaurant updates, and stated since the last review in October of 2017, a building permit has been issued for a twelve-foot high glass sound wall that is fully roofed along a 45 foot stretch of the Melrose Avenue frontage to further dampen ambient noise that may be audible from the nearest residential properties. A general contractor has been retained and fabrication has begun. Fabrication is taking place off-site and installation should begin in six weeks, with a tentative completion date of April 2, 2018.

Staff contacted the Los Angeles County Sheriff's Department regarding any criminal activity or problems associated with the establishment. The Sherriff's Department reported no major problems with the operation of this establishment since the last review.

Code Compliance Division received calls on 2 occasions since October regarding noise from the restaurant, but these complaints have not been attributable to Catch Restaurant.

Catch Restaurant has had one special event, which took place on November 15, 2017. This event was held without incidents reported to either the Sheriff's Department or the City's Code Compliance Division.

During the past three months, Catch Restaurant has not been issued any code violation citations, and the Sheriff's Department indicates no concerns with the operation of this establishment.

Catch has made a good faith effort to meet with interested community members to discuss concerns about the operation of the establishment and continues to cooperate with the neighboring community.

Staff recommends the commission receive and file this report with no action taken.

Chair Buckner opened public comment for Item 12.A.:

AARON GREEN, LOS ANGELES, applicant's representative, provided the applicants report. He provided an update how Catch Restaurant has been adding additional staff and working with the valet operations, and parking enforcement.

MIKE ILIC, LOS ANGELES, General Manager, Catch Restaurant, continued the applicants report. He stated how they continue to work with the neighborhood and encouraged any complainants to contact him personally at 917.287.4135.

The commission requested Code Compliance reach out to David Harte regarding his current noise issues with Catch Restaurant.

**ACTION:** 1) Continued to August 16, 2018 for another review, after the installation of the glass sound wall; and 2) receive and file. **Motion carried by consensus of the Commission.**

**13. EXCLUDED CONSENT CALENDAR.** None.

**14. ITEMS FROM STAFF.**

**A. Planning Manager's Update.** None.

**15. PUBLIC COMMENT.**

VICTOR OMELCZENKO, WEST HOLLYWOOD commented on the Community Housing meetings, and the continuance of Item 10.D. – Affordable Housing Requirements.

**16. ITEMS FROM COMMISSIONERS.**

Commissioner Bass commented on Item 10.B. – 1011 N. Ogden Drive, stating he would like to see in future packets, accurate information regarding tenants living in these type of properties.

Commissioner Hoopingarner suggested staff make a statement in future staff reports, that they have personally visited and reviewed the properties, with the following statement; that no one is occupying the properties, etc.

Commissioner Altschul also suggested when staff goes to verify the occupancy that they also talk to the neighbors.

David DeGrazia, Current and Historic Preservation Planning Manager stated staff does not have the legal authority to go beyond property lines, and making a definitive (sworn) statement of what they observed. He stated he is not comfortable having staff do provide this request.

Lauren Langer, Acting Assistant City Attorney, stated this is not an item on the agenda for discussion. She stated staff will look into the matter further for possible solutions.

17. **ADJOURNMENT:** The Planning Commission adjourned at 9:20 P.M. to a regularly scheduled meeting on Thursday, March 1, 2018 beginning at 6:30 P.M. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

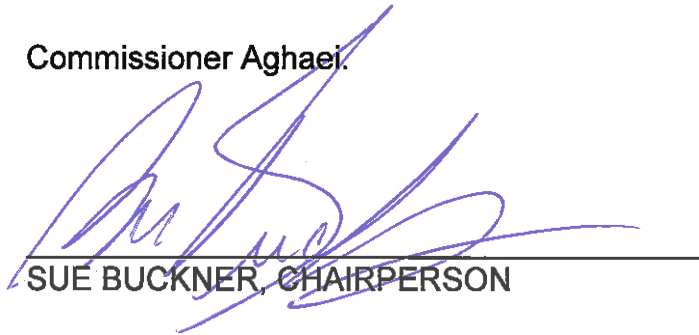
**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held this 1<sup>st</sup> day of March, 2018 by the following vote:

AYES: Commissioner: Altschul, Bass, Carvalheiro, Hoopingarner, Vice-Chair Jones, Chair Buckner.

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: Commissioner Aghaei.



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SUE BUCKNER, CHAIRPERSON

ATTEST:



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DAVID K. GILLIG, COMMISSION SECRETARY